

Appendix B - A copy of the Appellants' submission and further submissions;

**SUBMISSION ON THE PROPOSED QUEENSTOWN LAKES DISTRICT PLAN
UNDER CLAUSE 6 OF THE FIRST SCHEDULE TO
THE RESOURCE MANAGEMENT ACT 1991**

To: Queenstown Lakes District Council
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Submitter: Soho Ski Area Limited and Blackmans Creek No.1 LP
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Soho Ski Area Limited and Blackmans Creek No. 1 LP (the "Soho") makes the submissions on the Proposed Queenstown Lakes District Plan ("PDP") set out in the **attached** document.

Soho confirms their submission does not relate to trade competition or the effects of trade competition.

Soho would like to be heard in support of its submission.

If other persons make a similar submission then Soho would consider presenting joint evidence at the time of the hearing.



Chris Ferguson

Soho Ski Area Ltd and Blackmans Creek No. 1 LP

23rd day of October 2015

OUTLINE OF SUBMISSION

This submission has been structured under the following headings:

Section A: Overview

Section B: Reasons for, and matters raised, in the Submission

Section C: Specific Submissions to the Proposed Queenstown Lakes District Plan

SECTION A: OVERVIEW

1. Soho owns and operate the Soho Ski Area. This area is located within the Ski Area Sub Zone (“SASZ”) of the operative and Proposed Queenstown Lakes District Plans.
2. The Soho Ski Area is located on the south and western facing slopes of the mountain range extending north of the Crown Range, including Mount Sale and Mount Cardrona and runs roughly parallel to the Cardrona Valley Road. This area has long been associated with heli-skiing, it has recently obtained resource consents for the construction of a chair lift within the Soho Basin, a groomer shed in the Willow Basin and staff access to the area from Cardrona Valley Road over an adjoining parcel, known as the Blackmans Creek freehold land. The groomer shed and compound are constructed and part of the access is under construction, with the balance due for completion this summer. Access into the Soho Basin in preparation for the chair lift construction has also been constructed with the chair lift itself scheduled to commence construction this summer also.
3. The Soho Ski area comprises part of the Glencoe pastoral leasehold land, from which Soho Ski Area Ltd holds a Recreation Permit to undertake ski area activities and part of an adjoining freehold land parcel known as the Blackmans Creek land. The Soho ski area land is legally described as follows:
 - (a) Blackmans Creek freehold – Lot 1 DP 475309 and Section 5 Block I Knuckle Peak Survey District, being 885.4226 hectares in area and contained within the Computer Freehold Register identifier 654603; and
 - (b) Glencoe Station Pastoral Lease - Section 1, Section 3, Section 6, Section 8-9, Section 11-17 and Section 19 Block VII Kawarau Survey District, Section 4 Block X Shotover Survey District, Run 25, Run 39, Section 29- 30 and Section 7 Block X Shotover Survey District and Run 37, being 8,579 hectares in area and contained within the Computer Interest Register identifier OT386/62.
4. The level and planned investment in infrastructure as part of the ski area development is significant. It contributes to the range of outdoor recreation activities available within the District and enhancing its reputation as a major national and international tourist destination.

SECTION B: REASONS FOR, AND MATTERS RAISED, IN THE SUBMISSION

5. This submission to the PDP is in general support of the SASZ’s as the primary mechanism used within the PDP to provide for the sustainable management of the natural and physical resources of these areas. This submission seeks minor changes to the policy structure within the district wide chapters and also within the rural zone provisions to clarify the role of the subzone and the nature of the outcomes anticipated.

Expansion to the Ski Area Sub Zone

6. The submissions also seeks to address a key issue relating to the connection between the SASZ's and the surrounding transportation network. Given the value of the ski area, the PDP needs to make provision for the means of transporting guests onto and off the mountain. The rural general rules that apply to the land outside of the ski areas do not anticipate or provide for the transportation connections to ski areas and there is a disconnect in the plan provision in failing to manage the whole of the infrastructure necessary to operate the ski area.
7. The transportation connections considered necessary to be provided for within the PDP include the establishment and maintenance of vehicle based ski area access and any passenger lift systems.
8. The PDP recognises this issue in part through Policy 21.2.6.2 that seeks to control the visual impact of roads, buildings and infrastructure associated with Ski Area Activities. For the most part access roads to all ski areas in the District lie outside the ski area sub-zone and the policy needs to be referenced to the rural areas for it to have benefit.
9. Due to the intrinsic relationship between access roads and other transport systems to the operation of ski areas activities within the Soho ski areas, Soho seeks to extend the SASZ to include land based access and any passenger lift systems.
10. Soho submits this approach will provide a more appropriate framework for the management of ski area activities and the necessary and associated infrastructure that is vital to their operation.
11. Attached within Appendix 1 is a plan of the proposed extension to the Cardona Ski Area Sub Zone that includes areas of land that can be better used or managed to provide for the Cardrona SASZ, including for infrastructure, access and services that are critical to the comprehensive use and management of Soho ski area in the long term.

Activities within the Ski Area Subzones

12. Soho wishes to expand and consolidated the nature of activities that may establish in the Ski Area Sub Zones in two ways:
 - (a) The addition of commercial activities associated with any recreation activity; and
 - (b) The provision of on-mountain visitor and residential accommodation.
13. Soho seeks to provide for its on-going financial sustainability, make an efficient use of the available land resource and to complement the nature of the outdoor recreation activities anticipated for these areas through the addition of commercial activities, visitor and residential accommodation associated with activities in the SASZ.
14. Ski areas have traditionally accommodated some limited forms of commercial activities such as cafes, restaurants, snow equipment hire and Soho seek to recognise that such activities may fall outside of the definition of Ski Area Activities.
15. Ski-in/out accommodation is popular internationally and Soho sees this as a key element of future growth associated with the development of ski areas in Queenstown. Visitor accommodation has been developed to a limited extent at Cardrona ski area and at the Snow Farm. Soho seeks to make provision for on-mountain accommodation within an amended definition of Ski Area Activities. In order to realise potential conservation benefits within these alpine areas, building for these purposes are proposed to be subject to a new standard requiring the formulation and implementation of a landscape and ecological management plan. submission of The addition of new methods within the SASZ is supported by Objective 21.2.6 (Chapter 21) encouraging the consolidation of ski areas, Objective 6.3.8 recognising the

dependence of tourism on the District's landscape and the related policies 6.3.8.1, 6.3.8.2 and 6.3.8.3.

