

Appendix D: Section 32 Evaluation Report Upper Clutha Landscape Schedules Variation - Statutory Context

Strategic Direction Chapter 3

Plan Reference	Provision
SO 3.2.5	The retention of the District's distinctive landscapes. (addresses Issues 2 and 4). (SO 3.2.5.1 – 3.2.5.8 inclusive elaborate on SO 3.2.5. In addition, SO 3.2.1.7, 3.2.1.8 and 3.2.2.1 also elaborate on SO 3.2.5).
SO 3.2.5.1	The District's Outstanding Natural Features and Outstanding Natural Landscapes and their landscape values and related landscape capacity are identified.
SO 3.2.5.2	Within the Rural Zone, new subdivision, use and development is inappropriate on Outstanding Natural Features or in Outstanding Natural Landscapes unless: <ul style="list-style-type: none"> a. where the landscape values of Priority Areas of Outstanding Natural Features and Outstanding Natural Landscapes are specified in Schedule 21.22, those values are protected; or b. where the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes are not specified in Schedule 21.22, the values identified according to SP 3.3.45 are protected. c.
SO 3.2.5.3	In locations other than in the Rural Zone, the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes are protected from inappropriate subdivision, use and development.
SO 3.2.5.5	Within Rural Character Landscapes, adverse effects on landscape character and visual amenity values from subdivision, use or development are anticipated and effectively managed, through policies and rules, so that: <ul style="list-style-type: none"> a. landscape character is maintained; and b. visual amenity values are maintained or enhanced.
SO 3.2.5.6	In Rural Character Landscapes, new subdivision, use and development in proximity to any Outstanding Natural Feature or Outstanding Natural Landscape does not compromise the landscape values of that Feature or Landscape.
SO 3.2.5.7	In Rural Character Landscapes of the Upper Clutha Basin: <ul style="list-style-type: none"> a. Priority Areas of Rural Character Landscapes are identified; and b. associated landscape character and visual amenity values and related landscape capacity are identified.
SO 3.2.7	The partnership between Council and Ngāi Tahu is nurtured. (addresses Issue 6).

SO 3.2.7.1	Ngāi Tahu values, interests and customary resources, including taonga species and habitats, and wāhi tūpuna, are protected.
SO 3.2.7.2	The expression of kaitiakitanga is enabled by providing for meaningful collaboration with Ngāi Tahu in resource management decision making and implementation.
SP 3.3.29	<p>For Outstanding Natural Features and Outstanding Natural Landscapes, identify landscape values and landscape capacity:</p> <ol style="list-style-type: none"> a. for Priority Areas identified in Schedule 21.22, in accordance with the values identification framework in SP 3.3.36 - 3.3.38 and otherwise through the landscape assessment methodology in SP 3.3.45 and through best practice landscape assessment methodology; and b. outside of identified Priority Areas, in accordance with the landscape assessment methodology in SP 3.3.45 and through best practice landscape assessment methodology. <p><i>(relevant to SO 3.2.5, 3.2.5.1)</i></p>
SP 3.3.30	<p>Protect the landscape values of Outstanding Natural Features and Outstanding Natural Landscapes.</p> <p><i>(relevant to SO 3.2.1, 3.2.1.7, 3.2.1.8, 3.2.5, 3.2.5.2, 3.2.5.3, 3.2.5.4 and 3.2.5.6)</i></p>
SP 3.3.33	<p>For Rural Character Landscapes, identify landscape character to be maintained, and visual amenity values to be maintained or enhanced and related landscape capacity:</p> <ol style="list-style-type: none"> a. for Priority Areas of the Upper Clutha Basin, in Schedule 21.23, in accordance with the b. values identification framework in SP 3.3.39 - 3.3.41 and otherwise through the landscape assessment methodology in SP 3.3.45 and through best practice landscape assessment methodology; and c. outside of identified Priority Areas, in accordance with the landscape assessment methodology in SP 3.3.45, and through best practice landscape assessment methodology; and d. through associated District Plan rules setting measurable spatial or other limits, and related assessment matters, as to cumulative subdivision and development including as to location, quantity, density and design. <p><i>(relevant to SO 3.2.5, 3.2.5.5 – 3.2.5.7)</i></p>
SP 3.3.35	In any Rural Character Landscape that is not a Priority Area, or is a Priority Area that has not achieved the requirements of SP 3.3.33, do not allow new subdivision or development for the purposes of Rural Living except where:

