

LANDSCAPES AND RURAL CHARACTER 6

The following shows the amendments resulting from Environment Court interim decisions and as agreed through mediation, as identified in the Key. Refer to the Council's website for the statutory version of Chapter 6.

As amended by Environment Court:

- Environment Court interim decisions Topic 2 'Rural Landscapes' 19 December 2019
- Topic 2, Subtopic 9 Consent Order 'Rural Landscapes - Managing Activities on Lakes and Rivers' 11 September 2020.

Key for Chapter 6:

- Decisions text is black.
- Black underlined and ~~struck through~~ text. Environment Court interim decisions Topic 2 'Rural Landscapes' Subtopics 2-8 and 10, 19 December 2019
- **Highlighted green** text. Topic 2 Subtopic 9, Activities on Lakes and Rivers approved by Consent Order 11 September 2020.
- **Purple underlined** and ~~struck through~~ text. Topic 2 Subtopic 11, Regionally Significant Infrastructure: provisions subject to updated September 2019 consent documentation are **[Not yet confirmed by the Court]**.
- **Highlighted grey** Topic 1 Subtopic 4 (RSI): subject to consent documentation **[Not yet confirmed by the Court]**.
- **blue highlight** and **grey text** is Stage 2 PDP text relevant to Chapter 24 Wakatipu Basin Rural Amenity Zoe and Chapter 38 Open Space and Recreation Zones.

6 Landscapes and Rural Character

6.1 Purpose

The purpose of this chapter is to provide greater detail as to how the landscape, particularly outside urban settlements, will be managed in order to implement the strategic objectives and policies in Chapter 3. This chapter needs to be read with particular reference to the objectives in Chapter 3, which identify the outcomes the policies in this chapter are seeking to achieve. The relevant Chapter 3 objectives and policies are identified in brackets following each policy.

Landscapes have been categorised to provide greater certainty of their importance to the District, and to respond to regional policy and national legislation. Categorisations of landscapes will provide decision makers with a basis to consider the appropriateness of activities that have adverse effects on those landscapes.

6.2 Values

The District's landscapes are of significant value to the people who live in, work in or visit the District. The District relies in a large part for its social and economic wellbeing on the quality of the landscape, open

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spaces and the natural and built environment. Those landscapes also have inherent values, particularly to Tangata Whenua.

The landscapes consist of a variety of landforms created by uplift and glaciations, which include mountains, ice-sculpted rock, scree slopes, moraine, fans, a variety of confined and braided river systems, valley floors and lake basins. These distinct landforms remain easily legible and strong features of the present landscape.

Indigenous vegetation also contributes to the quality of the District's landscapes. While much of the original vegetation has been modified, the colour and texture of indigenous vegetation within these landforms contribute to the distinctive identity of the District's landscapes.

The open space or open character of rural land ~~is~~ are key elements of the landscape character that can be vulnerable to degradation from subdivision, development and non-farming activities. The prevalence of large farms and landholdings contributes to the open space and rural working character of the landscape. The predominance of open space over housing and related domestic elements is a strong determinant of the character of the District's rural landscapes.

Some rural areas, particularly those closer to the Queenstown and Wanaka urban areas and within parts of the Wakatipu Basin and Upper Clutha Basin, have an established pattern of housing on smaller landholdings. The landscape character of these areas has been modified by vehicle accesses, earthworks and vegetation planting for amenity, screening and shelter, which have reduced the open space character exhibited by larger scale farming activities.

While acknowledging these rural areas have established rural living and development, and a substantial amount of further subdivision and development has already been approved in these areas, the landscape values of these areas are vulnerable to degradation from further subdivision and development. Areas where rural living development is at or is approaching the finite capacity of the landscape need to be identified if the District's distinctive rural landscape values are to be sustained. Areas where the landscape can accommodate sensitive and sympathetic rural living developments similarly need to be identified.

The lakes and rivers both on their own and, when viewed as part of the distinctive landscape, are a significant element of the national and international identity of the District and provide for a wide range of amenity and recreational opportunities. They are nationally and internationally recognised as part of the reason for the District's importance as a visitor destination, as well as one of the reasons for residents to belong to the area. Managing the landscape and recreational values on the surface of lakes and rivers is an important District Plan function.

Private, commercial and public operators rely on the use, occupation of and access to lakes and rivers for a wide range of activities including recreation, commercial recreation, tourism, transport services and infrastructure. These activities could also include both temporary and permanent structures on the surface, and on the margins, of lakes and rivers.

