

**Before the Panel of Hearing Commissioners
For the Queenstown Lakes Proposed District Plan**

In the Matter of the Resource Management Act 1991

And

In the Matter of the Queenstown Lakes Proposed District Plan
(Stage 2 - Hearing Stream 14)

Statement of Evidence of
Jeffrey Andrew Brown for Trojan Helmet
Limited (Submitter 2387 and Further
Submitter 1157)

Dated: 19 June 2018

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EXECUTIVE SUMMARY

1. In this evidence I address the zoning of a 162ha block of land south of Arrowtown-Lake Hayes Road, west of McDonnell Road, and north of Hogans Gully Road. The land already contains two golf courses.
2. I evaluate the two key zoning options before the Commission:
 - (a) the Council's Wakatipu Basin Rural Amenity Zone (**WBRAZ**); and
 - (b) The "The Hills Resort Zone" (**THRZ**), a golf-course based resort zone sought in the submission by Trojan Helmet Ltd (**THL**) which enables, through a bespoke set of provisions including a Structure Plan, golf courses and related commercial, visitor and maintenance activities, up to 150 residential / visitor accommodation units, and areas of open space, landscape protection and enhancement works. The total building coverage for the Zone would be around 2 – 3%. The development areas within the Structure Plan are located where the landscape analysis determines they can be appropriately absorbed into the landscape.
3. My evaluation is based on the Commission's zoning principles and other factors that should be applied when considering the most appropriate provisions for the District Plan, and on the purpose and principles of the Act.
4. The Commission's zoning principles, and my summary on each, are as follows:
 - (a) ***Whether the change implements the purpose of the PDP Strategic chapters and in particular the Strategic Direction, Urban Development a Landscape Chapters;***
 - (i) I have evaluated the options under each of the objectives and policies in the Strategic Direction and Landscape chapters from the PDP Stage 1 Decisions Version. My conclusion is that of the two zones THRZ better achieves the higher order objectives and policies in Chapters 3 and 6, because it enables significant socio-economic benefits while not causing significant, or adverse, change to the landscape values of the site or the wider Basin. In my opinion THRZ better achieves the higher order PDP provisions than the WBRAZ.

- (b) ***The overall impact of the rezoning gives effect to the Otago Regional Policy Statement (ORPS);***
- (i) I have evaluated the options under each of the objectives and policies in the operative and proposed Regional Policy Statements. My conclusion is that THRZ achieves the RPS provisions in relation to economic wellbeing and diversity, whereas the WBRAZ does not; and that both THRZ and the WBRAZ achieve the RPS provisions in relation to landscape recognition and protection. I consider that of the two options THRZ better achieves the regional provisions, overall, than the WBRAZ.
- (c) ***Whether the objectives and policies of the proposed zone can be implemented on the land;***
- (i) Both sets of provisions can be implemented on the Hills land.
- (d) ***Economic costs and benefits are considered;***
- (i) I have compared the economic costs and benefits of each option. The economic benefits of THRZ significantly outweigh the costs, and significantly outweigh the economic benefits of the WBRAZ.
- (e) ***Changes to zone boundaries are consistent with the maps in the PDP that indicate additional overlays or constraints (e.g., Airport Obstacle Limitation Surfaces, SNAs, Building Restriction Areas, ONL/ONF);***
- (i) There are no additional overlays or constraints; there are no over-riding building restriction areas, outstanding natural landscapes or features, or any heritage items within the site.
- (f) ***Changes should take into account the location and environmental features of the site (e.g., the existing and consented environment, existing buildings, significant features and infrastructure);***
- (i) THRZ Structure Plan has been carefully devised to take into account the locational and environmental features of the site,

to avoid and mitigate where necessary potential adverse effects.

- (g) ***Zone changes are not inconsistent with long term planning for the provision of infrastructure and its capacity;***
 - (i) THRZ development is not inconsistent with the long term planning of infrastructure and its capacity.
- (h) ***Zone changes take into account effects on the environment of providing infrastructure onsite;***
 - (i) THRZ would be self-sufficient for stormwater management, potable and waste water without adverse effects on the receiving environment. Alternatively, connections to Council's reticulated infrastructure are possible.
- (i) ***There is adequate separation between incompatible land uses;***
 - (i) There are no incompatible uses in the vicinity of the land and there are adequate setbacks to prevent any reverse sensitivity effects in relation to farming uses.
- (j) ***Rezoning in lieu of resource consent approvals, where a portion of a site has capacity to absorb development does not necessarily mean another zone is more appropriate;***
 - (i) There are no relevant resource consents that the rezoning is in lieu of. A bespoke zoning is more appropriate than resource consents as a Zone will enable an integrated approach to development of the land.
- (k) ***Zoning is not determined by existing use rights, but these will be taken into account.***
 - (i) There are no relevant existing use rights. There are consents for the golf courses, clubhouse, sculptures, and unimplemented consents for 17 dwellings (along with subdivision for these dwellings) on the property. These establish a baseline for development of the Site on which THRZ builds.

(l) ***Context of a site or geographic area. Relevant local context factors include, most relevantly: (d) the ability of the environment to absorb development.***

(i) The 162ha site can absorb THRZ development, due to the careful siting of the development areas within the Structure Plan and the development standards. In combination with other existing and proposed developments, the cumulative effects on landscape values and rural character are in my view acceptable.

5. I therefore conclude that THRZ is more consistent with and better achieves the rezoning principles than the WBRAZ.

(a) In relation to the Councils' s42A report, I consider that Mr Langman has only provided superficial assessment of THRZ and has, despite claims in the early part of his evidence:

(b) not addressed the Commissioners' rezoning principles;

(c) not addressed the higher order objectives and policies;

(d) not properly considered the actual effects of the proposal with reference to the THRZ Structure Plan or provisions;

(e) not properly considered the cumulative effects of THRZ development or the effects of other existing and proposed developments; and

(f) not considered the purpose and principles of the Act.

6. I have assessed THRZ and WBRAZ under Part 2 of the Act, and I conclude that THRZ is the most appropriate way to achieve the purpose and principles of the Act.

INTRODUCTION

7. My name is Jeffrey Andrew Brown. I have the qualifications of Bachelor of Science with Honours and Master of Regional and Resource Planning, both from the University of Otago. I am a full member of the New Zealand Planning Institute. I am also a member of the New Zealand Resource Management Law Association. I was employed by the Queenstown Lakes District Council (**QLDC**) from 1992 – 1996, the latter half of that time as the District Planner. Since 1996 I have practiced as an independent resource management planning consultant, and I am currently a director of Brown & Company Planning Group Ltd, a consultancy with offices in Auckland and Queenstown. I have resided in Auckland since 2001.
8. **Attachment A** contains a more detailed description of my work and experience.
9. Although this is not an Environment Court hearing, I confirm that I have read the Code of Conduct for Expert Witnesses as contained in the Environment Court Practice Note dated 1 December 2014. I agree to comply with this Code. This evidence is within my area of expertise, except where I state that I am relying upon the specified evidence of another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.
10. I have been engaged by Trojan Helmet Limited (**THL**) to prepare evidence in respect of THL's proposal for a bespoke resort zoning for its approximately 162ha block of land located between Arrowtown-Lakes Hayes Road, McDonnell Road and Hogans Gully Road. The Council's Stage 2 Wakatipu Basin Variation locates the land in the Wakatipu Basin Rural Amenity Zone (**WBRAZ**).
11. My firm prepared THL's submissions on Stage 1 (Submission 437) and Stage 2 (Submission 2387) of the PDP, along with the section 32 Evaluation Reports¹ that accompanied those submissions.

¹ A Section 32 evaluation "The Hills Resort Zone" prepared by Brown & Company Group, dated October 2015; and A Section 32 evaluation "The Hills Resort Zone" prepared by Brown & Company Group, dated 23rd February 2018.

12. This evidence relates to THL's Stage 2 submission (noting that the Stage 2 submission seeks very similar outcomes to those sought in the Stage 1 submission).
13. In summary, the Stage 2 submission seeks that the THL land is rezoned to a bespoke resort-type zone based on the established golf course and related activities, and with greater development rights than the WBRAZ provides for.
14. I have visited the THL land on many occasions, having been involved in various consenting projects (including the golf clubhouse, sculptures, and the 17-lot subdivision and residences consent), and I am familiar with the wider surroundings.
15. I have read the evidence of Mr Langman, Ms Gilbert, Mr Barr, Ms Jarvis and Mr Smith for the Council, and of Ms Pfluger, Mr Tyler, Ms Chin, Mr Colegrave, Mr Penny, Mr Hadley, Mr Peakall, Mr Allen and Ms Hill for THL.
16. My evidence is structured as follows:
 - (a) I briefly describe the site;
 - (b) I discuss the relevant "options" before the Commissioners;
 - (c) I set out the statutory tests for evaluating the options;
 - (d) I evaluate the options in accordance with the statutory tests;
 - (e) I summarise and conclude my evidence.

THE SITE AND ENVIRONS – A BRIEF DESCRIPTION

17. The site is described in detail in the submission and in the masterplan and landscape assessment reports that accompanied the submission, and in the evidence of Ms Pfluger and Mr Tyler.
18. In summary, The Hills land features a world-class championship golf course that, along with the Millbrook Country Club, hosts the New Zealand Open golf tournament (New Zealand's largest golf event). The Hills clubhouse has won numerous architectural design awards. In addition to the golf maintenance facilities, the site contains a 9-hole par 3 course; a small, high quality visitor accommodation lodge; three dwellings with various ancillary buildings; and a sculpture park.

19. The main access to the Site is from McDonnell Road, and there are additional driveways (to the individual dwellings) off Arrowtown-Lake Hayes Road and from Hogans Gully Road.
20. Existing unimplemented resource consents (RM081223 and RM081224) enable further development of the property: subdivision to create 17 rural-residential lots, and land use consent for a dwelling on each new lot for residential and visitor accommodation purposes. I understand that these consents would not be exercised if the proposed zoning is confirmed.
21. To the north and east of the Site are several rural residential properties and the existing and planned urban development along McDonnell Road. There is also the consented retirement village immediately southeast of the site. To the south of the site are rural-residential properties and the Soho winery. To the west and northwest are Millbrook, comprising golf courses, commercial and higher density urban residential living, and adjacent rural-residential properties along the Arrowtown-Lake Hayes Road.

THE RELEVANT OPTIONS

22. There are two options before the Commissioners:
 - (a) Option A - The Council's PDP Stage 2 option, being the WBRAZ².
 - (b) Option B - THL's option, the "The Hills Resort Zone" (THRZ), as a new Chapter in the PDP.
23. I describe the options in more below.

Option A – WBRAZ

24. In broad summary the WBRAZ is effectively the PDP's Stage 1 Rural Zone but with some critical differences: where the Rural Zone provides for subdivision as a discretionary activity with no minimum lot size, and with strong assessment criteria in relation to effects on landscape and rural character and amenities, the WBRAZ imposes a minimum lot size of 80ha (breach triggers non-complying status). The WBRAZ also removes entitlements for dwellings within an approved residential building platform (by changing the status from controlled to restricted discretionary, with more

² The same evaluation would apply to the Rural Zone of Stage 1 of the PDP, in the event that the WBRAZ is rejected

stringent assessment criteria). Outdoor recreational activities and some commercial activities are better promoted in the WBRAZ. In most other respects the objectives, policies and methods are not dissimilar.

25. The WBRAZ zoning of The Hills site is based on the Wakatipu Basin Land Use Study, the findings of which have informed the Landscape Character Units (LCUs) in Schedule 24.8 of the WBRAZ. The Hills Site is within LCU22, which has a summary “Capability to absorb additional development” rating of “Moderate”.

Option B – THRZ

26. The Hills land has varied topography and degrees of visibility when viewed from outside the Site and has significant potential for further development that can be located and designed in a manner that does not adversely affect the landscape and visual amenity values of the land or of the wider surrounding environment. To this end the THRZ has been crafted. The THRZ is set out in full in my Attachment B. Attachment B includes modifications since THL’s Stage 2 submission was lodged, which are described later in my evidence. In addition, the Structure Plan has been since modified to include a trail; alter and reduce the extent of the Clubhouse Area (**Area C**); alter and reduce the extent of Activity Area (**A1**); include a new “Landscape Amenity Management Area (**LAMA**) (**L1**) adjacent to A1; reconfigure the accessway to Activity Area 9 (**A9**); and include a new public cycle/walkway. These changes are described in Mr Tyler’s evidence.
27. The THRZ provides for, in summary, a resort based on the existing golf course and related activities, facilities and amenities. The Zone Purpose states:

The purpose of the Zone is to enable high quality resort facilities. The Zone provides for outdoor recreation, including two golf courses (one being an 18-hole championship golf course), visitor accommodation and residential activities, a small commercial area and sculpture park, which all complement the amenities of the golf courses. A small area of staff accommodation is also provided.

A Structure Plan applies to the Zone, as well as standards for buildings and landscaping to ensure that the development is appropriately located and well integrated with the golf course and the local and wider landscape setting.

The Zone provides for development in appropriate areas and will be landscaped to mitigate the adverse effects of built form.

The Zone can also play host to national and international golfing events that showcase the District and contribute to the economy.

28. The Zone includes:
- (a) Provision for Golf courses (including driving ranges), and temporary events to accommodate, for example, the NZ Golf Open;
 - (b) A Golf club house area, with restaurant, café, and associated commercial activities;
 - (c) An area for maintenance and service facilities;
 - (d) Provision for sculpture (The Sculpture Park);
 - (e) Up to 150 residential / visitor accommodation units in areas that are nestled into the landscape, with the visitor accommodation provided for in a variety of forms (managed apartments, timeshares, lodges, residential visitor accommodation);
 - (f) Staff accommodation adjacent to the maintenance area;
 - (g) Mitigation landscaping including the Landscape Amenity Management Areas (LAMAs) within which landscaping is encouraged where it will assist in mitigating the visual effects of development when viewed from outside the site;
 - (h) A cycle/walkway; and accessways.
29. The objective for THRZ reflects the purpose: it encapsulates what is enabled by the Zone and that the enabled activities are to be regulated to ensure that effects within and outside of the Zone are managed appropriately. The 12 supporting policies set out the various activities anticipated in the Zone, and the regulatory means for their implementation.
30. THRZ facilities are to be located in accordance with a Structure Plan that identifies activity areas for these different land uses, access, landscaping areas and so on.