Subdivision within the Ski Area Sub Zones

16. Related to the above is the management of the effects of subdivision within the SASZ's, which currently fall under the framework of the discretionary activity regime applied to the rural zone (and now the District generally). Soho submits that the status of subdivision and the notification presumption within the rural zone does not reflect the relevant objectives and policies provided for this zone. In particular, Objective 21.2.6 that seeks to encourage the future growth, development and consolidation of existing Ski Areas within identified Sub Zones, while avoiding, remedying or mitigating adverse effects on the environment and Policy 21.2.6.1 that seeks to identify Ski Field Sub Zones and encourage Ski Area Activities to locate and consolidate within the sub zones. On this basis, changes are sought to identify subdivision within the SASZ's as a controlled activity.

SECTION D: SPECIFIC SUBMISSIONS TO THE PROPOSED QUEENSTOWN LAKES DISTRICT PLAN

Specific Provision	Submission	Decisions Sought [New text shown <i><u>underlined bold italics</u></i> and deleted text shown as <i>italic strike-through</i>]
Chapter 6 Landscapes		
6.3.8 Objective - Recognise the dependence of tourism on the District's landscapes	Support	Retain
Policy 6.3.8.1 Acknowledge the contribution tourism infrastructure makes to the economic and recreational values of the District.	Support	Retain.
Policy 6.3.8.2 Recognise that commercial recreation and tourism related activities locating within the rural zones may be appropriate where these activities enhance the appreciation of landscapes, and on the basis they would protect, maintain or enhance landscape quality, character and visual amenity values.	<p>Oppose</p> <p>Soho opposes Policy 6.3.8.2 as it seeks to ensure commercial recreation activities enhance the appreciation of landscapes and protect, maintain or enhance landscape quality, character and visual amenity values.</p> <p>The policy becomes significant for these areas because of its reference to commercial recreation.</p> <p>Soho are concerned that the built outcomes anticipated and provided for with the PDP under Objective 21.2.6 and the related SASZ rules within the rural areas, conflict with this policy direction. In particular, the construction of buildings and chairlifts associated with ski areas may not enhance landscape appreciation or landscape quality.</p>	<p>Amend Policy 6.3.8.2, as follows:</p> <p><i><u>Manage the adverse effects of</u> Recognise that commercial recreation and tourism related activities locating within the rural zones may be appropriate where these activities enhance the appreciation of landscapes, and on the basis they would protect, maintain or enhance <u>on landscape quality, character and visual amenity values.</u></i></p>

Specific Provision	Submission	Decisions Sought [New text shown <u>underlined bold italics</u> and deleted text shown as <i>italic strike-through</i>]
<p>Policy 6.3.8.3 Exclude identified Ski Area Sub Zones from the landscape categories and full assessment of the landscape provisions while controlling the impact of the ski field structures and activities on the wider environment.</p>	<p>Support</p>	<p>Retain.</p>
<p>Chapter 21 Rural</p>		
<p>21.1 Zone Purpose</p> <p>Ski Area sub zones are located within the Rural Zone. These sub zones recognise the contribution tourism infrastructure makes to the economic and recreational values of the District. The purpose of the Ski Area sub zones is to enable the continued development of Ski Area Activities within the identified sub zones where the effects of the development would be cumulatively minor.</p>	<p>Support in Part</p> <p>Soho supports the statement within the zone purpose relating to the SASZ's. This statement is weighted towards the use of the SASZ's for ski area activities. For the reasons expressed within the general submission above, ski areas are becoming increasingly valuable as a year round recreation resource. Small changes are proposed to reflection this wider outdoor recreation value of the SASZ's.</p>	<p>Amend 21.1 Zone Purpose, as follows:</p> <p><i>Ski Area sub zones are located within the Rural Zone. These sub zones recognise the contribution tourism infrastructure makes to the economic and recreational values of the District. The purpose of the Ski Area sub zones is to enable the continued development of Ski Area Activities <u>as year round destinations</u> within the identified sub zones where the effects of the development would be cumulatively minor.</i></p>
<p>21.3.3 Clarification</p>	<p>Support in Part</p> <p>Soho supports provision 21.3.3.8 as it clarifies the structure of rules relating to the SASZ's. Soho submits that it would help to clarify the understanding of the rule is this provision was amended to clarify that the rules</p>	<p>Amend Provisions 21.3.3.8, as follows:</p> <p><i>The Ski Area and Rural Industrial Sub Zones, being Sub Zones of the Rural Zone, require that all rules applicable to the Rural Zone apply unless stated to the contrary. In the event of a conflict between <u>the rules contained within Table 7 (Standards for Ski Area Activities)</u></i></p>

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	contained within Table 7 take precedence over any other rules that might apply to the same activity.	<u><i>with any other rule within Chapter 21, the rules in Table 7 shall prevail.</i></u>
21.2.6 Objective - Encourage the future growth, development and consolidation of existing Ski Areas within identified Sub Zones, while avoiding, remedying or mitigating adverse effects on the environment	Support	Retain.
Policy 21.2.6.1 Identify Ski Field Sub Zones and encourage Ski Area Activities to locate and consolidate within the sub zones.	Support	Retain.
Policy 21.2.6.2 Control the visual impact of roads, buildings and infrastructure associated with Ski Area Activities.	Support	Retain.
New Policy 21.2.6.4	<p>Soho seeks to introduce a new policy related to Objective 21.2.6 providing support for commercial activities within SASZ's and to manage their effects on the natural and physical resources of these alpine areas. The reasons for this relief are detailed within the general submission above.</p> <p>Soho wishes to slightly expand the nature of activities that may establish in the SASZ's to support the on-going</p>	<p>Insert a new policy 21.2.6.4 (below Objective 21.2.6), as follows:</p> <p><u><i>Enable commercial, visitor and residential accommodation activities within Ski Area Sub Zones, which are complementary to outdoor recreation activities, can realise landscape and conservation benefits and that avoid, remedy or mitigate adverse effects on the environment.</i></u></p>

