

**Appendix B** - A copy of the Appellant's submission and further submissions

## Submission on Queenstown Lakes Proposed District Plan 2015 - Stage 1

### *Clause 6 of the First Schedule, Resource Management Act 1991*

To: Queenstown Lakes District Council  
By email: services@qldc.govt.nz

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1. This is a submission on the Queenstown Lakes Proposed District Plan 2015 - Stage 1 ("**the Proposed Plan**")
2. I am not a person who could gain an advantage in trade competition through this submission (clause 6(4) of Part 1 of Schedule 1 of the RMA 1991)
3. The specific provisions of the proposal that my submission relates to are: Chapter 2 (Definitions), Chapters 3 (Strategic Direction), Chapter 6 (Landscapes), Chapter 21 (Rural Zone), Chapter 26 (Historic Heritage), Chapter 30 (Utilities and Renewable Energy), Chapter 35 (Temporary Activities and Relocated Buildings). I oppose these Chapters insofar as they relate to the matters identified in this submission.
4. This submission relates to the following matters and seeks to achieve the following outcomes:
  - (a) That the Proposed Plan recognises the Queenstown Lakes District is rich in mineral resources and this is reflected through its unique heritage of mining and the establishment of early settlements. There are still significant mineral resources available to be accessed through modern mining methods to provide economic and social benefits to the wider community as well as nationally. The District Plan should recognise the importance of mining and exploration activities which are able to be carried out in a way that minimises adverse effects on natural character and amenity values.
  - (b) That the Strategic Direction, Landscapes, and Heritage Chapters provide an appropriate balance between protection and use of resources in the District; the provisions of those chapters which create an emphasis on the protection of all landscapes without allowing for appropriate use and development are not supported. This submission seeks that all such policies and objectives are amended in light of the sustainable management language and purpose of the RMA. The District Plan should balance the protection and use and development of all natural and physical resources, taking into account particular section 6 and 7 RMA matters requiring protection and maintenance. Any objectives and policies which provide for a higher level of protection than that specified in Part 2 of the RMA without clear justification in a section 32 analysis should either be deleted or tempered accordingly.

- (c) That the purpose and provisions of the Rural Chapter provides for the most efficient and effective use of land resources in order to give effect to the sustainable management purpose of the RMA. In particular, that the Proposed Plan strikes an appropriate balance between accepting the inevitability of use and development of resources in the District, and how landscape values can be managed in light of such use. The current over-importance placed upon farming activities in the Rural Zone renders much of this land incapable of efficient and effective future use and development for other activities which exist within the Rural Zone. Farming is one method of utilising rural resources but there are also economic and social benefits for the wider community from enabling other activities such as viticulture, mining, exploration, and tourism, which should also be provided for. Mining also can have environmental and ecological benefits in the form of environmental and biodiversity off-setting, which should be recognised in the Proposed Plan. These activities should be supported and enabled through clear policy objectives and rules.
5. I seek the following decision from the local authority: That the Proposed Plan be amended as requested in the Table below, together with any alternative, additional or consequential relief as necessary or appropriate to give effect to the matters raised in this submission and/ or the relief requested below.

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <u>underlined italics</u> and deleted text shown as <del>italics strike through</del> ]
Chapter 2 – definitions			
New definition – exploration		<p>Prospecting and exploration should be treated separate to mining as the effects of these activities are very different in terms of scale. Furthermore whilst prospecting is defined, exploration is not, so it is unclear whether exploration is assumed to be synonymous with prospecting, or whether it is a separate activity which is not defined.</p> <p>New definition of exploration is proposed to provide for exploratory activities which do not have a large impact in terms of effects on the environment.</p> <p>The definition is proposed to align with the Crown Minerals Act ("CMA") and allow for the taking of samples that are necessary for establishing the economic viability of mining.</p>	<p>Add the following new definition into Chapter 2:</p> <p><u>exploration means any activity undertaken for the purpose of identifying mineral deposits or occurrences and evaluating the feasibility of mining particular deposits or occurrences of 1 or more minerals; and includes any drilling, dredging, or excavations (whether surface or subsurface) that are reasonably necessary to determine the nature and size of a mineral deposit or occurrence; and to explore has a corresponding meaning.</u></p>
New definition - mining		<p>Mining requires a separate definition, as it has a different range of effects to be managed compared to exploration and prospecting. The</p>	<p>Add the following new definition into Chapter 2:</p>

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		<p>proposed definition aligns with that in the CMA</p>	<p><b>mining—</b>                      (a) means to take, win, or extract, by whatever means,—                      (i) a mineral existing in its natural state in land; or                      (ii) a chemical substance from a mineral existing in its natural state in land; and                      (b) includes—                      (i) the injection of petroleum into an underground gas storage facility; and                      (ii) the extraction of petroleum from an underground gas storage facility; but                      (c) does not include prospecting or exploration for a mineral or chemical substance referred to in paragraph (a)</p>
<p>Mining activity</p> <p>Means the use of land and buildings for the primary purpose of the extraction, winning, quarrying, excavation, taking and associated processing of minerals and includes prospecting and exploration.</p>	<p>Oppose</p>	<p>The definition creates ambiguities as it includes the activity of prospecting and exploration but exploration is not defined.</p> <p>The definition is proposed to align with the definition of "mining operations" from the CMA,</p>	<p>Clarify the definition of mining activity as follows;</p> <p><u>Mining Activity</u>  <u>(a) means operations in connection with mining, exploring, or prospecting for any mineral; and</u>  <u>(b) includes, when carried out at or near the site where the mining, exploration, or prospecting is undertaken,—</u>  <u>(i) the extraction, transport, treatment, processing, and separation of any mineral or chemical substance from the mineral; and</u>  <u>(ii) the construction, maintenance, and</u></p>

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			<p><u>operation of any works, structures, and other land improvements, and of any related machinery and equipment connected with the operations; and</u></p> <p><u>(iii) the removal of overburden by mechanical or other means, and the stacking, deposit, storage, and treatment of any substance considered to contain any mineral; and</u></p> <p><u>(iv) the deposit or discharge of any mineral, material, debris, tailings, refuse, or wastewater produced from or consequent on the operations; and</u></p>
New definition – Mining Building		New definition of Mining Building is proposed to provide for buildings required to enable and support mining activities that do not have a large impact in terms of effects on the environment.	<u>Means a building (as defined) necessary for the undertaking of mining activities (as defined)</u>
<p>Prospecting</p> <p>Means any activity undertaken for the purpose of identifying land likely to contain exploitable mineral deposits or occurrences; and includes:</p> <ul style="list-style-type: none"> <li>• Geological, geochemical, and geophysical surveys;</li> </ul> <p>The taking of samples by hand or hand held methods;</p> <ul style="list-style-type: none"> <li>• Aerial surveys.</li> </ul>	Oppose	The definition of prospecting does not align with the Crown Minerals Act (CMA) and as such creates ambiguities and does not align with other District Plans nationally. The definition is proposed to be amended to align with the CMA and allow for the taking of samples in small quantities which is necessary for evaluating the economic viability of mining.	<p>1. Amend definition of Prospecting so it is defined as "<u>Mineral</u> Prospecting"</p> <p>2. Amend the definition as follows:</p> <p>Means any activity undertaken for the purpose of identifying land likely to contain <del>exploitable</del> mineral deposits or occurrences; and includes <u>the following activities:</u></p> <ul style="list-style-type: none"> <li>• Geological, geochemical, and geophysical surveys;</li> <li>• The taking of samples by hand or hand held methods;</li> </ul>