31. The Zone rules are structured in the same way as the other Resort Zones (Millbrook, Jacks Point and Waterfall Park), with an activity table and status, and a table of development standards. Within the development areas on the Structure Plan, the anticipated activities are permitted provided they meet the development standards, including in relation to building materials and colours, density, and height, however all buildings are a controlled activity with control reserved over infrastructure and access. Various other activities are controlled, restricted discretionary, discretionary or non-complying. Activities not in accordance with the Structure Plan are non-complying.
32. Some of the development areas are adjacent to a LAMA on the Structure Plan. Within a LAMA planting and other works are required in order to mitigate the visibility of the development in the adjacent development area when viewed from neighbouring properties and/or public viewpoints. The works within a LAMA require a controlled activity consent. Development in the adjacent development area is a non-complying activity if the consented LAMA works have not been established.
33. Subdivision is a controlled activity if in accordance with the Structure Plan.
34. The rules overall have been crafted in order to achieve the objective of enabling certain resort activities that fit with the existing golf infrastructure on the Site while managing the effects of development internally and when viewed from outside the Site.
35. A mixture of Design Controls and standards have been created for the Zone to ensure that the final built form is appropriate. The Design Controls will be given effect to in a similar way to those for the Millbrook Resort Zone in that standards such as building height and appropriate colours and materials are contained within the District Plan, whereas the Design Guidelines provide for a separate review process between the Hills and the landowner. This is outside of the District Plan consenting process. The external and internal effects of the development are therefore addressed by the differing methods. External effects are dealt with by the Zone provisions, and internal effects – in relation to overall theme and architectural style, are dealt with by the Design Controls.

36. The Trojan Helmet submission seeking the above is not strongly challenged by any further submission.
37. I now evaluate the two options under the zoning principles.
38. The Zone provisions have been refined over the course of this process and some modifications made since THL's Stage 2 submission was lodge in February. The modified provisions are contained in **Attachment B**.

ZONING PRINCIPLES

39. The principles that apply in considering the most appropriate provisions for the District Plan are those recommended by the Hearings Commissioners in Stage 1³, as follows:
 - (a) Whether the change implements the purpose of the PDP Strategic chapters and in particular the Strategic Direction, Urban Development and Landscape Chapters;
 - (b) The overall impact of the rezoning gives effect to the Otago Regional Policy Statement (**ORPS**);
 - (c) Whether the objectives and policies of the proposed zone can be implemented on the land;
 - (d) Economic costs and benefits are considered;
 - (e) Changes to zone boundaries are consistent with the maps in the PDP that indicate additional overlays or constraints (e.g. Airport Obstacle Limitation Surfaces, SNAs, Building Restriction Areas, ONL/ONF);
 - (f) Changes should take into account the location and environmental features of the site (e.g. the existing and consented environment, existing buildings, significant features and infrastructure);
 - (g) Zone changes are not inconsistent with long term planning for the provision of infrastructure and its capacity;
 - (h) Zone changes take into account effects on the environment of providing infrastructure onsite;

³ PDP Stage 1, Report and Recommendations of Hearings Commissioners – Report 17-1, paragraph 132

- (i) There is adequate separation between incompatible land uses;
- (j) Rezoning in lieu of resource consent approvals, where a portion of a site has capacity to absorb development does not necessarily mean another zone is more appropriate; and
- (k) Zoning is not determined by existing use rights, but these will be taken into account.
- (l) Other factors:
 - (i) Context of a site or geographic area.
- (m) Relevant local context factors include:
 - (i) The layout of streets and location of public open space and community facilities;
 - (ii) Land with physical challenges such as steep topography, poor ground conditions, instability or natural hazards;
 - (iii) Accessibility to centres and the multiple benefits of providing for intensification in locations with easy access to centres; and
 - (iv) The ability of the environment to absorb development.

40. I examine each of the principles and other factors in my evidence below.

41. I also evaluate the options in summary in the context of the purpose and principles of the Act.

Principle (a): whether the change implements the purpose of the PDP Strategic chapters and in particular the Strategic Direction, Urban Development and Landscape Chapters

42. In **Attachment C** I set out the objectives and policies in Chapter 3 (Strategic Direction) and Chapter 6 (Landscape) from the Proposed District Plan Stage 1 (Decisions Version) and evaluate the two zoning options in the context of each provision. In my evaluation I assess whether the provision is achieved; and if so, why; and if not, why not.

43. I summarise my evaluation below.

Chapter 3 – Strategic Direction

44. In my view THRZ better achieves the objectives and policies for the District's strategic direction, for the following reasons:
- (a) THRZ will contribute substantially to a prosperous, resilient and equitable economy, and will contribute socio-economic benefits to the District from the economic benefits (employment, visitor accommodation, visitor spending and so on, as discussed by Mr Colgrave). It will bring new visitors to the area and the likely increase in local spending particularly in Arrowtown; and
 - (b) The WBRAZ does not enable, and effectively disables, the achievement of these benefits. The WBRAZ has significantly less socio-economic benefits to the District.
 - (c) Both the WBRAZ and THRZ would achieve the landscape outcomes sought in the objectives and policies in that the change represented by the zones would retain the District's distinctive landscapes. The change that would result from THRZ provisions is acceptable, in my view, because the proposed Structure Plan's development areas are within the parts of the Site that are not visible from the surrounding roads and can absorb change without materially affecting the rural character of the local and wider area, while the design controls and landscaping requirements avoid and mitigate adverse effects when viewed from the elevated locations. These are all discussed by Ms Pfluger.

Chapter 4 – Urban Development

45. The Chapter 4 provisions are not relevant to THRZ. This relates to the definitions of urban development and "resort" from the Stage 1 Decisions, as follows:

Urban Development: means development which is not of a rural character and is differentiated from rural development by its scale, intensity, visual character and the dominance of built structures. Urban development may also be characterised by a reliance on reticulated services such as water supply, wastewater and stormwater and by its cumulative generation of traffic. For the avoidance of doubt, a resort development in an otherwise rural area does not constitute urban development.

Resort: means an integrated and planned development involving low average density of residential development (as a proportion of the developed area) principally providing temporary visitor accommodation and forming part of an overall development focused on onsite visitor activities.

46. The development promoted in THRZ meets the definition of “Resort” in that it:
- (a) involves a low average density of residential development (around 2 – 3% total coverage across THRZ);
 - (b) it enables clusters of residential units that are intended to be collectively managed to provide for short stay accommodation (but may be used for long term / permanent stay also, as is the case, for example, with Millbrook);
 - (c) the units form part of an overall onsite visitor destination (the golf course and related activities, including the clubhouse/restaurant).
47. Accordingly, as a resort in an otherwise rural area, THRZ does not constitute urban development, and hence Chapter 4 provisions are not relevant.
48. I also note that THRZ provides for a Structure Plan that spatially arranges the Zone by “Activity Areas”. The Activity Area “G” allows only golf course, open space and farming. Non-complying activity status is applied to any activity in an Activity Area not provided for by any rule. Hence, any subdivision or development of the “G” area would be non-complying. I consider that it would be very difficult to develop within the vast majority of THRZ and therefore this acts as a defensible boundary to the westward edge of the UGB, if it were to be shifted west of McDonnell Road.⁴

Chapter 6 – Landscape

49. THRZ is a separate regulatory regime that responds to the specific landform and the variation, across the Site, and the way in which the landscape can absorb development while retaining the landscape character. When viewed from the adjacent roads, THRZ would present a very similar visual outcome to that of the WBRAZ.

⁴ I address the shifting of the Arrowtown UGB in my evidence for Boxer Hill Trust, Submitter 2386.

50. The design controls and landscaping controls, which are discussed in detail by Mr Tyler and Ms Pfluger, will avoid or adequately mitigate the views from the elevated locations (parts of Arrowtown, the Tobins Track etc.). The much wider vista of the Wakatipu Basin is available from these locations. I address this further in Part 16 below, under the context factors.

Summary

51. When evaluating the two zones side by side as I have done in **Attachment C**, I conclude that of the two zones THRZ better achieves the higher order objectives and policies in Chapters 3 and 6, because it enables significant socio-economic benefits while not causing significant, or adverse, change to the landscape values of the site or the wider Basin.
52. I therefore conclude that THRZ better achieves the higher order PDP provisions than the WBRAZ.

Principle (b): the overall impact of the rezoning gives effect to the ORPS

53. In **Attachment D** I set out the relevant objectives and policies of the operative RPS and the proposed RPS and evaluate the two zoning options in the context of each provision. My conclusions from that assessment are:

In relation to the ORPS

54. The relevant objectives and policies are in the Land and Built Environment chapters of the ORPS. In broad summary the provisions promote economic wellbeing and that adverse effects of use and development of Otago's resources are avoided, remedied or mitigated. I consider that the THRZ is consistent with and better achieves these provisions than the WBRAZ.

In relation to the PRPS

55. The relevant objectives and policies are in Chapter 1 (Resource management in Otago is integrated), Chapter 3 (Otago has high quality natural resources and ecosystems); and Chapter 5 (People are able to use and enjoy Otago's natural and built environment). I consider that the THRZ is consistent with the provisions because it has a functional need to locate in a rural area and is of a nature and scale that is compatible with rural activities, in particular by avoiding reverse sensitivities, and because it provides for economic wellbeing while properly addressing adverse effects on the environment.

Summary

56. From the foregoing evaluation I consider that THRZ provisions give effect to the RPS because they allow for economic development, provide for public access allowing for integration of the built environment without detracting from the landscape values of the site. They better achieve these than the WBRAZ.

Principle (c): whether the objectives and policies of the proposed zone can be implemented on the land

57. The objectives and policies of the WBRAZ can be implemented on the land.
58. The objective and policies of THRZ (as updated, in tracked change) are as follows:

44.2 Objectives and Policies

- 44.2.1 Objective - A resort style development containing residential, visitor accommodation, commercial and commercial recreation activities, an evolving sculpture park, and ancillary staff accommodation, within the context of a premier golf course, while managing the effects of development on the landscape and on amenity values of the site and the surrounding environment.*

Policies

- 44.2.1.1 Provide for the development, operation and maintenance of golf courses.*
- 44.2.1.2 Provide for visitor accommodation and residential activities, including staff accommodation within identified areas.*
- 44.2.1.3 Provide for an evolving sculpture park.*
- 44.2.1.4 Provide for large scale golf-related temporary events that contribute to the District's economy provided that effects are appropriately managed.*
- 44.2.1.5 Provide for the take-off and landing of helicopters while ensuring that adverse effects on neighbours' amenity are mitigated.*
- 44.2.1.6 Provide for commercial activities within the Clubhouse Activity Area that are related to the purpose of the Zone.*

- 44.2.1.7 *Avoid other commercial, industrial and similar activities that are not related to the purpose of the Zone.*
- 44.2.1.8 *Require that all development be located in accordance with a Structure Plan so as to ensure that:*
- (a) Development integrates with the golf courses; and*
 - (b) Development is located only where the landform has potential to absorb development, and*
 - (c) Any potential adverse effects on landscape and amenity values are avoided or appropriately mitigated.*
 - (d) Development is located where reverse sensitivities with any adjacent farming operations are avoided.*
- 44.2.1.9 *Require the establishment of Landscape Amenity Management Areas (LAMA) to ensure that mitigate the potential adverse effects of buildings are avoided or adequately mitigated and to contribute to the enhancement of the amenity of the Zone.*
- 44.2.1.10 *Require planting within the Zone to enhance the amenity of the Zone and to integrate with and complement the character of the surrounding environment.*
- 44.2.1.11 *Ensure that the character of the Zone and the wider landscape is maintained by managing building height, coverage, external appearance, and landscaping.*
- 44.2.1.12 *Facilitate the provision of walkway and cycleway access through the Zone.*

59. These can be implemented on the land, through the methods proposed, which are in **Attachment B**.
60. The land resources (location, topography, access, visibility, surrounding uses) do not preclude the implementation of THRZ methods, and hence the objectives and policies, on the land – indeed the land resources lend themselves perfectly for the development enabled by THRZ.

61. In conclusion on this principle, both sets of objectives and policies can be implemented on the land.

Principle (d): economic costs and benefits are considered

62. The economic benefits of the THRZ are superior to that of the WBRAZ. In the short term the economic benefits of in GDP of \$68 million to \$185 million, including flow on effects.⁵ Mr Colgrave states that the one-off economic benefits of THRZ are of considerable District benefit, while the WBRAZ foregoes these. The benefits of the additional employment anticipated by the THRZ (140 FTEs) to contribute to GDP increases of up to \$7.4m per annum (up from the WBRAZ status quo of 33 FTE staff). Impacts of visitor spending as a result of the THRZ will also increase.
63. The following tables outline the benefits, costs, efficiency, effectiveness and the risk of acting or not acting for each option:

Option 1: WBRAZ	
Benefits	(a) Preserves the land for another land use in the future (which may or may not be residential or rural in nature)
Costs	<p>(b) The Hills is already a World Class Golf Course and hosts large scale events such as the New Zealand Golf Open, it is not used for rural or farming purposes. The WBRAZ does not reflect that.</p> <p>(c) Works associated with the existing golf course and related/ancillary activity (eg art and sculpture) may require resource consents, which is costly and inefficient</p> <p>(d) The WBRAZ does not allow for the comprehensive and integrated development of the golf course and related activities</p> <p>(e) The WBRAZ does not allow for residential or resort development without a plan change/variation/District Plan review submission process</p> <p>(f) The WBRAZ does not reflect the findings of the Wakatipu Basin Land Use Study which notes that the site has a "Moderate" potential to absorb development</p> <p>(g) Does not recognize or provide for existing activities and uses</p> <p>(h) Potential for ad-hoc development if the future aspirations of the landowner are undertaken by land use resource consent</p>
Efficiency	<p>(a) Does not take advantage of the District Plan Review process, where the Council must consider the zoning of land within the District</p> <p>(b) Does not take into account the findings of the Wakatipu Basin Landuse Study which concluded that the Hills had a moderate capacity to absorb growth</p> <p>(c) Requiring non complying consents for future development (even of a modest scale) is not efficient and in the spirit of the Act</p>
Effectiveness	(a) This option is not effective and does not assist in providing a framework for events and development that has been undertaken with the benefit of significant analysis (landscape, visibility, infrastructure).

⁵ Paragraph 48, Evidence of Fraser Colgrave

Option 1: WBRAZ	
Risk of Acting (or not acting)	(a) Lost opportunity to align zoning with actual/existing land uses and activities and provide for future compatible uses (b) Lost opportunity to utilise the District Plan review process for the above.

