



PORTERS PROPOSED

Ski Area Expansion ■

Section 32 Report
TO ACCOMPANY APPLICATION FOR PLAN CHANGE

Prepared for Porters Ski Area Limited
By Boffa Miskell Limited • July 2010

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1.0 INTRODUCTION

This report provides an assessment of the extent to which the privately requested Plan Change to enable the development of the Porters Ski Area will achieve integrated and sustainable management.

This assessment is required under Section 32 of the Resource Management Act 1991 (RMA) and is undertaken in the context of Section 5 of Part II the RMA. Section 5 defines sustainable management of natural and physical resources as follows:

..managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while -

- (a) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) *safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) *avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

The assessment is further informed by provisions in the balance of Part II which requires consideration of:

- the matters of national importance (Section 6);
- other matters (Section 7);
- the Treaty of Waitangi (Section 8); along with
- the functions of territorial authorities (Section 31).

Where a plan change is privately requested Section 32 requires the applicant to undertake this assessment. Accordingly, this evaluation has been prepared by Porters Ski Area Limited (Porters). It should be read in conjunction with the explanation and amendments contained in the proposed Plan Change and the accompanying Assessment of Environmental Effects (AEE).

The provisions of Section 32 require the local authority to undertake a further evaluation of the Plan Change prior to making a decision. This normally involves consideration of matters raised through submissions and the hearing process.

This Report is set out as follows:

- Statutory context
- Overview of proposal
- Identification of key RMA issues
- Overview of current District Plan provisions relevant to Ski Area
- Overview of proposed Plan Change – policy, management approach and implementation
- Conformity with District Plan Structure
- Does the proposed Plan Change better achieve the RMA?
 - Are the policies and rules efficient and effective?

- Benefits and costs of the approach
- Summary

2.0 STATUTORY CONTEXT

A Plan Change should:

- Accord with and assist the District Council to carry out its functions; and
- Achieve the purpose of the Act.

The functions of the District Council are set out in Section 31 of the RMA. Relevant clauses to consideration of the Porters Plan Change are:

Section 31(1)(a)

The establishment, implementation, and review of objectives, policies and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district.

Section 31(1)(b)(iii)

The control of any actual or potential effects of the use, development, or protection of land, including for the purpose of-

The maintenance of indigenous biological diversity

This Section 32 report, in combination with the Plan Change and AEE describes how the proposed management regime will provide for the efficient use of physical resources as well as provide for the protection of important environmental values. In this context Porters will demonstrate that its Plan Change will better assist Council in achieving its functions and the purpose of the Act compared with the status quo.

The key focus of the Plan Change is to enable the on-going use and development of Porters Ski Area. This includes enabling its expansion into an adjoining basin and the establishment of an alpine village. Porters consider that its proposed Plan Change will introduce a more comprehensive and appropriate set of policies and methods than currently exist in the District Plan. The proposed provisions are relevant and responsive to the functions and characteristics of a Ski Area and the values of the area to be rezoned.

The policies and rules are set out in the Plan Change document and described in summary in Section 6 below. As the Plan Change is focused on a discrete geographical location it provides the opportunity for more effective integration of resources compared with the general Rural provisions of the Plan. These Rural zoning controls are broad brush and not responsive to the values of a particular locality and do not specifically recognise or provide for the existing facilities.

The proposed management regime represents the outcome of several years of investigation covering environmental and economic considerations. A master planning process was initiated and this was informed by technical assessments relating to landscape, ecology, geotechnical and cultural values etc. These assessments identified possible impacts on the environment from the proposed Ski Area expansion and village and recommended mitigation where effects have not been able to be avoided. These mitigation measures have been integrated into the overall design of the project.

The Master Plan then provides the basis for the Outline Development Plan (ODP) in the Plan Change and a high level of specificity and control is proposed in the new policies and methods. The proposed Plan Change also recognises that whilst avoidance and mitigation of

effects is desirable that there may also be opportunities where environmental compensation may be appropriate.

Section 5, Part II

The purpose of the RMA is defined in Section 5 (as set out in the Introduction). It is not a singular purpose and the definition encapsulates a number of elements that may compete or conflict. An assessment as to whether Section 5 is achieved therefore requires a judgment to be formed. The key matters for this assessment are:

- Will the proposed Plan Change (in terms of the management of use, development and protection of natural and physical resources) better enable people and the community provide for their wellbeing, health and safety?

and

- Are the adverse effects of this enablement capable of being avoided, remedied or mitigated?

Section 9.0 of this Report provides a discussion of fulfillment of Section 5.

Provisions of Section 32

Under Section 32 of the Resource Management Act an applicant for a private plan change request must carry out an evaluation to examine:

- The extent to which each objective is the most appropriate way to achieve the purpose of the Act; and
- Whether having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.

The evaluation is required to take into account:

- The benefits and costs of policies, rules, or other methods; and
- The risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.

This Section 32 analysis does not involve “checking off” the proposal against each of the existing objectives and policies of the District Plan. Unlike a resource consent, a Plan Change is not to be processed or evaluated where the proposal is measured for conformity with the existing policy framework. A Plan Change is seeking a change to this framework and consideration must be focused at a higher level i.e. the functions of the Council and the purpose of the Act.

The Section 32 analysis should consider if the proposed Plan Change is a better outcome having regard to the requirements for integrated and sustainable management; and whether incorporation of the change will result in any incoherence or intolerable inconsistencies in the District Plan.

For the purpose of this report, the terms “appropriateness”, “efficiency” and “effectiveness” are used in the following way:

Appropriateness

In the context of evaluating the appropriateness of objectives (s32(3)(a)) its meaning may (depending on the circumstances) include relevancy, usefulness, achievability, or reasonableness.

In the context of the appropriateness of policies, rules or other methods (s32(3)(b)) it includes the extent to which the provisions will be efficient and/or effective.

Efficiency

Means the benefits will outweigh the costs, either immediately or over time. The most efficient policy or method will achieve the stated objective with the greatest benefit and at the least cost (costs and benefits may be quantitative, semi-quantitative and/or qualitative).

Effectiveness

Means how successful a particular option is/will be in achieving the stated objective. How successful an option is can be measured in terms of not just whether an objective will be achieved outright; but it may alternatively relate to the extent to which progress will be made even if the objective won't be met in full. The speed at which progress is made may also be a relevant consideration.

3.0 PROPOSAL

A description of the proposal is set out in full in the AEE. In summary, the proposed Plan Change rezones an area of 616ha from Rural High Country to Ski Area Sub-Zone (Porters). The new sub-zoning specifically recognises and provides for Ski Area activities and infrastructure. The area of land to be rezoned is expanded from the existing Porters Ski Area to include the adjoining Crystal Basin with the potential to provide increased intermediate skiable terrain and enhanced snowmaking capability.

In addition to the Ski Areas, the Sub-Zone recognises an area of approximately 21ha for a mountain village. A key function of the Village is to provide accommodation, enabling recreationalists and visitors the choice of staying or living in an alpine environment. The size of the Village has been scaled to match the skier capacity of the expanded Ski Area terrain. The Village is therefore an optimum size in terms of skier capacity and also in terms of scale to support the viability of the expanded Ski Area.

