

IN THE ENVIRONMENT COURT
AT CHRISTCHURCH
I TE KŌTI TAIAO O AOTEAROA
KI ŌTAUTAHĪ

Decision No. [2025] NZEnvC 302

IN THE MATTER

of the Resource Management Act 1991

AND

an appeal under clause 14 of the First
Schedule of the Act

BETWEEN

MALAGHANS INVESTMENTS
LIMITED

(ENV-2021-CHC-30)

Appellant

AND

QUEENSTOWN LAKES DISTRICT
COUNCIL

Respondent

Environment Judge J J M Hassan – sitting alone under s279 of the Act

In Chambers at Christchurch

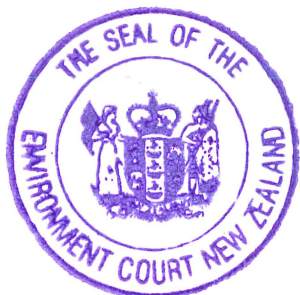
Date of Consent Order: 10 September 2025

CONSENT ORDER

A: Under s279(1)(b) RMA,¹ the Environment Court, by consent, orders
Queenstown Lakes District Council to:

- (1) update the provisions of Ch 46 of the Queenstown Lakes Proposed
District Plan as set out in Appendix 1;

Resource Management Act 1991.



- (2) update the Queenstown Lakes Proposed District Plan planning maps to show the rezoning of the land to Rural Visitor Zone, and the inclusion of the mapped Landscape Sensitivity Areas and Escarpment Edge line, as shown in Appendix 2;
- (3) the appeal is otherwise dismissed.

B: Under s285 RMA, there is no order as to costs.

REASONS

Introduction

[1] This proceeding relates to an appeal by Malaghans Investments Limited (MIL) against part of the decision of the Queenstown Lakes District Council (QLDC) as part of the review of the Queenstown Lakes Proposed District Plan (PDP). The appeal was allocated to Topic 38, Subtopic 2 – Rural Visitor Zone (Rezoning).

[2] MIL owns a 7.89ha property located at 1352 Skippers Road (Site),² approximately 9 km northwest of the Coronet Peak Road intersection. The Site is nestled within a valley basin above the Shotover River, surrounded by steep terrain, and is part of an Outstanding Natural Landscape (ONL) as well as the Skippers Heritage Overlay Area (SHOA).

[3] Access to the Site is via Skippers Road, a narrow, unsealed public road with alternating single and dual lanes. This road holds significant heritage value, classified as Category 2 under the PDP and Category 1 under the Heritage New Zealand Pouhere Taonga Act 2014. Entry to the Site is through a formed right-of-way off Skippers Road.

² Legally described as Lot 2 DP 19171.

[4] Two resource consents have been granted and implemented for the Site. The first, RM230572 (approved on 11 April 2024), permits Residential Visitor Accommodation on the Site for up to 20 guests year-round and includes the use of an informal helicopter landing area. The second, RM240117 (approved on 15 April 2024), allows for the installation of two new 30,000L water storage tanks and the retention of an existing 800L tank to enhance water supply across the Site.

[5] The appellant's PDP submissions sought that the Site be rezoned to RVZ and the addition of site-specific provisions in PDP Ch 46. This is so as to provide a bespoke planning response for the Site within the notified RVZ framework. The appellant's submission was not subject to any further submission.

[6] QLDC's decision on submissions declined both the RVZ rezoning relief (instead maintaining Rural zoning for the Site) and the site-specific Ch 46 provisions (as refined in the appellant's evidence). The Hearing Panel considered that traffic safety implications of vehicles using Skippers Road were a concern. Specifically:³

The Hearing Panel report identified risks associated with an increase in the number of overnight visitors, who are unfamiliar with Skippers Road, and the lack of an ability to restrict the use of a public road through the RVZ, as being reasons for refusal of the rezoning sought.

[7] In its appeal MIL sought RVZ rezoning specific to "Skippers" with a number of bespoke provisions specific to the Site and environmental context.

The agreement reached

[8] I have read and considered the consent memorandum of the parties dated 23 July 2025, which outlines the agreement reached between the parties to resolve this appeal. The memorandum records that the proposal is not a new zone, rather

³ Joint memorandum dated 23 July 2025, Appendix A, Skippers Rural Visitor Zone s32AA Evaluation at [3].

it is an amending proposal in the context of s32AA, RMA.⁴ It explains that the parties now jointly pursue orders to allow the appeal in part by amending the PDP in the following respects:

- (1) RVZ zoning for the Site in place of Rural zoning and tailored PDP provisions to reflect its unique landscape and heritage context;
- (2) a new PDP mapping layer to identify high landscape sensitivity areas within the ONL, and new policies and rules to manage traffic safety, visitor accommodation capacity, and built form;
- (3) built form controls including height and size restrictions, setbacks from topographic features, and design standards for materials to preserve heritage character;
- (4) a permitted activity cap on visitor accommodation of 20 units, with thresholds triggering higher consent categories (reflecting the existing resource consents obtained for the Site);
- (5) regulation of informal airport use by flight frequency (recognising that air-based transport is a viable alternative to road access); and
- (6) minor drafting amendments to ensure the provisions function effectively within the PDP framework.

[9] MIL and QLDC are satisfied that future built form will be located in the parts of the site that have the capacity to absorb change, which will result in the landscape values of the ONL being protected.⁵ Further, they agree this rule framework for Skippers RVZ will provide a clear path for managing the capacity of visitor accommodation and its effects, which ensures that landscape values are protected and that traffic safety issues can be appropriately managed.⁶

⁴ Joint memorandum at [15].

⁵ Joint memorandum at [27].

⁶ Joint memorandum at [29].

Other relevant matters

[10] Matakauri Lodge Limited (MLL) gave notice of its interest in this appeal under s274 RMA. The joint memorandum records MLL has not taken any active role in the appeal. Counsel for MLL has confirmed that their client is no longer interested in the appeal.⁷

[11] The parties advise that all matters proposed for the court's endorsement fall within the court's jurisdiction and conform to the relevant requirements and objectives of the Act including, in particular, Pt 2.

[12] No party seeks costs, all parties agreeing that costs should lie where they fall.

Outcome

[13] The court makes this order under s279(1) RMA, by consent, rather than as a decision or determination on the merits under s297.

[14] This order is made on the basis of the joint memorandum recording the parties' full agreement. The court understands, for present purposes, that all relevant parties to the proceeding have executed the memorandum requesting the orders.

⁷ Email of Michael Holm to Mike Wakefield re : QLDC – Matakauri Lodge section 274 status to the Malaghans Investments Ltd appeal (1 September 2025).