	<p>a. according to the methodology in SP 3.3.45 and having regard to the wider landscape context:</p> <ul style="list-style-type: none"> i. a landscape character area for assessment purposes is identified at an appropriate landscape scale including by mapping; ii. the landscape character and visual amenity values of that landscape character area are identified; and iii. the landscape capacity of that landscape character area is assessed so as to soundly inform a determination that the requirements of SP 3.3.23 are met; and <p>b. the approval of new subdivision or development for the purposes of Rural Living maintains the landscape character and maintains or enhances the visual amenity values identified in relation to that landscape character area and the wider landscape context.</p> <p><i>(relevant to SO 3.2.1, 3.2.1.8, 3.2.5, 3.2.5.5)</i></p>
<p>SP 3.3.36</p>	<p>Identify in Schedule 21.22 the following Rural Zone Priority Areas within the Outstanding Natural Features and Outstanding Natural Landscapes shown on maps held on [QLDC reference file]:</p> <ul style="list-style-type: none"> a. parts of the Outstanding Natural Features of Peninsula Hill, Ferry Hill, Shotover River, Morven Hill, Lake Hayes, Slope Hill, Feehly Hill, Arrow River, Kawarau River, Mt Barker, and Mt Iron.¹ b. parts of the Outstanding Natural Landscapes of West Wakatipu Basin, Queenstown Bay and environs, Northern Remarkables, Central Wakatipu Basin Coronet Area, East Wakatipu Basin and Crown Terrace Area, Victoria Flats, Cardrona Valley, Mount Alpha, Roys Bay, West Wanaka, Dublin Bay, Hāwea South and North Grandview, and Lake McKay Station and environs. <p><i>(relevant to SO 3.2.5, 3.2.5.1)</i></p>
<p>SP 3.3.37</p>	<p>For the Priority Areas listed in SP 3.3.36, according to SP 3.3.38, describe in Schedule 21.22 at an appropriate landscape scale:</p> <ul style="list-style-type: none"> a. the landscape attributes (physical, sensory and associative); b. the landscape values; and c. the related landscape capacity. <p><i>(relevant to SO 3.2.5, 3.2.5.1)</i></p>
<p>SP 3.3.38</p>	<p>To achieve SP 3.3.37 for each Priority Area:</p> <ul style="list-style-type: none"> a. identify the key physical, sensory and associative attributes that contribute to the values of the Feature or Landscape that are to be protected;

¹ SP 3.3.36(a) is subject to change as part of this variation, see Appendix A for the proposed amendment.

	<ul style="list-style-type: none"> b. describe in accordance with SP 3.3.43, and then rate, those attributes; and c. assess and record the related landscape capacity for subdivision, use and development activities including but not limited to: <ul style="list-style-type: none"> i. commercial recreational activities; ii. visitor accommodation and tourism related activities; iii. urban expansions; iv. intensive agriculture; v. earthworks; vi. farm buildings; vii. mineral extraction; viii. transport infrastructure; ix. utilities and regionally significant infrastructure; x. renewable energy generation; xi. forestry; xii. rural living. <p>(relevant to SO 3.2.5, 3.2.5.1)</p>
<p>SP 3.3.42</p>	<p>The Council shall notify a proposed plan change to the District Plan by 30 June 2022 to implement SPs 3.3.36, 3.3.37, 3.3.39 and 3.3.40. (relevant to SO 3.2.5, 3.2.5.1 and 3.2.5.7).</p>
<p>SP 3.3.43</p>	<p>In applying the Strategic Objectives and Strategic Policies for Outstanding Natural Features, Outstanding Natural Landscapes and Rural Character Landscapes, including the values identification frameworks in SP 3.3.37, 3.3.38, 3.3.40 and 3.3.41 and the landscape assessment methodology in SP 3.3.45, have regard to the following attributes:</p> <ul style="list-style-type: none"> a. Physical attributes: <ul style="list-style-type: none"> i. geology, geomorphology and topography; ii. ecology; iii. vegetation cover (exotic and indigenous); iv. the presence of waterbodies including lakes, rivers, streams, wetlands, and their hydrology; v. land use (including settlements, buildings and structures; and b. Sensory (or experiential) attributes: <ul style="list-style-type: none"> i. legibility or expressiveness – how obviously the feature or landscape demonstrates its formative processes; ii. aesthetic values including memorability and naturalness; iii. wild or scenic values; iv. transient values including values at certain times of the day or year;

