



TOWNPLANNING  
GROUP

# Evaluation under Section 32 of Resource Management Act 1991:

Gibbston Valley Station Limited  
(Submitter 827)

12 June 2017



## INTRODUCTION

1. The purpose of this section 32 evaluation is to accompany a submission by Gibbston Valley Station (#827) on the Proposed Queenstown Lakes District Plan (**PDP**).

### Site and Context

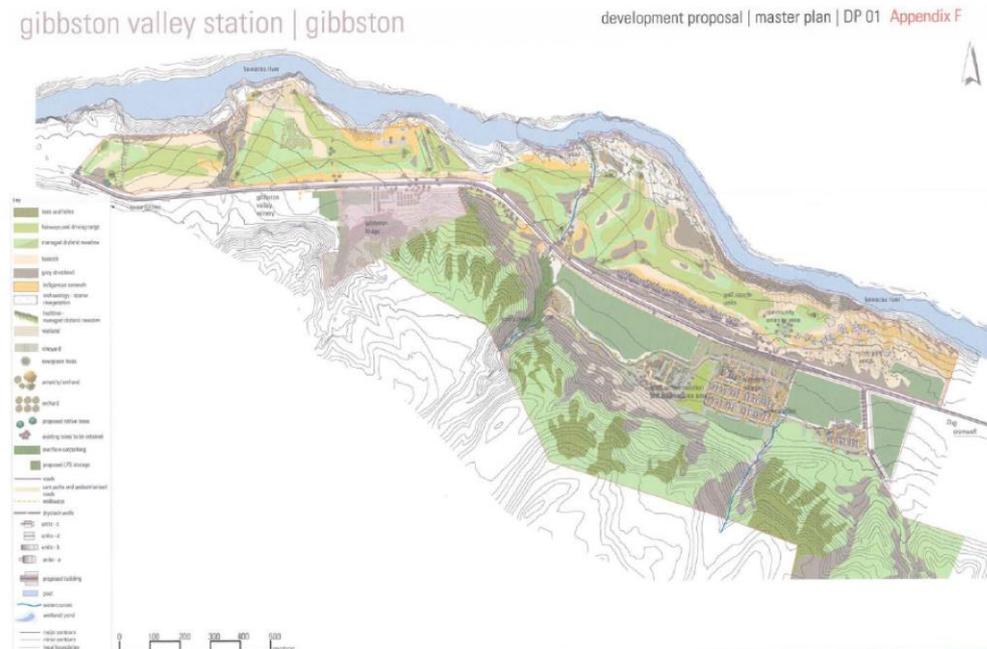
2. The site is located centrally within Gibbston, legally described as follows:
  - Lot 2 DP 363931 – Gibbston Valley Station
  - Pt Section 7 Blk I Kawarau SD – Gibbston Valley Station
  - Pt Section 17 Blk I Kawarau SD – Gibbston Valley Station
  - Section 56 Blk I Kawarau SD – Gibbston Valley Station
  - Pt Section 2 SO 24636 – Gibbston Valley Station
  - Sec 58 Blk I Kawarau SD – Gibbston Valley Station
  - Lot 2 DP 27312– Gibbston Valley Station
  - Lot 1 DP 27312– Gibbston Valley Station
  - Section 38 Blk I Kawarau SD – Gibbston Valley Station
  - Pt Section 45 Blk Kawarau SD – Gibbston Valley Station
  - Section 72 Blk I Kawarau SD – Gibbston Valley Station
  - Section 73 Blk Kawarau SD – Gibbston Valley Lodge NZ, LLC
  - Lot 2 DP 27586 – Gibbston Valley Station
  - Lot 2 DP 387160 – Gibbston Valley Station
  - Lot 3 DP 387160 – Gibbston Valley Station
  - Lot 1 DP 444895
  - Lot 1 DP 343359 – Gibbston Valley Station
  - Section 3 SO 300818 – Gibbston Valley Wines Limited
  - Pt Section 43 Blk I Kawarau SD – Gibbston Valley Wines Limited
  - Section 55 Blk I Kawarau SD – Gibbston Valley Station
3. Gibbston Valley Winery is a key feature of the site and represents a focal development node in the valley.
4. Gibbston Valley Station is a 1000-ha station, characterised by areas of vineyards, improved, top-dressed and cultivated pasture on the valley floor and unimproved pasture on the hillslopes depending on slope, aspect and accessibility. The valley is narrow and

strongly confined by steep hillsides. The hillslopes are typically extensive areas of rough, untended pasture, differentiated from the river terraces and valley floors by a lack of fencing, the presence of scrub (native) with occasional wilding trees and briar rose. Massive rock outcrops are a distinctive feature of the valley, both on the valley floor and hillsides, contributing to the landscape character and high legibility.