Option 2: THRZ	
Benefits	(a) Would create a resort based around the existing golf courses (b) Gives better security that events such as the New Zealand Golf Open can be held without significant transaction costs from resource consenting (c) Aligns zoning with actual land use, potentially reducing the transaction costs in consenting (d) Provides for a structure planned development that is integrated with the golf course, including comprehensive analysis of appropriate places for development to avoid or mitigate the potential adverse effects of development on landscape values (e) Provides additional choice for accommodation for residents and visitors to the District (f) Provides opportunities for employment, and contributes to the District's economy (g) Provides for the ongoing use and development of the golf course and related activities as a high-quality physical asset that contributes to the District's tourism appeal
Costs	(a) Large up-front cost to undertake and support a re-zoning submission of this nature, extensive study as to appropriate locations for development within the proposed zone and supporting assessment.
Efficiency	(a) A resort zone centred around golf, residential and visitor accommodation is not uncommon in the Queenstown Lakes District, there are templates that can be used from Millbrook and Jacks Point to create a resort zone (with site specific changes)
Effectiveness	(a) Creating a resort zone is an effective and efficient way to facilitate development around a structure plan, tailored to the specific resources (and opportunities and constraints) of an area (in the same manner as the existing special zones including Millbrook, Jacks Point and Waterfall Park).
Risk of Acting (or not acting)	(a) Should a resort zone not be enabled the owners could pursue other ad-hoc development options for the land.

64. Based on this evaluation, in my opinion THRZ is the most appropriate option for achieving the higher order objectives. The golf courses are already developed and given this significant investment the land it is unlikely to be farmed in the future. It is appropriate to use this opportunity (the District Plan Review) to consider the development potential for the site while ensuring any adverse effects are mitigated. This can be achieved through the creation of a bespoke zone. In summary – the economic benefits are significant, as discussed by Mr Colgrave, and the potential adverse effects are not sufficiently significant such that they outweigh the positive effects.

65. I therefore conclude that the economic benefits of THRZ significantly outweigh the costs, and outweigh the benefits of the WBRAZ.

Principle (e): changes to zone boundaries are consistent with the maps in the PDP that indicate additional overlays or constraints (e.g., Airport Obstacle Limitation Surfaces, SNAs, Building Restriction Areas, ONL/ONF)

66. There are no additional overlays or constraints. There are no over-riding building restriction areas, ONL or ONF areas, or any heritage items.
67. I address the site specific topographical features of the site later in my evidence.

Principle (f): changes should take into account the location and environmental features of the site (e.g., the existing and consented environment, existing buildings, significant features and infrastructure)

68. THRZ Structure Plan has been carefully devised to take into account the locational and environmental features of the Site, including:
- (a) The areas where the land has capacity to absorb change, and where it is less able to absorb change;
 - (b) The visibility of the Site from adjacent properties, roads, tracks and elevated locations and the methods to avoid adverse effects of additional development in the landscape when viewed from those locations;
 - (c) The existing golf course and facilities and access; and
 - (d) The existing properties in the vicinity and the methods for addressing the potential effects on rural amenities of these properties.

69. For these reasons I consider that Principle (f) has been properly contemplated and THRZ is consistent with it.

Principle (g): zone changes are not inconsistent with long term planning for the provision of infrastructure and its capacity

70. THRZ development is not inconsistent with the long term planning of infrastructure and its capacity.

71. Mr Penny⁶ confirms that there are no traffic issues that impede THRZ including the Shotover Bridge.
72. For THRZ, Mr Hadley⁷ confirms that wastewater can be managed by either connection to the QLDC wastewater system which runs through and adjacent to the site, or by the development of a private communal on-site wastewater disposal scheme. He also confirms that potable water can be supplied to the sites via the Council's reticulated network (which runs adjacent to the site) or through the use of existing or new bores on site as required to meet demand. In summary there are no servicing impediments to the servicing of THRZ.
73. Mr Hadley⁸ confirms that it is feasible for the collection and controlling of stormwater runoff and disposing by draining and to local water courses passing the site.
74. THRZ is therefore consistent with Principle (g).

Principle (h): zone changes take into account effects on the environment of providing infrastructure onsite

75. Mr Hadley⁹ confirms that it is feasible for the collection and controlling of stormwater runoff and disposing by draining and to local water courses passing the site, , and that potable and waste water can also be addressed by appropriate onsite solutions, without adverse effects on the receiving environment. Alternatively, connections to Council's reticulated infrastructure are possible.
76. THRZ is therefore consistent with Principle (h).

Principle (i): there is adequate separation between incompatible land uses

77. There are no incompatible uses in the vicinity of THRZ. Other uses comprise rural, or rural residential activities. There is adequate separation between THRZ development areas and the rural land.
78. THRZ is therefore consistent with Principle (i).

⁶ Evidence of Tony Penny dated 13 June 2018

⁷ Evidence of James Hadley dated 13 June 2018, page 6 (water), page 7 (wastewater)

⁸ Ibid, page 8 (stormwater)

⁹ Ibid, page 8 (stormwater)

Principle (j): rezoning in lieu of resource consent approvals, where a portion of a site has capacity to absorb development does not necessarily mean another zone is more appropriate

79. In this case a zone is preferable to obtaining (ad hoc) resource consent(s) because a zone enables an holistic and integrated approach to the use and development of the site via an objective, policies, rules, structure plan, and so on.

Principle (k): zoning is not determined by existing use rights, but these will be taken into account

80. There are no existing use rights relevant to this rezoning. The golf course, sculpture, clubhouse and the 17 lot consents are relevant. These establish a baseline for development of the Site on which THRZ builds.

Other factors: Context of a site or geographic area

81. The relevant local context factors are addressed below.

The layout of streets and location of public open space and community facilities

82. The accesways and routes and open space areas (including the golf courses and amenity areas, and the LAMAs) are delineated on THRZ Structure Plan to ensure certainty in the physical outcomes sought.

Land with physical challenges such as steep topography, poor ground conditions, instability or natural hazards

83. The development areas avoid the parts of the site with steeper topography. There are no significant geotechnical or other physical challenges. Mr Hadley notes in his evidence at paragraph 20 that there are no natural hazard issues which constraint the rezoning proposal. Mr Davis (Davis Consulting Ltd) had prepared a Preliminary and detailed Site Investigations (October 2015) that also noted there were no contamination issues that constrained the development.

Accessibility to centres and the multiple benefits of providing for intensification in locations with easy access to centres

84. This factor is relevant to urban areas and urban development, which this is not, so the factor is not relevant here except that the land is close and within walking and cycling distance to Arrowtown.

The ability of the environment to absorb development.

85. The development areas delineated on the Structure Plan are where the environment can absorb development, taking into account landscape values.
86. This context factor relates also to the cumulative effects of development on the environment. In considering cumulative effects, it is necessary to consider the constituent developments, individually and collectively, in the eastern part of the Basin. These are:
- (a) The existing development;
 - (b) The Council's WBLP development;
 - (c) The Hogans Gully Farm development, on the elevated terraces of the property between Hogans Gully Road, State Highway 6 and McDonnell Road;
 - (d) The Hills Resort Zone development;
 - (e) The Ayburn Zone development;
 - (f) The Council's suggested urban expansion of Arrowtown onto the western side of McDonnell Road.
87. I discuss these as follows:
- (a) Existing development:
 - (i) The existing environment of the eastern part of the Wakatipu Basin includes the existing open space areas; the Millbrook Zone, the Waterfall Park Zone, and the Bendemeer Zone; the other rural residential developments in the broad vicinity of Hogans Gully and Morven Hill; rural commercial activities such as the Soho Winery; the special housing area (retirement village) development on the western side of McDonnell Road; Arrowtown; the Arrowsouth development; low density residential and rural residential densities at Lake Hayes; and so on. Some, but not all, of these elements are visible from any one viewpoint, including any viewpoint on the floor of the Basin or from any elevated viewpoint.

- (b) Hogans Gully Zone (HGZ) development, Hogans Gully Farm, Submitter 2313:
- (i) The significant majority of the HGZ development would not be visible when viewed from the surrounding roads (State Highway 6, McDonnell Road and Hogans Gully Road), because the development is located in the elevated terrace areas that are separated from and not visible from these roads. The environment, with these additions, still retains rural character and “feel” when viewed from the surrounding roads.
 - (ii) The entire HGZ development would be visible from some elevated locations including the zig-zag of the Crown Range Road and in part from Tobins Track. This visibility is recognised in and mitigated by the various location, design, ecological and landscaping measures built into the HGZ provisions.
- (c) The Hills Resort Zone:
- (i) The THRZ development would not be visible from the surrounding roads. It is only in the elevated locations that the development areas become visible, including parts of the western ridge of Arrowtown above McDonnell Road, and Tobins Track. This has been addressed in above and detail in by Ms Pfluger and Mr Tyler. The development design controls and landscaping controls ensure that the development sits comfortably in the landscape when viewed from these locations, and the effects are not adverse. Parts of the THRZ development would be visible from the Crown Range zig zag lookout, but the distance involved, the wider panorama and the oblique angle means that the effects are inconsequential, in my view.
- (d) Ayrburn Farm:
- (i) The Ayrburn urban development land is largely hidden from view from surrounding roads and when viewed from these roads would be less visible than the WBLP zoning as a result

of location and landscaping. It is either not visible or would be very difficult to see in the same vista from the elevated locations where the HGZ or THRZ would be visible.

- (e) All development in combination:
- (i) When considered in combination I do not consider that the new developments proposed in the HGZ, THRZ and Ayrburn, when considered along with the existing development and future development promoted by the Council, will have adverse effects on landscape and visual amenity values, because:
- (A) The development areas promoted in the zones are not visible from the surrounding roads;
- (B) They are only visible from the elevated locations, individually more so from certain points, but collectively none are fully visible from the same viewpoint.
- (C) When viewed from the elevated position the developments become part of the wider panorama that contains some of the existing development. I do not consider that the wider panorama is adversely affected by the addition of the developments; the panorama is still dominated by open space including the distant ONLs and ONFs and the rolling hills within the Basin, and buildings are subservient. Its openness and ruralness would still be obvious, in my view. The hillslopes/mountains are largely free of development. The overall impression is one of an open Basin landscape, with intermittent development, that is encompassed by large scale mountains. This won't change with any of the proposals.

88. No further submissions on any of the proposals discussed above raised the issues of cumulative effects.

Summary

89. In my view there are no particular context factors that preclude adoption of THRZ.

PART 2 OF THE ACT

Section 7

90. The following matters must be given particular regard under section 7 of the Act:

- (b) the efficient use and development of natural and physical resources;*
- (c) the maintenance and enhancement of amenity values;*
- (f) maintenance and enhancement of the quality of the environment;*
- (g) any finite characteristics of natural and physical resources*

91. I consider that THRZ better meets these imperatives, for the following reasons:

- (a) Under s7(b), THRZ is the most efficient use and development of the natural and physical resources of the land given the physical attributes of the land, the ability to service the development, and taking into account the landscape values of the site and the wider area. THRZ is significantly more efficient use of the natural and physical resources of the land than the WBRAZ;
- (b) On ss7(c) and (f): the amenity values and quality of the environment of the wider area will be maintained by the development, including by the retention of the open spaces within the site's periphery and the location and design of the built development within the site where they can be absorbed; and will be enhanced by the LAMAs;
- (c) On s7(g): large land holdings, within which comprehensively designed and executed developments that will bring substantial socio-economic benefits to the District in a way that positive environmental outcomes arise and without adverse landscape effects, are a finite resource and should be addressed in a bespoke regulatory regime, in my view.

92. I do not consider that the WBRAZ adequately recognises the values and attributes of the land and does not meet the s7 matters in relation to efficiency, finite resources and the quality of the environment.

Section 5

93. The THRZ achieves the sustainable management purpose of the Act by enabling appropriate activities and development, and accordingly social and economic well-being, in a manner that sustains the potential of the natural and physical resources of the site and the wider Wakatipu Basin, for future generations. The THRZ avoids or adequately mitigates potential adverse effects including effects on landscape and visual amenity values, by the carefully crafted Structure Plan and the design and landscaping controls.
94. The WBRAZ, while effectively providing for no change to the values of the Site, does not provide for socioeconomic wellbeing and does not protect the nature conservation values of the Site gullies, streams and wetlands. Unlike THRZ, it does not incentivise any protection or enhancement.
95. Taking into account the attributes of the site Hills land, I consider that the most appropriate way to achieve the purpose of the Act is to adopt THRZ.

COMMENTS ON THE COUNCIL'S S32 EVALUATION AND S42A REPORTING

Section 32

96. In my view the Council's section 32 evaluation for Chapter 24 does not establish that the objectives of the WBRAZ are the most appropriate to achieve the purpose of the Act, in respect of the site. The benefits and costs of the WBRAZ provisions have not been appropriately assessed or quantified nor have they been assessed with regards to their suitability for giving effect to the relevant higher order objectives.
97. The Council's s32 assessment did not adequately evaluate options, particularly in light of the Landscape Character Unit's "capability to absorb development" rating as "Moderate" – the same overall rating as Millbrook, which has significantly more development intensity than the "high" rated areas (and noting that Millbrook was not included in the Wakatipu Basin Variation). Despite the Moderate rating for the THRZ land, the same objectives, policies and methods apply as the various areas in the Basin with a "Low" or "Very Low" rating.

