

## 5.3 Rural General and Ski Area Sub-Zone - Rules

### 5.3.1 Zone Purposes

#### 5.3.1.1 Rural General Zone

The purpose of the Rural General Zone is to manage activities so they can be carried out in a way that:

- protects and enhances nature conservation and landscape values;
- sustains the life supporting capacity of the soil and vegetation;
- maintains acceptable living and working conditions and amenity for residents of and visitors to the Zone; and
- ensures a wide range of outdoor recreational opportunities remain viable within the Zone.
- protects the on-going operations of Queenstown Airport

The zone is characterised by farming activities and a diversification to activities such as horticulture and viticulture. The zone includes the majority of rural lands including alpine areas and national parks.

#### 5.3.1.2 Ski Area Sub-Zones

Ski Area Sub-Zones are located within the Rural General Zone. The purpose of these Sub-Zones is to enable the continued development of skifield activities within the identified boundaries, where the effects of those activities are anticipated to be cumulatively minor.

For the avoidance of doubt, Ski-Area Sub-Zones are excluded from the landscape classifications used in the Plan (ie: Outstanding Natural Landscapes (Wakatipu Basin), Outstanding Natural Landscapes (District Wide) or Visual Amenity Landscapes).

Being only a sub-zone, all rules applicable to the Rural General Zone in the District Plan are applicable to the Ski Area Sub-Zones except where stated to the contrary.

### 5.3.2 District Rules

Attention is drawn to the following District Wide Rules, which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- |  |                 |
|--|-----------------|
| (i) Heritage Protection                                    | - Refer Part 13 |
| (ii) Transport   | - Refer Part 14 |
| (iii) Subdivision, Development and Financial Contributions | - Refer Part 15 |
| (iv) Hazardous Substances                                  | - Refer Part 16 |
| (v) Utilities  | - Refer Part 17 |
| (vi) Signs   | - Refer Part 18 |
| (vii) Relocated Buildings and Temporary Activities         | - Refer Part 19 |

Attention is also drawn to the need to obtain relevant consents from the Otago Regional Council relating to matters such as water use, discharge of contaminants to water, land or air, use of the beds of rivers and lakes, damming or diverting lakes and rivers, earthworks and vegetation clearance.

### 5.3.3 Activities

#### 5.3.3.1 Permitted Activities

Any activity, which is not listed as a **Prohibited, Non-Complying, Discretionary** or **Controlled Activity** and which complies with all the relevant **Site** and **Zone** Standards, shall be a **Permitted Activity**.

#### 5.3.3.2 Controlled Activities

The following shall be **Controlled Activities**, provided that they are not listed as a **Prohibited, Non-Complying** or **Discretionary Activity**; and they comply with all of the relevant **Site** and **Zone** Standards; and they have been evaluated under the assessment criteria in rule 5.4.

The matters in respect of which the Council has reserved control are listed with each Controlled Activity.

## **i Buildings**

- (a) The addition to or alteration of an existing building provided:
- (i) the addition or alteration does not increase the coverage of the building (calculated at the operative date of this District Plan) by more than 50 percent; and
  - (ii) the addition or alteration is contained within a residential building platform approved by resource consent;
  - (iii) sub-clause (ii) above does not apply to additions or alterations to existing buildings within lots 1 to 6, 8 to 21 DP 26634 located at Closeburn Station.

### **in respect of:**

- (a) external appearance;
  - (b) associated earthworks, access and landscaping;
  - (c) provision of water supply, sewage treatment and disposal, electricity and telecommunication services.
- (b) The construction of any new building contained within a residential building platform approved by resource consent:
- ### **in respect of:**
- (i) external appearance;
  - (ii) associated earthworks, access and landscaping;
  - (iii) provision of water supply, sewage treatment and disposal, electricity and telecommunication services.

- (c) Addition or alteration to any existing building or the construction of any new buildings associated with Ski Area Activities within Ski Area Sub-Zones

### **in respect of:**

- (i) location, external appearance and size;
- (ii) associated earthworks, access and landscaping;
- (iii) provision of water supply, sewage treatment and disposal electricity and communication services (where necessary).

- (d) Farm Buildings

The replacement or extension of an existing farm building or construction of a new farm building in respect of:

- (i) location anywhere within the property;
- (ii) external appearance;
- (iii) provision of water supply, sewage treatment and disposal, electricity and communication services (where necessary).

- (e) The construction of a single residential unit and any accessory building(s) within lots 1 to 6, 8 to 21 DP 26634 located at Closeburn Station.

### **in respect of:**

- (i) external appearances and landscaping, with regard to conditions 2.2(a), (b), (e) and (f) of resource consent RM950829;
- (ii) associated earthworks, access and landscaping;
- (iii) provisions of water supply, sewage treatment and disposal, electricity and telecommunications services.

## ii Commercial Activities, limited to Retail Sales

All retail sales including:

- (a) farm and garden produce, reared or produced on-site;
- (b) handicrafts produced on the site; and
- (c) commercial activities associated with ski area activities within Ski Area Sub-Zones.

### in respect of:

- (a) the layout of the site and location of buildings;
- (b) vehicle access; and
- (c) car parking.

## iii Commercial Recreation Activities

- (a) Ski tows and lifts within the Ski Area Sub-Zones as shown on the District Plan Maps, in respect of their location, external appearance, alignment and methods of construction; and
- (b) Night lighting in Ski Area Sub-Zones in respect of times, duration and intensity.

## iv Mining

Limited to mineral exploration, which does not involve more than 20m<sup>3</sup> in volume in any one hectare

### in respect of:

- (a) Terrain disturbance including vegetation clearance and volumes of material to be removed;
- (d) Rehabilitation of a site;

(e) Siting of roads or any buildings; and

(f) Dust and noise.

## v Jetboat Race Events

Jetboat Race Events on the Clutha River, between the Lake Outlet boat ramp and the Albert Town road bridge, in respect of the date, time and duration of the event, public notification of the holding of the event, and any measures to avoid adverse effects on residential and recreational activities in the vicinity of the river.

**Note:** Any more than six jetboat race days per year are Prohibited Activities in terms of Rule 5.3.3.5.

## ~~vi Additions and Alterations to Buildings within the Outer Control Boundary - Queenstown Airport~~

~~Any alteration or addition to a building or part of a building to be used for residential activities, visitor accommodation or community activities on any site located within the Outer Control Boundary as indicated on the District Plan Maps, in respect of the design, construction, orientation and location of the building to achieve adequate indoor sound insulation from aircraft noise.~~

## vii Buildings within the Outer Control Boundary - Wanaka Airport

Buildings or part of a building to be used for residential activities, visitor accommodation or community activities on any land within the Outer Control Boundary as indicated on the District Plan Maps, in respect of the design, construction, orientation and location of the building to achieve adequate indoor sound insulation from aircraft noise.

## viii Residential Flat

## ix Earthworks

The following rules apply to all earthworks except:

- within the Ski Area Sub-Zone (as defined in this Plan);

- for earthworks approved as part of a subdivision where that subdivision has resource consent;
  - for routine repair and maintenance of operational tracks; and
  - for utility activities (as defined in this Plan, and as permitted or approved as per part 17, and excluding the development of access ways to the site containing the utility service).
  - for earthworks approved as part of a resource consent for a residential building platform or a building.
  - for earthworks approved as part of a resource consent for a farming building except for earthworks associated with access.
- (a) Earthworks where the maximum area of bare soil exposed is between 1000m<sup>2</sup> and 2500m<sup>2</sup> per site within any one consecutive 12 month period.
- (b) Earthworks where the maximum volume of earth moved is between 300m<sup>3</sup> and 1000m<sup>3</sup> per site within any one consecutive 12 month period.

## x Vehicle Testing

In the Waiorau Snow Farm Ski Area Sub zone the construction of access ways and tracks associated with the testing of vehicles, their parts and accessories.

In respect of measures taken to:

- avoid future gravel and silt run off;
- avoid fretting (ie stress fractures) of access ways and tracks;
- avoid incisions on access ways and tracks resulting from poor drainage; and
- stabilise over-steepened embankments.

## 5.3.3.3 Discretionary Activities

The following shall be **Discretionary Activities**, provided that they are not listed as a **Prohibited** or **Non-Complying** Activity and they comply with all of the relevant **Zone** Standards, and they have been evaluated under the assessment criteria in rule 5.4.

### i Buildings or Building Platforms

(a) The addition, alteration or construction of:

- (i) any building; and
- (ii) any physical activity associated with any building such as roading, landscaping and earthworks:

**Except** any buildings authorised pursuant to Rule 5.3.3.2(i).

(b) The identification of a building platform of not less than 70m<sup>2</sup> in area and not greater than 1000m<sup>2</sup> in area.

### ii Commercial Activities

(a) Commercial activities ancillary to and located on the same site as recreational activities, except commercial activities associated with ski area activities within Ski Area Sub-Zones.

(b) Cafes and restaurants located in a winery complex within a vineyard.

### iii Visitor Accommodation

### iv Surface of Lakes and Rivers

(a) Any structure or mooring which passes across or through the surface of any lake and river or is attached to the bank of any lake and river, other than where fences cross lakes and rivers, except in those locations where such structures or moorings are shown on the District Plan Maps as being non-complying.

(b) Commercial boating activities.

Any person wishing to apply for a resource consent to commence commercial boating activities on the Shotover River between Edith Cavell Bridge and Tucker Beach should be aware that they also require a concession under the Lakes District Waterways Control Bylaw 1987 (or any replacement legislation). There is an exclusive concession currently granted to a commercial boating operator on the Shotover River between Edith Cavell Bridge and Tucker Beach until 1 April 2009 with four rights of renewal of five years each.

**v Airports**

Airports **other than** the use of land and water for:

- (a) emergency landings, rescues and fire fighting;
- (b) activities ancillary to farming activities.

**vi Forestry Activities**

**vii Factory Farming**

(a) Factory farming of pigs where:

- (i) the number of housed pigs exceeds 50 sows or 500 pigs of mixed ages; and/or
- (ii) any housed pigs are closer than 500m to a property boundary; and/or
- (iii) the number of outdoor pigs exceeds 100 pigs and their progeny up to weaner stage; and/or
- (iv) outdoor sows are not ringed at all times; and/or
- (v) the stocking rate of outdoor pigs exceeds 15 pigs per hectare, excluding progeny up to weaner stage.

(b) Factory farming of poultry where:

(i) the number of birds exceeds 10,000 birds; and/or

(ii) birds are housed closer than 100m to a site boundary.