The Plan Change represents the maximum development able to be supported by the expanded Ski Area. Complementary to accommodation facilities and dwellings, the Village will provide commercial, tourist and conference activities.

The Village Base Area is to be connected to the existing Porters and proposed Crystal Basin Ski Areas via gondolas and ski out trails. The existing road access to Porters will be downgraded to a maintenance and emergency access only. The proposed Village will be fully serviced by reticulated infrastructure with controls on the layout of the Village and re-vegetation post-construction.

The combination of a short trip from Christchurch airport, on-mountain visitor accommodation and alternative access modes will make the Ski Area highly accessible and convenient to visitors and recreationalists. Existing issues associated with mountain road safety will also be removed.

An Assessment of Environmental Effects (AEE) has been prepared. This is based upon the following technical reports, which are also appended to the AEE in full. These reports will be referenced as required throughout this Section 32 evaluation.

- Geotechnical Summary Report
- Ecology Assessment
- Landscape Assessment
- Archaeological
- Traffic Assessment
- Architectural Report

- Infrastructure Summary Report (Wastewater and Stormwater Treatment and Disposal and Water Supply)
- Tourism Demand
- Economics

4.0 KEY RMA ISSUES

The key RMA issues associated with this proposal are:

The viability of existing Ski Areas as major recreation facilities for the community and tourists

Existing Ski Areas represent significant physical resources in terms of infrastructure and buildings as well as the development and maintenance of skiable terrain. These resources all require regular maintenance and up-grading to remain in optimum and safe condition for users of the Ski Area. It is also necessary to meet market expectations, to be aligned with the standard of facilities that exist in other Ski Areas, both in New Zealand and internationally. Without an increase in skier capacity or visitation it is increasingly difficult to maintain the economic viability of smaller commercial Ski Areas.

From a resource efficiency perspective it is therefore important not to let existing Ski Areas fail and/or to create “greenfield” Ski Areas where none currently exist.

The most significant constraints on the growth of the New Zealand ski industry concern the lack of on-mountain accommodation and poor mountain road access. The road access to the majority of New Zealand Ski Areas is perceived as unsafe by international visitors and city dwellers, many of whom may never have driven on gravel roads.

New Zealand also compares poorly with Australia, Japan, North America and Europe in respect of choices for on-mountain accommodation and repeat visitation to New Zealand ski fields by overseas visitors is low. People prefer to maximise their recreation and holiday time on the mountain, and not spend time driving to and from the destination on a daily basis. Consequently the future viability of small, existing commercial Ski Areas is dependent upon addressing both the provision of on-mountain accommodation and alternative modes of mountain access that do not involve driving up access roads, e.g., gondolas.

The Porters Ski Area is the largest commercial field in the Selwyn District. It is currently not specifically recognised or provided for in the District Plan and without this recognition Porters is required to obtain on-going resource consents for the establishment of infrastructure, buildings and trails. This is an inefficient process for what is a significant resource. Improving mountain accessibility through alternatives to vehicle trips will support the viability of the Ski Area as well as enhance recreation, tourism and economic opportunities and have consequential benefits for social wellbeing.

The safety and wellbeing of the community

Accessibility to natural environments, including the High Country, is important for the wellbeing of the community. Improving accessibility to the Ski Areas with improved roading and facilities such as gondolas and chairlifts will greatly enhance the opportunity for a greater number, and wider range of people within the community to access the alpine environment.

It is also a matter of social wellbeing that this access is safe. Deaths do occur on Ski Area access roads and there have been several deaths on South Island Ski Area roads in the past decade. Accordingly, alternative and safer modes of accessing the mountains for recreation purposes should be facilitated.

The economic benefits that may attribute to the district, the region and the New Zealand Ski industry from the development of the Ski Area and the establishment of an alpine village

Skiing and snowboarding are popular sports and Ski Areas are part of New Zealand's tourism infrastructure attracting visitors and participants from local, regional and international markets. Consequently, Ski Areas have the potential to attract expenditure within the economy as well as being employers and users of products and services. To achieve and optimise this potential, it is essential that the infrastructure and facilities within the Ski Area meet market expectations and remains an attractive destination. In this context, it is necessary that the Ski Area can attract capital investment that will enable maintenance and up-grading of facilities that meets international market expectations.

Enhancing the attractiveness of Porters Ski Area with safe mountain access, on-mountain accommodation and increased family terrain will grow New Zealand's in-bound tourism market. It will raise New Zealand's profile as a ski destination with the potential to attract more skiers to New Zealand and increase the tourism/recreation contribution to the New Zealand economy. There is also the potential to promote New Zealand Ski Areas as a cluster destination (ski different fields on different days - similar to playing different golf courses on different days). This benefit to the industry is significant.

These benefits are discussed in the Tourism Demand and Economics Impacts Reports. With respect to Selwyn District, the net direct output from Ski Area activities is expected to increase by between \$24 million and \$34 million per year by year 10 and by \$70 million per year at full development. By year 10 total regional output, including multiplier effects is expected to have increased to \$31 - \$44 million per year. Accompanying this increase in output by year 10 will be an increase of 240-340 FTE jobs and \$16- \$22 million per year in Value Added (regional GDP) including \$8 - \$12 million of earned household income. These benefits would assist Council achieve its Economic Development Strategy which specifically identifies visitor industry opportunities in the west of the district contributing to balanced district development.

From the regional perspective, net direct output in Ski Area activities and tourism is expected to increase by between \$21 million and \$30 million per year by year 10, and by \$68 million per year at full development. Multiplier effects increase these values, and by year 10 regional output is expected to have increased by \$41 - 59 million / year. Accompanying this increase in output by year 10 will be an increase of 310 - 450 FTE jobs and \$20 – 29 million per year in Value Added (regional GDP), including \$12 – 17 million of earned household income. These total regional impacts are greater than the district impacts because of the much larger multipliers associated with the more diverse economic base of the regional economy. At full development regional output will have increased by \$130 million per year. Accompanying this will be 960 FTE jobs and \$62 million per year of added value, including \$36 million per year of earned household income.

From the national perspective, net direct output in Ski Area activities and tourism is expected to increase by between \$8 million and \$15 million per year by year 10, and by \$31 million per year at full development. Multiplier effects increase these values and by year 10 national output is expected to have increased by \$19 - 32 million / year. Accompanying this increase in output by year 10 will be an increase of 150 - 260 FTE jobs and \$10 – 17 million per year in Value Added (regional GDP), including \$6 – 10 million of earned household income. At full development national output will have increased by \$69 million per year. Accompanying this will be 550 FTE jobs and \$37 million per year of added value, including \$22 million per year of earned household income.

These economic benefits are additional to those generated from construction and have the potential to significantly benefit the wellbeing of the community in terms of employment, individual income and general economic prosperity. These are in addition to other benefits to the community from enhanced recreation.

Potential environmental effects on ecological values from the establishment and maintenance of an expanded Ski Area into Crystal Basin

The Proposed Plan Change rezones land that includes all of the existing Porters Ski Area facilities as well as land in the adjoining Crystal Basin. The proposed Plan Change therefore enables expansion of the Ski Area into an unmodified area.

