

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH
I TE KŌTI TAIAO O AOTEAROA
KI ŌTAUTAHI**

Decision No. [2024] NZEnvC 116

IN THE MATTER

of the Resource Management Act 1991

AND

appeals under clause 14 of the First
Schedule of the Act

BETWEEN

**GLEN DENE LIMITED AND
SARAH BURDON**

(ENV-2019-CHC-49)

**GLEN DENE LIMITED,
GLEN DENE HOLDINGS
LIMITED, SARAH BURDON
AND RICHARD BURDON**

(ENV-2021-CHC-57)

Appellants

AND

**QUEENSTOWN LAKES DISTRICT
COUNCIL**

Respondent

Environment Judge J J M Hassan – sitting alone under s279 of the Act

In Chambers at Christchurch

Date of Consent Order: 20 May 2024

CONSENT ORDER



GLEN DENE LIMITED & Others v QLDC

A: Under s279(1)(b) RMA,¹ the Environment Court, by consent, orders that:

- (1) the consolidated appeals are allowed to the extent that Queenstown Lakes District Council is directed to amend the planning maps and provisions of Ch 46 (Rural Visitor Zone) in the proposed Queenstown Lakes District Plan as set out in Appendices 1 and 3, attached to and forming part of this order; and
- (2) the appeals are otherwise dismissed.

B: Under s285 RMA, there is no order as to costs.

REASONS

Introduction

[1] This proceeding concerns two appeals, one regarding Stage 2 and the other Stage 3 of the proposed Queenstown Lakes District Plan ('PDP'). The appeals were allocated to Topic 32 – Open Space and Recreation and Topic 38: subtopic 2 – Rural Visitor Zone.

[2] A memorandum dated 28 April 2023 stated, "Glen Dene Ltd and others hereby withdraw appeal ENV-2021-CHC-57 and their interest in ENV-2021-CHC-55 in their entirety". However, the court notes that the consent documents refer to both appeals and states both are resolved by the order. Despite the withdrawal of one appeal, the court has proceeded to issue this consent order naming both appeals, as the appeals were consolidated for case management purposes.

[3] I have read and considered the consent memorandum of the parties dated 26 April 2024 which proposes to resolve the appeals.

¹ Resource Management Act 1991.

Other relevant matters

[4] A memorandum dated 9 July 2021 states that the interests of Queenstown Park Ltd, Remarkables Park Ltd and ZJV (NZ) Ltd (“ZJV”) in the appeal by Glen Dene Ltd and Sarah Burdon against Stage 2 PDP is withdrawn. Queenstown Park Ltd and Remarkables Park Ltd have however signed the consent documents. The covering email enclosing the consent documents dated 26 April 2024 states “ZJV ... is currently awaiting instructions, and will follow up with the Court and parties by separate email early next week”. To date the court has not heard further from ZJV. As its interests were withdrawn, the court considers it does not require further comment and has proceeded to consider and issue this consent order.

[5] The parties advise that all matters proposed for the court’s endorsement fall within the court’s jurisdiction and conform to the relevant requirements and objectives of the Act including, in particular, Pt 2.

[6] No party seeks costs, all parties agreeing that costs should lie where they fall.

Outcome

[7] All parties to the proceeding have executed the memorandum requesting the orders. On the information provided to the court, I am satisfied that the orders will promote the purpose of the Act so I will make the orders sought.



J J M Hassan
Environment Judge



APPENDIX 1 – AGREED PROVISIONS (CLEAN)

46 Rural Visitor Zone

46.1 Purpose

The Rural Visitor Zone provides for visitor industry activities that enable people to access and appreciate the District's landscapes, at a small scale and low intensity, and in a manner that recognises the particular values of those landscapes. By providing for visitor industry activities within the rural environment, primarily in remote locations, the Zone recognises the contribution visitor industry places, services and facilities make to the economic and recreational values of the District.

The effects of land use and development on the landscape are managed by the limited extent and small scale of the Zoned areas, and directing sensitive and sympathetic development to areas of lower landscape sensitivity identified within each Zone, where the landscape can accommodate change and the adverse effects on landscape values will be cumulatively minor. No Zone comprises areas of only high or moderate- high landscape sensitivity and the Zone is not located on Outstanding Natural Features. Effects on landscape are further managed through limiting the nature, scale and intensity of development and ensuring buildings are not visually dominant and are integrated into the landscape.

The principal activities in the Zone are visitor accommodation and related ancillary commercial activities, commercial recreational activities and recreational activities. Residential activity is not anticipated in the Zone, with exceptions provided for onsite staff accommodation ancillary to commercial recreational activities and visitor accommodation, and for residential activity on building platforms at Arcadia that were consented under a prior rural visitor zoning.

46.2 Objectives and Policies

46.2.1 Objective – The Rural Visitor Zone provides for visitor accommodation, commercial recreational activities and ancillary commercial activities to occur at a small scale and low intensity in rural locations in a manner that:

- a. **protects the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes;**
- b. **maintains landscape character, and maintains or enhances visual amenity values in areas not within Outstanding Natural Features or Outstanding Natural Landscapes;**
- c. **avoids adverse effects, including cumulative effects in conjunction with other activities, buildings and development, which do not protect the values specified in a. or maintain or enhance the values specified in b;**
- d. **maintains amenity values of the surrounding environment;**
- e. **does not compromise the operation of existing activities or those enabled by the zones in the surrounding environment as a result of reverse sensitivity effects;**
- f. **activities anticipated within each Zoned area can be adequately serviced with wastewater treatment and disposal, potable and firefighting water supply, and safe vehicle access or alternative water or air-based transport; and**
- g. **avoids significant or intolerable risks from natural hazards to people and the community.**

Policies

- 46.2.1.1 Ensure that the location of the Zone is such that the activities anticipated within it are able to meet the requirements of Objective 46.2.1.
- 46.2.1.2 Enable visitor accommodation and commercial recreational activities within the Zone, including ancillary onsite staff accommodation, where the landscape values of the District's Outstanding Natural Features and Outstanding Natural Landscapes are protected, and for other rural areas, the landscape character of the landscape the Zone sits within is maintained and the visual amenity values are maintained or enhanced.
- 46.2.1.2X Ensure that a Vegetation Management Plan is prepared for the Lake Hawea Rural Visitor Zone and implemented in a timely manner for the purpose of screening or filtering views of buildings from the adjacent state highway, assisting with the integration of buildings into the landscape, reinforcing landform patterns, and providing a cohesive, large scale vegetation backdrop to the buildings when viewed from the adjoining Open Space and Recreation Zone, lake, and lakeside reserve areas, through both:
- a. the long-term incremental replacement of exotic trees with native species to enhance landscape, ecology and visual amenity;
 - b. the introduction and/or retention of exotic species within the High Landscape Sensitivity Area where appropriate for amenity, shade, structure, screening, and autumn colour.
- 46.2.1.3 Ensure the location, nature, scale and intensity of visitor accommodation, commercial recreational activities, and associated aspects such as traffic generation, access and parking, informal airports, noise and lighting:
- a. maintain amenity values beyond the Zone; and
 - b. do not compromise the operation of existing activities or those enabled by the zones in the surrounding environment as a result of reverse sensitivity effects.
- 46.2.1.4 Ensure the nature and scale of the combined activities in the Maungawera Rural Visitor Zone maintain amenity values beyond the Zone by specifically managing group size of commercial recreational activities and the capacity of visitor accommodation.
- 46.2.1.5 Avoid residential activity within the Zone, except for enabling:
- a. onsite staff accommodation ancillary to visitor accommodation and commercial recreational activities, where this accommodation is consistent with the small scale and low intensity of the development within the Zone; and
 - b. residential activity on identified building platforms in the Arcadia Rural Visitor Zone (as approved by resource consent under a previous rural visitor zoning prior to 31 October 2019).
- 46.2.1.6 For commercial recreational activities that exceed the standards limiting their scale and intensity, ensure the activity will protect the landscape values of the District's Outstanding Natural Features and Outstanding Natural Landscapes, and for other rural areas, ensure the landscape character of the landscape the Zone sits within is maintained and the visual amenity values are maintained or enhanced.

46.2.2 Objective – Buildings and development that have a visitor industry related use are provided for at a small scale and low density within the Rural Visitor Zone in areas of lower landscape sensitivity where:

- a. the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes are protected;**
- b. in rural areas not within Outstanding Natural Features or Outstanding Natural Landscapes, the landscape character is maintained and the visual amenity values maintained or enhanced;**
- c. adverse effects, including cumulative effects in conjunction with other activities, buildings and development, which do not protect the values specified in a. or maintain or enhance the values specified in b. are avoided; and**
- d. amenity values of the surrounding environment are maintained.**

Policies

46.2.2.1 Enable and consolidate buildings outside of areas that are identified on the District Plan web mapping application as a High Landscape Sensitivity Area or Moderate-High Landscape Sensitivity Area.

46.2.2.2 Restrict buildings within areas identified on the District Plan web mapping application as Moderate-High Landscape Sensitivity unless they are located and designed, and adverse effects are mitigated, to ensure:

- a. landscape values of Outstanding Natural Features and Outstanding Natural Landscapes are protected; and
- b. for other rural areas, the landscape character of the landscape the Zone sits within is maintained and the visual amenity values are maintained or enhanced.

