

Appendix 6: Queenstown Lakes District Plan Provisions

6 LANDSCAPES

6.1

Purpose

The purpose of this chapter is to recognise the landscape as a significant resource to the district and region. This resource requires protection from inappropriate activities that could degrade its qualities, character and values.

Landscapes have been categorised to provide certainty of their importance to the District, to align with regional and national legislation and to provide decision makers with a basis to consider the appropriateness of activities when having regard to the RMA. In particular, Outstanding Natural Features and Landscapes as matters of national importance.

6.2

Values

The District's landscapes are of significant value to the people who live in, work in or visit the District. The District relies in a large part for its social and economic wellbeing on the quality of the landscape, open spaces and environmental image.

The landscapes consist of a variety of landforms created by uplift and glaciations, which include mountains, ice-sculpted rock, scree slopes, moraine, fans, a variety of confined and braided river systems, valley floors and lake basins. These distinct landforms remain easily legible and strong features of the present landscape.

Indigenous vegetation also contributes to the quality of the District's landscapes. Whilst much of the original vegetation has been modified, the colour and texture of indigenous vegetation within these landforms contribute to the distinctive identity of the District's landscapes.

The open character of productive farmland is a key element of the landscape character which can be vulnerable to degradation from subdivision, development and non-farming activities. The prevalence of large farms and landholdings contributes to the open space and rural working character of the landscape. The predominance of open space over housing and related domestic elements is a strong determinant of the character of the District's rural landscapes.

Some rural areas, particularly those closer to Queenstown and Wanaka town centres and within parts of the Wakatipu Basin, have an established pattern of housing on smaller landholdings. The landscape character of these areas has been modified by vehicle accesses, earthworks and vegetation planting for amenity, screening and shelter, which have reduced the open character exhibited by larger scale farming activities.

While acknowledging these rural areas have established housing, a substantial amount of subdivision and development has been approved in these areas and the landscape values of these areas are vulnerable to degradation from further subdivision and development. It is realised that rural lifestyle development has a finite capacity if the District's distinctive rural landscape values are to be sustained.

The lakes and rivers both on their own and, when viewed as part of the distinctive landscape, are a significant element of the national and international identity of the District and provide for a wide range of amenity and recreational opportunities. They are nationally and internationally recognised as part of the reason for the District's importance as a visitor destination, as well as one of the reasons for residents to belong to the area. Managing the landscape and recreational values on the surface of lakes and rivers is an important District Plan function.

Landscapes have been categorised into three classifications within the Rural Zone. These are Outstanding Natural Landscapes (ONL) and Outstanding Natural Features (ONF), where their use, development and protection are a matter of national importance under Section 6 of the RMA. The Rural Landscapes Classification (RLC) makes up the remaining Rural Zoned land and has varying types of landscape character and amenity values. Specific policy and assessment matters are provided to manage the potential effects of subdivision and development in these locations.

6.3.1 Objective - The District contains and values Outstanding Natural Features, Outstanding Natural Landscapes, and Rural Landscapes that require protection from inappropriate subdivision and development.

Policies	6.3.1.1 Identify the District's Outstanding Natural Landscapes and Outstanding Natural Features on the Planning Maps. 6.3.1.2 Classify the Rural Zoned landscapes in the District as: • Outstanding Natural Feature (ONF) • Outstanding Natural Landscape (ONL) • Rural Landscape Classification (RLC) 6.3.1.3 That subdivision and development proposals located within the Outstanding Natural Landscape, or an Outstanding Natural Feature, be assessed against the assessment matters in provisions 21.7.1 and 21.7.3 because subdivision and development is inappropriate in almost all locations, meaning successful applications will be exceptional cases. 6.3.1.4 That subdivision and development proposals located within the Rural Landscape be assessed against the assessment matters in provisions 21.7.2 and 21.7.3 because subdivision and development is inappropriate in many locations in these landscapes, meaning successful applications will be, on balance, consistent with the assessment matters. 6.3.1.5 Avoid urban subdivision and development in the Rural Zones. 6.3.1.6 Enable rural lifestyle living through applying Rural Lifestyle Zone and Rural Residential Zone plan changes in areas where the landscape can accommodate change. 6.3.1.7 When locating urban growth boundaries or extending urban settlements through plan changes, avoid impinging on Outstanding Natural Landscapes or Outstanding Natural Features and minimise disruption to the values derived from open rural landscapes. 6.3.1.8 Ensure that the location and direction of lights does not cause glare to other properties, roads, and public places or the night sky. 6.3.1.9 Ensure the District's distinctive landscapes are not degraded by forestry and timber harvesting activities. 6.3.1.10 Recognise that low-intensity pastoral farming on large landholdings contributes to the District's landscape character.
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6.3.1.11 Recognise the importance of protecting the landscape character and visual amenity values, particularly as viewed from public places.