5. Whilst much of the original vegetation has been modified or removed, the colour and texture of tussock grassland and grey scrub of the farmed hillslopes contribute to the distinctive identity of the Gibbston landscape and clearly define the more productive character of the valley floor. In comparison to the high country, the lower hillslopes, and valley floor is divided into a patchwork of mostly 'tended' pasture interspersed with vineyards predominantly on the southern side of the Gibbston Highway (**SH6**). The northern side of the highway is dominated by open pasture and grazed. Exotic amenity and shelter trees punctuate the valley floor mostly clustered around buildings but for the most part the landscape character is open.
6. It is important to acknowledge that the existing environment also consists of consented development, including that un-built. The consented development on Gibbston Valley Station south of SH6 comprises of:
  - a. A Vintners Village with 13 buildings (3000m<sup>2</sup> GFA)
  - b. 42 visitor accommodation units co-located with the Vintners Village
  - c. 14 visitor accommodation units accessed from Resta Road
  - d. Staff accommodation, service, and maintenance buildings
  - e. A spa complex adjacent to Toms Creek with 6 buildings
  - f. 50 visitor accommodation units and a luxury lodge near Gibbston Valley Winery
7. The consented development on Gibbston Valley Station north of SH6 comprises:
  - a. An 18-hole golf course
  - b. 30 visitor accommodation units
  - c. A community building
  - d. 10 buildings containing 13 residential units
8. Extensive planting for mitigation and increased vineyard planting was included in the consent. Further development comprising an underpass and parking area on the northern side of SH6 opposite the established Gibbston Valley Winery has been

approved by New Zealand Transport Agency (**NZTA**) but still awaiting resource consent. To date, the Gibbston Valley River Trail has been developed through the property as a cycle trail with a further 25 km of trail established on Rabbit Ridge.

9. Figure 1 below shows the consented development:



**Figure 1:** Consented Development

Submission

10. The original GVS submission sought that most of the site be rezoned to provide for a range of uses, including viticulture, residential, commercial, commercial recreation, and visitor accommodation. The reasons given were:

- a. In granting Resource Consent RM080864 (and other consents), the QLDC has assessed the property in relation to its potential to absorb a high level of residential, commercial, viticultural and commercial recreational activity and found it can cater for change without significantly impacting on the landscape and environment.
- b. The property is not located within an Outstanding Natural Landscape, and development of the property can be constrained to the valley floor such that landscape values in the wider area can be maintained and protected.



- c. Access to the property will not adversely impact on the State Highway and its functioning.
- d. Providing for a range of activities on the property will help meet the needs of the community, provide for an appropriate level of growth, and be located in an area that does not further compromise rural productive land uses or landscape values.
- e. The property can be readily serviced by local infrastructure, such as water, sewer, telecommunications, electricity and stormwater.
- f. The area is not located within a flood hazard or management area.

11. No further submissions were received opposing this relief, including the NZTA.

12. Following further evaluation, the area requested for rezoning has been reduced significantly and developed into a Structure Plan ([Figure 2](#) below) identifying discrete activity areas for development and productive planting areas for viticulture and horticulture.