Specific Provision	Submission	Decisions Sought [New text shown <u>underlined bold italics</u> and deleted text shown as <i>italic strike-through</i>]
	<p>financial sustainability of ski areas, make an efficient use of the available land resource and that complement the nature of the outdoor recreation activities anticipated for these areas.</p> <p>The addition of a new policy for these purposes is supported by Objective 21.2.6 (Chapter 21) encouraging the consolidation of ski areas, Objective 6.3.8 recognising the dependence of tourism on the District's landscape and the related policies 6.3.8.1, 6.3.8.2 and 6.3.8.3.</p>	
New Policy 21.2.6.5	<p>Transportation infrastructure is a key component to the operation of ski areas for the general reasons expressed above. An additional policy is sought to be created, which recognises and provide for the functional dependencies of ski areas to transportation infrastructure linking the on-mountain facilities to the surrounding road network. Transportation infrastructure includes vehicle access and other lift based systems.</p>	<p>Insert New Policy 21.2.6.5, as follows:</p> <p><u><i>To recognise and provide for the functional dependency of ski area activities to transportation infrastructure, such as vehicle access and passenger lift based or other systems, linking on-mountain facilities to the District's road and transportation network.</i></u></p>
Rule 21.4.18 Ski Area Activities within the Ski Area Sub Zone	<p>Support in Part</p> <p>Soho supports Rule 21.4.18 listing ski area activities within the SASZ as a permitted activity. Soho submits that this rule would be better situated within Table 7 where it can be grouped together with the other rules relating to the SASZ's.</p>	<p>Move Rule 21.4.18 into Table 7 Standards for Ski Area Activities within the Ski Area Sub Zones.</p>
Rule 21.4.26 Informal Airports	<p>Support in Part</p> <p>Permitted activity status for informal airports is supported, particularly where it applies to the ski area sub-zones that</p>	<p>Amend Rule 21.4.25, as follows:</p> <p><i>Informal Airports Located on other Rural Zoned Land</i></p>

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	<p>are located on land outside of public conservation land or the crown estate. Within the ski area sub zones it is considered informal airports should be given particular recognition because of the regular use of these areas for safety purposes e.g. transportation of the injured, as well as the amenity expectations for these areas where aircraft (mostly helicopters) are an expected and regular occurrence.</p>	<p><i>Informal Airports that comply with the following standards shall be permitted activities:</i></p> <p><i>21.5.26.1 Informal airports on any site that do not exceed a frequency of use of 3 flights* per week, <u>except within any Ski Area Sub-Zone</u>;</i></p> <p><i><u>21.5.26.2 Informal airports within a Ski Area Sub Zone are associated with Ski Area Activities;</u></i></p> <p><i>21.5.26.23 Informal airports for emergency landings, rescues, fire-fighting and activities ancillary to farming activities;</i></p> <p><i>21.5.26.34 In relation to point (21.5.26.1), the informal airport shall be located a minimum distance of 500 metres from any formed legal road or the notional boundary of any residential unit of building platform not located on the same site.</i></p> <p><i>* note for the purposes of this Rule a flight includes two aircraft movements i.e. an arrival and departure.</i></p>
<p>New Rules 21.5.32 and 21.5.33</p>	<p>Changes to the definition of Ski Area Activity are proposed to enable visitor and residential accommodation to be developed as part of the on-mountain facilities associated ski area activities. A new standard is proposed to realise wider conservation and landscape benefits that can further support these activities. The standard is designed to ensure any residential or visitor accommodation activity (not building) provides for the submission of a landscape and ecological management plan outlining areas where ecological and conservation protection and enhancement</p>	<p>Insert a new Rule 21.5.32 (Table 7), as follows:</p> <p><u>Residential and Visitor Accommodation Activities (all excluding buildings) in the Ski Area Sub-Zones</u></p> <p><i><u>Information Requirements:</u></i></p> <p><i><u>Any applications for resource consent under this rule shall include a Landscape an Ecological Management Plan in respect of the particular ski area (noting this may not relate to the whole of the Ski Area Sub-Zone).</u></i></p> <p><i><u>Matters of Discretion:</u></i></p>

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	can be achieved and landscape qualities protected and enhanced.	<p><u>The Council's discretion is restricted to:</u></p> <ul style="list-style-type: none"> i. <u>The identification and protection of prominent rock outcrops, ridgelines and areas of particular landscape sensitivity;</u> ii. <u>Opportunities to remedy visually adverse landscape effects related to past ski area activities;</u> iii. <u>The identification of streams, wetland, bogs and any habitats of any significant flora and fauna</u> iv. <u>Measure to enhance degraded habitats and protect any other significant ecological habitats</u> v. <u>Effects on landscape and amenity values through the location of sites for all building development</u> vi. <u>Subdivision layout (if relevant)</u> vii. <u>The protection of areas of open space</u> viii. <u>In respect to visitor accommodation activities, the matters listed above as well as:</u> <ul style="list-style-type: none"> a) <u>Traffic generation, vehicle access and car parking</u> b) <u>Scale of the activity</u> c) <u>Noise</u> d) <u>Hours of operation</u> e) <u>Infrastructure services</u>

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		<p>Where the status of the activities subject to this rule are restricted discretionary.</p> <p>Insert a new Rule 21.5.33 (Table 7), as follows:</p> <p><u><i>The use or development of land within any Ski Area Sub Zone for Visitor or Residential Accommodation purposes in the absence of resource consent granted under Rule 21.5.32</i></u></p> <p>Where the status of non-compliance with this rule is Discretionary.</p>
Rule 21.5.15 Buildings	<p>Oppose</p> <p>This rule seeks to impose restriction over the light reflectance values (colours) of external building materials within all parts of the rural zone. Soho submits this rule is unnecessary for building within the SASZ's because external appearance and colour and visual dominance are factors taken into account through Rule 21.5.27 for all building (including additions or alterations).</p> <p>Soho submits this rule would not add to this assessment and is therefore an inefficient method to achieve the objectives of the plan. On this basis Soho seeks to have building within the SASZ's, exempt from this rule.</p>	<p>Amend Rule 21.5.15 Buildings, as follows:</p> <p><i>Any building, including any structure larger than 5m², that is new, relocated, altered, reclad or repainted, including containers intended to, or that remain on site for more than six months, and the alteration to any lawfully established building are subject to the following:</i></p> <p><i>All exterior surfaces shall be coloured in the range of browns, greens or greys (except soffits), including;</i></p> <p><i>21.5.15.1 Pre-painted steel and all roofs shall have a reflectance value not greater than 20%; and,</i></p> <p><i>21.5.15.2 All other surface finishes shall have a reflectance value of not greater than 30%.</i></p> <p><i>21.5.15.3 In the case of alterations to an existing building not located within a building platform, it does not increase the ground floor area by more than 30% in any ten year period.</i></p> <p><u><i>Except that building within the Ski Area Sub Zones, shall be exempt from these rules.</i></u></p>