6.3.1.12 Recognise and provide for the protection of Outstanding Natural Features and Landscapes with particular regard to values relating to cultural and historic elements, geological features and matters of cultural and spiritual value to Tangata Whenua, including Tōpuni.

6.3.2 Objective - Avoid adverse cumulative effects on landscape character and amenity values caused by incremental subdivision and development.

- Policies**
- 6.3.2.1** Acknowledge that subdivision and development in the rural zones, specifically residential development, has a finite capacity if the District's landscape quality, character and amenity values are to be sustained.
 - 6.3.2.2** Allow residential subdivision and development only in locations where the District's landscape character and visual amenity would not be degraded.
 - 6.3.2.3** Recognise that proposals for residential subdivision or development in the Rural Zone that seek support from existing and consented subdivision or development have potential for adverse cumulative effects. Particularly where the subdivision and development would constitute sprawl along roads.
 - 6.3.2.4** Have particular regard to the potential adverse effects on landscape character and visual amenity values from infill within areas with existing rural lifestyle development or where further subdivision and development would constitute sprawl along roads.
 - 6.3.2.5** Ensure incremental changes from subdivision and development do not degrade landscape quality, character or openness as a result of activities associated with mitigation of the visual effects of proposed development such as screening planting, mounding and earthworks.

6.3.3 Objective - Protect, maintain or enhance the district's Outstanding Natural Features (ONF).

- Policies**
- 6.3.3.1** Avoid subdivision and development on Outstanding Natural Features that does not protect, maintain or enhance Outstanding Natural Features.
 - 6.3.3.2** Ensure that subdivision and development in the Outstanding Natural Landscapes and Rural Landscapes adjacent to Outstanding Natural Features would not degrade the landscape quality, character and visual amenity of Outstanding Natural Features.

6.3.4 Objective - Protect, maintain or enhance the District's Outstanding Natural Landscapes (ONL).

- Policies
- 6.3.4.1** Avoid subdivision and development that would degrade the important qualities of the landscape character and amenity, particularly where there is no or little capacity to absorb change.
 - 6.3.4.2** Recognise that large parts of the District's Outstanding Natural Landscapes include working farms and accept that viable farming involves activities which may modify the landscape, providing the quality and character of the Outstanding Natural Landscape is not adversely affected.
 - 6.3.4.3** Have regard to adverse effects on landscape character, and visual amenity values as viewed from public places, with emphasis on views from formed roads.
 - 6.3.4.4** The landscape character and amenity values of the Outstanding Natural Landscape are a significant intrinsic, economic and recreational resource, such that large scale renewable electricity generation or new large scale mineral extraction development proposals including windfarm or hydro energy generation are not likely to be compatible with the Outstanding Natural Landscapes of the District.
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6.3.5 Objective - Ensure subdivision and development does not degrade landscape character and diminish visual amenity values of the Rural Landscapes (RLC).

- Policies
- 6.3.5.1** Allow subdivision and development only where it will not degrade landscape quality or character, or diminish the visual amenity values identified for any Rural Landscape.
 - 6.3.5.2** Avoid adverse effects from subdivision and development that are:
 - Highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in this Plan); and
 - Visible from public roads.
 - 6.3.5.3** Avoid planting and screening, particularly along roads and boundaries, which would degrade openness where such openness is an important part of the landscape quality or character.
 - 6.3.5.4** Encourage any landscaping to be sustainable and consistent with the established character of the area.
 - 6.3.5.5** Encourage development to utilise shared accesses and infrastructure, to locate within the parts of the site where they will be least visible, and have the least disruption to the landform and rural character.
 - 6.3.5.6** Have regard to the adverse effects from subdivision and development on the open landscape character where it is open at present.

6.3.6 Objective - Protect, maintain or enhance the landscape quality, character and visual amenity provided by the lakes and rivers and their margins from the adverse effects of structures and activities.

