

**BEFORE THE HEARINGS PANEL
FOR THE QUEENSTOWN LAKES PROPOSED DISTRICT PLAN**

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of Hearing Stream 11 –
Ski Area Sub Zones
Mapping Annotations
and Rezoning Requests

**SECOND STATEMENT OF EVIDENCE OF KIM BANKS
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

SKI AREA SUB ZONES – MAPPING, ANNOTATIONS AND REZONING REQUESTS

ANALYSIS OF SUBMISSIONS

10 March 2017

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APPENDIX 1 - List of submitters

1. INTRODUCTION/SCOPE

- 1.1 My name is Kimberley Anne Banks. My qualifications and experience are set out in my first, strategic statement of evidence.
- 1.2 I confirm that I have read the Code of Conduct for Expert Witness contained in the Environment Court Practice Note and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.
- 1.3 This report provides recommendations to the Hearings Panel (**Panel**) on submissions proposing extensions to the notified 'Ski Area Sub Zone' (**SASZ** or **Sub Zone**). These submissions are on Rural land which is located adjacent to or nearby to the following existing SASZs identified on the notified PDP planning maps:
- (a) Cardrona SASZ;
 - (b) Treble Cone SASZ;
 - (c) Remarkables SASZ; and
 - (d) Coronet Peak SASZ.
- 1.4 This evidence has been grouped by location, in the order identified above.
- 1.5 I refer to and rely on my first, strategic statement of evidence, and the evidence of Dr Marion Read (Landscape), Mr Glenn Davis (Ecologist for the Cardrona and Treble Cone SASZs) and Dr Kelvin Lloyd (Ecologist for the Coronet Peak and Remarkables SASZ).
- 1.6 All references to PDP provision numbers, are to the Council's Reply version of those provisions (unless otherwise stated).
- 1.7 **Appendix 1** provides a table identifying the submissions addressed in the evidence, the area they fall into and a recommendation as to whether the submissions should be accepted or rejected.

2. CARDRONA SKI AREA SUB ZONE (PLANNING MAP 10)

2.1 **Figure 1** below illustrates the notified extent of the Cardrona SASZ on planning map 10.

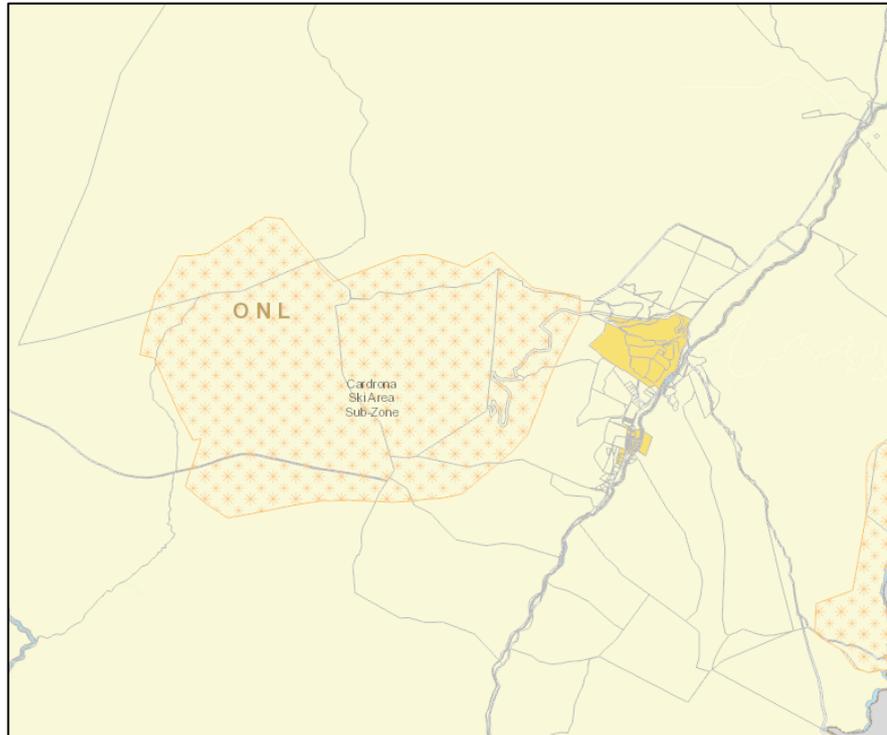


Figure 1: Notified Cardrona SASZ (extract from Planning Map 10)

2.2 There are four submitters seeking to extend the boundaries of the Cardrona SASZ, listed below:

- (a) Cardrona Alpine Resort Limited (**CARL**, 615);
- (b) Mount Cardrona Station (**MCS**, 407);
- (c) Soho Ski Area Limited and Blackmans Creek No 1 LP (**Soho**, 610); and
- (d) Anderson Branch Creek Limited (829).

2.3 **Figure 2** below illustrates these submissions in relation to each other. GIS files were not received from MCS (407) and Anderson Branch Creek Limited (829) and therefore the boundaries of these submissions have been approximated from the original submission documents.

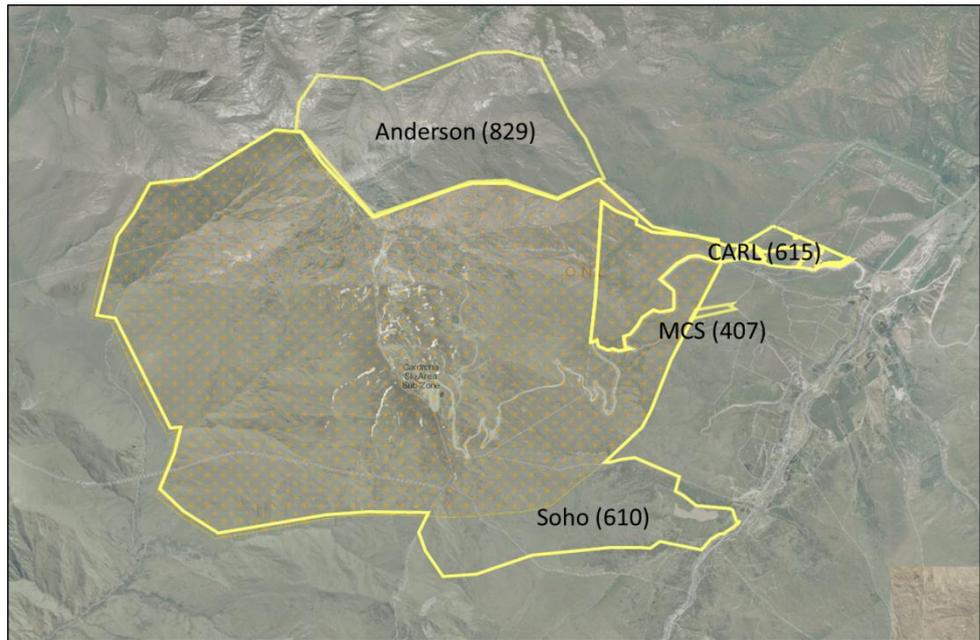


Figure 2: Location of rezoning submissions at Cardrona SASZ

CARDRONA ALPINE RESORT LTD (615)

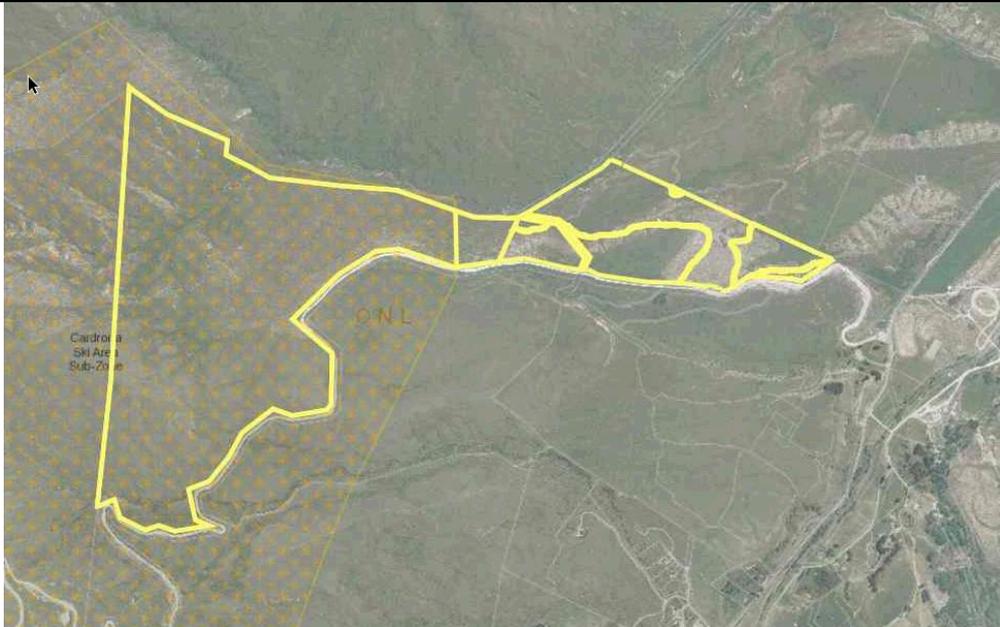
2.4 Cardrona Alpine Resort Limited (**CARL**) has sought the extension of the SASZ north-east of the notified zone extent, and that this area (inclusive of a portion of the notified SASZ) be renamed either the 'Cardrona Ski Area Sub Zone' or the 'Cardrona Alpine Resort Area' (effectively creating a new special zone).

Overall Recommendation	
Recommendation	Reject
Summary	The PDP Rural Zone is more appropriate over the land because the Rural Zone has the most appropriate provisions to manage the wide variety of effects that are possible under the SASZ.

Property and submission information	
Further Submitters	1153 (Mount Cardrona Station Ltd): Oppose 1105 (Cardrona Valley Residents and Ratepayers Society): Support 1137 (Kay Curtis): Support
Land area/request referred to as	22 Stonebrook Drive, Meadowstone Wanaka 9305
PDP Zone and Mapping annotations	Rural Outstanding Natural Landscape
Zone requested and mapping annotations	Rural (Ski Area Sub Zone) or Special Zone
Supporting technical Information or reports	None provided
Legal Description	LOT 3 DP 344432 LOTS 4 9 DP 21223
Area	Area of zone extension not provided by submitter
QLDC Property ID	20424
QLDC Hazard Register	Landslide Area (Cat 2) Liquefaction (Possibly susceptible) Alluvial Fan (active)

Summary of Council assessments and recommendations	
QLDC serviced water capacity	Capacity unavailable
QLDC Wastewater capacity	Capacity unavailable
Landscape	Opposed
Indigenous vegetation	Not opposed
Infrastructure	Infrastructure comments have not been obtained due to the ability for Ski Area Activities to operate utilising on-site systems already established. Reticulated infrastructure is not anticipated by Council in alpine environments.
Traffic	Traffic comments have not been obtained due to the uncertainty over the scale and nature of future land use anticipated within the zone and inability to appropriately assess traffic effects.

Aerial Photograph of the site



The image above illustrates the extent of the rezoning sought, in relation to the notified extent of the Cardrona SASZ.

Changes requested

- 2.5** CARL seek to rezone the area of land identified above as either the 'Cardrona Ski Area Sub Zone' or renamed the 'Cardrona Alpine Resort Area' (effectively creating a new special zone). This expands the zoning along the northern side of the Cardrona Ski Field access road, down to an elevation of approximately 580 metres above sea level (**masl**).
- 2.6** The reason for the rezoning provided in the submission of CARL (615) is: "to enable the continued development and expansion of tourism activities and visitor accommodation within the identified area where the effects of the development would be cumulatively minor". The submission indicates that this rezoning would support the provision of 'four season' tourism activities, and the development of new buildings and supporting infrastructure. It is understood that mountain biking and visitor accommodation are possible activities to be provided in the expanded zone extent.

- 2.7** The submission does not provide any proposed provisions which would apply to the "Cardrona Alpine Resort Area". Accordingly, it is assumed that the provisions applying to the SASZ would also apply to the expanded zone.
- 2.8** The rezoning sought by CARL is supported by Kay Curtis (FS1137) and the Cardrona Valley Residents and Ratepayers Society Inc (FS1105); and opposed by MCS (FS1153). The support of FS1105 is on the basis that the rezoning will enable the resort to develop, operate, maintain and upgrade its facilities and infrastructure, and invest in and grow new four season visitor attractions activities. MCS (FS1153) opposes the zone extension down to near the valley floor.

Landscape

- 2.9** The landscape evidence of Dr Read describes the Cardrona Valley as a historic gold mining landscape with remnant water races evident within the rezoning extent. It is the opinion of Dr Read that the possible development types that may occur under the SASZ framework (including earthworks) have the potential to significantly diminish the legibility of the landform and detract from its historical value. Dr Read opposes the proposed rezoning by CARL from a landscape perspective.

Ecology

- 2.10** The ecology evidence of Mr Davis identifies the area of proposed rezoning as being intensively developed for agricultural activity, resulting in a disturbed environment with a lack of indigenous vegetation cover. A wetland area was identified in the south-eastern corner of the rezoning extent. However, Mr Davis has confirmed that this areas is devoid of indigenous vegetation cover with the exception of *Carex coriacea*. Accordingly, Mr Davis does not oppose the extension of the SASZ over the wetland area, and also does not oppose the remainder of the request.

Discussion

2.11 CARL seeks the identified zone extension to enable the development of a "four seasons" tourism facility. I acknowledge the significant economic benefits provided to the District by such commercial recreation facilities, and in particular Objective 3.2.1.4 of the PDP Strategic Direction, which seeks to enable the socio-economic benefits of tourism. I also note that summer based activities are currently operating within the notified extent of the zone including mountain biking, carting and paragliding. Such benefits are recognised by the further submissions of Kay Curtis (FS1137) and the Cardrona Valley Residents and Ratepayers Society Inc (FS1105) who support the requested zone extension.

2.12 However, I am of the view that the range of activities that CARL seeks to be enabled and provided for within this large geographic area, and the possible effects of these, cannot be adequately managed under the SASZ framework. I note that CARL have identified this issue, in seeking either the establishment of an effective special zone (the 'Cardrona Alpine Resort Area') or an extension of the SASZ. However, an alternative zone framework has not been proposed by CARL to apply to this area; and regardless, the issues canvassed here are not dissimilar to those associated with other rezoning submissions at Cardrona, Treble Cone, and the Remarkables (discussed in following sections).

2.13 I consider that the purpose of the SASZ is in providing for skiing and ancillary activities. It is my view that the rezoning sought would conflict with this purpose. I accept that the purpose statement was amended to include reference to "year round destinations for ski area, tourism and recreational activities", however this was on the basis of the notified SASZ extent, and did not analyse the effect of rezoning submissions. The notified SASZs are confined spatially and are predominantly situated at elevations where skiing and ancillary activities will be the dominant use, and landscape effects may be better mitigated. The submission of CARL seeks to extend this zone down to elevations of less than 600masl, near to the valley floor at Cardrona Valley Road, where activities such as visitor

accommodation, car parking and a range of buildings are likely to occur. Such an extension, and the activities which could be enabled within it, suggest the need for a more comprehensive zone framework in order to adequately manage effects. The further submission of MCS (FS1153) opposes the extension of the zone down to this elevation.

- 2.14** The submission of CARL references the need for further development of supporting infrastructure and land modification to grow the provision of tourism service. Earthworks are specifically mentioned, and I consider this may also include expansion of car parking facilities and possibly upgrades to the access road. As discussed in my strategic statement of evidence, it is not known at the time of writing how earthworks will be regulated under the PDP for the SASZ. However, based on the evidence of Dr Read and the evidence of Mr Davis, I consider that specific control would be necessary over earthworks in the SASZ, if the rezoning were to be supported in this location. Additionally, the visual effects of any earthworks for activities other than skiing should be considered against the landscape assessment matters of chapter 21.
- 2.15** As discussed in the evidence of Dr Read, although the rezoning extent may appear to be partially integrated with the operative Mount Cardrona Station Special Zone, the operative structure plan for this zone has specifically accounted for landscape values in nominating appropriate activity areas. Conversely, the SASZ provides no mechanism for this, and could enable the construction of buildings throughout as a controlled activity, with limited consideration to landscape effects. Furthermore, given that the operative Mount Cardrona Station Special Zone provides for the establishment of residential and commercial uses, including visitor accommodation, the occurrence of such activities would be more efficiently located in this zone.
- 2.16** Finally, although provision of a gondola is not specifically mentioned by CARL, I note that if the zone were to be extended, a gondola could be developed within the SASZ as a controlled activity via Rule 21.5.28. This may give rise to potential cumulative effects,

recognising that Soho and MCS also seek provision for a gondola. I consider it unnecessary for the SASZ to be extended to enable a gondola link, as the reply Rural zone provisions provide for a gondola as a restricted discretionary activity outside of the SASZ (via Rule 21.4.19); as opposed to the non-complying status which applies to other SAA located outside of the SASZ. Also, given there are three possible alignments for a gondola indicated by the rezoning requests, it is more appropriate that adequate analysis of the alternative route options is undertaken before this proposal is pre-empted by a zone framework.

- 2.17** Overall, there is sufficient uncertainty surrounding both the future regulation of earthworks, and also the anticipated activities to be provided for within the rezoned area, that I consider rezoning this land as SASZ could give rise to an inappropriately broad range of activities and associated effects. Activities anticipated within the SASZ range from an unknown quantum of earthworks, to buildings and visitor accommodation. It is my view that such activities warrant site specific analysis to ensure protection of the identified landscape and ecological values, and mitigation of effects as necessary through conditions of consent. I also do not support the development of bespoke provisions or the proliferation of special zones to accommodate what are essentially undefined commercial interests in land.

Conclusion

- 2.18** Based on the above discussion, my recommendations are that the Panel:
- (a) *Reject* the proposed rezoning of CARL (615);
 - (b) *Reject* the further submissions of Kay Curtis (FS1137) and the Cardrona Valley Residents and Ratepayers Society Inc (FS1105; and
 - (c) *Support* the further submission of MCS (FS1153).

- 2.19** The reasons for this recommendation include:

- (a) the Rural zone framework better provides for the appropriate analysis of non-skiing activities in these areas, including landscape effects, given the uncertainty surrounding the nature and scale of proposed activities;
- (b) Passenger Lift Systems have been specifically provided for within the regulatory framework outside of the SASZ, as a restricted discretionary activity; and
- (c) there is no evidence to suggest that the notified SASZ is inappropriate or cannot support the range of activities sought.