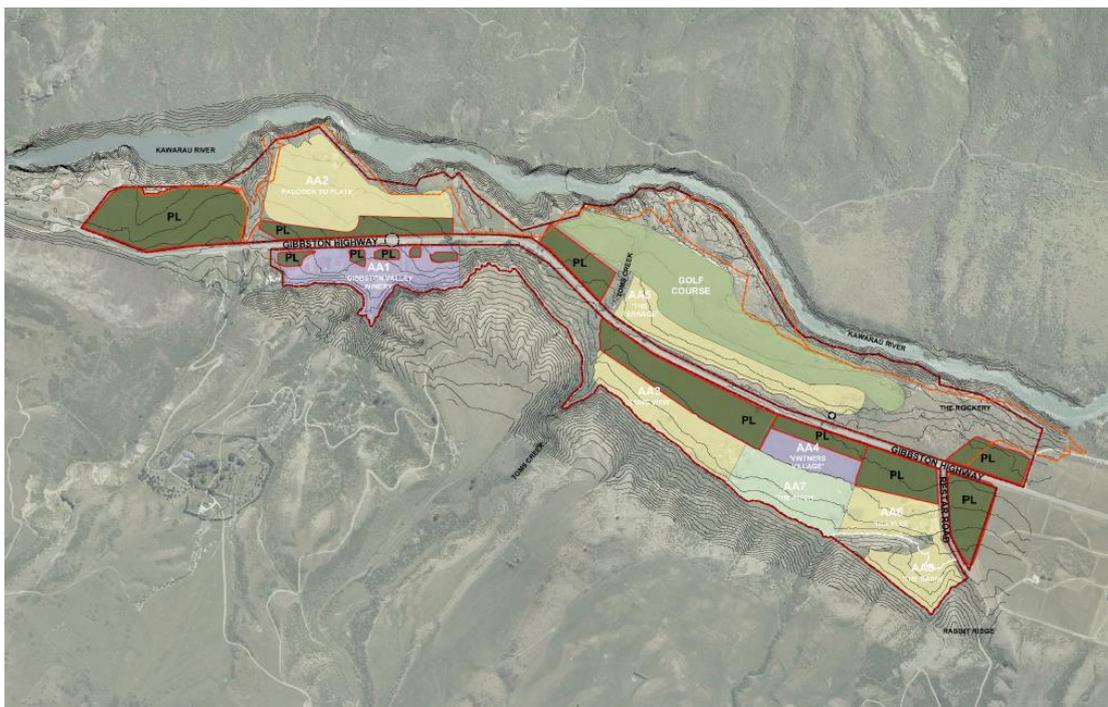


Figure 2: Gibbston Valley Sub-Zone Structure Plan

13. The balance of the property outside of the Structure Plan is to be retained as Gibbston Character and Rural General Zone, as per the notified PDP. These zones are considered appropriate and in the case of the Rural General Zone, help manage more sensitive landscapes.

14. In evaluating the submission, a range of alternatives were considered, including rural living zones, high, medium and low density residential zones, and business mixed use zone. None of these zones were considered appropriate in themselves as they lacked rural 'influence', and the most appropriate option was to amend the current Gibbston Character Zone to create a discrete sub-zone, enabling most of the objectives, policies, rules and assessment matters for the underlying zone to remain while adding site and location specific matters relating to future development.
15. The Structure Plan identifies a range of attributes within the sub-zone:
- a. Activity areas have been defined within the sub-zone that provide for a range of activities and built form, further controlled through rules and standards in the planning provisions;
  - b. Areas for productive landscape planting have been identified which also include current vines;
  - c. Areas with ecological and heritage importance that have been identified through the resource consent process for RM080864 have been avoided;
  - d. Development is kept below the 380m contour (with the exception of AA8 which is contained within topography);
  - e. Development avoids outstanding natural landscapes and features;
  - f. NZTA approved access points from SH6 are being utilised; and
  - g. The Gibbston Valley Cycle Trail has been identified throughout the sub-zone and is to be maintained.

## RELIEF SOUGHT BY GVS

16. The relief sought is given effect to through the proposed amendments to the PDP set out in **Appendix 2**. In summary, the amendments:
- a. Introduce a new sub-zone as part of the Gibbston Character Zone, referred to as the Gibbston Valley Sub-Zone (**GVSZ**);
  - b. Introduce a specific objective and associated policies relating to the GVSZ in Chapter 23;
  - c. Introduce specific rules for the GVSZ, including height, coverage, bulk and location and activity controls in Chapter 23;
  - d. Introduce a Structure Plan to be included in Chapter 27 of the PDP;

- e. Amend the Chapter 27 subdivision provisions to add a new set of location-specific provisions containing an objective, policies and rule outlining restricted discretionary status for subdivision in the sub-zone;
- f. Amend Planning Maps 13 and 15 to show the GVSZ;

17. A number of key elements of the Gibbston Character Zone in the PDP have been retained, as follows:

- a. All objectives and policies.
- b. All rules (with some minor amendments to prevent overlapping with the GVSZ).
- c. The landscape assessment criteria.

### **Section 32 of the RMA**

18. Sections 32 (1) and (2) of the RMA set out what must be contained in an evaluation report.

19. To provide context to the evaluation, the following factors are relevant:

- a. In terms of Section 32 (6) (a), the proposal does not seek to amend any of the notified objectives in the PDP. It does add a new site-specific objective into Chapter 23 (Gibbston Character Zone) and Chapter 27 (Subdivision and Development). The objective in both chapters takes a similar form to other site-specific objectives and set out the broad outcome sought for the GCSZ. The PDP structure includes, with zone or issue-specific objectives then located in subsequent chapters and that provide further detail as to how the strategic objectives will be achieved. The proposed provisions are consistent with the framework in the Strategy chapters that set the high-level direction for the District whereby it sets out the site-specific outcomes that are necessary in order for the strategic objectives to be achieved.
- b. In addition to the site-specific objectives in both Chapters, the proposal seeks to add several site-specific policies as methods to achieve the proposed objectives, along with several rule inclusions as methods to again achieve the objective.
- c. A Structure Plan specifically relating to the GCSZ is included in Chapter 27 to provide another method and to assist with facilitating integrated development in

the sub-zone. New provisions in Chapter 27 assist with guiding subdivision and development.