(c) Any factory farming activity other than factory farming of pigs or poultry.

**viii Mining Activities**

Mining **except for:**

(a) Mineral prospecting;

(b) Mineral exploration which does not involve bulk sampling exceeding 20m<sup>3</sup> in volume in any one hectare;

(c) Mining by means of hand-held, non-motorised equipment and suction dredging, where the total motive power of any dredge does not exceed 10 horsepower (7.5 kilowatt); and

(d) The mining of aggregate for farming activities provided the total volume does not exceed 1000m<sup>3</sup> in any one year.

**ix Ski Area Activities not located within a Ski Area Sub-Zone.**

**x Industrial Activities, limited to wineries and underground cellars within a vineyard.**

**xi Any activity, which is not listed as a Prohibited or Non-Complying Activity** and which complies with all the relevant Zone Standards, but does not comply with one or more of the Site Standards, shall be a Discretionary Activity with the exercise of the Council's discretion being confined to the matter(s) specified in the standard(s) not complied with.

**xii Structures**

Any structure erected within 10 metres of a road boundary, which is greater or equal to 5 metres in length, and greater than or equal to 1 metre in height and less than 2 metres in height, except for:

- post and rail, post and wire and post and mesh fences, including deer fences;
- any structure associated with farming activities as defined in this plan;
- any structure that is erected in accordance with a landscaping plan associated with a subdivision consent or resource consent for a building, where that landscaping plan is approved as a condition on the resource consent.

The Council's discretion is restricted to the consideration of effects on views and amenity from public roads.

### 5.3.3.4 Non-Complying Activities

- (a) The following shall be Non-Complying Activities, provided that they are not listed as a Prohibited Activity:

#### i Commercial Activities

Commercial activities, **except for:**

- (a) retail sales of farm and garden produce and wine grown, reared or produced on-site; or
- (b) retail sales of handcrafts produced on the site; or
- (c) commercial activities ancillary to and located on the same site as recreational activities; or
- (d) commercial activities associated with ski area activities within Ski Area Sub-Zones; or
- (e) cafes and restaurants located in a winery complex within a vineyard.

#### ii Surface of Lakes and Rivers

- (a) Boating craft on the surface of the lakes and rivers if used for accommodation, unless:

- (i) the craft is only used for overnight recreational accommodation; and
  - (ii) the craft is not used as part of any commercial activity; and
  - (iii) all effluent is contained on board the craft.
- (b) Structures or moorings passing across or through the surface of any lake or river or attached to the bank or any lake or river in those locations on the District Plan Maps where such structures or moorings are shown as being non-complying.

#### iii Factory Farming (excluding the boarding of animals)

Factory farming within 2 kilometres of a Residential, Rural Residential, Rural Lifestyle, Township, Rural Visitor, Town Centre, Corner Shopping Centre or Resort Zone.

#### iv Power Generation Facilities

Power generation facilities outside the areas scheduled under Rule 20.2, other than small hydro (1.5 to 2 k) inverter based systems for residential and non-residential activities.

#### v Building Platforms

- (a) The identification of any building platform less than 70m<sup>2</sup> or greater than 1,000m<sup>2</sup> in area.

#### vi Any activity, which is not listed as a **Prohibited Activity** and which does not comply with one or more of the relevant **Zone** Standards, shall be a **Non-Complying Activity**.

#### vii Any planting within the Landscape Protection area (within Lots 3, 4 and 5) must be species which at maturity do not grow over 3m in height (Kirimoko Block, Wanaka).

#### viii Building Line Restriction Area – Bible Face – Glenorchy

No building shall be erected upon the Bible Face shown as the Building Restriction Area as shown on Map 25.

This rule excludes the following:

- (a) Structures such as gates, fencing and stiles necessary to facilitate public access or necessary for farming purposes; and
- (b) Works to enable community assets such as water tanks consented through the designation process.

### 5.3.3.5 Prohibited Activities

The following shall be Prohibited Activities:

#### i Surface of Lakes and Rivers

The use of the following lakes and rivers for the following specified activities shall be Prohibited Activities, except where the activities are for emergency search and rescues, hydrological survey, public scientific research, resource management monitoring and water weed control, and for access to adjoining land for farming activities

##### (a) Hawea River - Motorised craft, except:

- (1) on the one lawfully established jet-sprint course; as shown on the District Plan Maps
- (2) on six days in each year (including at least four (4) days in the months January to April, November and December) provided the following conditions are met:
  - (i) The Jet Boat Association of New Zealand ("JBANZ") (JBANZ or one of the Otago and Southland Branches as its delegate) administers the activity on each day;
  - (ii) The prior written approval of Central Otago Whitewater Inc is obtained if that organisation is satisfied that none of its member user groups are organising activities on the relevant days; and

(iii) JBANZ gives two (2) calendar months written notice to the Council's Harbour-Master of both the proposed dates and the proposed operating schedule;

(iv) The Council's Harbour-Master satisfies himself that none of the regular kayaking, rafting or other whitewater (non-motorised) river user groups or institutions (not members of Central Otago Whitewater Inc) were intending to use the Hawea River on that day, and issues an approved operating schedule;

(v) JBANZ carries out, as its expense, public notification on two occasions 14 and 7 days before the proposed jet boating;

(vi) Public notification for the purposes of (v) means a public notice with double-size font heading in both the Otago Daily Times and the Southland Times, and written notices posted at the regular entry points to the Hawea River.

(b) **Lake Hayes** - Commercial boating activities.

(c) **Dart and Rees Rivers** - Motorised craft on any tributary of the rivers (except the Rockburn tributary of the Dart River) or upstream of Muddy Creek on the Rees River; and

(d) Motorised craft on the Rees River during the months of May to October inclusive.

(e) **Makarora, Young and Wilkin Rivers** - Motorised craft on the Young River or any tributary of the Young or Wilkin Rivers and any other tributaries of the Makarora River.

(f) **Dingle Burn, Timaru Creek** and the tributaries of the Hunter River - Motorised craft on the Dingle Burn, Timaru Creek or any tributary of the Hunter River; and

- Motorised craft on the Hunter River during the months of May to October inclusive.

(g) **Motatapu and Matukituki Rivers** - Motorised craft on the Motatapu River or any tributary of the Matukituki River.

(h) **Clutha River** - More than six jet boat race days per year.

## ii Activities within the Air Noise Boundary - Wanaka Airport

On any site located within the Air Noise Boundary, as indicated on the District Plan Maps, any new residential activities, visitor accommodation or community activities shall be Prohibited Activities.

## iii Activities within the Outer Control Boundary - Queenstown Airport

On any site located within the Outer Control Boundary, which includes the Air Noise Boundary, as indicated on the District Plan Maps, any new residential activities, visitor accommodation or community Activity Sensitive to Aircraft Noise shall be a Prohibited Activity.

## iv Activities within the Kirimoko Block, Wanaka

Any building or development within the area of Landscape Protection that is protected by the building line restriction (as shown on the structure plan) other than development required for the creation of pedestrian or cycle access-ways.

## 5.3.4 Non-Notification of Applications

Any application for a resource consent for the following matters may be considered without the need to obtain a written approval of affected persons and need not be notified in accordance with Section 93 of the Act, unless the Council considers special circumstances exist in relation to any such application:

- (i) All applications for **Controlled Activities**.
- (ii) Application for the exercise of the Council's discretion in respect of the following Site Standards:

(a) Access;

(b) Retail Sales;

(c) Tree Plantings; and

(d) Natural Hazards.

(e) Clearance of indigenous vegetation under site standard 5.3.5.1 (x) which is not of ecological significance in accordance with assessment criteria detailed in stage 3 (headed 'assessment') of Appendix 5.

(f) Consent applications under site standard 5.3.5.1 (xiii) will not be publicly notified unless special circumstances exist.

## 5.3.5 Standards

### 5.3.5.1 Site Standards

#### i Setback from Neighbours of Buildings Housing Animals

Minimum setback from internal boundaries for buildings housing animals shall be 30m.

#### ii Access

Each residential unit shall have legal access to a formed road.

#### iii Scale and Nature of Activities

The following limitations apply to all activities; other than farming, factory farming, forestry and residential activities, activities ancillary to ski area activities within Ski Area Sub-Zones, or those visitor accommodation activities which are Discretionary Activities:

(a) The maximum gross floor area of all buildings on the site, which may be used for the activities shall be 100m<sup>2</sup>;

- (b) No goods, materials or equipment shall be stored outside a building; and
- (c) All manufacturing, altering, repairing, dismantling or processing of any goods or articles shall be carried out within a building.

#### iv Retail Sales

Buildings in excess of 25m<sup>2</sup> gross floor area to be used for retail sales shall be setback from road boundaries by a minimum distance of 30m.

#### v Significant Indigenous Vegetation

In the areas identified on the District Plan Maps as being of significant indigenous vegetation, and included in Appendix 5 (other than within Ski Area Sub-Zones):

- (a) no earthworks shall:
  - (i) exceed 1000m<sup>3</sup> (volume) and/or 50m<sup>2</sup> (area) in any one hectare in any continuous period of 5 years; or
  - (ii) be located on slopes with an angle of greater than 20° (measured as an average slope angle over any 100m length of the slope on which the earthworks are to be carried out).
- (b) no clearance of indigenous vegetation shall exceed 100m<sup>2</sup> in area in any one hectare in any continuous period of 5 years.
- (c) there shall be no exotic tree or shrub planting.
- (d) no buildings shall be erected.

The Council shall restrict the exercise of its discretion in relation to these matters to their effect on nature conservation values and the natural character of the rural environment.

Any area or part of an area, which is protected by way of a permanent protection mechanism registered on the title to the land, in terms of the Conservation Act, Reserves Act, Land Act, Queen Elizabeth II National

Trust Act, Resource Management Act or other similar mechanism, shall be exempt from this rule.

#### vi Minimum Setback from Internal Boundaries

- (a) The minimum setback from internal boundaries for buildings shall be 15m, except as provided for in (b) and (c) below.
- (b) The minimum setback from internal boundaries for buildings within lots 1 to 6 and 8 to 21 DP 26634 at Closeburn Station shall be 2 metres.
- (c) There shall be no minimum setback from internal boundaries within lots 7 and 22 to 27 DP300573 at Closeburn Station.

#### vii Forestry and Shelterbelt Planting

- (a) No forestry activity shall be undertaken within 20m of the boundary of a neighbouring property.
- (b) No forestry activity or shelterbelt planting shall be undertaken in an alpine area with an altitude greater than 1070m.