Activities on the surface of lakes and rivers and their supporting infrastructure can have adverse effects on nature conservation values, amenity values, the quality of the environment, navigational and congestion safety (including on other commercial operators and recreational users). New activities also have the potential to adversely affect established activities for example by detracting from the experience enjoyed by the users of existing activities and generating adverse safety effects.

6.3 Policies

6.3.1 Rural Landscape Categorisation

6.3.1.1 ~~Classify~~ Categorise the Rural Zoned landscapes in the District as:

- a. Outstanding Natural Feature (ONF);
- b. Outstanding Natural Landscape (ONL);

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c. Rural Character Landscape (RCL) (~~3.2.5.1, 3.2.5.2~~, 3.3.29, 3.3.31).

6.3.1.2 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. (3.2.1.1, ~~3.4.4.4, 3.3.21~~, 3.3.1A-C, 3.2.5.1A, 3.2.5.1B).

6.3.1.3 Provide a separate regulatory regime for the Gibbston Valley (identified as the Gibbston Character Zone), Rural Residential Zone, Rural Lifestyle Zone, Resort Zones 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. (3.2.1.1, 3.2.1.7, 3.2.1.8, ~~3.2.5.2~~, 3.2.5.1A, 3.2.5.2B, 3.3.20 -24, 3.3.32).

6.3.1.4 Provide a separate regulatory regime for the Wakatipu Basin Rural Amenity Zone, 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.

6.3.1.5 Classify the Open Space and Recreation zoned land located outside the Urban Growth Boundary as outstanding Natural Landscape, Outstanding Natural Feature or Rural Character Landscape, and provide a separate regulatory framework for the Open Space and Recreation Zones within which the remaining policies of this chapter do not apply.

6.3.1.6 In relation to Regionally Significant Infrastructure, the policies in 6.3.6.1 to 6.3.6.4^[CB1] take precedence in the event of any conflict with other policies in this Chapter. (3.2.1.9, 3.2.5.1, 3.2.5.2, 3.3.30, 3.3.32, 3.3.36).

6.3.2 Managing Activities in the Rural Zone, the Gibbston Character Zone, the Rural Residential Zone and the Rural Lifestyle Zone

6.3.2.14 Avoid urban development and subdivision to urban densities in the rural zones. (3.2.2.1, 3.2.5.1, 3.2.5.2, 3.3.13-15, ~~3.3.23~~, 3.3.30, 3.3.32A).

6.3.2.25 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. (~~3.2.5.1, 3.2.5.2~~, 3.3.19, 3.3.20, 3.3.30, ~~3.3.32~~).

6.3.2.36 Ensure the District's distinctive landscapes are not degraded by production forestry planting and harvesting activities. (3.2.1.8, ~~3.2.5.1, 3.2.5.2~~, 3.3.19, 3.3.29, 3.3.31).

6.3.2.47 Enable continuation of the contribution low-intensity pastoral farming in the Rural Zone and viticulture in the Gibbston Character Zone on large landholdings makes to the District's landscape character. (3.2.1.7, 3.2.5.1, ~~3.2.5.2~~, 3.3.20).

6.3.2.58 Avoid indigenous vegetation clearance where it would significantly degrade the visual character and qualities of the District's distinctive landscapes. (3.2.1.8, ~~3.2.5.1, 3.2.5.2~~, 3.3.19, 3.3.30, 3.3.32A).

6.3.2.69 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. (3.2.1.7, 3.2.4.1, ~~3.2.5.1, 3.2.5.2~~, 3.3.1A, 3.3.19, 3.3.20, 3.3.30, 3.3.32A).

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- 6.3.2.740 Ensure that subdivision and development in the Outstanding Natural Landscapes and Rural Character Landscapes ~~adjacent in proximity to an Outstanding Natural Features or Outstanding Natural Landscape~~ does not ~~compromise~~ ~~have more than minor adverse effects~~ on the landscape quality, character and visual amenity values of that the relevant Outstanding Natural Feature(s) or Outstanding Natural Landscape. (~~3.2.5.1, 3.3.30~~).
- 6.3.2.811 Encourage any landscaping to be ecologically viable and consistent with the established character of the area. (3.2.1.8, 3.2.5.1, ~~3.2.5.2~~, 3.3.30, 3.3.32A).