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		<p><i>Discretion is restricted to all of the following:</i></p> <ul style="list-style-type: none"> • <i>External appearance.</i> • <i>Visual prominence from both public places and private locations.</i> • <i>Landscape character.</i> • <i>Visual amenity.</i>
Rule 21.5.15 Building Size	<p>Oppose</p> <p>Soho opposes Rule 21.5.16 limiting the maximum ground floor area of any building to 500 m². Soho is concerned that this threshold would add an unnecessary layer to the resource consent requirements to all buildings located within SASZ's. Within the SRSZ's, all building (including alterations and additions) are a controlled activity and where control is reserve to location, external appearance and size, colour and visual dominance.</p> <p>Soho submits this rule would not add to this assessment and is therefore an inefficient method to achieve the objectives of the plan. On this basis Soho seeks to have building within the SASZ's, exempt from this rule.</p>	<p>Amend Rule 21.5.16, as follows:</p> <p><i><u>The maximum ground floor area of any building shall be 500 m². Except this rule shall not apply to building located within any Ski Area Sub Zone.</u></i></p>
Chapter 27 Subdivision		
Rule 27.4	<p>Oppose</p> <p>Rule 27.4 is opposed for the general reasons expressed above. Changes are sought to this rule to ensure</p>	<p>Amend Rule 27.4.1, as follows:</p> <p><i>All subdivision activities are discretionary <u>controlled</u> activities, except as otherwise stated:</i></p>

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	subdivision that complies with the relevant standards within the ski area sub zones are a controlled activity.	<p><u>Council's control is limited to:</u></p> <ul style="list-style-type: none"> • <u>Lot sizes, averages and dimensions</u> • <u>Subdivision design</u> • <u>Property access</u> • <u>Esplanade provision</u> • <u>Natural hazards</u> • <u>Fire fighting water supply</u> • <u>Water supply</u> • <u>Stormwater disposal</u> • <u>Sewage treatment and disposal</u> • <u>Energy supply and telecommunications</u> • <u>Open space and recreation</u> • <u>Easements</u> • <u>The nature, scale and adequacy of environmental protection measures associated with earthworks</u> <p>Or</p> <p>Insert new Rule 27.4.4, as follows:</p> <p><u>The following shall be Controlled activities:</u></p> <p>a. <u>Subdivision within the Ski Area Sub Zones.</u></p> <p><u>Council's control is limited to:</u></p> <ul style="list-style-type: none"> • <u>Lot sizes, averages and dimensions</u> • <u>Subdivision design</u> • <u>Property access</u> • <u>Esplanade provision</u> • <u>Natural hazards</u> • <u>Fire fighting water supply</u> • <u>Water supply</u>

Specific Provision	Submission	Decisions Sought [New text shown <u><i>underlined bold italics</i></u> and deleted text shown as <i>italic strike-through</i>]
		<ul style="list-style-type: none"> • <u><i>Stormwater disposal</i></u> • <u><i>Sewage treatment and disposal</i></u> • <u><i>Energy supply and telecommunications</i></u> • <u><i>Open space and recreation</i></u> • <u><i>Easements</i></u> • <u><i>The nature, scale and adequacy of environmental protection measures associated with earthworks</i></u>
27.9.1 Non-notification of applications	<p>Support in Part</p> <p>Subdivision within the SASZ's is treated the same as subdivision within the rural zone, including the possibility of notification.</p>	<p>Amend 27.9.1, as follows:</p> <p><i>Except where as specified in RULE 27.9.2, applications for resource consent for the following activities shall not require the written consent of other persons and shall not be notified or limited-notified;</i></p> <p><i>a Boundary adjustments.</i></p> <p><i>b All restricted discretionary and discretionary activities, except within the Rural Zone.</i></p> <p><i>c Subdivision within the Ski Area Sub-Zones.</i></p>
Chapter 33 Indigenous Vegetation and Biodiversity		
Rule 33.3.4 Exemptions	<p>Support in Part</p> <p>The Soho Ski Area is located within Crown Pastoral Lease and Recreation Permit area. Where land is subject to the framework of such legislation, Soho submits that it is a duplication of process and therefore inefficient for the District Plan to subject this land to further rules and potential consent processes when such matters have already been considered. Soho seeks to exempt</p>	<p>Insert a new exception, as Rule 33.3.4.4, as follows:</p> <p><u><i>Indigenous vegetation clearance undertaken on land managed under the Conservation Act in accordance with a Conservation Management Strategy or Concession; Under the Land Act, in accordance with a Recreation Permit; or the Reserve Act in accordance with a Reserve Management Strategy.</i></u></p>

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	indigenous vegetation clearance on its land for these reasons.	
Definitions		
Definition of 'Building'	<p>Support in Part</p> <p>Soho supports the list of exemptions to the definition of building. In order to clarify matters, it should include all facilities, services and infrastructure relating to ski lift systems, including the towers, cables, top and bottom stations, cabins, chairs and other passenger lift or other systems located within the SASZs.</p>	<p>1. To amend the definition of building, as follows:</p> <p><i>Shall have the same meaning as the Building Act 2004, with the following exemptions in addition to those set out in the Building Act 2004:</i></p> <ul style="list-style-type: none"> • <i>Fences and walls not exceeding 2m in height.</i> • <i>Retaining walls that support no more than 2 vertical metres of earthworks.</i> • <i>Structures less than 5m² in area and in addition less than 2m in height above ground level.</i> • <i>Radio and television aerials (excluding dish antennae for receiving satellite television which are greater than 1.2m in diameter), less than 2m in height above ground level.</i> • <i>Uncovered terraces or decks that are no greater than 1m above ground level.</i> • <i>The upgrading and extension to the Arrow Irrigation Race provided that this exception only applies to upgrading and extension works than involve underground piping of the Arrow Irrigation Race.</i> • <i>Flagpoles not exceeding 7m in height.</i> • <i>Building profile poles, required as part of the notification of Resource Consent applications.</i>