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			<ul style="list-style-type: none"> <li>• Aerial surveys.</li> <li>• <u>Taking small samples by low impact mechanical methods</u></li> </ul>
<p><b>Temporary Activity</b></p> <p>Means the use of land, buildings, vehicles and structures for activities of short duration and are outside the usual use of a site, that include the following:</p> <ul style="list-style-type: none"> <li>• Temporary events</li> <li>• Temporary filming</li> <li>• Temporary activities related to building and construction</li> <li>• Temporary military training</li> <li>• Temporary storage</li> <li>• Temporary utilities</li> <li>• Temporary use of a site as an airport for certain community events</li> </ul> <p>A temporary activity does not include the extension of an activity authorised by a resource consent where in contravention to any conditions of the resource consent.</p>	Support in part	The following amendments are suggested to add to this definition so it adequately provides for mining activities in this district. Many mining activities and operations connected to mining such as exploration are undertaken for a short duration and have limited lasting environmental impacts. These activities should be captured within the Temporary Activities chapter of the Proposed Plan.	<p>1. Amend the definition of "Temporary Activity" as follows:</p> <p>Means the use of land, buildings, vehicles and structures for activities of short duration and are outside the usual use of a site, that include the following:</p> <ul style="list-style-type: none"> <li>• Temporary events</li> <li>• Temporary filming</li> <li>• Temporary activities related to building and construction</li> <li>• <u>Temporary exploration and prospecting</u></li> <li>• Temporary military training</li> <li>• Temporary storage</li> <li>• Temporary utilities</li> <li>• Temporary use of a site as an airport for certain community events</li> </ul> <p>A temporary activity does not include the extension of an activity authorised by a resource consent where in contravention to any conditions of the resource consent.</p>
Chapter 3 – Strategic Direction			
New Policy 3.2.1.3.3		The following new policy is suggested to be inserted to recognise the significant economic contributions from mining in the Queenstown Lakes District.	Add the following new policy 3.2.1.3.3:  <u>Encourage innovative and sustainable mining</u>

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		<p>Mining in this District has contributed to significant economic opportunities for centuries, and has been vital for creating and sustaining employment. These positive effects are still felt today and should be adequately provided for in the District Plan.</p> <p>Modern day mining techniques are innovative and sustainable, and can contribute to diversification of the District's economic base.</p>	<p><del><i>activity in suitable areas where this will not cause permanent degradation of landscape character.</i></del></p>
<p>Objective 3.2.1.4: Recognise the potential for rural areas to diversify their land use beyond the strong productive value of farming, provided a sensitive approach is taken to rural amenity, landscape character, healthy ecosystems, and Ngai Tahu values, rights and interests.</p>	<p>Support in Part</p>	<p>This objective is supported in so far as it recognises the importance utilising rural land beyond the primary sector. A number of tourism, residential, viticulture, employment, and conservation activities are currently undertaken in the rural zones and should continue to be provided for. The Objective should be expanded to encompass these other activities in the rural Zone specifically.</p> <p>The wording of 'sensitive approach' is also inconsistent with RMA terminology and should be amended to reflect the sustainable management purpose.</p> <p>The meaning of "sensitive approach" is unclear. Note that mining is a higher-value use of land than farming, and that it can be a short term use of land.</p>	<p>Delete Objective 3.2.1.4 and replace as follows:</p> <p><u>Recognise and provide for the potential for rural areas to diversify their land use by:</u></p> <ul style="list-style-type: none"> <li>- <u>enabling tourism, employment, recreational, and residential based activities</u></li> <li>- <u>accommodating a diverse range of activities and industries that have a functional need to be located in rural areas.</u></li> </ul> <p><u>While taking into account any effects on rural amenity landscape character, healthy ecosystems, and Ngai Tahu values rights and interests</u></p>
<p>Objective 3.2.1.4 Recognise the potential for rural areas to diversify their land use beyond the strong productive value of farming, provided a sensitive approach is taken to rural amenity, landscape character, healthy ecosystems, and Ngai Tahu</p>	<p>Support with amendment</p>	<p>The meaning of "sensitive approach" is unclear. Note that mining is a higher-value use of land than farming, and that it is a temporary use of land.</p>	<p>amend Objective 3.2.1.4 as follows:</p> <p>Recognise the potential for rural areas to diversify their land use beyond the strong productive value of farming, provided <u>an appropriate sensitive</u> approach is taken to rural amenity, landscape character, healthy ecosystems, and Ngai Tahu values, rights and interests.</p>

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values, rights and interests.			
Policy 3.2.4.2.2 Where adverse effects on nature conservation values cannot be avoided, remedied or mitigated, consider environmental compensation as an alternative.	Support	It is important to provide resource users with ample scope when proposing ways of addressing residual effects of development. Biodiversity offsets, even when made available under a workable framework (which does not exist at present in New Zealand), are not always a suitable tool for mitigation of residual effects; they may not always be cost-effective or practicable. For that reason, the option of other compensatory measures must always be made available. Refer to separate comment on biodiversity offsets.	Retain Policy 3.2.4.2.2
Objective 3.2.4.5 Preserve the natural character of the beds and margins of the District's lakes, rivers and wetlands	Support with amendment	For consistency with section 6 (a) of the RMA. Note that mining and quarrying are eligible to be considered appropriate activities in many instances because these activities can be carried out only where there are economic mineral deposits.	Amend Objective 3.2.4.5 as follows:  Preserve <del>or enhance</del> the natural character of the beds and margins of the District's lakes, rivers and wetlands <u>and protect them from inappropriate subdivision, use and development.</u>
Policy 3.2.4.7.1 Opportunities to provide public access to the natural environment are sought at the time of plan change, subdivision or development.	Oppose	The wording in this policy detracts from the meaning and should be amended to better reflect RMA purpose and terminology.  Opportunities to provide public access to natural land in the rural zone in particular will not always be appropriate in the instance of private subdivision and development.	Amend Policy 3.2.4.7.1 as follows.  Opportunities to provide <u>safe</u> public access to the natural environment are <u>considered sought</u> at the time of plan change, subdivision or development
Policy 3.2.4.8.1 Concentrate development within existing urban areas, promoting higher density development that is more energy efficient and supports public transport	Oppose	Note that the issue of greenhouse gas emissions is addressed under the Climate Change Response Act 2002 regime.  This policy does not adequately provide for efficient use of resources as often development has to occur where the resources is, so can't be concentrated	Amend Policy 3.2.4.8.1 as follows:  <del>Concentrate</del> <u>encourage</u> development <u>where possible</u> within existing urban areas, promoting higher density development that is more energy efficient and supports public transport <del>to limit increases in greenhouse gas emissions in the District.</del>

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Objective 3.2.5.1 Protect the natural character of Outstanding Natural Landscapes and Outstanding Natural Features from subdivision, use and development.	Oppose	The wording in this objective should be amended to better reflect RMA purpose and terminology.  Protection of natural character should be considered in light of sustainable management of resources	Amend Objective 3.2.5.1 as follows.  <u>Protect Avoid, remedy or mitigate adverse effects on the</u> natural character of Outstanding Natural Landscapes and Outstanding Natural Features from <u>inappropriate</u> subdivision, use and development.
Policy 3.2.5.1.1 Identify the district's Outstanding Natural Landscapes and Outstanding Natural Features on the District Plan maps, and protect them from the adverse effects of subdivision and development.	Support in part	For consistency with section 6 (b) of the RMA.	Amend Policy 3.2.5.1.1 as follows;  Identify the district's Outstanding Natural Landscapes and Outstanding Natural Features on the District Plan maps, and <u>protect avoid, remedy, or mitigate adverse effects on</u> them from <del>the adverse effects of</del> <u>inappropriate</u> subdivision, use and development.
New Policy 3.2.5.1.2		The following new policy is proposed to recognise that some areas identified as ONL/ ONF are not pristine environments and a level of development might be appropriate in some circumstances.	Add the following new policy:  <u>Adopt performance standards for land use activities, including mining activities, which manage their adverse effects on the Outstanding Natural Landscapes and Outstanding Natural Features.</u>
Objective 3.2.5.2 Minimise the adverse landscape effects of subdivision, use or development in specified Rural Landscapes.	Oppose	The wording in this objective should be amended to better reflect RMA purpose and terminology.  The wording in particular is unclear and does not allow for appropriate development	Amend Objective 3.2.5.2 as follows.  <del>Minimise</del> <u>Avoid, remedy or mitigate the</u> adverse effects <del>on natural</del> landscapes effects <del>of from in</del> <u>appropriate</u> subdivision, use or development in specified Rural Landscapes.