- Policies
- 6.3.6.1** Control the location, intensity and scale of buildings, jetties, moorings and utility structures on the surface and margins of water bodies and ensure these structures maintain or enhance the landscape quality, character and amenity values.
 - 6.3.6.2** Recognise the character of the Frankton Arm including the established jetties and provide for these on the basis that the visual qualities of the District's distinctive landscapes are maintained and enhanced.
 - 6.3.6.3** Recognise the urban character of Queenstown Bay and provide for structures and facilities providing they protect, maintain or enhance the appreciation of the District's distinct landscapes.
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6.3.7 Objective - Recognise and protect indigenous biodiversity where it contributes to the visual quality and distinctiveness of the District's landscapes.

- Policies
- 6.3.7.1** Encourage subdivision and development proposals to promote indigenous biodiversity protection and regeneration where the landscape and nature conservation values would be maintained or enhanced, particularly where the subdivision or development constitutes a change in the intensity in the land use or the retirement of productive farm land.
 - 6.3.7.2** Avoid indigenous vegetation clearance where it would significantly degrade the visual character and qualities of the District's distinctive landscapes.
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6.3.8 Objective - Recognise the dependence of tourism on the District's landscapes.

- Policies
- 6.3.8.1** Acknowledge the contribution tourism infrastructure makes to the economic and recreational values of the District.
 - 6.3.8.2** Recognise that commercial recreation and tourism related activities locating within the rural zones may be appropriate where these activities enhance the appreciation of landscapes, and on the basis they would protect, maintain or enhance landscape quality, character and visual amenity values.
 - 6.3.8.3** Exclude identified Ski Area Sub Zones from the landscape categories and full assessment of the landscape provisions while controlling the impact of the ski field structures and activities on the wider environment.
 - 6.3.8.4** Provide a separate regulatory regime for the Gibbston Valley, identified as the Gibbston Character Zone, in recognition of its contribution to tourism and viticulture while controlling the impact of buildings, earthworks and non-viticulture related activities on the wider environment.

6.4.1 Application of the landscape provisions

- 6.4.1.1** The term 'subdivision and development' includes subdivision, identification of building platforms, any buildings and associated activities such as roading, earthworks, lighting, landscaping, planting and boundary fencing and access / gateway structures.
- 6.4.1.2** **The landscape categories apply only to the Rural Zone.** The Landscape Chapter and Strategic Direction Chapter's objectives and policies are relevant and applicable in all zones where landscape values are at issue.
- 6.4.1.3** The landscape categories do not apply to the following within the Rural Zones:
- a. Ski Area Activities within the Ski Area Sub Zones.
 - b. The area of the Frankton Arm located to the east of the Outstanding Natural Landscape line as shown on the District Plan maps.
 - c. The Gibbston Character Zone.
 - d. The Rural Lifestyle Zone.
 - e. The Rural Residential Zone.
- 6.4.1.4** The landscape categories apply to lakes and rivers. Except where otherwise stated or shown on the Planning Maps, lakes and rivers are categorised as outstanding natural landscapes.
- 6.4.1.5** Where a utility is to be located within the Rural Zone and requires resource consent as a discretionary activity, the objectives and policies of the landscape chapter are applicable.

21 RURAL



21.1

Zone Purpose

The purpose of the Rural zone is to enable farming activities while protecting, maintaining and enhancing landscape values, nature conservation values, the soil and water resource and rural amenity.

A wide range of productive activities occur in the Rural Zone and because the majority of the District's distinctive landscapes comprising open spaces, lakes and rivers with high visual quality and cultural value are located in the Rural Zone, there also exists the desire for rural living, recreation, commercial and tourism activities.

Ski Area sub zones are located within the Rural Zone. These sub zones recognise the contribution tourism infrastructure makes to the economic and recreational values of the District. The purpose of the Ski Area sub zones is to enable the continued development of Ski Area Activities within the identified sub zones where the effects of the development would be cumulatively minor.

In addition, the Rural Industrial Sub Zone includes established industrial activities that are based on rural resources or support farming and rural productive activities.

A substantial proportion of the Outstanding Natural Landscapes of the district comprises private land managed in traditional pastoral farming systems. Rural land values tend to be driven by the high landscape and amenity values in the district. The long term sustainability of pastoral farming will depend upon farmers being able to achieve economic returns from utilising the natural and physical resources of their properties. For this reason, it is important to acknowledge the potential for a range of alternative uses of farm properties that utilise the qualities that make them so valuable.

The Gibbston Valley is recognised as a Special Character Area for viticulture production and the management of this area is provided for in Chapter 23.