6.3.3 Managing Activities ~~in~~ on Outstanding Natural Features Landscapes and ~~in~~ Outstanding Natural Landscapes Features

- 6.3.3.112 ~~Recognise that subdivision and development is inappropriate in almost all locations in Outstanding Natural Landscapes and on Outstanding Natural Features, meaning successful applications will be exceptional cases where the landscape or feature can absorb the change and where the buildings and structures and associated roading and boundary changes will be reasonably difficult to see from beyond the boundary of the site the subject of application. (3.2.1.1, 3.2.5.1, 3.3.21, 3.3.30).~~

Recognise that subdivision and development is inappropriate on Outstanding Natural Features and in Outstanding Natural Landscapes unless:

- a. landscape values are protected; and
 - b. in the case of any subsequent subdivision or development, all buildings and other structures and all changes to landform or other physical changes to the appearance of land will be reasonably difficult to see from beyond the boundary of the site in question.
- 6.3.3.213 Ensure that the protection of Outstanding Natural Features and Outstanding Natural Landscapes includes recognition of any values relating to cultural and historic elements, geological features and matters of cultural and spiritual value to tangata whenua, including tōpuni and wahi tūpuna. (3.2.3.1, 3.2.5.1A, B, 3.2.7.1, 3.3.16, 3.3.30, 3.3.33 - 35, Chapter 5).
- 6.3.3.314 ~~Recognise that large parts of the District's Outstanding Natural Landscapes include working farms and accept that viable farming involves activities that may modify the landscape, providing the quality and character of the Outstanding Natural Landscape is not adversely affected. (3.2.1.7, 3.2.1.8, 3.2.4.1, 3.2.5.1, 3.3.20, 3.3.30).~~

For working farms within Outstanding Natural Features and Outstanding Natural Landscapes:

- a. recognise that viable farming involves activities that may modify the landscape; and
 - b. enable those activities in a way that is consistent with protecting the values of Outstanding Natural Features and Outstanding Natural Landscapes.
- 6.3.3.415 The landscape character and amenity values of Outstanding Natural Landscapes are a significant intrinsic, economic and recreational resource, such that new large scale renewable electricity generation or new large scale mineral extraction development proposals are not likely to be compatible with them. (3.2.5.1A, B, 3.3.25, ~~3.3.30~~).
- 6.3.3.516 Maintain the open landscape character of Outstanding Natural Features and Outstanding Natural Landscapes where it is open at present. (~~3.2.1.7, 3.2.1.8, 3.2.4.1, 3.2.5.1, 3.3.20-21, 3.3.30~~).

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~~6.3.17 — Locate, design, operate and maintain regionally significant infrastructure so as to seek to avoid adverse effects on Outstanding Natural Landscapes and Outstanding Natural Features, while acknowledging that location constraints and/or the nature of the infrastructure may mean that this is not possible in all cases. (3.2.1.9, 3.2.5.1, 3.3.25, 3.3.30).~~

~~6.3.18 — In cases where it is demonstrated that regionally significant infrastructure cannot avoid adverse effects on Outstanding Natural Landscapes and Outstanding Natural Features, avoid significant adverse effects and minimise other adverse effects on those landscapes and features. (3.2.1.9, 3.2.5.1, 3.3.25, 3.3.30).~~

6.3.4 Managing Activities in Rural Character Landscapes

6.3.4.119 Recognise that subdivision and development is unsuitable in many locations in Rural Character Landscapes and successful applications will need to be, on balance, consistent with the objectives and policies of the Plan. (3.2.1.1, 3.2.1.7, 3.2.5.2A, B, 3.3.20- 24, 3.3.32A).

6.3.4.220 Encourage plan changes applying Rural Lifestyle and Rural Residential Zones to land as the appropriate planning mechanism to provide for any new rural lifestyle and rural residential developments in preference to ad-hoc subdivision and development and ensure these zones are located in areas where the landscape can accommodate the change. (3.2.1.8, 3.2.5.2A, B, 3.3.22, 3.3.24, 3.3.32A).

6.3.4.324 Require that proposals for subdivision or development for rural living in the Rural Zone take into account existing and consented subdivision or development in assessing the potential for adverse cumulative effects. (3.2.1.8, 3.2.5.2A, B, 3.3.23, 3.3.32A).

6.3.4.422 Have particular regard to the potential adverse effects on landscape character and visual amenity values where further subdivision and development would constitute sprawl along roads. (3.2.1.1, 3.2.1.7, 3.2.5.2A, B, 3.3.21 A-C, 3.3.24-25, 3.3.32A).