Expansion of the Ski Area will involve the development of skiable terrain. This requires earthworks and the potential for the loss of, or effects on, indigenous vegetation. It is appropriate for the proposed Plan Change to include provisions which trigger considerations of effects on ecological values with the ability to require the development of Management Plans and appropriate restoration. The proposed Plan Change also includes policy to support the possibility of environmental compensation where adverse effects may not be able to be completely avoided, remedied or mitigated.

Porters is also involved in discussions with the Department of Conservation on mechanisms for addressing effects on ecological values.

Potential environmental effects on ecological and landscape values from the establishment of an alpine village.

The establishment of a village will introduce new structures and activities into an alpine environment. Potential effects may impact upon landscape values, water quality and quantity and ecological values. It is therefore necessary that any proposal ensure that the design of the Village matches the capacity of the receiving environment.

5.0 OVERVIEW OF CURRENT DISTRICT PLAN

Porters Ski Area is identified on the District Planning Map within the Rural (High Country) Zone. It is part of an Area of Outstanding Natural Landscape.

The Selwyn District Plan identifies and discusses the Resource Management issues of the District under topic headings e.g., Land and Soil, Water, Indigenous Vegetation etc. It is relevant to note that the District Plan does not specifically recognise Ski Areas, their management or viability as District issues. Accordingly, there are no objectives, policies or rules within the District Plan which are specific to a Ski Area.

The following sections provide an overview of the Resource Management issues specific to the Rural High Country, Council's intended strategic response and the policy direction of the District Plan in addressing issues.

Land and Soil

Land issues of relevance include erosion concerns and the effects of unstable land on people, property and environment. The District Plan identifies that the very steep slopes of the High Country are vulnerable to soil erosion and that unstable land can move as a result of earthworks, particularly where slopes are not stabilised and the vegetation cover is removed.

The Council's strategy is to avoid the creation of unstable land by controlling earthworks, and through policies and mechanisms to avoid people building on unstable land. Specific policies require earthworks on slopes to be carried out in ways that minimise the likelihood of land slipping or slumping; and to avoid adverse effects on people or their property from locating buildings or infrastructure on unstable land.

The approach is to use best practice when undertaking earthworks to avoid land becoming unstable in the first place and to then avoid hazardous situations by avoiding the construction of structures on unstable land.

Indigenous Vegetation and Wilding Tree Spread, Ecosystems, Vegetation and Habitat

The District Plan identifies the High Country vegetation as a mix of extensive tussock land, pasture, original, modified and secondary bush, and forestry. Several rare and threatened animal and plant species are found in the High Country, including four endemic species in the Castle Hill Basin. It is also noted that over 50% of the High Country is under some form of protection for its conservation status.

Having regard to these issues, the Council' strategy is to preserve or protect existing significant vegetation and habitats, manage earthworks (which may remove vegetation), avoid planting exotic species in the High Country and avoid the introduction of pests.

The District Plan objectives are focused on recognising, protecting and enhancing indigenous vegetation and habitat, including stream margins. The Council is still working through identification of the significant areas of indigenous vegetation in the District and formulation of the rules.

Water

Water related issues in the Selwyn District include pollution of both ground and surface water, degradation of the natural character of the margins of water bodies and effects on the amenity, cultural and recreational values of water bodies

The District Council's strategy to deal with these issues is to manage activities near water bodies, and to develop a comprehensive set of objectives and policies to manage earthworks, structures, vegetation clearance and tree plating in riparian margins and to protect and enhance natural character.

Outstanding Natural Landscapes

The existing Porters Ski Area is located within an Outstanding Natural Landscape. The District Plan acknowledges that many parts of the Outstanding Natural Landscape are privately owned or leased and that some Outstanding Natural Landscapes are modified, which suggests that existing activities in those areas do not detract from the Outstanding values. It is acknowledged that some change can occur whilst still maintaining landscape values and that land within an Outstanding Landscape can have other uses and values apart from just landscape values.

The District Plan describes the grand scale of the geomorphic features within the High Country, its ecological values and the cultural association held by both Maori and European New Zealanders with the High Country landscape. The use of the High Country for outdoor recreation is identified and features such as ski tows and buildings used in association with a ski field are specifically mentioned.

The District Plan objectives seek to recognise and protect Outstanding Natural Landscapes but this is subject to the proviso that people are still able to provide for their social and economic wellbeing. The District Plan does therefore, anticipate some further change over time to the Outstanding Natural Landscape in terms of structures and earthworks.

There is a specific policy recognising outdoor recreational activities as appropriate in the Areas of Outstanding Natural Landscape. There is additional policy which seeks to avoid dwellings and large buildings, structures and utilities in these areas unless the building or structure is located in that area to serve its purpose; and is associated with an activity in the Outstanding Natural Landscape.

Further policy directs that the design, finish and siting of such buildings should ensure that they are visually unobtrusive and that residential density and coverage is low and buildings clustered to retain the character of a small isolated settlement wherever practicable. The need

to retain expansive and panoramic views from the State Highway is also recognised as a matter of policy direction.

Transport Networks (road, rail and airfields)

The District Plan is concerned with the provision of safe and efficient transport networks. The Plan identifies that tourism activities may lead to an increase in traffic volumes, and the need for clear signage and intersection designs that are appropriate for the volume and type of traffic accessing a property. Up-grading and extending Ski Area activities would provide the Council with the opportunity to review an existing intersection or access and its capability.

In addition to road safety and efficiency, run off from roads and proximity to waterbodies should be considered as part of any road up-grading exercise. Where there are opportunities to minimise or avoid any adverse effects on water quality these should be taken up.

Utilities

The District Plan identifies two major concerns regarding utilities in rural areas being the cost of providing utilities in the rural area; and adverse effects of utilities on the landscape and amenity values of the rural area.

Council's strategy to deal with these matters is to maximise efficiency and manage environmental effects.

Waste Disposal

The District Plan signals that with any proposal to up-grade or expand activities and accommodation, the disposal of solid waste and sewage would be issues. Although the treatment and discharge of sewage is a Regional Council matter the District Council still needs to understand how any increased waste is to be managed and disposed of, including provision for recycling.

Natural Hazards

Hazards may include flooding, earthquakes, avalanches, drought, snow, windstorms and fires in summer and unstable land caused by heavy rainfall, frost thaw, weathering, earthworks or vegetation removal. High Country areas are also prone to slumps and rock falls. Porters Ski Area lies adjacent to several fault lines that run southwest to south east, as shown on the District Planning maps.

The Council's strategy for dealing with these risks is to have an effective Civil Defence, identify areas known to be affected by flooding, instability or seismic activity and manage activities to avoid or mitigate such hazards. The Plan states that policies are not intended to prevent activities taking place at high altitudes provided any risk of damage from slips or avalanches is minimal and any mitigation measures do not adversely affect the landscape or neighbouring properties.

Cultural and Heritage Values

The District Plan is concerned with the protection of sites of cultural significance e.g., Nohoanga sites (traditional camping sites associated with mahinga kai – food gathering), sites of Wahi, Taonga and Tapu (sacred and treasured sites) and "silent files" which are unidentified areas of cultural and spiritual significance. In addition, the District Plan is concerned with heritage associated with early European settlement and archaeological sites.