46.2.2.3 Avoid buildings within areas identified on the District Plan web mapping application as High Landscape Sensitivity Areas.

46.2.2.4 Manage the effects of buildings and development on landscape values, landscape character and visual amenity values by:

- a. controlling the colour, scale, design, and height of buildings and associated infrastructure, vegetation and landscape elements; and
- b. in the immediate vicinity of the Homestead Area at Walter Peak, and the historic homestead at Arcadia, provide for a range of external building colours that are not as recessive as required generally for rural environments, but are sympathetic to existing development.

46.2.2.5 Provide for buildings that exceed the bulk and scale standards, only when adverse effects, including cumulative effects, are minimised, including through:

- a. In Outstanding Natural Landscapes, siting buildings so they are reasonably difficult to see from beyond the boundary of the Zone,

- b. Outside Outstanding Natural Landscapes and Outstanding Natural Features, siting buildings so they are not highly visible from public places, and do not form the foreground of Outstanding Natural Landscapes or Outstanding Natural Features;
- c. The design and location of buildings and opportunities for mitigating bulk, form and density;
- d. Management of the associated aspects of the building(s) such as earthworks, car parking, fencing, and landscaping.

Note: Policy 46.2.2.5 does not apply to the Lake Hawea Rural Visitor Zone.

- 46.2.2.6 Within those areas identified on the District Plan web mapping application as High Landscape Sensitivity or Moderate-High Landscape Sensitivity, maintain open landscape character where it is open at present.
- 46.2.2.6X In the Lake Hawea Rural Visitor Zone avoid buildings that exceed the combined Total Maximum Ground Floor Area specified in Standard 46.5.3.5(b).
- 46.2.2.6XX Provide for buildings within the Lake Hawea Rural Visitor Zone that exceed bulk and scale standards only when any adverse effects, including cumulative effects, can be mitigated, including through:
 - a. Other than in views from the adjoining Open Space and Recreation Zone, siting buildings so that they are reasonably difficult to see from beyond the boundary of the Zone;
 - b. Building design, location and opportunities for mitigating bulk, form and density;
 - c. Managing the design and control of other aspects associated with buildings, including earthworks, car parking, fencing, and landscaping.
- 46.2.2.7 Encourage enhancement of nature conservation values as part of the use and development of the Zone.
- 46.2.2.8 Manage the location and direction of lights to ensure they do not cause glare or reduce the quality of views of the night sky beyond the boundaries of the Zone, or reduce the sense of remoteness where this is an important part of the landscape character of the Zone.
- 46.2.2.9 Within the Walter Peak Water Transport Infrastructure overlay, provide for a jetty or wharf, weather protection features and ancillary infrastructure at Beach Bay while:
 - a. maintaining as far as practicable natural character and landscape values of Beach Bay while recognising the functional need for water transport infrastructure to locate on the margin of and on Lake Wakatipu;
 - b. minimising the loss of public access to the lake margin; and
 - c. encouraging enhancement of nature conservation and natural character values.
- 46.2.2.10 Ensure development can be adequately serviced through:
 - a. the method, capacity and design of wastewater treatment and disposal;
 - b. adequate and potable provision of water;
 - c. adequate firefighting water and regard taken in the design of development to fire risk from vegetation, both existing and proposed vegetation; and
 - d. provision of safe vehicle access or alternative water-based transport and associated infrastructure.

- 46.2.2.11 Ensure the ongoing management and maintenance of existing hazard mitigation measures, including management systems and evacuation plans, where new or relocated buildings within the Hazard Management Area identified on the District Plan web mapping application in the Walter Peak Rural Visitor Zone rely on those measures.
- 46.2.2.12 Avoid development for living purposes (including visitor accommodation) in the Natural Hazard Building Restriction Areas identified on the District Plan web mapping application in the Walter Peak Rural Visitor Zone.
- 46.2.2.13 Ensure the location, scale and design of development in the Lake Hawea Rural Visitor Zone, including buildings, accessways, parking, landscaping, and fencing/ boundary treatments, recognises and is complementary to the spacious, low key landscape character of the adjoining Open Space and Recreation Zone.

46.3 Other Provisions and Rules**46.3.1 District Wide**

Attention is drawn to the following District Wide chapters.

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
25 Earthworks	26 Historic Heritage	27 Subdivision
28 Natural Hazards	29 Transport	30 Energy and Utilities

31 Signs	32 Protected Trees	33 Indigenous Vegetation and Biodiversity
34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings	36 Noise
37 Designations	39 Wāhi Tūpuna	District Plan web mapping application

46.3.2 Interpreting and Applying the Rules

- 46.3.2.1 A permitted activity must comply with all the rules (in this case Chapter 46 and any relevant district wide rules).
- 46.3.2.2 Where an activity does not comply with a standard listed in the standards tables, the activity status identified by the 'Non-Compliance Status' column shall apply. Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.
- 46.3.2.3 For controlled and restricted discretionary activities, the Council shall restrict the exercise of its control or discretion to the matters listed in the rule.
- 46.3.2.4 The surface of lakes and rivers are zoned Rural, except for the area identified on the District Plan web mapping application as Walter Peak Water Transport Infrastructure overlay for the purposes of Rule 46.4.11.
- 46.3.2.5 These abbreviations are used in the following tables. Any activity which is not permitted (P) or prohibited (PR) requires resource consent.

P – Permitted	C – Controlled	RD – Restricted Discretionary
D – Discretionary	NC – Non – Complying	PR - Prohibited

46.3.3 Advice Notes - General

- 46.3.3.1 On-site wastewater treatment is also subject to the Otago Regional Plan: Water. In particular, Rule 12.A.1.4 of the Otago Regional Plan: Water.
- 46.3.3.2 Particular attention is drawn to the definition of Visitor Accommodation which includes related ancillary services and facilities and onsite staff accommodation.

46.4 Rules – Activities

	Table 46.4 – Activities	Activity Status
46.4.1	Farming	P
46.4.2	Visitor accommodation	P

46.4.3	Commercial recreational activities and ancillary onsite staff accommodation	P
46.4.4	Recreation and recreational activity	P
46.4.5	Informal airports	P
46.4.6	One residential unit within a building platform identified on Lots 1 to 11 LT 530138 in the Arcadia Rural Visitor Zone.	P

<p>46.4.7</p>	<p>Construction or exterior alteration of buildings</p> <p>46.4.7.1: The construction or exterior alteration of buildings (other than identified in Rules 46.4.8 to 46.4.13 and 46.4.18).</p> <p>46.4.7.2: In the Gibbston Valley Rural Visitor Zone, the construction, relocation or exterior alteration of buildings within the Developable Areas identified on the District Plan web mapping application.</p> <p>46.4.7.3: In the Walter Peak Rural Visitor Zone, the construction or relocation of buildings or structures used for living purposes (including visitor accommodation) within an area identified on the District Plan web mapping application as a Hazard Management Area (other than identified in Rules 46.4.8, 46.4.9 and 46.4.11 to 46.4.13).</p> <p>Control is reserved to:</p> <ol style="list-style-type: none"> a. The compatibility of the building density, scale, design and location with landscape, cultural and heritage, and visual amenity values; b. Landform modification, landscaping and planting; c. Lighting; d. Servicing including water supply, fire-fighting, stormwater and wastewater; e. Natural Hazards; and f. Design and layout of site access, on-site parking, manoeuvring and traffic generation. g. In the Lake Hawea Rural Visitor Zone, the content of the Vegetation Management Plan submitted with the application. 	<p>C</p>
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	<p>Information requirements:</p> <p>a) The Vegetation Management Plan shall be prepared by a suitably qualified and experienced person and include the following information:</p> <ol style="list-style-type: none"> i. The vegetation to be retained and new planting areas (including ongoing replacement planting strategies); ii. A plant schedule that identifies plant species, numbers, grades, and spacings; iii. Uses locally appropriate eco-sourced native species (excepting for exotic species); iv. Any earthworks associated with the Vegetation Management Strategy. <p>b) Measures relating to the implementation of the Vegetation Management Plan that includes:</p> <ol style="list-style-type: none"> i. site preparation; ii. vegetation protection methods; iii. planting methods; iv. ongoing maintenance obligations, including irrigation methods (if required) and pest management; v. Staging and timing of the removal of existing vegetation and planting <p>c) A landscape assessment, which demonstrates how the Vegetation Plan and implementation measures will achieve Policy 46.2.1.2X.</p>	
<p>46.4.8</p>	<p>Farm building</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. The relationship of the proposed farm building to farming activity; b. Landform modification, landscaping and planting; c. Lighting; d. Servicing including water supply, fire-fighting, stormwater and wastewater; and e. Natural Hazards. 	<p>RD</p>
<p>46.4.9</p>	<p>At Walter Peak within the Water Transport Infrastructure Overlay as identified on the District Plan web mapping application, a jetty or wharf, weather protection features and ancillary infrastructure</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. Effects on natural character; b. Effects on landscape values and amenity values; 	<p>RD</p>