#### viii Earthworks

The following limitations apply to all earthworks except:

- within the Ski Area Sub-Zone (as defined in this Plan);
- for earthworks approved as part of a subdivision where that subdivision has resource consent;
- for routine repair and maintenance of operational tracks;
- for utility activities (as defined in this Plan, and as permitted or approved as per part 17, and excluding the development of access ways to the site containing the utility service);
- for earthworks approved as part of a resource consent for a residential building platform or a building; and

- for earthworks approved as part of a resource consent for a farming building except for earthworks associated with access.
1. Earthworks
    - (a) Earthworks shall not exceed a maximum area of bare soil exposed of 2500m<sup>2</sup> per site, within any one consecutive 12 month period.
    - (b) Earthworks shall not exceed a maximum volume of moved earth greater than 1000m<sup>3</sup> per site, within any one consecutive 12 month period.
    - (c) Where any earthworks are undertaken within 7m of a water body the total volume shall not exceed 20m<sup>3</sup> (except for earthworks undertaken within a road designation for the purpose of establishing, upgrading and/or maintaining a State Highway network).
  2. Height of cut and fill and slope
    - (a) No road, track or access way shall (other than the Arrow Irrigation Scheme and flood protection works) have an upslope cut or batter greater than 1 metre in height, measured vertically.
    - (b) All cuts and batters shall be laid back such that their angle from the horizontal is no more than 65 degrees unless previously determined.
    - (c) The maximum height of any fill shall not exceed 2 metres.
  3. Environmental Protection Measures
    - (a) Any person carrying out earthworks shall:
      - (i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.
      - (ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.

- (b) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.
- (c) Cut or fill shall not expose the groundwater aquifer (water bearing gravels) causing ponding or causing artificial drainage of the aquifer.

#### 4. Protection of Archaeological sites and sites of cultural heritage

The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the District Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.

- (a) Where any earthworks are undertaken in areas identified as Ngai Tahu Statutory Acknowledgement Areas the earthworks shall not exceed 50m<sup>2</sup> in area or 20m<sup>3</sup> in volume, in any one consecutive 12 month period.

#### ix Commercial Recreation Activities (other than on the surface of lakes and rivers)

No commercial recreational activities shall be undertaken except where:

- (a) The recreation activity is outdoors;
- (b) The scale of the recreation activity is limited to five people in any one group.

Provided that this does not apply to commercial recreational activities which are within Ski Area Sub-Zones as shown on the District Plan Maps.

#### x Indigenous Vegetation

There shall be no clearance of indigenous vegetation except for:

- (a) The clearance of indigenous vegetation that is:
  - (i) Totally surrounded by pasture and other exotic species; and

- (ii) less than 0.5 hectares in area; and more than 200 metres from any other indigenous vegetation which is greater than 0.5 hectares in area; and
  - (iii) less than 1070 metres above sea level; and
  - (iv) more than 20 metres from a water body; and
  - (v) not listed as a threatened species in Appendix 9.
- (b) The clearance of indigenous vegetation for the operation and maintenance of existing roads, tracks, drains, utilities, structures and fence lines, excluding their expansion.
- (c) The clearance of indigenous vegetation for the construction of public walkways up to 1.5 metres in width provided that it is not listed as a threatened species in Appendix 9.
- (d) The clearance of indigenous trees that have been windthrown or are dead standing as a result of natural causes and have become dangerous to life or property.

The Council shall restrict the exercise of its discretion in relation to this matter to its effect on nature conservation, landscape and visual amenity values and the natural character of the rural environment.

## xi Farm Buildings

- (a) No farm building shall be replaced, extended or constructed:
- (i) On any holdings (as defined) less than 100 hectares in area; or
  - (ii) At a density of more than one farm building per 50 hectares; or
  - (iii) On any land above 600 masl; or
  - (iv) Within the Outstanding Natural Landscape - Wakatipu Basin or an Outstanding Natural Feature within the Wakatipu Basin as identified in the appropriate schedule of the District Plan; or

- (v) On an Outstanding Natural Feature outside of the Wakatipu Basin as identified in the appropriate schedule of the District Plan, if:
- there is already a farm building within that holding (as defined) or if there is land within that holding (as defined) that is not on an Outstanding Natural Feature; or
  - the site containing all or part of the Outstanding Natural Feature was not contained in a separate certificate of title prior to 10 June 2005.
- (b) The existence of a farm building approved under Rule 5.3.3.2(i)(d) shall not be considered the permitted baseline for development within the Rural General zone.

## xii Alpine Environments

On any land with an altitude higher than 1070m above sea level:

- (a) There shall be no exotic tree or shrub planting.
- (b) There shall be no clearance of indigenous vegetation.

The Council shall restrict the exercise of its discretion to their effect on nature conservation values, the natural character of the rural environment and landscape and visual amenity values.

For the purpose of the clearance of indigenous vegetation by way of burning, the altitude limit of 1070 metres shall mean the average maximum altitude of any land to be burnt, averaged over north and south facing slopes.

## xiii Planting of tree species with wilding potential

There shall be no planting of the following tree species:

- Contorta or lodgepole pine (*Pinus contorta*)
- Scots pine (*Pinus sylestris*)

- Douglas fir (*Pseudotsuga menziesii*)
- European larch (*Larix decidua*)
- Corsican pine (*Pinus nigra*)
- Radiata Pine (*Pinus Radiata*)

## 5.3.5.2 Zone Standards

### i Building Height

- The maximum height for any building, other than non-residential buildings ancillary to viticultural or farming activities, shall be 8m.
- The maximum height for any non-residential building ancillary to viticultural or farming activities shall be 10m.
- The maximum height for any building, other than accessory buildings, within Lots 1 and 6 and 8 to 21 DP 26634 at Closeburn Station shall be 7m.
- The maximum height for any accessory building within Lots 1 to 6 and 8 to 21 DP 26634 at Closeburn Station shall be 5m.
- The maximum height for any building within Lot 23 DP 300573 at Closeburn Station shall be 5.5m.
- The maximum height for any building within Lot 24 DP 300573 at Closeburn Station shall be 5m.

Refer to the definitions of Height and Ground Level.

### ii Setback from Roads

The minimum setback from road boundaries for buildings shall be 20m, except that the minimum setback from State Highway 6 for buildings between Lake Hayes and Frankton shall be 50m.

### iii Retail Sales

There shall be no retail sales from sites by way of access to any State Highway, except for

- farm, wine and garden produce grown, reared or produced on the site; or
- handicrafts produced on the site.

### iv Surface of Lakes and Rivers

- Motorised craft on the surface of lakes and rivers shall be operated and conducted such that a maximum sound level of 77 dB  $L_{AFmax}$  is not exceeded, when measured and assessed in accordance with Appendix 2.
- Kawarau River, Lower Shotover River downstream of Tucker Beach and Lake Wakatipu within Frankton Arm - No commercial motorised craft shall operate outside the hours of 0800 to 2000.
- Lake Wanaka, Lake Hawea and Lake Wakatipu - No commercial jetski operations shall be undertaken outside the hours of 0800 to 2100 on lakes Wanaka and Hawea and 0800 and 2000 on Lake Wakatipu.
- Dart and Rees Rivers - No commercial motorised craft shall operate outside the hours of 0800 to 1800, except that above the confluence with the Beansburn on the Dart River no commercial motorised craft shall operate outside the hours of 1000 to 1700.
- Dart River – No commercial motorised boating activities shall result in the total number of commercial motorised boating activities exceeding 26 trips in any one day. No more than two commercial jet boat operators shall operate upstream of the confluence of the Beansburn other than for tramper and angler access only.

### v Noise

- Sound from non-residential activities measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 shall not exceed the following noise limits at any point within the notional boundary of any residential unit, other than residential units on the same site as the activity:

- (i) daytime (0800 to 2000 hrs) 50 dB LAeq(15 min)
- (ii) night-time (2000 to 0800 hrs) 40 dB LAeq(15 min)
- (iii) night-time (2000 to 0800 hrs) 70 dB LA<sub>Fmax</sub>

- (b) Sound from non-residential activities which is received in another zone shall comply with the noise limits set in the zone standards for that zone.
- (c) The noise limits in (a) shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999.
- (d) The noise limits in (a) shall not apply to sound associated with airports or windfarms. Sound from these sources shall be assessed in accordance and comply with the relevant New Zealand Standard, either NZS 6805:1992, or NZS 6808:1998. For the avoidance of doubt the reference to airports in this clause does not include helipads other than helipads located within any land designated for Aerodrome Purposes in this Plan.
- (e) When associated with farming and forestry activities, the noise limits in (a) shall only apply to sound from stationary motors and stationary equipment.
- (f) The noise limits in (a) shall not apply to sound from aircraft operations at Queenstown Airport.

## vi Lighting

All fixed exterior lighting shall be directed away from adjacent sites and roads.

## vii Airport Noise - Alteration or Addition to Existing Buildings (excluding any alterations or additions to any non-critical listening environment) within the Outer Control Boundary – Queenstown Airport Noise Boundaries

~~(a) On any site located within the outer Control Boundary as indicated on the District Plan Maps, any alteration or addition to a building or part of a building to be used for residential activities, visitor accommodation or community activities shall be insulated from aircraft noise so as to meet an indoor design sound level of 40 dBA Ldn, except for non-critical listening environments where no special sound insulation is required.~~

~~(b) This control shall be met in either of the following two ways:~~

~~EITHER:~~

~~(i) By providing a certificate from a recognised acoustic engineer stating that the proposed construction will achieve the internal design noise level.~~

~~OR~~

~~(ii) The building shall be constructed and finished in accordance with the provisions of Table 1 in part 5.3.5.2~~

(a) **Within the Air Noise Boundary (ANB) - Alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise shall be designed to achieve an Indoor Design Sound Level of 40 dB Ldn, within any Critical Listening Environment, based on the 2037 Noise Contours. Compliance shall be demonstrated by either adhering to the sound insulation requirements in Table 1 of Appendix 13 and installation of mechanical ventilation to achieve the requirements in Table 2 of Appendix 13, or by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open.**

(c) **Between the Outer Control Boundary (OCB) and the ANB – Alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise shall be designed to achieve**

an Indoor Design Sound Level of 40 dB Ldn within any Critical Listening Environment, based on the 2037 Noise Contours. Compliance shall be demonstrated by either installation of mechanical ventilation to achieve the requirements in Table 2 of Appendix 13 or by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open.

