

## Appendix A – Relief sought

Provision (PDP decision version)	Reason for appeal	Relief sought
<b>Chapter 3 Strategic Direction</b>		
<p>Strategic Objective (S.O) 3.2.5.1</p> <p>The landscape and visual amenity values and the natural character of Outstanding Natural Landscapes and Outstanding Natural Features are protected from adverse effects of subdivision, use and development that are more than minor and/or not temporary in duration.</p>	<p>The objective should focus on the protection of natural values from inappropriate development</p>	<p>Amend strategic objective as follows:</p> <p>3.2.5.1 The <del>landscape and visual amenity values and the natural character</del> <u>values</u> of Outstanding Natural Landscapes and Outstanding Natural Features are protected from <u>significant</u> adverse effects of subdivision, use and development <del>that are more than minor and/or not temporary in duration.</del></p>
<p>Strategic policy 3.3.30</p> <p>3.3.30 Avoid adverse effects on the landscape and visual amenity values and natural character of the District's Outstanding Natural Landscapes and Outstanding Natural Features that are more than minor and or not temporary in duration. (relevant to S.O.3.2.5.1)</p>	<p>The policy will inhibit appropriate development</p>	<p><del>3.3.30 Avoid adverse effects on the landscape and visual amenity values and natural character of the District's Outstanding Natural Landscapes and Outstanding Natural Features that are more than minor and or not temporary in duration. (relevant to S.O.3.2.5.1)</del></p> <p><u>Carefully manage land use change within the District's Outstanding Natural Landscapes and Outstanding Natural Features via the resource consent process to ensure the District's outstanding natural values are protected from inappropriate development and maintained or enhanced. (relevant to S.O. 3.2.19 and 3.2.5.1)</u></p>
<p>3.2.1.7 Agricultural land uses consistent with the maintenance of the character of rural landscapes and significant nature conservation values are enabled. (also elaborates on SO 3.2.4 and 3.2.5 following)</p>	<p>The Objective fails to recognise and provide for rural living activities in the rural zone</p>	<p>Amend objective 3.2.1.7 as follows:</p> <p>Agricultural <u>and rural living</u> land uses <u>that maintain consistent with the maintenance of the districts outstanding natural landscape character of rural landscapes</u> and significant nature conservation values are enabled. (also elaborates on SO 3.2.4 and 3.2.5 following)</p>

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<p>3.2.1.8 Diversification of land use in rural areas beyond traditional activities, including farming, provided that the character of rural landscapes, significant nature conservation values and Ngāi Tahu values, interests and customary resources, are maintained. (also elaborates on S.O.3.2.5 following)</p>	<p>The Objective fails to recognise and provide for appropriate rural living opportunities in the rural zone. Given the amount of “protectionist” provisions in the plan there is no need to qualify the first part of this objective.</p>	<p>Amend Objective 3.2.1.8 as follows:</p> <p><del>3.2.1.8 Diversification of land use in rural areas beyond traditional activities, including farming, provided that the character of rural landscapes, significant nature conservation values and Ngāi Tahu values, interests and customary resources, are maintained. (also elaborates on S.O.3.2.5 following)</del></p>
<p>Strategic objective 3.2.5.2</p> <p>The rural character and visual amenity values in identified Rural Character Landscapes are maintained or enhanced by directing new subdivision, use or development to occur in those areas that have the potential to absorb change without materially detracting from those values.</p>	<p>The objective should be amended to ensure appropriate development in rural landscapes are enabled</p>	<p>Amend strategic objective 3.2.5.2 as follows:</p> <p>3.2.5.2 The rural character and visual amenity values in identified Rural Character Landscapes are maintained or enhanced by <u>managing directing</u> new subdivision, use or development <u>or directing new subdivision, use or development</u> to occur in those areas that have the potential to absorb change without materially detracting from those values.</p>
<p>Strategic policy 3.3.32</p> <p>Only allow further land use change in areas of the Rural Character Landscapes able to absorb that change and limit the extent of any change so that landscape character and visual amenity values are not materially degraded. (relevant to S.O. 3.2.19 and 3.2.5.2)</p>	<p>The policy will inhibit appropriate development</p>	<p>3.3.32 Allow further land use change in areas of the Rural Character Landscapes able to absorb that change <del>and limit the extent of any change so that landscape character and visual amenity values are not materially degraded.</del> (relevant to S.O. 3.2.19 and 3.2.5.2)</p>
<p>New Objectives and New Policy to be inserted in Chapter 3 or Chapter 21</p>	<p>Without providing specific wording it is considered appropriate for the provisions to be amended, or new provisions introduced, to ensure that rural living opportunities are provided for in the Wakatipu Basin, including within ONLs</p>	<p>Amend the objectives and policies in Chapter 3 or introduce new objectives and policy which:</p> <ul style="list-style-type: none"> <li>i. Enables appropriate, non-urban, residential activity in</li> </ul>