	<ul style="list-style-type: none"> c. Lighting; d. Effects on public access to and along the lake margin; and e. External appearance, colour and materials. 	
46.4.10	<p>In the Walter Peak Rural Visitor Zone, the construction or relocation of buildings or structures within an area identified on the District Plan web mapping application as a Natural Hazard Building Restriction Area (NHBRA) (other than identified in Rules 46.4.12, 46.4.13 and 4.4.18)</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. The compatibility of the building density, scale, design and location with b. landscape, cultural and heritage, and visual amenity values; c. Landform modification, landscaping and planting; d. Lighting; e. Servicing including water supply, fire-fighting, stormwater and f. wastewater; g. Natural Hazards; and h. Design and layout of site access, on-site parking, maneuvering and i. traffic generation. 	RD
46.4.11	At Walter Peak within the Water Transport Infrastructure Overlay as identified on the District Plan web mapping application, any building other than those identified in Rule 46.4.9	D
46.4.12	<p>Construction or exterior alteration of buildings</p> <p>46.4.12.1: The construction or exterior alteration of buildings within an area identified on the District Plan web mapping application as a Moderate-High Landscape Sensitivity Area.</p> <p>46.4.12.2: In the Gibbston Valley Rural Visitor Zone, in addition to 46.4.12.1, the construction, relocation or exterior alteration of buildings not within the Developable Areas identified on the District Plan web mapping application, and not within the area covered by Rule 46.4.13.</p>	D
46.4.13	The construction, relocation or exterior alteration of buildings within an area identified on the District Plan web mapping application as a High Landscape Sensitivity Area	NC
46.4.14	Industrial activity	NC
46.4.15	Residential activity except as provided for in Rules 46.4.2, 46.4.3 and 46.4.6	NC
46.4.16	Commercial activities, retail or service activities except as provided for in Rules 46.4.2 and 46.4.3	NC
46.4.17	Mining	NC
46.4.18	In the Walter Peak Rural Visitor Zone, the construction or relocation of buildings or structures used for living purposes (including visitor accommodation) within an area identified on the District Plan web mapping application as a Natural Hazard Building Restriction Area (NHBRA).	NC

46.4.19	Any other activity not listed in Table 46.4	NC
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46.5 Rules - Standards

	Table 46.5 – Standards	Non-compliance status
46.5.1	<p>Building Height</p> <p>46.5.1.1: The maximum height of buildings shall be 6m.</p> <p>46.5.1.2: Within the Water Transport Infrastructure overlay identified on the District Plan web mapping application the maximum height of buildings shall be 4m.</p> <p>46.5.1.3: Within Developable Areas 1 and 3 identified on the District Plan web mapping application in the Gibbston Valley Rural Visitor Zone the maximum height of buildings shall be 7m.</p> <p>46.5.1.4: Within the part of the Lake Hawea Rural Visitor Zone outside of areas identified as a High or Moderate-High Landscape Sensitivity Area, the maximum height of buildings shall be:</p> <p>6.5m</p> <p>8m;</p> <p>46.5.1.5: Within the Lake Hawea Rural Visitor Zone, the maximum height of buildings in the northern area of Moderate – High Landscape Sensitivity shall be 5m.</p> <p>46.5.1.6: Within the Lake Hawea Rural Visitor Zone the maximum height of buildings in the southern area of Moderate – High Landscape Sensitivity shall be RL 376 masl.</p>	<p>NC</p> <p>NC</p> <p>NC</p> <p>RD</p> <p>Discretion is restricted to:</p> <p>a. Landscape;</p> <p>b. Amenity values;</p> <p>c. Nature, scale, and external appearance;</p> <p>NC</p> <p>NC</p> <p>NC</p>

<p>46.5.2</p>	<p>Building Size</p> <p>The maximum ground floor area of any building shall be 500m², except for the Lake Hawea Rural Visitor Zone, where the maximum ground floor area of any building shall be 250m².</p>	<p style="text-align: center;">RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Landscape; b. Visual amenity values; c. Nature, scale and external appearance; d. Density and scale of development; e. Effects on amenity values and reverse sensitivity effects from the location, nature, scale and intensity of activities undertaken in the building; and f. Design and layout of site access, on-site parking, manoeuvring and traffic generation.
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	Table 46.5 – Standards	Non-compliance status
46.5.3	<p>Total Maximum Ground Floor Area in the Zone:</p> <p>46.5.3.1 In the Gibbston Valley Rural Visitor Zone the combined total maximum ground floor area of all buildings within the Zone shall be 500m².</p> <p>46.5.3.2 In the Matakauri Rural Visitor Zone the combined total maximum ground floor area of all buildings within the Zone shall be 1650m².</p> <p>46.5.3.3 In the Maungawera Rural Visitor Zone, the combined total maximum ground floor area of all buildings shall be:</p> <ol style="list-style-type: none"> 500m² in Area A 1,800m² in Area B 1,400m² in Area C 500m² in Area D 500m² in Area E 300m² in Area F 1000m² in Area G <p>as identified on the District Plan web mapping application.</p> <p>46.5.3.4 PLACEHOLDER FOR MATAKAURI RURAL VISITOR ZONE</p> <p>46.5.3.5 In the Lake Hawea Rural Visitor Zone the combined total maximum ground floor area of all buildings shall be:</p> <ol style="list-style-type: none"> 800m² 2,250m² and that, of this total, the maximum ground floor area of all buildings within the moderate-high landscape sensitivity area shall be 250m². 	<p>Rules 46.5.3.1, and 46.5.3.2: RD</p> <p>Rule 46.5.3.3: NC</p> <p>Rule 46.5.3.5 (a): RD Rule 46.5.3.5 (b): NC</p> <p>For Rules 46.5.3.1, 46.5.3.2 and Rules 46.5.3.5 (a) control or discretion is restricted to:</p> <ol style="list-style-type: none"> Landscape; Visual amenity values; Nature, scale and external appearance; Density and scale of development; Effects on amenity values and reverse sensitivity effects from the location, nature, scale and intensity of activities undertaken in the building; Natural Hazards; and Design and layout of site access, on-site parking, manoeuvring and traffic generation.
46.5.4	<p>Glare</p> <p>46.5.4.1: All exterior lighting shall be directed downward and away from adjacent sites and public places including roads or waterbodies.</p>	NC

	Table 46.5 – Standards	Non-compliance status				
46.5.5	<p>Setback of buildings from waterbodies</p> <p>46.5.5.1: The minimum setback of any building from the bed of a river, lake or wetland shall be 20m.</p> <p>46.5.5.2: Rule 46.5.5.1 shall not apply to those structures or buildings identified in Rule 46.4.9 located within the Walter Peak Water Transport Infrastructure overlay.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Indigenous biodiversity values; b. Visual amenity values; c. Landscape; d. Open space and the interaction of the development with the water body; e. Environmental protection measures (including landscaping and stormwater management); f. Natural hazards; and g. Effects on cultural values of manawhenua. 				
46.5.6	<p>Setback of Buildings</p> <p>46.5.6.1: Buildings shall be set back a minimum of 10 metres from the Zone boundary.</p> <p>46.5.6.2: Rule 46.5.6.1 shall not apply to those structures or buildings identified in Rule 46.4.9 located within the Walter Peak Water Transport Infrastructure overlay.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Nature and scale; b. Effects on amenity values and reverse sensitivity effects from the location, nature, scale and intensity of activities undertaken in the building; and c. Functional need for buildings to be located within the setback. 				
46.5.7	<p>Commercial Recreational Activity</p> <p>46.5.7.1: Commercial recreational activity that is undertaken outdoors shall not involve more than 30 persons in any one group.</p> <p>46.5.7.2: Rule 46.5.7.1 shall not apply in the Walter Peak Rural Visitor Zone or in the Maungawera Rural Visitor Zone.</p> <p>46.5.7.3: In the Maungawera Rural Visitor Zone, commercial recreational activity that is</p>	<p>Rule 46.5.7.1: RD</p> <p>Rule 46.5.7.3:</p> <table style="margin-left: 20px;"> <tr> <td>136 – 200 persons</td> <td>RD</td> </tr> <tr> <td>>200 persons</td> <td>NC</td> </tr> </table> <p>For Rules 46.5.7.1 and 46.5.7.3 discretion is restricted to:</p> <ul style="list-style-type: none"> a. Location, nature, scale and intensity, including cumulative adverse 	136 – 200 persons	RD	>200 persons	NC
136 – 200 persons	RD					
>200 persons	NC					

	Table 46.5 – Standards	Non-compliance status
	undertaken outdoors shall not involve more than 135 persons within the Zone at any one time.	<p>effects and reverse sensitivity effects;</p> <p>b. Hours of operation;</p> <p>c. The extent and location of signage;</p> <p>d. Transport and access; and</p> <p>e. Noise.</p>
46.5.8	<p>Informal Airports</p> <p>Other than in the case of informal airports for emergency landings, rescues, firefighting and activities ancillary to farming activities, Informal Airports shall not exceed 15 flights per week.</p> <p>Note: For the purposes of this Rule a flight includes two aircraft movements (i.e. an arrival and departure).</p>	D
46.5.9	<p>Building Material and Colours</p> <p>In the Arcadia Rural Visitor Zone, the Gibbston Valley Rural Visitor Zone, the Lake Hawea Rural Visitor Zone, the Maungawera Rural Visitor Zone, and the Matakauri Rural Visitor Zone, any building and its alteration, including shipping containers that remain on site for more than six months, are subject to the following:</p> <p>All exterior surfaces* shall be coloured in the range of browns, greens or greys including:</p> <p>46.5.9.1 Pre-painted steel and all roofs shall have a light reflectance value not greater than 20%; and</p> <p>46.5.9.2 All other exterior surface** finishes, except for schist, shall have a light reflectance value of not greater than 30%.</p> <p>* Excludes soffits, windows and skylights (but not glass balustrades).</p> <p>** Includes cladding and built landscaping that cannot be measured by way of light reflectance value but is deemed by the Council to be suitably recessive and have the same effect as achieving a light reflectance value of 30%.</p> <p>*** This rule shall not apply to recreational camping or glamping tents.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. Landscape;</p> <p>b. Visual amenity values; and</p> <p>c. External appearance.</p>