6.3.4.523 Ensure incremental changes from subdivision and development do not degrade landscape quality or character, or important views as a result of activities associated with mitigation of the visual effects of proposed development such as screen planting, mounding and earthworks. (3.2.1.1, 3.2.1.8, 3.2.5.2A, B, 3.3.21 A-C, 3.3.24, 3.3.32A).

~~6.3.24 — Locate, design, operate and maintain regionally significant infrastructure so as to seek to avoid significant adverse effects on the character of the landscape, while acknowledging that location constraints and/or the nature of the infrastructure may mean that this is not possible in all cases. (3.2.1.9, 3.2.5.2, 3.3.25, 3.3.32). [Relocated to 6.3.37 and amended]~~

~~6.3.25 — In cases where it is demonstrated that regionally significant infrastructure cannot avoid significant adverse effects on the character of the landscape, such adverse effects shall be minimised. (3.2.1.9, 3.2.5.2, 3.3.25, 3.3.32). [Relocated to 6.3.38 and amended]~~

6.3.4.626 Avoid adverse effects on visual amenity from subdivision, use and development that:

- is highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in this Plan); or
- forms the foreground for an Outstanding Natural Landscape or Outstanding Natural Feature when viewed from public roads. (3.2.1.1, 3.2.1.8, 3.2.5.1A, B, 3.2.5.2A, B, 3.3.20-21, 3.3.24-25, 3.3.30, 3.3.32).

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- 6.3.4.727 In the Wakatipu Basin, avoid planting and screening, particularly along roads and boundaries that would degrade openness where such openness is an important part of its landscape quality or character. (3.2.1.1, 3.2.1.8, 3.2.5.2, 3.3.20-21, 3.3.24-25, 3.3.32).
- 6.3.4.828 In the upper Clutha Basin, subdivision and development maintains open landscape character where that is the existing character of the Rural Character Landscape. have regard to the adverse effects from subdivision and development on the open landscape character where it is open at present. (3.2.1.1, 3.2.1.8, 3.2.5.2A, B, 3.3.1A-C, 3.3.20-21, 3.3.24-26, 3.3.32A).
- 6.3.4.929 Encourage development to utilise shared accesses and infrastructure, and to locate within the parts of the site where it will minimise disruption to natural landforms and to rural character. (3.2.1.1, 3.2.1.8, 3.3.1A-C, 3.3.21, 3.3.24, 3.3.32).

6.3.5 Managing Activities on Lakes and Rivers

6.3.5.130 Manage the location, intensity and scale of structures on the surface and margins of water bodies including jetties, wharves, moorings and infrastructure recognising the functional needs of these activities, and the importance of lakes and rivers, including as a commercial recreation, tourism, transport and recreational resource, and ensure these structures are at a scale or in a location that, as far as practicable:

- a. protects the values of Outstanding Natural Features and Outstanding Natural Landscapes; and
- b. maintains the landscape character of Rural Character Landscapes and maintains or enhances their visual amenity values.

(3.2.1.1, 3.2.4.1, 3.2.4.3, 3.2.5.1, 3.2.5.2, 3.3.19, 3.3.21, 3.3.26, 3.3.30, 3.3.32).

6.3.5.234 Recognise the character of the Frankton Arm including the established jetties and wharves, and provide for their maintenance, upgrade or expansion (3.2.4.3, 3.2.5.1, 3.3.30).

6.3.5.332 Recognise the urban character of Queenstown Bay and provide for structures and facilities on the surface and margins of Queenstown Bay within the Queenstown Town Centre Waterfront Subzone providing they protect the ability to appreciate the District's distinctive landscapes. (3.2.1.1, 3.2.4.1, 3.2.4.4, 3.2.5.1, 3.2.5.2, 3.3.19, 3.3.21, 3.3.30, 3.3.32).

6.3.5.433 Provide for appropriate commercial and recreational activities on the surface of water bodies that do not involve construction of new structures. (3.2.1.1, 3.2.4.4, 3.2.5.1, 3.2.5.2, 3.3.21, 3.3.30, 3.3.32).