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		<p>rural areas, including within ONFLs</p> <ul style="list-style-type: none"> <li>ii. Provide for subdivision, use or development where it can be demonstrated as having the potential to absorb change</li> <li>iii. Clarify that subdivision, use and development of ONFLs can occur if it maintains or enhances landscape values.</li> <li>iv. Recognise that different parts of the Rural Zone have different characteristics, different amenity values and variable ability to absorb further development.</li> <li>v. Provide for Rural Living development that is demonstrated as being consistent with the established character of the subject area.</li> </ul>
<b>Chapter 6 Landscapes and Rural Character</b>		
Whole Chapter 6	As set out in the submission the RMA correctly anticipates that a legitimate outcome of a Plan Review is to find that there is no need to amend existing provisions (Section 79(3)). The landscape objectives and policies were heavily scrutinised by submitters, Council and the Court over several years before the Operative Plan was settled. They set out clear principles for managing development which are appropriate to the local context and the weighting of matters set out in Part 2 of the RMA. They have been applied for many years with practitioners being familiar with how they should	Delete all policies in proposed Section 6 and consider replacing with those that already exist in Section 4.2 of the Operative District Plan (while making minor wording amendments such as replacing “visual amenity landscapes” with “rural landscape category”).

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	<p>be applied. This aids consistent interpretation and raises the risk of inefficiencies if they are changed. PPL agrees with the following statement from page 10 of the s32 assessment on the Strategic Directions Chapter (to the extent that it applies to Section 4.2 of the Operative Plan):</p> <p><i>"Fundamentally, however the landscape provisions in the ODP are considered to function well."</i></p> <p>By comparison the proposed landscape chapter objectives suffer from the following issues: Long winded and excessive numbers of policies; Ambiguous wording and direction (environmental bottom lines are not transparent); Repetition of matters covered in objectives and policies in other chapters; Wording that inappropriately restricts development; Excessively elevating landscape matters in areas where they are but one of many valid considerations.</p> <p>Overall, it would be significantly more efficient and effective in achieving the purpose of the Act to continue to apply Section 4.2 of the Operative District Plan to Section 6 of the PDP with no more than minor and inconsequential amendments.</p>	
<p>Policy 6.3.10</p> <p>Ensure that subdivision and development in the Outstanding Natural Landscapes and Rural Character Landscapes adjacent to Outstanding Natural Features does not have more than minor</p>	<p>If the chapter is not deleted, amend this policy to reflect the legislative standard applicable to section 6 landscapes</p>	<p>Amend policy 6.3.10 as follows:</p> <p><del>Ensure that</del> <u>Discourage</u> subdivision and development in the Outstanding Natural Landscapes and Rural Character Landscapes adjacent to Outstanding Natural Features <del>does not</del> <u>that are likely to</u></p>

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adverse effects on the landscape quality, character and visual amenity of the relevant Outstanding Natural Feature(s). (3.2.5.1, 3.3.30).		have <u>significant</u> <del>more than minor</del> adverse effects on the landscape quality, character and visual amenity of the relevant Outstanding Natural Feature(s). (3.2.5.1, 3.3.30).
<p>Policy 6.3.12</p> <p>Recognise that subdivision and development is inappropriate in almost all locations in Outstanding Natural Landscapes and on Outstanding Natural Features, meaning successful applications will be exceptional cases where the landscape or feature can absorb the change and where the buildings and structures and associated roading and boundary changes will be reasonably difficult to see from beyond the boundary of the site the subject of application. (3.2.1.1, 3.2.5.1, 3.3.21, 3.3.30).</p>	If the chapter is not deleted, delete this policy to reflect the legislative standard applicable to section 6 landscapes	Delete Policy 6.3.12
<p>Policy 6.3.14</p> <p>Recognise that large parts of the District's Outstanding Natural Landscapes include working farms and accept that viable farming involves activities that may modify the landscape, providing the quality and character of the Outstanding Natural Landscape is not adversely affected. (3.2.1.7, 3.2.1.8, 3.2.4.1, 3.2.5.1, 3.3.20, 3.3.30).</p>	If the chapter is not deleted, amend this policy to remove a primacy for farming activities	<p>Amend policy 6.3.14 as follows:</p> <p>6.3.14 Recognise that large parts of the District's Outstanding Natural Landscapes include <del>working farms and accept that viable farming</del> involves activities that may modify the landscape, providing the quality and <u>overall</u> character of the Outstanding Natural Landscape is not <u>materially degraded</u> <del>adversely affected</del>. (3.2.1.7, 3.2.1.8, 3.2.4.1, 3.2.5.1, 3.3.20, 3.3.30).</p>
<p>Policy 6.3.16</p> <p>Maintain the open landscape character of Outstanding Natural Features and Outstanding Natural Landscapes where it is open at</p>	If the chapter is not deleted, delete this policy because it not clear whether this provision would inhibit or discourage appropriate development, such as revegetation as part of proposed	Delete policy 6.3.16