	Table 46.5 – Standards	Non-compliance status
46.5.10	<p>Building separation and planting plan - Matakauri Rural Visitor Zone</p> <p>46.5.10.1 All buildings in the Matakauri Rural Visitor Zone shall be separated by a minimum of 10m from other buildings within that Zone.</p> <p>46.5.10.2 The separation space required by Rule 46.5.10.1 shall be planted and maintained with indigenous plant species in accordance with the planting plan required by Rule 46.5.10.3</p> <p>46.5.10.3 A planting plan detailing species type, numbers, location, planting schedule and maintenance for the separation space required by Rule 46.5.10.1, for the purpose of mitigating the visual effects of the building(s) and to integrate the building(s) into the surrounding environment, shall be prepared and provided to the Council as part of the documentation supporting a resource consent application for any building.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> Nature and scale; Functional need for the building(s) to be located within the separation setback; Landscape and visual amenity effects: and Indigenous planting plan.
46.5.11	<p>46.5.10.1 All buildings in the Matakauri Rural Visitor Zone shall be separated by a minimum of 10m from other buildings within that Zone.</p>	NC
46.5.12	<p>Visitor accommodation capacity in the Maungawera Rural Visitor Zone</p> <p>In the Maungawera Rural Visitor Zone, the configuration of visitor accommodation units shall be such that the maximum number of overnight guests that can be accommodated within the Zone is 50.</p>	<p>51 – 75 guests per night: RD</p> <p>>75 guests per night: NC</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> Location, nature, scale and intensity, including cumulative adverse effects and reverse sensitivity effects; Hours of operation; The extent and location of signage; Transport and access; and Noise

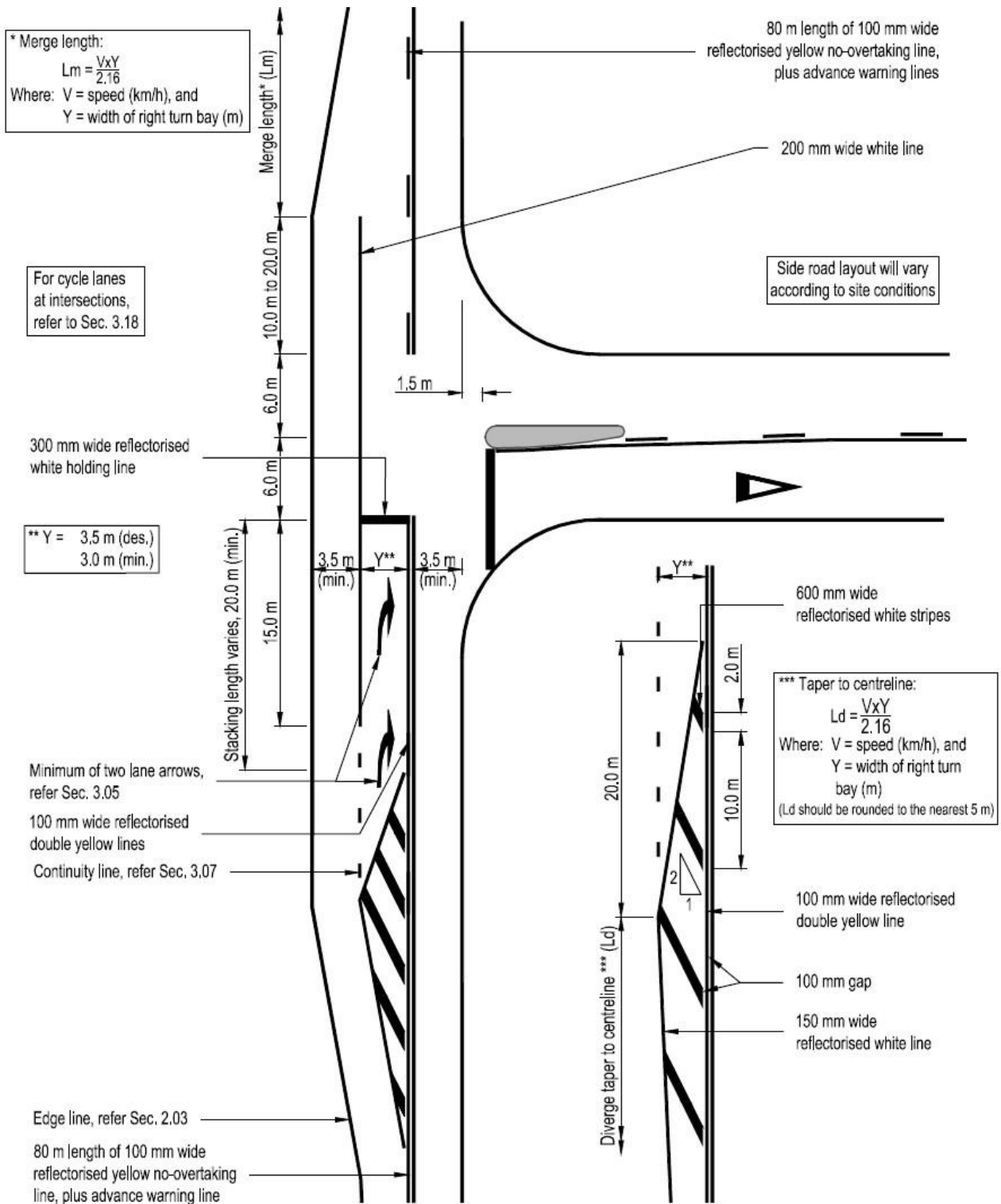
	Table 46.5 – Standards	Non-compliance status
46.5.13	<p>Northern boundary shelterbelt - Maungawera Rural Visitor Zone</p> <p>In the Maungawera Rural Visitor Zone, no visitor accommodation or commercial recreational activities shall be undertaken, no informal airport shall operate, and no buildings shall be constructed, relocated or have exterior alterations, unless a shelterbelt is maintained along the northern boundary of the Zone.</p>	NC
46.5.14	<p>Vegetation Management Plan - Lake Hawea Rural Visitor Zone</p> <p>A Vegetation Management Plan for the High Landscape Sensitivity Area and the interface with the Open Space and Recreation Zone, which satisfies the information requirements outlined in Rule 46.4.7 shall be submitted with, and form part of, any application for a building.</p> <p>Note: Where a Vegetation Management Plan that has previously been approved by the Council as part of an earlier application will achieve the outcomes outlined in Policy 46.2.1.2X as they relate to the current proposal, this can be re-submitted and form part of the current application.</p>	NC

46.6 Non-Notification of Applications

Any application for resource consent for controlled or restricted discretionary activities shall not require the written consent of other persons and shall not be notified or limited-notified, with the exception of the following:

- a. **Rule 46.4.9 Water Transport Infrastructure at Walter Peak.**
- b. **Rule 46.5.5 setback of buildings from waterbodies.**
- c. **Rule 46.5.6 setback of buildings from the Zone boundary.**
- d. **Rule 46.5.7 commercial recreational activities.**

Figure 46.1



MARKINGS FOR RIGHT TURN BAYS IN RURAL AREAS

FIGURE 3.25

APPENDIX 2 – AGREED PROVISIONS (MARKED-UP)

46 Rural Visitor Zone

46.1 Purpose

The Rural Visitor Zone provides for visitor industry activities that enable people to access and appreciate the District's landscapes, at a small scale and low intensity, and in a manner that recognises the particular values of those landscapes. By providing for visitor industry activities within the rural environment, primarily in remote locations, the Zone recognises the contribution visitor industry places, services and facilities make to the economic and recreational values of the District.

The effects of land use and development on the landscape are managed by the limited extent and small scale of the Zoned areas, and directing sensitive and sympathetic development to areas of lower landscape sensitivity identified within each Zone, where the landscape can accommodate change and the adverse effects on landscape values will be cumulatively minor. No Zone comprises areas of only high or moderate- high landscape sensitivity and the Zone is not located on Outstanding Natural Features. Effects on landscape are further managed through limiting the nature, scale and intensity of development and ensuring buildings are not visually dominant and are integrated into the landscape.

The principal activities in the Zone are visitor accommodation and related ancillary commercial activities, commercial recreational activities and recreational activities. Residential activity is not anticipated in the Zone, with exceptions provided for onsite staff accommodation ancillary to commercial recreational activities and visitor accommodation, and for residential activity on building platforms at Arcadia that were consented under a prior rural visitor zoning.