[15] Based on the information provided and the assurances received, the court is satisfied that the orders will promote the purpose of the RMA. Accordingly, QLDC is directed to amend the provisions of Ch 46 of the PDP as set out in Appendix 1 and to update the PDP planning maps to reflect the rezoning of the land to RVZ, and to include the mapped Landscape Sensitivity Areas and Escarpment Edge line, as shown in Appendix 2.



J J M Hassan
Environment Judge



Appendix 1

Agreed changes to Chapter 46, PDP

46 Rural Visitor Zone

New provisions or rezoning sought to be added by appeal

These new provisions/rezoning may relate to various parts of this chapter but are only identified here.

46.1 Purpose

The Rural Visitor Zone provides for visitor industry activities that enable people to access and appreciate the District's landscapes, at a small scale and low intensity, and in a manner that recognises the particular values of those landscapes. By providing for visitor industry activities within the rural environment, primarily in remote locations, the Zone recognises the contribution visitor industry places, services and facilities make to the economic and recreational values of the District.

The effects of land use and development on the landscape are managed by the limited extent and small scale of the Zoned areas, and directing sensitive and sympathetic development to areas of lower landscape sensitivity identified within each Zone, where the landscape can accommodate change and the adverse effects on landscape values will be cumulatively minor. No Zone comprises areas of only high or moderate-high landscape sensitivity and the Zone is not located on Outstanding Natural Features. Effects on landscape are further managed through limiting the nature, scale and intensity of development and ensuring buildings are not visually dominant and are integrated into the landscape.

The principal activities in the Zone are small scale and low intensity visitor accommodation and related ancillary commercial activities, and commercial recreational activities. Residential activity is not anticipated in the Zone, with exceptions provided for onsite staff accommodation ancillary to commercial recreational activities and visitor accommodation, and for residential activity on building platforms at Arcadia that were consented under a prior rural visitor zoning.

46.2 Objectives and Policies

46.2.1 Objective — The Rural Visitor Zone provides for visitor accommodation, commercial recreational activities and ancillary commercial activities to occur at a small scale and low intensity in rural locations in a manner that:

- a. protects the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes;
- b. maintains landscape character, and maintains or enhances visual amenity values in areas not within Outstanding Natural Features or Outstanding Natural Landscapes;
- c. avoids adverse effects, including cumulative effects in conjunction with other activities, buildings and development, which do not protect the values specified in a. or maintain or enhance the values specified in b;
- d. maintains amenity values of the surrounding environment;
- e. does not compromise the operation of existing activities or those enabled by the zones in the surrounding environment as a result of reverse sensitivity effects;

- f. activities anticipated within each Zoned area can be adequately serviced with wastewater treatment and disposal, potable and firefighting water supply, and safe vehicle access or alternative water or air-based transport; and
- g. avoids significant or intolerable risks from natural hazards to people and the community.

Policies

- 46.2.1.1 Ensure that the location of the Zone is such that the activities anticipated within it are able to meet the requirements of Objective 46.2.1.
- 46.2.1.2 Enable visitor accommodation and commercial recreational activities within the Zone, including ancillary onsite staff accommodation, where the landscape values of the District's Outstanding Natural Features and Outstanding Natural Landscapes are protected, and for other rural areas, the landscape character of the landscape the Zone sits within is maintained and the visual amenity values are maintained or enhanced.
- 46.2.1.2A Ensure that a Vegetation Management Plan is prepared for the Lake Hawea Rural Visitor Zone and implemented in a timely manner for the purpose of screening or filtering views of buildings from the adjacent state highway, assisting with the integration of buildings into the landscape, reinforcing landform patterns, and providing a cohesive, large scale vegetation backdrop to the buildings when viewed from the adjoining Open Space and Recreation Zone, lake, and lakeside reserve areas, through both:
- a. the long-term incremental replacement of exotic trees with native species to enhance landscape, ecology and visual amenity;
 - b. the introduction and/or retention of exotic species within the High Landscape Sensitivity Area where appropriate for amenity, shade, structure, screening, and autumn colour.
- 46.2.1.3 Ensure the location, nature, scale and intensity of visitor accommodation, commercial recreational activities, and associated aspects such as traffic generation, access and parking, informal airports, noise and lighting:
- a. maintain amenity values beyond the Zone; and
 - b. do not compromise the operation of existing activities or those enabled by the zones in the surrounding environment as a result of reverse sensitivity effects.
- 46.2.1.4 Ensure the nature and scale of the combined activities in the Maungawera Rural Visitor Zone maintain amenity values beyond the Zone by specifically managing group size of commercial recreational activities and the capacity of visitor accommodation.
- [46.2.1.X](#) [Ensure that activities within the Skippers Rural Visitor Zone are undertaken in a way that maintains the efficiency and safety of Skippers Road by managing the capacity of visitor accommodation and the associated total daily vehicle trips to and from the Zone.](#)
- 46.2.1.4A Ensure the nature and scale of the combined activities in the Matakauri Rural Visitor Zone maintain amenity values beyond the Zone by managing:
- a. the capacity of visitor accommodation, including by managing total visitor numbers;

- b. the nature and scale of commercial recreational activities, including by managing group sizes individually and cumulatively within individual and total visitor caps;
- c. the nature and scale of any commercial activities, retail or service activities; and
- d. any incremental or other cumulative effects of those matters on those amenity values

46.2.1.5 Avoid residential activity within the Zone, except for enabling:

- a. onsite staff accommodation ancillary to visitor accommodation and commercial recreational activities, where this accommodation is consistent with the small scale and low intensity of the development within the Zone; and
- b. residential activity on identified building platforms in the Arcadia Rural Visitor Zone (as approved by resource consent under a previous rural visitor zoning prior to 31 October 2019).

46.2.1.6 For commercial recreational activities that exceed the standards limiting their scale and intensity, ensure the activity will protect the landscape values of the District's Outstanding Natural Features and Outstanding Natural Landscapes, and for other rural areas, ensure the landscape character of the landscape the Zone sits within is maintained and the visual amenity values are maintained or enhanced.

46.2.2 Objective — Buildings and development that have a visitor industry related use are provided for at a small scale and low density within the Rural Visitor Zone in areas of lower landscape sensitivity where:

- a. **the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes are protected;**
- b. **in rural areas not within Outstanding Natural Features or Outstanding Natural Landscapes, the landscape character is maintained and the visual amenity values maintained or enhanced;**
- c. **adverse effects, including cumulative effects in conjunction with other activities, buildings and development, which do not protect the values specified in a. or maintain or enhance the values specified in b. are avoided; and**
- d. **amenity values of the surrounding environment are maintained.**

Policies

46.2.2.1 Enable and consolidate buildings outside of areas that are identified on the District Plan web mapping application as a High Landscape Sensitivity Area or Moderate-High Landscape Sensitivity Area.