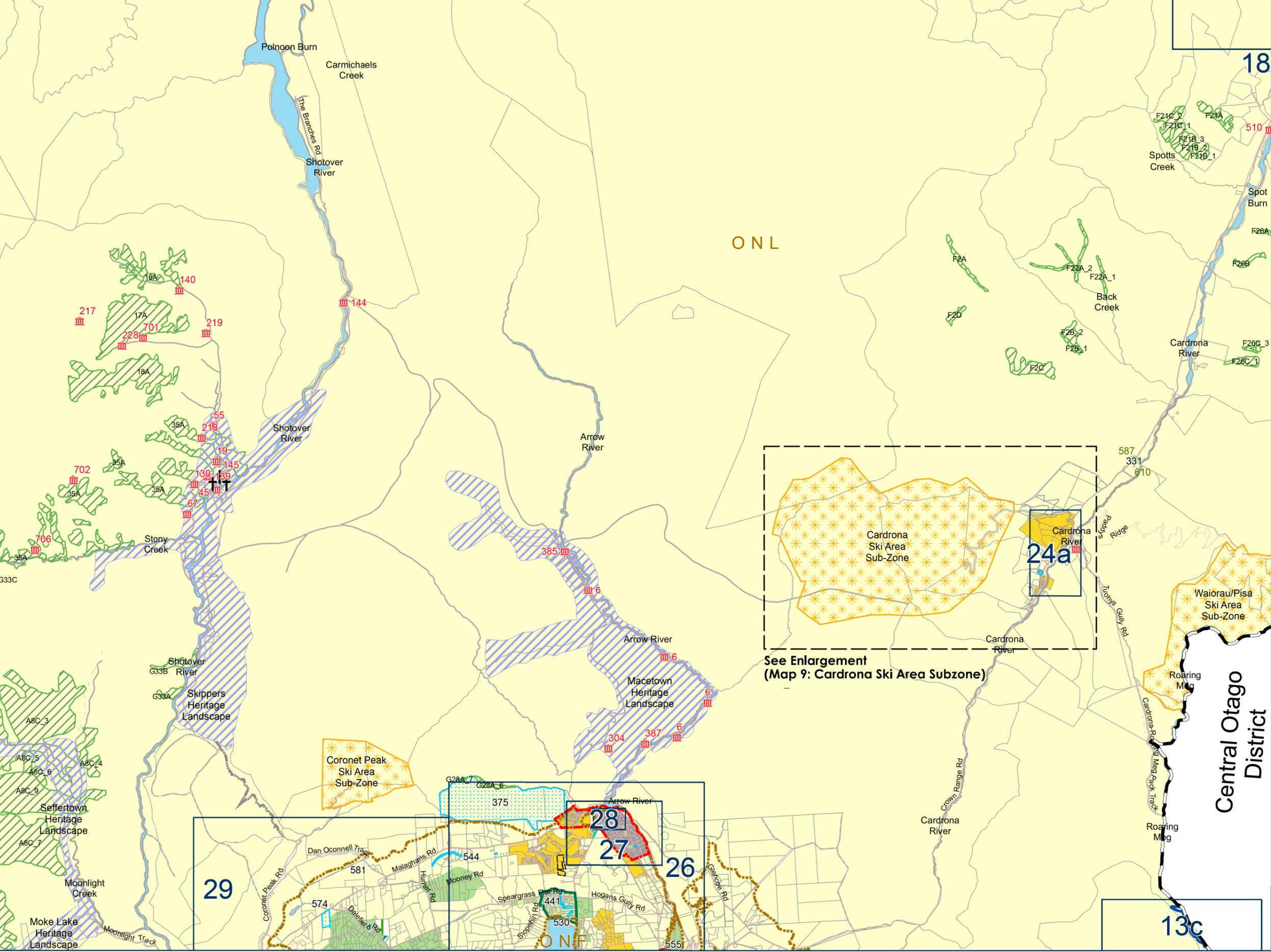
Specific Provision	Submission	Decisions Sought [New text shown <u><i>underlined bold italics</i></u> and deleted text shown as <i>italic strike-through</i>]
		<ul style="list-style-type: none"> • <i>Public outdoor art installations sited on Council-owned land.</i> • <i>Pergolas less than 2.5 metres in height either attached or detached to a building.</i> • <u><i>All components associated with passenger lift or other systems, including lift towers, cross arms, pulleys, cables, chairs, cabins, and top or bottom stations.</i></u> <p><i>Notwithstanding the definition set out in the Building Act 2004, a building shall include:</i></p> <ul style="list-style-type: none"> • <i>Any vehicle, trailer, tent, marquee, shipping container, caravan or boat, whether fixed or moveable, used on a site for residential accommodation for a period exceeding 2 months.</i>
Definition of 'Ski Area Activities'	<p>Support in Part</p> <p>Soho supports the definition of Ski Area Activities as it helps to clarify the nature of the activities anticipated within the SASZ's. Soho seeks to amend the definition to clarify and enable all types of passenger lift or other systems that would include magic carpets.</p> <p>Soho seeks to amend the list of activities that may establish and operate within SASZs and that support the on-going financial sustainability of SASZs, make an efficient use of the available land resource and that complement the nature of the out recreation activities anticipated for these areas. The reasons for these changes are outlined in more detail within the general submission above.</p>	<p>Amend the definition of ski area activities, as follows:</p> <p><i>Means the use of natural and physical resources for the purposes of providing for <u>establishing, operating and maintaining the following activities and structures</u> :</i></p> <p><i>(a) recreational activities either commercial or non commercial</i></p> <p><i>(b) chairlifts, t-bars, and rope tows <u>or any passenger lift or other systems</u> to facilitate commercial recreational activities.</i></p> <p><i>(c) use of snowgroomers, snowmobiles and 4WD vehicles for support or operational activities.</i></p> <p><i>(d) activities ancillary to commercial recreational activities.</i></p> <p><i>(e) in the Waiorau Snow Farm Ski Area Sub Zone vehicle and product testing activities, being activities designed to test the safety, efficiency and durability of vehicles, their parts and accessories.</i></p>