MOUNT CARDRONA STATION LIMITED (407) - "MCSL"

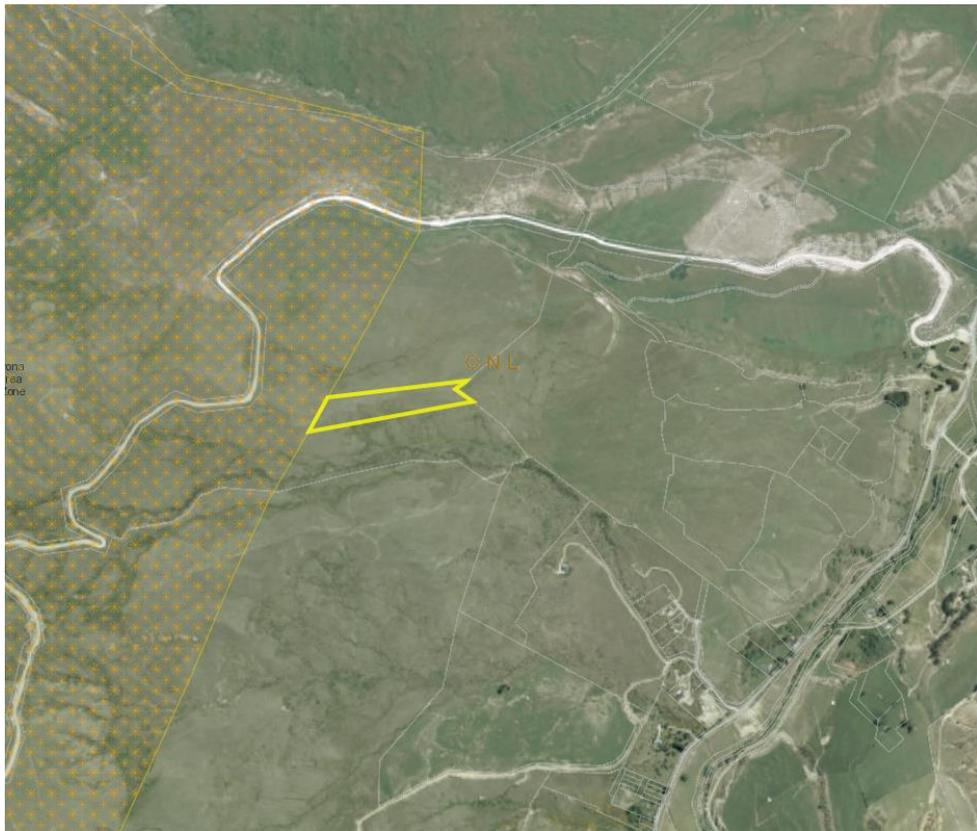
2.20 MCSL seeks the inclusion of a corridor of land between the Mount Cardrona Station Special Zone and the notified Cardrona SASZ within the SASZ. Definitive boundaries of this zone extension have not been provided by MCSL and therefore the description is approximate only.

Overall Recommendation	
Recommendation	Reject
Summary	The PDP Rural Zone is more appropriate over the land because the Rural Zone has the most appropriate provisions to manage the wide variety of effects that are possible under the SASZ.

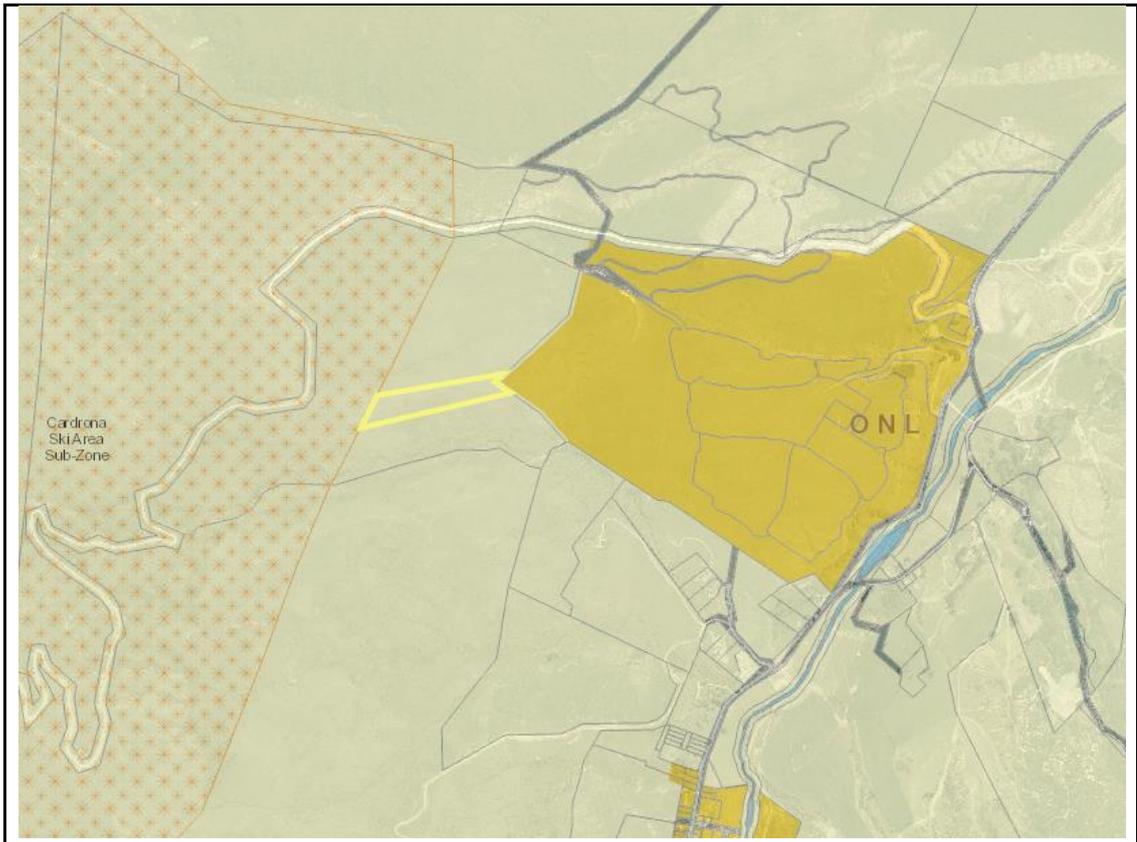
Property and submission information	
Further Submitters	1329 (Soho Ski Area Limited and Blackmans Creek No 1 LP): Oppose
Land area/request referred to as	n/a
PDP Zone and Mapping annotations	Rural Zone Outstanding Natural Landscape
Zone requested and mapping annotations	Rural Zone (Ski Area Sub Zone)
Supporting technical Information or reports	None provided
Legal Description	Lot 2 DP 445633
Area	Area of zone extension not provided by submitter.
QLDC Property ID	27646
QLDC Hazard Register	Avalanche Area Alluvial Fan (inactive) Liquefaction (possibly susceptible)

Summary of Council assessments and recommendations	
QLDC serviced water capacity	Capacity unavailable
QLDC Wastewater capacity	Capacity unavailable
Landscape	Opposed
Indigenous vegetation	Not opposed
Infrastructure	Infrastructure comments have not been obtained due to the ability for Ski Area Activities to operate utilising on-site systems already established. Reticulated infrastructure is not anticipated by Council in alpine environments.
Traffic	Traffic comments have not been obtained due to the uncertainty over the scale and nature of future land use anticipated within the zone and inability to appropriately assess traffic effects.

Aerial Photograph of the site



The image above illustrates the extent of the rezoning sought by MCS (note this is only roughly approximated from the original submission), in relation to the notified extent of the Cardrona SASZ.



The image above illustrates the extent of the rezoning sought by MCS (note this is only roughly approximated from the original submission), in relation to the Mount Cardrona Station Special Zone (ODP).

Changes requested

- 2.21** The rezoning sought by MCSL is for the purpose of integrating with the Mount Cardrona Station Special Zone, and in particular for the provision of a gondola link between the village precinct of the Mount Cardrona Station Special Zone and the Cardrona SASZ.
- 2.22** As discussed in my first statement of strategic evidence, MCSL are also separately pursuing a private plan change to the provisions of the operative Mount Cardrona Station Special Zone (Plan Change 52) to provide for a gondola link.
- 2.23** Soho oppose the MCSL submission on the grounds that the proposed extension for the purposes of enabling the construction and operation of a passenger lift system (ie, the gondola link) from the Mt Cardrona land to the Cardrona ski area, will result in adverse cumulative effects on landscape and amenity values. The further submission states that

the most appropriate location for transportation links is from the Blackmans Creek land, in accordance with Soho's request for an extension.

- 2.24** I note that the rezoning sought by CARL (although not explicitly mentioned) could also enable development of a gondola.

Landscape

- 2.25** The landscape evidence of Dr Read describes the area of proposed rezoning within an outwash terrace landscape. Her evidence is that although the corridor which CARL seek to be included in the SASZ is integrated with the Mount Cardrona Station Special Zone, the visual effects of development from this location may be significant on development within the special zone, the adjacent Pringles Creek subdivision, and also as seen from the wider Cardrona Valley, Cardrona ski field and snow farm access roads.

- 2.26** Furthermore, Dr Read notes that the operative Mount Cardrona Station Special Zone does not enable development up to the northern extent of the zone, and therefore the possibility of physical works in the identified corridor may in fact be disconnected with built development within the special zone; particularly as seen from elevated locations.

- 2.27** Dr Read is of the view that the area of the rezoning has little ability to absorb development other than the anticipated gondola, and that extending the SASZ would have a moderate adverse effect on the landscape.

Ecology

- 2.28** The ecology evidence of Mr Davis identifies the area of proposed rezoning having a long history of pastoral activity, and is dominated by introduced species. Given the extent of modification and presence of introduced species Mr Davis considers that the rezoning is unlikely to have a detrimental effect on the ecology of the site, and accordingly he does not oppose the proposed rezoning.

Discussion

- 2.29** The rezoning sought by MCSL is identified as being primarily to support the provision of a gondola link between the operative Mount Cardrona Station Special Zone to the SASZ. The specific metes and bounds of the rezoning extent have not been provided by MCSL.
- 2.30** Recognising the extent of the operative Mount Cardrona Station Special Zone and the changes proposed via Plan Change 52, I consider that the location of rezoning proposed by MCSL may be the most logical location for a gondola link in terms of integrating with future land use, infrastructure and built forms. However, this is from a theoretical basis only, and there is no evidence to confirm that a gondola is feasible or commercially viable in this location; nor that it is the most appropriate location for mitigating adverse effects. I note that Soho (FS1329) have opposed this rezoning on the basis that they maintain the most appropriate location for a gondola is through their landholdings.
- 2.31** I note that an existing resource consent (RM070610) provides for a gondola link to Snow Farm Park, providing access to the Waiorau Pisa SASZ. This consent was approved in May 2008 and expires in May 2018. This resource consent has not been given effect to, and while I am not aware of the reasons why, I consider that it would be inappropriate to provide for a second gondola link in this location which may lead to cumulative effects on the landscape. Also, given there are three possible alignments for a gondola suggested or potentially enabled by the rezonings, it is more appropriate that adequate analysis of the alternative route options is undertaken (via an approval process) before such a proposal is pre-empted by a zone entitlement.
- 2.32** Additionally, although MCSL state that the rezoning is primarily for the purpose of a gondola link, the SASZ framework can potentially enable a broader range of activities and effects. The evidence of Dr Read identifies that intensified development in this location, which could include buildings or earthworks, is likely to result in significant adverse effects to the landscape.

2.33 There is sufficient uncertainty surrounding both the future regulation of earthworks, and also the anticipated activities to be provided for within the rezoned area, that I consider that extending the SASZ over this land to be inappropriate, and the notified Rural zone to be more appropriate. This opinion recognises that Passenger Lift Systems have been specifically provided for within the regulatory framework outside of the SASZ, as a restricted discretionary activity.

Conclusion

2.34 Based on the above discussion, my recommendations are that the Panel:

- (a) *Reject* the proposed rezoning of MCSL (407); and
- (b) *Support* the further submission of Soho (FS 1329).

2.35 The reasons for this recommendation include:

- (a) the rural zone framework better provides for the appropriate analysis of non-skiing activities in these areas, including landscape effects, given the uncertainty surrounding the nature and scale of proposed activities;
- (b) Passenger Lift Systems have been specifically provided for within the regulatory framework outside of the SASZ, as a restricted discretionary activity; and
- (c) there are potential cumulative effects associated with an existing approved gondola link to the adjacent Snow Farm, in addition to two other possible gondola alignments suggested by the rezoning submissions.

SOHO SKI AREA LIMITED AND BLACKMANS CREEK NO 1 LP (610) – "SOHO"

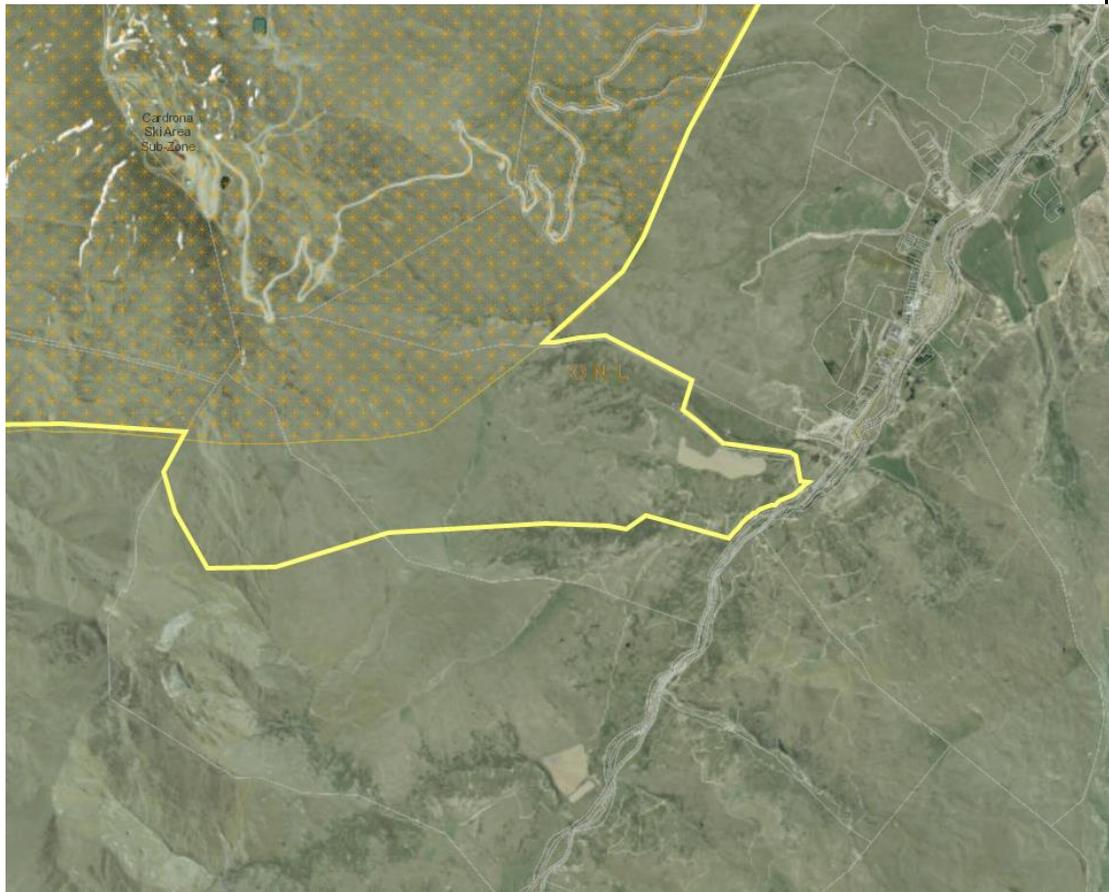
2.36 Soho (610) has sought the land to the south west of the notified SASZ, extending down to the valley floor at Cardrona (on Planning Map 10) be included within the SASZ. Soho (FS1329) have also opposed the proposed zone extension of MCSL (FS1153).

Overall Recommendation	
Recommendation	Reject
Summary	The PDP Rural Zone is more appropriate over the land because the Rural Zone has the most appropriate provisions to manage the wide variety of effects that are possible under the SASZ.

Property and submission information	
Further Submitters	1153 (Mount Cardrona Station Ltd): Oppose 1097 (Queenstown Park Ltd): Support
Land area/request referred to as	n/a
PDP Zone and Mapping annotations	Rural Zone Outstanding Natural Landscape
Zone requested and mapping annotations	Rural Zone (Ski Area Sub Zone)
Supporting technical Information or reports	None provided
Legal Description	SEC 10 SO 459834 - 0.078800 Ha CT- 727253 SEC 11 SO 459834 - 357.318300 Ha CT- 727253 SEC 5 BLK I Knuckle Peak SD SD - 530.947600 Ha CT- 727253 SEC 83 SO 357952 - 0.096800 Ha CT- 727253
Area	Area not provided by submitter. Approximated as 360 ha (measured from QLDC Aerial Photographic Maps contained on the QLDC website).
QLDC Property ID	44880
QLDC Hazard Register	Landslide area (Category 2) Liquefaction Risk Alluvial Fan (inactive)

Summary of Council assessments and recommendations	
QLDC serviced water capacity	Capacity unavailable
QLDC Wastewater capacity	Capacity unavailable
Landscape	Opposed
Indigenous vegetation	Extension over shrubland communities opposed. Remainder not opposed.
Infrastructure	Infrastructure comments have not been obtained due to the ability for Ski Area Activities to operate utilising on-site systems already established. Reticulated infrastructure is not anticipated by Council in alpine environments.
Traffic	Traffic comments have not been obtained due to the uncertainty over the scale and nature of future land use anticipated within the zone and inability to appropriately assess traffic effects.

Aerial Photograph of the site



The image above illustrates the extent of the rezoning sought by Soho (610)

Changes requested

- 2.37** Soho (610) has sought that the SASZ be expanded to the south-west, extending down to Cardrona Valley Road (identified in the image above). Soho's submission identifies that the reason for the rezoning is to "*address a key issue relating to the connection between the SASZ's and the surrounding transportation network*". Although not specifying a potential gondola, Soho seeks that the Sub Zone provide for "*transportation connections to ski areas*", including both land based and passenger lift systems.
- 2.38** The submission also identifies that Soho wishes to expand offerings within the SASZ to include commercial activities and on-mountain visitor and residential accommodation.

- 2.39** The rezoning sought by Soho is supported by QPL (FS1097) and opposed by MCS (1153). MCS (FS1153) opposes the zone extending down to the valley floor and below the normal 'winter snowline'. MCS states that it is logical for a zone extension to be enabled for transportation connections to the SASZ (as sought by MCS, 407), but not to enable 'off-mountain' visitor and residential development. MCS further state this would enable urban scale development in areas not anticipated for urban development.