46.2.2.2 Restrict buildings within areas identified on the District Plan web mapping application as Moderate-High Landscape Sensitivity unless they are located and designed, and adverse effects are mitigated, to ensure:

- a. landscape values of Outstanding Natural Features and Outstanding Natural Landscapes are protected;

- b. for other rural areas, the landscape character of the landscape the Zone sits within is maintained and the visual amenity values are maintained or enhanced; and
- c. in the Matakauri Rural Visitor Zone, that any buildings are positioned and/or screened (including by vegetation and/or existing buildings) so that they are reasonably difficult to see from beyond the boundary of the Zone.

46.2.2.3 Avoid buildings within areas identified on the District Plan web mapping application as High Landscape Sensitivity Areas.

46.2.2.4 Manage the effects of buildings and development on landscape values, landscape character and visual amenity values by:

- a. controlling the colour, scale, design, and height of buildings and associated infrastructure, vegetation and landscape elements;
- b. in the immediate vicinity of the Homestead Area at Walter Peak, and the historic homestead at Arcadia, providing for a range of external building colours that are not as recessive as required generally for rural environments, but are sympathetic to existing development; and
- c. in the Matakauri Rural Visitor Zone, requiring that buildings are separated and that the space between buildings is planted in order to reduce the dominance of built form when viewed from beyond the boundary of the Zone.

46.2.2.5 Provide for buildings that exceed the bulk and scale standards, only when adverse effects, including cumulative effects, are minimised, including through:

- a. In Outstanding Natural Landscapes, siting buildings so they are reasonably difficult to see from beyond the boundary of the Zone;
- b. Outside Outstanding Natural Landscapes and Outstanding Natural Features, siting buildings so they are not highly visible from public places, and do not form the foreground of Outstanding Natural Landscapes or Outstanding Natural Features;
- c. The design and location of buildings and opportunities for mitigating bulk, form and density;
- d. Management of the associated aspects of the building(s) such as earthworks, car parking, fencing, and landscaping.

Note: Policy 46.2.2.5 does not apply to the Lake Hawea Rural Visitor Zone and the Matakauri Rural Visitor Zone.

46.2.2.5A In the Matakauri Rural Visitor Zone, avoid buildings that exceed the combined maximum total ground floor area specified in Rule 46.5.3.4.

46.2.2.5B Provide for buildings in the Matakauri Rural Visitor Zone that exceed bulk, scale or minimum separation distance standards, only when any adverse effects, including cumulative effects, can be mitigated, including through:

- a. Siting buildings so that they are reasonably difficult to see from beyond the boundary of the Zone;

b. Building design and screening (including through vegetation); and

c. Design and control of other aspects associated with buildings, including earthworks, car parking, fencing, and landscaping.

46.2.2.5C In the Lake Hawea Rural Visitor Zone avoid buildings that exceed the combined Total Maximum Ground Floor Area specified in Standard 46.5.3.5(b).

46.2.2.5D Provide for buildings within the Lake Hawea Rural Visitor Zone that exceed bulk and scale standards only when any adverse effects, including cumulative effects, can be mitigated, including through:

a. Other than in views from the adjoining Open Space and Recreation Zone, siting buildings so that they are reasonably difficult to see from beyond the boundary of the Zone;

b. Building design, location and opportunities for mitigating bulk, form and density;

c. Managing the design and control of other aspects associated with buildings, including earthworks, car parking, fencing, and landscaping.

46.2.2.6 Within those areas identified on the District Plan web mapping application as High Landscape Sensitivity or Moderate-High Landscape Sensitivity, maintain open landscape character where it is open at present.

46.2.2.7 Encourage enhancement of nature conservation values as part of the use and development of the Zone.

46.2.2.8 Manage the location and direction of lights to ensure they do not cause glare or reduce the quality of views of the night sky beyond the boundaries of the Zone, or reduce the sense of remoteness where this is an important part of the landscape character of the Zone.

46.2.2.9 Within the Walter Peak Water Transport Infrastructure overlay, provide for a jetty or wharf, weather protection features and ancillary infrastructure at Beach Bay while:

a. maintaining as far as practicable natural character and landscape values of Beach Bay while recognising the functional need for water transport infrastructure to locate on the margin of and on Lake Wakatipu;

b. minimising the loss of public access to the lake margin; and

c. encouraging enhancement of nature conservation and natural character values.

46.2.2.10 Ensure development can be adequately serviced through:

a. the method, capacity and design of wastewater treatment and disposal;

b. adequate and potable provision of water;

c. adequate firefighting water and regard taken in the design of development to fire risk from vegetation, both existing and proposed vegetation; and

d. provision of safe vehicle access or alternative water-based [or air-based](#) transport and associated infrastructure.

- 46.2.2.11 Ensure the ongoing management and maintenance of existing hazard mitigation measures, including management systems and evacuation plans, where new or relocated buildings within the Hazard Management Area identified on the District Plan web mapping application in the Walter Peak Rural Visitor Zone rely on those measures.
- 46.2.2.12 Avoid development for living purposes (including visitor accommodation) in the Natural Hazard Building Restriction Areas identified on the District Plan web mapping application in the Walter Peak Rural Visitor Zone.
- 46.2.2.13 Ensure the location, scale and design of development in the Lake Hawea Rural Visitor Zone, including buildings, accessways, parking, landscaping, and fencing/ boundary treatments, recognises and is complementary to the spacious, low key landscape character of the adjoining Open Space and Recreation Zone.

46.3 Other Provisions and Rules

46.3.1 District Wide

Attention is drawn to the following District Wide chapters.

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
25 Earthworks	26 Historic Heritage	27 Subdivision
28 Natural Hazards	29 Transport	30 Energy and Utilities
31 Signs	32 Protected Trees	33 Indigenous Vegetation and Biodiversity
34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings	36 Noise
37 Designations	39 Wāhi Tūpuna	District Plan web mapping application

46.3.2 Interpreting and Applying the Rules

- 46.3.2.1 A permitted activity must comply with all the rules (in this case Chapter 46 and any relevant district wide rules).
- 46.3.2.2 Where an activity does not comply with a standard listed in the standards tables, 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.
- 46.3.2.3 For controlled and restricted discretionary activities, the Council shall restrict the exercise of its control or discretion to the matters listed in the rule.
- 46.3.2.4 The surface of lakes and rivers are zoned Rural, except for the area identified on the District Plan web mapping application as Walter Peak Water Transport Infrastructure overlay for the purposes of Rule 46.4.11.
- 46.3.2.5 These abbreviations are used in the following tables. Any activity which is not permitted (P) or prohibited (PR) requires resource consent.