### viii Wanaka Airport Building Line

No building shall be erected, constructed or relocated within the area defined by a line 150m on the western side of the centre line of the Wanaka Airport main runway, the Airport Purposes Designation boundary at either end of the main runway, and a line 200m on the eastern side of the centre line of the Wanaka Airport main runway.

### ix Screening

Storage areas for waste materials, outdoor display areas and parking associated with commercial activities, wineries and other productive activities shall generally be positioned and managed to minimise any adverse visual effect.

### x Airport Noise - Building with the Outer Control Boundary - Wanaka Airport

(a) On any site within the Outer Control Boundary as indicated on the District Plan Maps, any buildings or part of a building to be used for residential activities, visitor accommodation or community activities shall be insulated from aircraft noise so as to meet an indoor design sound level of 40 dBA Ldn, except for non-critical listening environments where no special insulation is required.

(b) This control shall be met in either of the following two ways:

EITHER:

(i) By providing a certificate from a recognised acoustic engineer stating that the proposed construction will achieve the internal design noise level.

OR

(ii) The building shall be constructed and finished in accordance with the provisions of Table 1 in part 5.3.5.2.

### xi Residential Density

In the Rural General area at Closeburn Station, there shall be no more than one residential unit per allotment (being lots 1-27 DP 26634); excluding the large rural lots (being lots 100 and 101 DP 26634) held in common ownership.

### xii Building Coverage

In lots 1-27 at Closeburn Station, the maximum residential building coverage of all activities on any site shall be 35%.

### xiii Building Line Restriction:

a. No residential unit shall be erected within that part of Lots 1 & 2 DP 26910 at Tucker Beach Road, as shown as "NO BUILD ZONE" on Paterson Pitts Partners Ltd Building Platform Locations Plan No Q.4700.04-3C and being adjacent to the Ferry Hill Rural Residential sub-zone shown on Planning map 31, which plan is reproduced at Page 5-43 of the District Plan.

**Table 1 – Acoustic Insulation of Buildings Containing Noise Sensitive Activities (except non-critical listening areas)**

Building Element	Required Construction
External Walls	<p><i>Exterior:</i> 20 mm timber or 6mm fibre cement</p> <p><i>Frame:</i> 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar)</p> <p>Two layers of 12.5mm gypsum plasterboard* (Or an equivalent combination of exterior and interior wall mass)</p>
Windows	Up to 40% of wall area: Minimum thickness 6mm glazing**

	Up to 60% of wall area: Minimum thickness 8mm glazing** Up to 80% of wall area: Minimum thickness 8mm laminated glass or minimum 10mm double glazing** Aluminium framing with compression seals (or equivalent)
Pitched Roof	<i>Cladding:</i> 0.5mm profiled steel or tiles or 6mm corrugated fibre cement <i>Frame:</i> Timber truss with 100mm acoustic blanket (R 2.2 Batts or similar) <i>Ceiling:</i> 12.5mm gypsum plaster board*
Skillion Roof	<i>Cladding:</i> 0.5mm profiled steel or 6mm fibre cement <i>Sarking:</i> 20mm particle board or plywood <i>Frame:</i> 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar) <i>Ceiling:</i> 2 layers of 9.5mm gypsum plasterboard*
External Door	Solid core door (min. 24kg/m <sup>2</sup> ) with weather seals

\* Where exterior walls are of brick veneer or stucco plaster the internal linings need be no thicker than 9.5mm gypsum plasterboard.

\*\* Typical acoustic glazing usually involves thick single panes or laminated glass. Where two or more layers of glass are employed with an air gap between, total thickness of window glass may be calculated as the total of all glass layers (excluding air gap) provided that at least one glass layer shall be of a different thickness to the other layer(s).

### 5.3.6 Resource Consents - Assessment Matters

The assessment matters, which apply to the consideration of resource consents in the Rural Zones, are specified in 5.4.

## 5.4 Resource Consents - Assessment Matters - Rural Zones

### 5.4.1 General

- (i) The following Assessment Matters are methods or matters included in the District Plan, in order to enable the Council to implement the Plan's policies and fulfil its functions and duties under the Act.

- (ii) In considering resource consents for land use activities, in addition to the applicable provisions of the Act, the Council shall apply the relevant Assessment Matters set out in Clause 5.4.2 below. Except that assessment matters in 5.4.2(i)-(iv) do not apply to activities requiring resource consent in Ski Area Sub-zones.

- (iii) In the case of Controlled and Discretionary Activities, where the exercise of the Council's discretion is restricted to the matter(s) specified in a particular standard(s) only, the assessment matters taken into account shall only be those relevant to that/these standard(s).

- (iv) In the case of Controlled Activities, the assessment matters shall only apply in respect to conditions that may be imposed on a consent.

- (v) Where an activity is a Discretionary Activity because it does not comply with one or more relevant Site Standards, but is also specified as a Controlled Activity in respect of other matter(s), the Council shall also apply the relevant assessment matters for the Controlled Activity when considering the imposition of conditions on any consent to the discretionary activity.

### 5.4.2 Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall in addition to considering any other relevant matters apply the following terms and criteria:

#### 5.4.2.1 Landscape Assessment Criteria - Process

**There are three steps in applying these assessment criteria.** First, the analysis of the site and surrounding landscape; secondly determination of the appropriate landscape category; thirdly the application of the assessment matters. For the purpose of these assessment criteria, the term "proposed development" includes any subdivision, identification of building platforms, any building and associated activities such as roading, earthworks, landscaping, planting and boundaries.

#### Step 1- Analysis of the Site and Surrounding Landscape

An analysis of the site and surrounding landscape is necessary for two reasons. Firstly it will provide the necessary information for determining a site's ability to absorb development including the basis for determining the compatibility of the proposed development with both the site and the surrounding landscape. Secondly it is an important step in the determination of a landscape category - i.e. whether the proposed site falls within an outstanding natural, visual amenity or other rural landscape.

An analysis of the site must include a description of those existing qualities and characteristics (both negative and positive), such as vegetation, topography, aspect, visibility, natural features, relevant ecological systems and land use.

An analysis of the surrounding landscape must include natural science factors (the geological, topographical, ecological and dynamic components of the landscape), aesthetic values (including memorability and naturalness), expressiveness and legibility (how obviously the landscape demonstrates the formative processes leading to it), transient values (such as the occasional presence of wildlife; or its values at certain times of the day or of the year), value of the landscape to Tangata Whenua and its historical associations.

## Step 2 - Determination of Landscape Category

This step is important as it determines which district wide objectives, policies, definitions and assessment matters are given weight in making a decision on a resource consent application.

The Council shall consider the matters referred to in Step 1 above, and any other relevant matter, in the context of the broad description of the three landscape categories in Part 4.2.4 of this Plan, and shall determine what category of landscape applies to the site subject to the application.

In making this determination the Council, shall consider:

- (a) to the extent appropriate under the circumstances, both the land subject to the consent application and the wider landscape within which that land is situated; and
- (b) the landscape maps in Appendix 8.

## Step 3 - Application of the Assessment Matters

Once the Council has determined which landscape category the proposed development falls within, each resource consent application will then be considered:

First, with respect to the prescribed assessment criteria set out in Rule 5.4.2.2 of this section;

Secondly, recognising and providing for the reasons for making the activity discretionary (see para 1.5.3(iii) of the plan [p1/3]) and a general assessment of the frequency with which appropriate sites for development will be found in the locality.

### 5.4.2.2 Assessment Matters

#### (1) Outstanding Natural Landscapes (Wakatipu Basin) and Outstanding Natural Features – District wide.

These assessment matters should be read in the light of two further guiding principles. First that they are to be stringently applied to the effect that successful applications for resource consent will be exceptional cases. Secondly, existing vegetation which:

- (a) was either
  - planted after; or
  - self seeded and less than 1 metre in height at - 28 September 2002; and
- (b) obstructs or substantially interferes with views of the landscape (in which the proposed development is set) from roads or other public places
  - shall not be considered:
    - (1) as beneficial under any of the following assessment matters unless the Council considers the vegetation (or some of it) is appropriate for the location in the context of the proposed development; and
    - (2) as part of the permitted baseline.

- nor shall removal of such vegetation be considered as a positive effect of any proposal.

## (a) Effects on openness of landscape

In considering whether the proposed development will maintain the openness of those outstanding natural landscapes and features which have an open character at present when viewed from public roads and other public places, the following matters shall be taken into account:

- (i) whether the subject land is within a broadly visible expanse of open landscape when viewed from any public road or public place;
- (ii) whether, and the extent to which, the proposed development is likely to adversely affect open space values with respect to the site and surrounding landscape;
- (iii) whether the site is defined by natural elements such as topography and/or vegetation which may contain and mitigate any adverse effects associated with the development.

## (b) Visibility of development

- (v) the proposed development is not likely to adversely affect the appreciation of landscape values of the wider landscape (not just the immediate landscape).
- (vi) the proposal does not reduce neighbours' amenities significantly.

## (c) Visual coherence and integrity of landscape

In considering whether the proposed development will adversely affect the visual coherence and integrity of the landscape and whether these effects are minor, the Council must be satisfied that:

- (i) structures will not be located where they will break the line and form of any ridges, hills and any prominent slopes;

In considering the potential visibility of the proposed development and whether the adverse visual effects are minor, the Council shall be satisfied that:

- (i) the proposed development will not be visible or will be reasonably difficult to see when viewed from public roads and other public places and in the case of proposed development in the vicinity of unformed legal roads, the Council shall also consider present use and the practicalities and likelihood of potential use of unformed legal roads for vehicular and/or pedestrian, equestrian and other means of access; and
- (ii) the proposed development will not be visually prominent such that it dominates or detracts from public or private views otherwise characterised by natural landscapes; and
- (iii) the proposal can be appropriately screened or hidden from view by any proposed form of artificial screening, being limited to earthworks and/or new planting which is appropriate in the landscape, in accordance with Policy 4.2.5.11 (b).
- (iv) any artificial screening or other mitigation will detract from those existing natural patterns and processes within the site and surrounding landscape or otherwise adversely affect the natural landscape character; and
- (ii) any proposed roads, earthworks and landscaping will not affect the naturalness of the landscape;
- (iii) any proposed new boundaries will not give rise to artificial or unnatural lines or otherwise adversely (such as planting and fence lines) affect the natural form of the landscape.