98. Further, the options in relation to urban expansion of Arrowtown across McDonnell Road, as discussed in Mr Langman's Supplementary Statement¹⁰, were not explored. Although this does not relate to the land affected by THRZ, it is relevant in that urban expansion would change the character of the environment within which the THRZ is proposed.
99. I consider therefore that in this respect the Council's s32 was inadequate.
100. The Trojan Helmet submission is addressed in Part 55 of Mr Langman's evidence¹¹. I comment on his evidence below.
101. On his summary on page 166, for the reasons I discussed in paragraphs 78 – 92 above, I strongly disagree that THRZ proposal will have significant adverse effects on the landscape character and amenity values of the LCU, and significant adverse cumulative effects in conjunction with other proposals. I addressed this in paragraphs 78 – 86 above. In short summary, THRZ development is largely invisible when viewed from surrounding roads and is only visible when viewed from the elevated locations, from where any adverse effects are avoided or mitigated by the development standards. All of the other developments in combination are not visible from any one viewpoint except perhaps from in an aeroplane, or from Coronet Peak or other very elevated locations, where any visibility is mitigated by distance, design and vegetation.
102. On his paragraphs 55.3, the concerns in relation to traffic are addressed in the evidence of Mr Penny. THRZ can be serviced with adequate roading and the capacity of the Shotover Bridge need not preclude its development.
103. On his paragraph 55.13, as above I strongly disagree with his contention that the cumulative effects of the various proposed zonings are adverse, let alone significantly adverse. The question logically arises: on the ground, as opposed to looking at them on a zoning map, plan or an aerial, who will be able to see these developments, and from where? Taken individually the developments the proposed zones promote would not be visible to any passer-by on any of the roads adjacent to the proposed zones – that is a function of careful design, with potential visibility and effects of visibility a fundamental component of the design process. The developments are only

¹⁰ Supplementary Statement of Marcus Langman dated 1 June 2018

¹¹ Evidence of Marcus Langman dated 30 May 2018

visible from elevated positions, where a far wider panorama is available. Mr Langman does not appear to have contemplated these issues in reaching his conclusions.

104. On his paragraph 55.14, there is no justification for his claim that THRZ would be contrary to s7(c) because the amenity of the landscape and the Basin as a whole would not be maintained or enhanced. On the contrary, the amenities of the Basin would at least be maintained, because the development enabled by THRZ is largely invisible from the surrounding roads, so there is no significant change to what people can see. If the problem he perceives is that some people looking down on the Zone from elevated positions (eg Tobins Track, the Crown Range zig zag) will see new development, then that needs to be considered in the context of the design and landscaping controls that will mitigate the potential adverse effects from that elevated view. Taken literally, Mr Langman’s opinion would mean that no development from anywhere visible from an elevated position, including the Council’s new WBLP locations, or for example extension to the Millbrook Zone would be able to meet s7(c). Further, his opinion does not correlate with the LCU 22 description, which states:

<p>Visibility / prominence</p>	<p>The area is visible from the elevated streets along the western edge of Arrowtown. The relatively close proximity and (reasonably) similar elevation means that part of the unit is prominent in the outlook while the hummocky terrain limits visibility to other parts.</p> <p>Roadside plantings limit views from Arrowtown Lake Hayes Road.</p> <p>Eastern edges of the unit are visible from McDonnell Road.</p> <p>The unit is also visible from the western edges of the Crown Terrace, the tracks throughout the ONL to the east (Mt Beetham environs) and the zigzag lookout. The diminishing influences of distance and relative elevation in conjunction with the relative unimportance (visually) of the unit within the wider panorama reduces the unit’s prominence. [my emphasis]</p>
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105. In this context I cannot see how a finding that THRZ development would lead to significant adverse effects, given that the development areas of the Structure Plan make use of the hummocky terrain that limits visibility, and the relative unimportance of the unit within the wider panorama. In my view the effects are neither significant nor adverse.
106. On his paragraph 55.16, the Trojan Helmet submission is seeking a different zoning regime to the Wakatipu Basin provisions, and therefore the Chapter

24 objectives and policies are not relevant to the assessment of THRZ. The higher order provisions, in Chapters 3, 4 and 6, are relevant, in line with the Commission's adopted principles for rezoning, and I have addressed them at length (in Attachment C and in Part 5 above). Mr Langman has not assessed THRZ against the Chapter 3 and 6 provisions, despite the claim in his paragraph 2.7 that he has considered the submissions carefully against them. My conclusions from my evaluation are that THRZ better achieves the higher order provisions than the WBRAZ.

107. On his paragraph 55.17, Mr Langman has not assessed the proposed changes against the provisions of s32, and his conclusions are not founded on any meaningful planning evaluation, in my view. Further, his claim in his Paragraph 5.7 that he has adopted the Commissioners' rezoning principles in reaching his conclusions is not based on any planning analysis contained in the s42A report.

SUMMARY AND CONCLUSION

108. For the Hills land, THRZ objectives are the most appropriate for achieving the higher order objectives of the PDP and the purpose of the Act, in my view. They are significantly more appropriate than the WBRAZ objectives, for the Hills land. The methods (policies and rules) of THRZ are the most effective and efficient for achieving the higher order objectives.
109. In conclusion, I consider that THRZ is the better, superior option.

J A Brown

June 2018

ATTACHMENT A – CURRICULUM VITAE: JEFFREY BROWN

Professional Qualifications

1986: Bachelor of Science with Honours (Geography), University of Otago

1988: Master of Regional and Resource Planning, University of Otago

1996: Full Member of the New Zealand Planning Institute

Employment Profile

May 05 – present: Director, Brown & Company Planning Group Ltd – resource management planning consultancy based in Queenstown and Auckland. Consultants in resource management/statutory planning, strategic planning, environmental impact assessment, and public liaison and consultation. Involved in numerous resource consent, plan preparation, changes, variations and designations on behalf of property development companies, Councils and other authorities throughout New Zealand.

1998 – May 2005: Director, Baxter Brown Limited – planning and design consultancy (Auckland and Queenstown, New Zealand). Consultants in resource management statutory planning, landscape architecture, urban design, strategic planning, land development, environmental impact assessment, public liaison and consultation.

1996-1998: Director, JBA, Queenstown – resource management consultant.

1989 – 1996: Resource management planner in several local government roles, including Planner (1992 – 1994) and District Planner (1994 – 96), Queenstown-Lakes District Council. Held responsibility for all policy formulation and consent administration.

Other

- New Zealand Planning Institute – presenter at *The Art of Presenting Good Planning Evidence* workshops for young planners (2016 –)
- Judge, New Zealand Planning Institute Best Practice Awards (2017 –)

ATTACHMENT B: THE HILL RESORT ZONE – PROVISIONS

44 The Hills Resort Zone

44.1 Resort Zone Purpose

The purpose of the Zone is to enable high quality resort facilities. The Zone provides for outdoor recreation, including two golf courses (one being an 18-hole championship golf course), visitor accommodation and residential activities, a small commercial area and sculpture park, which all complement the amenities of the golf courses. A small area of staff accommodation is also provided.

A Structure Plan applies to the Zone, as well as standards for buildings and landscaping to ensure that the development is appropriately located and well integrated with the golf course and the local and wider landscape setting.

The Zone provides for development in appropriate areas and will be landscaped to mitigate the adverse effects of built form.

The Zone can also play host to national and international golfing events that showcase the District and contribute to the economy.

44.2 Objectives and Policies

44.2.1 Objective - A resort style development containing residential, visitor accommodation, commercial and commercial recreation activities, an evolving sculpture park, and ancillary worker staff accommodation, within the context of a premier golf course, while managing the effects of development on the landscape and on amenity values of the site and the surrounding environment.

Policies

- 44.2.1.1 Provide for the development, operation and maintenance of golf courses.
- 44.2.1.2 Provide for visitor accommodation and residential activities, including staff accommodation within identified areas.
- 44.2.1.3 Provide for an evolving sculpture park.
- 44.2.1.4 Provide for large scale golf-related temporary events that contribute to the District's economy provided that effects are appropriately managed.
- 44.2.1.5 Provide for the take-off and landing of helicopters while ensuring that adverse effects on neighbours' amenity are mitigated.
- 44.2.1.6 Provide for commercial activities within the Clubhouse Activity Area that are related to the purpose of the Zone.
- 44.2.1.7 Avoid other commercial, industrial and similar activities that are not related to the purpose of the Zone.
- 44.2.1.8 Require that all development be located in accordance with a Structure Plan so as to ensure that:
 - (a) Development integrates with the golf courses; and
 - (b) Development is located only where the landform has potential to absorb development, and
 - (c) Any potential adverse effects on landscape and amenity values are avoided or appropriately mitigated.
 - (d) Development is located where reverse sensitivities with any adjacent farming operations are avoided.

- 44.2.1.9 Require the establishment of Landscape Amenity Management Areas (LAMA) to ensure that mitigate the potential adverse effects of buildings are avoided or adequately mitigated and to contribute to the enhancement of the amenity of the Zone.
- 44.2.1.10 Require planting within the Zone to enhance the amenity of the Zone and to integrate with and complement the character of the surrounding environment.
- 44.2.1.11 Ensure that the character of the Zone and the wider landscape is maintained by managing building height, coverage, external appearance, and landscaping.
- 44.2.1.12 Facilitate the provision of walkway and cycleway access through the Zone.

44.3 Other Provisions and Rules

44.3.1 District Wide

Attention is drawn to the following District Wide Chapters.

Introduction	Definitions	Strategic Directions
Urban Development	Tangata Whenua	Landscapes
Signs (ODP)	Earthworks	Historic Heritage
Subdivision	Natural hazards	Transport
Utilities and Renewable Energy	Hazardous Substances	Protected Trees
Indigenous Vegetation	Wilding Exotic trees	Temporary Activities and Relocatable Buildings, except as provided for in this zone.
Noise	Designations	Planning Maps

44.3.2 Clarification

Where an activity does not comply with a Standard listed in the Standards table at 44.5 the activity status identified by the Non Compliance Status column shall apply. Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.

The following abbreviations are used within this Chapter:

P	Permitted	C	Controlled
RD	Restricted Discretionary	D	Discretionary
NC	Non Complying	PR	Prohibited

44.4 Rules – Activities

	Activities –The Hills Resort Zone	Activity Status
44.4.1	Any outdoor art installations not visible from McDonnell Road, Lake Hayes-Arrowtown Road, Hogans Gully Road . including those that are defined as a <i>Building</i> because of their size.	P
44.4.2	Any rural activities	P
44.4.3	Any Earthworks associated with the development of the golf courses, landscaping, water storage and reticulation for irrigation, the formation of internal roads, <u>trails</u> and access ways, or subdivision and development of home sites or activity areas, including the Clubhouse and Resort Services and Staff Accommodation areas.	P
44.4.4	<p>Structure Plan – Permitted Activities</p> <p>44.4.4.1 In all activity areas as shown on the Structure Plan:</p> <ul style="list-style-type: none"> ▪ Development, operation and maintenance of golf courses, including associated green keeping, driving ranges, administrative offices, sales and commercial instruction, and sheds for utilities, service and accessory buildings, or buildings associated with golf course management, operation 	P

	Activities –The Hills Resort Zone	Activity Status
	<p>and maintenance of up to 50m² in gross floor area.</p> <ul style="list-style-type: none"> ▪ Access ways as shown on the Structure plan (+/- 30m) <p>44.4.4.2 In Activity Areas A1 . A9 (Visitor accommodation / Residential) as shown on the Structure Plan:</p> <ul style="list-style-type: none"> ▪ Residential activities, ▪ Managed Apartments, Timeshares, Lodges, Residential Visitor Accommodation (up to 365 nights per year with unlimited number of short-stay leases) ▪ Commercial Recreation Activities ▪ Metalwork and industrial activities for the purpose of creating art and sculpture in Activity Area A9 ▪ Licensed premises <ul style="list-style-type: none"> i. To any person who is residing (permanently or temporarily) in the Zone; ii. Mini bars within Homestays and Residential Visitor Accommodation in the resort. <p>44.4.4.3 In Activity Area G (Golf Course, Open Space and Farming Activity Area) as shown on the Structure Plan:</p> <ul style="list-style-type: none"> ▪ Open space and farming activities including ancillary buildings ▪ Art installations ▪ Art and Sculpture tours ▪ Temporary events ▪ Licensed Premises in association with temporary events <p>44.4.4.4 In Activity Area C (Clubhouse Activity Area) as shown on the Structure Plan:</p> <ul style="list-style-type: none"> ▪ Golf Club houses, restaurants, bars, beauty spas, gymnasiums, theatres, pools and conference facilities, including ancillary office and administration activities ▪ Licensed premises <ul style="list-style-type: none"> i. To any person who is residing (permanently or temporarily) on the resort; ii. To any person who is present on the premises for the purposes of dining up to 12am; ▪ Commercial recreation activities ▪ The takeoff and landing of helicopters. <p>44.4.4.5 In Activity Area HS (Home Sites HS2-HS6) as shown on the Structure Plan:</p> <ul style="list-style-type: none"> ▪ Single Residential units that can be used for Managed Apartments, Timeshares, Residential Visitor Accommodation (up to 365 nights per year with unlimited number of short-stay leases) ▪ Lodges <p>In Activity Area HS1 (Existing lodge) as shown on the Structure Plan:</p> <ul style="list-style-type: none"> ▪ Single residential units that can be used for Residential, Homestay, Lodges or Residential Visitor Accommodation (up to 365 nights per year with unlimited number of short-stay lets) activities. ▪ Licensed premises <ul style="list-style-type: none"> iii. To any person who is residing (permanently or temporarily) in the Zone; iv. Mini bars within Homestays, Lodges and Residential Visitor Accommodation in the resort. <p>44.4.4.6 In Activity Area S (Resort Services and Staff Accommodation Activity Area) as shown on the Structure Plan:</p> <ul style="list-style-type: none"> ▪ Servicing activities related to the development, operation and maintenance of the resort or ancillary to approved or permitted activities within the zone 	

	Activities –The Hills Resort Zone	Activity Status
	<ul style="list-style-type: none"> ▪ Staff accommodation for employees of the resort and their families 	
44.4.5	<p>Landscape Amenity Landscape Area (LAMA)</p> <p>The establishment of LAMA identified on the Structure Plan.</p> <p>The exercise of the Council's control is limited to:</p> <ul style="list-style-type: none"> (i) <u>Whether any existing vegetation within the LAMA provides adequate mitigation of and visual relief from buildings and development in the adjacent Activity Area or for any neighbouring properties.</u> (ii) <u>The size, volume and batter of any earthworks required</u> (iii) The mix and location of vegetation and its size at planting and maturity (iv) Requirements to ensure that the landscaping is provided for in perpetuity and replaced when diseased or damaged (v) Irrigation methods, including any reticulation (vi) The extent to which the earthworks are congruous with the landscape (vii) The extent to which the LAMA will provide mitigation of and visual relief from buildings and development in the adjacent Activity Area or for any neighbouring properties. 	C
44.4.6	<p>Buildings in Activity Areas <u>A1</u>, A2, A3, A4, A5, A7, A8, A9, HS 5 and S where the adjacent LAMA has been established, and buildings in Activity Areas A1, A6, C and HS 1, HS 2, HS 3, HS 4 and HS 6, except those provided for under Rule 44.4.1.</p> <p>The exercise of the Council's control is limited to:</p> <ul style="list-style-type: none"> (i) Infrastructure provision (ii) <u>Access</u> <p>For the purpose of this rule will be established means that planting and any earthworks will be approved and undertaken prior to, or at the same time as construction of the building.</p>	C
44.4.7	<p>Temporary events, including golf tournaments and concerts, provided that:</p> <ul style="list-style-type: none"> a. The event does not exceed 14 consecutive calendar days (excluding set up and pack down) b. The event does not operate outside the hours of 0600 to 2200. Set up and pack down outside of these hours is permitted, provided it complies with the noise limits for the Zone. c. There shall be no more than 10 temporary events per calendar year d. All structures and equipment is removed from the zone within 10 working days of the completion of the event e. For the purpose of this rule the relevant noise standards for the Zone shall not apply within the hours of 6am to 10pm f. A Traffic Management Plan is provided that details how traffic effects are to be managed g. An Operations Plan is provided that details how the event is to be managed h. Adequate sanitation for event attendees is provided i. Waste minimisation measures are implemented <p>The exercise of the Council's control is limited to:</p> <ul style="list-style-type: none"> (i) Traffic effects and the measures promoted in the Traffic Management Plan to manage these effects (ii) Waste minimisation and management measures (iii) Adequate sanitation for event attendees (iv) Operations Plan for the event to manage effects 	C