20. In undertaking this assessment, it is recognised that the proposed PDP objectives are not settled and are subject to possible amendment in response to concerns raised by other submitters. It is also recognised that due to the unavoidable staged nature of hearings on the PDP, that officer reports and recommendations have been made on a number of chapters, including recommended amendments to objectives. There is no presumption that the Panel will adopt the officer recommendations, especially where these are challenged by other submitters in evidence. This assessment is therefore based on the PDP objectives as originally notified.

### **Evaluation – Section 32 (1) (a)**

21. The purpose of the following stage of the evaluation is to examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the RMA [section 32 (1) (a)].

22. The purpose of the RMA is to promote the sustainable management of natural and physical resources. Sustainable management means managing the use development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety subject to the three qualifications in subsections (a), (b) and (c).

23. The objective of the proposal is to provide a policy, zoning and rules 'package' which will enable part of GVS to be developed for a range of uses, including viticulture, residential, commercial, commercial recreation and visitor accommodation, while avoiding, remedying and mitigating adverse effects on the landscape values of Gibbston. The inclusion of a Structure Plan is considered as the most appropriate method to guide development within the GVSZ.

24. If the proposed change in zoning from Gibbston Character Zone to GVSZ takes place, then compared with the land use regime currently proposed under the PDP:

- a. There would be a mechanism in place to ensure that development in this area is undertaken in a managed and integrated manner, with additional viticulture and horticulture activities introduced into the setting.
  - b. There would be an increase in housing availability and choice in a location that has limited supply.
  - c. There would be an increase in short-term accommodation for visitors and guests.
  - d. The wider ONL would be retained.
  - e. There would be an increase in specific workers accommodation in Gibbston, which would benefit the wider area due to the lack of such accommodation at present.
  - f. Commercial activity that supports viticulture will positively contribute to the Gibbston “valley of vines” concept and further promote Gibbston as a destination in the district.
  - g. The proposed identification and control within activity areas will enable potential landscape effects to be effectively managed in appropriate locations.
  - h. Long term public access would be maintained and complimentary activity would be established that would foster increased access to the trails and experiences from guests to the district.
  - i. There would be little change in terms of the prospects for rural production given the permitted activity status of viticulture and horticulture in the Gibbston Character Zone, however the new sub-zone would realise the development of these areas as part of the integrated development of the GCSZ.
25. The environment that will be realised through the implementation of RM080864 and RM110747 will change the landscape from what is experienced at present through the presence of additional built form, non-rural activity, and viticulture. This will occur under the current zoning.

## Section 5

26. Section 5 (2) (a) calls for natural and physical resources to be sustained to meet the reasonably foreseeable needs of future generations. The proposed land use and sub-zoning would see the natural and physical resources outside of the activity areas specified on the Structure Plan enhanced with productive plantings with a commensurate retention of open space between the activity areas and SH6. The activity areas are in most cases underpinned by consented or existing development that is not constrained by high landscape values such that residential, visitor accommodation and supporting commercial activity can be advanced in a manner complimentary to the local environment.
27. Section 5 (2) (b) seeks to safeguard the life supporting capacity of air, water, soil, and ecosystems. The locations most suitable for viticulture and horticulture have been identified and preserved as part of the proposal. Ecological values have been previously evaluated and various locations for development have been avoided. As a further safeguard, matters of control/discretion have been included into the rule framework to ensure that on-going consideration of ecological values is at the forefront of development considerations. Water-related matters including the reticulation of services and the appropriate management of stormwater will be addressed as part of future subdivision consents and any associated consents required by the Otago Regional Council. The evidence of Mr Gousmett confirms that servicing of development within the sub-zone is feasible.
28. Section 5 (2) (c) calls for the adverse effects of activities on the environment to be avoided, remedied, or mitigated. The evidence of Ms Smetham provides a detailed landscape assessment. As a result of this assessment, the area sought for rezoning has been substantially reduced relative to the relief sought in the original submission and the activity areas considerably refined (with some removed in their entirety). Ms Smetham is satisfied that the activity areas can be developed subject to appropriate planning controls to manage visual effects from SH6.
29. Infrastructure and transportation effects are evaluated in the evidence of Mr Gousmett and Mr Carr, respectively.

Section 6

30. Turning to Section 6 of the Act, sub-section (b) calls for the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development. The site has avoided the ONL and ONF of the Kawarau River.
31. Section 6 (c) calls for the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna. The flora and fauna, and associated habitat, have not been identified as meeting a 'significant' threshold in the PDP. Notwithstanding this, ecological values are a component of the assessment criteria for future development.