Landscape

- 2.40** The landscape evidence of Dr Read describes the area of the proposed rezoning as being located within the visual catchments of the Cardrona Valley and, in its upper reaches, the Arrow River Valley and parts of the Wakatipu Basin. Her evidence is that although there are some parts of this area that may have the ability to absorb development, the range of earthworks and activities that could be undertaken in the zone (if supported) could be visible to a new visual catchment, and have a significant adverse effect on the landscape.

Ecology

- 2.41** The ecology evidence of Mr Davis considers the area of proposed rezoning to be representative of a developed agricultural environment. However, defined areas of shrubland communities have been identified within Little Meg Creek and Callaghans Creek. A number of indigenous species were identified in the shrubland communities, including the 'at risk – declining' *Olearia lineata* and these areas provide habitat for the eastern falcon listed as 'at risk-recovering'. Therefore, Mr Davis considers that these defined areas should be excluded from the zone extent. Provided the shrubland communities are excluded, Mr Davis does not oppose the remainder of the proposed rezoning.

Discussion

- 2.42** Soho identifies that the reason for the rezoning is to support transportation connections to ski areas, and to enable the expansion of commercial activities and on-mountain visitor and residential accommodation. Soho's further submission opposing the rezoning of MCSL is on the basis that it will result in adverse cumulative effects on landscape and amenity values and that the most appropriate location for transportation links is from within the Soho proposed rezoning extent.
- 2.43** With regards to provision of a gondola, there is no evidence to confirm that a gondola is feasible or commercially viable in this location. I note that an existing resource consent (RM070610) provides for a gondola link to Snow Farm Park, providing access to the Waiorau Pisa SASZ. This consent was approved in May 2008 and expires in May 2018. This resource consent has not been given effect to, and while I am not aware of the reasons why, I consider that it would be inappropriate to provide for a second gondola link in this location which may lead to cumulative effects on the landscape.
- 2.44** I acknowledge that the submissions of MCSL (610, FS1153), and CARL (610), also seek (or would consequentially allow) provision for a gondola link. The possible cumulative effects of three separate gondolas (in addition to the already approved gondola and base building at Snow Farm) as a controlled activity (via Rule 21.5.28) are significant and such a scenario was not anticipated when this activity status was recommended. From a practical point of view, I accept however that it is very unlikely that three separate gondolas would actually be developed or proposed. However, the range of proposed alignments suggests that there is uncertainty over a feasible and practical alignment, and as such it is not appropriate to pre-empt a route analysis with a zoning entitlement.
- 2.45** Additionally, if one or a number of rezonings were supported, it is not out of the question that smaller scale lift systems could be established to service a more targeted area (such as to support mountain biking).

This scenario could give rise to significant cumulative effects with Council having no ability to decline such proposals.

- 2.46** I am of the view that the range of activities which Soho seeks to be enabled and provided for within this large geographic area, and the possible effects of these, cannot adequately be managed under the SASZ framework. As discussed in my first statement of strategic evidence, it is not known at the time of writing how earthworks will be regulated under the PDP for the SASZ. Although the evidence of Dr Read identifies some limited ability of the zone to absorb development, she also discusses that this area is visible to a wider catchment. Based on the evidence of Dr Read, I consider that specific control would be necessary over earthworks in the SASZ, if the rezoning were to be supported in this location.
- 2.47** This is on the basis that the geographic location of the zone is extensive, and has landscape and ecological values identified which warrant protection from the visual and environmental effects of earthworks. I consider that if a broader range of activities were to be undertaken in the area identified, the notified Rural zone provisions are better able to manage potential adverse effects. The Rural provisions ensure that set limits apply for earthworks, and that any extensive works triggering a discretionary or non-complying activity status remain subject to the landscape assessment matters of Chapter 21.
- 2.48** Furthermore, the Rural Zone provisions adequately provide for the establishment of other activities mentioned by Soho, including Rule 21.4.15 which provides for commercial activities ancillary to commercial recreation as a discretionary activity; and Rule 21.4.20 which provides for visitor accommodation as a discretionary activity. While I accept this is a more restrictive consenting pathway than the more enabling SASZ provisions (permitted, controlled or restricted discretionary), the consenting process will enable a site and development specific assessment of effects, which I consider to be more appropriate for this location.

2.49 Overall, there is sufficient uncertainty surrounding both the future regulation of earthworks, and also the anticipated activities to be provided for within the rezoned area, that I consider rezoning this land as SASZ to be inappropriate, and the notified rural zone to be more appropriate. This opinion recognises that Passenger Lift Systems have been specifically provided for within the regulatory framework outside of the SASZ, as a restricted discretionary activity.

Conclusion

2.50 Based on the above discussion, my recommendations are that the Panel:

- (a) *Reject* the proposed rezoning of Soho (610);
- (b) *Reject* the further submission of Queenstown Park Ltd (FS 1097); and
- (c) *Support* the further submission of MCSL (FS 1153).

2.51 The reasons for this recommendation include:

- (a) the Rural zone framework better provides for the appropriate analysis of non-skiing activities in these areas, including landscape effects, given the uncertainty surrounding the nature and scale of proposed activities;
- (b) Passenger Lift Systems have been specifically provided for within the regulatory framework outside of the SASZ, as a restricted discretionary activity; and
- (c) there are potential cumulative effects associated with an existing approved gondola link to the adjacent Snow Farm, in addition to two other possible gondola alignments suggested by the rezoning submissions.

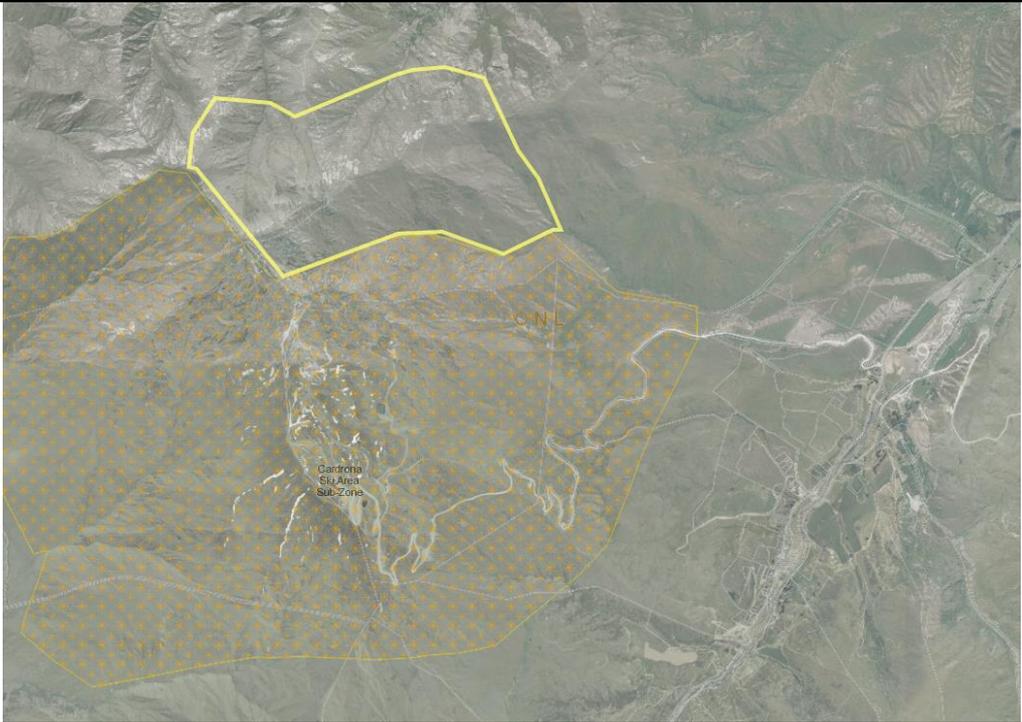
ANDERSON BRANCH CREEK LIMITED (829)

2.52 Anderson Branch Creek Limited (829) represents the leaseholders of the Glencoe Station Pastoral Lease. The submitter has sought that SASZ be expanded beyond the northern slopes of Mount Cardrona, identified on the image below.

Overall Recommendation	
Recommendation	Reject
Summary	The PDP Rural Zone is more appropriate over the land because the Rural Zone has the most appropriate provisions to manage the wide variety of effects that are possible under the SASZ.

Property and submission information	
Further Submitters	None identified
Land area/request referred to as	Mount Cardrona, Glencoe Station Pastoral Lease
PDP Zone and Mapping annotations	Rural Zone Outstanding Natural Landscape
Zone requested and mapping annotations	Rural Zone (Ski Area Sub Zone)
Supporting technical Information or reports	None provided
Legal Description	Section 19 SO 467007 PART SECTION 1 BLOCK III KNUCKLE PEAK SURVEY DISTRICT AND PART SECTION 4 SO 22998 (BALANCE OF LAND EXCL COVENANT) -678
Area	Area not provided by submitter.
QLDC Property ID	37620
QLDC Hazard Register	Landslide Area Liquefaction Risk (possibly susceptible) Alluvial Fans (active)

Summary of Council assessments and recommendations	
QLDC serviced water capacity	Capacity unavailable
QLDC Wastewater capacity	Capacity unavailable
Landscape	Opposed
Indigenous vegetation	Opposed
Infrastructure	Infrastructure comments have not been obtained due to the ability for Ski Area Activities to operate utilising on-site systems already established. Reticulated infrastructure is not anticipated by Council in alpine environments.
Traffic	Traffic comments have not been obtained due to the uncertainty over the scale and nature of future land use anticipated within the zone and inability to appropriately assess traffic effects.

Aerial Photograph of the site

<p>The image above illustrates the extent of the rezoning sought by Anderson Branch Creek Ltd (829)</p>

Changes requested

- 2.53** The submitter seeks that the SASZ be expanded to the north to include "the whole of the upper area of boundary creek". The reasoning provided is that the submitter believes the SASZ was previously larger to the north and north east, and on the basis that skiing activities are to occur in this area then this catchment area should be included within the SASZ.

Landscape

- 2.54** The landscape evidence of Dr Read is that further development on this high alpine ridgeline has the potential to diminish the integrity of the landform. Dr Read opposes the rezoning in this location.

Ecology

- 2.55** The ecology evidence of Mr Davis identifies that this location is a relatively intact and fragile alpine environment which is likely to support a range of indigenous invertebrates, lizards and birds. Based on the ecological values and the sensitivity of the environment, Mr Davis opposes the proposed rezoning of Anderson Branch Creek Ltd.

Conservation values

- 2.56** A portion of the land area sought to be rezoned as SASZ by Anderson Branch Creek Ltd is covered by a 'Mana Whenua (Open Space) Covenant' administered by the QEII Trust (in conjunction with the leaseholder (Soho Properties)). The location of this covenant in relation to the notified SASZ is identified in **Figure 3** below.

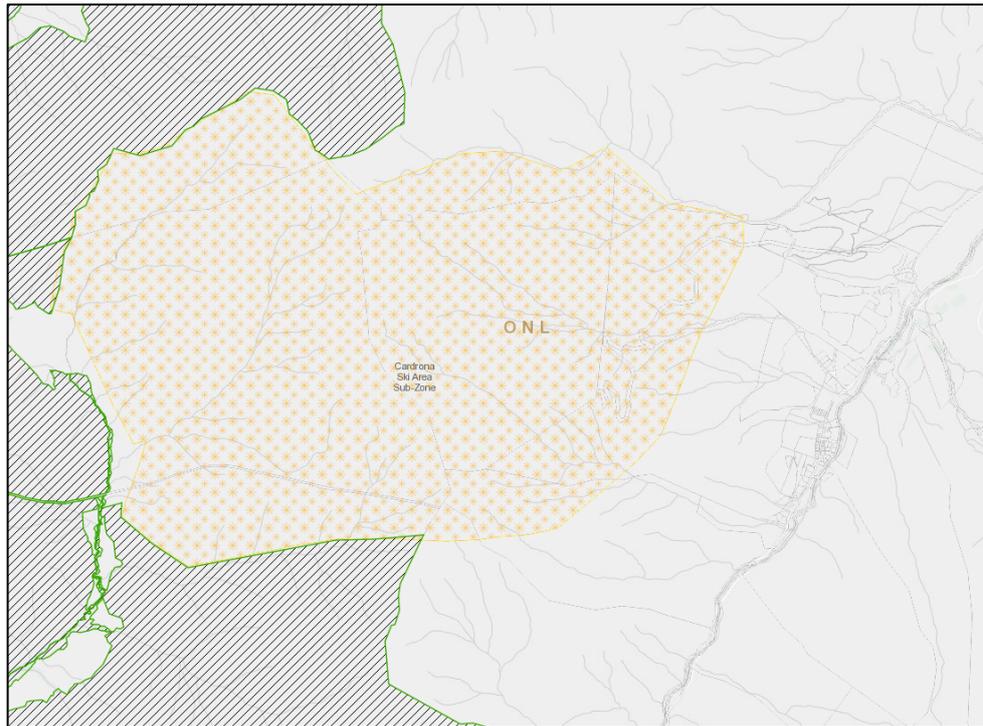


Figure 3: Notified Cardrona SASZ and Mana Whenua (Open Space) Covenant (black diagonal lines)

Discussion

2.57 The submission of Anderson Branch Creek Limited provides limited explanation of the reasoning for this rezoning other than the suggestion that the zone was understood to be previously larger. This submission has not been supported by any ski operators, and nor has any evidence been provided that suggests this location is in fact skied or maintained.

2.58 The areas of proposed rezoning are located within the Branch Creek Station Pastoral Lease, and also on land covered by a QEII Mana Whenua (Open Space Covenant). I understand that for ski operations or development to occur in this location, prior authorisation is required from the Leaseholder (Soho Properties), in addition to a Recreational Permit from LINZ, as well as authorisation from the QEII Trust. While I accept that these matters are, to an extent, legal matters of which the PDP is independent, they do however indicate added layers of protection over this land, and provide uncertainty over its appropriateness to accommodate Ski Area Activities (as permitted activities), passenger lift systems (as controlled activities), in addition

to the possible other commercial recreation activities enabled for by the rules of the sub zone.

- 2.59** On the basis that I understand ski development is not occurring or planned in this location and based on the evidence of Dr Read and Mr Davis regarding the possible sensitivity of this environment to the effects of SAA, I do not support the proposed rezoning.

Conclusion

- 2.60** Based on the above discussion, my recommendation is that the Panel:

- (a) *Reject* the proposed rezoning of Anderson Branch Creek Limited (829).

- 2.61** The reasons for this recommendation are:

- (a) there is insufficient evidence to justify the need to enable SAA or the SASZ framework in this location.

3. TREBLE CONE SKI AREA SUB ZONE – PLANNING MAP 7

- 3.1** **Figure 4** below illustrates the notified extent of the Treble Cone SASZ on planning map 7.



Figure 4: Notified Treble Cone SASZ (extract from Planning Map 7)

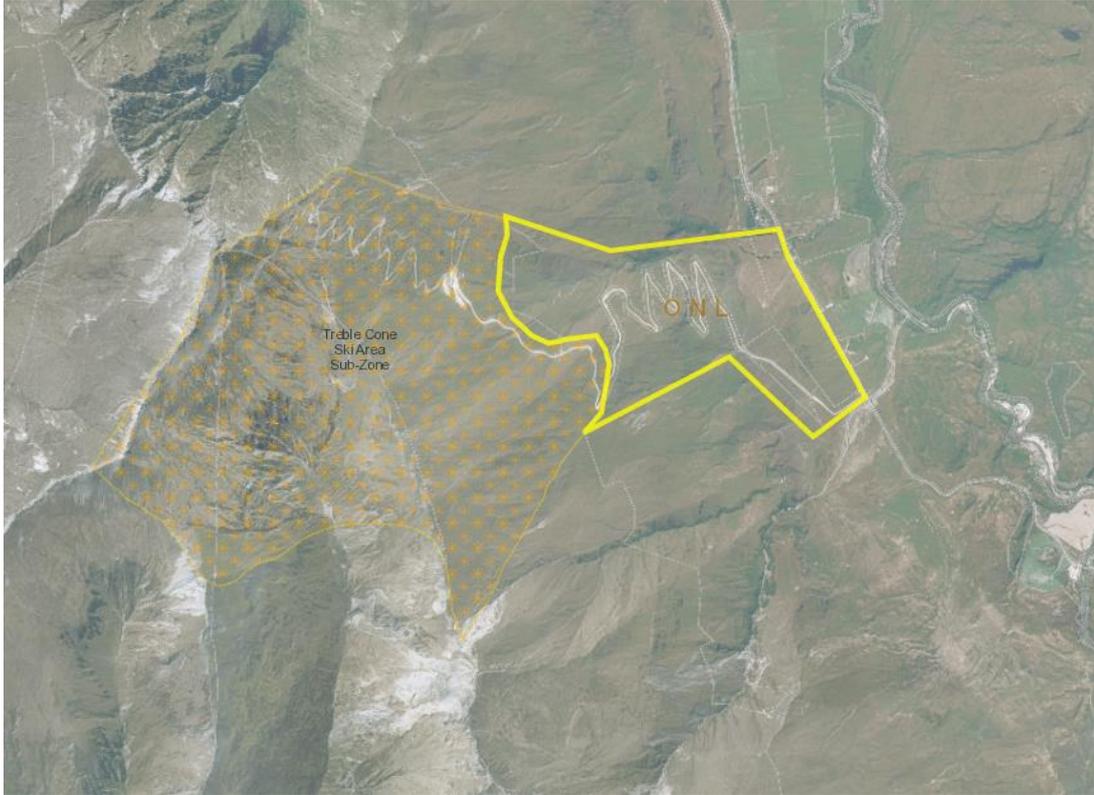
TREBLE CONE INVESTMENTS LTD (613)

3.2 Treble Cone has sought to expand the SASZ from the base of the access road to the notified extent of the SASZ (identified below).

Overall Recommendation	
Recommendation	Reject
Summary	The PDP Rural Zone is more appropriate over the land because the Rural Zone has the most appropriate provisions to manage the wide variety of effects that are possible under the SASZ.