	Activities –The Hills Resort Zone	Activity Status
44.4.8	<p>Any outdoor art installations visible from McDonnell Road, Lake Hayes-Arrowtown Road, and Hogans Gully Road. including those that are defined as a <i>Building</i> because of their size.</p> <p>The exercise of the Council's discretion is limited to:</p> <ul style="list-style-type: none"> (i) Siting of the art installation (ii) Colours and materials (iii) Traffic safety 	RD
44.4.9	<p>Buildings where adjacent LAMA is not established - Where a building is proposed in Activity Area A1, A2, A3, A4, A5, A7, A8, A9, S and HS5 and the adjacent LAMA shown on the Structure Plan has not been established.</p> <p>For the purpose of this rule %will be established+ means that planting and any earthworks will be approved and undertaken prior to, or at the same time as construction of the building+.</p> <p>The exercise of the Council's discretion is limited to:</p> <ul style="list-style-type: none"> a. The visual effects of buildings from viewpoints outside of the Zone b. Landscaping (existing or proposed) to mitigate the effects of the buildings <p><u>For the purpose of this rule %established+means:</u></p> <ul style="list-style-type: none"> • <u>when the works required for the LAMA, as consented under Rule 44.4.5 and including any necessary planting, irrigation installation, the installation of stock and pest fencing, and any earthworks:</u> <ul style="list-style-type: none"> ○ <u>are physically completed; and</u> ○ <u>have been audited by the Council no sooner than 6 months following physical completion; and</u> ○ <u>have been certified as being complete by the Council.</u> 	RD NC
44.4.10	Buildings in Activity Area G (Golf Course, Open Space and Farming Activity Area) except for those provided for by Rule 44.4.4.1	D NC
44.4.11	Residential activity in Activity Area S (Resort Services and Staff Accommodation Activity Area) and Activity Area G (Golf Course, Open Space and Farming Activity Area), except for: <ul style="list-style-type: none"> ▪ Staff accommodation as provided for by Rule 44.4.4.6 	D
44.4.12	Commercial Activities except for those provided for by Rule 44.4.4.1	D
44.4.13	Commercial Recreation Activities , except for those provided for by Rule 44.4.4.1 and 44.4.4.4	D
44.4.14	Mining	NC
44.4.15	Service Activities , except for those provided for by Rule 44.4.4	NC
44.4.16	Any other activity in an activity area not provided for by any rule	NC
44.4.17	Industrial Activities ; except for those provided for by Rule 44.4.4.	NC
44.4.18	Panelbeating, spray painting, motor vehicle repair or dismantling except for activities directly related to other approved or permitted activities within the Zone and located within the Resort Services Activity Area.	PR
44.4.19	Forestry Activities	PR
44.4.20	Fibreglassing, sheet metal work, bottle or scrap storage, motorbody building or wrecking, fish or meat processing (excluding that which is ancillary to a	PR

	Activities –The Hills Resort Zone	Activity Status
	retail premises such as a butcher, fishmonger or supermarket), or any activity requiring an Offensive Trade Licence under the Health Act 1956.	
44.4.21	Factory Farming	PR

44.5 Standards – The Hills Resort Zone

	Standards – The Hills Resort Zone	Non-compliance status
44.5.1	<p>Setbacks</p> <p>No building or structure shall be located closer than 6m to the Zone boundary, and in addition:</p> <p>No building shall be located closer than 10m from McDonnell Road or the Arrowsmith Lake Hayes Road</p>	RD
44.5.2	<p>Building Materials and Colours</p> <p>To ensure that they are visually recessive within the surrounding landscape all new, relocated, altered, reclad or repainted buildings, including any structure larger than 5m², are subject to the following:</p> <p>Exterior-of buildings:</p> <p>44.5.1.1 All exterior surfaces <u>materials</u> (excluding windows) shall be coloured in the range of black, browns, greens or greys;</p> <p>44.5.1.2 Pre-painted steel, and all All roofs and vertical surfaces shall have a light reflective value of not greater than 35% 20%</p> <p>44.5.1.3 Surface <u>Vertical surface</u> finishes shall have a reflective value not greater than 30%</p> <p>44.5.1.3 Natural materials such as locally sourced schist and unstained cedar may be used</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> (i) Whether the building will be visually prominent, especially in the context of the wider landscape and as viewed from neighbouring properties (ii) Whether the proposed colour and/or material is appropriate given the existence of established or proposed screening or in the case of alterations, if the proposed colour and/or material is already present on an established building (iii) The size and height of the building where the proposed colours and/or materials would be used 	RD
44.5.3	<p>Residential Density</p> <p>The maximum number of residential units shall be 150 in the Zone.</p>	NC

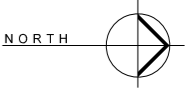
	Standards – The Hills Resort Zone	Non-compliance status
44.5.4	<p>Building Maximum Height and Roof Pitch</p> <p><u>No building shall protrude through the RL nor be higher than the height listed below:</u></p> <ul style="list-style-type: none"> - Activity Area A1 RL418.5 masl . 8m - Activity Area A2 RL416masl . 8m - Activity Area A3 RL421 masl . 8m - Activity Area A4 RL418 masl . 8m - Activity Area A5 RL419.5 masl -8m - Activity Area A6 RL419.5 masl- 8m - Activity Area A7 RL414 masl . 8m - Activity Area A8 RL402.5 masl . 6.7m - Activity Area A9 RL417.5 masl . 8m - Activity Area HS1 RL419 . 8m masl - Activity Area HS2 RL421.5 masl . 8m - Activity Area HS3 RL408 masl - 8m - Activity Area HS4 RL374.5 masl . 8m - Activity Area HS5 RL370 masl . 8m - Activity Area HS6 RL 4.3.7.5 masl. 5.5m - Filming towers 12m - Activity Area C (Clubhouse Activity Area) <u>RL 425.0 masl - 8m</u> - Activity Area S (Resort Services and Staff Accommodation Activity Area) <u>408.5 masl - 8m</u> - All other buildings and structures (except in Activity Areas A1-A9) 5.5m - Any building in Activity Areas A4 and A5 with a height limit above 6m shall have a roof pitch of a minimum of 30 degrees - All marquees and structures permitted as Temporary Events are exempt from these height restrictions. 	NC
44.5.6	<p>Maximum Site Coverage – Activity Areas A4 and A5</p> <p>Maximum Site Coverage . 40%</p> <p>For the purpose of this rule the total areas of the Activity Areas are:</p> <p>AA4: Total area . 2.2ha AA5: Total area . 1.2ha</p> <p>No other Activity Areas or Home Sites have a maximum site coverage.</p>	D
44.5.7	<p>Glare</p> <p>44.5.4.1 All fixed lighting shall be directed away from adjacent roads and properties with low light spill to areas located outside of the Zone.</p> <p>44.5.4.2 Any building or fence that will be highly visible from a public road that is constructed or clad in metal, or material with reflective surfaces shall be painted or otherwise coated with a non-reflective finish. <u>No light shall spill over any property outside the Zone.</u></p> <p>44.5.4.3 No activity shall result in a greater than 3.0 lux spill, (horizontal and vertical), of light onto any property located outside of the Zone, as measured at any point inside the boundary of the adjoining property.</p>	D

	Standards – The Hills Resort Zone	Non-compliance status
44.5.8	<p>Retail Sales</p> <p>Goods or services displayed, sold or offered for sale within the Zone shall be limited to:</p> <ul style="list-style-type: none"> a. Goods grown, reared or produced within the Zone; b. Delicatessen style or convenience retail for temporary or permanent residents, or visitors to the resort c. Within Activity Area C (Clubhouse Activity Area), in addition to a. and b above, goods and services associated with, and ancillary to the permitted or approved activities d. Retail associated with a Temporary Activity (event) taking place. 	NC
44.5.9	<p>Fire Fighting</p> <p>A firefighting reserve of water shall be maintained. The storage shall meet the New Zealand Fire Service Firefighting Water Supplies Code of Practice 2008.</p>	NC
44.5.10	<p>Take off and Landing of Helicopters</p> <p>Noise from helicopter operations shall not exceed 50 dB L_{dn} at the notional boundary of any dwelling, The day night average noise level (L_{dn}) shall be averaged over any consecutive seven day period and shall not exceed 53 dB L_{dn} on any one day.</p> <p>Assessment should be undertaken in accordance with NZS 6807: 1994 <i>Noise Management and Land Use Planning for Helicopter Landing Areas</i>"</p>	NC
44.5.11	<p><u>Provision of walkway / cycleway</u></p> <p><u>No more than 40 residential units in the Zone shall be constructed prior to construction of walkway / cycleway trail in the general location shown on the Structure Plan.</u></p>	<u>NC</u>
44.5.12	<p><u>Maximum number of residential units in Activity Areas:</u></p> <ul style="list-style-type: none"> - <u>Activity Area A1</u> 12 - <u>Activity Area A2</u> 12 - <u>Activity Area A3</u> 5 - <u>Activity Area A4</u> 30 - <u>Activity Area A5</u> 16 - <u>Activity Area A6</u> 12 - <u>Activity Area A7</u> 6 - <u>Activity Area A8</u> 2 - <u>Activity Area A9</u> 36 - <u>Activity Area HS1</u> 1 - <u>Activity Area HS2</u> 1 - <u>Activity Area HS3</u> 1 - <u>Activity Area HS4</u> 1 - <u>Activity Area HS5</u> 1 - <u>Activity Area HS6</u> 1 - <u>Service Area</u> 11 	<u>NC</u>

44.6 Non-Notification of Applications

44.6.1 Except as provided for by the Act, all applications for controlled activities and restricted discretionary activities will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons.





4.7 Hills Resort Zone Structure Plan





KEY

- G Golf course, open space and farming
- C Clubhouse
- A Visitor Accommodation / Residential
- HS Homesite (3,000m²)
- S Resort Services & Staff Accommodation

Note: all activity areas include G: Golf course, open space and farming

-  Activity Area
-  Road Access (location indicative)
-  Main Access Point
-  Walking / Bike Trail (location indicative)

OVERLAYS

-  Landscape Amenity Management Area
-  Existing Vegetation to be retained for Landscape Amenity Management

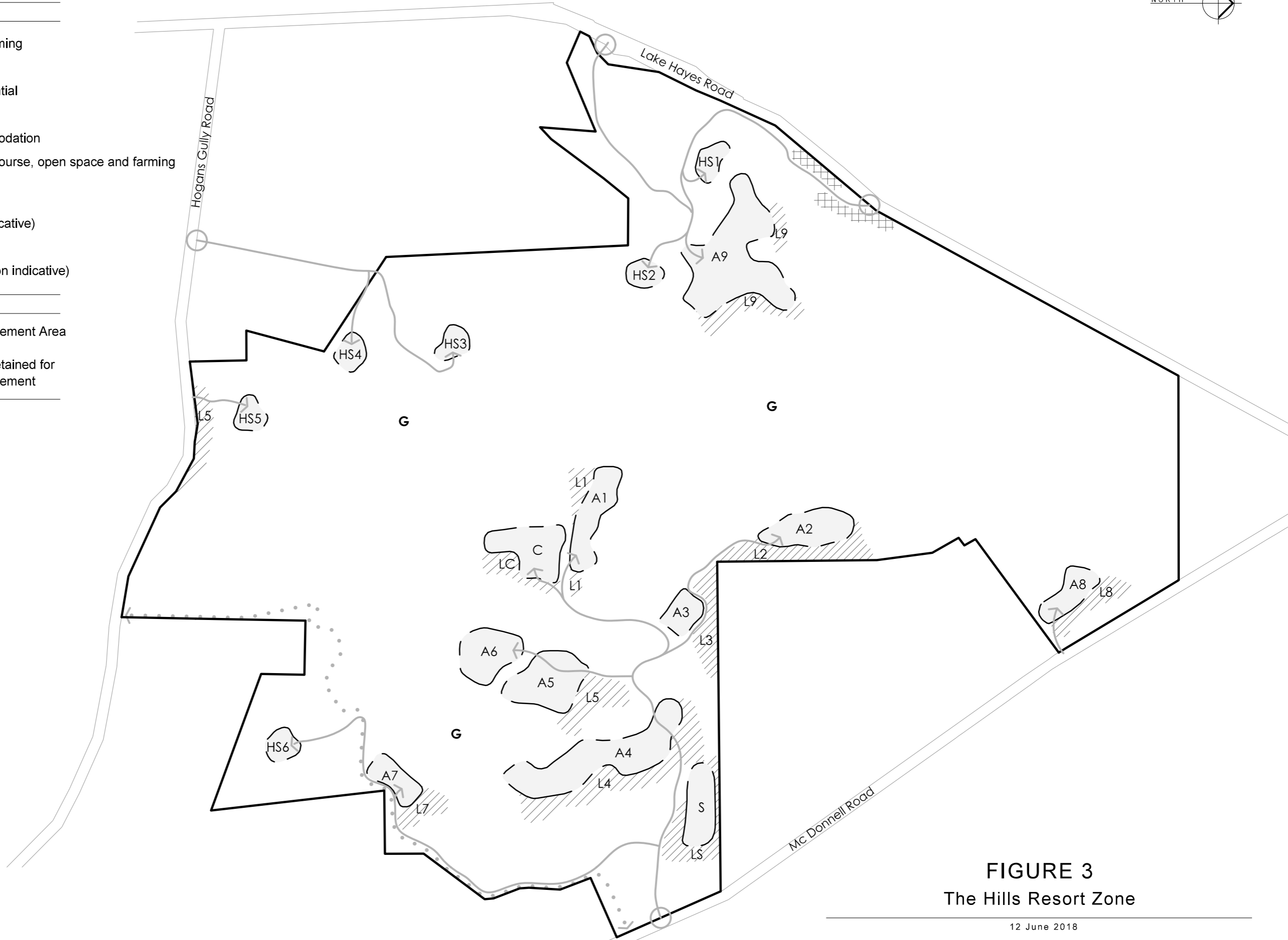
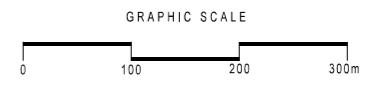