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Policy 3.2.5.2.1 Identify the district's Rural Landscape Classification on the district plan maps, and minimise the effects of subdivision, use and development on these landscapes.	Support in part	The wording in this objective should be amended to better reflect RMA purpose and terminology.  "manage" is inserted here to replace minimise as this term encompasses the use, development and protection of resources.	Amend Policy 3.2.5.2.1 as follows:  Identify the district's Rural Landscape Classification on the district plan maps, and <del>minimise</del> <i>manage</i> the effects of subdivision, use and development on these landscapes.
Objective 3.2.5.3 Direct new subdivision, use or development to occur in those areas which have potential to absorb change without detracting from landscape and visual amenity values.	Support in part	The wording in this objective should be amended to better reflect RMA purpose and terminology. Any unnecessary or ambiguous wording should be deleted.  Note that mining and quarrying are location-specific; mining and quarrying can be done only where economic mineral deposits occur. That is also the case for a number of other activities, such as renewable electricity generation.	Amend Objective 3.2.5.3 as follows.  Direct new Encourage subdivision, use or development to occur in those areas which have potential to absorb change without while recognising the importance of detracting from landscape and visual amenity values <i>except in the case of the development of location-specific resources.</i>
Policies 3.2.5.4.1 Give careful consideration to cumulative effects in terms of character and environmental impact when considering residential activity in rural areas.		This policy may present conflict with case law insofar as the particular weighting of cumulative effects, the permitted baseline, and the future environment are well developed through legislation and case law and applied by councils. Elevating the consideration of cumulative effects in a policy may have unintended consequences on future decision making	Delete Policies 3.2.5.4.1
Objective 3.2.7.1 Protect Ngai Tahu values, rights and interests, including taonga species and habitats, and wahi tupuna.	Support in part	This objective is supported in part insofar as it seeks to recognise that council must act in accordance with the principles of the Treaty and its partnership with Ngai Tahu.  However, this objective is considered to be in conflict with Goal 3.2.7 "Council will act in accordance with the principles of the Treaty of Waitangi and in partnership with Ngai Tahu".	Amend Objective 3.2.7.1 as follows:  <i>Recognise and provide for</i> Ngai Tahu values, rights and interests, including taonga species and habitats, and wahi tupuna

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		<p>The objective should not provide a higher threshold requirements than its overarching goal, and that if not tempered by less directive wording this will result in unintended consequences. Absolute protection will not enable potential future opportunities. A lower weighting such as recognise and provide for is suggested as this will still allow the Council to meet its Treaty obligations of active protection, but will allow them flexibility in specific circumstance to provide for this.</p> <p>This is also potentially in conflict with the objectives and policies in the Tangata Whenua Chapter</p>	
Chapter 6 Landscapes			
<p>Policy 6.3.1.3 That subdivision and development proposals located within the Outstanding Natural Landscape, or an Outstanding Natural Feature, be assessed against the assessment matters in provisions 21.7.1 and 21.7.3 because subdivision and development is inappropriate in almost all locations, meaning successful applications will be exceptional cases.</p>	Support with amendment	<p>The amendment is proposed to provide adequately for the case-by-case consideration of development proposals, their merits, their likely effects, and proposals for managing those effects, in accordance with the letter and spirit of the RMA.</p> <p>Note that mining and quarrying are examples of appropriate development because these activities are location-specific; mining and quarrying can be done only where economic mineral deposits occur.</p>	<p>Amend Policy 6.3.1.3 as follows:</p> <p>That subdivision and development proposals located within the Outstanding Natural Landscape, or an Outstanding Natural Feature, be assessed against the assessment matters in provisions 21.7.1 and 21.7.3 <del>because subdivision and development may be inappropriate in many locations, meaning successful applications will be those that meet the higher standards that location in these areas would reasonably impose.</del></p>

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Policy 6.3.1.11 Recognise the importance of protecting the landscape character and visual amenity values, particularly as viewed from public places.	Oppose	The wording in this Policy should be amended to better reflect RMA purpose and terminology. This policy sets a higher threshold of protection than provided for in section 6 without justification in the section 32 report.	Amend Policy 6.3.1.11 as follows.  Recognise the importance of <del>protecting</del> <i>avoiding, remedying, or mitigating adverse effects on</i> landscape character and visual amenity values, particularly as viewed from public places.
Objective 6.3.2 Avoid adverse cumulative effects on landscape character and amenity values caused by incremental subdivision and development.	Support with amendment	In light of the 2014 King Salmon Supreme Court decision, the provision as worded would prevent all modification or expansion of existing development. That would be too restrictive. Certainly, cumulative effects should be considered, and it is appropriate to have a suitable plan provision that addresses the issue.	Amend Objective 6.3.2 as follows  Avoid <del>remedy or mitigate</del> <i>remedy or mitigate</i> adverse cumulative effects on landscape character and amenity values caused by incremental subdivision and development.
Policy 6.3.3.2 Ensure that subdivision and development in the Outstanding Natural Landscapes and Rural Landscapes adjacent to Outstanding Natural Features would not degrade the landscape quality, character and visual amenity of Outstanding Natural Features.	Support with amendment	The amendment is proposed to provide reasonably for development proposals to be made and considered, and for consistency with submission points made elsewhere.	Amend Policy 6.3.3.2 as follows  Ensure that subdivision and development in the Outstanding Natural Landscapes and Rural Landscapes adjacent to Outstanding Natural Features would not degrade <del>to a significant degree</del> <i>to a significant degree</i> the landscape quality, character and visual amenity of Outstanding Natural Features.
Objective 6.3.4 Protect, maintain or enhance	Support, subject to the	The term "maintain" is taken to encompass the concept of avoiding, remedying and mitigating the effects of development.	1. Retain Objective 6.3.4

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the District's Outstanding Natural Landscapes (ONL).	reasons provided.		Protect, maintain or enhance the District's Outstanding Natural Landscapes (ONL).
<p>Policy 6.3.4.1</p> <p>Avoid subdivision and development that would degrade the important qualities of the landscape character and amenity, particularly where there is no or little capacity to absorb change, adverse effects must be managed to be no more than minor.</p>	Support with amendment	The amendment is proposed to provide reasonably for development proposals to be made and considered, and for consistency with submission points made elsewhere.	<p>Amend Policy 6.3.4.1 as follows</p> <p>Avoid, <u>remedy or mitigate the adverse effects of</u> subdivision and development that would degrade the important qualities of the landscape character and amenity <u>values. In situations where</u> <del>particularly where</del> there is no or little capacity to absorb change <del>adverse effects must be managed to be no more than minor.</del></p>
<p>Policy 6.3.4.4</p> <p>The landscape character and amenity values of the Outstanding Natural Landscape are a significant intrinsic, economic and recreational resource, such that large scale renewable electricity generation or new large scale mineral extraction development proposals including windfarm or hydro energy generation are not likely to be compatible with the Outstanding Natural Landscapes of the District.</p>	Oppose	As worded, the provision takes no consideration of the merits of a mining project, the likely effects on the environment, and proposals for avoiding, remedying or mitigating those effects. For example, the possibility of an underground mine seems to have been overlooked, or of a mine being sited where few people are likely to ever see it.	<p>Delete Policy 6.3.4.4</p> <p><del>Policy 6.3.4.4</del></p> <p><del>The landscape character and amenity values of the Outstanding Natural Landscape are a significant intrinsic, economic and recreational resource, such that large scale renewable electricity generation or new large scale mineral extraction development proposals including windfarm or hydro energy generation are not likely to be compatible with the Outstanding Natural Landscapes of the District.</del></p>
Objective 6.3.7	Support with	The amendment is proposed to provide reasonably for development	Amend Objective 6.3.7 as follows