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

46.3.3 Advice Notes - General

- 46.3.3.1 On-site wastewater treatment is also subject to the Otago Regional Plan: Water. In particular, Rule 12.A.1.4 of the Otago Regional Plan: Water.
- 46.3.3.2 Particular attention is drawn to the definition of Visitor Accommodation which includes related ancillary services and facilities and onsite staff accommodation.

46.4 Rules — Activities

	Rules - Activities	Activity Status
46.4.1	Farming	P
46.4.2	Visitor accommodation	P
46.4.3	Commercial recreational activities and ancillary onsite staff accommodation	P
46.4.4	Recreation and recreational activity, except in the Matakauri Rural visitor Zone	P
46.4.5	Other than for activities covered by Rule 46.4.19, informal airports	P
46.4.6	One residential unit within a building platform identified on Lots 1 to 11 LT 530138 in the Arcadia Rural Visitor Zone.	P
46.4.7	Construction or exterior alteration of buildings	C
46.4.7.1:	The construction or exterior alteration of buildings (other than identified in Rules 46.4.8 to 46.4.13 and 46.4.18).	
46.4.7.2:	In the Gibbston Valley Rural Visitor Zone, the construction, relocation or exterior alteration of buildings within the Developable Areas identified on the District Plan web mapping application.	
46.4.7.3:	In the Walter Peak Rural Visitor Zone, the construction or relocation of buildings or structures used for living purposes (including visitor accommodation) within an area identified on the District Plan web mapping application as a Hazard Management Area (other than identified in Rules 46.4.8, 46.4.9 and 46.4.11 to 46.4.13).	
	Control is reserved to: a. The compatibility of the building density, scale, design and location with landscape, cultural and heritage, and visual amenity values; b. Landform modification, landscaping and planting; c. Lighting; d. Servicing including water supply, fire-fighting, stormwater and wastewater; e. Natural Hazards; f. Design and layout of site access, on-site parking, manoeuvring and traffic generation;	

	g. In the Lake Hawea Rural Visitor Zone, the content of the Vegetation Management Plan submitted with the application; and h. In the Matakauri Rural Visitor Zone, effects on amenity values beyond the zone from the location, nature, scale and intensity of activities undertaken in the building and from any increase in traffic generation, or associated parking, access, and manoeuvring of vehicles. Information requirements for the Lake Hawea Rural Visitor Zone: a. The Vegetation Management Plan shall be prepared by a suitably qualified and experienced person and include the following information: i. The vegetation to be retained and new planting areas (including ongoing replacement planting strategies); ii. A plant schedule that identifies plant species, numbers, grades, and spacings; iii. Uses locally appropriate eco-sourced native species (excepting for exotic species); iv. Any earthworks associated with the Vegetation Management Strategy. b. Measures relating to the implementation of the Vegetation Management Plan that includes: i. site preparation; ii. vegetation protection methods; iii. planting methods; iv. ongoing maintenance obligations, including irrigation methods (if required) and pest management; v. Staging and timing of the removal of existing vegetation and planting c. A landscape assessment, which demonstrates how the Vegetation Plan and implementation measures will achieve Policy 46.2.1.2A.	
46.4.8	Farm building Discretion is restricted to: a. The relationship of the proposed farm building to farming activity; b. Landform modification, landscaping and planting; c. Lighting; d. Servicing including water supply, fire-fighting, stormwater and wastewater; and e. Natural Hazards.	RD
46.4.9	At Walter Peak within the Water Transport Infrastructure Overlay as identified on the District Plan web mapping application, a jetty or wharf, weather protection features and ancillary infrastructure Discretion is restricted to: a. Effects on natural character; b. Effects on landscape values and amenity values; c. Lighting;	RD

	d. Effects on public access to and along the lake margin; and e. External appearance, colour and materials.		
46.4.10	In the Walter Peak Rural Visitor Zone, the construction or relocation of buildings or structures within an area identified on the District Plan web mapping application as a Natural Hazard Building Restriction Area (NHBRA) (other than identified in Rules 46.4.12, 46.4.13 and 4.4.18) Discretion is restricted to: a. The compatibility of the building density, scale, design and location with b. landscape, cultural and heritage, and visual amenity values; c. Landform modification, landscaping and planting; d. Lighting; e. Servicing including water supply, fire-fighting, stormwater and f. wastewater; g. Natural Hazards; and h. Design and layout of site access, on-site parking, manoeuvring and i. traffic generation.		RD
46.4.11	At Walter Peak within the Water Transport Infrastructure Overlay as identified on the District Plan web mapping application, any building other than those identified in Rule 46.4.9		D
46.4.12	Construction or exterior alteration of buildings		D
	46.4.12.1:	The construction or exterior alteration of buildings within an area identified on the District Plan web mapping application as a Moderate-High Landscape Sensitivity Area.	
	46.4.12.2	In the Gibbston Valley Rural Visitor Zone, in addition to 46.4.12.1, the construction, relocation or exterior alteration of buildings not within the Developable Areas identified on the District Plan web mapping application, and not within the area covered by Rule 46.4.13.	
46.4.13	The construction, relocation or exterior alteration of buildings within an area identified on the District Plan web mapping application as a High Landscape Sensitivity Area		NC
46.4.14	Industrial activity		NC
46.4.15	Residential activity except as provided for in Rules 46.4.2, 46.4.3 and 46.4.6		NC
46.4.16	Commercial activities, retail or service activities except as provided for in Rules 46.4.2 and 46.4.3		NC
46.4.17	Mining		NC
46.4.18	In the Walter Peak Rural Visitor Zone, the construction or relocation of buildings or structures used for living purposes (including visitor accommodation) within an area identified on the District Plan web mapping application as a Natural Hazard Building Restriction Area (NHBRA).		NC
46.4.19	Other than for informal airports for emergency landings, rescues and firefighting, an informal airport at Matakauri Rural Visitor Zone		NC

46.5

Rules - Standards

	Table 46.5 — Standards		Non-compliance status
46.5.1	Building Height		
	46.5.1.1	The maximum height of buildings shall be 6m.	NC
	46.5.1.2	Within the Water Transport Infrastructure overlay identified on the District Plan web mapping application the maximum height of buildings shall be 4m.	NC
	46.5.1.3	Within Developable Areas 1 and 3 identified on the District Plan web mapping application in the Gibbston Valley Rural Visitor Zone the maximum height of buildings shall be 7m.	NC
	46.5.1.4	Within the part of the Lake Hawea Rural Visitor Zone outside of areas identified as a High or Moderate-High Landscape Sensitivity Area, the maximum height of buildings shall be:	
		6.5m	RD Discretion is restricted to: a. Landscape; b. Amenity values; c. Nature, scale, and external appearance;
		8m	NC
	46.5.1.5	Within the Lake Hawea Rural Visitor Zone, the maximum height of buildings in the northern area of Moderate — High Landscape Sensitivity shall be 5m.	NC
	46.5.1.6	Within the Lake Hawea Rural Visitor Zone the maximum height of buildings in the southern area of Moderate — High Landscape Sensitivity shall be RL 376 masl.	NC
	46.5.1.X	Within the part of the Skippers Rural Visitor Zone outside of areas identified as High Landscape Sensitivity Area, the maximum height of buildings shall be 7m.	NC
46.5.2	Building Size		RD
	The maximum ground floor area of any building shall be 500m², except for: a. the Lake Hawea Rural Visitor Zone, where the maximum ground floor area of any building shall be		Discretion is restricted to: a. Landscape;