6.3.6 Managing Regionally Significant Infrastructure

6.3.6.1^[CB2] Locate, design, operate and maintain regionally significant infrastructure so as to seek to avoid adverse effects on Outstanding Natural Landscapes and Outstanding Natural Features, while acknowledging that functional needs location constraints and/or the nature of the infrastructure may mean that this is not practicable possible in all cases. (3.2.1.9, 3.2.5.1, 3.2.6, 3.3.25, 3.3.30, 3.3.36).

6.3.6.2 In cases where it is demonstrated that regionally significant infrastructure cannot avoid adverse effects on Outstanding Natural Landscapes and Outstanding Natural Features, avoid significant adverse effects so as to maintain the values that contribute to the

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outstanding nature, and remedy or mitigate ~~minimise~~ other adverse effects on those landscapes and features. (3.2.1.9, 3.2.5.1, 3.2.6, 3.3.25, 3.3.30, 3.3.36).

6.3.6.3 In relation to Rural Character Landscapes and other amenity landscapes, locate, design, operate and maintain regionally significant infrastructure so as to seek to avoid significant adverse effects on the character of the landscape, while acknowledging that functional needs ~~location constraints~~ and/or the nature of the infrastructure may mean that this is not practicable ~~possible~~ in all cases. (3.2.1.9, 3.2.5.2, 3.2.6, 3.3.25, 3.3.32, 3.3.36).

6.3.6.4 In cases where it is demonstrated that regionally significant infrastructure cannot avoid significant adverse effects on the character of the landscape, such adverse effects shall be remedied or mitigated ~~minimised~~. (3.2.1.9, 3.2.5.2, 3.2.6, 3.3.25, 3.3.32, 3.3.36).

Chapter 2: Definitions

<p>Electricity Sub-transmission Infrastructure</p>	<p>Means electricity infrastructure which conveys electricity between:</p> <ul style="list-style-type: none"> a. the National Grid and zone substations; b. renewable energy generation sources and zone substations; or c. zone substations.
<p>Open Space</p>	<p>Means any land or space which is not substantially occupied by buildings. <u>For the Open Space Zone – Landscape Protection, and the Open Space and Recreation Zone, means any land or space and which provides benefits to the general public as an area of visual, cultural, educational, or recreational amenity values.</u></p> <p><u>Excludes the presence of centre pivot and linear irrigators.</u></p>
<p>Openness and Open Character</p>	<p>Means any land or space which is not substantially occupied by buildings, structures or trees. <u>The land is likely to include and be characterised by either one of or both of exotic pasture, indigenous grasslands and grey shrubland.</u></p> <p><u>Excludes the presence of centre pivot and linear irrigators.</u></p>
<p>Regionally Significant Infrastructure</p>	<p>Means:</p> <ul style="list-style-type: none"> a. Renewable electricity generation activities undertaken by an electricity operator; and b. The national grid; and c. <u>electricity sub-transmission infrastructure; and</u> d. <u>significant electricity distribution infrastructure as shown on the District Plan Maps; and</u> e. Telecommunication and radio communication facilities; and f. State highways; and g. Queenstown and Wanaka airports and associated navigation infrastructure.

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Other Amendments (Topic 2 Subtopic 11 Infrastructure):

<p>Consequential changes to District Plan Maps</p>	<ol style="list-style-type: none"> 1. Delete <i>“Aurora Distribution Lines – For information only”</i> from the District Plan Maps Legend 2. Add the following to the District Plan Maps Legend: <ol style="list-style-type: none"> a. <i>“Electricity Sub-transmission Infrastructure”</i> b. <i>“Significant Electricity Distribution Infrastructure”</i> <p>Each type to be differentiated by different colour. Aurora suggests bright green for Electricity Sub-transmission Infrastructure and red for Significant Electricity Distribution Infrastructure as this is consistent with the Aurora GIS information available online so may reduce opportunities for confusion.</p> <p>The three significant electricity distribution infrastructure lines to be shown on the plan maps are:</p> <ul style="list-style-type: none"> • Wanaka to Treble Cone • Maungawera to Makarora • Cardrona substation to the Cardrona Transformer at skifield base (pole 17698)
<p>Consequential changes to District Plan Maps</p>	<p>Recommended modification within ambit of Clause 16(2) Schedule 1 of the RMA.</p> <p>Amend the annotation on the District Plan Maps Legend from ‘Transmission Corridor’ to ‘The National Grid’, in order to better distinguish between the National Grid infrastructure and the new annotations of Electricity Sub-transmission Infrastructure’ and ‘Significant Electricity Distribution Infrastructure’.</p>