Section 7

32. There are a number of matters under section 7 of relevance to the proposal.
33. Section 7 (b) calls for the efficient use and development of natural and physical resources. The proposed zoning will ultimately result in an outcome which enables the efficient use and development of the less sensitive parts of the site for higher value visitor accommodation, residential and commercial purposes.
34. Section 7 (c) calls for the maintenance and enhancement of amenity values and subsection (f) requires particular regard to be had to the maintenance and enhancement of the quality of the environment. These values will be maintained through the careful placement of the activity areas and the application of zone provisions that have been designed to manage amenity-related outcomes.

Section 8

35. Section 8 requires that the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) are taken into account. As set out in the cultural assessment undertaken by Kai Tahu Ki Otago Ltd (**Appendix 6**), the development of this area of Gibbston will not offend cultural values.

**Evaluation – Section 32 (1) (b)**

36. The purpose of the following stage in the evaluation is to examine whether the provisions of the proposal are the most appropriate way to achieve the objectives by identifying

other reasonably practicable options for achieving the objectives, assessing the efficiency and effectiveness of the provisions in achieving the objectives, and summarising the reasons for deciding on the provisions [section 32 (1) (b)].

37. For the reasons as set out in this report, this evaluation contains a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal [section 32 (1) (c)].

38. There are broadly five alternatives available to the submitter as follows:

- a. Maintain the status quo;
- b. Develop the land for viticulture, horticulture or general farming purposes in accordance with the Gibbston Character Zone;
- c. Implement the consented resort development and golf course;
- d. Implement the consent referred to above and make additional applications for development within the activity areas;
- e. Rezoning the site an alternative zone, such as Low Density or Large Lot Residential.

#### Status Quo

39. Maintaining the status quo does not make practical sense and does not accord with the trend of development advanced by GVS over the last 10 to 15 years. GVS holds a number of resource consents for development and has consent applications currently being processed by the QLDC. It is not practical to expect that the status quo would remain an option for the land and business.

#### Viticulture, Horticulture, or General Farming

40. Most of the station outside of the valley is used for farming purposes and the proposal does not alter this in any way.

41. Viticultural and horticultural land uses are a feature of the valley floor and considerable areas of the site. In reference to the evidence from Mr Hunt, further development of such activities are very unlikely to be advanced by GVS due to the costs of establishment and the overall returns being low. He remarks that this is a common issue for the planting of new vines in Gibbston.
42. Without an economic element to the land (such as that contained within the proposal), such activities are unlikely.

Implementation of the existing resource consent

43. This is an option for GVS and substantial progress has been made toward giving effect to the consent, including making a number of variations to the form of development consented.
44. The full implementation of this consent and its effect have not yet been realised in Gibbston.
45. This resource consent will not achieve all of the objectives of the proposal and would require significant work to advance via resource consent to achieve (discussed further below). The outcome of this path would be uncertain and would also come with significantly increased costs and time.

Apply for additional resource consents

46. This has been an option that has been thoroughly considered by GVS. This path would not necessarily lead to integrated planning, which is a key element of the proposal.
47. For large-scale activities, it is more appropriate for to reflect future activities by way of zoning. The Gibbston Character Zone requires a detailed evaluation of landscape values and impacts; the holistic management of this through zone provisions and a Structure Plan represents the most efficient way of enabling appropriate development to occur while enabling some flexibility for staging and refinement to meet various conditions over a longer period of time (bearing in mind that resource consents are usually granted for a 5-year term).
48. I have been advised that the resource consent for the resort development cost GVS in the order of \$1M to prepare and secure resource consent over a 2 to 3-year process.

Additional time and resource have been put towards the development since consent was granted in feasibility assessments, variations to consents, and extensions of time.

49. Resource consenting is also a piecemeal and somewhat ad hoc process which does not provide opportunity for the kind of broader perspective that can be applied through a District Plan review process. The approach being taken by GVS is to establish a broad framework for the future of the station that is contained on the valley, in order to provide long-term certainty to both themselves and the wider community, with any subsequent resource consenting (where necessary) focusing on detailed implementation and matters that are considered as part of any future development and subdivision proposal.
50. Turning now to section 32 (1) (b) (ii), the following considers the efficiency and effectiveness of the provisions in achieving the objectives. The requirements of this sub-clause are further subject to section 32 (2).
51. The key environmental effects relate to landscape values and transportation, addressed by Ms Smetham and Mr Carr, respectively. Other environmental effects include those relating to ecological and productive land uses. Ecological effects are managed by avoiding the areas identified in the report from Ms Dawn Palmer and productive land uses have been provided for, rather than compromised as part of the proposal. There are no significant cultural effects anticipated, with the exception of the promotion of heritage values within the site (which is done already at GVW and could be further enhanced as part of the proposal).
52. The economic benefits of the proposal would be positive on a number of levels, as set out in the evidence of Mr Hunt. While not only providing for the growth of GVS and GVW viticulture and tourism operations, the proposal will introduce opportunities for new businesses. The benefits and indirect benefits of construction are well known in the district. The provision of workers accommodation will not only benefit GVS and GVW by providing better access to worker resource, it could facilitate such benefits for other businesses in Gibbston. The commercial area will have a community focus and provide for economic prosperity through convenience and the fostering of community commercial activities (such as cellar doors, farmers markets, events and concerts).
53. The provisions for the GVSZ are considered to be through and certain, and greatly assisted by the inclusion of a Structure Plan. The sub-zone retains a reliance on the existing Gibbston Character Zone which provides support to the sub-zone and create