Property and submission information	
Further Submitters	1229 (NZSki): Support
Land area/request referred to as	Land area not provided
PDP Zone and Mapping annotations	Rural Zone Outstanding Natural Landscape
Zone requested and mapping annotations	Rural Zone (Ski Area Sub Zone)
Supporting technical Information or reports	None provided
Legal Description	<p>A legal description has not been provided with the submission, however based on the location identified includes:</p> <ul style="list-style-type: none"> • LOTS 1-4 DP 438304 SECS 1, 3, 5-8, 14, 1 9-23, 25-30 SO 3675 99 PT SEC 1 BLK VI MO TATAPU SD SEC 2, 1561R BLK VI MOTATAP • Section 12 SO 367599 • Section 1 SO 367599 • Section 29 SO 367599
Area	Not provided by submitter
QLDC Property ID	28307
QLDC Hazard Register	Landslide Hazard (Category 2) Liquefaction (possibly susceptible) Alluvial Fan (active)

Summary of Council assessments and recommendations	
QLDC serviced water capacity	Capacity unavailable
QLDC Wastewater capacity	Capacity unavailable
Landscape	Opposed
Indigenous vegetation	Not opposed, provided identified areas of beech forest and shrubland are excluded.
Infrastructure	Infrastructure comments have not been obtained due to the ability for Ski Area Activities to operate utilising on-site systems already established. Reticulated infrastructure is not anticipated by Council in alpine environments.
Traffic	Traffic comments have not been obtained due to the uncertainty over the scale and nature of future land use anticipated within the zone and inability to appropriately assess traffic effects.

Aerial Photograph of the site

<p>The image above illustrates the extent of the rezoning sought, in relation to the area of the notified extent of the Treble Cone SASZ.</p>

Changes requested

- 3.3** TCI (613) seek to extend the SASZ, as illustrated in the image above, to include the land from the beginning of the ski field access road, to the lowest elevation of the notified extent of the SASZ at approximately 1100 masl. The submission of TCI (613) is supported by NZSki (FS1229), however the support stated is primarily identified for the provisions applying to the SASZ (addressed through Stream 2 – Rural) and is unrelated to the rezoning extent.
- 3.4** The reasons stated for the relief sought include the need for the SASZ to provide for infrastructure necessary to access and operate the SASZ, inclusive of vehicle based and passenger lift systems; and to enable the expansion of offerings within the zone to include commercial activities, on-mountain residential and visitor accommodation. TCI seek that the ski field access road is included within the zone.
- 3.5** Anecdotally, I understand that mountain biking activities are also being considered.

Landscape

- 3.6** The evidence of Dr Read describes the location of the rezoning as a combination of valley floor and mountain side landscapes. Dr Read notes the valley floor as modified pasture, whereas the mountainside landscape is steep with indigenous grasses and shrubs with patches of remnant beech in gullies. She considers that the area has high natural character and highly memorable, and that the ski field access road is a prominent scar on the mountainside which detracts from its natural character and aesthetic coherence.
- 3.7** Dr Read is of the opinion that the range of activities and physical works which could be anticipated in the SASZ could have significant adverse effects on the landscape; and that an existing consent for the gondola (discussed below) is better able to mitigate effects than the proposed zoning. As such, Dr Read opposes the proposed rezoning.

Ecology

- 3.8** The evidence of Mr Davis identifies the extent of the rezoning to be highly modified, being subject to extensive pastoral activity including oversewing and top dressing. However, indigenous beech forest and shrubland habitat has been identified in a defined area at the northern area of the proposed rezoning. Mr Davis is of the opinion that this area of beech forest and shrubland should be excluded from the SASZ, but otherwise does not oppose the proposed rezoning.

Existing resource consent RM060587

- 3.9** TCI identifies at section 7 of their submission that part of the reasoning for the zone extension is to provide for transportation connections to the SASZ, including "passenger lift systems". It is relevant to note that TCI holds an existing and valid resource consent specifically for a gondola (RM060587).
- 3.10** Resource consent RM060587 was granted on 4 December 2008, and expires on 4 December 2018. **Figures 5** and **6** below illustrate the approved alignment of the gondola, and this extends through the area of the proposed rezoning.

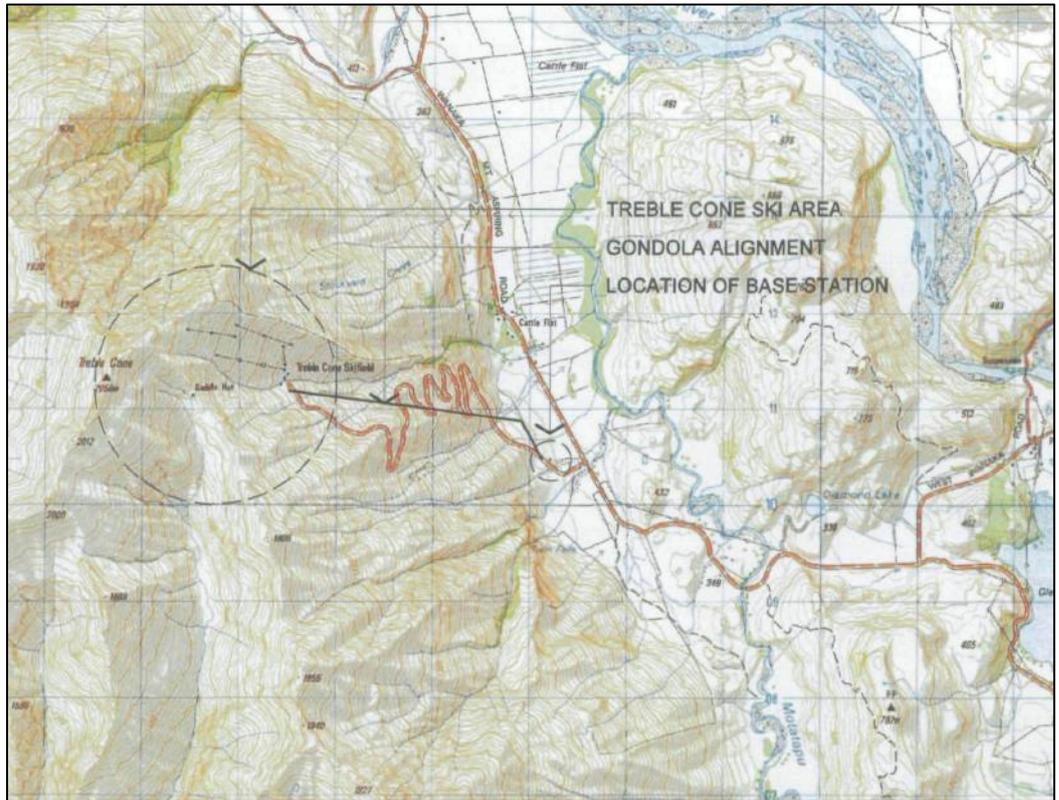


Figure 5: Treble Cone Ski Area Gondola Alignment

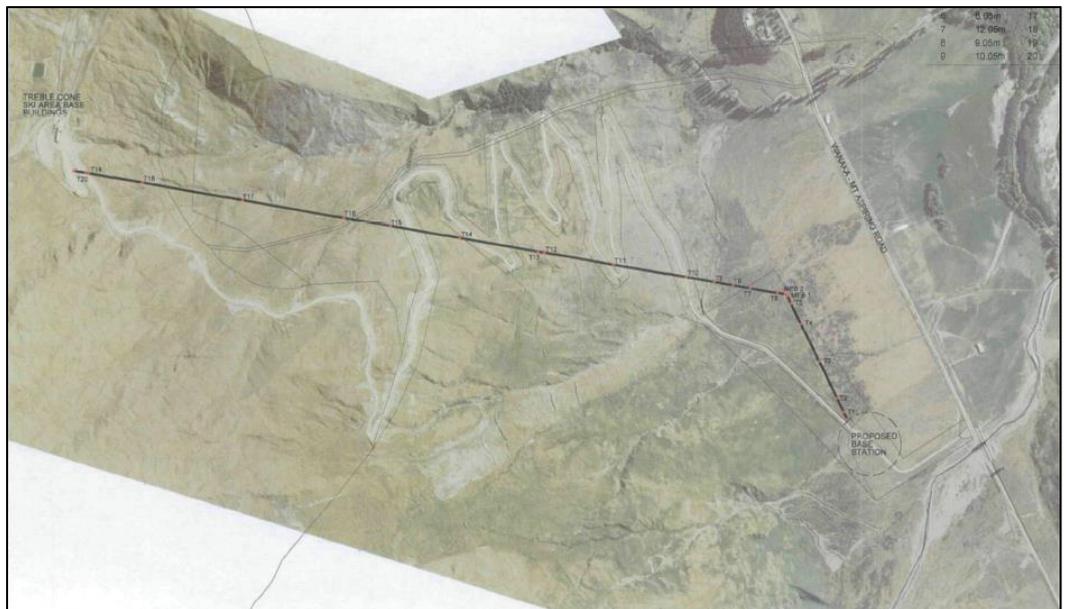


Figure 6: Detailed View of Treble Cone Ski Area Gondola Alignment

3.11 I note that the decision documents identify that through the hearing, the initial proposal was substantially altered for landscape reasons. This included a reduction in an area of 'gravel car park' to an alternative grass car park, and also a significant reduction in the scale

of the base building, change in its location, and the removal of a number of commercial activities from within it.

- 3.12** There is provision under the RMA for this consent to be amended (s127 of the RMA) or extended (s125 of the RMA).

Conservation values

- 3.13** The existing SASZ at Treble Cone is located within the Motatapu Conservation Area and the Treble Cone Access Road is identified as a Conservation Area administered by DoC. Accordingly, activities within this area require authorisation from DoC in accordance with the purpose of the reserve. **Figure 7** shows the location of these Conservation Areas.

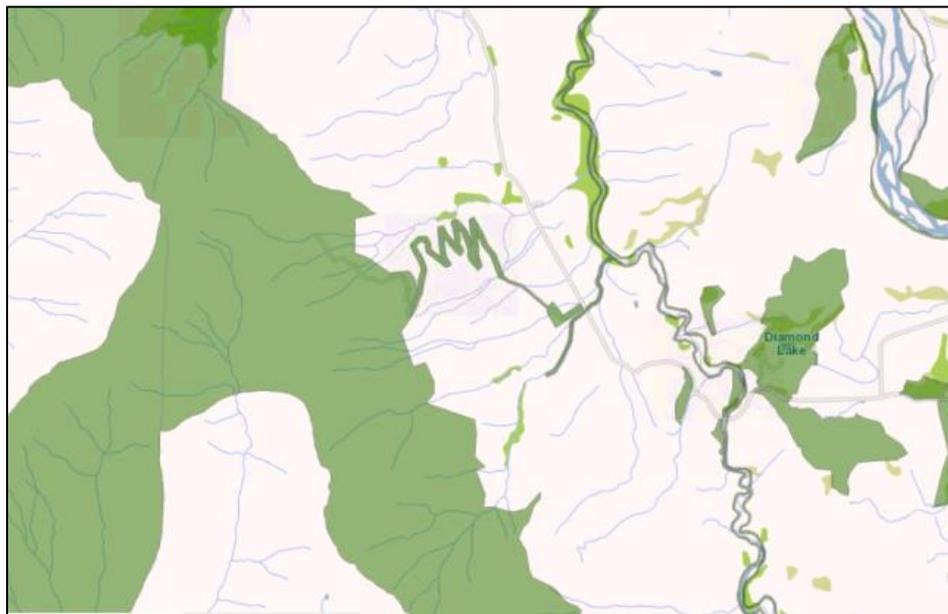


Figure 7: Location of Conservation Areas in the vicinity of the Treble Cone SASZ

- 3.14** The Treble Cone Access Road is identified as a 'Stewardship Area' under s 25 of the Conservation Act 1987, which has the purpose for the land to be managed to protect its natural and historic values.

Discussion

- 3.15** The rezoning sought by TCI is located at elevations below which skiing activity occurs, and therefore the primary purpose of including

the identified area as SASZ is to integrate transportation infrastructure, and expand commercial recreation offerings in this location. The submitter identifies this may include commercial activities, on-mountain residential, and visitor accommodation. However, there is no evidence to suggest that these other activities cannot be provided "on-mountain" within the existing extent of the SASZ, to justify the need for such a large zone extension down to the valley floor.

- 3.16** I note that the recommendations on the hearings on text have specifically provided for "Passenger lift systems", identifying a gondola as a restricted discretionary activity outside of the SASZ (controlled within the SASZ). This is in contrast to the non-complying status for SAA undertaken in the Rural zone generally. Furthermore, a gondola has previously been consented in this location (under the operative rural zone provisions) and this consent has not been given effect to.
- 3.17** The existing resource consent (RM060587) could be extended (s125 of the RMA) or amended (s127 of the RMA) by the request of the applicant, if it is desired to proceed with provision of a gondola in this location. Regardless, the development has not proceeded, particularly during a time of considerable tourism growth and strong confidence. I also consider it would be unjustifiable to provide a zoning entitlement to more explicitly enable this as a controlled activity.
- 3.18** I consider the restricted discretionary status for passenger lift systems (established through the Rural Hearing Stream 2) to be more appropriate in enabling the construction of a gondola, and providing a less stringent consent pathway than the non-complying status which applies for other SAA outside of the SASZ. My opinion is that a controlled activity status, which must be granted, would not be cognisant of the recognised values of this area and the potential effects of this activity on the lower valley floor. I therefore discount the reasoning provided for the rezoning being the need to provide for passenger lift systems.

- 3.19** With regards to landscape, I note that Dr Read considers the area *"has high natural character and is highly memorable"*. Landscape values were considered through the resource consent process for the gondola, and a number of changes were made to the proposal as a result. My view is that this illustrates that the appropriate analysis of landscape effects is via a resource consent process. The result of the SASZ extension proposed by TCI effectively renders the landscape assessment matters not applicable for a range of land uses and built form which could collectively have significant effects on landscape amenity.
- 3.20** There is also sufficient uncertainty around the future regulation of earthworks in the SASZ of the PDP that I consider a precautionary approach is necessary. The existing access road has been previously identified as a 'disturbance corridor' (RM060587) and Dr Read consider it to be 'a scar on the landscape'. The possible effects of enabling earthworks over such an extensive area of the valley floor could be significant, extending from the creation of mountain biking trails, car parking areas, and maintenance of the access road which could include widening or re-sealing. The fact that the existing access road has been identified as a Conservation Area highlights that any future upgrades to this road should be considered in relation to the natural and heritage values of this location. My view is that it would be inappropriate for a zone entitlement to provide for activities along the boundary of the conservation area (such as road widening) which DoC would have no ability to control.
- 3.21** In relation to ecology, I note that Mr Davis does not oppose the proposed extension, provided the area of remnant beech habitat is removed from the proposal.
- 3.22** Overall, recognising the evidence of Dr Read, Mr Davis and Objective 21.1.6 of the Rural zone to consolidate Ski Area Activities within SASZs, I consider the potential effects of a wider scope of activities are better managed by the underlying rural and landscape provisions of the notified zone.

3.23 At this time the rezoning is wide in scope, and I do not have sufficient certainty that adverse effects can be managed, nor information about methods to maintain the quality of the environment and landscape. This opinion recognises that Passenger Lift Systems have been specifically provided for within the regulatory framework outside of the SASZ, as a restricted discretionary activity.

Conclusion

3.24 Based on the above discussion, my recommendation is that the Panel:

- (a) *Reject* the proposed rezoning of the Treble Cone SASZ; and
- (b) *Reject* the further submission of NZSki (FS1229).

3.25 The reasons for this recommendation are:

- (a) the Rural zone framework better provides for the appropriate analysis of non-skiing activities in these areas, including landscape effects, given the uncertainty surrounding the nature and scale of proposed activities;
- (b) Passenger Lift Systems have been specifically provided for within the regulatory framework outside of the SASZ, as a restricted discretionary activity; and
- (c) an existing and valid resource consent (RM060587) exists for the establishment of a gondola in this location and could be extended or given effect to.

4. REMARKABLES SKI AREA SUB ZONE

4.1 **Figure 8** below illustrates the notified extent of the Remarkables SASZ and access road on planning map 13.

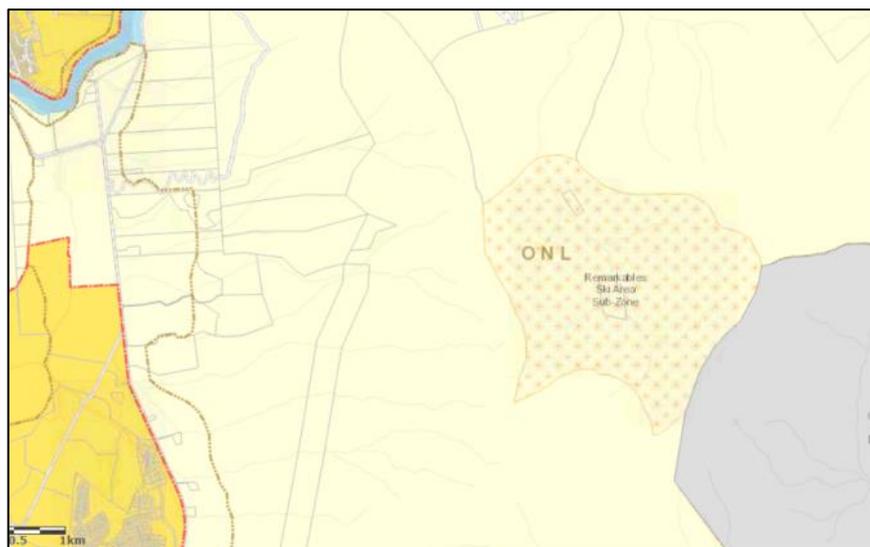


Figure 8: Location of Remarkables SASZ and access road (extract from Planning Map 13)

NZSKI LIMITED (572)

4.2 NZSki has sought the rezoning of two areas of land (located on Planning Map 13), to be included within the SASZ. As these locations are in different locations, I address each individually.