Specific Provision	Submission	Decisions Sought [New text shown <u>underlined bold italics</u> and deleted text shown as <i>italic strike-through</i>]
	<p>The further activities that are sought to be added to the definition of ski are activities are residential and visitor accommodation and commercial activities associated with any recreation activity.</p> <p>Associated with these changes is a proposed new policy to align the higher order provisions. Together these methods are considered to the most appropriate method to implement Objective 21.2.6 (Chapter 21 Rural) encouraging the consolidation of ski areas and Objective 6.3.8 (Chapter 6 Landscapes) recognising the dependence of tourism on the District's landscape</p>	<p><u><i>(f) Visitor and residential accommodation associated with ski area activities</i></u></p> <p><u><i>(g) Commercial activities associated with ski area activities or recreation activities</i></u></p> <p><u><i>(h) Guest facilities including ticketing, offices, restaurants, cafes, ski hire and retailing associated with any commercial recreation activity</i></u></p> <p><u><i>(i) Ski area operations, including avalanche control and ski patrol</i></u></p> <p><u><i>(j) Installation and operation of snow making infrastructure, including reservoirs, pumps, snow makers and associated elements.</i></u></p> <p><u><i>(k) The formation of trails and other terrain modification necessary to operate the ski area.</i></u></p> <p><u><i>(l) The provision of vehicle and passenger lift or other system access and parking</i></u></p> <p><u><i>(m) The provisions of servicing infrastructure, including water supply, wastewater disposal, telecommunications and electricity</i></u></p>
Planning Maps		
<p>Planning Map 10 Skippers, Macetown, Cardrona</p>	<p>Support in Part</p> <p>Soho supports the identification of SASZ's on the planning maps. This submission seeks to also extend to the Cardrona Ski Area Sub Zone in the manner described within the general submission detailed above. The reason in seeking to extend this SASZ is to enable the</p>	<p>Amend Planning Map 10 to extend the Cardrona Ski Area Sub Zone as shown on the plan attached within Appendix 1; or</p> <p>In the alternate:</p> <p>(a) Introduce a new rule to the rural areas enabling the establishment, operation and maintenance of transportation links, including</p>

Specific Provision	Submission	Decisions Sought [New text shown <u>underlined bold italics</u> and deleted text shown as <i>italic strike-through</i>]
	consolidation, use and management of the SASZ as a contemporary and sustainable destination over time.	<p>passenger lift or other systems or vehicle access to a ski area sub zone as a controlled activity; and</p> <p>(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.</p>

Appendix 1
Proposed Cardrona Ski Area Sub Zone

Maps created by QLDC GIS Department
Parcel boundaries derived from New Zealand Core Records System Vector Data (Corax) obtained from LINZ under the LINZ Licence Agreement



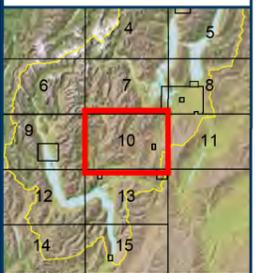
- Legend**
- Open Cemetery
 - Historic Heritage Features
 - Protected Tree
 - Parcel/Road Boundary
 - Landscape Classification (ONF, ONL, RLC)
 - Urban Growth Boundary
 - Roads
 - State Highways
 - Territorial Authority Boundary
 - Heritage Landscape
 - Significant Natural Area
 - Unformed Roads
 - Designated Areas
 - Ski Area Sub-Zone
 - Rural Residential Sub-Zone
 - Hydro Generation Zone (Operative)
 - Medium Density Residential
 - Low Density Residential
 - Town Centres
 - Arrowtown Residential
 - Historic Management Zone
 - Industrial A Zone (Operative)
 - Rural
 - Rural Residential
 - Rural Lifestyle
 - Rural Lifestyle Deferred
 - Rural Lifestyle Buffer
 - Special Zones
 - Water

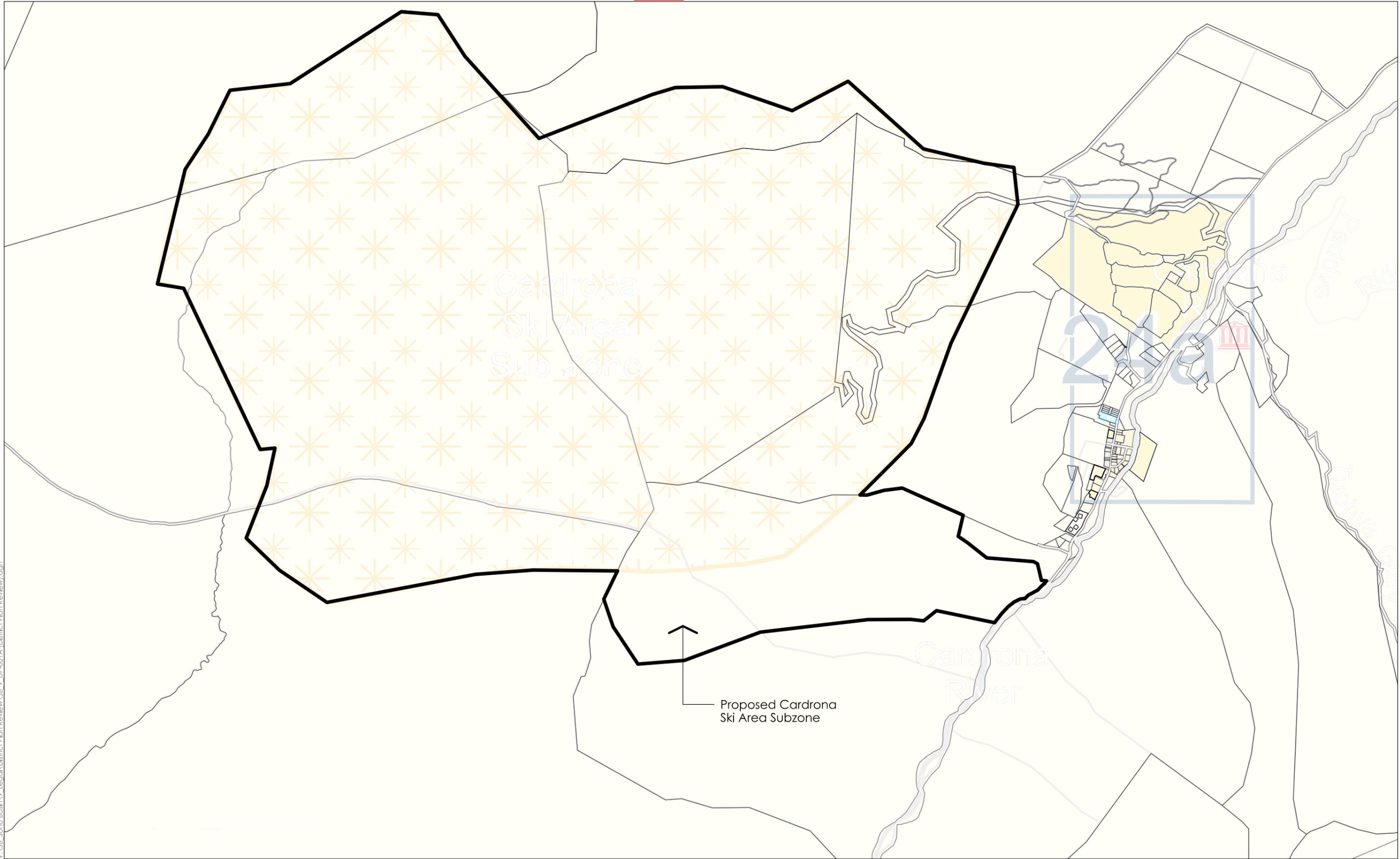
See Enlargement (Map 9: Cardrona Ski Area Subzone)