46.2 Objectives and Policies

46.2.1 Objective – The Rural Visitor Zone provides for visitor accommodation, commercial recreational activities and ancillary commercial activities to occur at a small scale and low intensity in rural locations in a manner that:

- a. protects the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes;**
- b. maintains landscape character, and maintains or enhances visual amenity values in areas not within Outstanding Natural Features or Outstanding Natural Landscapes;**
- c. avoids adverse effects, including cumulative effects in conjunction with other activities, buildings and development, which do not protect the values specified in a. or maintain or enhance the values specified in b;**
- d. maintains amenity values of the surrounding environment;**
- e. does not compromise the operation of existing activities or those enabled by the zones in the surrounding environment as a result of reverse sensitivity effects;**
- f. activities anticipated within each Zoned area can be adequately serviced with wastewater treatment and disposal, potable and firefighting water supply, and safe vehicle access or alternative water or air-based transport; and**
- g. avoids significant or intolerable risks from natural hazards to people and the community.**

Policies

- 46.2.1.1 Ensure that the location of the Zone is such that the activities anticipated within it are able to meet the requirements of Objective 46.2.1.
- 46.2.1.2 Enable visitor accommodation and commercial recreational activities within the Zone, including ancillary onsite staff accommodation, where the landscape values of the District's Outstanding Natural Features and Outstanding Natural Landscapes are protected, and for other rural areas, the landscape character of the landscape the Zone sits within is maintained and the visual amenity values are maintained or enhanced.
- 46.2.1.2X Ensure that a Vegetation Management Plan is prepared for the Lake Hawea Rural Visitor Zone and implemented in a timely manner for the purpose of screening or filtering views of buildings from the adjacent state highway, assisting with the integration of buildings into the landscape, reinforcing landform patterns, and providing a cohesive, large scale vegetation backdrop to the buildings when viewed from the adjoining Open Space and Recreation Zone, lake, and lakeside reserve areas, through both:
- a. the long-term incremental replacement of exotic trees with native species to enhance landscape, ecology and visual amenity;
 - b. the introduction and/or retention of exotic species within the High Landscape Sensitivity Area where appropriate for amenity, shade, structure, screening, and autumn colour.
- 46.2.1.3 Ensure the location, nature, scale and intensity of visitor accommodation, commercial recreational activities, and associated aspects such as traffic generation, access and parking, informal airports, noise and lighting:
- a. maintain amenity values beyond the Zone; and
 - b. do not compromise the operation of existing activities or those enabled by the zones in the surrounding environment as a result of reverse sensitivity effects.
- 46.2.1.4 Ensure the nature and scale of the combined activities in the Maungawera Rural Visitor Zone maintain amenity values beyond the Zone by specifically managing group size of commercial recreational activities and the capacity of visitor accommodation.
- 46.2.1.5 Avoid residential activity within the Zone, except for enabling:
- a. onsite staff accommodation ancillary to visitor accommodation and commercial recreational activities, where this accommodation is consistent with the small scale and low intensity of the development within the Zone; and
 - b. residential activity on identified building platforms in the Arcadia Rural Visitor Zone (as approved by resource consent under a previous rural visitor zoning prior to 31 October 2019).
- 46.2.1.6 For commercial recreational activities that exceed the standards limiting their scale and intensity, ensure the activity will protect the landscape values of the District's Outstanding Natural Features and Outstanding Natural Landscapes, and for other rural areas, ensure the landscape character of the landscape the Zone sits within is maintained and the visual amenity values are maintained or enhanced.

46.2.2 Objective – Buildings and development that have a visitor industry related use are provided for at a small scale and low density within the Rural Visitor Zone in areas of lower landscape sensitivity where:

- a. the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes are protected;**
- b. in rural areas not within Outstanding Natural Features or Outstanding Natural Landscapes, the landscape character is maintained and the visual amenity values maintained or enhanced;**
- c. adverse effects, including cumulative effects in conjunction with other activities, buildings and development, which do not protect the values specified in a. or maintain or enhance the values specified in b. are avoided; and**
- d. amenity values of the surrounding environment are maintained.**

Policies

46.2.2.1 Enable and consolidate buildings outside of areas that are identified on the District Plan web mapping application as a High Landscape Sensitivity Area or Moderate-High Landscape Sensitivity Area.

46.2.2.2 Restrict buildings within areas identified on the District Plan web mapping application as Moderate-High Landscape Sensitivity unless they are located and designed, and adverse effects are mitigated, to ensure:

- a. landscape values of Outstanding Natural Features and Outstanding Natural Landscapes are protected; and
- b. for other rural areas, the landscape character of the landscape the Zone sits within is maintained and the visual amenity values are maintained or enhanced.

46.2.2.3 Avoid buildings within areas identified on the District Plan web mapping application as High Landscape Sensitivity Areas.

46.2.2.4 Manage the effects of buildings and development on landscape values, landscape character and visual amenity values by:

- a. controlling the colour, scale, design, and height of buildings and associated infrastructure, vegetation and landscape elements; and
- b. in the immediate vicinity of the Homestead Area at Walter Peak, and the historic homestead at Arcadia, provide for a range of external building colours that are not as recessive as required generally for rural environments, but are sympathetic to existing development.

46.2.2.5 Provide for buildings that exceed the bulk and scale standards, only when adverse effects, including cumulative effects, are minimised, including through:

- a. In Outstanding Natural Landscapes, siting buildings so they are reasonably difficult to see from beyond the boundary of the Zone,

- b. Outside Outstanding Natural Landscapes and Outstanding Natural Features, siting buildings so they are not highly visible from public places, and do not form the foreground of Outstanding Natural Landscapes or Outstanding Natural Features;
- c. The design and location of buildings and opportunities for mitigating bulk, form and density;
- d. Management of the associated aspects of the building(s) such as earthworks, car parking, fencing, and landscaping.

Note: Policy 46.2.2.5 does not apply to the Lake Hawea Rural Visitor Zone.

46.2.2.6 Within those areas identified on the District Plan web mapping application as High Landscape Sensitivity or Moderate-High Landscape Sensitivity, maintain open landscape character where it is open at present.

46.2.2.6X In the Lake Hawea Rural Visitor Zone avoid buildings that exceed the combined Total Maximum Ground Floor Area specified in Standard 46.5.3.5(b).

46.2.2.6XX Provide for buildings within the Lake Hawea Rural Visitor Zone that exceed bulk and scale standards only when any adverse effects, including cumulative effects, can be mitigated, including through:

- a. Other than in views from the adjoining Open Space and Recreation Zone, siting buildings so that they are reasonably difficult to see from beyond the boundary of the Zone;
- b. Building design, location and opportunities for mitigating bulk, form and density;
- c. Managing the design and control of other aspects associated with buildings, including earthworks, car parking, fencing, and landscaping.

46.2.2.7 Encourage enhancement of nature conservation values as part of the use and development of the Zone.

46.2.2.8 Manage the location and direction of lights to ensure they do not cause glare or reduce the quality of views of the night sky beyond the boundaries of the Zone, or reduce the sense of remoteness where this is an important part of the landscape character of the Zone.

46.2.2.9 Within the Walter Peak Water Transport Infrastructure overlay, provide for a jetty or wharf, weather protection features and ancillary infrastructure at Beach Bay while:

- a. maintaining as far as practicable natural character and landscape values of Beach Bay while recognising the functional need for water transport infrastructure to locate on the margin of and on Lake Wakatipu;
- b. minimising the loss of public access to the lake margin; and
- c. encouraging enhancement of nature conservation and natural character values.

46.2.2.10 Ensure development can be adequately serviced through:

- a. the method, capacity and design of wastewater treatment and disposal;
- b. adequate and potable provision of water;
- c. adequate firefighting water and regard taken in the design of development to fire risk from vegetation, both existing and proposed vegetation; and
- d. provision of safe vehicle access or alternative water-based transport and associated infrastructure.

- 46.2.2.11 Ensure the ongoing management and maintenance of existing hazard mitigation measures, including management systems and evacuation plans, where new or relocated buildings within the Hazard Management Area identified on the District Plan web mapping application in the Walter Peak Rural Visitor Zone rely on those measures.
- 46.2.2.12 Avoid development for living purposes (including visitor accommodation) in the Natural Hazard Building Restriction Areas identified on the District Plan web mapping application in the Walter Peak Rural Visitor Zone.
- 46.2.2.13 Ensure the location, scale and design of development in the Lake Hawea Rural Visitor Zone, including buildings, accessways, parking, landscaping, and fencing/ boundary treatments, recognises and is complementary to the spacious, low key landscape character of the adjoining Open Space and Recreation Zone.

46.3 Other Provisions and Rules**46.3.1 District Wide**

Attention is drawn to the following District Wide chapters.