	250m²; and b. the Matakauri Rural Visitor Zone, where the maximum ground floor area of any building shall be 300m²; <u>and</u> c. <u>In the Skippers Rural Visitor Zone, where the maximum ground floor area of buildings shall be:</u> i. <u>250m² for a single lodge building;</u> ii. <u>60m² for stand-alone visitor accommodation buildings;</u> iii. <u>150m² for all other buildings.</u>	b. Visual amenity values; c. Nature, scale and external appearance; d. Density and scale of development; e. Effects on amenity values and reverse sensitivity effects from the location, nature, scale and intensity of activities undertaken in the building; and f. Design and layout of site access, on-site parking, manoeuvring and traffic generation.	
46.5.3	Total Maximum Ground Floor Area in the Zone:		Rules 46.5.3.1, 46.5.3.2 and <u>46.5.3.X</u> : RD
	46.5.3.1	In the Gibbston Valley Rural Visitor Zone the combined total maximum ground floor area of all buildings within the Zone shall be 500m ² .	Rule 46.5.3.3 and 46.5.2.4: NC
	46.5.3.2	In the Matakauri Rural Visitor Zone the combined total ground floor area of all buildings within the Zone shall be 1650m ² .	Rule 46.5.3.5.a: RD Rule 46.5.3.5.b: NC
	46.5.3.3	In the Maungawera Rural Visitor Zone, the combined total maximum ground floor area of all buildings shall be: a. 500m² in Area A b. 1,800m² in Area B c. 1,400m² in Area C d. 500m² in Area D e. 500m² in Area E f. 300m² in Area F g. 1000m² in Area G as identified on the District Plan web mapping application.	For Rules 46.5.3.1, 46.5.3.2 and Rules 46.5.3.5.a <u>and 46.5.3.X</u> control or discretion is restricted to: a. Landscape; b. Visual amenity values; c. Nature, scale and external appearance; d. Density and scale of development; e. Effects on amenity values and reverse sensitivity effects from the location, nature, scale and intensity of activities undertaken in the building; f. Natural Hazards; and
	46.5.3.4	In the Matakauri Rural Visitor Zone, the combined total maximum ground floor area of all buildings within the zone shall be 2,250m ² .	g. Design and layout of site access, on-site parking, manoeuvring and traffic generation.
	46.5.3.5	In the Lake Hawea Rural Visitor Zone the combined total maximum ground floor area of all buildings shall be:	

		a. 800m² b. 2,250m² and that, of this total, the maximum ground floor area of all buildings within the moderate-high landscape sensitivity area shall be 250m².	
	46.5.3.X	In the Skippers Rural Visitor Zone, the maximum ground floor area of buildings shall be 1,560m².	

46.5.4	Glare		NC
	46.5.4.1:	All exterior lighting shall be directed downward and away from adjacent sites and public places including roads or waterbodies.	
	46.5.4.2:	No activity on any site shall result in greater than a 3.0 lux spill (horizontal and vertical) of light onto any other site measured at any point inside the boundary of the other site.	
	46.5.4.3:	Rule 46.5.4.2 shall not apply to exterior lighting within the Walter Peak Water Transport Infrastructure overlay.	
Table 46.5 - Standards			Non-compliance status
46.5.5	Setback of buildings from waterbodies		RD
	46.5.5.1:	The minimum setback of any building from the bed of a river, lake or wetland shall be 20m.	Discretion is restricted to: a. Indigenous biodiversity values; b. Visual amenity values; c. Landscape; d. Open space and the interaction of the development with the water body; e. Environmental protection measures (including landscaping and stormwater management); f. Natural hazards; and g. Effects on cultural values of manawhenua
	46.5.5.2:	Rule 46.5.5.1 shall not apply to those structures or buildings identified in Rule 46.4.9 located within the Walter Peak Water Transport Infrastructure overlay.	
46.5.6	Setback of Buildings		RD
	46.5.6.1:	Buildings shall be set back a minimum of 10 metres from the Zone boundary.	Discretion is restricted to:

	46.5.6.2	Rule 46.5.6.1 shall not apply to those structures or buildings identified in Rule 46.4.9 located within the Walter Peak Water Transport Infrastructure overlay.	
	46.5.6.X:	Within the Skippers Rural Visitor Zone, Rule 46.5.1 shall not apply to buildings that comply with a 10 metre set back from the Escarpment Edge line demarcated on the District Plan web mapping application.	a. Nature and scale; b. Effects on amenity values and reverse sensitivity effects from the location, nature, scale and intensity of activities undertaken in the building; and c. Functional need for buildings to be located within the setback.
46.5.7	Commercial Recreational Activity		Rule 46.5.7.1: RD
	46.5.7.1:	Commercial recreational activity that is undertaken outdoors shall not involve more than 30 persons in any one group	Rule 46.5.7.3: 136 — 200 persons RD >200 persons NC
	46.5.7.2:	Rule 46.5.7.1 shall not apply in the Walter Peak Rural Visitor Zone or in the Maungawera Rural Visitor Zone	For Rules 46.5.7.1 and 46.5.7.3 discretion is restricted to:
	46.5.7.3:	In the Maungawera Rural Visitor Zone, commercial recreational activity that is undertaken outdoors shall not involve more than 135 persons within the Zone at any one time	a. Location, nature, scale and intensity, including cumulative adverse effects and reverse sensitivity effects;
	46.5.7.4:	In the Matakauri Rural Visitor Zone, any commercial recreation activity that is undertaken outdoors shall not involve more than 6 persons within the zone, per day (inclusive of guides or instructors).	b. Hours of operation; c. The extent and location of signage; d. Transport and access; and e. Noise.
			Rule 46.5.7.4: NC
46.5.8	Informal Airports		D
	Other than in the case of informal airports for emergency landings, rescues, firefighting and activities ancillary to farming activities, Informal Airports shall not exceed 15 flights per week. Note: For the purposes of this Rule a flight includes two aircraft movements (i.e. an arrival and departure). Note: This rule does not apply to informal airports covered by Rule 46.4.19.		Rule 46.5.8.X: D Rule 46.5.8.XX: Skippers Rural Zone 21 – 40 flights: RDA >40 flights: D For Rule 46.5.8.2 discretion is restricted to: - a. Hours of operation; b. Flight paths for take off and landing in relation to noise sensitive activities; c. Helipad location; and
	46.5.8.X:	Other than in the case of informal airports for emergency landings, rescues, firefighting and activities ancillary to farming activities, Informal Airports shall not exceed 15 flights per week.	