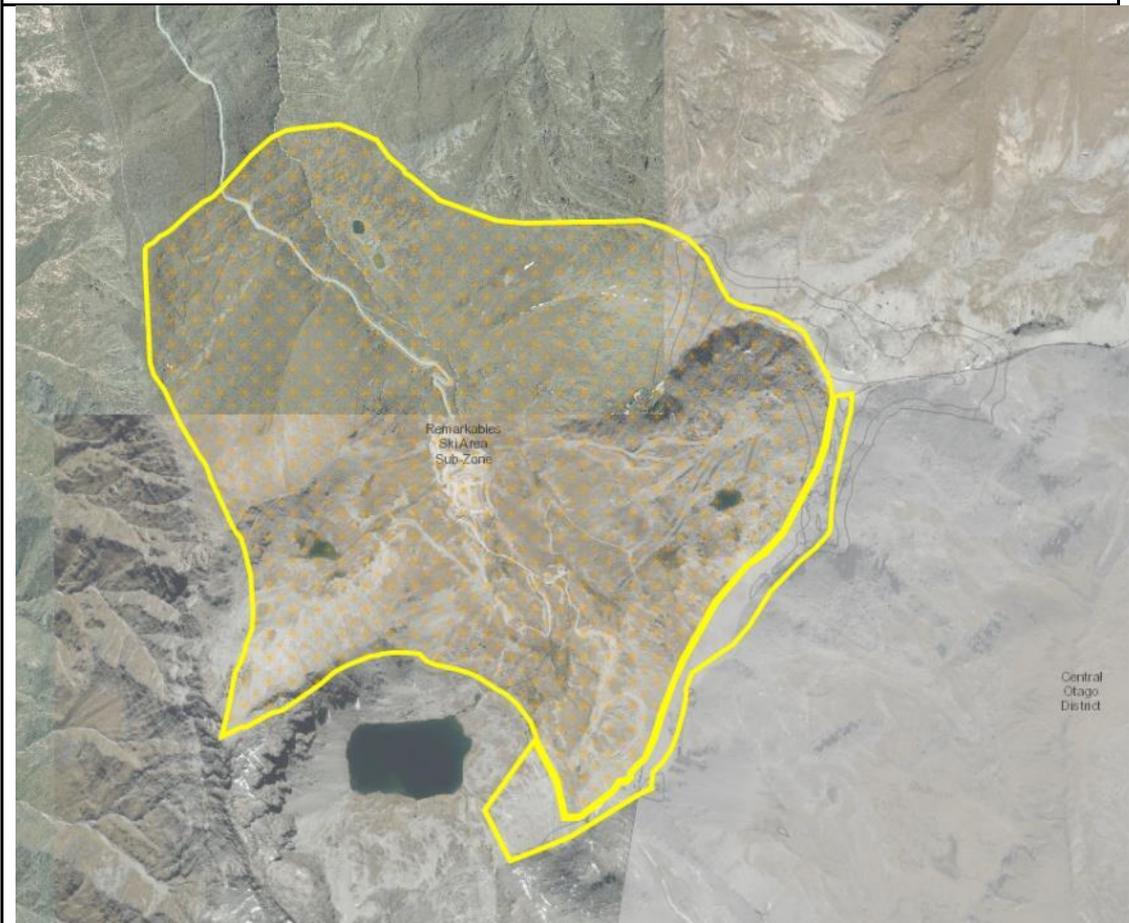
Area 1: Remarkables Ski Area Extension

Overall Recommendation	
Recommendation	Reject
Summary	The PDP Rural Zone is more appropriate over the land because the Rural Zone has the most appropriate provisions to manage the wide variety of effects that are possible under the SASZ.

Property and submission information	
Further Submitters	Supported by QPL FS1097, Opposed by Ian Dee FS1081, Opposition/support not stated - Grant Hensman and others FS1337
Land area/request referred to as	'Remarkables Ski Area Extension'
Notified PDP Zone and Mapping annotations	Rural Zone Outstanding Natural Landscape
Zone requested and mapping annotations	Rural Zone (Ski Area Sub Zone)
Supporting technical Information or reports	None
Legal Description	Fee Simple, 1/1, Section 1-6 Survey Office Plan 24738 Section 10 Block V Coneburn SD
Landowner	Her Majesty the Queen
Area	Area not provided by submitter, but Dr Lloyd has estimated the area as 29.67ha
QLDC Property ID	2863 12285
QLDC Hazard Register	None identified

Summary of Council assessments and recommendations	
QLDC serviced water capacity	Capacity unavailable
QLDC Wastewater capacity	Capacity unavailable
Landscape	Opposed
Indigenous vegetation	Not opposed (Remarkables)
Infrastructure	Infrastructure comments have not been obtained due to the ability for Ski Area Activities to operate utilising on-site systems already established. Reticulated infrastructure is not anticipated by Council in alpine environments.
Traffic	Traffic comments have not been obtained due to the uncertainty over the scale and nature of future land use anticipated within the zone and inability to appropriately assess traffic effects.

Aerial Photograph of the site



Area 1: Remarkables Ski Area Extension

Changes requested

- 4.3** NZSki seek an extension to the SASZ at the upper eastern margin of the SASZ (on Planning Map 13). This area of land is located between the existing and notified SASZ and the territorial boundary of Central Otago District, bordering the Department of Conservation Rastus Burn Recreation Reserve, and within the Remarkables Conservation Area.
- 4.4** The submission (at section 4) identifies that minor expansions are sought to accommodate areas presently used for ski area activities, and to provide for future development opportunities. In particular, NZSki has identified a desire to expand into 'the Doolan's' catchment (located within CODC district) which is likely to necessitate the provision of a future lift across the ridge line that separates the Doolan's catchment from the Rastus Burn Recreation Reserve.

- 4.5** The submission states that although these locations are outside of the current SASZ extent, skiers presently access these areas on their own accord, and NZSki currently undertakes avalanche control within these areas. Accordingly, another reason provided by NZSki for the rezoning is to formalise these safety management activities as permitted activities, and to undertake grooming of these slopes.
- 4.6** The rezoning sought by NZSki is supported by QPL (FS1097), and Grant Hensman and others (FS1337), and opposed by Ian Dee (FS1081). The further submission of Grant Hensman and others (FS1337) is however primarily associated with the creation of 'Sub-Zone B' discussed below as 'Area 2'. Ian Dee (FS1081) opposes the rezoning on the basis that it is a valued recreational landscape and physical works in this area could lead to the erosion of its "pristine beauty".

Landscape

- 4.7** The evidence of Dr Read describes the location of the rezoning as being within proximity of two distinct alpine cirques, the southern extent of which contains Lake Alta.
- 4.8** Dr Read considers landscape to be compromised to a degree in the lower reaches of the rezoning area, however the walls of the two cirques and their joining wall are pristine in the higher reaches. She notes that the Lake Alta Cirque has significant scenic and recreational value and this area is highly accessible to the public. The Wye Creek catchment is located to the south-east of the rezoning area and is noted by Dr Read as being a "near pristine alpine wilderness landscape". Although located outside of the rezoning area, Dr Read considers that SAA and physical works within the proposed extension may result in adverse landscape effects as viewed from this location. These findings align with the further submission of Ian Dee (FS 1081) who opposes the proposed rezoning.
- 4.9** Overall, Dr Read considers that the extension of the SASZ in the location identified has the potential to result in significant adverse and

cumulative effects on the memorability and quality of the landscape. For these reasons Dr Read opposes the zone extension in this 'Area 1'.

Ecology

4.10 A description of the indigenous vegetation and biodiversity values of the proposed rezoning areas is outlined in the evidence of Dr Lloyd. The location is generally described as eroding rock tors, boulderfield and scree habitats. The species identified are noted to be typical of high alpine habitats, and none are classified as Threatened or At Risk¹. Dr Lloyd's evidence is that sparse vegetation was identified in 'stable' slopes within the area.

4.11 Dr Lloyd does not oppose the proposed extension, recognising that any clearance of indigenous vegetation would be adequately addressed either by the PDP rules (Rule 33.5.10 which identifies the clearance of indigenous vegetation above 1070masl as a discretionary activity); or via appropriate assessment by DoC due to being located within conservation land. Dr Lloyd considers that given the very sparsely-vegetated boulder field and scree, there should be scope to avoid effects on the more vegetated habitats through these assessment processes.

Conservation values

4.12 The existing Remarkables Ski Field lies within the Rastus Burn Recreation Reserve, and adjoining land is located within the Remarkables Conservation Area administered by DoC. **Figure 9** below illustrates the boundaries of the two areas.

¹ de Lange P., Rolfe J., Champion P., Courtney S., Heenan P., Barkla J., Cameron E., Norton D. and Hitchmough R. 2013: Conservation status of New Zealand indigenous vascular plants, 2012. New Zealand Threat Classification Series 3. Department of Conservation, Wellington. 70 pp.



Figure 9: Rastus Burn Recreation Reserve (blue) and the Remarkables Conservation area (green)

- 4.13** The regulatory framework for the management of Recreation and Conservation Areas is set out within the 'Department of Conservation Otago Conservation Management Strategy 2016', outlined below.

Department of Conservation Otago Conservation Management Strategy 2016

- 4.14** The submission of NZSki noted that expansion of SAA into 'The Doolans' "has been anticipated" within the Department of Conservation 'Proposed Otago Conservation Management Strategy 2014-2014'. I note that since the date of the submission this strategy has now been finalised as the 'Otago Conservation Management Strategy 2016'.

- 4.15** The objectives, outcomes, policies and glossary of the CMS are relevant in assessing activities undertaken within conservation land. The Council must also have regard to the CMS when preparing or changing the District Plan.² The location of the proposed rezoning is within the 'Remarkables Hector' location of the CMS, and is described as having the following values (page 67):

² Section 74(2)(b)(i) of the RMA.

"The outstanding natural landscapes and ecological values of The Remarkables and Tāpuae-o-Uenuku/Hector Mountains are intact and enjoyed by more people.... A range of recreational experiences is available in The Remarkables-Hector area ranging from largely unmodified environments where a sense of solitude and remoteness can be found in a largely unmodified environment (Wye Creek valley), to The Remarkables busy ski field.

The unmodified natural character of the upper Wye Creek valley (including its alpine tarns and basins) remains free of built structures and developments. It is easily accessible by walking and people enjoy the natural quiet and the indigenous ecosystems and landscapes".

- 4.16** Of relevance to the rezoning proposal are the following policies of the CMS identified for the 'Remarkables-Hector', and specific to commercial ski fields.

2.3.20 Should not allow new permanent utilities, structures or facilities (both recreational and commercial) in the upper Wye Creek valley to protect the unmodified and high natural character of this valley.

2.3.22 May allow further development and/or expansion of The Remarkables ski field (with the exception of the upper Wye Creek valley) in accordance with Policies 3.25.1–3.25.6 in Part Three, provided that adverse effects (including cumulative effects) are avoided, remedied or mitigated on the following values:

- a) the outstanding natural landscapes and ecological values of The Remarkables and the Tāpuae-o-Uenuku/Hector Mountains;*
- b) the landscape and ecological (including water quantity and quality) values of the priority ecosystem unit at Lake Alta;*
- c) the recreational experiences of other users; and*
- d) the ability of users to access the area year round.*

3.25.1 May allow further development of existing authorised ski fields, where their natural values are already modified, in preference to the development of new ski fields.

3.25.2 Should in considering the development of new and existing authorised ski fields apply a precautionary approach to the approval of new structures, accommodation facilities and terrain modification and consider both the likely effects of water use (for snow-making), the likely longevity of the field in the face of climate change, and any appropriate land remediation and facility removal costs should the ski field cease to operate.

- 4.17** I consider these policies highlight first, that the area outside of the SASZ retains significant conservation values as a relatively unmodified environment, second, a preference that future development of the Remarkables ski field is undertaken within the current extent of the ski field; and finally that any new activities apply a precautionary approach for possible adverse effects.

Discussion

- 4.18** First I discuss the rationale provided by NZSki for the rezoning to formalise these safety management activities as permitted activities.

- 4.19** As discussed in my first statement of strategic evidence, I do not consider safety management activities (such as avalanche control) to be an activity that is regulated by the PDP, nor one that requires a particular zone to enable it. These activities presently occur in these locations without consent obligation under the ODP, and this would not be different under the PDP. On a related note is the desired exclusion of snow grooming activities from consenting requirements. This matter is discussed in the s42A report of Mr Craig Barr for the Rural Hearing Stream **[CB41]**, in which he identified at paragraph 14.50 that snow grooming activities are not known to currently trigger consenting requirements under the ODP, nor would this be the case under the PDP.

- 4.20** The exception to this would of course be if these activities were deemed to affect the land surface beneath the snow cover to such an extent that earthworks provisions are triggered. Therefore, I appreciate the need for avalanche control (and snow grooming) to

occur in these locations where known skiing activity occurs, particularly as access to these areas is obtained from NZSki's formal ski field operations and lifts. However, my view is that the underlying zoning has no relationship to these activities as they are not activities requiring consent under the ODP or PDP.

- 4.21** The practical effect of the proposed extension of the SASZ (if it were to be supported) would be a less restrictive consenting route applying to the extended areas, and rendering the landscape assessment matters of Chapter 21 not applicable to "SAA" (as defined).
- 4.22** While I do not assess the feasibility of construction of other physical works in this location, I note that the scope of the purpose of the SASZ was broadened through the rural hearing stream to recognise the SASZ as providing 'year round' facilities, and as such there is also the possibility that other commercial recreation activities could be enabled in this location, were the SASZ extended. I also consider that the zone purpose was broadened in isolation to consideration of the effects of expanding the geographic extent of the zone.
- 4.23** I accept that there are possible economic benefits of expanding the SASZ and that promoting economic development and tourism is one of the objectives within Chapter 3 (Strategic Direction). Of the four SASZs subject to rezoning requests, I consider that the submission and rezonings proposed by NZSki are potentially the most consistent with the intended purpose of the zone, being primarily to accommodate skiing and ancillary activities. Further the proposed zone extensions are situated at an elevation where skiing can feasibly occur. There is however the *potential* under the SASZ for additional physical works to be undertaken (eg. earthworks, with associated erosion and sedimentation; passenger lift systems; road access), with a limited scope of matters which can be considered through the assessment. I note that NZSki have identified the need for a future lift within this area in order to provide access to 'The Doolans'.
- 4.24** Applying the SASZ over this location would enable construction of passenger lift systems as a Controlled activity within the SASZ, which

are otherwise restricted discretionary outside of the sub zone according to Rule 21.4.19.

- 4.25** From an ecological perspective, the evidence of Dr Lloyd does not identify any particular ecological values of significance that could not be managed via the available authorisation processes under either the PDP or from DoC. However, from a landscape perspective, the rezoning is opposed by Dr Read on the basis that it *"could give rise to structures and buildings on the ridgeline which would significantly detract from the visual amenity provided by this landscape. Further, it would potentially allow for earthworks on the more gentle slopes, particularly within the Lake Alta cirque, which would have a significant and adverse effect on the visual amenity provided by this landscape feature"*. This aligns with the further submission of Ian Dee (FS 1081) who opposes the rezoning on the basis of possible adverse effects on the 'pristine beauty' of this location.
- 4.26** I consider that the landscape and conservation values noted by Dr Read are also of significance under the CMS 2016, where the policies highlight the need for a precautionary approach to the assessment of future works. The potential exacerbation of earthworks associated with lift construction and trail formation should be subject to appropriate analysis to ensure there are no adverse effects on the water quality of Lake Alta. I acknowledge any development could not occur without the approval of DoC, and it could be argued that the PDP should then be as enabling as possible. However, at this time the rezoning is wide in scope, and I do not have sufficient certainty that adverse effects can be managed, nor information about methods to maintain the quality of the environment and landscape.
- 4.27** I consider the restricted discretionary status for passenger lift systems (established through the Rural hearing stream 2 for the Rural Zone) to be more appropriate in enabling the construction of a chairlift, and providing a less stringent consent pathway than the non-complying status which applies for other SAA outside of the SASZ. My opinion is that a controlled activity status within the SASZ, which must be granted, would not be cognisant of the recognised values of this area and the potential effects of this activity.

4.28 Overall, recognising the evidence of Dr Read, Dr Lloyd and Objective 21.1.6 of the Rural zone to consolidate Ski Area Activities within SASZs, I consider the potential effects of a wider scope of activities are better managed by the underlying rural and landscape provisions of the notified zone. This is on the basis that I understand 'pure skiing', and ancillary activities including snow grooming and avalanche control, can continue to occur in these locations without consent obligation and irrespective of the underlying zoning. This opinion also recognises that Passenger Lift Systems have been specifically provided for within the regulatory framework outside of the SASZ, as a restricted discretionary activity. This assessment process will enable comprehensive consideration of the potential expansion of SAA into 'the Doolans', associated physical infrastructure and possible adverse effects on the surrounding Lake Alta Catchment.

Conclusion

4.29 Based on the above discussion, my recommendation is that the Panel:

- (a) *Reject* the proposed rezoning of Remarkables Ski Area;
- (b) *Reject* the further submission of Grant Hensman and others FS1337;
- (c) *Reject* the further submission of QPL (FS 1097); and
- (d) *Support* the further submission of Ian Dee (FS1081).

4.30 The reasons for this recommendation include:

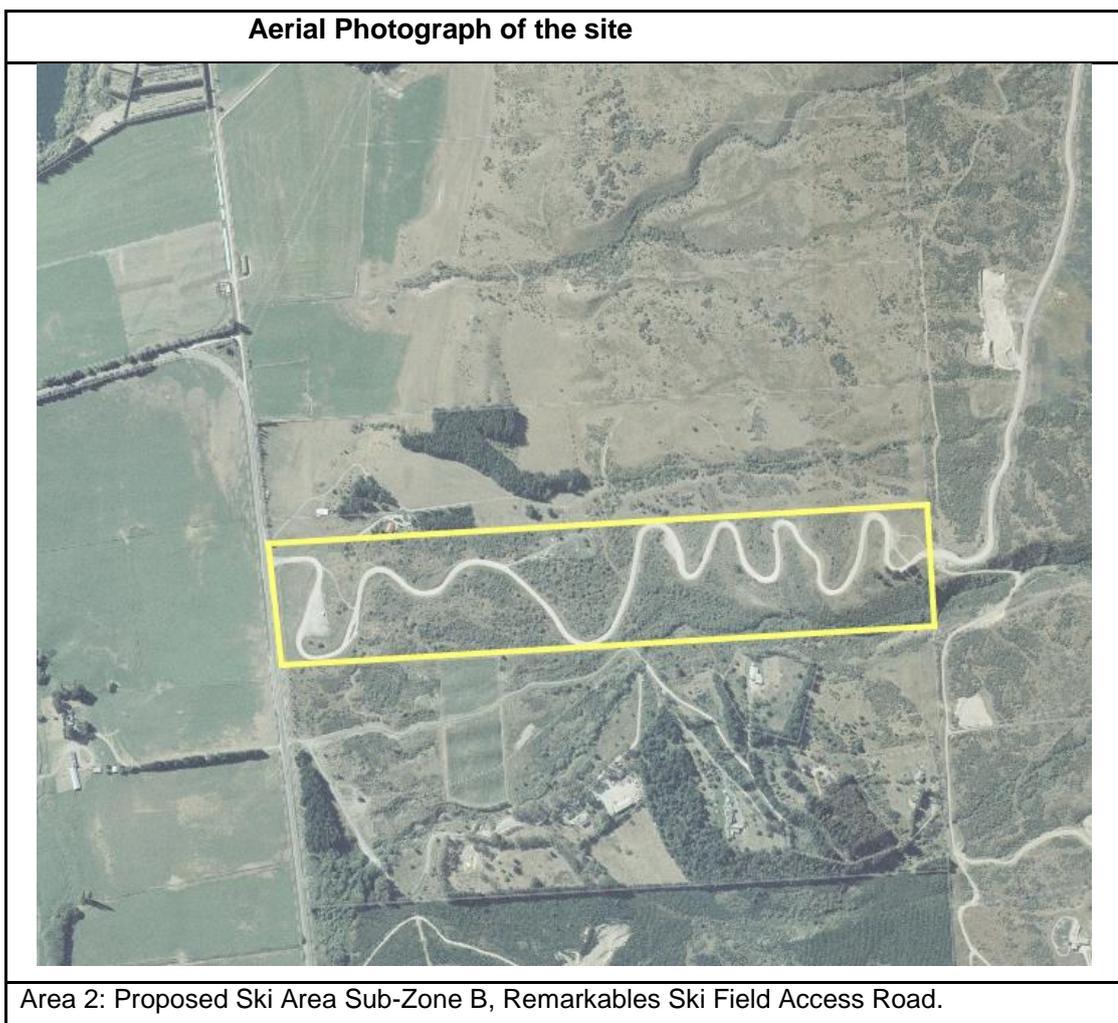
- (a) safety operations (avalanche control) and snow grooming can continue to be undertaken in the Remarkables Ski Area (Area 1) under the Rural zone provisions without consent obligations from QLDC;
- (b) skiing can continue to occur in the Remarkables Ski Area (Area 1) with the necessary authorisations from DoC; and
- (c) Passenger Lift Systems have been specifically provided for within the regulatory framework outside of the SASZ, as a restricted discretionary activity.