certainty in that the overall purpose of the Gibbston Character Zone will be maintained through the implementation of the proposal.

54. The proposal is well informed and uncertainty is relatively low. The proposed provisions provide for a clear consenting pathway. Refinement could be made within the provisions to further clarify the likely end density of development within the sub-zone. The Structure Plan and consenting framework (set out in the proposed provisions) provide a number of checks and balances in the process, also enabling the option of public notification and/or refusal if adverse effects are significant through a restricted discretionary subdivision framework.
55. There is considered sufficient information to allow the Hearings Panel to make a decision.
56. The following section examines the provisions and objectives of the amending proposal (as sought by GVS), and the objectives of the existing proposal (the Gibbston Character Zone as contained in the PDP) to the extent that those objectives are relevant to the objectives of the amending proposal and would remain if the amending proposal was to take effect [**section 32 (3)**].
57. A key feature of the proposal is that GVS seeks to establish a sub-zone within the existing framework of the Gibbston Character Zone. In effect, there are little changes to the existing zone in the PDP rather the focus of the proposal is the addition of specific provisions relating to the sub-zone that sit within the wider Gibbston Character Zone framework.

### Chapter 3 - Strategic Directions

58. Chapter 3 of the PDP sets out the over-arching strategic direction for the District. Direction is provided through a set of strategic goals, objectives and policies which provide direction for more detailed provisions relating to zones contained elsewhere in the PDP.
59. The particular qualities related to the GVS proposal are:
- a. Dramatic alpine landscapes free of inappropriate development
  - b. Compact and connected settlements that encourage public transport, biking and walking

- c. Diverse, resilient, inclusive and connected communities
  - d. A district providing a variety of lifestyle choices
  - e. An innovative and diversifying economy based around a strong visitor industry
60. For completeness, the proposal is not at odds with the other qualities noted in this chapter.
61. While the proposal does not result in a framework that specifically focusses economic activity on the Queenstown and Wanaka town centres, it will be complimentary to those centres by enhancing an existing community and tourism attraction in the district. The expansion of this locality in Gibbston will not have any negative impacts on the commercial viability or otherwise of the town centres. The proposal will promote and foster growth in the visitor industry and encourage investment, albeit not in the Queenstown and Wanaka town centres specifically.<sup>1</sup>
62. In the broad sense the proposal will enhance and sustain local services and employment served in commercial centres and industrial areas, as the proposal does not introduce any competing factors to those facilities, rather the activities are unique to the qualities of Gibbston and its local, predominantly winery and tourism based, economy. Activities will not take away from the functions of commercial precincts and local shopping zones, which will still very much be a key part of the communities every day requirements which will not be catered for as part of the proposal.<sup>2</sup>
63. Objective 3.2.1.4 is of direct importance; the proposal will directly provide for and enable significant socioeconomic benefits of tourism activities by building upon an existing base of such activities in Gibbston (both existing and consented to GVS). As set out in the evidence and reinforced through the promotion of a Structure Plan and specific planning provisions, adverse effects will be avoided, remedied and mitigated.
64. Likewise as relevant is Objective 3.2.1.6 relating to the diversification of land use in rural areas which is achieved by the proposal.
65. While the proposal promotes strategic and integrated management of growth, the proposal does not result in urban development. The clustering of activity areas,

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<sup>1</sup> Refer section 3.2.1, Objective 3.2.1.1 and its associated policies

<sup>2</sup> Refer section 3.2.1, Objective 3.2.1.3A and its associated policies

preservation of open space, the maintenance and enhancement of productive landscape areas, and retention of most of the provisions for the Gibbston Character Zone in the PDP will ensure that development remains, overall, rural in character and scale.<sup>3</sup>

66. Objective 3.2.3.2 seeks that development is sympathetic to the district's cultural heritage values. The proposal identifies heritage items and will ensure that they are protected from inappropriate development, primarily by avoiding development in close proximity to such features and also integrating the 'story' of the heritage into the overall resort proposal.