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Recognise and protect indigenous biodiversity where it contributes to the visual quality and distinctiveness of the District's landscapes.	amendment	proposals to be made and considered, and for consistency with submission points made elsewhere.	Recognise and protect, <u>maintain and enhance</u> indigenous biodiversity where it contributes to the visual quality and distinctiveness of the District's landscapes.
Policy 6.3.7.1 Encourage subdivision and development proposals to promote indigenous biodiversity protection and regeneration where the landscape and nature conservation values would be maintained or enhanced, particularly where the subdivision or development constitutes a change in the intensity in the land use or the retirement of productive farm land.	Support	This looks like a policy to encourage the use of offsets and other compensatory measures, as part of a mitigation package – that looks appropriate. Note that mining and quarrying are a temporary use of land.	Retain Policy 6.3.7.1 Encourage subdivision and development proposals to promote indigenous biodiversity protection and regeneration where the landscape and nature conservation values would be maintained or enhanced, particularly where the subdivision or development constitutes a change in the intensity in the land use or the retirement of productive farm land.
Policy 6.3.7.2 Avoid indigenous vegetation clearance where it would significantly degrade the visual character and qualities of the District's distinctive landscapes.	Support in part	The amendment is proposed to provide reasonably for development proposals to be made and considered, in context, and for consistency with submission points made elsewhere.	Amend Policy 6.3.7.2 Avoid, <u>remedy and mitigate</u> indigenous vegetation clearance where it would significantly degrade the visual character and qualities of the District's distinctive landscapes.
21 Rural zone			
Rural Zone- Purpose		The Zone purpose as set out creates a heavy emphasis on the importance of agriculture and farming activities. The District Plan should recognise that other activities which must exist in the rural areas should	Add the following to the rural zone purpose:  <i>"Mining activity, including exploration and drilling,</i>

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		<p>also be adequately provided for where they are sensitive to the characteristics of the rural areas, and where they contribute to the higher order provisions of the Proposed Plan, such as the emphasis on a resilient and strong economy in Chapter 3.</p> <p>The wording of the zone purpose should be tempered to recognise other sectors such as mining and tourism.</p>	<p><i>have often existed within rural areas which may be subject to a landscape classification. These activities can provide significant ongoing economic and social benefits to the district where the environmental effects are managed appropriately. Many of the natural and outstanding landscapes in the District have already been significantly modified through mining activity and this adds to the special character of particular landscapes."</i></p>
<p>Policy 21.2.4.2 Control the location and type of non-farming activities in the Rural Zone, to minimise or avoid conflict with activities that may not be compatible with permitted or established activities.</p>	<p>Support in part</p>	<p>Note that mining is the highest-value use of land, and that land owner consent is always needed. Mining would only go ahead if it a better use of land than some other activity. In practice, mining and farming can work well together.</p> <p>Note also that mining is a temporary use of land. When mining is completed, mining companies put the land back as best they can with time doing the rest. In the case of farmland, the result is usually more highly productive farmland.</p>	<p>Amend Policy 21.2.4.2 <del>Manage</del> Control the location and type of non-farming activities in the Rural Zone, to <i>manage</i> minimise conflict with activities that may <i>or may</i> not be compatible with permitted or established activities.</p>
<p>Objective 21.2.5 Recognise for and provide opportunities for mineral extraction providing the location, scale and effects would not degrade amenity, water, landscape and indigenous biodiversity values.</p>	<p>Support with amendment, and subject to the reasons and comment provided</p>	<p>It is not clear how this objective interacts with other objectives relating to specific activities, e.g., farming. Development proposals should be considered on their merits, on their likely effects on the environment, and proposals for their management. The original wording discriminates arbitrarily against mining, compared to other activities, which is against the letter and spirit of the RMA.</p>	<p>Amend Objective 21.2.5 Recognise <del>for</del> and provide <i>for</i> opportunities for mining activities <del>providing the location, scale and effects would not degrade</del> <i>while avoiding, remedying, or mitigating the adverse effects on significant</i> amenity, water, landscape and indigenous biodiversity values.</p>
<p>Policy 21.2.5.1 Recognise the importance and economic value of locally sourced high-quality gravel,</p>	<p>Support with amendment</p>	<p>As worded, this provision is excessively restrictive. This policy should better reflect the known mineral resources existing in the region.</p>	<p>Amend Policy 21.2.5.1 Recognise the importance and economic value of locally <del>sourced</del> <i>mined</i> high-quality gravel, rock and other minerals <del>for road-making and construction</del></p>

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <i>underlined italics</i> and deleted text shown as <del><i>italics</i></del> <i>strike through</i> ]
rock and other minerals for road making and construction activities			<del>activities, and the importance of the local economic and export contribution from the mining of other minerals, including gold and tungsten.</del>
New Objective		A new objective is proposed to recognise the existence of mining activities within the rural zones. Currently the Proposed Plan does not recognise the importance of mining which can be carried out with acceptable environmental impacts.	Add the following new Objective:  <u>Recognise that the Queenstown Lakes District contains mineral deposits that may be of considerable social and economic importance to the district and the nation generally, and that mining activity and associated land restoration can provide an opportunity to enhance the land resource, landscape, heritage and vegetation values</u>
New Objective		A new objective is proposed to recognise the existence of mining buildings within the rural zones. Currently the Proposed Plan does not recognise the necessity of locating mining buildings where they are needed.	Provide for Mining Buildings where the location, scale and colour of the buildings will not adversely affect landscape values.
New policy		A new policy is proposed, recognising and providing for the identification of existing mineral resources in the region. This would provide for an efficient use of the natural and physical resources for the purposes of sustainable management, in recognising that where possible mining activities can be undertaken on existing or pre-existing mining sites.	Add the following new policy:  <u>Identify the location and extent of existing or pre-existing mineral resources in the region and encourage future mining activity to be carried out in these locations.</u>
New policy		A new policy is proposed to recognise the ability for mining to be carried out in a way which can adequately manage adverse effects on the environment while providing positive economic and social returns.	Add the following new policy:  <u>Enable mining activity, including prospecting and exploration, where they are carried out in a manner which avoids, remedies or mitigates adverse effects on the environment.</u>

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <u>underlined italics</u> and deleted text shown as <del><i>italics</i></del> <del>through</del> ]
New policy		<p>A new policy is proposed to recognise the ability for mining to be carried out in a way which can adequately manage adverse effects on the environment while providing positive economic and social returns.</p> <p>This policy specifically encourages the consideration and use of environmental and biodiversity off-setting to manage any adverse effects of mining.</p>	<p>Add the following new policies:</p> <p><u>Encourage the use of off-setting or environmental compensation for mining activity by considering the extent to which adverse effects can be directly offset or otherwise compensated, and consequently reducing the significance of the adverse effects.</u></p> <p><u>Manage any waste heaps or long term stockpiles to ensure that they are compatible with the forms in the landscape.</u></p> <p><u>Encourage restoration to be finished to a contour sympathetic to the surrounding topography and revegetated with a cover appropriate for the site and setting.</u></p>
New policy		<p>A new policy is proposed to recognise the ability for mining to be carried out in a way which can adequately manage adverse effects on the environment while providing positive economic and social returns</p> <p>This policy specifically addresses the reverse sensitivity issues relevant to mining activities</p>	<p>Add the following new policy:</p> <p><u>Recognise that the ability to extract mineral resources can be adversely affected by other land use, including development of other resources above or in close proximity to mineral deposits.</u></p>
New Policy		<p>A new policy is proposed to recognise the ability for mining to be carried out in a way which can adequately manage adverse effects on the environment while providing positive economic and social returns.</p>	<p>Add the following new policy:</p> <p><u>Recognise that exploration, prospecting and small-scale recreational gold mining are activities with low environmental impact.</u></p>
Policy 21.2.5.3 Ensure that during and following the conclusion of	Support in part	<p>This policy is already a requirement of the RMA. The language should be amended to reflect RMA terminology and purpose.</p>	<p>1. Amend Policy 21.2.5.3 as follows  <del>Ensure</del> <u>Encourage</u> that during and following the conclusion of mineral extractive activities, sites are</p>