Area 2: Proposed 'Ski Area Sub Zone B'

Overall Recommendation	
Recommendation	Reject
Summary	The PDP Rural Zone is more appropriate over the land because the Rural Zone has the most appropriate provisions to manage the wide variety of effects that are possible under the SASZ.

Property and submission information – Proposed 'Sub Zone B'	
Further Submitters	Supported by QPL FS1097, Opposed by Ian Dee FS1081, Opposition/support not stated - Grant Hensman and others FS1337
Land area/request referred to as	'Proposed Sub-Zone B'
Notified PDP Zone and Mapping annotations	Rural Zone Outstanding Natural Landscape/ Rural Landscape
Zone requested and mapping annotations	Rural Zone (Ski Area Sub Zone)
Supporting technical Information or reports	None
Legal Description	Lot 2 DP 17411
Landowner	Southern Alpine Recreation Ltd
Area	21.6 ha (based on the land area of Lot 2 DP 17411 obtained from QLDC's online mapping program).
QLDC Property ID	8808
QLDC Hazard Register	Liquefaction (Low Risk) Liquefaction (Moderate Risk) Alluvial Fan (Regional Scale)

Summary of Council assessments and recommendations	
QLDC serviced water capacity	Capacity unavailable
QLDC Wastewater capacity	Capacity unavailable
Landscape	Opposed
Indigenous vegetation	Not opposed (Proposed Sub-zone B)
Infrastructure	Infrastructure comments have not been obtained due to the uncertainty over the scale and nature of future land use anticipated within the zone and inability to appropriately assess effects.
Traffic	Traffic comments have not been obtained due to the uncertainty over the scale and nature of future land use anticipated within the zone and inability to appropriately assess traffic effects.



Changes requested

- 4.31** NZSki seek the establishment of SASZ over an area of approximately 21.6 ha located at the base of the Remarkables Ski Field access road on the eastern side of State Highway 6. This area is referred to in the submission as 'Ski Area Sub-zone B', and is situated at elevations of 500m and below at the base of the Remarkables.
- 4.32** The submission identifies that the zone would *"provide for the establishment of buildings, parking, storage, entranceway signage, commercial activities and accommodation ancillary to the continued operation of the Remarkables Ski Area"*. A set of provisions to apply to this new sub zone area is included within Attachment C to NZSki's submission.
- 4.33** The further submission of Grant Hylton Hensmen and others (572), although support is not stated, seeks that the 'Ski Area Sub-Zone B' is added to the District Plan.

Landscape

- 4.34** The evidence of Dr Read discusses that this location at the base of the ski-field forms a part of the wider foreground of the western face of the Remarkables Range, and is important to the visual coherence of those views. Although acknowledging the site itself has areas of lower landscape value when viewed in isolation, she however considers that this area has an important relationship to the visual coherence of the wider ONL landscape of the Remarkables Range. Dr Read opposes the proposed 'sub-zone B' rezoning.
- 4.35** I agree with these views, and I note that the eastern side of the state highway is relatively devoid of built development, with the exception of development that has been discreetly located so as not to be visible from the state highway.

Ecology

- 4.36** A description of the indigenous vegetation and biodiversity values of the proposed rezoning areas is outlined in the evidence of Dr Lloyd. Dr Lloyd identifies that the area comprises a former sparse shrubland that has been extensively invaded by exotic trees and shrubs, including seedlings of wilding conifer species and numerous exotic grass and herb species. His evidence is that the ecological value of the site is low, and on this basis Dr Lloyd does not oppose the rezoning of 'sub-zone B'.

Discussion

- 4.37** Acknowledging that the landscape evidence of Dr Read suggests some ability of this site to accommodate development, and that the rezoning is not opposed by Dr Lloyd from an ecology perspective, my view is that the consideration of this proposal comes down to what the most appropriate planning mechanism is to manage possible effects of built form and a range of land uses in this location.
- 4.38** The submission, in addition to the suggested provisions included within Attachment C, identify that this zone would accommodate uses *"that directly support and are necessary for the continued operation and management of the Remarkables Ski Area"* (NZSki's proposed Policy 21.2.6.5). While the intention (suggested in the provisions provided by NZSki) is that activities within the sub zone are only those ancillary to activities of the Remarkables Ski Area, I consider that in practice, it may be difficult to ensure over time that uses locating in the zone are in fact "ancillary to the operation of the Remarkables Ski Area". The zone provisions also suggest a wide range of potentially conflicting uses in the zone, from industrial, to commercial, visitor accommodation and workers accommodation.
- 4.39** The NZSki provisions provided (at proposed Table 11) do not clearly specify whether they are intended as an activity table, a standards table (or both). However, I interpret that the construction of buildings are identified as a restricted discretionary activity and commercial activities are identified as controlled. The proposed provisions also indicate that built form would be concentrated at the lower slopes

below 1300masl. However, I note that the entire subzone area identified by NZSki in the submission (and addressed in the scope of this evidence) is located below 500masl.

4.40 The result of the ski area "sub zone B" activity status framework proposed by NZSki, utilising controlled or restricted discretionary status' for the majority of listed activities, would effectively render the landscape assessment matters of Chapter 6 not applicable in this location, which could collectively have significant effects on landscape amenity (although I note that the objectives and policies of Chapter 6 would still apply where landscape is listed as a matter of control or discretion). I concur with the evidence of Dr Read in which she considers that this location forms part of the wider appreciation of the Remarkables landscape. A concentration of built form here, although site specific, may result in reduced appreciation of the wider landscape, which I consider is currently relatively devoid of visible built form. The provisions provided by NZSki do recognise the need to maintain landscape character and visual amenity, however there does not appear to be limitation on scale or density, other than a maximum building footprint of 300m². Furthermore, there is limited consideration to urban design.

4.41 I do however support, in principle, the concept of these activities that support the operation of the ski field, to be located in proximity to it. However, my view is that this location would not be well integrated with current developments occurring on the western side of the state highway within Jacks Point and Hanley Downs. The proposed location would be isolated from these developments and may set a precedent for further deterioration of the landscape value and amenity of the base of the Remarkables. Furthermore, I note that Jacks Point and Hanley Downs would also provide zoned capacity for commercial and business activities.

4.42 I also note that an industrial zone has also been proposed in close proximity to this 'ski area sub-zone B' and the two land use frameworks may not be appropriate in close proximity due to possible reverse sensitivity effects.

- 4.43** Lastly, I consider that the zone framework proposed by NZSki, being effectively a sub-zone within a subzone, would add to the complexity and length of the PDP and cannot administer an adequate level of assessment of effects. The need for bespoke provisions such as those identified in Attachment C of the NZSki submission, illustrate that the relief sought conflicts to a degree with the purpose and provisions of the SASZ, and as such my view is that another consenting process is more appropriate than a zone overlay.

Conclusion

- 4.44** Based on the above discussion, my recommendations are that the Panel:

- (a) *Reject* the proposed rezoning of 'Sub Zone B' by NZSki (572);
- (b) *Reject* the further submission of Grant Hensman and others FS1337;
- (c) *Reject* the further submission of QPL (FS1097); and
- (d) *Support* the further submission of Ian Dee (FS1081).

- 4.45** The reasons for this recommendation include:

- (a) the Rural zone framework better provides for the appropriate analysis of non-skiing activities in these areas, including landscape effects, given the uncertainty surrounding the nature and scale of proposed activities;
- (b) accommodating the rezoning of 'sub-zone B' would likely result in the need for detailed, site specific and bespoke provisions for which the Council's SASZ framework does not provide; and
- (c) the provisions provided for 'sub-zone B', while recognising landscape as a matter of control, do not contain sufficient detail to enable adequate assessment of applications or clarity around built form outcomes; particularly given the range of land uses which could occur from 'storage' to 'accommodation' and 'commercial activities'.

5. CORONET PEAK SKI AREA SUB ZONE

5.1 **Figure 10** below illustrates the notified extent of the Coronet Peak SASZ on planning map 10.

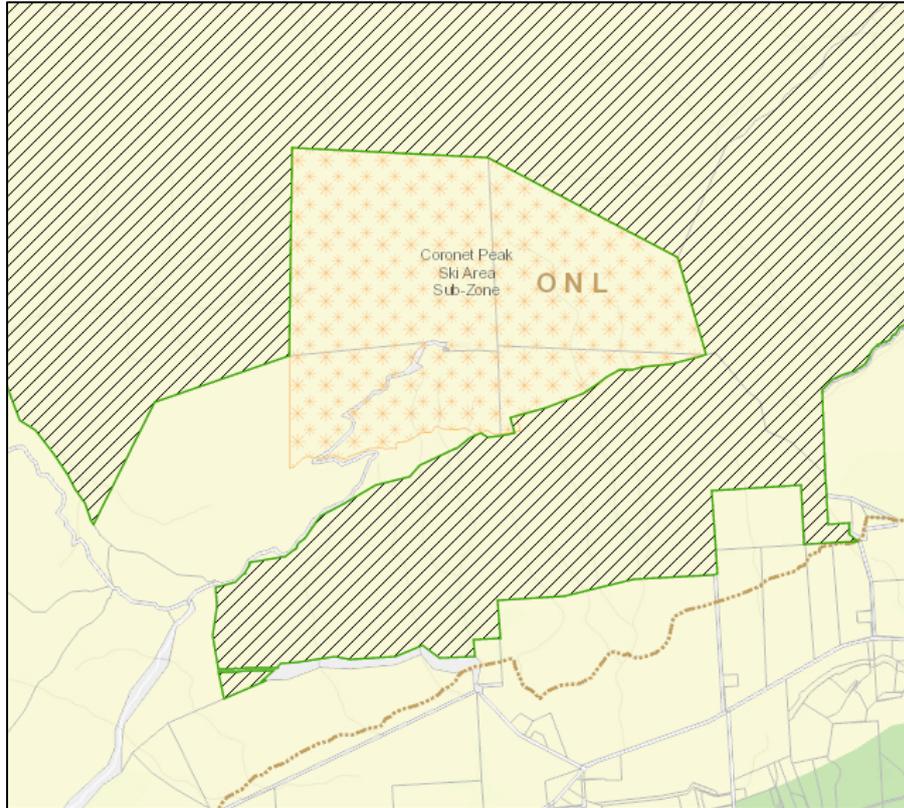


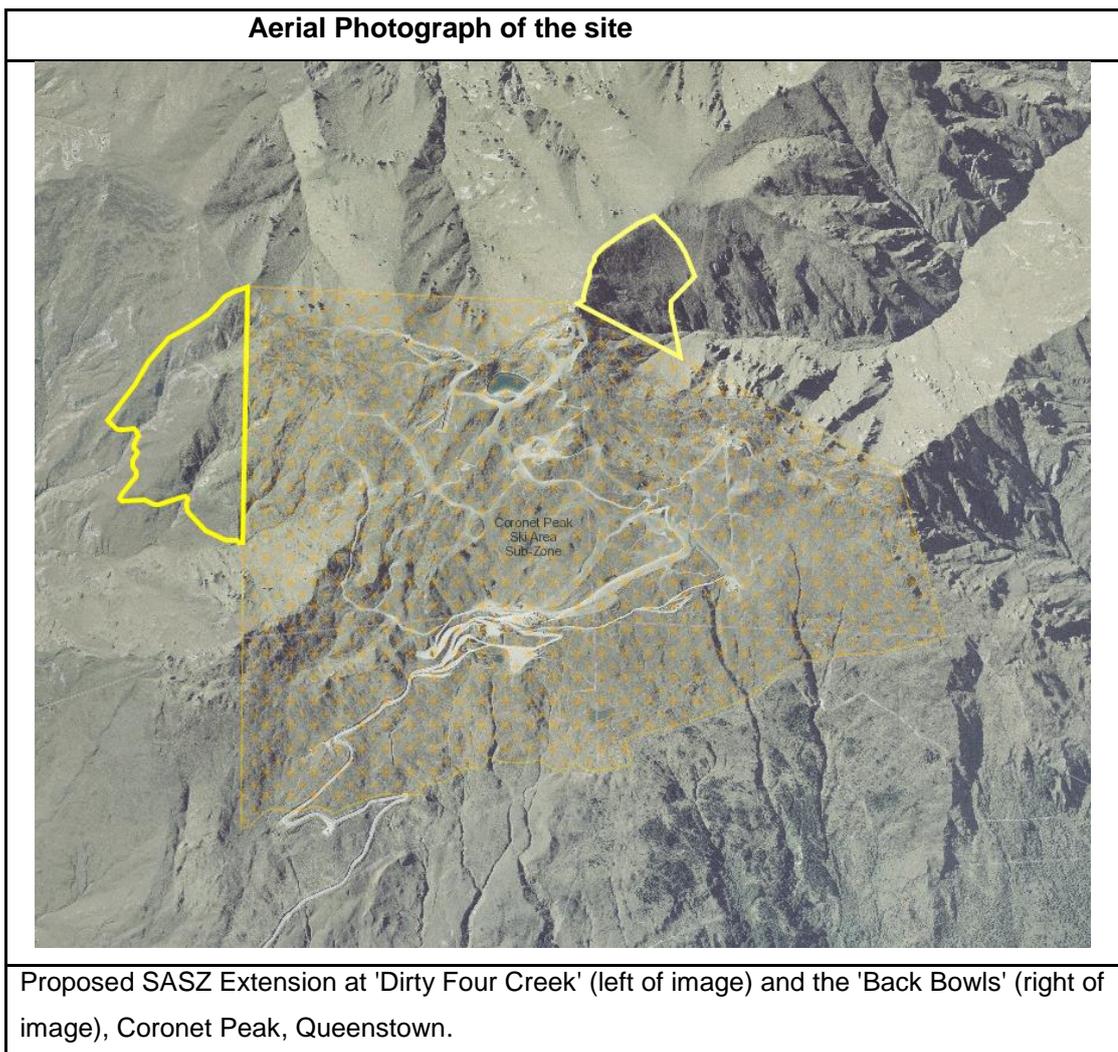
Figure 10: Notified Coronet Peak SASZ (extract from planning map 10)

NZSKI LIMITED (572)

Overall Recommendation	
Recommendation	Reject
Summary	The PDP Rural Zone is more appropriate over the land because the Rural Zone has the most appropriate provisions to manage the wide variety of effects that are possible under the SASZ.

Property and submission information	
Further Submitters	None
Land area/request referred to as	<p>NZSki seeks to rezone rural land to extend the SASZ into two areas located adjoining the western and north-eastern borders of the notified SASZ (refer images below).</p> <p>The area at the western border is referred to as 'Dirty Four Creek; and the rezoning at the north-eastern corner is referred to as the 'Back Bowls'.</p> <p>Both locations are within Crown Land, within the SOHO Coronet Peak Station Pastoral Lease, and administered by LINZ under the Land Act 1948.</p>
Notified PDP Zone and Mapping annotations	Rural Zone Outstanding Natural Landscape
Zone requested and mapping annotations	Rural Zone (Ski Area Sub Zone)
Supporting technical Information or reports	None
Legal Description	Run 26, Part Run 27, Part Run 34, Block I Town of Macetown, Section 1, Section 2 and Section 3 Block II Town of Macetown, Section 1, Section 6, Section 7, Section 9 and Section 10 Block III Town of Macetown, Block IV T
Landowner	SOHO Property Limited
Area	'Dirty Four Creek': not provided by submitter, but Dr Lloyd has estimated the area as 35.21ha 'Back Bowls': 14.8 ha (approximate area identified in the submission at paragraph 4.15)
QLDC Property ID	3111645
QLDC Hazard Register	Landslide Area (RDUC: 1) SASZ: Landslide Area (RDUC: 1); Avalanche Area (RDUC:2)

Summary of Council assessments and recommendations	
QLDC serviced water capacity	Capacity unavailable
QLDC Wastewater capacity	Capacity unavailable
Landscape	Opposed for both areas
Indigenous vegetation	Not opposed ('Dirty Four Creek') Opposed ('Back Bowls')
Infrastructure	Infrastructure comments have not been obtained due to the ability for Ski Area Activities to operate utilising on-site systems already established. Reticulated infrastructure is not anticipated by Council in alpine environments.
Traffic	Traffic comments have not been obtained due to the uncertainty over the scale and nature of future land use anticipated within the zone and inability to appropriately assess traffic effects.



Summary of changes requested

- 5.2** NZSki Limited (572) seek an extension to the SASZ to incorporate the areas known as 'Dirty Four Creek' (adjacent to the western border of the SASZ) and 'Back Bowls' (adjacent to the north-eastern corner of the SASZ). The submission (at section 4) identifies that minor expansions are sought to accommodate areas presently used for ski area activities, and to provide for future development opportunities.
- 5.3** It is noted that although these locations are outside of the current SASZ extent, skiers presently access these areas on their own accord, and as a result NZSki currently undertakes avalanche control within these areas. Accordingly, another reason provided by NZSki for the rezoning is to formalise these safety management activities as permitted activities, and to potentially enable a ski patrol facility or other minor ancillary facilities. The submission also identifies planning for a future lift within the proposed 'Dirty Four Creek' extension.