FIGURE 3
The Hills Resort Zone

12 June 2018



Make the following consequential amendments to other parts of the Proposed and Operative District Plans:

Chapter 36 – Noise

Add: The Hills Resort Zone+to Rule 36.5.3 so it reads as follows:

Table 2	General Standards				Non Compliance Status
	Activity or Sounds Source	Assessment Location	Time	Noise Limits	NC
36.5.3	Millbrook Resort Zone	Any point within the Residences/Residential Activity Areas	0800h to 2000h	50 dB L _{Aeq} (15 min)	
	Jacks Point Resort Zone (see also 36.5.17) <u>The Hills Resort Zone</u>		2000h to 0800h	40 DB L _{Aeq} (15 min) 75 dB L _{AFmax}	

Chapter 27 – Subdivision

Amend Chapter 27 to provide for subdivision as a Controlled Activity in The Hills Resort Zone, as follows:

27.4.4 (new) The following shall be controlled activities:

- a. Subdivision in the development areas in the Hills Resort Zone Structure Plan. Control is limited to the following:
 - (a) Lot sizes, averages and dimensions, including whether the lot is of sufficient size and dimensions to effectively fulfil the intended purpose of the land use;
 - (b) Property access and roading;
 - (c) Natural hazards;
 - (d) Fire fighting water supply;
 - (e) Water supply;
 - (f) Stormwater disposal;
 - (g) Sewage treatment and disposal;
 - (h) Energy supply and telecommunications;
 - (i) Easements.

Add the following to Table 27.5.1

Zone		Minimum Lot Area
ō		
The Hills Resort Zone		No Minimum
ō		

27.7 Zone – Location Specific Rules

Add a new section in the Table as follows:

	Zone and Location Specific Rules	Activity Status
õ	õ	õ
27.7.12	<p><u>The Hills Resort Zone</u></p> <p><u>27.7.12.1</u> Any subdivision of Activity Area G that will create a new residential site.</p>	<u>NC</u>

27.13 Structure Plans

Add a new section as follows:

27.13.8 Structure Plan: The Hills Resort Zone

[insert the new structure plan]

**ATTACHMENT C: ASSESSMENT OF PDP STAGE 1 – DECISIONS
VERSION (HIGHER ORDER OBJECTIVES AND POLICIES)**

Chapter 3 – Strategic Direction

Provision No.	Provision	Assessment: Is the objective / policy achieved? If so, how? If not, why not?	
		Option A: Wakatipu Basin Rural Amenity Zone (WBRAZ)	Option B: The Hills Resort Zone (THRZ)
3.2 – Strategic Objectives			
3.2.1	The development of a prosperous, resilient and equitable economy in the District.	No. The status quo option for the Hills land does not contribute to the prosperity, resilience and equitable economy of the District to the same extent as the THRZ option.	Yes. THRZ will contribute to the economy of the District, the economic benefits that derive from increased development, staff and visitor spending are considerable, as discussed in the evidence of Mr Colgrave
3.2.1.1	<i>The significant socioeconomic benefits of well designed and appropriately located visitor industry facilities and services are realised across the District.</i>	No. The WBRAZ does not achieve the potential socio-economic benefits of well-designed and appropriately located visitor industry facilities anticipated by the THRZ. It does not realise the considerable economic benefits possible through development into a resort.	Yes. THRZ is a well-designed and appropriately located visitor industry facility based on the existing world-class golf course and related facilities, and will contribute significant socio-economic benefits to the District, as discussed by Mr Colegrave
3.2.1.2	<i>The Queenstown and Wanaka town centres are the hubs of New Zealand's premier alpine visitor resorts and the District's economy.</i>	Not relevant	Not relevant except to the extent that THRZ will not compromise the town centres' role in the District's economy.
3.2.1.3	<i>The Frankton urban area functions as a commercial and industrial service centre, and provides community facilities, for the people of the Wakatipu Basin.</i>	Not relevant	Not relevant except to the extent that THRZ will not compromise Frankton's role in the District's economy.
3.2.1.4	<i>The key function of the commercial core of Three Parks is focused on large format retail development.</i>	Not relevant	Not relevant
3.2.1.5	<i>Local service and employment functions served by commercial centres and industrial areas outside of the Queenstown and Wanaka town centres 2, Frankton and Three Parks, are sustained.</i>	Not relevant	Not relevant
3.2.1.6	<i>Diversification of the District's economic base and creation of employment opportunities through the development of</i>	No. The WBRAZ does not contribute to such diversification and does not meet the policy, for the Hills	Yes. The resort facilities (golf course, clubhouse, visitor accommodation) will further

	<i>innovative and sustainable enterprises.</i>	land	diversify the District's economic base and employment opportunities
3.2.1.7	<i>Agricultural land uses consistent with the maintenance of the character of rural landscapes and significant nature conservation values are enabled. (also elaborates on SO 3.2.4 and 3.2.5 following)</i>	Not relevant – no agricultural activities remain; the rural land will continue to be used for outdoor recreation, landscaping, and open space.	Not relevant – no agricultural activities remain; the rural land will continue to be used for outdoor recreation, landscaping, and open space.
3.2.1.8	<i>Diversification of land use in rural areas beyond traditional activities, including farming, provided that the character of rural landscapes, significant nature conservation values and Ngāi Tahu values, interests and customary resources, are maintained.</i>	Yes. The land is already diversified for commercial recreation (golf). The WBRAZ will not otherwise affect the character of the rural landscape	Yes. The land is already diversified away from farming and how our VA and residential expands that diversification, while landscape values of the rural environment have been taken into account in the formulation of the Structure Plan for the zone, and development will not be located so that rural landscape values are compromised.
3.2.1.9	<i>Infrastructure in the District that is operated, maintained, developed and upgraded efficiently and effectively to meet community needs and to maintain the quality of the environment.</i>	Not relevant	Not relevant except to the extent that the zone can be serviced efficiently by connection to the reticulated bulk services
3.2.2	Urban growth is managed in a strategic and integrated manner.	Not relevant	Yes. THRZ enables a resort development utilising the rural resources and does not represent “urban development” – see Part 5 of this evidence
3.2.2.1	<i>Urban development occurs in a logical manner so as to:</i> <i>a. promote a compact, well designed and integrated urban form;</i> <i>b. build on historical urban settlement patterns;</i> <i>c. achieve a built environment that provides desirable, healthy and safe places to live, work and play;</i> <i>d. minimise the natural hazard risk, taking into account the predicted effects of climate change;</i> <i>e. protect the District's rural landscapes from sporadic and sprawling development;</i> <i>f. ensure a mix of housing</i>	Not relevant	Not relevant

	<p><i>opportunities including access to housing that is more affordable for residents to live in;</i></p> <p><i>g. contain a high quality network of open spaces and community facilities; and.</i></p> <p><i>h. be integrated with existing, and planned future, infrastructure.</i></p>		
3.2.3	A quality built environment taking into account the character of individual communities.	Not relevant	Yes. The THRZ provisions anticipate and provide for a quality built environment.
3.2.31	<i>The District's important historic heritage values are protected by ensuring development is sympathetic to those values.</i>	Not relevant	Not relevant
3.2.4	The distinctive natural environments and ecosystems of the District are protected.	Yes. The land is already highly modified and not used for farming. The WBRAZ will not threaten the natural environment and ecosystems.	Yes. The land is already highly modified and only a small area is used for farming. The THRZ will not threaten the natural environment and ecosystems.
3.2.4.1	<i>Development and land uses that sustain or enhance the life-supporting capacity of air, water, soil and ecosystems, and maintain indigenous biodiversity.</i>	Yes. The WBRAZ will continue to sustain life-supporting capacity of these in that they will not be adversely affected while the golf course remains	Yes. The THRZ will continue to sustain life-supporting capacity of these in that they will not be adversely affected
3.2.4.2	<i>The spread of wilding exotic vegetation is avoided.</i>	Not relevant – Chapter 34 deals with this	Not relevant – Chapter 34 deals with this
3.2.4.3	<i>The natural character of the beds and margins of the District's lakes, rivers and wetlands is preserved or enhanced.</i>	Not relevant except that waterways onsite have been significantly enhanced by previously consented development.	Not relevant , except that waterways onsite have been significantly enhanced by previously consented development. .
3.2.4.4	<i>The water quality and functions of the District's lakes, rivers and wetlands are maintained or enhanced.</i>	Not relevant , except that waterways onsite have been significantly enhanced by previously consented development. .	Not relevant , except that waterways onsite have been significantly enhanced by previously consented development. .
3.2.4.5	<i>Public access to the natural environment is maintained or enhanced.</i>	Not relevant as the land is not “natural environment” per se. The WBRAZ does not directly enable public access	Not relevant as the land is not “natural environment” per se, however public access is enabled by the public trails proposed.
3.2.5	The retention of the District's distinctive landscapes.	Yes. The WBRAZ will achieve this objective	Yes. The THRZ will achieve this objective because the development promoted by the THRZ will not threaten the distinctive landscapes. This is addressed in detail by Ms

			Pfluger.
3.2.5.1	<i>The landscape and visual amenity values and the natural character of Outstanding Natural Landscapes and Outstanding Natural Features are protected from adverse effects of subdivision, use and development that are more than minor and/or not temporary in duration.</i>	Not relevant – the land is not within an ONL or ONF	Not relevant – the land is not within an ONL or ONF, and the zone will not adversely affect any ONL or ONF.
3.2.5.2	<i>The rural character and visual amenity values in identified Rural Character Landscapes are maintained or enhanced by directing new subdivision, use or development to occur in those areas that have the potential to absorb change without materially detracting from those values.</i>	Not relevant – the land is not within an RCL	Not relevant – the land is not within an RCL
3.2.6	The District’s residents and communities are able to provide for their social, cultural and economic wellbeing and their health and safety.	No. The WBRAZ does not as readily enable wellbeing as the THRZ	Yes. THRZ will contribute to peoples’ and communities’ wellbeing as discussed in the evidence of Mr Colgrave.
3.2.7	The partnership between Council and Ngāi Tahu is nurtured.	Not relevant.	Not relevant
3.2.7.1	<i>Ngāi Tahu values, interests and customary resources, including taonga species and habitats, and wahi tupuna, are protected.</i>	Not relevant.	Not relevant
3.2.7.2	<i>The expression of kaitiakitanga is enabled by providing for meaningful collaboration with Ngāi Tahu in resource management decision making and implementation.</i>	Not relevant.	Not relevant
3.3 – Strategic policies			
Visitor Industry			
3.3.1	<i>Make provision for the visitor industry to maintain and enhance attractions, facilities and services within the Queenstown and Wanaka town centre areas and elsewhere within the District’s urban areas and settlements at locations where this is consistent with objectives</i>	Not relevant except to the extent that the existing golf course provides for visitor industry.	Yes. THRZ will contribute to the District’s visitor industry, attracting visitors to a new resort “settlement” which will have flow on benefits for the wider community as described by Mr Colgrave,.

	<i>and policies for the relevant zone.</i>		
Town Centres and other Commercial and Industrial Areas			
3.3.2	<i>Provide a planning framework for the Queenstown and Wanaka town centres that enables quality development and enhancement of the centres as the key commercial, civic and cultural hubs of the District, building on their existing functions and strengths.</i>	Not relevant	Not relevant
3.3.3	<i>Avoid commercial zoning that could undermine the role of the Queenstown and Wanaka town centres as the primary focus for the District's economic activity.</i>	Not relevant	Not relevant except to the extent that the commercial activities enabled within the resort zone will not undermine the role of the town centres
3.3.4	<i>Provide a planning framework for the Frankton urban area that facilitates the integration of the various development nodes.</i>	Not relevant	Not relevant
3.3.5	<i>Recognise that Queenstown Airport makes an important contribution to the prosperity and resilience of the District.</i>	Not relevant	Not relevant
3.3.6	<i>Avoid additional commercial zoning that will undermine the function and viability of the Frankton commercial areas as the key service centre for the Wakatipu Basin, or which will undermine increasing integration between those areas and the industrial and residential areas of Frankton.</i>	Not relevant	Not relevant except to the extent that the commercial activities enabled within the resort zone will not undermine the role of the Frankton commercial areas or their integration with the residential and industrial areas.
3.3.7	<i>Provide a planning framework for the commercial core of Three Parks that enables large format retail development.</i>	Not relevant	Not relevant.
3.3.8	<i>Avoid non-industrial activities not ancillary to industrial activities occurring within areas zoned for industrial</i>	Not relevant	Not relevant.