	<ul style="list-style-type: none"> v. experiential attributes, including the sounds and smells associated with the landscape; and c. Associative attributes: <ul style="list-style-type: none"> i. whether the attributes identified in (a) and (b) are shared and recognised; ii. cultural and spiritual values for Tangata Whenua; iii. historical and heritage associations; and iv. recreational values. <p><i>(relevant to SO 3.2.1, 3.2.1.7, 3.2.1.8, 3.2.2, 3.2.2.1, 3.2.5, 3.2.5.1 – 3.2.5.7)</i></p>
<p>SP 3.3.44</p>	<p>Where any or any part of an Outstanding Natural Feature, Outstanding Natural Landscape or a Rural Character Landscape is not identified as a Priority Area in Schedule 21.22 or 21.23, this does not imply that the relevant area:</p> <ul style="list-style-type: none"> a. is more or less important than the identified Priority Areas in terms of: <ul style="list-style-type: none"> i. the landscape attributes and values, in the case of an Outstanding Natural Feature or Outstanding Natural Landscape; ii. landscape character and visual amenity values, in the case of a Rural Character Landscape; or b. is more or less vulnerable to subdivision, use and development. <p><i>(relevant to SO 3.2.1, 3.2.1.7, 3.2.1.8, 3.2.2, 3.2.2.1, 3.2.5, 3.2.5.1 – 3.2.5.7)</i></p>
<p>SP 3.3.45</p>	<p>Landscape assessments shall:</p> <ul style="list-style-type: none"> a. for Outstanding Natural Features and Outstanding Natural Landscapes: <ul style="list-style-type: none"> i. identify landscape attributes and values; and ii. assess effects on those values and on related landscape capacity; b. for Rural Character Landscapes: <ul style="list-style-type: none"> i. define a relevant landscape character area and its wider landscape context; ii. identify the landscape character and visual amenity values of that landscape character area and within its wider landscape context; and iii. assess effects on that character and those values and on related landscape capacity; c. in each case apply a consistent rating scale for attributes, values and effects. <p>Note: QLDC may, from time to time, promulgate and update guidelines that provide assistance in the application of best practice landscape assessment methodologies.</p>

	<i>(relevant to SO 3.2.1, 3.2.1.7, 3.2.1.8, 3.2.2, 3.2.2.1, 3.2.5, 3.2.5.1 – 3.2.5.7)</i>
SP 3.3.46	<p>The Landscape Assessment Methodology required by SP 3.3.45 is to be implemented when assessing:</p> <ol style="list-style-type: none"> a. a proposed plan change affecting the rural environment; b. a resource consent application for the subdivision, use or development of land where: <ol style="list-style-type: none"> i. the application is for a restricted discretionary, discretionary or non-complying activity; and ii. the proposal is in relation to land within an Outstanding Natural Feature or Outstanding Natural Landscape or gives rise to landscape effects and is on land with Rural zoning; or c. a notice of requirement where the proposal is in relation to land within an Outstanding Natural Feature or Outstanding Natural Landscape or gives rise to landscape effects and is on land with Rural zoning; or d. a resource consent where the proposal (or part thereof) is in an Exception Zone in 3.1B.5 and gives rise to landscape effects on the receiving environment that includes an Outstanding Natural Feature or Outstanding Natural Landscape on land with Rural zoning outside that Exception Zone. <p><i>(relevant to SO 3.2.1, 3.2.1.7, 3.2.1.8, 3.2.2, 3.2.2.1, 3.2.5, 3.2.5.1 – 3.2.5.7)</i></p>

Tangata Whenua Chapter 5

Plan Reference	Provision
Objective 5.3.1	Consultation with tangata whenua occurs through the implementation of the Queenstown Lakes District Plan Policies
Policy 5.3.1.1	Ensure that Ngāi Tahu Papatipu Rūnanga are engaged in resource management decisionmaking and implementation on matters that affect Ngāi Tahu values, rights and interests, in accordance with the principles of the Treaty of Waitangi.
Policy 5.3.1.2	Actively foster effective partnerships and relationships between the Queenstown Lakes District Council and Ngāi Tahu Papatipu Rūnanga.
Policy 5.3.1.3	When making resource management decisions, ensure that functions and powers are exercised in a manner that takes into account 5 iwi management plans.
Policy 5.3.1.4	Recognise that only tangata whenua can identify their relationship and that of their culture and traditions with their ancestral lands, water sites, wāhi tapu, tōpuni and other taonga.