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
25 Earthworks	26 Historic Heritage	27 Subdivision
28 Natural Hazards	29 Transport	30 Energy and Utilities

31 Signs	32 Protected Trees	33 Indigenous Vegetation and Biodiversity
34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings	36 Noise
37 Designations	39 Wāhi Tūpuna	District Plan web mapping application

46.3.2 Interpreting and Applying the Rules

- 46.3.2.1 A permitted activity must comply with all the rules (in this case Chapter 46 and any relevant district wide rules).
- 46.3.2.2 Where an activity does not comply with a standard listed in the standards tables, the activity status identified by the 'Non-Compliance Status' column shall apply. Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.
- 46.3.2.3 For controlled and restricted discretionary activities, the Council shall restrict the exercise of its control or discretion to the matters listed in the rule.
- 46.3.2.4 The surface of lakes and rivers are zoned Rural, except for the area identified on the District Plan web mapping application as Walter Peak Water Transport Infrastructure overlay for the purposes of Rule 46.4.11.
- 46.3.2.5 These abbreviations are used in the following tables. Any activity which is not permitted (P) or prohibited (PR) requires resource consent.

P – Permitted	C – Controlled	RD – Restricted Discretionary
D – Discretionary	NC – Non – Complying	PR - Prohibited

46.3.3 Advice Notes - General

- 46.3.3.1 On-site wastewater treatment is also subject to the Otago Regional Plan: Water. In particular, Rule 12.A.1.4 of the Otago Regional Plan: Water.
- 46.3.3.2 Particular attention is drawn to the definition of Visitor Accommodation which includes related ancillary services and facilities and onsite staff accommodation.

46.4 Rules – Activities

	Table 46.4 – Activities	Activity Status
46.4.1	Farming	P
46.4.2	Visitor accommodation	P

46.4.3	Commercial recreational activities and ancillary onsite staff accommodation	P
46.4.4	Recreation and recreational activity	P
46.4.5	Informal airports	P
46.4.6	One residential unit within a building platform identified on Lots 1 to 11 LT 530138 in the Arcadia Rural Visitor Zone.	P

<p>46.4.7</p>	<p>Construction or exterior alteration of buildings</p> <p>46.4.7.1: The construction or exterior alteration of buildings (other than identified in Rules 46.4.8 to 46.4.13 and 46.4.18).</p> <p>46.4.7.2: In the Gibbston Valley Rural Visitor Zone, the construction, relocation or exterior alteration of buildings within the Developable Areas identified on the District Plan web mapping application.</p> <p>46.4.7.3: In the Walter Peak Rural Visitor Zone, the construction or relocation of buildings or structures used for living purposes (including visitor accommodation) within an area identified on the District Plan web mapping application as a Hazard Management Area (other than identified in Rules 46.4.8, 46.4.9 and 46.4.11 to 46.4.13).</p> <p>Control is reserved to:</p> <ol style="list-style-type: none"> a. The compatibility of the building density, scale, design and location with landscape, cultural and heritage, and visual amenity values; b. Landform modification, landscaping and planting; c. Lighting; d. Servicing including water supply, fire-fighting, stormwater and wastewater; e. Natural Hazards; and f. Design and layout of site access, on-site parking, manoeuvring and traffic generation. g. <u>In the Lake Hawea Rural Visitor Zone, the content of the Vegetation Management Plan submitted with the application.</u> 	<p>C</p>
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	<p><u>Information requirements:</u></p> <p>a) <u>The Vegetation Management Plan shall be prepared by a suitably qualified and experienced person and include the following information:</u></p> <ol style="list-style-type: none"> i. <u>The vegetation to be retained and new planting areas (including ongoing replacement planting strategies);</u> ii. <u>A plant schedule that identifies plant species, numbers, grades, and spacings;</u> iii. <u>Uses locally appropriate eco-sourced native species (excepting for exotic species);</u> iv. <u>Any earthworks associated with the Vegetation Management Strategy.</u> <p>b) <u>Measures relating to the implementation of the Vegetation Management Plan that includes:</u></p> <ol style="list-style-type: none"> i. <u>site preparation;</u> ii. <u>vegetation protection methods;</u> iii. <u>planting methods;</u> iv. <u>ongoing maintenance obligations, including irrigation methods (if required) and pest management;</u> v. <u>Staging and timing of the removal of existing vegetation and planting</u> <p>c) <u>A landscape assessment, which demonstrates how the Vegetation Plan and implementation measures will achieve Policy 46.2.1.2X.</u></p>	
<p>46.4.8</p>	<p>Farm building</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. The relationship of the proposed farm building to farming activity; b. Landform modification, landscaping and planting; c. Lighting; d. Servicing including water supply, fire-fighting, stormwater and wastewater; and e. Natural Hazards. 	<p>RD</p>
<p>46.4.9</p>	<p>At Walter Peak within the Water Transport Infrastructure Overlay as identified on the District Plan web mapping application, a jetty or wharf, weather protection features and ancillary infrastructure</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. Effects on natural character; b. Effects on landscape values and amenity values; 	<p>RD</p>

	<ul style="list-style-type: none"> c. Lighting; d. Effects on public access to and along the lake margin; and e. External appearance, colour and materials. 	
46.4.10	<p>In the Walter Peak Rural Visitor Zone, the construction or relocation of buildings or structures within an area identified on the District Plan web mapping application as a Natural Hazard Building Restriction Area (NHBRA) (other than identified in Rules 46.4.12, 46.4.13 and 4.4.18)</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. The compatibility of the building density, scale, design and location with b. landscape, cultural and heritage, and visual amenity values; c. Landform modification, landscaping and planting; d. Lighting; e. Servicing including water supply, fire-fighting, stormwater and f. wastewater; g. Natural Hazards; and h. Design and layout of site access, on-site parking, <u>manœuvering</u> and i. traffic generation. 	RD
46.4.11	At Walter Peak within the Water Transport Infrastructure Overlay as identified on the District Plan web mapping application, any building other than those identified in Rule 46.4.9	D
46.4.12	<p>Construction or exterior alteration of buildings</p> <p>46.4.12.1: The construction or exterior alteration of buildings within an area identified on the District Plan web mapping application as a Moderate-High Landscape Sensitivity Area.</p> <p>46.4.12.2: In the Gibbston Valley Rural Visitor Zone, in addition to 46.4.12.1, the construction, relocation or exterior alteration of buildings not within the Developable Areas identified on the District Plan web mapping application, and not within the area covered by Rule 46.4.13.</p>	D
46.4.13	The construction, relocation or exterior alteration of buildings within an area identified on the District Plan web mapping application as a High Landscape Sensitivity Area	NC
46.4.14	Industrial activity	NC
46.4.15	Residential activity except as provided for in Rules 46.4.2, 46.4.3 and 46.4.6	NC
46.4.16	Commercial activities, retail or service activities except as provided for in Rules 46.4.2 and 46.4.3	NC
46.4.17	Mining	NC
46.4.18	In the Walter Peak Rural Visitor Zone, the construction or relocation of buildings or structures used for living purposes (including visitor accommodation) within an area identified on the District Plan web mapping application as a Natural Hazard Building Restriction Area (NHBRA).	NC

46.4.19	Any other activity not listed in Table 46.4	NC
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46.5 Rules - Standards

	Table 46.5 – Standards	Non-compliance status
46.5.1	<p>Building Height</p> <p>46.5.1.1: The maximum height of buildings shall be 6m.</p> <p>46.5.1.2: Within the Water Transport Infrastructure overlay identified on the District Plan web mapping application the maximum height of buildings shall be 4m.</p> <p>46.5.1.3: Within Developable Areas 1 and 3 identified on the District Plan web mapping application in the Gibbston Valley Rural Visitor Zone the maximum height of buildings shall be 7m.</p> <p>46.5.1.4: <u>Within the part of the Lake Hawea Rural Visitor Zone outside of areas identified as a High or Moderate-High Landscape Sensitivity Area, the maximum height of buildings shall be:</u></p> <p style="padding-left: 40px;"><u>6.5m</u></p> <p style="padding-left: 40px;"><u>8m;</u></p> <p>46.5.1.5: <u>Within the Lake Hawea Rural Visitor Zone, the maximum height of buildings in the northern area of Moderate – High Landscape Sensitivity shall be 5m.</u></p> <p>46.5.1.6: <u>Within the Lake Hawea Rural Visitor Zone the maximum height of buildings in the southern area of Moderate – High Landscape Sensitivity shall be RL 376 masl.</u></p>	<p>NC</p> <p>NC</p> <p>NC</p> <p style="text-align: center;"><u>RD</u></p> <p><u>Discretion is restricted to:</u></p> <p>a. <u>Landscape;</u></p> <p>b. <u>Amenity values;</u></p> <p>c. <u>Nature, scale, and external appearance;</u></p> <p>NC</p> <p>NC</p> <p>NC</p>