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <i>underlined italics</i> and deleted text shown as <i>italics strike through</i> ]
mineral extractive activities, sites are progressively rehabilitated in a planned and co-ordinated manner, to enable the establishment of a land use appropriate to the area.			progressively rehabilitated in a planned and co-ordinated manner, to enable the establishment of a land use appropriate to the area.
Policy 21.2.5.4 Ensure potential adverse effects of large-scale extractive activities (including mineral exploration) are avoided or remedied, particularly where those activities have potential to degrade landscape quality, character and visual amenity, indigenous biodiversity, lakes and rivers, potable water quality and the life supporting capacity of water.	Support with amendment		1. Amend Policy 21.2.5.4 as follows Ensure adverse effects of large-scale extractive activities (including mineral exploration <i>where applicable</i> ) are avoided <del>or</del> remedied <i>or mitigated</i> , particularly where those activities have potential to degrade landscape quality, character and visual amenity, indigenous biodiversity, lakes and rivers, potable water quality and the life supporting capacity of water.
Policy 21.2.12.7 Ensure that the location, design and use of structures and facilities are such that any adverse effects on visual qualities, safety and conflicts with recreational and other activities on the lakes and rivers are avoided or mitigated.	Oppose	The wording of these assessment matters should be amended to better reflect RMA purpose and terminology.	1. Amend Policy 21.2.12.7 as follows: Ensure that the location, design and use of structures and facilities are such that any adverse effects on visual qualities, safety and conflicts with recreational and other activities on the lakes and rivers are avoided, <i>remedied</i> , <del>or</del> mitigated.

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <i>underlined italics</i> and deleted text shown as <i>italics strike through</i> ]
Policy 21.3.3.7 The existence of a farm building either permitted or approved by resource consent under Table 4 - Farm Buildings shall not be considered the permitted baseline for residential or other non-farming activity development within the Rural Zone.	Oppose	The wording of these assessment matters should be amended to better reflect RMA purpose and terminology.	1. Amend 21.3.3.7 as follows:  The existence of a farm building either permitted or approved by resource consent under Table 4 - Farm Buildings shall not be considered the permitted baseline for residential <del>or other non-farming</del> activity development within the Rural Zone.
Rule 21.5.17	Support in part	This Rule is amended to recognise the existence of mining activities in the rural zone.	1. Amend rule 21.5.17 as follows:  Standards for Structures and Buildings  The following standards apply to structures and buildings, except Farm Buildings <i>and Mining Buildings</i>
21.5.18 Standards for farm buildings	Oppose	This rule should not apply to containers.	1. Amend 21.5.18 as follows  21.5.18.3 Is not located within an Outstanding Natural Feature (ONF)*  <i><u>*this rule does not apply to containers</u></i>
21.7.1 Outstanding Natural Features and Outstanding Natural Landscapes (ONF and ONL).	Oppose	The assessment matters which relate to this heading are all relevant only to the Wakatipu Basin. The presumption that development is inappropriate in almost all circumstances in ONLs/ ONFs is a presupposition developed from an Environment Court decision which was relevant to the Wakatipu Basin only (as is stated in the Operative District Plan).	1. Amend 21.7.1 as follows  Outstanding Natural Features and Outstanding Natural Landscapes (ONF and ONL). ( <i><u>Wakatipu Basin</u></i> )

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <i>underlined</i> and deleted text shown as <i>del</i> ]
<p>21.7.2 RLC assessment matters</p> <p>Policy 21.7.2.4 b. the proposed development is likely to be visually prominent such that it detracts from private views;</p> <p>Policy 21.7.2.5 development, including access, is located within the parts of the site where they will be least visible from public and private locations;</p> <p>Policy 21.7.2.7 Cumulative effects of development on the landscape: Taking into account whether and to what extent any existing, consented or permitted development (including unimplemented but existing resource consent or zoning) has degraded landscape quality, character, and visual amenity values. The Council shall be satisfied; a. the proposed development will not further degrade landscape quality, character</p>	<p>Support in part</p>	<p>The wording of these assessment matters should be amended to better reflect RMA purpose and terminology.</p> <p>Any criteria which has been repeated multiple times throughout this policy has been deleted as it may create ambiguities and skew the weighting of these particular matters for consideration.</p> <p>Policy 21.7.2.7 in particular is unclear and may create inconsistencies with case law and the approach for decision makers to have regard to the future environment, the permitted baseline, and cumulative effects of development. This is not an appropriate policy for a district plan and it should be removed from this section.</p>	<p>1. Amend the assessment matters in 21.7.2 as follows:</p> <p>Delete the following from Policy 21.7.2.4;</p> <p>AND;</p> <p><del>b. the proposed development is likely to be visually prominent such that it detracts from private views;</del></p> <p>AND;</p> <p>Delete the following from Policy 21.7.2.5;</p> <p><del>development, including access, is located within the parts of the site where they will be least visible from public and private locations;</del></p> <p>Delete Policy 21.7.2.7;</p>

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <i>underlined italics</i> and deleted text shown as <i>italics-strike through</i> ]
<p>and visual amenity values, with particular regard to situations that would result in a loss of valued quality, character and openness due to the prevalence of residential or non-farming activity within the Rural Landscape.</p> <p>b. where in the case resource consent may be granted to the proposed development but it represents a threshold to which the landscape could absorb any further development, whether any further cumulative adverse effects would be avoided by way of imposing a covenant, consent notice or other legal instrument that maintains open space.</p>			
<p>Activity Table 1 21.4.30</p> <p>The following mining and extraction activities are permitted:</p> <p>a. Mineral prospecting.</p> <p>b. Mining by means</p>	<p>Support in part</p>	<p>Parts of these rules are contradictory and are opposed, exploration is also added to (a) to recognise that this is an activity with minor environmental effects.</p>	<p>1. Amend Rule 21.4.30 as follows:</p> <p>a. Mineral prospecting <u>and exploration</u></p> <p>b. Mining by means of hand-held, non-motorised equipment and suction dredging,</p> <p>c. <u>motorised mining</u>, where the total motive power of any dredge does not exceed 10 horsepower</p>

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <u>underlined italics</u> and deleted text shown as <del>italics strike through</del> ]
<p>of hand-held, non-motorised equipment and suction dredging, where the total motive power of any dredge does not exceed 10 horsepower (7.5 kilowatt); and</p> <p>c. The mining of aggregate for farming activities provided the total volume does not exceed 1000m<sup>3</sup> in any one year.</p> <p>d. The activity will not be undertaken on an Outstanding Natural Feature.</p> <p>21.4.31</p> <p>Mineral exploration that does not involve more than 20m<sup>3</sup> in volume in any one hectare</p> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> <li>• The adverse effects on landscape, nature conservation values and water quality.</li> </ul>			<p>(7.5 kilowatt); and</p> <p><del>d. The activity will not be undertaken on an Outstanding Natural Feature*.</del></p>

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <u>underlined italics</u> and deleted text shown as <del>italics</del> <del>through</del> ]
<p>Rehabilitation of the site is completed that ensures:</p> <ul style="list-style-type: none"> <li>• the long term stability of the site.</li> <li>• that the landforms or vegetation on finished areas are visually integrated into the landscape.</li> </ul> <p>Water quality is maintained.</p> <p>that the land is returned to its original productive capacity.</p> <p>21.4.32</p> <p>Any mining activity other than provided for in rules 21.4.30 and 21.4.31.</p>			
Chapter 26- Historic Heritage			
<p>Objective 26.5.1</p> <p>To recognise and protect historic heritage features in the District from the adverse effects of land use, subdivision and development.</p>	Support with amendment	As worded, this provision is at odds with the Heritage NZ Pouhere Taonga Act 2014, which provides for authorities to modify or destroy heritage. Most mining today is done where mining was done in the past. It is appropriate to enable mining in such cases, subject to obtaining authorities under the HNZPTA.	1. Amend Objective 26.5.1 as follows: To recognise and protect, <u>maintain and enhance</u> historic heritage features in the District <u>when managing</u> <del>from</del> adverse effects of land use, subdivision and development.
<p>Policy 26.5.1.2</p> <p>Protect historic heritage features against adverse</p>	Support with amendment	As worded, this provision is at odds with the Heritage NZ Pouhere Taonga Act 2014, which provides for authorities to modify or destroy heritage. Most mining today is done where mining was done in the past.	1. amend Policy 26.5.1.2 as follows: <u>Protect, maintain and enhance</u> historic heritage