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present. (3.2.1.7, 3.2.1.8, 3.2.4.1, 3.2.5.1, 3.3.20-21, 3.3.30).	developments	
<p>Policy 6.3.26</p> <p>Avoid adverse effects on visual amenity from subdivision, use and development that:</p> <p>a. is highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in this Plan); or</p> <p>b. forms the foreground for an Outstanding Natural Landscape or Outstanding Natural Feature when viewed from public roads. (3.2.1.1, 3.2.1.8, 3.2.5.1, 3.2.5.2, 3.3.20-21, 3.3.24-25, 3.3.30, 3.3.32).</p>	If the chapter is not deleted, delete this policy to ensure a consistent policy approach with the legislative standard of section 6	Delete policy 6.3.26
Chapter 21 Rural		
<p>21.2.1 Objective</p> <p>A range of land uses, including farming and established activities, are enabled while protecting, maintaining and enhancing landscape, ecosystem services, nature conservation and rural amenity values.</p>	Objective does not sufficiently recognise rural living as established and an appropriate part of the rural environment in places. The second part of this objective could be deleted as it is not necessary	<p>Amend objective 21.2.1 as follows:</p> <p>A range of land uses, including farming, <u>rural living</u>, and established activities, are enabled <del>while protecting, maintaining and enhancing landscape, ecosystem services, nature conservation and rural amenity values.</del></p>
<p>21.2.1.1 policy</p> <p>Enable farming activities while protecting, maintaining and enhancing the values of indigenous biodiversity, ecosystem services, recreational values, the landscape and surface of lakes and</p>	Policy does not sufficiently recognise rural living activity as established. The second (protectionist) part of this objective could be deleted as it is not necessary	<p>Amend policy 21.2.1.1 as follows:</p> <p>Enable farming <u>and rural living</u> activities <del>while protecting, maintaining and enhancing the values of indigenous biodiversity,</del></p>

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rivers and their margins		<del>ecosystem services, recreational values, the landscape and surface of lakes and rivers and their margins.</del>
Objective and policy suite 21.2.9	It is appropriate to provide for rural living development in the Rural Zone	<p>Amend objective and policy suite as follows:</p> <p>21.2.9 Provision for diversification of farming and other rural activities <del>protect landscape and natural resource values and maintains the character of rural landscapes.</del></p> <p>21.2.9.2 <del>Ensure that</del> <u>Provide for</u> revenue producing activities utilise natural and physical resources (including existing buildings) in a way that maintains and enhances landscape quality, character, rural amenity, and natural resources</p> <p>21.2.9.3 Provide for the establishment of activities such as tourism, commercial recreation, <u>rural living</u> or visitor accommodation located within the <u>Rural Zone, particularly</u> <del>farms</del> where these enable landscape values and indigenous biodiversity to be sustained in the longer term.</p>
21.21 Assessment Matters (Landscape)	These assessment matters imply an unjustifiable level of restriction on development, particularly in areas within the former "District-Wide" Outstanding Natural Landscapes. The assessment matters should be self-explanatory, allowing the assessment of a proposal on its merits. There is no need for these kinds of statements which can cloud a more systematic assessment process.	Delete Assessment Matters (Landscape)

**Chapter 27 Subdivision and Development**

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Structure of chapter - all objectives and polices	There are a large number of provisions and most of them relate to the urban environment and it is not always clear which objectives and policies apply to rural subdivisions. It is important that readers and users of the Plan are not confused as to their applicability to rural subdivisions. Reordering and/or labelling the objectives and policies will help differentiate which provisions are applicable to urban areas from those which are applicable to rural areas. Overall, this will lead to more efficient administration of the provisions.	Reorder and/or label the objectives and policies to make it clear which are solely applicable to urban areas and which are solely applicable to rural areas.
Rule 27.5.8	It is not necessary or efficient for subdivision to be a restricted discretionary activity. The controlled activity status is sufficient where allotment design and building bulk and location standards are prescribed by district plan rules and standards.	Change the activity status from Restricted Discretionary Activity to Controlled Activity.