Amenity Values, Quality of the Environment and Reverse Sensitivity Effects

The District Plan identifies two main issues with respect to the amenity values and quality of the rural environment. These are concerned with activities which affect the character of the rural area; and reverse sensitivity between incompatible activities.

The District Plan goes on to identify important amenity values and the character of the Rural Zone. With respect to Porters Ski Area the most relevant are those values associated with unmodified views of mountains and retention of dominant land uses which are associated with the rural resource.

The District Plan clearly recognises the Rural Zone as an area of primary production and business activity. There is specific policy which seeks to restrict activities to those which use natural resources in the area, and activities which are ancillary to those uses or utilities. A Ski Area clearly requires the natural resources of the rural area.

Residential Density & Subdivision in the Rural Area

This section of the District Plan addresses the manner in which housing is provided for within rural areas and there is discussion of the adverse effects of dwellings on rural character, natural and physical resources and other activities. These are essentially a repetition of resource management issues already discussed. It is however relevant to note that the Council considers that subdivision and residential growth is the most significant issue facing the district.

Exceptions in the Rural Area

The District Plan acknowledges that more intensive and/or non-rural types of development exist and can be provided for in the Rural Zone. These areas include Existing Development Areas and Tourist Resort Areas – Terrace Downs, Grassmere and Rocklands.

These activities are provided for with special sub-zoning within the Rural area and they are subject to rules contained in the District Plan appendices. These are different and separate from the balance of the Rural Zone.

Rules

The rules of the Selwyn District Plan specify landuse controls for:

- Earthworks
- Tree planting
- Buildings
- Roading
- Utilities
- Signs
- Hazardous substances
- Waste – applies to offal pits and landfills only
- Activities – general
- Subdivision and
- Financial contributions.

These rules are “effects based”. This means that they focus on measurement of an outcome e.g., noise level, volume of earthworks. There are some exceptions to this approach and some activities have been given a particular status where Council is concerned to control the effects of those activities. This occurs in the Rural High Country where Council is concerned about the sensitivities of the environment.

6.0 OVERVIEW OF PLAN CHANGE AND WHAT IT DOES

This section provides an overview of how the proposed Plan Change will amend the District Plan in respect of objectives, its policy guidance and the nature of rules.

The proposed Plan Change rezones an area of 616ha from Rural (High Country) to Ski Area Sub-Zone. The area of land concerned contains the existing terrain, facilities and the access road to the Porters ski field (328.6ha) and 232ha in the adjoining Crystal Basin which is to be developed as skiable terrain with associated ski field facilities such as lifts, a day lodge and snow-making reservoir. A mountain village at the base of the two Ski Areas occupies an area of approximately 21ha.

The key mechanism for the integrated management of the Ski Area Sub-Zone is compliance with an Outline Development Plan (ODP). This indicates where different activities and development will be located within the Sub-Zone.

The Outline Development Plan has three main development areas. These are:

- The existing Porters Skifield (which already contains trails, lifts, tows, a snow-making reservoir, cafe and ancillary buildings)
- The Crystal Basin which is to be developed with trails, a snow-making reservoir (which will replace the existing reservoir in the Porters Basin) and Day Lodge;
- The Village Base Area with a Village Centre (commercial and visitor/tourist services), visitor accommodation and dwellings.

A Master Plan has been prepared for the Village Base Area. Although not a part of the plan change this illustrates a possible layout for the built development and landscape treatment of the Village. It establishes the upper limit of built capacity within the Village having regard to the maximum skier capacity of the expanded Ski Area terrain and the absorption capability of the landscape. The masterplan has also provided the basis for the rules. This shall be referred to as the Master Plan throughout this report.

A Trail Plan has also been prepared for the Crystal Basin. Similarly, this is not part of the Plan Change but shows a possible layout for trails and lifts and the location of the reservoir and Day Lodge. This shall be referred to as the Trail Plan throughout this report.

The Master Plan and Trail Plan are important components of the AEE and the Section 32 report. The ODP defines the boundaries of the Ski and Village Areas, the location of activity areas and the roading layout within the Village (around which built development would be located).

The ODP purposefully does not show the specific alignments and locations of the proposed gondola, ski lifts, trails or precise building footprints within the Village. The Sub-Zone is intended to enable Ski Area development however it is acknowledged that development may occur over a period of years and the final design detail may require optimisation of the location of infrastructure and facilities. It would be inappropriate to lock specific development in through a Plan Change when further engineering and detailed design may require components of the masterplan or trail plan to be moved. Accordingly, it is anticipated that earthworks and the location of buildings will be subject to further assessment through a later resource consent process.

The ODP is complemented by a comprehensive set of rules specific to this Sub-Zone. These rules cover the following:

- Activities provided for within the Sub-Zone are listed. These are focused on activities which would be anticipated for management and operation of a Ski Area along with tourist, conference and commercial activities.
- All buildings and structures are controlled activities with respect to layout, design and appearance and landscape treatment. There is a comprehensive set of assessment matters and cross-reference to an Appendix providing further guidance on design principles and a landscape plan outline.

- Buildings are subject to rules relating to location (complying with the ODP), number, footprint, setback from streams and height. Built development exceeding the majority of these standards would trigger a resource consent for a non-complying activity.
- The scale of visitor accommodation will be subject to limitations on bed numbers while the scale of commercial activities will be subject to maximum commercial floor areas within the different development areas, beyond which resource consent for a non-complying activity would be required.
- All earthworks are controlled activities with a comprehensive list of matters over which Council has reserved its control. This includes the requirement for restoration and re-vegetation of disturbed ground as well as the preparation and implementation of a Ski Area Environmental Management Plan. This plan is intended to cover all aspects of environmental care required for the operation and maintenance of the Ski Area.
- All landscape planting is a controlled activity (subject to meeting development standards) with control over the effectiveness and quality of planting, planting pattern and compatibility with plant communities in the wider locality. The standards require compliance with a specific list of indigenous plants appropriate to the locality and an Outline Planting Plan. Non-compliance with this plant list requires a resource consent for a non-complying activity.
- Roading would need to comply with the layout in the ODP. A non-conforming layout would result in the need for a resource consent for a restricted discretionary activity.
- Car parking standards are set. Non-compliance with these standards would result in a resource consent application for a restricted discretionary activity.
- Night-lighting for recreational activities is listed as a restricted discretionary activity with Council's consideration restricted to the detail of a lighting plan, potential effects on ecological values and rural amenity values from beyond the Sub-Zone boundary.
- All subdivision is a Controlled Activity. Assessment matters may require the preparation and implementation of construction management plans, restoration plans and a Ski Area Environmental Management Plan.
- Specific actions must be undertaken as a pre-condition to any construction or earthworks activity or as a condition of subdivision consent. These include – the covenanting of a site of ecological importance in the Crystal Basin, protecting the site in perpetuity from development activities and works to the state highway intersection to address a shortfall in sight distance to the east.
- Development within the Village is required to be staged subject to the establishment of Ski Area infrastructure within the Crystal Basin Ski Area. This ensures that the Village does not progress as a stand-alone development without the Ski Area expansion and up-grading.

Underpinning the above management framework is a series of amendments and additions to the objectives and policies. These are discussed having regard to any impact on the existing District Plan provisions, described above as relevant.