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <i>underlined italics</i> and deleted text shown as <i>italics strike through</i> ]
effects of land use and development, including cumulative effects, proportionate to their level of significance.		It is appropriate to enable mining in such cases, subject to obtaining authorities under the HNZPTA.	features <u>when managing</u> <del>against</del> adverse effects of land use and development, including cumulative effects, proportionate to their level of significance.
New policy		Add a new policy that acknowledges continuing use of an area for the activity that shaped its heritage landscape values (such as farming or mining) can enhance those heritage landscape values if done in a manner that protects historic features and provides a continuum or sequence of those features that includes modern day.	New Policy 26.5.4.4  <u>Encourage and enable the continuation of the activity or activities that created the heritage landscape in a manner that avoids, remedies, or mitigates adverse effects on significant heritage features, while also allowing for those features to be added to and complemented by modern day examples of the historic activity.</u>
Policy 26.5.2.1 Encourage the ongoing economic use of heritage buildings and sites by allowing adaptations and uses that do not permanently adversely affect the heritage values and are in accordance with best practice.		The following policy is amended to recognise that viable uses for heritage buildings and sites may add to those heritage values	Amend Policy 26.5.2.1 as follows: Encourage the ongoing economic use of heritage buildings and sites by allowing adaptations and uses that <u>either add to heritage values</u> , or do not permanently adversely affect the heritage values and are in accordance with best practice.
26.12.7 Glenorchy  The Glenorchy Heritage Landscape (GHL) is significant for its specific scheelite mining activities that extended from the 1880's until the 1980's, which have left a significant group of mine sites and infrastructure, along with		For the reasons stated above. Note that this area retains potential for tungsten exploration and mining. It is appropriate to enable mining in such cases, subject to obtaining authorities under the HNZPTA 2014.	Amend 26.12.7 Glenorchy as follows;  The Glenorchy Heritage Landscape (GHL) is significant for its specific scheelite mining activities <del>that extended from the 1880's until the 1980's, which have left a significant group of mine sites and infrastructure, along with a</del> <u>that have produced a sequence of mining evidence that follows the mining cycle which began here in the 1880's and will continue to exist into the future.</u>

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <i>underlined italics</i> and deleted text shown as <i>italics strike through</i> ]
<p>a unique social history of the people who worked there. They in turn, represent the hard won and sometimes fruitless endeavours of a close knit community of miners that spanned a hundred years of mining at Glenorchy. The GHL encompasses the majority of the key mine sites, tracks, a cableway and sections of water races that represented the primary scheelite producing area in New Zealand. The combination of private and state-owned mines is also a unique part of the GHL's history in the ubiquitous and contemporary gold mining industry of the Wakatipu Basin. Overall, the scheelite mining history symbolised by the GHL is a unique one of national heritage significance.</p>			<p><u>These activities have produced a complex of sites along with a unique social history of the people who worked there. They in turn, represent the hard won and sometimes fruitless endeavours of a close knit community of miners that spanned a hundred years of mining at Glenorchy and continues to this day. The GHL encompasses the majority of historic mining locations, tracks, cableway and sections of water races that represented a primary scheelite producing area in New Zealand. The combination of private and state-owned mines is also a unique part of the GHL's history in the ubiquitous and contemporary mining industry within the Queenstown Lakes District. Overall, the scheelite mining symbolised by the GHL is of national heritage significance.</u></p> <p><u><i>It is recognised in this area the GHL retains potential for exploration and mining, and it is appropriate to enable mining in such cases.</i></u></p>
<p>Activity Table</p> <p>Any activity that is not Permitted requires resource consent, and any activity that is not specifically identified in a level of activity, but breaches a standard, requires</p>	<p>Oppose in part</p>	<p>The relationship between the activity table and the standards table has duplication and inconsistency in application.</p> <p>26.6.15 is not needed as these matters are controlled by Standard 26.6.21</p>	<p>Amend the introductory wording, and activity rule 26.6.15</p> <p><del>Any activity that is not Permitted requires resource consent,</del> <u>The Activity Table specifies when an activity requires a resource consent</u> and any activity that is not specifically identified in a level of activity, but breaches a standard, requires</p>

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <i>underlined italics</i> and deleted text shown as <i>italics strike through</i> ]
<p>resource consent as a Discretionary activity.</p> <p>...</p> <p>26.6.15 Development Works including earthworks, signage, new buildings and structures.</p>			<p>resource consent as a Discretionary activity.</p> <p>26.6.15 Development Works including earthworks, signage, new buildings and structures.</p>
<p>26.6.21 Activity Standard Heritage Landscapes</p> <ul style="list-style-type: none"> <li>• Development in heritage landscapes</li> <li>• Earthworks over 2000m<sup>3</sup> (but excluding farm track access, fencing, firebreaks and public use tracks)</li> <li>• Buildings over 5m<sup>2</sup> in footprint.</li> <li>• Subdivision.</li> <li>• Forestry.</li> <li>• Removal or destruction of any heritage feature that contributes to the values of the heritage landscape and is referred to in the statement of significance.</li> </ul>		<p>Standard is suggested to be amended as it is too broad, unspecific and not effects based.</p>	<p>Amend Standard 26.6.21:</p> <ul style="list-style-type: none"> <li>• <del>Development in heritage landscapes</del> Earthworks over 2000m<sup>3</sup> (but excluding farm track access, fencing, firebreaks, <del>and</del> public use tracks, <i>exploration, and prospecting</i>)</li> <li>• Buildings <u>and structures</u> over <u>510m<sup>2</sup></u> in footprint.</li> <li>• Subdivision.</li> <li>• Forestry.</li> <li>• Removal or destruction of any heritage feature that <del>contributes to the values of the heritage landscape and</del> is referred to in the statement of significance.</li> </ul>

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <i>underlined italics</i> and deleted text shown as <i>italics strike through</i> ]
<p>26.12.9 Key features to be protected</p> <p>26.12.9.1 All mines, mining huts, the cableway and track ways within the GHL boundary (including the Black Peak Mine).</p> <p>26.12.9.2 The mine sites along the Mount Judah Road.</p> <p>26.12.9.3 All other known archaeological sites and historic places within the GHL.</p>	Supported in part	<p>Subsurface heritage features have little amenity value and thus, greatly reduced heritage value.</p> <p>The current wording seems to protect all tracks which is not justified. The wording should be clarified so it is clear the protection is for historic tracks.</p> <p>"mine site" could encompass land adjacent to say mine entrances (adits) which is too general. A modern mine entrance adjacent to an old one is beneficial for the purposes of continuing the ongoing interpretation of the area and allowing visitors to understand the changes in technology and the wax and wane of the mining cycle.</p> <p>Rule 26.12.9.3 is not appropriate to include in this section as it does not sufficiently define which sites are to be protected. This rule should chapter should clearly identify all sites for protection without the need for a catch-all blanket protection.</p>	<p>1. Amend Rules 26.12.9 as follows:</p> <p>26.12.9.1 <i>Significant heritage mining entrances</i>, mining huts, the cableway and track ways within the GHL boundary (<del>including the Black Peak Mine</del>).</p> <p>26.12.9.2 <del>The mine sites</del> <i>entrances along the Mount Judah Road</i>.</p> <p>26.12.9.3 <del>All other known archaeological sites and historic places within the GHL</del></p>
<p>Policy 30.2.7.1: Reduce adverse effects associated with utilities by:</p> <ul style="list-style-type: none"> <li>• Avoiding or mitigating their location on sensitive sites, including heritage and special character areas, Outstanding Natural Landscapes and Outstanding Natural Features, and skylines and ridgelines</li> <li>• Encouraging co-location or multiple use of network utilities where this is efficient and practicable in order to avoid, remedy or mitigate adverse effects on the environment</li> <li>• Ensuring that redundant utilities are removed</li> <li>• Using landscaping and or colours and finishes to reduce</li> </ul>		<p>The following policy is amended to reflect the RMA purpose and terminology</p>	<p>Amend 30.2.7.1: Reduce adverse effects associated with utilities by:</p> <ul style="list-style-type: none"> <li>• <i>Avoiding remedying or mitigating any adverse effects from</i> their location on sensitive sites, including heritage and special character areas, Outstanding Natural Landscapes and Outstanding Natural Features, and skylines and ridgelines</li> <li>• Encouraging co-location or multiple use of network utilities where this is efficient and practicable in order to avoid, remedy or mitigate adverse effects on the environment</li> <li>• Ensuring that redundant utilities are removed</li> <li>• Using landscaping and or colours and finishes to reduce visual effects</li> <li>• Integrating utilities with the surrounding environment; whether that is a rural environment or existing built form.</li> </ul>