Central Otago District



Proposed District Plan Map 10 - Skippers, Macetown, Cardrona





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SCALE: 1:15,000 (A1); 1:30,000 (A3)

 CONSULTANTS:

NOTES:
 Datum: NZGD: Linds Peak Circuit 1949

REVISION:
 NO DESCRIPTION
 - For Information Only
 A For District Plan Review Submission

DATE	DRAWN	REVIEWED	APPROVED
21.10.15	ZC	-	-
22.10.15	ZC	RT	-

DISTRICT PLAN REVIEW
MAP 10: CARDRONA SKI AREA SUBZONE

PLAN STATUS: SUBMISSION JOB CODE: SB_9 DRAWING NO: DP-001 REV: **A**

**FURTHER SUBMISSION ON THE PROPOSED QUEENSTOWN LAKES DISTRICT PLAN
UNDER CLAUSE EIGHT OF THE FIRST SCHEDULE TO
THE RESOURCE MANAGEMENT ACT 1991**

To: Queenstown Lakes District Council
Private Bag 50072
QUEENSTOWN 9348

Submitter: Soho Ski Area Ltd and Blackmans Creek Holdings No.1 LP
C/- Boffa Miskell Ltd
PO Box 110
CHRISTCHURCH

Attention: Chris Ferguson, Planner
Phone: (03) 353 7568
Mobile: 021 907 773
Email: Chris.Ferguson@boffamiskell.co.nz

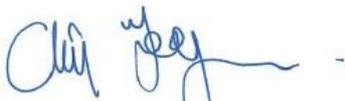
Soho Ski Area Ltd and Blackmans Creek Holdings No.1 LP ("Soho") makes further submissions on the Proposed Queenstown Lakes District Plan as set out in the **attached** document.

Soho confirms it is a person who is representing a relevant aspect of the public interest, and has an interest in the proposal that is greater than the interest the general public has (it is affected by the content of a submission).

Soho wishes to be heard in support of its further submission.

If other persons make a similar further submission then Soho would consider presenting joint evidence at the time of the hearing.

A copy of this further submission has been served on the original submitters to which this further submission relates.



Chris Ferguson

For and behalf of Soho Ski Area Ltd and Blackmans Creek Holdings No.1 LP

18th day of December 2015

FURTHER SUBMISSIONS

The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	Support or Oppose	The reasons for support of opposition are:	Decision Sought
Cardrona Alpine Resort Limited (submitter #615) C/- John Edmonds + Associates Ltd reception@jea.co.nz	New Strategic Growth Policy to provide for the significant socioeconomic benefits of tourism activities (Submission point 8)	Support	Soho supports the proposed additional policy recognising the benefits of tourism. The wording of the policy is however considered too narrowly focussed on protection and should be expanded to provide for matters such as the maintenance and enhancement of transport routes and the addition of new transport connections to facilitate a resilient and safe access to tourism infrastructure.	We seek that the part of the submission relating to Chapter 3 and the proposed new policy be allowed, to the extent it is consistent with the original submission from Soho and for the reasons expressed within this further submission.
	All rules	Support	Soho supports the proposed additional and/or amendments to rules to provide for tourism activities as a permitted, controlled or discretionary activity.	We seek that the part of the submission relating to the entire Proposed District Plan be allowed, to the extent it is consistent with the original submission from Soho and for the reasons expressed within this further submission.
	Planning maps, zone purpose, Objectives, policies and rules	Oppose	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.	We seek that the part of the submission seeking to change the name of the Cardrona Ski Area Sub Zone be disallowed for the reasons expressed within this further submission.

The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	Support or Oppose	The reasons for support of opposition are:	Decision Sought
	Chapter 21, Table 7, Rule 21.5	Support	Soho supports the introduction of permitted activities for uses and activities within the SASZ which are not visible from the Cardrona Valley Road.	
	Rule 21.4.1	Oppose	Soho opposes the suggested addition to the permitted activity rule to “exclude tourism or visitor accommodation activities which are discretionary activities unless otherwise provided for as permitted, controlled, restricted discretionary, or discretionary activity”. The suggested change may provide for a basis for a more restrictive rule framework, which appears unintended and inconsistent with the enabling of the SASZ.	We seek that the part of the submission relating to Rule 21.4.1 be disallowed for the reasons expressed within this further submission.
	New Rule 21 (new sub – clause)	Oppose	Soho opposes the introduction of a new rule seeking that “any activity or development that is associated with a tourism activity or visitor accommodation within the Cardrona Alpine Resort but occurs outside of the Cardrona Alpine Resort Area, and is not otherwise provided for as a permitted, controlled, restricted discretionary or discretionary activity, is a discretionary activity.” Taken literally, the suggested rule would apply to all land outside of the SASZ and is in any event unduly restrictive.	We seek that the part of the submission seeking to introduce a new rule for tourism or visitor accommodation activities be disallowed for the reasons expressed within this submission.
Mount Cardrona Station Limited (Submitter #407) C/- Brown & Company Planning Group PO Box 1467 Queenstown office@brownandcompany.co.nz	New definition of “Passenger Lift System”	Support	Soho supports the proposed new definition of “Passenger Lift System” as it relates to the proposed changes sought in the Soho submission to the definition of ski area activities.	We seek that the part of the submission seeking to add a new definition of passenger lift system be allowed for the reasons expressed within this submission.
	Objective 21.2.6	Oppose	Soho opposes the amendments sought to this objective seeking to integrate ski area activities within the ski area sub zones with urban zones. The provisions of the plan need to provide for the holistic use and management of the SASZ and surrounding land, including the infrastructure necessary to access and operate the	We seek that the part of the submission seeking to amend Objective 21.2.6 be disallowed for the reasons expressed within this further