## (d) Nature Conservation Values

In considering whether the proposed development will adversely affect nature conservation values and whether these effects are minor with respect to any ecological systems and other nature conservation values, the Council must be satisfied that:

- (i) the area affected by the development proposed in the application does not contain any indigenous, ecosystems including indigenous vegetation, wildlife habitats and wetlands or geological or geomorphological feature of significant value;
  - (ii) the development proposed will not have any adverse effects that are more than minor on these indigenous ecosystems and/or geological or geomorphological feature of significant value;
  - (iii) the development proposed will avoid the establishment of introduced vegetation that have a high potential to spread and naturalise (such as wilding pines or other noxious species).
- (e) Cumulative effects of development on the landscape

In considering the potential adverse cumulative effects of the proposed development on the natural landscape with particular regard to any adverse effects on the wider values of the outstanding natural landscape or feature will be no more than minor, taking into account:

- (i) whether and to what extent existing and potential development (ie. existing resource consent or zoning) may already have compromised the visual coherence and naturalness of the landscape;
- (ii) where development has occurred, whether further development is likely to lead to further degradation of natural values or domestication of the landscape or feature such that the existing development and/or land use represents a threshold with respect to the site's ability to absorb further change;
- (iii) whether, and to what extent the proposed development will result in the introduction of elements which are inconsistent with the natural character of the site and surrounding landscape;
- (iv) whether these elements in (iii) above will further compromise the existing natural character of the landscape either visually or ecologically by exacerbating existing and potential adverse effects;
- (v) where development has occurred or there is potential for development to occur (ie. existing resource consent or zoning),

whether further development is likely to lead to further degradation of natural values or domestication of the landscape or feature.

(f) Positive Effects

In considering whether there are any positive effects in relation to remedying or mitigating the continuing adverse effects of past inappropriate subdivision and/or development, the following matters shall be taken into account:

- (i) whether the proposed activity will protect, maintain or enhance any of the ecosystems or features identified in (f) above which has been compromised by past subdivision and/or development;
- (ii) whether the proposed activity provides for the retention and/or re-establishment of native vegetation and their appropriate management, particularly where native revegetation has been cleared or otherwise compromised as a result of past subdivision and/or development;
- (iii) whether the proposed development provides an opportunity to protect open space from further development which is inconsistent with preserving a natural open landscape, particularly where open space has been compromised by past subdivision and/or development;
- (iv) whether the proposed development provides an opportunity to remedy or mitigate existing and potential adverse effects (ie. structures or development anticipated by existing resource consents) by modifying, including mitigation, or removing existing structures or developments; and/or surrendering any existing resource consents;

(g) Other Matters

In addition to consideration of the positive effects (i) - (iv) in (f) above, the following matters shall be taken into account, but considered with respect to those matters listed in (a) to (e) above:

- (i) the ability to take esplanade reserves to protect the natural character and nature conservation values around the margins of any lake, river, wetland or stream within the subject site;

- (ii) the use of restrictive covenants, easements, consent notices or other legal instruments otherwise necessary to realise those positive effects referred to in (f) (i) - (v) above and/or to ensure that the potential for future effects, particularly cumulative effects, are avoided.

## (2) Outstanding Natural Landscapes (District Wide)

These assessment matters should be read in the light of the further guiding principle that existing vegetation which:

- (a) was either
  - planted after; or
  - self seeded and less than 1 metre in height at - 28 September 2002; and
- (b) obstructs or substantially interferes with views of the landscape (in which the proposed development is set) from roads
  - shall not be considered:
    - (1) as beneficial under any of the following assessment matters unless the Council considers the vegetation (or some of it) is appropriate for the location in the context of the proposed development; and
    - (2) as part of the permitted baseline.
  - nor shall removal of such vegetation be considered as a positive effect of any proposal.

### (a) Potential of the landscape to absorb development

In considering the potential of the landscape to absorb development both visually and ecologically, the following matters shall be taken into account consistent with retaining openness and natural character:

- (i) whether, and to what extent, the proposed development is visible from public places;
- (ii) whether the proposed development is likely to be visually prominent to the extent that it dominates or detracts from views otherwise characterised by natural landscapes;

- (iii) whether any mitigation or earthworks and/or planting associated with the proposed development will detract from existing natural patterns and processes within the site and surrounding landscape or otherwise adversely effect the natural landscape character;
- (iv) whether, with respect to subdivision, any new boundaries are likely to give rise to planting, fencing or other land use patterns which appear unrelated to the natural line and form of the landscape; wherever possible with allowance for practical considerations, boundaries should reflect underlying natural patterns such as topographical boundaries;
- (v) whether the site includes any indigenous ecosystems, wildlife habitats, wetlands, significant geological or geomorphologic features or is otherwise an integral part of the same;
- (vi) whether and to what extent the proposed activity will have an adverse effect on any of the ecosystems or features identified in (v);
- (vii) whether the proposed activity introduces exotic species with the potential to spread and naturalise.

### (b) Effects on openness of landscape.

In considering the adverse effects of the proposed development on the openness of the landscape, the following matters shall be taken into account:

- (i) whether and the extent to which the proposed development will be within a broadly visible expanse of open landscape when viewed from any public road or public place and in the case of proposed development in the vicinity of unformed legal roads, the Council shall also consider present use and the practicalities and likelihood of potential use of unformed legal roads for vehicular and/or pedestrian, equestrian and other means of access; and
- (ii) whether, and the extent to which, the proposed development is likely to adversely affect open space values with respect to the site and surrounding landscape;

- (iii) whether the proposed development is defined by natural elements such as topography and/or vegetation which may contain any adverse effects associated with the development.

(c) Cumulative Effects on Landscape Values

In considering whether there are likely to be any adverse cumulative effects as a result of the proposed development, the following matters shall be taken into account:

- (i) whether, and to what extent, the proposed development will result in the introduction of elements which are inconsistent with the natural character of the site and surrounding landscape;
- (ii) whether the elements identified in (i) above will further compromise the existing natural character of the landscape either visually or ecologically by exacerbating existing and potential adverse effects;
- (iii) whether existing development and/or land use represents a threshold with respect to the site's ability to absorb further change;
- (iv) where development has occurred or there is potential for development to occur (ie. existing resource consent or zoning), whether further development is likely to lead to further degradation of natural values or inappropriate domestication of the landscape or feature.

(d) Positive Effects

In considering whether there are any positive effects associated with the proposed development the following matters shall be taken into account:

- (i) whether the proposed activity will protect, maintain or enhance any of the ecosystems or features identified in (a)(v) above;
- (ii) whether the proposed activity provides for the retention and/or re-establishment of native vegetation and their appropriate management;

- (iii) whether the proposed development provides an opportunity to protect open space from further development which is inconsistent with preserving a natural open landscape;

- (iv) whether the proposed development provides an opportunity to remedy or mitigate existing and potential (ie. structures or development anticipated by existing resource consents) adverse effects by modifying, including mitigation, or removing existing structures or developments; and/or surrendering any existing resource consents;

- (v) the ability to take esplanade reserves to protect the natural character and nature conservation values around the margins of any lake, river, wetland or stream within the subject site;

- (vi) the use of restrictive covenants, easements, consent notices or other legal instruments otherwise necessary to realise those positive effects referred to in (i)- (v) above and/or to ensure that the potential for future effects, particularly cumulative effects, are avoided.

**(3) Visual Amenity Landscapes**

These assessment matters should be read in the light of the further guiding principle that existing vegetation which:

- (a) was either
  - planted after; or
  - self seeded and less than 1 metre in height at - 28 September 2002; and
- (b) obstructs or substantially interferes with views of the landscape (in which the proposed development is set) from roads or other public places
  - shall not be considered:
    - (1) as beneficial under any of the following assessment matters unless the Council considers the vegetation (or some of it) is appropriate for the location in the context of the proposed development; and
    - (2) as part of the permitted baseline.

- nor shall removal of such vegetation be considered as a positive effect of any proposal.

## (a) Effects on natural and pastoral character

In considering whether the adverse effects (including potential effects of the eventual construction and use of buildings and associated spaces) on the natural and pastoral character are avoided, remedied or mitigated, the following matters shall be taken into account:

- (i) where the site is adjacent to an Outstanding Natural Landscape or Feature, whether and the extent to which the visual effects of the development proposed will compromise any open character of the adjacent Outstanding Natural Landscape or Feature;
- (ii) whether and the extent to which the scale and nature of the development will compromise the natural or arcadian pastoral character of the surrounding Visual Amenity Landscape;
- (iii) whether the development will degrade any natural or arcadian pastoral character of the landscape by causing over-domestication of the landscape;
- (iv) whether any adverse effects identified in (i) - (iii) above are or can be avoided or mitigated by appropriate subdivision design and landscaping, and/or appropriate conditions of consent (including covenants, consent notices and other restrictive instruments) having regard to the matters contained in (b) to (e) below;

## (b) Visibility of Development

Whether the development will result in a loss of the natural or arcadian pastoral character of the landscape, having regard to whether and the extent to which:

- (i) the proposed development is highly visible when viewed from any public places, or is visible from any public road and in the case of proposed development in the vicinity of unformed legal roads, the Council shall also consider present use and the practicalities and likelihood of potential use of unformed legal roads for vehicular and/or pedestrian, equestrian and other means of access; and

- (ii) the proposed development is likely to be visually prominent such that it detracts from public or private views otherwise characterised by natural or arcadian pastoral landscapes;
- (iii) there is opportunity for screening or other mitigation by any proposed method such as earthworks and/or new planting which does not detract from or obstruct views of the existing natural topography or cultural plantings such as hedge rows and avenues;
- (iv) the subject site and the wider Visual Amenity Landscape of which it forms part is enclosed by any confining elements of topography and/or vegetation;
- (v) any building platforms proposed pursuant to rule 15.2.3.3 will give rise to any structures being located where they will break the line and form of any skylines, ridges, hills or prominent slopes;
- (vi) any proposed roads, earthworks and landscaping will change the line of the landscape or affect the naturalness of the landscape particularly with respect to elements which are inconsistent with the existing natural topography;
- (vii) any proposed new boundaries and the potential for planting and fencing will give rise to any arbitrary lines and patterns on the landscape with respect to the existing character;
- (viii) boundaries follow, wherever reasonably possible and practicable, the natural lines of the landscape and/or landscape units;
- (ix) the development constitutes sprawl of built development along the roads of the District and with respect to areas of established development.