	46.5.8.XX:	In the Skippers Rural Visitor Zone, informal airports shall not exceed 20 flights per week.	d. Noise.						
46.5.9	Building Material and Colours In the Arcadia Rural Visitor Zone, the Gibbston Valley Rural Visitor Zone, the Lake Hawea Rural Visitor Zone, the Maungawera Rural Visitor Zone, and the Matakauri Rural Visitor Zone, any building and its alteration, <u>the Skippers Rural Visitor Zone</u> including shipping containers that remain on site for more than six months, are subject to the following: All exterior surfaces* shall be coloured in the range of browns, greens or greys including: <table><tr><td>46.5.9.1</td><td>Pre-painted steel and all roofs shall have a light reflectance value not greater than 20%; and</td></tr><tr><td>46.5.9.2</td><td>All other exterior surface** finishes, except for schist, shall have a light reflectance value of not greater than 30%.</td></tr></table> * Excludes soffits, windows and skylights (but not glass balustrades). ** Includes cladding and built landscaping that cannot be measured by way of light reflectance value but is deemed by the Council to be suitably recessive and have the same effect as achieving a light reflectance value of 30%. *** This rule shall not apply to recreational camping or glamping tents.		46.5.9.1	Pre-painted steel and all roofs shall have a light reflectance value not greater than 20%; and	46.5.9.2	All other exterior surface** finishes, except for schist, shall have a light reflectance value of not greater than 30%.	RD Discretion is restricted to: a. Landscape; b. Visual amenity values; and c. External appearance.		
46.5.9.1	Pre-painted steel and all roofs shall have a light reflectance value not greater than 20%; and								
46.5.9.2	All other exterior surface** finishes, except for schist, shall have a light reflectance value of not greater than 30%.								
46.5.9X	Within the Skippers Rural Visitor Zone, any unpainted steel cladding shall be treated with an aging oxidant to reduce the potential for glare and shall have a light reflectance value not greater than 25%.		RD Discretion is restricted to: a. Effects on landscape; b. Visual amenity values; and c. External appearance.						
46.5.10	Building separation and planting plan - Matakauri Rural Visitor Zone <table><tr><td>43.5.10.1</td><td>All buildings in the Matakauri Rural Visitor Zone shall be separated by a minimum of 15m from other buildings within that Zone.</td></tr><tr><td>43.5.10.2</td><td>The separation space required by Rule 46.5.10.1 shall be planted and maintained with indigenous plant species in accordance with the planting plan required by Rule 46.5.10.3.</td></tr><tr><td>46.5.10.3</td><td>planting plan detailing species type, numbers, location, planting schedule and maintenance for the separation space required by Rule 46.5.10.1, for the purpose of mitigating the visual effects of the building(s) and to integrate the building(s) into</td></tr></table>		43.5.10.1	All buildings in the Matakauri Rural Visitor Zone shall be separated by a minimum of 15m from other buildings within that Zone.	43.5.10.2	The separation space required by Rule 46.5.10.1 shall be planted and maintained with indigenous plant species in accordance with the planting plan required by Rule 46.5.10.3.	46.5.10.3	planting plan detailing species type, numbers, location, planting schedule and maintenance for the separation space required by Rule 46.5.10.1, for the purpose of mitigating the visual effects of the building(s) and to integrate the building(s) into	RD Discretion is restricted to: a. Nature and scale; b. Functional need for the building(s) to be located within the separation setback; c. Landscape and visual amenity effects; and d. Indigenous planting plan.
43.5.10.1	All buildings in the Matakauri Rural Visitor Zone shall be separated by a minimum of 15m from other buildings within that Zone.								
43.5.10.2	The separation space required by Rule 46.5.10.1 shall be planted and maintained with indigenous plant species in accordance with the planting plan required by Rule 46.5.10.3.								
46.5.10.3	planting plan detailing species type, numbers, location, planting schedule and maintenance for the separation space required by Rule 46.5.10.1, for the purpose of mitigating the visual effects of the building(s) and to integrate the building(s) into								

		the surrounding environment, shall be prepared and provided to the Council as part of the documentation supporting a resource consent application for any building.	
46.5.11	Access— Gibbston Valley Rural Visitor Zone In the Gibbston Valley Rural Visitor Zone, commercial recreational activities and commercial use of buildings, including for visitor accommodation or commercial recreational activities, shall not commence until either: 1. the intersection of Resta Road and State Highway 6 meets the requirements of Figure 46.1; or 2. access to the Gibbston Valley Rural Visitor Zone is provided through the Gibbston Valley Resort Zone via the 'access point from SH6' located by PL8 as shown on the structure plan at 45.7.		NC
46.5.12	Visitor accommodation capacity in the Maungawera Rural Visitor Zone In the Maungawera Rural Visitor Zone, the configuration of visitor accommodation units shall be such that the maximum number of overnight guests that can be accommodated within the Zone is 50.		51 — 75 guests per night: RD >75 guests per night: NC Discretion is restricted to: a. Location, nature, scale and intensity, including cumulative adverse effects and reverse sensitivity effects; b. Hours of operation; c. The extent and location of signage; d. Transport and access; and e. Noise
46.5.12A	Total overnight guest and day visitor numbers in the Matakauri Rural Visitor Zone: 46.5.12A.1 The combined total maximum number of overnight guests and/or day visitors for visitor accommodation and commercial recreational activities and ancillary onsite staff accommodation is 110 persons per day.		NC
46.5.12B	For visitor accommodation, buildings in the Matakauri Rural Visitor Zone must be of a size and configuration that does not allow: 46.5.12B.1 More than 45 overnight guests to be accommodated in the Zone; or 46.5.12B.2 in addition to overnight guests more than 20 persons at any one time or 45 persons per day to be on site for any activity that is ancillary to visitor accommodation.		RD Discretion is restricted to: a. Location, nature, scale and intensity, including cumulative adverse effects and reverse sensitivity effects; b. Hours of operation; c. The extent and location of signage; d. Transport and access;