Provision	Support/ Oppose	Reason	Decision sought [New text shown as <i>underlined italics</i> and deleted text shown as <i>italics strike through</i> ]
visual effects • Integrating utilities with the surrounding environment; whether that is a rural environment or existing built form.			
Chapter 35 Temporary Activities			
Policy 35.2.5.1 Permit temporary storage related to farming activity.	Support in part	The following addition is recommended to provide for temporary mining activities such as exploration and prospecting	1. Amend Policy 35.2.5 as follows:  Add the following:  Permit temporary storage related to farming activity, <i>exploration and prospecting</i> .
Rule 35.4.4 Relocated Building in a Rural Zone being a maximum of one per site and for the: • Relocation of any building • A shipping container	Oppose	Shipping container should be removed from this rule as it is not reasonable to require only one shipping container per rural site which may be significant in area.	Amend rule 35.4.5 as follows  •A shipping container
<b>Map 9</b>	Oppose	The boundary for the ONF on Map 9 does not follow the most appropriate boundary on the eastern side, (alongside the Dart River). In terms of the boundary for the feature, the boundary shown in red on Appendix 1 <b>attached</b> is more appropriate.	Amend map 9 as shown.

6. Further grounds for the submission points outlined in the above table are that:

- The section 32 evaluation does not establish that the provisions of the Proposed Plan addressed in this submission are most appropriate to achieve the purpose of the RMA. And the evaluation does not adequately assess alternative provisions, such as those proposed in this submission.
7. I wish to be heard in support of my submission.
  8. I will consider presenting a joint case with others presenting similar submissions.

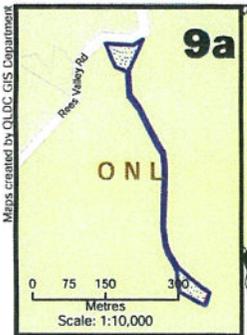


.....  
New Zealand Tungsten Mining Limited  
By its duly authorised agents  
ANDERSON LLOYD  
Per: Maree Baker-Galloway

**Address for service of Submitter:**

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QUEENSTOWN 9348  
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Appendix 1. Map 9.



Parcel boundaries derived from New Zealand Core Records System Vector Data (Corax) obtained from LINZ under the LINZ Licence Agreement.

Southland District

Mount Aspiring National Park

No Window

25c  
25b  
25a

Lake Wakatipu

ONF  
ONL  
ONF

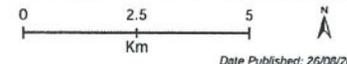
- Legend**
- Historic Heritage Features
  - Protected Tree
  - Parcel/Road Boundary
  - Landscape Classification (ONF, ONL, RLC)
  - Roads
  - Mount Aspiring National Park
  - Territorial Authority Boundary
  - Heritage Landscape
  - Significant Natural Area
  - Unformed Roads
  - Designated Areas
  - Building Restriction
  - Hydro Generation Zone (Operative)
  - Townships (Operative)
  - Rural
  - Rural Residential
  - Rural Lifestyle
  - Special Zones
  - Water

Revised ONF Boundary

09



Proposed District Plan Map 9 - Glenorchy Rural, Lake Wakatipu



Date Published: 26/08/2015

**Further Submission on Queenstown Lakes Proposed District Plan 2015 - Stage 1**

*Clause 8 of the First Schedule, Resource Management Act 1991*

To: Queenstown Lakes District Council  
By email: services@qldc.govt.nz

Name of Submitter: **New Zealand Tungsten Mining Limited**

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1. This is a further submission in support of/ in opposition to the submissions on the Proposed District Plan – Stage 1 which are detailed in the Table below.
2. In accordance with clause 8, Schedule 1, we are a person representing a relevant aspect of the public interest. We hold exploration permits for the exploration of minerals in order to pursue future extraction within the Queenstown Lakes District. We have an active interest in the mining industry for the wellbeing of the District. We believe that with sound management practices, mineral extraction can promote the sustainable management purpose of the RMA and can provide for the most efficient and effective use of resources.
  - a) Mining can exist in conjunction with conservation and sustainable management values and has the following significant public benefits;
  - b) Mining using modern technology is not invasive and can be carried out with minimal disturbance of ecological habitats and values.
  - c) Mining provides for significant economic and social benefits to a community in the form of increased employment opportunities
  - d) Biodiversity offsetting is promoted during and after mining activity, which will often result in positive environmental effects.
3. The reasons for our support or opposition of the submissions, or of specific points raised in the submissions, are specified in the Table below.

Submission (number/ name/ address)	Support / Oppose	Provision(s)	Reasons	Decision sought
<b>373 Department of Conservation</b> <b>PO Box 4715,Christchurch,8140</b> <b>gdeavoll@doc.govt.nz</b>	<b>Oppose</b>	Definition- biodiversity offsetting	<p>The relief sought through amendments to this definition is not supported.</p> <p>Biodiversity offsetting is a complex topic, and requires policy development at a national level for a workable framework to be produced for end-users.</p>	That the submission be refused insofar as the submission seeks to amend the definition of biodiversity offsetting
	<b>Oppose</b>	New definition of 'No net loss"	<p>The relief sought by seeking this new this definition is not supported.</p> <p>The new definition is no considered necessary in the Proposed Plan, and is not a common statutory term used in the RMA. It is therefore likely to create confusion and unnecessary complexity to the Plan</p>	That the submission be refused insofar as the submission seeks to introduce a new definition for 'no net loss'
	<b>Oppose</b>	Chapter 3	Amendments proposed to policy 3.2.4.2.2 on biodiversity off-setting create confusion for the methodology of the principle of off-setting generally.	That the submission be refused insofar as the submission seeks amendments to the provisions in Chapter 3

	<b>Oppose</b>	Chapter 6	<p>The relief sought to retain Chapter 6 as notified in the Proposed Plan is not supported. There are many issues, inconsistencies and errors within this chapter which have been raised by NZ Tungsten Mining and other submitters, This Chapter is not adequately assessed by Council's section 32 report and will benefit from amendments to its chapter so as to set the appropriate higher order direction for landscapes in the district.</p>	<p>That the submission be refused insofar as the submission seeks chapter 6 as notified.</p>
	<b>Oppose</b>	<p>Chapter 33, 33.1, objectives 33.2.1, 33.2.3; Policies 33.2.1.1, 33.2.1.2, 33.2.1.3, 33.2.1.4, 33.2.1.5, 33.2.1.6, 33.2.1.7, 33.2.1.8, 33.2.1.9, 33.2.2, 33.2.2.1, 33.2.2.2, 33.2.2.3, Rules 33.3.4 Table 2, 33.5.5, 33.5.7, 33.5.8, 33.2.1.9</p> <p>33.8 Schedule of SNAs</p> <p>New policies proposed for Chapter 33</p>	<p>The proposed amendments to chapter 33 are not supported as these proposals will not seek to achieve the most effective and efficient use of resource under the RMA purpose of sustainable management. The changes sought are based upon a presumption that they are needed to give effect to Goal 3.2.3 of the Proposed Plan. This is not a sound justification as it not clear what status 'Goals' have in the Plan, and whether they must be given effect to. Any lower order provisions should give effect to the objectives of the Plan, rather than goals.</p> <p>Amendments sought to the 33.1 purpose elevate the protection of indigenous vegetation beyond a level provided for in Part 2 of the RMA, without justification by way of a section 32 analysis.</p> <p>The amendments sought by the submission do not take into account the ability for appropriate subdivision use and development to occur in areas of significant vegetation, where suitable controls can be introduced to maintain or</p>	<p>That the submission be refused insofar as the submission seeks amendments to the provisions identified in this submission for Chapter 33</p>