Pursuant to Section 86(b)(3) of the RMA, the following rules that protect or relate to water have immediate legal effect:

- **21.4.24 and all rules in Table 9: Activities on the surface of lakes and rivers.**
- **21.5.4: Setback of buildings from water bodies.**
- **21.5.7: Dairy farming grazing within the bed or margin of a water body.**
- **21.4.30 (b) and 21.4.32: Suction dredge mining.**

21.2

Objectives and Policies

21.2.1 Objective - Enable farming, permitted and established activities while protecting, maintaining and enhancing landscape, ecosystem services, nature conservation and rural amenity values.

Policies

21.2.1.1 Enable farming activities while protecting, maintaining and enhancing the values of indigenous biodiversity, ecosystem services, recreational values, the landscape and surface of lakes and rivers and their margins.

21.2.1.2 Provide for Farm Buildings associated with larger landholdings where the location, scale and colour of the buildings will not adversely affect landscape values.

- 21.2.1.3** Require buildings to be set back a minimum distance from internal boundaries and road boundaries in order to mitigate potential adverse effects on landscape character, visual amenity, outlook from neighbouring properties and to avoid adverse effects on established and anticipated activities.
- 21.2.1.4** Minimise the dust, visual, noise and odour effects of activities by requiring facilities to locate a greater distance from formed roads, neighbouring properties, waterbodies and zones that are likely to contain residential and commercial activity.
- 21.2.1.5** Have regard to the location and direction of lights so they do not cause glare to other properties, roads, public places or the night sky.
- 21.2.1.6** Avoid adverse cumulative impacts on ecosystem services and nature conservation values.
- 21.2.1.7** Have regard to the spiritual beliefs, cultural traditions and practices of Tangata Whenua.
- 21.2.1.8** Have regard to fire risk from vegetation and the potential risk to people and buildings, when assessing subdivision and development in the Rural Zone.

21.2.2 Objective - Sustain the life supporting capacity of soils.

- Policies
- 21.2.2.1** Allow for the establishment of a range of activities that utilise the soil resource in a sustainable manner.
 - 21.2.2.2** Maintain the productive potential and soil resource of Rural Zoned land and encourage land management practices and activities that benefit soil and vegetation cover.
 - 21.2.2.3** Protect the soil resource by controlling activities including earthworks, indigenous vegetation clearance and prohibit the planting and establishment of recognised wilding exotic trees with the potential to spread and naturalise.

21.2.3 Objective - Safeguard the life supporting capacity of water through the integrated management of the effects of activities.

- 21.2.3.1** In conjunction with the Otago Regional Council, regional plans and strategies:
 - Encourage activities that use water efficiently, thereby conserving water quality and quantity;
 - Discourage activities that adversely affect the potable quality and life supporting capacity of water and associated ecosystems.

21.2.4 Objective - Manage situations where sensitive activities conflict with existing and anticipated activities in the Rural Zone.

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| Policies | <p>21.2.4.1 Recognise that permitted and established activities in the Rural Zone may result in effects such as odour, noise, dust and traffic generation that are reasonably expected to occur and will be noticeable to residents and visitors in rural areas.</p> <p>21.2.4.2 Control the location and type of non-farming activities in the Rural Zone, to minimise or avoid conflict with activities that may not be compatible with permitted or established activities.</p> |
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21.2.5 Objective - Recognise for and provide opportunities for mineral extraction providing the location, scale and effects would not degrade amenity, water, landscape and indigenous biodiversity values.

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| Policies | <p>21.2.5.1 Recognise the importance and economic value of locally sourced high-quality gravel, rock and other minerals for road making and construction activities.</p> <p>21.2.5.2 Recognise prospecting and small scale recreational gold mining as activities with limited environmental impact.</p> <p>21.2.5.3 Ensure that during and following the conclusion of mineral extractive activities, sites are progressively rehabilitated in a planned and co-ordinated manner, to enable the establishment of a land use appropriate to the area.</p> <p>21.2.5.4 Ensure potential adverse effects of large-scale extractive activities (including mineral exploration) are avoided or remedied, particularly where those activities have potential to degrade landscape quality, character and visual amenity, indigenous biodiversity, lakes and rivers, potable water quality and the life supporting capacity of water.</p> |
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21.2.6 Objective - Encourage the future growth, development and consolidation of existing Ski Areas within identified Sub Zones, while avoiding, remedying or mitigating adverse effects on the environment.