Conservation values

- 5.4** The existing SASZ located at Coronet Peak is located within a Recreation Reserve administered by DoC. Accordingly, activities within this area require authorisation from DoC in accordance with the purpose of the reserve. **Figure 11** shows the location of the Coronet Peak Recreation Reserve.

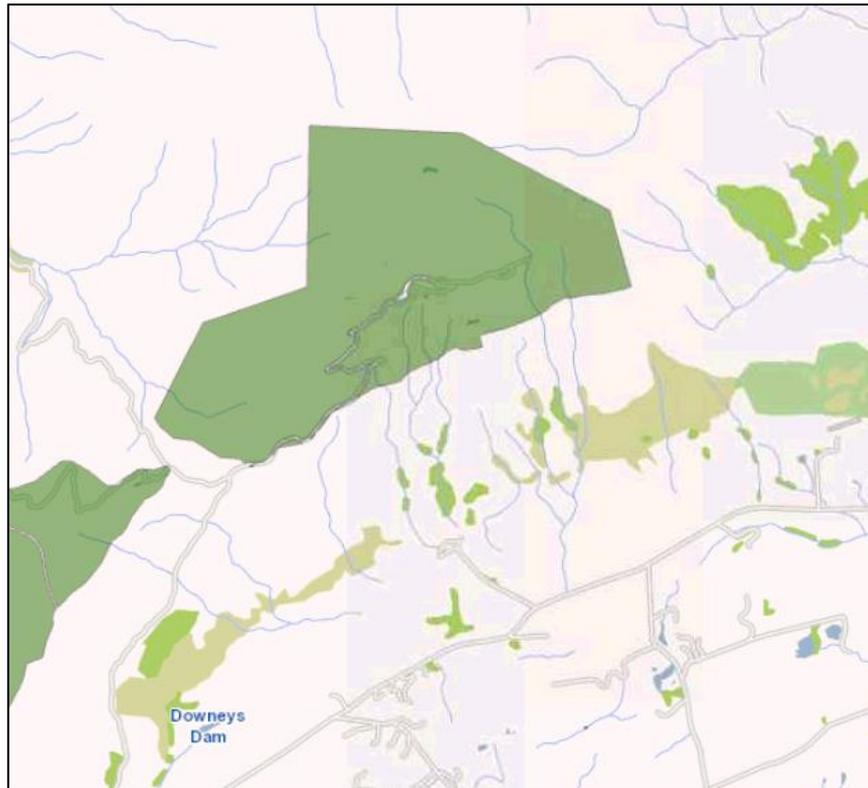


Figure 11: Coronet Peak Recreation Reserve

- 5.5** Also of relevance is that land outside of the Recreation Reserve is covered by a 'Mana Whenua (Open Space) Covenant' administered by the QEII Trust (in conjunction with the leaseholder (Soho Properties)). The location of this covenant in relation to the SASZ is identified below on **Figure 12**.

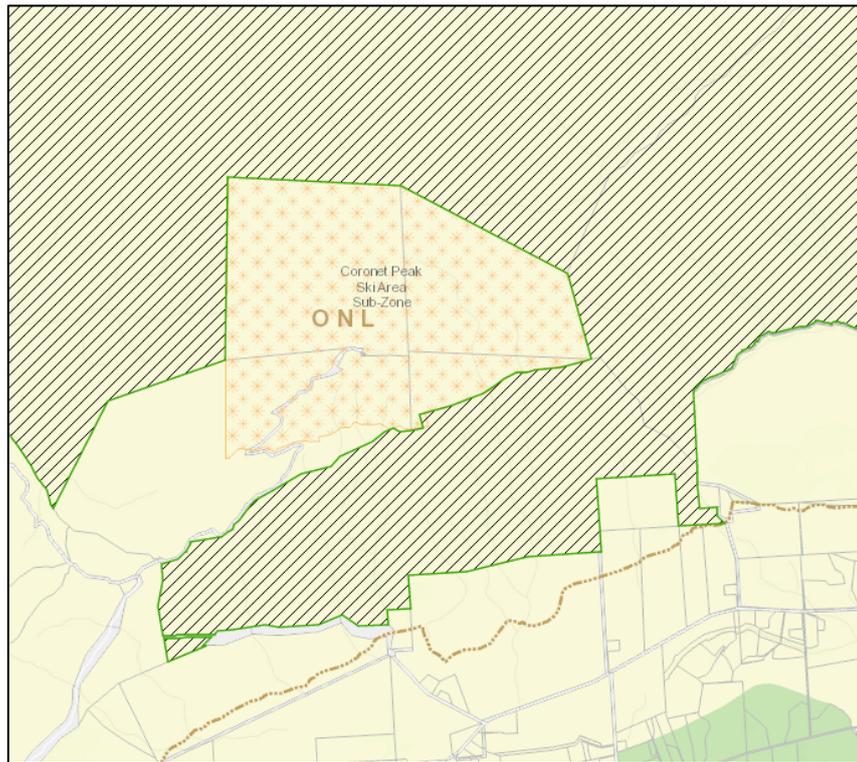


Figure 12: Coronet Peak SASZ and Mana Whenua (Open Space) Covenant

5.6 As discussed in my Strategic statement of evidence, this covenant [CB72] specifies the open space and biodiversity values to be protected, maintained and enhanced within the covenant area. I acknowledge the description in Schedule 3 of the covenant is general in application to the entire covenant area, however the covenant generally identifies existing biodiversity values of significance that warrant an additional layer of legal protection over this land.

Archaeological and heritage values of Skippers Canyon

5.7 Whilst situated outside of the proposed rezoning areas, the extension of SASZ referred to as 'Dirty Four Creek' faces Skippers Road and is nearby the Skippers Heritage Landscape and a number of archaeological sites within this landscape that are protected under the PDP and the New Zealand Historic Places Trust.

5.8 The heritage values of this landscape are described in Chapter 26 (historic heritage) of the PDP, which states:

"The Skippers Heritage Landscape (SHL) represents some of the most historically and archaeologically significant 19th century gold mining sites in Otago and Southern New Zealand.... In combination with the remote and stunning natural landscape of the Shotover River valley, the SHL offers a unique, largely intact, and publicly accessible historic gold mining experience for visitors to the Shotover River."

5.9 The location of this heritage landscape is identified on Planning Map 10 and identified on **Figure 13** below.

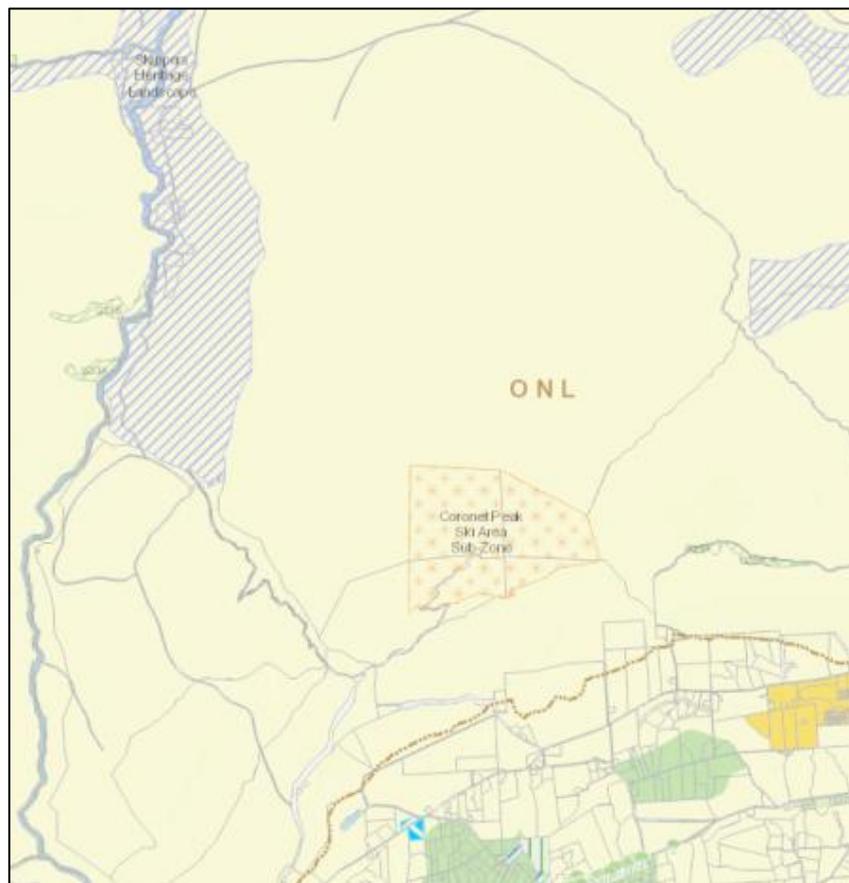


Figure 13: Coronet Peak SASZ and Skippers Heritage Landscape (purple diagonal lines to left of SASZ)

Ecology

5.10 A description of the indigenous vegetation and biodiversity values of the proposed rezoning areas is outlined in the evidence of Dr Lloyd.

- 5.11** Dr Lloyd does not oppose the proposed extension into 'Dirty Four Creek' on the basis that *"this catchment has already been modified by ski field activities, and the landforms are less steep and less vulnerable to the propagation of potential adverse effects"*. I note that this statement in Dr Lloyd's evidence has the caveat that it assumes indigenous vegetation clearance would be a discretionary activity under Rule 33.5.10, and I understand this to be the case as the zone extension is located above 1070masl.
- 5.12** Dr Lloyd opposes the extension into the 'Back Bowls' on the basis that *"this area is relatively intact and vulnerable to the adverse effects of ski field activities"*. As the Back Bowls is located on steep slopes, it is Dr Lloyd's opinion that the existing indigenous vegetation is likely to be vulnerable to the effects of intensifying ski field activities. He notes that the discretionary status for clearance (Rule 33.5.10) would not be sufficient to manage the relatively intact biodiversity values of this location.

Landscape

- 5.13** The location of the proposed rezonings are within Rural zone land, identified as ONL subject to the objectives and policies of Chapter 6, in addition to the landscape assessment matters contained within Chapter 21.
- 5.14** The evidence of Dr Read discusses the landscape attributes of these particular locations, and the possible effects of expansion of the SASZ and anticipated activities into these areas.
- 5.15** In relation to the Back Bowls, Dr Read notes that this area is relatively unmodified and has a high natural character. She considers that further ski field development into this new catchment (physical works) could significantly impact the unmodified topography of the upper catchment. Dr Read opposes the proposed SASZ extension into the 'Back Bowls'.
- 5.16** In relation to 'Dirty Four Creek', Dr Read describes the wider natural value of Skippers Road and the Long Gully landscape as 'wild and

rugged'. Her evidence is that physical works (including earthworks) enabled in this location would diminish the natural character and aesthetic coherence of the wider landscape and its heritage significance. Although noting that some extent of the existing ski field development is visible from within this landscape, Dr Read's view is that further development could potentially have cumulative effects on this very important landscape. Accordingly, she opposes the proposed extension into 'Dirty Four Creek'.

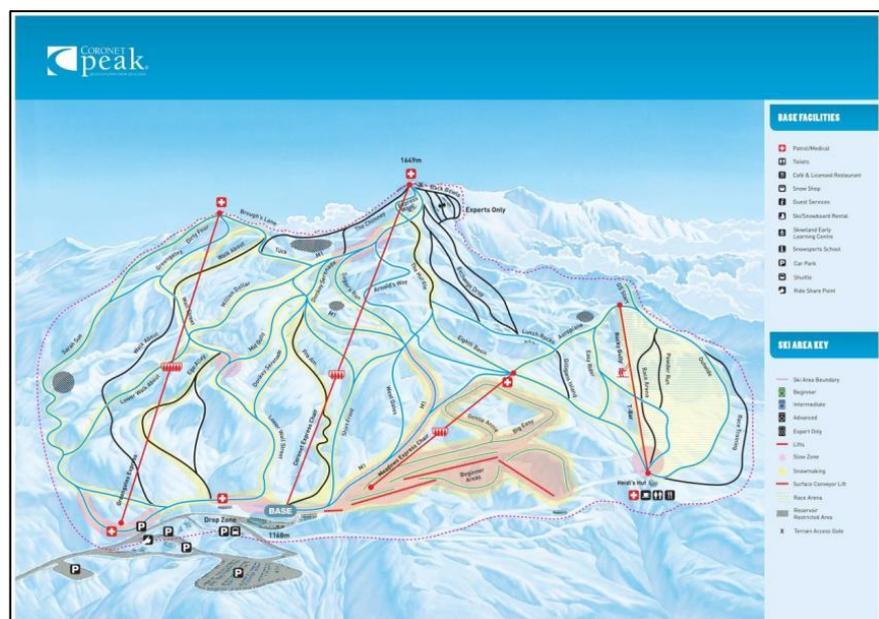
Discussion

- 5.17** The areas of proposed rezoning are located within the Coronet Peak Station Pastoral Lease, and also on land covered by a QEII Mana Whenua (Open Space Covenant). I understand that for NZSki to undertake activities in these locations, prior authorisation is required from the Leaseholder, in addition to a Recreational Permit from LINZ. I am aware that NZSki currently undertake safety management operations in these areas NZSki (avalanche control) and are currently in negotiations with the landowners to formalise agreements for this to continue.
- 5.18** Firstly I wish to discuss the rationale provided by NZSki for the rezoning to formalise these safety management activities as permitted activities. As discussed in the strategic report, I do not consider safety management activities (such as avalanche control) to be an activity that is regulated by the PDP, nor one that requires a particular zone to enable is. These activities presently occur in these locations without consent obligation under the ODP, and this would not be different under the PDP. On a related note is the desired exclusion of snow grooming activities from consenting requirements. This matter is discussed in the s42A report of Mr Craig Barr for the Rural Stream **[CB41]**, in which he identified at paragraph 14.50 that snow grooming activities are not known to currently trigger consenting requirements under the ODP, nor would this be the case under the PDP.
- 5.19** The exception to this would of course be if these activities were deemed to affect the land surface beneath the snow cover to such an

extent that earthworks provisions are triggered. Therefore, I appreciate the need for avalanche control (and snow grooming) to occur in these locations where known skiing activity occurs, particularly as access to these areas is obtained from NZSki's formal ski field operations and lifts. However my view is that the underlying zoning has no relationship to these activities as they are not activities requiring consent under the ODP or PDP.

- 5.20** As discussed in my strategic statement of evidence and common issues section, the practical effect of the proposed extension of the SASZ (if it were to be supported) would be a less restrictive consenting route applying to the extended areas, and rendering the landscape assessment matters of Chapter 21 not applicable to "SAA" (as defined).
- 5.21** While I do not assess the feasibility of construction of other physical works in this location, I note that the scope of the purpose of the SASZ was broadened through the rural hearing stream to recognise the SASZ as providing 'year round' facilities, and as such there is also the possibility that other commercial recreation activities would be enabled in this location, were the SASZ extended. I also consider that the zone purpose was broadened in isolation to consideration of the effects of expanding the geographic extent of the zone.
- 5.22** I accept that there are possible economic benefits of expanding the SASZ and that promoting economic development and tourism is one of the objectives within Chapter 3 (Strategic Direction). Of the four SASZs subject to rezoning requests, I consider that the submission and rezonings proposed by NZSki are potentially the most consistent with the intended purpose of the zone, being primarily to accommodate skiing and ancillary activities. Further the proposed zone extensions are situated at such an elevation where skiing can feasibly occur. There is however the *potential* under the SASZ for additional physical works to be undertaken (eg. earthworks, erosion and sedimentation; passenger lift systems; road access), with limited matters which can be considered through the assessment.

- 5.23** From an ecological perspective, the evidence of Dr Lloyd identifies that the ecology of Dirty Four Creek is apparent of a modified landscape, and he does not oppose rezoning in this area. However, he opposes the rezoning of the 'Back Bowls' as this area is relatively intact and vulnerable to the effects of physical works associated with SAA.
- 5.24** The evidence of Dr Read identifies that SAA in both locations could significantly impact the unmodified and memorable topography. Dr Read opposes the proposed extension into 'Dirty Four Creek' based on landscape significance and integration with the appreciation of the wider values of Skippers Canyon. Consequently I consider an exemption from landscape assessment matters would not be appropriate within 'Dirty Four Creek', particularly given the indication by NZSki that a future lift may be developed here.
- 5.25** In a practical sense, I also note that these areas are currently accessed for skiing , and are identified on the Coronet Peak trail map (copied below). Given that skiers currently access these areas, I consider that the continuation of 'pure skiing' activities in both 'Dirty Four Creek' and the 'Back Bowls' can be formalised by external processes to the PDP (discussed below) and do not require a zone overlay which provides for a broader range of land uses and physical infrastructure.



5.26 Lastly, I address the external authorisations that are necessary to formalise skiing in the 'Back Bowls' and 'Dirty Four Creek' areas. These include a Recreation Permit from LINZ, agreements with the Pastoral lease owner (Soho Properties), and permission from the QEII trust to confirm the activities will maintain the stated objectives of the Open Space covenant (and/or exclusion of these areas from the covenant).

5.27 While I accept that these matters are, to an extent, legal matters of which the PDP is independent, they do however indicate added layers of protection over this land, and provide uncertainty over its appropriateness to accommodate SAAs and passenger lift systems, in addition to the possible other commercial recreation activities enabled for by the rules of the sub zone.

5.28 Based on the information provided, I consider it to be inefficient to rezone land for a specific and defined purpose (recognising the opportunities provided by the sub zone over and above that of the rural zone), without certainty as to whether this would be supported by other parties. I consider that doing so may create a zoning 'entitlement' that:

- (a) could not be utilised until such time as other authorisations are obtained;
- (b) may be inconsistent with any terms, conditions or limitations of future authorisations;
- (c) may be inconsistent with the identified purpose of the QEII covenant, and the prohibition of physical and built works (refer letter of advice in **[CB73]**); and
- (d) that could be used as leverage to control future negotiations.

5.29 Overall, recognising the evidence of Dr Read, Dr Lloyd and Objective 21.1.6 to consolidate SAA within SASZs, I consider the potential effects of a wider scope of activities are better managed by the underlying rural and landscape provisions of the notified zone. This is on the basis that I understand 'pure skiing', and ancillary activities

including snow grooming and avalanche control, can continue to occur in these locations irrespective of the underlying zoning.

Conclusion

5.30 Based on the above discussion, my recommendations are that the Panel:

- (a) *Reject* the proposed rezoning of 'Dirty Four Creek' to SASZ;
and
- (b) *Reject* the proposed rezoning of the 'Back Bowls' to SASZ.