<p>46.5.2</p>	<p>Building Size</p> <p>The maximum ground floor area of any building shall be 500m², <u>except for the Lake Hawea Rural Visitor Zone, where the maximum ground floor area of any building shall be 250m².</u></p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Landscape; b. Visual amenity values; c. Nature, scale and external appearance; d. Density and scale of development; e. Effects on amenity values and reverse sensitivity effects from the location, nature, scale and intensity of activities undertaken in the building; and f. Design and layout of site access, on-site parking, manoeuvring and traffic generation.
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	Table 46.5 – Standards	Non-compliance status
46.5.3	<p>Total Maximum Ground Floor Area in the Zone:</p> <p>46.5.3.1 In the Gibbston Valley Rural Visitor Zone the combined total maximum ground floor area of all buildings within the Zone shall be 500m².</p> <p>46.5.3.2 In the Matakauri Rural Visitor Zone the combined total maximum ground floor area of all buildings within the Zone shall be 1650m².</p> <p>46.5.3.3 In the Maungawera Rural Visitor Zone, the combined total maximum ground floor area of all buildings shall be:</p> <ol style="list-style-type: none"> 500m² in Area A 1,800m² in Area B 1,400m² in Area C 500m² in Area D 500m² in Area E 300m² in Area F 1000m² in Area G <p>as identified on the District Plan web mapping application.</p> <p>46.5.3.4 PLACEHOLDER FOR MATAKAURI RURAL VISITOR ZONE</p> <p>46.5.3.5 <u>In the Lake Hawea Rural Visitor Zone the combined total maximum ground floor area of all buildings shall be:</u></p> <ol style="list-style-type: none"> <u>800m²</u> <u>2,250m² and that, of this total, the maximum ground floor area of all buildings within the moderate-high landscape sensitivity area shall be 250m².</u> 	<p>Rules 46.5.3.1, and 46.5.3.2: RD</p> <p>Rule 46.5.3.3: NC</p> <p><u>Rule 46.5.3.5 (a): RD</u> <u>Rule 46.5.3.5 (b): NC</u></p> <p>For Rules 46.5.3.1, and 46.5.3.2 and Rules 46.5.3.5 (a) <u>control or</u> discretion is restricted to:</p> <ol style="list-style-type: none"> Landscape; Visual amenity values; Nature, scale and external appearance; Density and scale of development; Effects on amenity values and reverse sensitivity effects from the location, nature, scale and intensity of activities undertaken in the building; Natural Hazards; and Design and layout of site access, on-site parking, manoeuvring and traffic generation.
46.5.4	<p>Glare</p> <p>46.5.4.1: All exterior lighting shall be directed downward and away from adjacent sites and public places including roads or waterbodies.</p>	NC

	Table 46.5 – Standards	Non-compliance status				
46.5.5	<p>Setback of buildings from waterbodies</p> <p>46.5.5.1: The minimum setback of any building from the bed of a river, lake or wetland shall be 20m.</p> <p>46.5.5.2: Rule 46.5.5.1 shall not apply to those structures or buildings identified in Rule 46.4.9 located within the Walter Peak Water Transport Infrastructure overlay.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Indigenous biodiversity values; b. Visual amenity values; c. Landscape; d. Open space and the interaction of the development with the water body; e. Environmental protection measures (including landscaping and stormwater management); f. Natural hazards; and g. Effects on cultural values of manawhenua. 				
46.5.6	<p>Setback of Buildings</p> <p>46.5.6.1: Buildings shall be set back a minimum of 10 metres from the Zone boundary.</p> <p>46.5.6.2: Rule 46.5.6.1 shall not apply to those structures or buildings identified in Rule 46.4.9 located within the Walter Peak Water Transport Infrastructure overlay.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Nature and scale; b. Effects on amenity values and reverse sensitivity effects from the location, nature, scale and intensity of activities undertaken in the building; and c. Functional need for buildings to be located within the setback. 				
46.5.7	<p>Commercial Recreational Activity</p> <p>46.5.7.1: Commercial recreational activity that is undertaken outdoors shall not involve more than 30 persons in any one group.</p> <p>46.5.7.2: Rule 46.5.7.1 shall not apply in the Walter Peak Rural Visitor Zone or in the Maungawera Rural Visitor Zone.</p> <p>46.5.7.3: In the Maungawera Rural Visitor Zone, commercial recreational activity that is</p>	<p>Rule 46.5.7.1: RD</p> <p>Rule 46.5.7.3:</p> <table style="margin-left: 20px;"> <tr> <td>136 – 200 persons</td> <td>RD</td> </tr> <tr> <td>>200 persons</td> <td>NC</td> </tr> </table> <p>For Rules 46.5.7.1 and 46.5.7.3 discretion is restricted to:</p> <ul style="list-style-type: none"> a. Location, nature, scale and intensity, including cumulative adverse 	136 – 200 persons	RD	>200 persons	NC
136 – 200 persons	RD					
>200 persons	NC					

	Table 46.5 – Standards	Non-compliance status
	undertaken outdoors shall not involve more than 135 persons within the Zone at any one time.	effects and reverse sensitivity effects; b. Hours of operation; c. The extent and location of signage; d. Transport and access; and e. Noise.
46.5.8	<p>Informal Airports</p> <p>Other than in the case of informal airports for emergency landings, rescues, firefighting and activities ancillary to farming activities, Informal Airports shall not exceed 15 flights per week.</p> <p>Note: For the purposes of this Rule a flight includes two aircraft movements (i.e. an arrival and departure).</p>	D
46.5.9	<p>Building Material and Colours</p> <p>In the Arcadia Rural Visitor Zone, the Gibbston Valley Rural Visitor Zone, <u>the Lake Hawea Rural Visitor Zone</u>, the Maungawera Rural Visitor Zone, and the Matakauri Rural Visitor Zone, any building and its alteration, including shipping containers that remain on site for more than six months, are subject to the following:</p> <p>All exterior surfaces* shall be coloured in the range of browns, greens or greys including:</p> <p>46.5.9.1 Pre-painted steel and all roofs shall have a light reflectance value not greater than 20%; and</p> <p>46.5.9.2 All other exterior surface** finishes, except for schist, shall have a light reflectance value of not greater than 30%.</p> <p>* Excludes soffits, windows and skylights (but not glass balustrades).</p> <p>** Includes cladding and built landscaping that cannot be measured by way of light reflectance value but is deemed by the Council to be suitably recessive and have the same effect as achieving a light reflectance value of 30%.</p> <p>*** <u>This rule shall not apply to recreational camping or glamping tents.</u></p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. Landscape; b. Visual amenity values; and c. External appearance.</p>

	Table 46.5 – Standards	Non-compliance status
46.5.10	<p>Building separation and planting plan - Matakauri Rural Visitor Zone</p> <p>46.5.10.1 All buildings in the Matakauri Rural Visitor Zone shall be separated by a minimum of 10m from other buildings within that Zone.</p> <p>46.5.10.2 The separation space required by Rule 46.5.10.1 shall be planted and maintained with indigenous plant species in accordance with the planting plan required by Rule 46.5.10.3</p> <p>46.5.10.3 A planting plan detailing species type, numbers, location, planting schedule and maintenance for the separation space required by Rule 46.5.10.1, for the purpose of mitigating the visual effects of the building(s) and to integrate the building(s) into the surrounding environment, shall be prepared and provided to the Council as part of the documentation supporting a resource consent application for any building.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> Nature and scale; Functional need for the building(s) to be located within the separation setback; Landscape and visual amenity effects: and Indigenous planting plan.
46.5.11	<p>46.5.10.1 All buildings in the Matakauri Rural Visitor Zone shall be separated by a minimum of 10m from other buildings within that Zone.</p>	NC
46.5.12	<p>Visitor accommodation capacity in the Maungawera Rural Visitor Zone</p> <p>In the Maungawera Rural Visitor Zone, the configuration of visitor accommodation units shall be such that the maximum number of overnight guests that can be accommodated within the Zone is 50.</p>	<p>51 – 75 guests per night: RD</p> <p>>75 guests per night: NC</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> Location, nature, scale and intensity, including cumulative adverse effects and reverse sensitivity effects; Hours of operation; The extent and location of signage; Transport and access; and Noise