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| Policies | <p>21.2.6.1 Identify Ski Field Sub Zones and encourage Ski Area Activities to locate and consolidate within the sub zones.</p> <p>21.2.6.2 Control the visual impact of roads, buildings and infrastructure associated with Ski Area Activities.</p> <p>21.2.6.3 Provide for the continuation of existing vehicle testing facilities within the Waiorau Snow Farm Ski Area Sub Zone on the basis the landscape and indigenous biodiversity values are not further degraded.</p> |
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21.2.7 Objective - Separate activities sensitive to aircraft noise from existing airports through:

- The retention of an undeveloped open area; or
- at Queenstown Airport an area for Airport related activities; or
- where appropriate an area for activities not sensitive to aircraft noise;

within an airport's Outer Control Boundary to act as a buffer between airports and other land use activities.

Policies	21.2.7.1 Prohibit all new activity sensitive to aircraft noise on any Rural Zoned land within the Outer Control Boundary at Wanaka Airport and Queenstown Airport to avoid adverse effects arising from aircraft operations on future activities sensitive to aircraft noise. 21.2.7.2 Identify and maintain areas containing activities that are not sensitive to aircraft noise, within an airport's outer control boundary, to act as a buffer between the airport and activities sensitive to aircraft noise. 21.2.7.3 Retain open space within the outer control boundary of airports in order to provide a buffer, particularly for safety and noise purposes, between the airport and other activities. 21.2.7.4 Require as necessary mechanical ventilation for any alterations or additions to Critical Listening Environment within any existing buildings containing an Activity Sensitive to Aircraft Noise within the Queenstown Airport Outer Control Boundary and require sound insulation and mechanical ventilation for any alterations or additions to Critical Listening Environment within any existing buildings containing an Activity Sensitive to Aircraft Noise within the Queenstown Airport Air Noise Boundary.
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21.2.8 Objective - Avoid subdivision and development in areas that are identified as being unsuitable for development.

Policies	21.2.8.1 Assess subdivision and development proposals against the applicable District Wide chapters, in particular, the objectives and policies of the Natural Hazards and Landscape chapters. 21.2.8.2 Prevent subdivision and development within the building restriction areas identified on the District Plan maps, in particular: - In the Glenorchy area, protect the heritage value of the visually sensitive Bible Face landform from building and development and to maintain the rural backdrop that the Bible Face provides to the Glenorchy Township. - In Ferry Hill, within the building line restriction identified on the planning maps.
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21.2.9 Objective - Ensure commercial activities do not degrade landscape values, rural amenity, or impinge on farming activities.

- Policies
- 21.2.9.1** Commercial activities in the Rural Zone should have a genuine link with the rural land resource, farming, horticulture or viticulture activities, or recreation activities associated with resources located within the Rural Zone.
 - 21.2.9.2** Avoid the establishment of commercial, retail and industrial activities where they would degrade rural quality or character, amenity values and landscape values.
 - 21.2.9.3** Encourage forestry to be consistent with topography and vegetation patterns, to locate outside of the Outstanding Natural Features and Landscapes, and ensure forestry does not degrade the landscape character or visual amenity values of the Rural Landscape.
 - 21.2.9.4** Ensure forestry harvesting avoids adverse effects with regards to siltation and erosion and sites are rehabilitated to minimise runoff, erosion and effects on landscape values.
 - 21.2.9.5** Limit forestry to species that do not have any potential to spread and naturalise.
 - 21.2.9.6** Ensure traffic from commercial activities does not diminish rural amenity or affect the safe and efficient operation of the roading and trail network, or access to public places.

21.2.10 Objective - Recognise the potential for diversification of farms that utilises the natural or physical resources of farms and supports the sustainability of farming activities.

- 21.2.10.1** Encourage revenue producing activities that can support the long term sustainability of farms in the district.
- 21.2.10.2** Ensure that revenue producing activities utilise natural and physical resources (including buildings) in a way that maintains and enhances landscape quality, character, rural amenity, and natural values.
- 21.2.10.3** Recognise that the establishment of complementary activities such as commercial recreation or visitor accommodation located within farms may enable landscape values to be sustained in the longer term. Such positive effects should be taken into account in the assessment of any resource consent applications.

21.2.11 Objective - Manage the location, scale and intensity of informal airports.

- Policies
- 21.2.11.1** Recognise that informal airports are an appropriate activity within the rural environment, provided the informal airport is located, operated and managed so as to minimise adverse effects on the surrounding rural amenity.

21.2.11.2 Protect rural amenity values, and amenity of other zones from the adverse effects that can arise from informal airports.