## (c) Form and Density of Development

In considering the appropriateness of the form and density of development the following matters the Council shall take into account whether and to what extent:

- (i) there is the opportunity to utilise existing natural topography to ensure that development is located where it is not highly visible when viewed from public places;
- (ii) opportunity has been taken to aggregate built development to utilise common access ways including pedestrian linkages, services and open space (ie. open space held in one title whether jointly or otherwise);
- (iii) development is concentrated in areas with a higher potential to absorb development while retaining areas which are more sensitive in their natural or arcadian pastoral state;
- (iv) the proposed development, if it is visible, does not introduce densities which reflect those characteristic of urban areas.
- (v) If a proposed residential building platform is not located inside existing development (being two or more houses each not more than 50 metres from the nearest point of the residential building platform) then on any application for resource consent and subject to all the other criteria, the existence of alternative locations or methods:
  - (a) within a 500 metre radius of the centre of the building platform, whether or not:
    - (i) subdivision and/or development is contemplated on those sites;
    - (ii) the relevant land is within the applicant's ownership; and
  - (b) within a 1,100 metre radius of the centre of the building platform if any owner or occupier of land within that area wishes alternative locations or methods to be taken into account as a significant improvement on the proposal being considered by the Council
    - must be taken into account.
- (vi) recognition that if high densities are achieved on any allotment that may in fact preclude residential development and/or subdivision on neighbouring land because the adverse cumulative effects would be unacceptably large.
- (d) Cumulative effects of development on the landscape
 

In considering whether and the extent to which the granting of the consent may give rise to adverse cumulative effects on the natural or arcadian pastoral character of the landscape with particular regard to the inappropriate domestication of the landscape, the following matters shall be taken into account:

  - (i) the assessment matters detailed in (a) to (d) above;
  - (ii) the nature and extent of existing development within the vicinity or locality;
  - (iii) whether the proposed development is likely to lead to further degradation or domestication of the landscape such that the existing development and/or land use represents a threshold with respect to the vicinity's ability to absorb further change;
  - (iv) whether further development as proposed will visually compromise the existing natural and arcadian pastoral character of the landscape by exacerbating existing and potential adverse effects;
  - (v) the ability to contain development within discrete landscape units as defined by topographical features such as ridges, terraces or basins, or other visually significant natural elements, so as to check the spread of development that might otherwise occur either adjacent to or within the vicinity as a consequence of granting consent;
  - (vi) whether the proposed development is likely to result in the need for infrastructure consistent with urban landscapes in order to accommodate increased population and traffic volumes;
  - (vii) whether the potential for the development to cause cumulative adverse effects may be avoided, remedied or mitigated by way of covenant, consent notice or other legal instrument (including covenants controlling or preventing future buildings and/or landscaping, and covenants controlling or preventing future subdivision which may be volunteered by the applicant).

**Note:** For the purposes of this assessment matter the term "vicinity" generally means an area of land containing the site subject to the application plus adjoining or surrounding land (whether or not in the same ownership) contained within the same view or vista as viewed from:

- from any other public road or public place frequented by the public and which is readily visible from that public road or public place; or
- from adjacent or nearby residences.

The "vicinity or locality" to be assessed for cumulative effect will vary in size with the scale of the landscape i.e. when viewed from the road, this "vicinity", will generally be 1.1 kilometre in either direction, but maybe halved in the finer scale landscapes of the inner parts of the Wakatipu basin, but greater in some of the sweeping landscapes of the upper Wakatipu and upper Clutha.

#### (e) Rural Amenities

In considering the potential effect of the proposed development on rural amenities, the following matters the Council shall take into account whether and to what extent:

- (i) the proposed development maintains adequate and appropriate visual access to open space and views across arcadian pastoral landscapes from public roads and other public places; and from adjacent land where views are sought to be maintained;
- (ii) the proposed development compromises the ability to undertake agricultural activities on surrounding land;
- (iii) the proposed development is likely to require infrastructure consistent with urban landscapes such as street lighting and curb and channelling, particularly in relation to public road frontages;
- (iv) landscaping, including fencing and entrance ways, are consistent with traditional rural elements, particularly where they front public roads.

- (v) buildings and building platforms are set back from property boundaries to avoid remedy or mitigate the potential effects of new activities on the existing amenities of neighbouring properties.

#### (4) Other Rural Landscapes

Where it has been determined that the proposed development is not within a ONL or VAL but otherwise within the Rural General zone consideration of the potential effects of the development shall include taking into account whether and the extent to which:

- (i) the proposed development will be complementary or sympathetic to the character of adjoining or surrounding visual amenity landscape;
- (ii) the proposed development will be visible from public roads or from neighbour's properties;
- (iii) the proposed development utilises existing topography or vegetation to integrate the development into the landscape and reduce its visibility;
- (iv) the proposed development will adversely affect the naturalness and rural quality of the landscape through inappropriate landscaping including earthworks and planting as a result of any proposed mitigation or increased domestication;
- (v) landscaping as a result of development maintains and/or enhances historic or cultural patterns although it is acknowledged that this assessment matter is not necessarily consistent with others e.g. (iii) and (iv) above or (vii) below;
- (vi) the proposed development is complementary or sympathetic to, or can be co-ordinated with, existing or proposed development on adjoining or adjacent properties in terms of landscaping, roof design, roof materials and/or colours, and other external materials and/or colours;
- (vii) the proposed development is designed and/or intended to be carried out in a comprehensive manner taking into account the topography of the site, the size and configuration of the property being

developed, the extent and nature of existing or proposed development on adjoining or adjacent properties, and the opportunities for shared access and/or shared amenities;

- (viii) the nature and extent of building setbacks and/or earthworks and/or landscaping can create buffers to avoid or mitigate the potential effects of development on adjoining properties, public roads or public places.
- (ix) the proposed subdivision is part of a co-ordinated development plan incorporating any balance land (outside the proposed subdivision) in the same ownership;
- (x) there is an opportunity to provide a communal passive or active recreational area which is accessible to residents outside the subdivision as well as within the subdivision;
- (xi) the proposed development does not introduce densities which reflect those characteristic of urban areas;
- (xii) the proposed development maintains the rural amenities of the neighbourhood.

## 5.4.2.3 Assessment Matters General

### i General - Nature Conservation Values

- (a) The extent to which activities will result in opportunities for the protection and enhancement of indigenous bio-diversity or indigenous ecosystems.
- (b) Any adverse effects of the activity on indigenous ecosystems from animal pests and domestic animals.
- (c) Any need to avoid, contain, manage and/or monitor the adverse effects of introduced plant species/forms, which have potential to spread and naturalise.
- (d) The extent to which the activity provides opportunities for making available information regarding indigenous ecosystems.

- (e) The extent to which activities will protect and enhance the survival and well being of indigenous plants and/or animals that are rare, vulnerable or endangered, or significant within the District, Region or nationally.
- (f) In the case of activities proposed in the vicinity of rock outcrops, the extent to which the activity will adversely affect, or provide opportunities to enhance, the protection of lizard populations and their habitat.
- (g) The extent to which the inherent values of the site, and its ecological context, have been recognised and provided for.

### ii Natural Hazards - General

- (a) Whether the activity will exacerbate any natural hazard, including erosion, sedimentation, subsidence and landslips.

### iii General – Consistency with the Glenorchy Community Plan

- (a) In considering whether or not to grant consent or impose conditions with respects to development within the Glenorchy area, the Council shall have regard to:
- (b) Whether and to what extent the application is consistent with the Glenorchy Head of the Lake Community Plan (and any amendments thereto). \*2

### iv Controlled and Discretionary Activity - All Buildings (except in Ski Area Sub-Zones)

- (a) The extent to which the location of buildings and associated earthworks, access and landscaping breaks the line and form of the landscape with special regard to skylines, ridges, hills and prominent slopes.
- (b) Whether the external appearance of buildings is appropriate within the rural context.

### v Controlled Activity - Retail Sales

- (a) The extent to which buildings and structures are located to mitigate against the loss of landscape values.
- (b) The location and design of vehicle access, parking and loading areas to protect the safe and efficient movement of vehicles on adjoining roads.
- (c) The extent to which the size, location and design of parking and loading areas, and their relationship to the retail sales areas, buildings, outdoor display areas and vehicle access, are such so as to encourage cars to park on-site and not on adjoining roads.
- (d) The extent to which parking and loading areas are capable of accommodating likely vehicle demand.

## vi **Controlled Activity - Commercial Recreation Activities and buildings in Ski Area**

- (a) Whether the ski tow or lift or building breaks the line and form of the landscape with special regard to skylines, ridges, hills and prominent slopes.
- (b) Whether the materials and colour to be used are consistent with the rural landscape of which the tow or lift or building will form a part.
- (c) Balancing environmental considerations with operational characteristics.
- (d) Potential effect on surrounding environment.
- (e) Impact of lighting on the enjoyment of an adjoining property.

## vii **Controlled Activity - Mining, Limited to Mineral Exploration**

Conditions may be imposed on mineral exploration in order that:

- (a) the amount of vegetation cleared and volumes of material removed will be minimal and the adverse effects to landscape and nature conservation values and water quality are minimised;
- (b) rehabilitation of the site is completed which ensures:

- (i) the long term stability of the site;
- (ii) that the landforms or vegetation on finished areas are visually integrated into the landscape;
- (iii) that the land is returned to its original productive capacity, where appropriate.
- (c) roads or buildings are located in such a way as to minimise impacts to landscape, conservation, and amenity values;
- (d) dust is minimised where amenity values are at risk. Methods may include wetting down of tracks or heaped overburden;
- (e) noise is minimised where amenity values are at risk. Methods may include restricted hours of operation or appropriate mufflers on machinery.

## viii **Controlled Activity - Jetboat Race Events (Clutha River)**

Conditions may be imposed to ensure that:

- (a) the date, time, duration and scale of the jetboat race event, including its proximity to other such events, are such as to avoid or mitigate adverse effects on residential and recreational activities in the vicinity;
- (b) adequate public notice is given of the holding of the event; and
- (c) reasonable levels of public safety are maintained.

## ix **Controlled Activity - Addition or alteration to Buildings within the Outer Control Boundary - Queenstown Airport and Buildings within the Outer Control Boundary - Wanaka Airport**

Conditions may be imposed to ensure the design, construction, orientation and location of buildings for residential activities, visitor accommodation or community activities within Wanaka Airport's Outer Control Boundary, or the alteration or addition to an existing building or part of a building used for residential activities, visitor accommodation or

community activities within Queenstown Airport's Outer Control Boundary is such to ensure the indoor design sound levels specified in Zone Standards 5.3.5.2(viii) and (x) is are met.