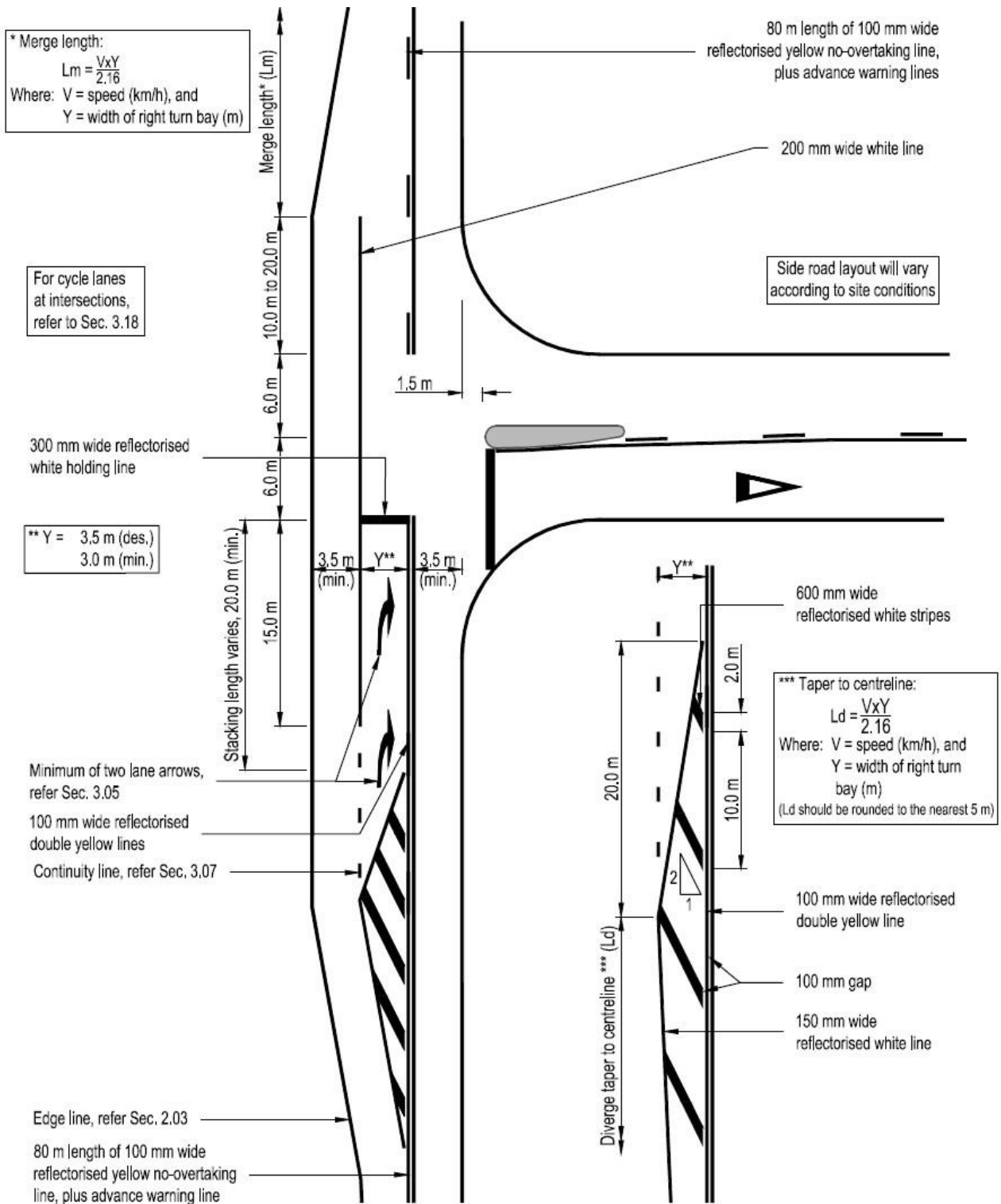
	Table 46.5 – Standards	Non-compliance status
46.5.13	<p>Northern boundary shelterbelt - Maungawera Rural Visitor Zone</p> <p>In the Maungawera Rural Visitor Zone, no visitor accommodation or commercial recreational activities shall be undertaken, no informal airport shall operate, and no buildings shall be constructed, relocated or have exterior alterations, unless a shelterbelt is maintained along the northern boundary of the Zone.</p>	NC
46.5.14	<p><u>Vegetation Management Plan - Lake Hawea Rural Visitor Zone</u></p> <p><u>A Vegetation Management Plan for the High Landscape Sensitivity Area and the interface with the Open Space and Recreation Zone, which satisfies the information requirements outlined in Rule 46.4.7 shall be submitted with, and form part of, any application for a building.</u></p> <p><u>Note: Where a Vegetation Management Plan that has previously been approved by the Council as part of an earlier application will achieve the outcomes outlined in Policy 46.2.1.2X as they relate to the current proposal, this can be re-submitted and form part of the current application.</u></p>	<u>NC</u>

46.6 Non-Notification of Applications

Any application for resource consent for controlled or restricted discretionary activities shall not require the written consent of other persons and shall not be notified or limited-notified, with the exception of the following:

- a. **Rule 46.4.9 Water Transport Infrastructure at Walter Peak.**
- b. **Rule 46.5.5 setback of buildings from waterbodies.**
- c. **Rule 46.5.6 setback of buildings from the Zone boundary.**
- d. **Rule 46.5.7 commercial recreational activities.**

Figure 46.1

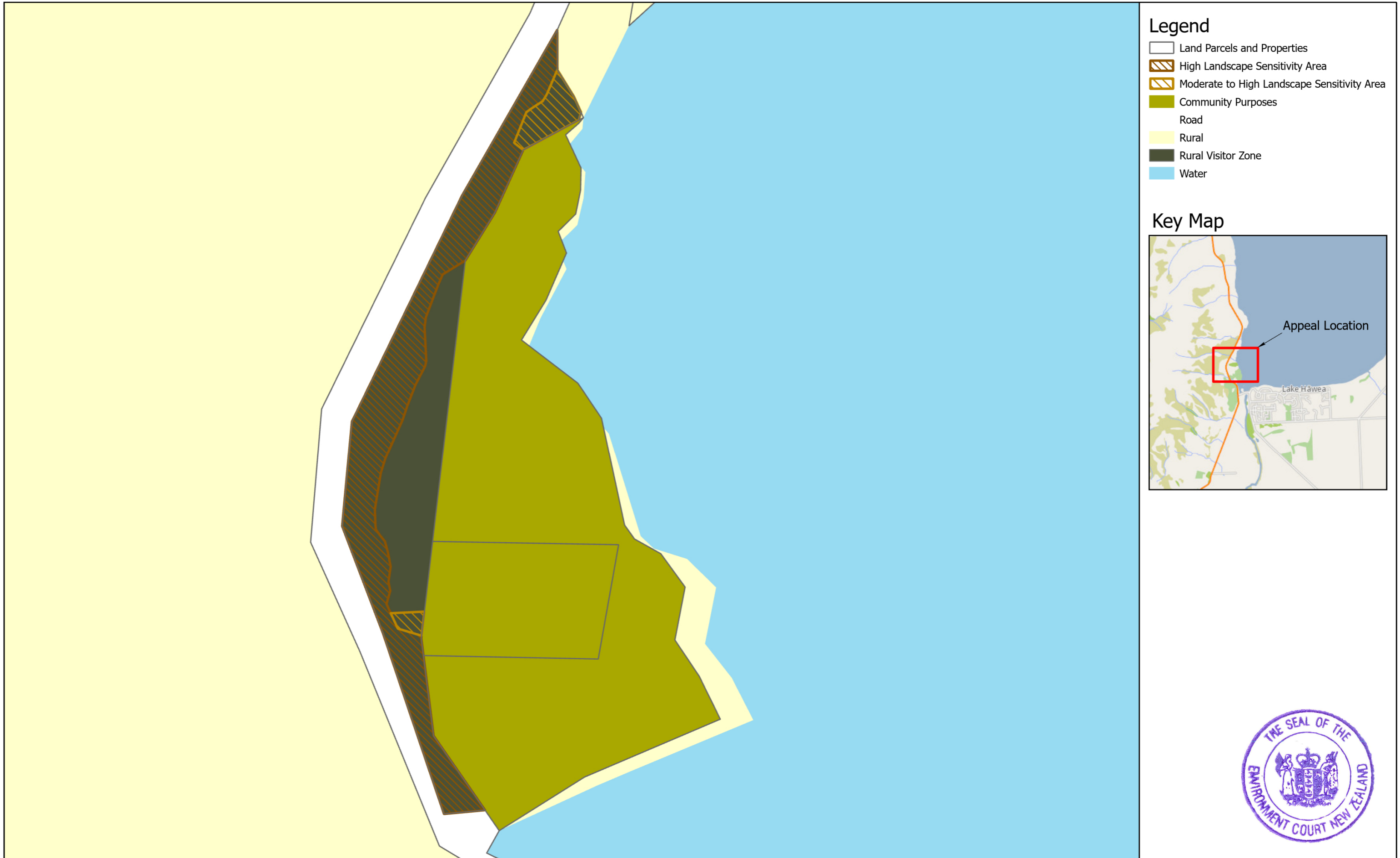


MARKINGS FOR RIGHT TURN BAYS IN RURAL AREAS

FIGURE 3.25

APPENDIX 3 – AGREED ZONING AND LANDSCAPE SENSITIVITY MAP

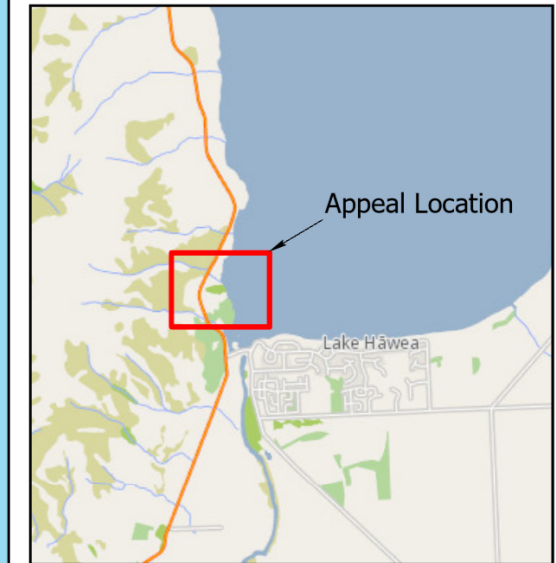
ENV-2021-CHC-057 Glen Dene Limited & Others



Legend

- Land Parcels and Properties
- High Landscape Sensitivity Area
- Moderate to High Landscape Sensitivity Area
- Community Purposes
- Road
- Rural
- Rural Visitor Zone
- Water

Key Map



The information provided on this map is intended to be general information only. While considerable effort has been made to ensure that the information provided on this map is accurate, current and otherwise adequate in all respects, Queenstown Lakes District Council does not accept any responsibility for content and shall not be responsible for, and excludes all liability, with relation to any claims whatsoever arising from the use of this map and data held within.