	<i>activities.</i>		
3.3.9	<i>Support the role township commercial precincts and local shopping centres fulfil in serving local needs by enabling commercial development that is appropriately sized for that purpose.</i>	Not relevant	Not relevant except to the extent that the resort activities are likely to enhance the Arrowtown centre, by attracting more visitor numbers to the Arrowtown area
3.3.10	<i>Avoid commercial rezoning that would undermine the key local service and employment function role that the centres outside of the Queenstown and Wanaka town centres, Frankton and Three Parks fulfil.</i>	Not relevant	Not relevant , as no commercial zoning is sought and the commercial activities enabled in THRZ are ancillary to the report activity and would not undermine the functions of other centres
3.3.11	<i>Provide for a wide variety of activities and sufficient capacity within commercially zoned land to accommodate business growth and diversification.</i>	Not relevant	Not relevant.
Climate Change			
3.3.12	<i>Encourage economic activity to adapt to and recognise opportunities and risks associated with climate change.</i>	Not relevant	Not relevant.
Urban Development			
3.3.13	<i>Apply Urban Growth Boundaries (UGBs) around the urban areas in the Wakatipu Basin (including Jack's Point), Wanaka and Lake Hawea Township.</i>	Not relevant	Not relevant. The THRZ does not comprise urban development and does not impact on the urban growth boundary of Arrowtown other than to provide a defensible boundary to the UGB
3.3.14	<i>Apply provisions that enable urban development within the UGBs and avoid urban development outside of the UGBs.</i>	Not relevant	Not relevant
3.3.15	<i>Locate urban development of the settlements where no UGB is provided within the land zoned for that purpose.</i>	Not relevant	Not relevant
Heritage			
3.3.16	<i>Identify heritage items and ensure they are protected from inappropriate development.</i>	Not relevant	Not relevant – there are no heritage items within the Hills land.
Natural Environment			

3.3.17	<i>Identify areas of significant indigenous vegetation and significant habitats of indigenous fauna, as Significant Natural Areas on the District Plan maps (SNAs).</i>	Not relevant – there are no SNAs within the subject area	Not relevant – there are no SNAs within the subject area
3.3.18	<i>Protect SNAs from significant adverse effects and ensure enhanced indigenous biodiversity outcomes to the extent that other adverse effects on SNAs cannot be avoided or remedied.</i>	Not relevant	Not relevant
3.3.19	<i>Manage subdivision and / or development that may have adverse effects on the natural character and nature conservation values of the District's lakes, rivers, wetlands and their beds and margins so that their life-supporting capacity and natural character is maintained or enhanced.</i>	Not relevant	Not relevant
Rural Activities			
3.3.20	<i>Enable continuation of existing farming activities and evolving forms of agricultural land use in rural areas except where those activities conflict with significant nature conservation values or degrade the existing character of rural landscapes.</i>	Not relevant – there are no remaining farming activities on the land.	Not relevant – there are no notable remaining farming activities on the land. The small part of the land that is currently farmed will continue to be farmed under the THRZ, and the THRZ provides for that.
3.3.21	<i>Recognise that commercial recreation and tourism related activities seeking to locate within the Rural Zone may be appropriate where these activities enhance the appreciation of landscapes, and on the basis they would protect, maintain or enhance landscape quality, character and visual amenity values.</i>	No. The WBRAZ rules, particularly the subdivision minimum lot size, foreclose efficient methods of achieving the policy.	Yes. The THRZ activities are appropriate given the existing golf courses and the acceptable impacts on the landscape and visual amenity values, which maintain those values.
3.3.22	<i>Provide for rural living opportunities in areas identified on the District Plan maps as appropriate for rural living</i>	Not relevant – the WBRAZ does not provide for rural living opportunities on this land.	Not relevant in that the land is not specifically identified for rural living although it is appropriate for it.

	<i>developments.</i>		
3.3.23	<i>Identify areas on the District Plan maps that are not within Outstanding Natural Landscapes or Outstanding Natural Features and that cannot absorb further change, and avoid residential development in those areas.</i>	Not relevant.	Not relevant – the land is not identified on the planning maps as being unable to absorb further development.
3.3.24	<i>Ensure that cumulative effects of new subdivision and development for the purposes of rural living does not result in the alteration of the character of the rural environment to the point where the area is no longer rural in character.</i>	Not relevant	Yes. The development areas of THRZ Structure Plan are within the parts of the site than can absorb development, with minimal visibility when viewed from surrounding roads, while retaining the vast majority of the site (around 97%) as open space, and retaining the rural character of the wider area
3.3.25	<i>Provide for non-residential development with a functional need to locate in the rural environment, including regionally significant infrastructure where applicable, through a planning framework that recognises its locational constraints, while ensuring maintenance and enhancement of the rural environment.</i>	Not relevant – the WBRAZ does not provide for the efficient provision of non-residential development	Yes. The development has a functional need to locate in the rural environment given the need for significant space for a golf course which is not available or an efficient use land within urban zoning and the change, in the form being promoted by the provisions, recognise the locational constraints and will maintain the wider values of the Basin
3.3.26	<i>That subdivision and / or development be designed in accordance with best practice land use management so as to avoid or minimise adverse effects on the water quality of lakes, rivers and wetlands in the District.</i>	Not relevant except to the extent that the limited subdivision rights that would apply under the WBRAZ would likely be “best practice”	Yes. The land, when subdivided in accordance with the THRZ resort provisions and the subdivision provisions, will be “best practice”.
3.3.27	<i>Prohibit the planting of identified exotic vegetation with the potential to spread and naturalise unless spread can be acceptably managed for the life of the planting.</i>	Not relevant.	Not relevant
3.3.28	<i>Seek opportunities to provide public access to the natural environment at the time of plan change, subdivision or development.</i>	Not relevant	Yes. A new trail is proposed that links McDonnell Road near Arrowtown Lifestyle Retirement Village with Hogans Gully. This will provide for a walkway and cycleway link leading to Lake Hayes and

			nearby galleries and café
Landscapes			
3.3.29	<i>Identify the District's Outstanding Natural Landscapes and Outstanding Natural Features on the District Plan maps.</i>	Not relevant.	Not relevant.
3.3.30	<i>Avoid adverse effects on the landscape and visual amenity values and natural character of the District's Outstanding Natural Landscapes and Outstanding Natural Features that are more than minor and or not temporary in duration.</i>	Not relevant	Not relevant – the THRZ development would not have adverse effects on any ONL or ONF.
3.3.31	<i>Identify the District's Rural Character Landscapes on the District Plan maps.</i>	Not relevant	Not relevant
3.3.32	<i>Only allow further land use change in areas of the Rural Character Landscapes able to absorb that change and limit the extent of any change so that landscape character and visual amenity values are not materially degraded.</i>	Not relevant – the land is not within a RCL	Not relevant – the land is not within a RCL
Cultural Environment			
3.3.33	<i>Avoid significant adverse effects on wāhi tūpuna within the District.</i>	Yes. The WBRAZ will have no significant adverse effects on the cultural values of the site or the wider environment.	Yes. The THRZ will have no significant adverse effects on the cultural values of the site or the wider environment.
3.3.34	<i>Avoid remedy or mitigate other adverse effects on wāhi tūpuna within the District.</i>		
3.3.35	<i>Manage wāhi tūpuna within the District, including taonga species and habitats, in a culturally appropriate manner through early consultation and involvement of relevant iwi or hapū.</i>		

Chapter 6 – Landscapes and Rural Character

Provision No.	Provision	Assessment: Is the objective / policy achieved? If so, why? If not, why not?	
		Option A: Wakatipu Basin Rural Amenity Zone (WBRAZ)	Option B: The Hills Resort Zone (THRZ)
Chapter 6 - Landscapes and Rural Character			
6.3 – Policies			
Rural Landscape Categorisation			
6.3.1	<i>Classify the Rural Zoned landscapes in the District as:</i> a. <i>Outstanding Natural Feature (ONF);</i> b. <i>Outstanding Natural Landscape (ONL);</i> c. <i>Rural Character Landscape (RCL)</i>	Not relevant.	Not relevant.
6.3.2	<i>Exclude identified Ski Area Sub-Zones and the area of the Frankton Arm located to the east of the Outstanding Natural Landscape line as shown on the District Plan maps from the Outstanding Natural Feature, Outstanding Natural Landscape and Rural Character Landscape categories applied to the balance of the Rural Zone and from the policies of this chapter related to those categories.</i>	Not relevant.	Not relevant.
6.3.3	<i>Provide a separate regulatory regime for the Gibbston Valley (identified as the Gibbston Character Zone), Rural Residential Zone, Rural Lifestyle Zone and the Special Zones within which the Outstanding Natural Feature, Outstanding Natural Landscape and Rural Character Landscape categories and the policies of this chapter related to those categories do not apply unless otherwise stated.</i>	Not relevant	Yes. The THRZ is a separate regulatory regime – a new special zone in the same vein as Millbrook, Waterfall Park and Jacks Point, and the various rural living zones
Managing Activities in the Rural Zone, the Gibbston Character Zone, the Rural Residential Zone and the Rural Lifestyle Zone			

6.3.4	<i>Avoid urban development and subdivision to urban densities in the rural zones.</i>	Yes to the extent that the WBRAZ would avoid urban development.	Yes. The THRZ does not enable urban development
6.3.5	<i>Ensure that the location and direction of lights does not cause excessive glare and avoids unnecessary degradation of views of the night sky and of landscape character, including of the sense of remoteness where it is an important part of that character.</i>	Yes. The WBRAZ will not cause excessive glare and degradation of views of the night sky and landscape character. There is no “remoteness” given the proximity to urban areas.	Yes. The THRZ will not cause excessive glare and degradation of views of the night sky and landscape character. There is no “remoteness” given the proximity to urban areas.
6.3.6	<i>Ensure the District’s distinctive landscapes are not degraded by production forestry planting and harvesting activities.</i>	Not relevant	Not relevant
6.3.7	<i>Enable continuation of the contribution low-intensity pastoral farming on large landholdings makes to the District’s landscape character.</i>	Not relevant in that low intensity pastoral farming was discontinued on the larger landholding many years ago.	Not relevant in that low intensity pastoral farming was discontinued on the larger landholding many years ago.
6.3.8	<i>Avoid indigenous vegetation clearance where it would significantly degrade the visual character and qualities of the District’s distinctive landscapes.</i>	Not relevant – there is no significant indigenous vegetation within the subject area.	Not relevant – there is no significant indigenous vegetation within the subject area.
6.3.9	<i>Encourage subdivision and development proposals to promote indigenous biodiversity protection and regeneration where the landscape and nature conservation values would be maintained or enhanced, particularly where the subdivision or development constitutes a change in the intensity in the land use or the retirement of productive farm land.</i>	No. The limited subdivision rights under the WBRAZ are unlikely to yield development that realises this policy	Yes. The THRZ’s LAMAs create the opportunity for this policy to be realised
6.3.10	<i>Ensure that subdivision and development in the Outstanding Natural Landscapes and Rural Character Landscapes adjacent to Outstanding Natural Features does not have more than minor</i>	Not relevant	Not relevant

	<i>adverse effects on the landscape quality, character and visual amenity of the relevant Outstanding Natural Feature(s).</i>		
6.3.11	<i>Encourage any landscaping to be ecologically viable and consistent with the established character of the area.</i>	No. This is unlikely to be achieved under the WBRAZ	Yes. This will be achieved by the LAMAs will be in species that are ecologically viable.
Managing Activities in Outstanding Natural Landscapes and on Outstanding Natural Features [note: the provisions under this topic are not relevant because the land is not within an ONL or ONF]			
...			
Managing Activities in Rural Character Landscapes [note: the provisions under this topic heading are not relevant because the land is not within a RCL]			
...			

ATTACHMENT D: EVALUATION OF THE OPTIONS UNDER THE RELEVANT RPS OBJECTIVES AND POLICIES

A. ORC Operative Regional Policy Statement

Provision No.	Provision	Assessment: Is the objective / policy achieved? If so, how? If not, why not?	
		Option A: Wakatipu Basin Rural Amenity Zone (WBRAZ)	Option B: The Hills Resort Zone (THRZ)
Chapter 5 - Land			
Objective 5.4.1	<i>To promote the sustainable management of Otago's land resources in order:</i> (a) <i>To maintain and enhance the primary productive capacity and life-supporting capacity of land resources; and</i> (b) <i>To meet the present and reasonably foreseeable needs of Otago's people and communities.</i>	Clause (a): No. The WBRAZ will not change the current landuse which is not primary industry. Clause (b): No. The WBRAZ will not change the current landuse, but the continued operation of the golf course (land resource) will still be maintained.	Clause (a): Yes in part. The THRZ is not farmed for primary industry. The golf course relies on the life supporting capacity of the soil for the course. Clause (b): Yes. The THRZ will assist in meeting present and reasonably foreseeable needs of the community, for urban development and for the maintenance and enhancement of a premier golf course.
5.4.2	<i>To avoid, remedy or mitigate degradation of Otago's natural and physical resources resulting from activities utilising the land resource.</i>	Yes. The WBRAZ will not degrade the values of the site which are already protected by the golf course	Yes. THRZ will not degrade the values of the land
5.4.4	<i>To ensure that public access opportunities exist in respect of activities utilising Otago's natural and physical land features.</i>	No. The WBRAZ does not directly enable public access linkages to the existing walkway / cycleway network	Yes. The THRZ provides for public access linkages to the existing walkway / cycleway network
Policies			
5.5.3	<i>To maintain and enhance Otago's land resource through avoiding, remedying or mitigating the adverse effects of activities which have the potential to, among other adverse effects:</i> (a) <i>Reduce the soil's life-supporting capacity</i> (b) <i>Reduce healthy</i>	Yes. The WBRAZ would achieve the items in (a) – (g).	Yes. The THRZ will not lead to any further adverse effects listed in this policy.