Some of the amendments provide additional explanation rather than replace or amend policies. This is intended to provide more context for the issues associated with Ski Area development and the proposed strategies to address those issues. The nature of the amendments are broadly described as follows:

Section A4.5 The Rural Area and Zones

The Plan Change adds further explanation about recreation in the High Country. This additional text acknowledges broader active and passive recreation interests in the mountains of the District and then focuses on the recreational features of Ski Areas, and in particular the Porters Ski Area. This is additional explanation that assists in understanding the resource management issues associated with recreation in the High Country and the proposed expansion of Porters.

Amendments to Part B, 1 Natural Resources

Land and Soil – the proposed Plan Change does not amend any of the objectives and policies in relation to land and soil issues in the High Country. The applicant has undertaken considerable geotechnical and engineering investigations of land within the Plan Change boundaries (as contained in the Geotechnical Summary Report prepared by URS and the Preliminary Engineering Report prepared by Eliot Sinclair). These reports confirm that there are no significant land stability constraints to Ski Area development as provided for in this Plan Change.

Porters is therefore satisfied that the proposed rezoning does not create any unrealistic development expectations that may not be able to be fulfilled at subdivision or building consent stage nor that the development may result in adverse land stability effects.

Vegetation and Ecosystems – the proposed Plan Change does not amend any of the objectives and policies in relation to vegetation and ecosystems.

The proposed development does result in adverse effects on ecological values, as described in the Ecological Assessment prepared by Boffa Miskell Ltd. These effects are primarily a result of the earthworks required for ski field terrain development in the Crystal Valley. The proposed rules in the Plan Change do however require resource consents to be obtained for all earthworks, landscape treatment, the removal of indigenous vegetation and for subdivision. The assessment matters associated with these consents require works affecting ecological values to be assessed and potentially subject to conditions of consent e.g.,

- The effectiveness of erosion and sediment control measures
- The potential to minimise or avoid disturbance
- Setbacks from streams
- Protocols to minimise the transfer of weed and pest species on machinery
- Re-contouring and re-vegetation
- The preparation and implementation of a Ski Area Environmental Management Plan

Porters is also involved in discussions and investigations to identify options for off-setting effects on ecological values by the provision of environmental compensation. The plan change recognises that this may be an appropriate mechanism for dealing with effects that are unable to be avoided, remedied or mitigated completely.

Water – the proposed Plan Change does not amend any of the objectives and policies in relation to water. Porters will apply for resource consents for water takes and the treatment and disposal of wastewater to ground parallel to the Plan Change process. Similarly, consents for stormwater management and disposal will detail erosion and sediment controls. The Plan Change also requires all earthworks and subdivision to be subject to a resource consent process. This will ensure that erosion and sediment control issues are considered by the District Council in addition to the requirements of discharge consents from the Regional Council.

The proposed water takes are based on a residual flow in the Porter Stream that has been set by ecologists to ensure that there is sufficient water to sustain existing aquatic habitat. The details of this residual flow are described in the Infrastructure Options Assessment Report.¹

Outstanding Natural Features and Landscapes – The proposed Plan Change removes the Ski Area Sub-Zone from the Outstanding Natural Landscape. Similar to the other Existing Development Areas that have been removed from the Outstanding Natural Landscape (ONL), the anticipated level of development and modification that could occur in the new Sub-Zone, particularly at the Village Base Area, is potentially inappropriate within a protective landscape category. Accordingly, it is preferable to remove the Sub-Zone from the ONL, enabling this node of activity to fully develop (with the realisation of its consequential benefits for recreation, tourism and the economy) and the status of the ONL to be preserved.

Accordingly, there are no changes to the objectives relating to Outstanding Natural Features and Landscapes.

Some additional text is however added to the Issues relating to ONLs. This text acknowledges that Ski Areas require modification to the natural environment in terms of terrain, infrastructure and amenities. The facilities and associated modifications are however localised and provide benefits in the form of enhanced access, recreation, tourism and economic opportunities. A specific exception is described for Porters and this is reflected in a new policy (Policy B1.4.25) which provides for a mountain village at Porters and an amendment to Policy B1.4.30 which relates to built development within the Ski Area Sub-Zone. This policy is complementary to other new policies which provide further support and foundation for a Ski Area Sub-Zone in the section on Community Facilities and Recreational Areas. Consequential amendments are made to the Explanation and Reasons and Anticipated Environmental Results. The appropriateness of the proposed Sub-Zone with respect to the wider landscape values are discussed in the Landscape Assessment prepared by Boffa Miskell Limited.

These amendments ensure that a reader of the District Plan concerned with the Rural High Country and Outstanding Natural Landscapes will be aware that although the Porters Ski Area is physically part of the High Country its development and operation is not subject to the same planning provisions.

Amendments to Part B, 2 Physical Resources

Transport – the proposed Plan Change makes no changes to the objectives and policies for transport. Subject to an alteration to the location of the intersection of the Ski Area Access Road and State Highway 73, the Traffic Assessment prepared by Traffic Design Group Ltd does not anticipate any significant adverse traffic effects associated with the Plan Change.

Utilities - the utilities required to give effect to the Ski Area Sub-Zone include a reticulated water supply, reticulated system for wastewater collection, treatment and disposal, stormwater management and roading. Electrical and telecommunication infrastructure will also be required. All of these utilities will be established on-site at the developer's cost. The proposed Ski Area expansion represents a significant node of recreation, commercial and accommodation activity. This concentration of activity and population makes the provision of infrastructure and utilities more efficient. No changes are proposed to the objectives and policies relating to Utilities in the Plan Change.

Community Facilities and Recreational Areas – amendments to this section include the addition of a new Issue concerning the viability of existing Ski Areas. This discusses the need for efficient use of the natural and physical resources of Ski Areas, the constraints on viability created by an absence of on-mountain accommodation and poor road access. In addition, it is noted that without some form of District Plan acknowledgement, Ski Areas require on-going resource consents which is not an efficient form of management.

¹ Section 5.5.1 Ecological Requirements, Table 5.7, page 29, CPG Infrastructural Options Assessment Report

A new policy is proposed (Policy B2.3.8) to recognise the Porters Ski Area with a Ski Area Sub-Zone that provides for its on-going operation and development, to ensure future viability and integrated management. Reference is also made to the ODP as the method for environmental management with complementary rules. The Environmental Outcome anticipated is maintenance of the Porters Ski Area as a viable commercial ski-field with associated accommodation and commercial activities.

Waste – no changes are proposed to the existing objectives and policies with respect to waste. The effects of wastewater treatment and discharge are considered in the discharge application to the Canterbury Regional Council, which is to be processed parallel to this Plan Change.

Amendments to Part B, 3 People’s Health, Safety and Values

Natural Hazards – The nature of significance of natural hazards that could potentially affect the Ski Area Sub-Zone have been described and assessed in the Geotechnical Summary Report. This has considered active surface faulting, flooding, slope stability and snow avalanche and concludes that provided appropriate and prudent site selection and engineering design are adopted the Sub-Zone is an appropriate development site.

No changes are made to the objectives and policies. Additional wording is however proposed to the Explanation and Reasons under the Policies to acknowledge that the Ski Area Sub-Zone will provide for multi-level buildings and studies have shown that this does not create a greater risk to life or property.