67. The natural environment and ecosystems have been protected as part of the proposal. Areas of significant nature conservation values have been avoided.<sup>4</sup> Objective 3.2.4.3 seeks to protect landscape values and the productive potential of land; this is a key element of the proposal and has been achieved through specific selection of activity areas and enhancement of areas suitable for viticulture and horticulture.

68. Public access to the natural environment will be enhanced by the proposal.<sup>5</sup>

69. Outstanding natural landscapes and features have been avoided by the proposal, and development controls relating to location and height in particular, will ensure that such landscapes in the wider valley are not compromised. For reasons previously outlined in this report, the quality and visual amenity values of the rural landscapes are maintained by the proposal. Development is proposed in locations and in ways that the effects can be absorbed and the impacts of change having minimal effects on the wider landscape.<sup>6</sup> Rural living opportunities are to be provided in appropriate locations<sup>7</sup> and this is achieved through the proposal.

70. Agricultural land use and management is seen as a way to maintain the character of the district's landscapes.<sup>8</sup> This is a key feature of the proposal.

71. A mix of housing is a requirement in the district<sup>9</sup>, as is good design.<sup>10</sup>

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<sup>3</sup> Refer section 3.2.2, objective 3.2.2.1 and its associated policies

<sup>4</sup> Objectives 3.2.4.1 and 3.2.4.2, and their associated policies

<sup>5</sup> Objective 3.2.4.7

<sup>6</sup> Section 3.2.5 and its objectives and policies

<sup>7</sup> Policy 3.2.5.4.2

<sup>8</sup> Objective 3.2.5.5.1 and its associated policies

<sup>9</sup> Objective 3.2.6.2

<sup>10</sup> Objective 3.2.6.4

72. Development within the proposed sub-zone can be connected to the necessary infrastructure such that Objective 3.28 and its associated policies are not offended. This has been further evaluated in the evidence of Mr Gousmett.

Chapter 6 - Landscape

73. The objectives from Chapter 6 Landscape as notified recognise and provide for the management of landscape values as a significant resource for the district. To align with the provisions of section 6 (b) and section 7 of the RMA and also of the higher order regional policy documents, the PDP seeks to identify Outstanding Natural Landscapes and Features as well as Rural Landscapes.

74. Many of the matters relating to landscape have been discussed in the previous section of this report, and also evaluated in the landscape assessment by Ms Smetham who make specific reference to the provisions in chapter 6.

75. The development of a Structure Plan that identifies activity areas that are supported by planning provisions and controls to manage the effects of development is a significant factor assisting the proposal in promoting positive landscape outcomes.

76. The provision for subdivision within the sub-zone is set out in the new provisions outlining a restricted discretionary activity regime that places reliance on development in accordance with a Structure Plan. Much of the effect on the landscapes will arise from the land uses and built forms, which can be managed. The restricted discretionary activity regime for subdivision is considered appropriate to enable choice and flexibility for GVS when creating new allotments with supporting built form, while retaining the landscape assessment matters and matters of discretion for the QLDC to evaluate the effects of any future proposals within an informed set of criteria.

77. Chapter 6 contains Objective 6.3.7 and associated policies relating to the use and enjoyment of the districts landscape for recreation and tourism. The proposal strongly supports these outcomes. Policy 6.3.4 specifically relates to Gibbston:

***“Provide a separate regulatory regime for the Gibbston Valley, identified as the Gibbston Character Zone, in recognition of its contribution to tourism and viticulture while controlling the impact of buildings, earthworks and non-viticulture related activities on the environment”***

78. The proposal is informed and underpinned by the above policy.
79. For the above reasons and those previously evaluated including in technical evidence, the proposal accords with the objective and policies of relevance in chapter 6 of the PDP.

Chapter 23 – Gibbston Character Zone

80. As previously explained, the proposal does not change the objectives, policies or rules for the Gibbston Character Zone outside of that area identified in the Structure Plan as the GVSZ. This ensures that the proposal does not impact on any land outside the sub-zone and that the notified provisions of the PDP remain.
81. By virtue of the activity areas and respective controls outlined in the provisions of the proposal, it is expected that development can occur within the sub-zone that will not be at odds with the PDP objectives and policies for the Gibbston Character Zone. This is considered as an important aspect of the proposal as it is not seeking wholesale changes to an existing zone, rather it is creating a foundation within that zone to provide for appropriate development.
82. A site-specific objective has been proposed as set out in the provisions in **Appendix 2**. This objective is supported by policies that give effect to development within the activity areas identified in the Structure Plan while ensuring that adverse effects are avoided, remedied and mitigated.
83. The discretionary regime for subdivision and development in the Gibbston Character Zone remains. Site and activity specific rules and standards have been introduced to guide development. The landscape assessment matters relating to the Gibbston Character Zone have been retained to help guide development in the overall sense anticipated within the principle zone.