	<p><i>vegetative cover</i></p> <p>(c) <i>Cause soil loss</i></p> <p>(d) <i>Contaminate soils</i></p> <p>(e) <i>Reduce soil productivity</i></p> <p>(f) <i>Compact soils</i></p> <p>(g) <i>Reduce soil moisture holding capacity.</i></p>		
5.5.4	<p><i>To promote the diversification and use of Otago's land resource to achieve sustainable landuse and management systems for future generations.</i></p>	<p>No.</p> <p>The WBRAZ does not diversify the uses of the land resources other than the existing golf courses</p>	<p>Yes.</p> <p>The support of the golf course, future events and to the extent that the THRZ activities are a diversification of the use of the land resources away from farming, to contribute to the economic well-being (tourism) of the community</p>
5.5.7	<p><i>To promote the provision of public access opportunities to natural and physical land features throughout the Otago region except where restriction is necessary:</i></p> <p>(i) <i>To protect areas of significant indigenous vegetation and/or significant habitats of indigenous fauna; or</i></p> <p>(ii) <i>To protect Maori cultural values; or</i></p> <p>(iii) <i>To protect public health or safety; or</i></p> <p>(iv) <i>To ensure a level of security consistent with the purpose of a resource consent or in circumstances where safety and security concerns require exclusive occupation; or</i></p> <p>(v) <i>In other exceptional circumstances sufficient to justify the restriction notwithstanding the importance of maintaining that</i></p>	<p>No.</p> <p>The WBRAZ does not provide the opportunity for public access.</p>	<p>Yes.</p> <p>The THRZ provides for additional public walking and cycling access opportunities to link with the nearby trails and provide for opportunities to view the golf course.</p>

	access.		
Chapter 9 – Built Environment			
Objective 9.4.1	<p>To promote the sustainable management of Otago's built environment in order to:</p> <p>(a) Meet the present and reasonably foreseeable needs of Otago's people and communities; and</p> <p>(b) Provide for amenity values, and</p> <p>(c) Conserve and enhance environmental and landscape quality; and</p> <p>(d) Recognise and protect heritage values.</p>	Not relevant	<p>Yes.</p> <p>In relation to clauses (a) – (d) of the objective:</p> <p>(a) The THRZ will contribute to meeting the needs for golf and related development, including visitor accommodation and residential;</p> <p>(b) It would provide for amenity values internally and protects the amenity values of surrounding residents by substantial setbacks and landscaping treatment.</p> <p>(c) It will preserve the landscape quality by locating development in an area where development can be absorbed;</p> <p>(d) Not relevant as there are no heritage features within the site</p>
9.4.3	To avoid, remedy or mitigate the adverse effects of Otago's built environment on Otago's natural and physical resources.	<p>Yes and no.</p> <p>Adverse effects on rural character are avoided by the WBRAZ.</p>	<p>Yes.</p> <p>The location can absorb development without adverse effects on landscape values. The amenity values of surrounding residents are protected because of the significant building setbacks and landscaping treatment (including LAMAs) required by the proposed provisions</p>
Policies 9.5.4	<p>To minimise the adverse effects of urban development and settlement, including structures, on Otago's environment through avoiding, remedying or mitigating:</p> <p>(a) Discharges of contaminants to Otago's air, water or land; and</p> <p>(b) The creation of noise, vibration and dust; and</p> <p>(c) Visual intrusion and a reduction in landscape qualities; and</p> <p>(d) Significant irreversible effects on:</p> <p>(i) Otago community</p>	Not relevant	<p>Yes.</p> <p>Insofar as the proposal comprises settlement and structures, THRZ provisions avoid, remedy or mitigate adverse effects in relation to the matters in (a) – (c) of the policy, and does not have any significant irreversible effects on any of the matters in (d)</p>

	<p>values; or</p> <p>(ii) <i>Kai Tahu cultural and spiritual values; or</i></p> <p>(iii) <i>The natural character of water bodies and the coastal environment; or</i></p> <p>(iv) <i>Habitats of indigenous fauna; or</i></p> <p>(v) <i>Heritage values; or</i></p> <p>(vi) <i>Amenity values; or</i></p> <p>(vii) <i>Intrinsic values of ecosystems; or</i></p> <p>(viii) <i>Salmon or trout habitat.</i></p>		
9.5.5	<p><i>To maintain and, where practicable, enhance the quality of life for people and communities within Otago's built environment through:</i></p> <p>(a) <i>Promoting the identification and provision of a level of amenity which is acceptable to the community; and</i></p> <p>(b) <i>Avoiding, remedying or mitigating the adverse effects on community health and safety resulting from the use, development and protection of Otago's natural and physical resources; and</i></p> <p>(c) <i>Avoiding, remedying or mitigating the adverse effects of subdivision, landuse and development on landscape values.</i></p>	Not relevant	<p>Yes.</p> <p>THRZ would generally maintain the quality of life for people and communities within the internal built environment. On the individual clauses of the policy:</p> <p>(a) Yes. THRZ promotes substantial building setbacks of development from external boundaries, and existing and proposed landscaping to maintain amenity for surrounding landowners;</p> <p>(b) Yes. The Zone would avoid, remedy or mitigate any potential adverse effects on community health and safety, through the relevant subdivision and land use rules;</p> <p>(c) Yes. The land is capable of absorbing development without adverse effects on landscape values as described in the landscape report supporting the plan change.</p>

B. ORC Proposed Regional Policy Statement – Decisions Version

Provision No.	Provision	Assessment: Is the objective / policy achieved? If so, how? If not, why not?	
		Option A: Wakatipu Basin Rural Amenity Zone (WBRAZ)	Option B: The Hills Resort Zone (THRZ)
Part B Chapter 1			
Objective 1.1	Recognise and provide for the integrated management of natural and physical resources to support the wellbeing of people and communities in Otago	<p>Yes and no.</p> <ul style="list-style-type: none"> It does not integrate with the physical resources of the site (golf course). 	<p>Yes:</p> <ul style="list-style-type: none"> THRZ integrates within itself, by providing appropriate areas for development and no development, golf and internal open space linkages; It integrates appropriately with other adjacent Zones (by appropriate setbacks and landscaping controls); It integrates with roading and infrastructure; It enables development where further development is able to be absorbed in the landscape, thereby integrating with the wider character including developed character of nearby zones and golf courses.
Policy 1.1.1	<p>Integrated resource management</p> <p><i>Achieve integrated management of Otago's natural and physical resources, by all of the following:</i></p> <p>a) <i>Coordinating the management of interconnected natural and physical resources;</i></p> <p>b) <i>Taking into account the impacts of management of one resource on the values of another, or on the environment</i></p> <p>c) <i>Recognising that resource may extend beyond the immediate, or directly adjacent, area of interest;</i></p> <p>d) <i>Ensuring that resource management approaches across administrative boundaries are</i></p>	<p>Yes and no.</p> <p>In relation to the individual clauses in the policy:</p> <p>(a) No – the WBRAZ would not co-ordinate with interconnected natural and physical resources</p> <p>(b) No, the WBRAZ does not take into account the consented current landuse on the site</p> <p>(c) No, the resource does not extend beyond the boundaries</p> <p>(d) [not relevant]</p> <p>(e) Yes and no – the effects of the WBRAZ on the entire resource (including the surrounding land uses) are able to be managed but some potential adverse effects would still arise, as above.</p>	<p>Yes.</p> <p>In relation to the individual clauses in the policy:</p> <p>(a) Yes – the HGZ would co-ordinate with stream and wetland protection, and would co-ordinate with the adjacent Bendemeer zone vis-à-vis protection of amenity values by wide development setbacks and landscaping requirements;</p> <p>(b) Yes, as above. The Zone would take into account effects on other values (eg streams and wetlands, and neighbouring amenities);</p> <p>(c) Yes, as above, in that the Zone would have effects beyond the property that are better managed, by rules, and provide certain outcomes;</p> <p>(d) [not relevant]</p> <p>(e) Yes – the effects of the THSZ on the entire resource (including the surrounding land uses) are able to be managed adequately</p>

	<p><i>consistent and complementary;</i></p> <p>e) <i>Ensuring that effects of activities on the whole of a resource are considered when that resource is managed as subunits.</i></p>		
Policy 1.1.2	<p>Economic wellbeing</p> <p><i>Provide for the economic wellbeing of Otago's people and communities by enabling the use and development of natural and physical resources only if the adverse effects of those activities on the environment can be managed to give effect to the objectives and policies of the Regional Policy Statement.</i></p>	<p>Yes and No.</p> <p>Promoting the land for rural purposes under the WBRAZ does not accord with the current use of the site (golf course). The effects of the golf course and current development have been consented and do not create adverse effects.</p>	<p>Yes.</p> <p>THRZ provides for economic wellbeing by enabling use of the land resources, in a way that potential adverse effects can be adequately managed.</p>
Policy 1.1.3	<p>Social and cultural wellbeing and health and safety</p> <p><i>Provide for the social and cultural wellbeing and health and safety of Otago's people and communities when undertaking the subdivision, use, development and protection of natural and physical resources by all of the following:</i></p> <p>a) <i>Recognising and providing for Kāi Tahu values;</i></p> <p>b) <i>Taking into account the values of other cultures;</i></p> <p>c) <i>Taking into account the diverse needs of Otago's people and communities;</i></p> <p>d) <i>Promoting good quality and accessible infrastructure and public services;</i></p> <p>e) <i>Avoiding significant adverse effects of activities on human health.</i></p>	<p>No.</p> <p>The WBRAZ does not specifically provide for Kai Tahu values (by not directly enabling protection of waterways) and does not take into account the diverse needs of the community.</p>	<p>Yes.</p> <p>THRZ achieves these policy items, via the subdivision and land use provisions.</p>

<i>Part B Chapter 3 - Otago has high quality natural resources and ecosystems</i>			
Objective 3.1	<i>The values of Otago's natural resources are recognised, maintained and enhanced</i>	THRZ	Yes. THRZ achieves these policy items, via the subdivision provisions and proposed additional landscaping.
Policy 3.1.1	<i>Freshwater</i> <i>Manage fresh water to achieve all of the following:</i> a) <i>Maintain or enhance ecosystem health in all Otago aquifers, and rivers, lakes, wetlands, and their margins;</i> ...	Not relevant.	Not relevant
Policy 3.1.2	<i>Beds of rivers, lakes, wetlands, and their margins</i> <i>Manage the beds of rivers, lakes, wetlands, their margins, and riparian vegetation to achieve all of the following:</i> a) <i>Maintain or enhance their natural functioning;</i> b) <i>Maintain good water quality, or enhance it where it has been degraded;</i> c) <i>Maintain or enhance ecosystem health and indigenous biological diversity;</i> d) <i>Maintain or enhance natural character;</i> e) <i>Maintain or enhance amenity values;</i> f) <i>Control the adverse effects of pest species, prevent their introduction and reduce their spread;</i>	Not relevant.	Not relevant.
Policy 3.1.9	<i>Ecosystems and indigenous biological diversity</i> <i>Manage ecosystems</i>	Not relevant.	Not relevant.

	<p><i>and indigenous biological diversity in terrestrial, freshwater and marine environments to achieve all of the following:</i></p> <p>a) <i>Maintain or enhance ecosystem health and indigenous biological diversity;</i></p> <p>...</p> <p>e) <i>Recognise and provide for natural resources and processes that support indigenous biological diversity;</i></p>		
Policy 3.1.10	<p><i>Recognising the values of natural features, landscapes, and seascapes Recognise the values of natural features, landscapes, seascapes and the coastal environment are derived from the following attributes, as detailed in Schedule 4:</i></p> <p>(a) <i>Biophysical attributes, including:</i></p> <p>(i) <i>Natural science factors;</i></p> <p>(ii) <i>The presence of water;</i></p> <p>(iii) <i>Vegetation (indigenous and introduced);</i></p> <p>(iv) <i>The natural darkness of the night sky;</i></p> <p>(b) <i>Sensory attributes, including:</i></p> <p>(i) <i>Legibility or expressiveness;</i></p> <p>(ii) <i>Aesthetic values;</i></p> <p>(iii) <i>Transient values, including nature's sounds;</i></p> <p>(iv) <i>Wild or scenic values;</i></p> <p>(c) <i>Associative attributes, including:</i></p> <p>(i) <i>Whether the</i></p>	<p>Yes</p> <p>The WBRAZ recognises the landscape values of the site – amenity created through the development of the golf course.</p>	<p>Yes.</p> <p>The landscape values of the area have been recognised and the land has been identified as being capable of absorbing further development.</p>

	<p>values are shared and recognised;</p> <p>(ii) Cultural and spiritual values for Kāi Tahu;</p> <p>(iii) Historical and heritage associations.</p>		
Policy 3.1.12	<p>Environmental enhancement</p> <p>Encourage, facilitate and support activities which contribute to enhancing the natural environment, by one or more of the following:</p> <p>a) Improving water quality and quantity;</p> <p>b) Protecting or restoring habitat for indigenous species;</p> <p>c) Regenerating indigenous species;</p> <p>d) Mitigating natural hazards;</p> <p>e) Protecting or restoring wetlands;</p> <p>f) Improving the health and resilience of:</p> <p>i. Ecosystems supporting indigenous biological diversity;</p> <p>...</p>	<p>Yes and No.</p> <p>The WBRAZ has rules (such as setbacks) to ensure adverse effects are avoided but the zone does not activity promote environmental enhancement.</p>	<p>Yes and No.</p> <p>The THRZ has rules (such as development locations) to ensure adverse effects are avoided, the zone requires landscape planting which will assist in habitat provision.</p>
Chapter 5			
Objective 5.3	Sufficient land is managed and protected for economic production	<p>No.</p> <p>The land is not necessary for management and protection for economic production.</p>	<p>Yes.</p> <p>The land is not necessary for management and protection for economic production.</p>
Policy 5.3.1	<p>Manage activities in rural areas, to support the region's economy and communities, by all of the following:</p> <p>a) Enabling primary production and other rural activities that support the rural economy;</p> <p>b) Minimising the loss</p>	<p>Yes and no.</p> <p>The WBRAZ would not contribute to supporting the region's economy and the community in the same manner or extent as the THRZ.</p> <p>On clauses (a) – (e) of the policy:</p> <p>(a) The site is not used for primary production;</p> <p>(b) The soils are not so significant that they need to be protected exclusively for primary</p>	<p>Yes.</p> <p>THRZ is appropriate in this area as it does and will contribute to supporting the region's economy and the community.</p> <p>On clauses (a) – (e) of the policy:</p> <p>(a) The site is not used for primary production;</p> <p>(b) The soils are not so significant that they need to be protected exclusively for primary</p>

	<p><i>of significant soils;</i></p> <p>c) <i>Restricting the establishment of activities in rural areas that may lead to reverse sensitivity effects;</i></p> <p>d) <i>Minimising the subdivision of productive rural land into smaller lots that may result in rural residential activities;</i></p> <p>e) <i>Providing for other activities that have a functional need to locate in rural areas, including tourism and recreational activities that are of a nature and scale compatible with rural activities.</i></p>	<p>production (which is not undertaken);</p> <p>(c) Reverse sensitivity effects are not an issue for the WBRAZ;</p> <p>(d) The WBRAZ does not enable subdivision into smaller lots;</p> <p>(e) The WBRAZ does not sufficiently enable activities that have a functional need to locate in the rural area, such as the THRZ, and hence zone change is necessary for the land to more efficiently provide for a better resource management outcome</p>	<p>production, they are protected by virtue being established as a golf course, will not change;</p> <p>(c) The Zone will not lead to reverse sensitivity effects;</p> <p>(d) The land is not productive in an economic farming sense and subdivision into smaller lots is appropriate, in this location where development can be absorbed by the landscape;</p> <p>(e) THRZ activities have a functional need to located in the rural area, to provide for a world-class golf course, significant events such as the NZ Open and related activities and amenities, and to provide a destination location for golfers and other visitors</p>
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