Hazardous Substances – the proposed Plan Change makes no changes to the Objectives and Policies for the storage and use of Hazardous Substances. It is noted that the operation of a Ski Area requires the storage and use of Hazardous Substances and that this is already undertaken as part of the existing Porters Ski Area.

Culture and Heritage – the proposed Plan Change makes no changes to these objectives and policies. A Cultural Assessment has been commissioned by Porters. Preliminary archaeological advice does not indicate any known archaeological or heritage sites within the proposed Sub-Zone. The Plan Change does provide for an Accidental Discovery Protocol as a condition of consent for earthworks. Should further investigations reveal any sites of archaeological significance Porters would apply for an Archaeological Authority as required by the Historic Places Act.

Quality of the Environment – amendments are made to this Section. The Plan Change identifies Ski Areas as places which contribute to the amenity values and character of the Rural High Country. Existing Policy B3.4.5 is concerned with the maintenance of low levels of built development. Exceptions are identified to this Policy in the Explanation and Reasons, and the Plan Change adds a new paragraph which includes the Ski Area Sub-Zone as an appropriate exemption. The nature and scale of the Village which could be developed in accordance with the Sub-Zone rules is noted as being discrete and appropriate having regard to its relationship with an expanded Ski Area. Accordingly no cumulative effects are created which affect the balance of the Rural Area.

A new policy is proposed (Policy B3.4.7) which provides for a concentration of built development in the Ski Area Sub-Zone with accompanying Explanation and Reasons and Methods. The Landscape and Ecology Assessments investigate and describe how development in the proposed Sub-Zone may impact on the quality of the environment.

Glare and Nightglow – the proposed Plan Change makes no amendments to the policies concerned with night-lighting. A rule is proposed in the Plan Change which makes night-lighting for recreational activities a restricted discretionary activity ensuring that effects from such an activity would be considered at a later stage when an appropriate level of detail relating to a lighting plan has been developed. It is noted that the existing Plan provisions generally do not propose restrictions on outdoor lighting at night in the rural area.

Amendments to Part B, 4 Growth of Rural Area

Growth of the Rural Area – The fundamental policy support for the proposed Ski Area Sub-Zone is contained in this Section of the District Plan.

The proposed Plan Change identifies that residential activity is associated with the viability of Ski Areas and meeting the demands of the tourist/recreation markets. New text is added to the Issues which explains the nature of the residential and visitor accommodation demands associated with Ski Area and the relationship to the tourism industry. To address this issue, the Plan Change adds a new strategy that is focused on the provision of permanent and visitor accommodation in the Ski Area Sub-Zone (Porters).

A new objective is added to the District Plan. This seeks that there is a concentration of accommodation activity at Porters Ski Area and that this is respectful of and responsive to landscape and ecological values. This is accompanied by Explanation and Reasons. Policy B4.1.4 is amended to include Ski Areas in the same policy context as Existing Development Areas and a new Policy B4.1.8 is added. This new policy sets out the requirements for subdivision and development in the Ski Area and provides the basis for the rules relating to subdivision, built development and environmental outcomes resulting from controlled activities. Sub-clauses to the policy are concerned with subdivision outcomes, the integration of development through use of an ODP, limiting the range, scale and location of built development, consideration of ecological values, and the possibility that environmental compensation may be appropriate where effects are unable to be completely avoided, remedied or mitigated. The policy is supported by a comprehensive Explanation.

Conformity of Change with District Plan Structure

The proposed Plan Change is consistent with the existing District Plan structure in that it creates a new Sub-Zone (similar in concept to the Existing Development and Tourist Development Areas). The rules for the Ski Area Sub-Zone are self-contained in a new Appendix and replicate the format of the appendices for Grassmere, Terrace Downs and Rocklands.

The proposed Ski Area expansion and village development represents a type of development not previously contemplated or associated with skifields in Canterbury. The nature and scale of the proposal is such that it is quite distinctive from any other recreational and tourist development in the District.

Its reliance upon rural resources means that it is appropriate to retain as part of the Rural Zone and to create a specific Sub-Zone. The Sub-Zone provides an exception to the general provisions that would otherwise apply to activities in the Rural (High Country) Zone and this is consistent with the existing District Plan structure. The proposed provisions provide a more comprehensive policy framework than exists for the Existing Development and Tourist Development Areas. Amendments have been made across a number of Sections of the District Plan ensuring that Plan users and administrators are clearly informed of the purpose and status of the Ski Area Sub-Zone. The primary basis for the Sub-Zone is however contained in the Rural Growth section of the Plan. This is considered appropriate as the proposed Plan Change is concerned with the viability and growth of Ski Areas with appropriate references in the Recreational section and explanation of status in the ONL section.

In summary the proposed Plan Change does not create an intolerable inconsistency in the Plan as exceptions already exist, are provided for and acknowledged in the Plan. The Ski Area Sub-Zone is complementary to the existing Plan approach in that it recognises and provides for the appropriate integrated management of Ski Areas (which are a legitimate and anticipated activity of the High Country), but distinctive from the pastoral activities that the District Plan generally anticipates.

7.0 DOES THE PLAN CHANGE BETTER ACHIEVE THE RMA?

Do the objectives better address the RMA?

The proposed Plan Change introduces one new objective into the District Plan as follows:

A village concentrating accommodation and commercial activities at Porters Ski Area which is respectful of, and responsive to, the landscape and ecological values of the locality.

As described in Section 2 for the purpose of this report “appropriateness” is to be considered in terms of relevancy, usefulness, achievability, or reasonableness.

Currently, the District Plan does not recognise Ski Areas as areas of development potential. There are no objectives, policies or specific rules for the operation or maintenance of a Ski Area.

As set out in this report, existing Ski Areas represent sites of natural and physical resources which should be efficiently managed. Efficient management requires consideration of the viability of Ski Areas. Constraints on the growth of the New Zealand Ski Industry (and not just Porters) concern the provision of safe road access or an alternative form of access, and the ability to stay on the mountain.

In this context the proposed objective is reasonable and relevant to the Resource Management issues identified. This report has identified the relevant Resource Management issues that already exist in the District Plan and summarised how this Plan Change will fit within existing strategies, objectives and policies.

Considerable environmental and economic investigation has also been undertaken by Porters. The environmental studies are appended to the AEE and the findings of these investigations have been considered and where possible, integrated into the project through a masterplanning process. The masterplan has in turn provided the basis for an ODP in the District Plan and a complementary set of rules which set thresholds for development. This process of investigation, responsive design and integration with economic analysis has demonstrated that the objective for a village concentrating accommodation and commercial activities at Porters Ski Area is achievable and reasonable.

The status quo does not make provision for the on-going development of the resources of the Porters Ski Area and this potentially undermines its economic position. Accordingly the status quo does not encourage efficient use of resources, nor does it address matters of social and economic wellbeing that are associated with a Ski Area. By comparison the proposed Plan Change is responding to recreation, visitor, tourism and economic needs in addition to environmental considerations. It therefore better integrates social, economic and environmental considerations and is the most appropriate mechanism to achieve the purpose of the Act.

Are the policies and rules efficient and effective?