Chapter 27 – Subdivision

84. It is stated in the purpose of Chapter 27 that the subdivision chapter is the primary method to ensure that the District's neighbourhoods are quality environments that take into account the character of local places and communities, except where specific

provisions are provided to assess subdivision, such as the Rural, Gibbston and Rural Lifestyle Zones.

85. In this regard Chapter 23 remains the primary section of the PDP relating to Gibbston and the proposal. From a review of the objective and policies of Chapter 27 in the PDP, it is considered that to best give effect to the proposal, a specific objective and policy is required, supported by the existing rule relating to structure plans as well as the inclusion of a specific Structure Plan for the GVSZ.

86. The following provisions of the PDP are relevant:

- a. Rule 27.4.1 requires that all subdivision activities are discretionary activities, except otherwise stated.
- b. Rule 27.4.3 requires that a subdivision undertaken in accordance with a structure plan or spatial layout plan that is identified in the District Plan shall be a restricted discretionary activity. Discretion is restricted to the matters specified in the Location Specific Objectives, Policies and Provisions in Part 27.7.
- c. Rule 27.5.1 contains the relevant minimum lot area standards for subdivision in the district. The Gibbston Character Zone is specified as having “no minimum” allotment size for subdivision.
- d. Rule 25.5.1.1 requires that a building platform be identified for every allotment created in the Gibbston Character Zone, which would carry into the GVSZ.
- e. Rule 25.5.1.4 requires that the subdivision of land containing a heritage or any other protected item and scheduled in the District Plan shall be a Discretionary activity.
- f. Part 27.7 contains location-specific objectives, policies and provisions. There are no specific objectives and policies relating to the Gibbston Character Zone.
- g. Rule 27.10.1 refers to rules relating to access from State Highways and the need to obtain approval from the Minister of Transport for all subdivisions with access onto state highways that are declared Limited Access Roads (LAR).

87. To implement Rule 27.4.3 relating to Structure Plans, a new objective 27.7.21 and policy 27.7.21.1 have been added to the location specific provisions (**see Appendix 2**).

### **Evaluation – Section 32 (1) (b)**

88. The reasons for deciding on the provisions in the proposal are summarised as follows:

- a. the purpose of the sub-zone is to provide a policy, zoning and rules framework that will enable part of GVS to be developed for a range of uses, including viticulture, residential, commercial, commercial recreation and visitor accommodation, while avoiding, remedying and mitigating adverse effects on the landscape values of Gibbston.
- b. the PDP provisions for the Gibbston Character Zone are not the most efficient way of achieving the objective and require an uncertain and costly resource consent process, a process which does not necessarily enable the development to be advanced in an integrated manner within a timeframe that is commensurate with the long-term development within the Gibbston valley. The discretionary activity regime presents a strong threshold in planning terms that will need to be overcome whereby the proposed provisions further refine the activity relative to appropriate locations and controls on development within a Structure Plan.
- c. while viticulture and horticulture are permitted under the current Gibbston Character Zone in the PDP, the rules do little to practically encourage this use taking into account the marginal growing conditions in Gibbston and economic considerations, whereby the proposal requires such activity where productive values enable such uses and will be supported by economic land uses (visitor accommodation, residential activity, and so on).
- d. the proposal provides for a policy framework which would enable the zoning to take place in a manner which is consistent with the objective and policy framework in the PDP.
- e. the proposal reduces potential administration and compliance costs compared to the alternative of progressing development via an ad hoc resource consent (or number of process as has been the case in the past).

89. The proposed relief achieves a number of positive outcomes as follows:

- a. It will foster tourism and visitor accommodation growth in Gibbston, bringing with it economic benefits to GVS and the wider community.
- b. it avoids development within an ONL and avoids inappropriate development on land that could be used for productive viticulture.
- c. it enables further residential development in discrete locations adding to housing choice in Gibbston.
- d. it enables further visitor accommodation development that will foster further tourism in Gibbston and bring in more people to enjoy the attractions, amenities and wineries in the area.
- e. provides further supported and a platform for integrated development around an existing resort that has resource consent to ensure that future development is not ad hoc and managed in accordance with a Structure Plan.
- f. provides a rule package to manage visual effects and landscape values in sensitive locations.

90. As such it is considered that the proposal better achieves the PDP's objectives and thereby Part 2 of the RMA in a more efficient and effective manner than the framework as notified.