## x Discretionary Activity - Commercial

- (a) The extent to which the commercial activity may:
- (i) result in levels of traffic generation or pedestrian activity, which is incompatible with the character of the surrounding rural area, or adversely affect safety.
  - (ii) have adverse effects in terms of noise, vibration and lighting from vehicles entering and leaving the site or adjoining road.
  - (iii) result in loss of privacy.
  - (iv) result in levels of traffic congestion or reduction in levels of traffic.
- (b) The extent to which the commercial activity mitigates any adverse effects in terms of additional traffic generation.
- (c) The effect the commercial activity may have on the life supporting capacity of soils and water.

## xi Restricted Discretionary Activity - Tree Planting

In considering the effects of plantings on the views from any public road, the Council shall take into account the following matters:

- (a) The classification of the surrounding landscape, and the effects of the planting on the landscape values.
- (b) The topography of the site in relation to the road.
- (c) The location of the trees, including their orientation to the road.
- (d) In considering the species type proposed, the Council will take into account the following matters:

- the potential for wilding spread;
- the positive effects associated with the planting of indigenous species;
- the density of foliage;
- whether the species are deciduous or evergreen.

- (e) The purpose of the proposed planting; considering whether the planting is necessary for farming activities, or is for amenity purposes.
- (f) Whether and to what extent the proposed plantings will, or have the potential to at maturity, block views from the public road.

## xii Restricted Discretionary Activity - Structures

In considering the external appearance of any proposed structures, the Council shall take into account the following matters:

- (a) The materials used, including their colour and permeability;
- (b) Whether the structure will be consistent with traditional rural elements.

## xiii Controlled Activity - Vehicle Testing

In considering the potential adverse effects of access ways and tracks associated with the testing of vehicles, their parts and accessories, the Council shall take into account the following matters:

- (a) The extent to which accessways and tracks are lined with adequately sized screened sump rock;
- (b) The extent to which trenching and laying drain coil and sump rocks is used to avoid ponding on accessways and tracks;
- (c) Whether construction is limited to the more appropriate drier months of the year;

- (d) Whether battering of over-steepened embankments is proposed; and
- (e) Whether ongoing monitoring is proposed and to what extent.

#### xiv Discretionary Activity - Visitor Accommodation

- (a) Any adverse effects of the proposed visitor accommodation in terms of:
  - (i) noise, vibration and lighting from vehicles entering and leaving the site or adjoining road, which is incompatible with the levels acceptable in a low-density rural environment.
  - (ii) loss of privacy and remoteness.
  - (iii) levels of traffic congestion or reduction in levels of traffic safety which are inconsistent with the classification of the adjoining road.
  - (iv) pedestrian safety in the vicinity of the activity.
  - (v) any cumulative effect of traffic generation from the activity in conjunction with traffic generation from other activities in the vicinity.
- (b) The ability to mitigate any adverse effects of the additional traffic generation such as through the location and design of vehicle crossings, parking and loading areas or through the provision of screening and other factors which may reduce the effect of the additional traffic generation, such as infrequency of the activity, or limited total time over which the traffic movements occur.
- (c) Any potential adverse effects of the activity on the quality of ground and/or surface waters.

#### xv Discretionary Activity - Commercial Recreational Activities (other than on the Surface of Lakes and Rivers)

- (a) The extent to which the recreational activity will result in levels of traffic or pedestrian activity which are incompatible with the character of the surrounding rural area.

- (b) Any adverse effects of the proposed activity in terms of:

- (i) noise, vibration and lighting, which is incompatible with the levels acceptable in a low-density rural environment.
- (ii) loss of privacy or a sense of remoteness or isolation.
- (iii) levels of traffic congestion or reduction in levels of traffic safety which are inconsistent with the classification of the adjoining road.
- (iv) pedestrian safety in the vicinity of the activity.
- (v) litter and waste.
- (vi) any cumulative effect from the activity in conjunction with other activities in the vicinity.

- (c) The extent to which any proposed buildings will be compatible with the character of the local environment, including the scale of other buildings in the surrounding area.
- (d) The extent to which the nature and character of the activity would be compatible with the character of the surrounding environment.
- (e) Any adverse effects of any proposed buildings for the recreational activity having regard to the matters specified in Assessment Matter ii a.
- (f) The extent to which any operation has been audited and certified in accordance with the relevant Code of Practice.
- (g) Any potential adverse effects of the activity on the quality of ground and/or surface waters.
- (h) The effect of the recreational activities on the life-supporting capacity of soils.

- (i) The extent to which the proposed activity will result in a loss of privacy, amenity values or sense of security for residents within the rural environment.
- (j) The extent to which the recreational activity will adversely affect the range of recreational opportunities available in the District or the quality of experience of the people partaking of those opportunities.
- (k) The extent to which the use of the land for the recreational activity will compromise levels of public safety, particularly where conflict between operators may make a reasonable level of public safety impossible or difficult to achieve.
- (l) Any adverse effects of the activity on nature conservation values, having regard to the matters described in Assessment Matters i and xxi.
- (m) The extent to which the activity may cause a visual distraction to drivers on arterial routes.

## **xvi Discretionary Activity - Surface of Lakes and Rivers**

- (a) The extent to which the water-based activity will adversely affect the range of recreational opportunities available in the District or the quality of experience of the people partaking of those opportunities.
- (b) The extent to which the water-based activity is suited to and benefits from the identified natural characteristics of the particular lake or river.
- (c) The extent to which the water-based activity will reduce opportunities for passive recreation, enjoyment of peace and tranquillity and, particularly, opportunities for remote experience recreation.
- (d) The extent to which the water-based activity will compromise levels of public safety, particularly where conflict between operators may make a reasonable level of public safety impossible or difficult to achieve.
- (e) Any adverse effects of the proposed activity in terms of:

- (i) noise, vibration and lighting, which is incompatible with the levels acceptable in the particular lake or river environment.
- (ii) loss of privacy or a sense of remoteness or isolation.
- (iii) levels of congestion or reduction in levels of lake or river safety, which are unacceptable for the nature of the lake or river.
- (iv) accumulation of litter and waste, and access to toilet facilities.
- (v) any cumulative effect from the activity in conjunction with other activities in the vicinity.
- (f) The extent to which the water-based activity is compatible with, and will not adversely affect nature conservation values or wildlife habitat
- (g) In the case of structures or moorings which pass across or through the surface of any lake or river or are attached to the bank of any lake or river, the extent to which the structures or moorings:
  - (i) are dominant or obtrusive elements in the shore scape or lake view, particularly when viewed from any public place.
  - (ii) cause an impediment to craft manoeuvring and using shore waters.
  - (iii) diminish the recreational experience of people using public areas around the shoreline.
  - (iv) result in congestion and clutter around the shoreline.
  - (v) are likely to result in demand for craft to be permanently moored outside of permanent marina sites.
  - (vi) can be used by a number and range of people and craft, including the general public.
  - (vii) are compatible with scenic and amenity values, particularly in Queenstown Bay, Frankton Arm and Roys Bay.
- (h) Any effect from the activity on the operation, safety and navigation of the TSS Earnslaw.

- (i) Levels of traffic congestion or reduction in levels of traffic safety, which are inconsistent with the classification of the adjoining road.

## xvii Discretionary Activity - Airports

- (a) The extent to which noise from aircraft is/will:
  - (i) compatible with the character of the surrounding area.
  - (ii) adversely affect the pleasant use and enjoyment of the surrounding environment by residents and visitors.
  - (iii) adversely affect the quality of the experience of people partaking in recreational and other activities.
- (b) The cumulative effect of a dispersed number of airports.
- (c) Convenience to and efficient operation of existing airports.
- (d) The visual effect of airport activities.
- (e) The frequency and type of aircraft activities.
- (f) Assessment of helicopter noise pursuant to NZS 6807: 1994, excluding the levels contained in Table 1 of Section 4.2.2 to the intent that the levels specified in Table 1 do not override the noise limits specified in Rule 5.3.5.2.v(a).

## xviii Discretionary activity – forestry

- (1) In considering whether the proposed forestry has the potential to cause wilding spread, the following matters shall be taken into account:
  - (a) The species of trees proposed, and their potential to naturalise and spread;
  - (b) The location of the site, having particular regard to the slope and the exposure to wind;
  - (c) The surrounding land use, having particular regard to land downwind from the site;

- (d) Whether a risk assessment has been completed by the applicant;
- (e) Whether management plans are proposed for the eradication and/or control of wilding spread.

- (2) In considering whether the forestry activity will adversely affect landscape values of the surrounding environment, the following matters shall be taken into account:

- (a) The existing character of the surrounding landscape, having particular regard to whether it has an open character at present;
- (b) The potential to block important views from roads and other public places;
- (c) The proximity to neighbouring properties, and the potential to shade and/or block views from neighbouring residences.

- (3) In considering whether the forestry activity will adversely affect the ecological values of the surrounding environment, the following matters shall be taken into account:

- (a) The existing ecological values of the subject land and the surrounding environment, having particular regard to the potential effects on existing indigenous ecosystems;
- (b) Current and future demand on water resources.

- (4) In considering the effects associated with the maintenance and harvesting of forestry activities, the following matters shall be taken into account:

- (a) Traffic Generation
- (b) Volume and disposal of hazardous waste, and hazardous substances
- (c) Production of noise and odour;

- (d) Associated earthworks, and potential effects on water quality

## **xix Discretionary Activity - Factory Farming**

- (a) The extent to which the factory farming operation will be compatible with the character of the surrounding rural area, including the density of residential units in the area.
- (b) The degree to which the proposed factory farming operation is likely to lead to odour, noise or health nuisances beyond the boundary of the site, and in particular, the technology and management systems proposed to mitigate noise or odour nuisance, including:
  - (i) the size of the proposed factory farming operation and its associated site.
  - (ii) the design of the buildings, facilities, and waste and noise management systems.
  - (iii) the management and operation of the waste and noise management systems.
  - (iv) waste treatment measures employed.
  - (v) odour and noise abatement measures employed.
- (c) The degree to which existing or proposed landscaping, including plantings, will shelter and screen the proposed site.
- (d) The extent to which the proposed buildings, will be compatible with the appearance, layout and scale of other buildings and sites in the surrounding area.
- (e) Any adverse effects of any proposed buildings for the factory farming operation.
- (f) The effect of the factory farming on the life supporting capacity of soils.