Landscapes and Rural Character Chapter 6

Plan Reference	Provision
Policy 6.3.1.1	Categorise the Rural Zoned landscapes in the District as: <ol style="list-style-type: none"> a. Outstanding Natural Feature (ONF); b. Outstanding Natural Landscape (ONL); c. Rural Character Landscape (RCL) (SO 3.2.5 and SP 3.3.28, 3.3.32)
Policy 6.3.2.7	Ensure that subdivision and development in the Outstanding Natural Landscapes and Rural Character Landscapes in proximity to an Outstanding Natural Feature or Outstanding Natural Landscape does not compromise the landscape values of that Outstanding Natural Feature or Outstanding Natural Landscape. (SO 3.2.5, 3.2.5.2, 3.2.5.3, 3.2.5.4, 3.2.5.6, and SP 3.3.30, 3.3.31)
Policy 6.3.3	Managing Activities on Outstanding Natural Features and in Outstanding Natural Landscapes
Policy 6.3.3.1	Recognise that subdivision and development is inappropriate on Outstanding Natural Features or in Outstanding Natural Landscapes unless: <ol style="list-style-type: none"> a. landscape values are protected; and b. in the case of any subdivision or development, all buildings and other structures and all changes to landform or other physical changes to the appearance of land will be reasonably difficult to see from beyond the boundary of the site in question. (SO 3.2.1, 3.2.1.7, 3.2.1.8, 3.2.5, 3.2.5.2, 3.2.5.3, 3.2.5.4 and SP 3.3.2, 3.3.23, 3.3.30, 3.3.31)
Policy 6.3.3.2	Ensure that the protection of Outstanding Natural Features and Outstanding Natural Landscapes includes recognition of any values relating to cultural and historic elements, geological features and matters of cultural and spiritual value to Tangata Whenua, including tōpuni and wāhi tūpuna. (SO 3.2.3, 3.2.3.1, 3.2.5.2, 3.2.5.3, 3.2.5.4, 3.2.7.1, and SP 3.3.17, 3.3.23, 3.3.30, 3.3.31, 3.3.43, 3.3.49, 3.3.50, Chapter 5)
Policy 6.3.3.3	For farming activities within Outstanding Natural Features and Outstanding Natural Landscapes: <ol style="list-style-type: none"> a. Recognise that farming activities may modify the landscape;

	<p>b. Enable those activities in a way that is consistent with protecting the values of Outstanding Natural Features and Outstanding Natural Landscapes.</p> <p>(3.2.1.7, 3.2.1.8, 3.2.4.1, 3.2.5.1, 3.3.20, 3.3.30)</p>
Policy 6.3.3.5	<p>Maintain the open landscape character of Outstanding Natural Features and Outstanding Natural Landscapes where it is open at present.</p> <p>(SO 3.2.1, 3.2.1.7, 3.2.1.8, 3.2.5, 3.2.5.2, 3.2.5.3, 3.2.5.4, and SP 3.3.2, 3.3.21, 3.3.23, 3.3.30, 3.3.31)</p>
Policy 6.3.4	<p>Managing Activities in Rural Character Landscapes</p>
Policy 6.3.4.1	<p>Recognise that subdivision and development is unsuitable in many locations in Rural Character Landscapes and successful applications will need to be, on balance, consistent with the objectives and policies of the Plan.</p> <p>(SO 3.2.1, 3.2.1.1, 3.2.1.8, 3.2.5, 3.2.5.5, 3.2.5.6, and SP 3.3.2, 3.3.22, 3.3.23, 3.3.34, 3.3.35).</p>
Policy 6.3.4.10	<p>In the Upper Clutha Basin, subdivision and development maintains open landscape character where that is the existing character of the Rural Character Landscape.</p> <p>(SO 3.2.1, 3.2.1.7, 3.2.1.8, 3.2.5, 3.2.5.5, 3.2.5.6, and SP 3.3.23, 3.3.34, 3.3.35).</p>