As previously outlined in Section 2, this report must also consider the efficiency and effectiveness of the policies and methods. Efficiency involves a consideration as to whether the benefits will outweigh the costs while effectiveness is concerned with the achievement of the objective. The following Table 1 sets out these considerations, comparing the proposed Plan Change against the status quo i.e., the current District Plan.

Table 1 – Analysis of Efficiency, Effectiveness and Appropriateness of Proposed Plan Change

PROVISION	BENEFITS/ADVANTAGES	COSTS/DISADVANTAGES	EFFICIENCY – do benefits outweigh costs	EFFECTIVENESS- achievement of objectives
New policies are added. These are concerned with the following:				
Recognition of Ski Areas in same policy as Existing Development Areas	<p>Ensures the viability of Porters Ski Area by providing opportunity to obtain capital for up-grading through development.</p> <p>Contributes to the further growth and development of the NZ ski industry. Enhances profile of NZ tourism industry and the size of the destination skier market. Extends tourism activity across shoulder seasons.</p> <p>Enables market issues regarding access and accommodation to be addressed.</p>	<p>Adverse effects on significant ecological values in Crystal Basin may be unable to be avoided or mitigated through plan change.</p> <p>Small reduction in the size of the ONL.</p> <p>Impact on landscape values in locality may be perceived as adverse by those philosophically opposed to buildings in alpine areas.</p>	<p>Yes, high social, economic and recreation benefits outweigh ecological loss. (Porters is also further investigating options for off-setting potential ecological effects).</p> <p>Avoids the need for ad hoc and on-going resource consent processes.</p> <p>Existing policy direction of District Plan to direct accommodation to off-mountain locations has failed to achieve any economic and social benefits and undermines viability of Ski Areas. Accordingly status quo is inefficient.</p>	<p>High</p> <p>The objective is a contained village (ie visually contained and where the efficiency of infrastructure and resources is maximised and access to the Ski Area and its associated facilities is convenient. The policies, in combination, with the rules have a high level of achievement of this objective.</p> <p>Based on inefficiency of existing policy direction, status quo is also ineffective in achieving sustainable management of Ski Areas.</p>
Recognising Porters Ski Area with a Sub-Zone to provide for on-going operation and development of the Ski Area, its viability and require future management to be responsive to landscape, ecological and cultural values.	<p>Creates opportunity to further develop Ski Area at existing skifield and avoids demand for new Ski Area locations.</p> <p>Enhances NZ, Canterbury & Selwyn District as ski destination. Consequential benefits to employment, local, district and regional economies. Benefits are derived from construction,</p>	<p>May draw skiers and visitors from other ski destinations.</p>		<p>Identifying Ski Areas as a development area is consistent with Existing Development Areas that are already identified and developed in the Rural Area. These provide for controlled and strategic growth in the Rural Area and avoid ad hoc development. The proposed management mechanisms with a Sub-Zone with associated ODP and suite of rules are effective in achieving strategic and managed development.</p>

PROVISION	BENEFITS/ADVANTAGES	COSTS/DISADVANTAGES	EFFICIENCY – do benefits outweigh costs	EFFECTIVENESS- achievement of objectives
	<p>multiplier effects, diversity in employment and balanced District Development.</p>			<p>The method of sub-zoning for Ski Areas and removal of the Ski Area from the ONL is also consistent with the planning strategy in Queenstown – Lakes District Plan. It is therefore a “tested” management approach that has been proven to be effective without detriment to the environment whilst also enabling economic and social wellbeing.</p> <p>Achievement of other objectives also high in respect of natural hazards, waste, transport etc. Removing the Sub-Zone from the ONL removes any potential for inconsistency with landscape objectives. Except, that achievement of objectives in relation to Protection of Indigenous Vegetation are not achieved.</p>
<p>Provide for a concentration of built development in the Ski Area Sub-Zone. Provision of a mountain village to complement and support the viability of Porters Ski Area.</p> <p>Policy which supports the ODP and associated rules.</p>	<p>Provides opportunity to expand skiable terrain, enhancing opportunities for communities and visitors to enjoy recreation in an alpine environment.</p> <p>Provides opportunity for more, and a greater range of people to access mountains for recreation in all seasons. Particularly for families.</p> <p>Potential to provide for summertime recreation.</p> <p>Opportunity to access Ski Area more safely.</p> <p>Built development is restricted to a discrete and dedicated area with control over design of buildings.</p> <p>Costs of development borne by</p>			<p>Proposed policies are more effective in achieving community wellbeing through enhanced access, recreational opportunities and safety in addition to economic benefits.</p>

PROVISION	BENEFITS/ADVANTAGES	COSTS/DISADVANTAGES	EFFICIENCY – do benefits outweigh costs	EFFECTIVENESS- achievement of objectives
	developer.			
METHODS (RULES)	<p>Clear boundaries and thresholds are imposed for development. The proposed Plan Change therefore offers greater certainty and exceedence of these standards requires a resource consent for a non-complying activity.</p> <p>Detailed consideration of earthworks, landscape planting and buildings is required and guided by comprehensive assessment matters.</p> <p>The proposed rules are specific to the Porters Sub-Zone and therefore of greater responsiveness to the values of the particular locality.</p>	<p>Earthworks activities cannot be declined. Modification to the terrain, landscape and ecology is therefore unavoidable.</p>	<p>Yes, accepting that the appropriateness of the zoning is accepted, there is a high level of control reserved in Council on the final appearance of the Sub-Zone.</p>	<p>High</p>

8.0 THE CANTERBURY REGIONAL POLICY STATEMENT

Section 75 of the RMA specifies that the proposed plan change must give effect to any Regional Policy Statement (RPS) or Regional Plan. Appendix 1 contains the relevant sections of the Canterbury Regional Policy Statement. These are concerned with:

Chapter 7 - Soils and Landuse

Chapter 8 - Landscape, Ecology and Heritage

Chapter 9 - Water

Chapter 10 - Beds of Rivers and Lakes and their Margins

Chapter 12 - Settlement and the Built Environment

The objectives and policies in the RPS are similar in intent to the District Plan objectives and policies. As discussed above in Sections 6.0 and 7.0 the proposed Plan Change does not result in any significant non-conformity with the Selwyn District Plan and better achieves the purpose of the RMA. As a consequence it can be generally assumed that the proposed Plan Change does not amend the District Plan in such a way that it is inconsistent with the Regional Policy Statement.

As discussed above, the Geotechnical Summary Report has confirmed that the proposal will not adversely affect land or soil stability. Water takes will be applied for from the Canterbury Regional Council for potable and snowmaking purposes. Technical assessments have confirmed that there is sufficient water available and a residual flow regime has been developed.

The proposed Sub-Zone is to be removed from the ONL and therefore does not offend any provisions for landscape protection. The cost / benefit analysis suggests that the potential benefits of a Ski Area village outweigh the loss of this defined and discrete land area from the ONL.

The proposed Plan Change is supportive of Objective 5 in Chapter 12 Settlement and the Built Environment which is concerned that settlement within rural areas should enable people and communities with their social, economic and cultural wellbeing. In this proposal the proposed village would provide further choice and opportunity for residences in an alpine setting in addition to enhancing tourism and economic benefits, which contribute to the wellbeing of the community.