			<p>enhance the ecological values associated with such areas.</p> <p>The proposed amendments to encourage protection and enhancement of biodiversity values on unproductive land within the district are not suitable. These would render almost all land in the District subject to such protections and would disable any future development opportunities</p> <p>Removal of all exemptions for instances of indigenous vegetation clearance where appropriate, and subject to suitable controls, will render some land incapable of future appropriate use and development.</p>	
<p><b>598 Straterra</b>  <b>PO Box 10-</b>  <b>668,Wellington,New</b>  <b>Zealand,6143</b>  <b>bernie@straterra.co.nz</b></p>	<p><b>Support</b>  <b>in part</b></p>	<p>Entire submission</p>	<p>The relief sought by this submitter is supported in its entirety as providing appropriately for minerals and mining activities in the District, in a way that is consistent with the letter and intent of the RMA.</p> <p>The District Plan should recognise that exploratory activities can be carried out with minimal adverse environmental impacts. It is important that exploration is not hindered by the District Plan provisions due to its importance in providing for an opportunity to identify future economic and other social benefits.</p> <p>Exploration should not be conflated and contained within policies which relate to extraction due to its non-invasive nature.</p>	<p>That the submission be allowed in its entirety</p>

<p><b>706 Forest and Bird PO Box 6230, Dunedin, New Zealand, 9059</b></p> <p><b>maturin@forestandbird.org.nz</b></p>	<b>Oppose</b>	<p>Definitions, Objective 3.2.4, 3.2.4.3, 3.2.4.5, 3.2.4.7 policies 3.2.4.2.1, 3.2.4.2.2, 3.2.4.5.1, 3.2.4.7, new policies proposed</p>	<p>Adding soil disturbance to the definition of vegetation clearance is not supported. Objectives adding 'maintenance of biodiversity' without qualification are not supported. Addition of avoidance wording to policies without qualification is not supported.</p>	<p>That the submission be refused insofar as the submission seeks amendments to the provisions identified in this submission for Chapter 3.</p>
	<b>Oppose</b>	<p>Chapter 33 (all provisions identified within chapter 33). New assessment matters and other provisions proposed for chapter 33</p>	<p>Amendment sought to Chapter 33 will not provide for a sustainable management regime which anticipates a level of appropriate development within some significant indigenous vegetation (subject to appropriate controls).</p> <p>Any amendments to biodiversity offsetting principles should be clarified for consistency with case law on offsetting.</p>	<p>That the submission be refused insofar as the submission seeks amendments to the provisions identified in this submission for Chapter 33</p>
	<b>Oppose</b>	<p>Chapter 21 (new policy added) objective 21.2.5 policy 21.2.5.4</p> <p>21.4.30(d)</p>	<p>The addition of the new policy to Avoid the degradation of natural wetlands is not supported. The wording risks being unworkable for businesses, and is inconsistent with the letter and intent of the RMA.</p> <p>Additions to the provisions identified in this submission are not supported generally as they create an inconsistent level of required protection to that which is in Part 2 of the RMA.</p> <p>There is not justification for the elevated level of</p>	<p>That the submission be refused insofar as the submission seeks amendments to the provisions identified in this submission for Chapter 21</p>

			protection identified by Forest and Bird for wetlands. This creates an unbalanced approach to the recognition of other section 6 ad 7 RM A matters which are provided for n the Proposed Plan.	
<b>768 Z Energy Ltd, BP Oil NZ Ltd and Mobil Oil NZ Ltd Burton Planning Consultants Limited PO Box 33-817,Takapuna,Auckland,New Zealand,0740 mlaurenson@burtonconsultants.co.nz</b>	<b>Support</b>	Chapter 3, Chapter 6,  Natural hazards; policy suite 28.3.1 and 28.3.2	The submission is supported insofar as it seeks amendments to the higher order objectives and policies of the Plan which seek amendments to directive-type language, including use of terms such as 'avoid' without qualification.  Amendments sought to natural hazard identification are supported, as this will provide for a tolerable level of risk when managing adverse effects from natural hazards, and other natural hazards provisions to that effect.	That the submission be insofar as it seeks amendments to chapters 3 and 6, and policy suites 28.3.1 and 28.3.2
<b>798 Otago Regional Council  c/o Warren Hanley Private Bag 1954,Dunedin,New Zealand,9054 warren.hanley@orc.govt.nz</b>	<b>Oppose</b>	Chapter 33 Indigenous Biodiversity	The Submission does not adequately justify its blanket support for the identification of areas of significant indigenous vegetation and significant habitat of indigenous fauna. These provisions as notified in the Proposed Plan may not ultimately end up being consistent with the Otago Regional Policy Statement, which is also in its development stage.	That the submission be refused insofar as it supports the provisions in the Proposed Plan as notified relating to indigenous vegetation and biodiversity
	<b>Oppose</b>	Chapter 21; new provisions proposed (point number 798.8,	The relief sought through the submission seeking that earthworks and mining avoid the interception or contamination of sensitive aquifers. And that the Plan include provisions addressing subsequent rehabilitation of	That the submission be refused insofar as it supports amendments to Chapter 21 and the addition of new provisions proposed for

		798.9	<p>land to avoid causing adverse environmental effects such as ongoing discharges to air and water, are not supported.</p> <p>The additions requested by ORC are not adequately supported by recognition of higher order policies and objectives of the Plan. This proposed wording will not achieve a sustainable management approach in accordance with the RMA.</p>	extractive activities.
<p><b>#145 Upper Clutha Environmental Society Inc</b></p> <p><b>245 Hawea Back Road, Wanaka, New Zealand, 9382</b> uces@xtra.co.nz</p>	<b>Oppose in part</b>	Chapters 3, 6, and 21 as they are referred to in this submission	<p>Proposed amendments to chapters 3, 6, and 21 as these relate to subdivision or development in rural areas are opposed. Justification for the removal of policies relating to subdivision and development on highly visible slopes has been adequately assessed in Council's section 32 reports.</p> <p>Requiring the addition of these factors will not provide for an appropriate subdivision and development regime.</p> <p>The Submission does not clearly identify the source of all of these provisions which it seeks to amend in the Proposed Plan, therefore the addition of broad policies and wording across three chapters in the plan is not justified and is not supported.</p>	That the submission be refused insofar as the submission seeks amendments to the: "Rural Zone. Rural Areas Zone objectives and policies and assessment matters and rules and any provisions of the District Plan that relate to these or subdivision and/ or development of rural areas in any way"
<p><b>671 Queenstown Trails Trust</b></p> <p><b>New Zealand, 9300</b></p>	<b>Oppose</b>	Provision 3.2.8.1.2	The relief sought by the submission to discourage the closure of unformed legal roads is not supported.	That the submission be refused insofar as the submission seeks amendments to 3.2.8.1.2

<p>mandy.kennedy@queenstowntrail.org.nz</p>			<p>This policy would provide for inconsistency and duplication with other legislation which governs such matters, including the Local Government Act 2002, the Public Works Act 1981, the Overseas Investment Act 2005</p>	
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4. I wish to be heard in support of my submission.
5. I will consider presenting a joint case with others presenting similar submissions.



**New Zealand Tungsten Mining**

By its duly authorised agents  
 ANDERSON LLOYD  
 Per: Maree Baker-Galloway

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