			e. Noise; and f. Effects on amenity values from the location, nature, scale and intensity of activities undertaken in the zone and from any increase in traffic generation, or associated parking, access, and manoeuvring.
46.5.12C	<u>Visitor accommodation capacity in the Skippers Rural Visitor Zone</u> <u>In the Skippers Rural Visitor Zone, the total number of visitor accommodation units shall be 20.</u> <u>Traffic assessment requirement:</u> <u>A traffic assessment shall be submitted with, and form part of, any application for consent under this rule and include the following information:</u> <u>A description of the relevant activities for which consent is required;</u> <u>How overnight guests are communicated with on booking accommodation or other activities in relation to their method of transport to the zone;</u> <u>How guests and visitors are communicated with on booking accommodation or other activities in relation to their method of transport to the zone;</u> <u>Details of relationships with commercial operators or the operators of the Visitor Accommodation to provide transport (either by road, air or bike);</u> <u>Details of transport for staff working on site;</u> <u>Details of alternative access to and from the site at times when the road is unusable or closed, including because of weather or geotechnical issues;</u> <u>A requirement for the consent holder to maintain a record of all guests staying in the zone and their method of transport to and from the zone.</u>	<u>21 — 35 units: RD</u> <u>>35 units: NC</u> <u>Discretion is restricted to:</u> a. <u>Hours of operation for visitor arrivals and departures;</u> b. <u>Methods of transportation to and from the site, including arrangements for alternative access to and from the Zone</u> c. <u>Traffic safety and transport related signage;</u> d. <u>Cumulative adverse effects, including on amenity, from any increase in vehicle generation and the management of these effects.</u>	
46.5.12D	<u>Vehicle trips to and from the Skippers Rural Visitor Zone</u> <u>Total combined maximum vehicle trips for overnight guests and commercial recreation activity visitors to (and generated by) the Skippers Rural Visitor Zone must not exceed: 66 per day.</u> <u>Traffic assessment requirement:</u> <u>A traffic assessment shall be submitted with, and form part of, any application for consent under this rule include the following information but not limited to:</u> <u>A description of the relevant activities for which consent is required;</u> <u>How overnight guests and day visitors are communicated with on booking accommodation or other activities in relation to their method of transport to the zone;</u>	<u>66-110 Number of total daily trips: RD</u> <u>>110 Number of total daily trips: NC</u> <u>Discretion is restricted to:</u> a. <u>Hours of operation for visitor arrivals and departures (including day visitors and overnight guests);</u> b. <u>Methods of transportation to and from the site, including arrangements for alternative access to and from the Zone;</u>	

	Details of relationships with commercial operators or the operators of the Visitor Accommodation to provide transport (either by road, air or bike); Details of transport for staff working on site; Details of alternative access to and from the site at times when the road is unusable or closed, including because of weather or geotechnical issues; A requirement for the consent holder to maintain a record of all guests staying in the zone, and of day visitor numbers, and their method of transport to and from the zone. <u>Notes:</u> Where “trips” are referred to in this rule, this refers to motor vehicle movements (i.e. bus, car, minibus, van) and excludes other modes of transportation (ie. active modes, motorcycles). This rule applies to single motor vehicle movements to and from the zone (i.e. between the zone and Coronet Peak Road, along Skippers Road). For clarity, a “trip” does not constitute a return journey from Coronet Peak Road to the Zone and back. This rule does not apply to motor vehicle movements from the zone to other locations within Skippers Valley that are associated with Recreation and Recreational Activity, except for when those movements travel out of Skippers Valley onto Coronet Peak Road, in which case they will count as a “trip”. The NC rule relating to the requirement to provide the Traffic Assessment does not concern itself with the adequacy of the information provided, and only whether that information is provided.	c. Traffic safety and transport related signage; d. Alternative access to and from the Zone; e. Content of Traffic Assessment; f. Cumulative adverse effects, including on amenity, from any increase in vehicle generation and the management of these effects g. Transport related details of any temporary activities in the Zone
46.5.13	Northern boundary shelterbelt - Maungawera Rural Visitor Zone In the Maungawera Rural Visitor Zone, no visitor accommodation or commercial recreational activities shall be undertaken, no informal airport shall operate, and no buildings shall be constructed, relocated or have exterior alterations, unless a shelterbelt is maintained along the northern boundary of the Zone.	NC
43.5.14	Vegetation Management Plan - Lake Hawea Rural Visitor Zone A Vegetation Management Plan for the High Landscape Sensitivity Area and the interface with the Open Space and Recreation Zone, which satisfies the information requirements outlined in Rule 46.4.7 shall be submitted with, and form part of, any application for a building. Note: Where a Vegetation Management Plan that has previously been approved by the Council as part of an earlier application will achieve the outcomes outlined in Policy 46.2.1.2A as they relate to the current proposal, this can be resubmitted and form part of the current application.	NC

46.6 Non-Notification of Applications

Any application for resource consent for controlled or restricted discretionary activities shall not require the written consent of other persons and shall not be notified or limited-notified, with the exception of the following:

- a. **Rule 46.4.9 Water Transport Infrastructure at Walter Peak.**
- b. **Rule 46.5.5 setback of buildings from waterbodies.**
- c. **Rule 46.5.6 setback of buildings from the Zone boundary.**
- d. **Rule 46.5.7 commercial recreational activities.**