Policy 7 under Objective 5 requires particular regard be given to the development of natural and physical resources. It is relevant to note that the scale of the proposed village is directly related to the terrain capacity of the expanded Ski Area. The proposal is therefore presented as a package where the development is directly related to the specific use of natural and physical resources and is primarily based on a recreation resource that is dependent on a rural location.

It is noted that this proposal is well beyond the boundaries of proposed Change 1 to the Regional Policy Statement which introduced urban limits around Christchurch. The Village component of this development is dependent on the recreational and rural resources of the location and has been designed to be responsive to the particular features and values of the site. A tourist and recreation based Village is an appropriate activity in the Rural area and is quite distinctive from a residential

subdivision or extension of an existing town. The proposed Plan Change does not therefore offend the growth strategies that may apply to other parts of Canterbury.

With respect to the margins of rivers and streams, the proposed Plan Change puts in place a setback and mechanisms which will ensure the protection of the riparian margins of the Porter Stream. These include the ability to impose a protective covenant on all titles adjoining the stream, ensuring its protection from any change at the time of subdivision as well as the ability for Council to require an Environmental Management Plan for the Ski Area that would include the management of riparian margins.

In summary, the proposed Plan Change does not introduce any significant inconsistencies with the objectives and policies of the RPS.

9.0 SECTION 5 OVERALL ASSESSMENT

As noted in Section 2.0 of this report, Section 5 of the RMA requires the weighing of multiple considerations concerned with environmental sustainability and efficient use of resources for the wellbeing of people and communities.

As set out in Table 1 in Section 7.0, the proposed Plan Change provides the management framework to greatly enhance the efficient use of resources at Porters Ski Area whilst ensuring that there are limits on development and responsiveness to the values of the environment. The potential for adverse effects on ecological and landscape values are acknowledged but must be weighed having regard to the significant benefits that will be enabled by the implementation of the Plan Change. At a high level, these benefits include:

- Enhanced safe and convenient access to the Ski Area and High Country for recreation and enjoyment;
- Maintenance of the viability of an existing Ski Area resource;
- Significant economic benefits to the district, regional and national economies;
- Enhanced profile (regionally, nationally and internationally) as a Ski Area destination;
- Growth in in-bound tourism;
- Employment opportunities

These benefits will be spread across a wide range of people within the community, for whom their social and economic wellbeing will be enhanced, For example:

- A greater number of Skiers and snow-boarders, and in particular families
- Professional and competitive ski and snow boarders seeking on-mountain accommodation and quality training facilities
- Any person who wishes to enjoy a wider range of recreation in an alpine environment in a safe and convenient manner
- An increased number of employees of the Porters Ski Area for all Ski Area operations and services

- Accommodation providers, commercial and tourist operators who operate businesses within the Ski Area;
- Accommodation providers, commercial and tourist operators who operate businesses in the Selwyn District, Christchurch and Canterbury;
- Airline Companies (both national and international)
- Direct and indirect service providers to Ski Area operations and activities e.g., travel consultants, local transport services, food producers etc

Having weighed the likely benefits, the nature and distribution of those benefits and the potential adverse effects it is considered that the benefits will outweigh the costs and the proposed Plan Change will better enable the community to provide for its wellbeing, health and safety. On this basis the proposed Plan Change is able to fulfill the purpose of the RMA.

APPENDIX 1

Relevant Objectives and Policies of the Canterbury Regional Policy Statement

REGIONAL POLICY STATEMENT

Chapter 7 - Soils and Landuse

Objective 1

Safeguard the life-supporting capacity of soil by maintaining or restoring where appropriate, soil quality factors including: soil depth, soil structure, water holding capacity, organic matter, soil fertility and soil fauna.

Prevent, as far as practicable, induced soil erosion in Canterbury.

Policy 1

Land use activities that actually or potentially have significant adverse effects on the following soil quality factors: soil structure, organic content, soil fauna, water holding capacity, and soil fertility, should be avoided, or those effects remedied or mitigated.

Significant adverse effects on any of these factors include:

- (a) Any deleterious change in a soil quality factor which would persist for 25 years or more, or would be impracticable to remedy;*
- (b) A change in a soil quality factor that increases the rate of runoff and/or nutrient contribution to waterbodies.*

Policy 3

- (a) Maintain or restore vegetative cover on non-arable land so that it is sufficient to prevent land degradation as indicated by:
 - I. A combination of all the following: a long-term reduction in plant stature, vigour and biomass; increased bare ground; and the presence of early successional plant communities; or*
 - II. A long-term decline in soil quality factors as set out in Policy 1; or*
 - III. Induced soil erosion.**
- (b) Vegetation clearance on on-arable land, whether by burning, or other means, should as soon as practicable be followed by post-clearance treatment to restore or establish a vegetative cover or other surface that is sufficient to prevent induced soil erosion.*
- (c) Where burning is used to manage vegetation on non-arable land, pre-burn soil quality factors should be protected or restored by appropriate post-burn management.*

Chapter 8 - Landscape, Ecology and Heritage

Policy 3

Natural features and landscapes that meet the relevant criteria of sub-chapter 20.1(1) should be protected from adverse effects of the use, development, or protection of natural and physical resources, and their enhancement should be promoted. Activities that may have adverse effects include those involving the clearance or modification of areas of indigenous vegetation (particularly tall tussock), earthworks, alteration to landforms, tree planting, or the erection of structures.

The particular sensitivity of these natural features and landscapes to regionally significant adverse effects in terms of sub-chapter 20.4(2) should be reflected in the provisions of district plans in the region.

Assessments of the effects should be made by considering:

- I. Aesthetic values;*
- II. Expressiveness;*
- III. Transitory value;*
- IV. Natural science factors.*

Objective 3

Protection or enhancement of:

- I. Indigenous biodiversity, (including the survival of threatened species, communities and habitats, and species, biological communities and habitats unusual in, or characteristic of Canterbury);*
- I. Indigenous ecosystem functioning; and*
- II. Indigenous vegetation and habitats which contribute to the region's natural character.*

Policy 4

Areas of indigenous vegetation and habitats of indigenous fauna that meet the relevant criteria of sub-chapter 20.4(1) should be protected from adverse effects of the use, development, or protection of natural and physical resources, and their enhancement should be promoted. In particular, indigenous species, communities and habitats that are threatened, unusual in, or characteristic of Canterbury should be identified, and their survival, and the survival of ecosystems on which they depend, safeguarded as far as practicable.

The particular sensitivity of these areas of vegetation or habitats to regionally significant adverse effects in terms of sub-chapter 20.4(2) should be reflected in the provisions of district plans in the region.

Chapter 9 - Water

Policy 11

Promote land use practices which maintain and where appropriate enhance water quality.

Chapter 10 - Beds of Rivers and Lakes and their Margins

Policy 3

Retain, and promote the establishment of, riparian vegetation particularly indigenous vegetation along the margins of rivers and lakes, to reduce the adverse effects of land use on water quality and to enhance conservation and amenity values.

Chapter 12 - Settlement and the Built Environment

Objective 5

Patterns of settlement in rural areas should enable people and communities to provide for their social, economic and cultural wellbeing.

Policy 7

The development and expansion of rural towns should enable people and communities to provide for their wellbeing, health and safety, and have particular regard to the efficient use and development of natural and physical resources.