The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	Support or Oppose	The reasons for support of opposition are:	Decision Sought
			SASZ. The emphasis on integration of the SASZ should therefore be in relation to the rural zone and the rural land that surrounds all of the existing SASZ's in the District.	submission.
	New Policy 21.2.6.4	Oppose	Soho opposes the proposed new Policy 21.2.6.4 seeking to <i>“provide for appropriate alternative (non road) means of transport to Ski Area Sub Zones from nearby urban resort zones and facilitates including by way of gondolas and associated structures and facilities.”</i> The policy is considered too specific in providing for the transport connection to nearby urban zones. The suggested new Policy 21.2.6.5 sought by Soho in its submission is considered a more appropriate policy basis to recognise and provide for the functional dependency of ski area activities on transportation infrastructure. Nor should the Ski Area Sub Zones be required to connect to urban zones.	We seek that the part of the submission seeking to add a new Policy 21.2.6.4 be disallowed for the reasons expressed within this further submission.
	Rule 21.5.27 Building	Oppose	Soho opposes the proposed amendments to Rule 21.5.27 specifying additional standards to be met in relation to external colours. The proposed new standards do not fit with the construction of the rule, which lists all building within the SASZ as a controlled activity. The status of any building that fails to comply with the proposed colours standards is unclear. In addition, Soho submits that these colour standards are unnecessary for building within the SASZ which are controlled in any instance. The rule already specifies control in relation to external appearance and colour.	We seek that the part of the submission relating to Rule 21.5.27 be disallowed for the reasons expressed within this further submission.
	Rule 21.5.28 Ski Tows (Passenger Lift Systems)	Oppose	Soho supports the proposed amendment to this rule in reliance on the proposed new definition of “passenger lift system” (if accepted). However, Soho opposes the addition to the rule specifying external colour standards for the reasons expressed in the further submission made above under Rule 21.5.27.	We seek that the part of the submission relating to external colours within Rule 21.5.28 be disallowed for the reasons expressed within this further submission.

The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	Support or Oppose	The reasons for support of opposition are:	Decision Sought
	Planning Maps 10 and 24	Oppose	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.	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 for the reasons expressed within this further submission.
NZSki Limited (Submitter # 572) C/- Southern Planning Group PO Box 1081 Queenstown 9348 sean@southernplanning.co.nz	Rule 21.4.21	Support/Oppose	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.	We seek that Rule 21.4.21 be amended for the reasons expressed within this further submission.
	New Policy 32.2.3.8 (Indigenous Vegetation and Biodiversity)	Support	Soho supports the addition of the new policy to Chapter 33 Indigenous Vegetation and Biodiversity proposed to recognise the continued terrain development. However, Soho is unclear on what is intended to flow from the proposed policy in terms of the methods to support the regard to re-establishment and/or rehabilitation of indigenous vegetation communities where practicable.	We seek that the part of the submission relating to Policy 32.3.4.8 be allowed to the extent it is consistent with Soho's original submission and for the reasons expressed within this further submission.
	New Rule 33.5.11	Support/Op	Soho supports the concept, but opposes the addition of the	We seek that Rule 33.5.11

The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	Support or Oppose	The reasons for support of opposition are:	Decision Sought
		pose	proposed new rule relating to the clearance of indigenous vegetation within the SASZ's located within Public Conservation Land. The rule could be avoided through the exemption proposed in the submission by Soho, or alternatively should be expanded to include Indigenous vegetation clearance undertaken on land managed under the Conservation Act in accordance with a Conservation Management Strategy or Concession; Under the Land Act, in accordance with a Recreation Permit; or the Reserve Act in accordance with a Reserve Management Strategy.	be amended to the extent it is inconsistent with Soho's original submission and for the reasons expressed within this further submission.
Real Journeys (#621) C/- John Edmonds + Associates Ltd PO Box 95 Queenstown reception@jea.co.nz	New Strategic Growth Policy to provide for the significant socioeconomic benefits of tourism activities	Support	Soho supports the proposed additional policy recognising the benefits of tourism. The wording of the policy is however considered too narrowly focussed on protection and should be expanded to provide for matters such as the maintenance and enhancement of transport routes and the addition of new transport connections to facilitate a resilient and safe access to tourism infrastructure.	We seek that the part of the submission relating to Chapter 3 and the proposed new policy be allowed, to the extent it is consistent with the original submission from Soho and for the reasons expressed within this further submission.
	All rules	Support	Soho supports the proposed additional and/or amendments to rules to provide for tourism activities as a permitted, controlled or discretionary activity.	We seek that the part of the submission relating to the entire Proposed District Plan be allowed, to the extent it is consistent with the original submission from Soho and for the reasons expressed within this further submission.
Queenstown Park Limited (#806) C/-Jenny Carter	Rule 21.4.19	Support/Oppose	Soho supports changes to the rule to the extent that ski area activity located outside of a SASZ is to have more permissible status (than non-complying). Soho opposes the relief sought to	We seek that the part of the submission relating to Rule 21.4.19 be disallowed to the

The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	Support or Oppose	The reasons for support of opposition are:	Decision Sought
Remarkables Park Limited PO Box 1075 QUEENSTOWN			the extent that it deletes Rule 21.4.19 altogether.	extent it is inconsistent with the relief sought in Soho's original submission for the reasons expressed within this further submission.
Christine Byrch (#243) PO Box 858 Queenstown 9348 chrisbyrch@hotmail.com	Objective 21.2.6	Oppose	Soho opposes this submission, and notes that it is unclear what changes are sought to objective 21.2.6. The SASZ's represent a significant natural and physical resources vital for the social and economic wellbeing of the community. The District Plan should appropriately recognise and provide for the growth of ski areas as a means of achieving the purpose of the Resource Management Act 1991.	We seek that the part of the submission relating to Objective 21.2.6 be disallowed for the reasons expressed within this further submission.
	Rule 21.5.26 (Table 6) Informal Airports	Support/Oppose	Soho supports the structure of the rules relating to informal airports, subject to the changes sought through its primary submission, whereby any breach of the standards is a Discretionary Activity.	We seek that the part of the submission relating to Rule 21.5.26 (informal airports) be allowed, to the extent it is consistent with the original submission from Soho and for the reasons expressed within this further submission.