Figure 46.1

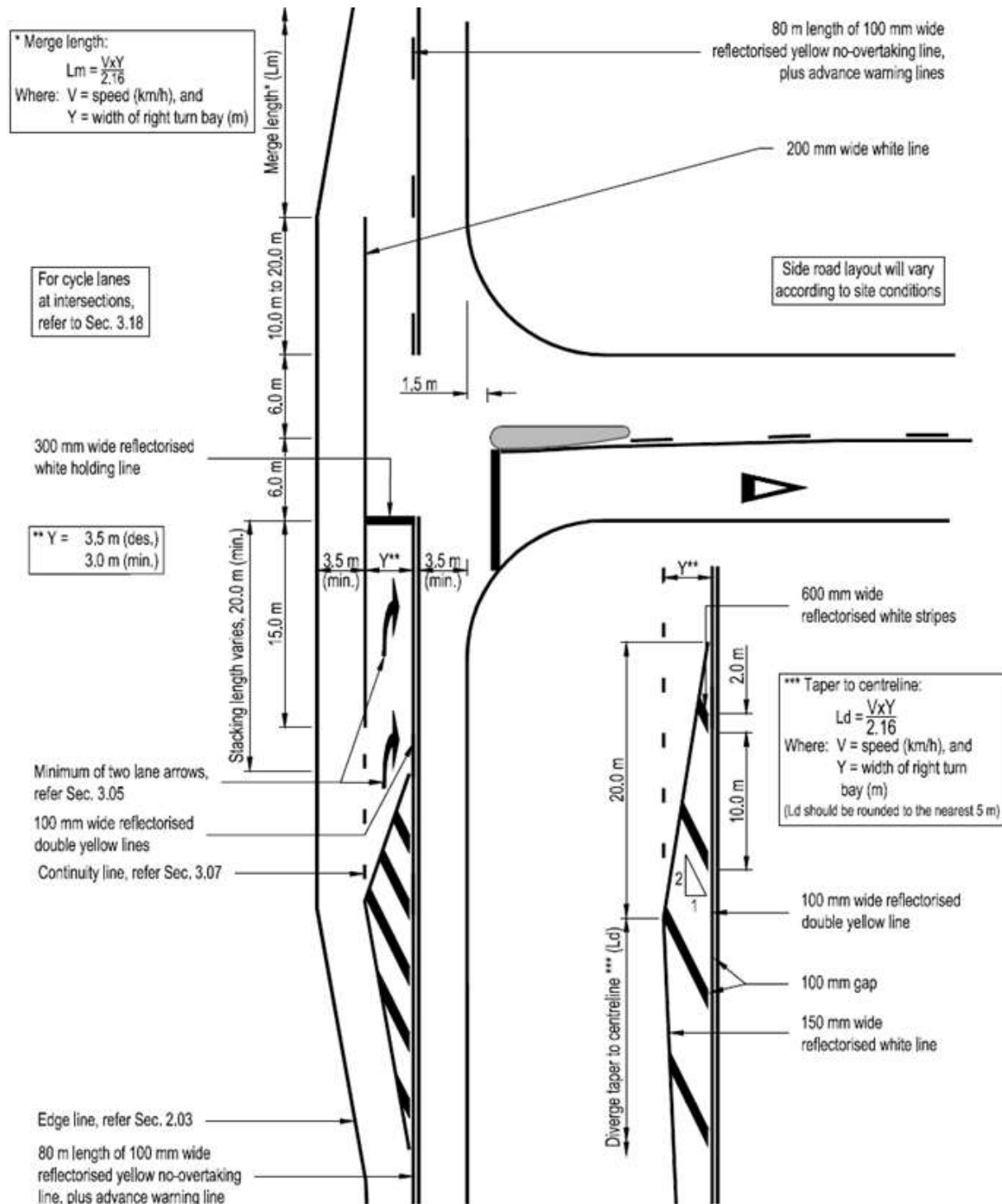
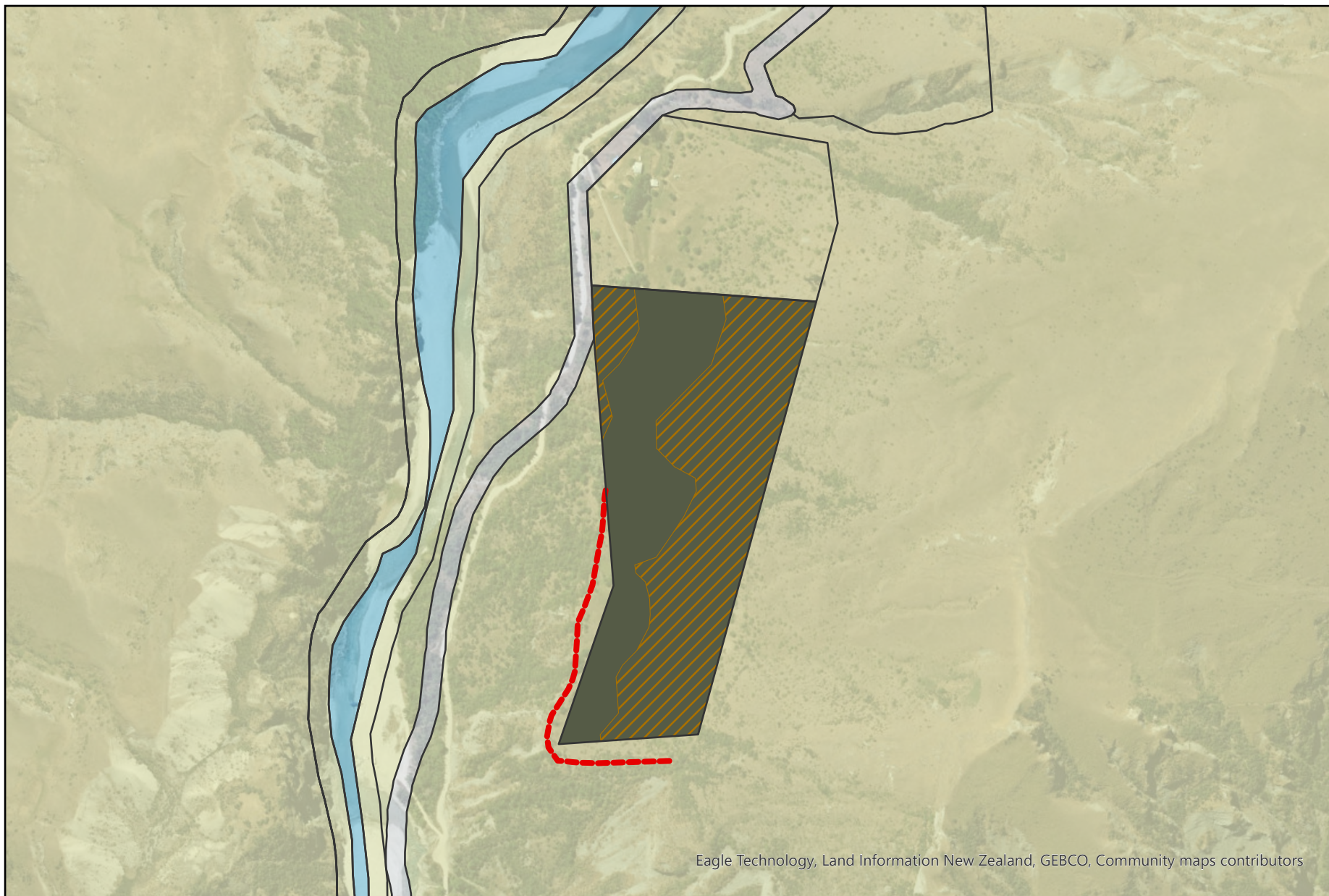


FIGURE 3.25 MARKINGS FOR RIGHT TURN BAYS IN RURAL AREAS

Appendix 2

Agreed zone, Landscape Sensitivity Area mapping and Escarpment Edge line for
inclusion on PDP maps

New Sub zone - Skippers Rural Visitor Zone



- - - Escarpment Edge
- Skippers Rural Visitor Zone
- High Landscape Sensitivity
- Rural
- Road
- Water (zone Rural unless otherwise shown)
- Parcels and Properties

Eagle Technology, Land Information New Zealand, GEBCO, Community maps contributors

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