## **xx Discretionary Activity - Mining**

- (a) The extent to which mining activities will adversely affect:
  - (i) amenity values.
  - (ii) recreational values.
  - (iii) nature conservation values.
  - (iv) landscape and visual amenity values.
  - (v) historical, cultural or known archaeological artefacts or sites.
  - (vi) life supporting capacity of soils, water and air.
  - (vii) public access to and along the lake, river or waterway.
- (b) The ability of the proposal to rehabilitate the site during and after mining.
- (c) The ability of the company to:
  - (i) provide a contingency plan for early mine closure.
  - (ii) adequately monitor operations and the effects on the receiving environment.
- (d) The necessity of the company to provide a bond to Council reviewed annually, for the purpose of rehabilitating operation areas in the event of non-compliance with terms and conditions of any consent, premature closure or abandonment of the mine.

## **xxi Zone Standard - Building Height**

- (a) The extent to which the increased building height may:
  - (i) be compatible with the character of the local environment including scale of buildings in the surrounding environment.
  - (ii) impact on the landscape and visual amenity values of the area.
  - (iii) adversely affect views from properties in the vicinity.

- (iv) have an adverse effect on other sites in the surrounding area, in terms of loss of privacy.
- (v) overshadow adjoining sites and result in reduced sunlight and daylight admission.
- (b) Whether the adverse effects of increased height could be mitigated through site layout, increased separation distances between the building and adjoining sites or the provision of screening.

## **xxii Setback from Neighbours of Buildings Housing Animals**

- (a) The extent to which the use of the proposed building for the housing of animals will detract from the pleasantness or amenity of adjoining sites, in terms of such matters as noise, smell, dust, glare or vibration.

## **xxiii Access**

- (a) The extent to which alternative formed access can be assured to the residential unit in the long-term.
- (b) The extent to which the level and nature of the use of the residential unit will make it unlikely that access by way of a formed road will ever be necessary.

## **xxiv Nature and Scale of Activities**

- (a) The extent to which:
  - (i) the scale of the activity and the proposed use of buildings are compatible with the scale of other buildings and activities in the surrounding area.
  - (ii) the character of the site will remain dominant.
  - (iii) materials and equipment associated with the activity need to be stored outside of a building.

- (iv) all manufacturing, altering, repairing, dismantling or processing of any goods or articles associated with the activity need to be carried outside of a building.
- (v) noise and visual impact.
- (vi) adverse effects of likely traffic generation and the ability to mitigate such effects.

## **xxv Retail Sales**

- (a) The extent to which the size, location and design of the parking and loading areas, and their relationship to the retail sales areas, buildings, outdoor display areas and vehicle access, are such as to encourage vehicles to park on the site.
- (b) The extent to which vehicles will be discouraged from parking on the adjoining road, with associated pedestrian access to the site.
- (c) The extent to which the parking and loading areas are capable of accommodating likely vehicle demand.

## **xxvi Significant Indigenous Vegetation**

- (a) The significance of the species and their communities.
- (b) The extent to which the proposed activity may adversely affect:
  - (i) the life supporting capacity of the indigenous species, including their habitat.
  - (ii) landscape and natural values of the site and in the vicinity of the site.
  - (iii) the life supporting capacity of soil and water.
- (c) The degree to which alternative sites and methods have been considered.
- (d) The extent to which previous activities have modified the site.

## xxvii Residential Units – Discretionary and Non-Complying Activities

- (a) The extent to which the residential activity maintains and enhances:
  - (i) rural character.
  - (ii) landscape values.
  - (iii) heritage values.
  - (iv) visual amenity.
  - (v) life-supporting capacity of soils, vegetation and water.
  - (vi) infrastructure.
  - (vii) traffic safety.
  - (viii) public access to and along lakes and rivers.
- (b) The extent to which the residential activity may adversely affect adjoining land uses.
- (c) The extent to which the residential activity or residential unit may be adversely affected by natural hazards or exacerbate a natural hazard situation.
- (d) The extent to which the location of the residential unit and associated earthworks, access and landscaping, affects the line and form of the landscape with special regard to skylines, ridges, hills and prominent slopes.
- (e) Whether the bulk, design, external appearance and overall form of the residential unit is appropriate within the rural context.
- (f) The extent to which the residential unit has the ability to:
  - (i) supply potable water;

- (ii) connect to a reticulated public or community sewage treatment and disposal system, or otherwise can be provided with a suitable system for the treatment and disposal of domestic sewage effluent, in a manner, which avoids nuisance or danger to public health, or contamination of ground or surface waters; and
- (iii) connect to available telecommunication and electricity systems to domestic levels of service.
- (g) The extent to which the location of the residential unit and associated earthworks, access and landscaping has the potential to interfere with irrigation infrastructure.

## xxviii Earthworks

### 1. Environmental Protection Measures:

- (a) Whether and to what extent proposed sediment/erosion control techniques are adequate to ensure that sediment remains on-site.
- (b) Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.
- (c) Whether earthworks will be completed within a short period, reducing the duration of any adverse effects.
- (d) Where earthworks are proposed on a site gradient > 18.5 degrees (1 in 3), whether a geotechnical report has been supplied to assess the stability of the earthworks.
- (e) Whether measures to minimise dust emissions are proposed and to what extent these mitigation measures are effective.
- (f) Whether and to what extent any groundwater is likely to be affected, and if any mitigation measures are proposed to address likely effects.
- (g) Whether and to what extent earthworks are necessary in order to undertake flood protection works recognising the long-term benefits

of effective flood mitigation measures on the surrounding environment.

## 2. Effects on landscape and visual amenity values, in particular Outstanding Natural Features and Outstanding Natural Landscapes.

(a) Whether and to what extent the scale and location of any cut and fill will adversely affect:

- the visual quality and amenity values of the landscape;
- the natural landform of any ridgeline or visually prominent areas;
- the visual amenity values of surrounding sites.

(b) Whether the earthworks will take into account the sensitivity of the landscape.

(c) The potential for cumulative effects on the natural form of existing landscapes.

(d) The proposed rehabilitation of the site and to what extent re-vegetation will mitigate any adverse effects.

(e) Whether and to what extent the earthworks create an area that is inconsistent with the character of the surrounding landscape.

(f) Whether the location and/or design of any new tracking can be modified in order to decrease the effects on the stability, visual quality and amenity values of the landscape.

## 3. Effects on adjacent sites

(a) Whether the earthworks will adversely affect the stability of neighbouring sites

(b) Whether the earthworks will change surface drainage, and whether the adjoining land will be at a higher risk of inundation, or a raised water table.

(c) Whether cut, fill and retaining are done in accordance with engineering standards.

## 4. General Amenity Values

(a) Whether the removal of soil to or from the site will affect the surrounding roads and neighbourhood through the deposition of sediment, particularly where access to the site is gained through residential areas.

(b) Whether the activity will generate noise, vibration and dust effects, which could detract from the amenity values of the surrounding area.

(c) Whether natural ground levels will be altered.

## 5. Impacts on sites of cultural heritage value:

(a) The extent to which the activity modifies or damages Waahi Tapu or Waahi Taoka, and whether tangata whenua have been notified.

(b) The extent to which the activity affects Ngai Tahu's cultural and traditional association with the Statutory Acknowledgment Area.

(c) Whether the subject land contains a recorded archaeological site, and whether the NZ Historic Places Trust has been notified.

## 6. Activities

(a) Whether the proposed tracking or other earthworks is necessary or desirable for the ongoing and reasonable maintenance and use of the land.

(b) Whether the proposed tracking or other earthworks are necessary or desirable to achieve a reasonable or appropriate use of the land for the proposed activity.

### **xxix Site Standard – clearance of indigenous vegetation**

1. Clearance of indigenous vegetation, including clearance in the alpine environment:

- (a) The nature of the clearance, including:
    - (i) The amount of land to be cleared.
    - (ii) The timing of clearance.
    - (iii) The time since the site was last cleared.
    - (iv) The form of clearance, whether by burning, spraying or mechanical.
    - (v) The type of vegetation to be cleared, and the purposes of such clearance.
    - (vi) Whether a favourable ecological report has been submitted.
  - (b) The effect of the activity on the ecological values of the site and surrounding environment, including:
    - (i) The degree of modification of the site and surrounding area.
    - (ii) The ecological values of the site, based on the Criteria listed in Appendix 5 of the Plan.
    - (iii) The extent to which the activity threatens the indigenous plants or animals/birds identified at the site.
    - (iv) The extent to which the site and surrounding environment is sensitive to modification.
    - (v) The potential to adversely affect the natural character of the margins of any river, stream, lake or wetland.
    - (vi) The proximity of any area protected under covenant or other protection mechanism.
  - (c) The effect of vegetation clearance on landscape and visual amenity values, including:
    - (i) The extent to which indigenous vegetation is an integral part of, or enhances, the landscape values and natural character of the area.
    - (ii) The visibility of the site from transport routes, townships, and other tourist destinations, including ski fields.
    - (iii) The landscape values of the site and surrounding environment, and its sensitivity to modification
    - (d) The degree to which the clearance will adversely affect natural features, geomorphological or geological sites.
    - (e) The degree to which any possible alternative locations or methods for undertaking the activity could occur.
    - (f) The degree to which clearance will enable the efficient use of the land for production purposes.
    - (g) The degree to which the clearance will result in a loss of natural character and/or any recreational values associated with any nearby waterbody.
    - (h) Where clearance is to be undertaken by way of burning:
      - (i) Compliance with the Otago Regional Council's Code of Practice, and the provision of a burn management plan outlining proposed future management.
      - (ii) The measures adopted to reduce the potential for the spread of fire.
      - (iii) Whether certain areas have been voluntarily set aside to be preserved by way of covenant through the resource consent.
2. Planting of exotic trees and/or shrubs in the alpine environment.
- (a) The potential for the spread of exotic plant species, including their location, and the predominant wind direction.
  - (b) The sensitivity of the site to modification, including current vegetation.

- (c) The potential effects from exotic species on the ecological functioning of the site, and its landscape values.

**xxx Site Standard – Planting of tree species with wilding potential**

1. In considering whether the proposed planting has the potential to cause wilding spread, the following matters shall be taken into account:
  - (a) The location of the site, having particular regard to slope and the exposure to wind;
  - (b) The surrounding land use, having particular regard to the intensity of land use, the existing vegetation cover, and stocking rate;
  - (c) The ecological and landscape values of surrounding land, particularly land located down-wind from the proposed site.
2. In considering whether the proposed planting will cause adverse effects on landscape values, the following matters shall be taken into account:
  - (a) The existing character of the surrounding landscape, having particular regard to whether it has an open character at present;
  - (b) The potential for the planting to block important views from roads and other public places;
  - (c) The proximity of the planting to neighbouring properties, and the potential to shade and/or block views from neighbouring residences.