5.31 The reasons for this recommendation include:

- (a) the Rural zone framework better provides for the appropriate analysis of non-skiing activities in these areas, including landscape effects, given the uncertainty surrounding the nature and scale of proposed activities;
- (b) safety operations (avalanche control) and snow grooming can continue to be undertaken in these areas under the Rural zone provisions without consent obligations;
- (c) skiing can continue to occur in the areas with the necessary authorisations from LINZ, QEII Trust and the landowner; and
- (d) I do not consider it appropriate to pre-empt external legal processes with a zoning entitlement.

6. CONCLUSION

6.1 Overall, I consider that for each of the proposed rezonings, the notified Rural Zone is the most appropriate way to meet the purpose of the RMA.

6.2 I therefore recommend that the Panel reject all submissions seeking to expand the SASZ, as set out in this report and identified in Appendix 1.

A handwritten signature in black ink, appearing to be 'Kim Banks', written in a cursive style.

Kim Banks

10 March 2017

APPENDIX 1. List of Submitters and Recommended Decisions

Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
613.22		Treble Cone Investments Limited.	Map 7 - West Wanaka, Lake Wanaka, Upper Shotover	Other	Support in part. 1. Amend Planning Map 7 to extend the Treble Cone SASZ as shown on the plan attached within Appendix 1 2. Or any similar relief which achieves the same effect of enabling the consolidation, use and management of the TC SASZ as a contemporary and sustainable destination over the long term; and 3. Any consequential amendments required to give effect to this relief.	Reject		
613.22	FS1229.25	NZSki Limited	Map 7 - West Wanaka, Lake Wanaka, Upper Shotover	Support	NZSki Limited supports in part the amendments to the definition of Ski Area Activities. The submitters amended definition provides clarity of the operations that occur within the Ski Area Sub-Zone and provides for an appropriate diversification of commercial activities associated with recreation activities which supports the intention to make Ski Area Sub-Zones year round destinations. However, it is submitted that point (f) be deleted as visitor accommodation is subject to its own definition. Including visitor accommodation in the definition of a Ski Area Activity would by default make it a Permitted Activity within the Ski Area Sub-Zone (pursuant to Rule 21.4.18) which does not align with NZSki Limited's proposed Controlled Activity rule or the submitters proposed rules 21.5.32 and 21.5.33. Further, residential activity is opposed by NZSki and should also not be a Permitted Activity in accordance with Rule 21.4.18). NZSki Limited seeks that this submission be accepted in part by QLDC.	Reject (related to mapping changes only)		
407.13		Mount Cardrona Station Limited	Map 10 - Skippers, Macetown, Cardrona	Other	MCS seeks the extension of the Ski Area Sub Zone as marked on Planning Maps 10 and 24, as illustrated on Submission 407	Reject		
407.13	FS1329.13	Soho Ski Area Ltd and Blackmans Creek Holdings No. 1 LP	Map 10 - Skippers, Macetown, Cardrona	Oppose	We seek that the part of the submission relating to the proposed extension to the Cardrona SASZ shown on Planning Map 10 and 24 be disallowed. Soho opposes the proposed extension to the SASZ for the purposes of enabling the construction and operation of a passenger lift system from the Mt Cardrona land to the Cardrona Ski area on the basis of adverse cumulative effects on landscape and amenity values and inefficient use of natural and physical resources. The most appropriate location with the least impact on the environment for a passenger lift system to the Cardrona SASZ is from the Blackmans Creek land, in accordance with the relief sought in the submissions by Soho.	Accept		
572.1		NZSki Limited	Map 10 - Skippers, Macetown, Cardrona	Other	The Ski Area Sub-Zone as notified in the PDP is expanded to cover the additional areas identified in the submission text and Attachments A and B to this submission.	Reject		
572.1	FS1097.521	Queenstown Park Limited	Map 10 - Skippers, Macetown, Cardrona	Support	Support the expansion of the Remarkables ski area	Reject		
610.21		Soho Ski Area Limited and Blackmans Creek No. 1 LP	Map 10 - Skippers, Macetown, Cardrona	Other	Support in part. Amend Planning Map 10 to extend the Cardrona Ski Area Sub Zone as shown on the plan attached within Appendix 1; or In the alternate: (a) Introduce a new rule to the rural areas enabling the establishment, operation and maintenance of transportation links, including passenger lift or other systems or vehicle access to a ski area sub zone as a controlled activity; and (b) Exempt passenger lift or other systems and vehicle access from Rule 21.4.19 Ski Area Activities not located within a Ski Area Sub Zone.	Reject		
610.21	FS1153.4	Mount Cardrona Station Ltd	Map 10 - Skippers, Macetown, Cardrona	Not Stated	Oppose and Support in part. Seeks that submission (in relation to the extension of the Ski Area Subzone at Cardrona) is rejected. Opposes the extent of the ski area subzone extension to include large tracts of land extending down to at or near the valley floor at Cardrona.	Support		
610.21	FS1097.587	Queenstown Park Limited	Map 10 - Skippers, Macetown, Cardrona	Support	Support the intent of the submission for the reasons stated in QPL's original submission	Reject		
615.22		Cardrona Alpine Resort Limited	Map 10 - Skippers, Macetown, Cardrona	Oppose	Rename the Cardrona Ski Area Sub-Zone "Cardrona Alpine Resort Area" (and include reference to "Cardrona Alpine Resort Area" alongside all references to "Ski Area Sub-Zone(s)" otherwise intended to apply to the "Cardrona Ski Area Sub-Zone" (e.g. landscape provisions 6.3.8.3, 6.4.1.3).) (Bracketed text added 30 October 2015)	Reject		
615.22	FS1329.3	Soho Ski Area Ltd and Blackmans Creek Holdings No. 1 LP	Map 10 - Skippers, Macetown, Cardrona	Oppose	We seek that the part of the submission seeking to change the name of the Cardrona Ski Area Sub Zone be disallowed. Soho opposes the proposed change to the name of the existing Cardrona Ski Area Sub Zone to "Cardrona Alpine Resort Area" in relation to the planning maps and the relevant provisions of the PDP. The proposed change represents a specific branding and company name that i) does not recognise the established Soho Ski Area; and ii) can change according to ownership; and iii) should be based on more widely understood associations with the topography and historical associations with the area rather than the commercial entity which operates some facilities on a part of the land within the SASZ.	Accept		

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615.22	FS1105.22	Cardrona Valley Residents and Ratepayers Society Inc	Map 10 - Skippers, Macetown, Cardrona	Support	Support all aspects of the Cardrona Alpine Resort Limited submission and seek that the relief sought by Cardrona Alpine Resort Limited is allowed by the Council, to ensure: • The resort is able to continue to cater for guests of all abilities and disciplines so that it remains the most diverse ski-field in New Zealand and remains a premier resort for snow sports in Australasia. • The resort is able to develop, operate, maintain and upgrade its network of infrastructure, accommodation, food and beverage service, retail and mountain based tourism activities. • The resort is able to operate year round and continue to invest in and grow new four season visitor attractions activities, with significant growth in the provision of summer activities.	Reject		
615.22	FS1137.23	Kay Curtis	Map 10 - Skippers, Macetown, Cardrona	Support	Seeks that the relief sought by Cardrona Alpine Resort Limited is accepted by the Council. Has an interest in the proposal that is greater than the interest the general public has.	Reject		
615.23		Cardrona Alpine Resort Limited	Map 10 - Skippers, Macetown, Cardrona	Oppose	Rezone Rural zoned land legally described as LOT 3 DP 344432 LOTS 4 9 DP 21223 (illustrated in full submission) to "Cardrona Ski Area Sub-Zone" or "Cardrona Alpine Resort Area":	Reject		
615.23	FS1153.9	Mount Cardrona Station Ltd	Map 10 - Skippers, Macetown, Cardrona	Oppose	Notes that some of the area sought to be included in the Ski Area Subzone is already within the Ski Area Subzone (being the western part of the extension area shown in the plan included in the submission). Opposes the extent of the Ski Area Subzone extension to include areas of land extending down to near the valley floor at Cardrona (being the eastern part of the extension area shown on the plan included in the submission).	Accept		
615.23	FS1329.4	Soho Ski Area Ltd and Blackmans Creek Holdings No. 1 LP	Map 10 - Skippers, Macetown, Cardrona	Oppose	We seek that the part of the submission seeking to change the name of the Cardrona Ski Area Sub Zone be disallowed. Soho opposes the proposed change to the name of the existing Cardrona Ski Area Sub Zone to "Cardrona Alpine Resort Area" in relation to the planning maps and the relevant provisions of the PDP. The proposed change represents a specific branding and company name that i) does not recognise the established Soho Ski Area; and ii) can change according to ownership; and iii) should be based on more widely understood associations with the topography and historical associations with the area rather than the commercial entity which operates some facilities on a part of the land within the SASZ.	Accept		
615.23	FS1105.23	Cardrona Valley Residents and Ratepayers Society Inc	Map 10 - Skippers, Macetown, Cardrona	Support	Support all aspects of the Cardrona Alpine Resort Limited submission and seek that the relief sought by Cardrona Alpine Resort Limited is allowed by the Council, to ensure: • The resort is able to continue to cater for guests of all abilities and disciplines so that it remains the most diverse ski-field in New Zealand and remains a premier resort for snow sports in Australasia. • The resort is able to develop, operate, maintain and upgrade its network of infrastructure, accommodation, food and beverage service, retail and mountain based tourism activities. • The resort is able to operate year round and continue to invest in and grow new four season visitor attractions activities, with significant growth in the provision of summer activities.	Reject		
615.23	FS1137.24	Kay Curtis	Map 10 - Skippers, Macetown, Cardrona	Support	Seeks that the relief sought by Cardrona Alpine Resort Limited is accepted by the Council. Has an interest in the proposal that is greater than the interest the general public has.	Reject		
829.4		Anderson Branch Creek Ltd	Map 10 - Skippers, Macetown, Cardrona	Not Stated	Increase the ski area sub zone to the north	Reject		
407.14		Mount Cardrona Station Limited	Map 24 - Cardrona, Albert Town	Oppose	MCS seeks the extension of the Ski Area Sub Zone as marked on Planning Maps 10 and 24, as illustrated on Submission 407	Reject		
407.14	FS1329.14	Soho Ski Area Ltd and Blackmans Creek Holdings No. 1 LP	Map 24 - Cardrona, Albert Town	Oppose	We seek that the part of the submission relating to the proposed extension to the Cardrona SASZ shown on Planning Map 10 and 24 be disallowed. Soho opposes the proposed extension to the SASZ for the purposes of enabling the construction and operation of a passenger lift system from the Mt Cardrona land to the Cardrona Ski area on the basis of adverse cumulative effects on landscape and amenity values and inefficient use of natural and physical resources. The most appropriate location with the least impact on the environment for a passenger lift system to the Cardrona SASZ is from the Blackmans Creek land, in accordance with the relief sought in the submissions by Soho.	Accept		
572.2		NZSki Limited	Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets)	Oppose	The Ski Area Sub-Zone as notified in the PDP is expanded to cover the additional areas identified in the submission text and Attachments A and B to this submission.	Reject		
572.2	FS1081.1	Ian Dee	Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets)	Oppose	I believe NZ Ski should only have the extension along Fawley Towers on the following conditions: 1. NZ Ski cleans up in the Alta Cirque at the end of each ski season 2. Allow backcountry (1 way) lift passes at a maximum of 20% of a day pass. This sub zone extension is a precursor to further extension of the ski field into Doolans right branch and a back country pass should be extended to that area too when it happens. As per part 4.7 to 4.9 and replacement submission 806 C 1.1.d. Doolans is an existing back country area that would be lost if that development goes ahead. 3. Make NZ Ski's snow making irrigation infrastructure near Lake Alta unseeable. This existing infrastructure is outside the ski-area sub-zone.	Accept in part		
572.5		NZSki Limited	Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets)	Not Stated	That the proposed Ski Area Sub-Zone B is added to the District Plan as illustrated on the plan contained within Attachment A to this submission.	Reject		

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572.5	FS1337.1	Grant Hylton Hensman, Sharyn Hensman and Bruce Herbert Robertson Scope Resources Limited, Grant Hylton Hensman and Noel Thomas van Wichen, Trojan Holdings Limited, Scope Resources Limited	Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets)	Not Stated	That the proposed Ski Area Sub-Zone Bis added to the District Plan in accordance with the map attached to the submission, together with the policies and rules proposed.	Reject		
572.5	FS1097.524	Queenstown Park Limited	Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets)	Support	Support the intent of the suggested changes for the reasons stated in QPL's original submission.	Reject		
572.1		NZSki Limited	Map 10 - Skippers, Macetown, Cardrona	Other	The Ski Area Sub-Zone as notified in the PDP is expanded to cover the additional areas identified in the submission text and Attachments A and B to this submission.	Reject		
572.1	FS1097.521	Queenstown Park Limited	Map 10 - Skippers, Macetown, Cardrona	Support	Support the expansion of the Remarkables ski area	Reject		
572.3		NZSki Limited	21 Rural Zone	other	The Ski Area Sub Zone is expanded at Remarkables Ski Area. The Ski Area Sub Zone is expanded at Coronet Peak Ski Area. An additional Ski Area subzone is added to the District Plan. including a suite of rules located near the Remarkables Ski Area. Introducing visitor accommodation within the Ski Area Sub-zones between 1 June and 31 October as a controlled activity. That the amendments to Chapter 21 of the PDP in relation to the Ski Area Sub-Zone, Ski Area Sub-Zone B and indigenous vegetation clearance are adopted as drafted in Attachments C to this submission.	Reject (Visitor accommodation component addressed in rural stream)		
572.3	FS1081.2	Ian Dee	21 Rural Zone	Oppose	I believe NZ Ski should only have the extension along Fawly Towers on the following conditions: 1. NZ Ski cleans up in the Alta Cirque at the end of each ski season 2. Allow backcountry (1 way) lift passes at a maximum of 20% of a day pass. This sub zone extension is a precursor to further extension of the ski field into Doolans right branch and a back country pass should be extended to that area too when it happens. As per part 4.7 to 4.9 and replacement submission 806 C 1.1.d. Doolans is an existing back country area that would be lost if that development goes ahead. 3. Make NZ Ski's snow making irrigation infrastructure near Lake Alta unseeable. This existing infrastructure is outside the ski-area sub-zone	Accept in part		
572.3	FS1330.8	Treble Cone Investments Limited	21 Rural Zone	Not Stated	Support/Oppose - seek that the part of the submission relating to Rule 21.4.21 be amended for the reasons expressed within this further submission.	Addressed in Stream 2 Rural		
572.3	FS1329.15	Soho Ski Area Ltd and Blackmans Creek Holdings No. 1 LP	21 Rural Zone	Not Stated	Support/Oppose We seek that Rule 21.4.21 be amended. Soho support the concept, but oppose the proposed new rule 21.4.21 seeking to list Visitor Accommodation as a controlled activity within the SASZ's, between 1 June and 31 October in any calendar year. The proposal conflicts with the approach in the submission by Soho, which is based on the ability to secure ecological and landscape enhancements associated with these activities. In addition, Soho does not agree that these activities should be limited to the period between 1 June and 31 October and should be available year round as a more efficient use of natural and physical resources providing access to recreation land, subject to measures to protect ecological values of the alpine environment.	Addressed in Stream 2 Rural		
572.3	FS1097.522	Queenstown Park Limited	21 Rural Zone	Support	Support the intent of the suggested changes for the reasons stated in QPL's original submission.	Reject		
806.147		Queenstown Park Limited	21.4 Rules - Activities	Not Stated	New rules consequential to the proposed change to objectives and policies that recognise the importance of the Remarkables ski field as a destination in both summer and winter. Rule 21.4.XX Remarkables Alpine Recreation Area Permitted Recreation. public access Controlled activities: Commercial activities Commercial recreation activities Visitor accommodation Buildings and structures for the purposes of gondola access. and ski area activities Control reserved over: • Servicing • Landscaping and ecological impact • Nature and scale Rule 21.4.XX Access to the Remarkables Alpine Recreation Area Controlled activity: The construction and operation of a gondola that provides access from the Remarkables Park Zone to the Remarkables Alpine Recreation Area on the route shown on District planning Map 13.	Reject		
806.147	FS1229.32	NXski Limited	21.4 Rules - Activities	Support	NZSki Limited support gondola access the Remarkables Ski Area and consider that such access will be complimentary to recreational use of the Ski Area Sub-Zone on a year round basis. NZSki Limited do however consider it necessary that a plan of the proposed gondola corridor is provided by the submitter to ensure that any future gondola is complimentary to NZSki Limited's existing and future proposed buildings, infrastructure and recreational activities. Overall, NZSki Limited requests that the submission points be allowed.	Reject		
615.29		Cardrona Alpine Resort Limited	21.2.6 Objective 6	Oppose	Insert new policy as follows: Provide for expansion of four season tourism and accommodation activities at the Cardrona Alpine Resort Zone.	Addressed in Stream 2 Rural		
806.135		Queenstown Park Limited	21.3.3.8	Other	Support/amend 21.3.3.8 The Ski Area, Remarkables Alpine Recreation Area and associated access corridor and Rural Industrial Sub Zones, being Sub Zones of the Rural Zone, require all rules applicable to the Rural Zone apply unless stated to the contrary.	Reject		
806.147		Queenstown Park Limited	21.4 Rules - Activities	Not Stated	New rules consequential to the proposed change to objectives and policies that recognise the importance of the Remarkables ski field as a destination in both summer and winter. Rule 21.4.XX Remarkables Alpine Recreation Area Permitted Recreation. public access Controlled activities: Commercial activities Commercial recreation activities Visitor accommodation Buildings and structures for the purposes of gondola access. and ski area activities Control reserved over: • Servicing • Landscaping and ecological impact • Nature and scale Rule 21.4.XX Access to the Remarkables Alpine Recreation Area Controlled activity: The construction and operation of a gondola that provides access from the Remarkables Park Zone to the Remarkables Alpine Recreation Area on the route shown on District planning Map 13.	Reject		Remarkables Alpine Recreation Area to be considered in Stream 13 Queenstown Mapping

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806.147	FS1229.32	NXski Limited	21.4 Rules - Activities	Support	NZSki Limited support gondola access the Remarkables Ski Area and consider that such access will be complimentary to recreational use of the Ski Area Sub-Zone on a year round basis. NZSki Limited do however consider it necessary that a plan of the proposed gondola corridor is provided by the submitter to ensure that any future gondola is complimentary to NZSki Limited's existing and future proposed buildings, infrastructure and recreational activities. Overall, NZSki Limited requests that the submission points be allowed.	Reject		