21.2.12 Objective - Protect, maintain or enhance the surface of lakes and rivers and their margins.

- Policies
- 21.2.12.1** Have regard to statutory obligations, the spiritual beliefs, cultural traditions and practices of Tangata Whenua where activities are undertaken on the surface of lakes and rivers and their margins.
 - 21.2.12.2** Enable people to have access to a wide range of recreational experiences on the lakes and rivers, based on the identified characteristics and environmental limits of the various parts of each lake and river.
 - 21.2.12.3** Avoid or mitigate the adverse effects of frequent, large-scale or intrusive commercial activities such as those with high levels of noise, vibration, speed and wash, in particular motorised craft in areas of high passive recreational use, significant nature conservation values and wildlife habitat.
 - 21.2.12.4** Recognise the whitewater values of the District's rivers and, in particular, the values of the Kowarau and Shotover Rivers as two of the few remaining major unmodified whitewater rivers in New Zealand, and to support measures to protect this characteristic of rivers.
 - 21.2.12.5** Protect, maintain or enhance the natural character and nature conservation values of lakes, rivers and their margins, with particular regard to places with nesting and spawning areas, the intrinsic value of ecosystem services and areas of indigenous fauna habitat and recreational values.
 - 21.2.12.6** Recognise and provide for the maintenance and enhancement of public access to and enjoyment of the margins of the lakes and rivers.
 - 21.2.12.7** Ensure that the location, design and use of structures and facilities are such that any adverse effects on visual qualities, safety and conflicts with recreational and other activities on the lakes and rivers are avoided or mitigated.
 - 21.2.12.8** Encourage the development and use of marinas in a way that avoids or, where necessary, remedies and mitigates adverse effects on the environment.
 - 21.2.12.9** Take into account the potential adverse effects on nature conservation values from the boat wake of commercial boating activities, having specific regard to the intensity and nature of commercial jet boat activities and the potential for turbidity and erosion.
 - 21.2.12.10** Ensure that the nature, scale and number of commercial boating operators and/or commercial boats on waterbodies do not exceed levels where the safety of passengers and other users of the water body cannot be assured.

21.2.13 **Objective** - Enable rural industrial activities within the Rural Industrial Sub Zones, that support farming and rural productive activities, while protecting, maintaining and enhancing rural character, amenity and landscape values.

- Policies**
- 21.2.13.1** Provide for rural industrial activities and buildings within established nodes of industrial development while protecting, maintaining and enhancing landscape and amenity values.
- 21.2.13.2** Provide for limited retail and administrative activities within the Rural Industrial Sub Zone on the basis it is directly associated with and ancillary to the Rural Industrial Activity on the site.

21.3

Other Provisions and Rules

21.3.1 District Wide

Attention is drawn to the following District Wide chapters. All provisions referred to are within Stage 1 of the Proposed District Plan, unless marked as Operative District Plan (ODP).

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
24 Signs (18 ODP)	25 Earthworks (22 ODP)	26 Historic Heritage
27 Subdivision	28 Natural Hazards	29 Transport (14 ODP)
30 Energy and Utilities	31 Hazardous Substances (16 ODP)	32 Protected Trees
33 Indigenous Vegetation and Biodiversity	34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings
36 Noise	37 Designations	Planning Maps

21.3.2 Regional Council Provisions

- 21.3.2.1** In addition to any rules for mining, the Otago Regional Plan: Water, also has rules related to suction dredge mining.

21.3.3 Clarification

- 21.3.3.1** A permitted activity must comply with all the rules listed in the activity and standards tables, and any relevant district wide rules.

- 21.3.3.2** Where an activity does not comply with a standard listed in the standards tables, the activity status identified by the 'Non-Compliance Status' column shall apply. Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.
- 21.3.3.3** Compliance with any of the following standards, in particular the permitted standards, does not absolve any commitment to the conditions of any relevant resource consent, consent notice or covenant registered on the site's computer freehold register.
- 21.3.3.4** The Council reserves the right to ensure development and building activities are undertaken in accordance with the conditions of resource consent through monitoring.
- 21.3.3.5** Applications for building consent for permitted activities shall include information to demonstrate compliance with the following standards, and any conditions of the applicable resource consent conditions.
- 21.3.3.6** For controlled and restricted discretionary activities, the Council shall restrict the exercise of its discretion to the matters listed in the rule.
- 21.3.3.7** The existence of a farm building either permitted or approved by resource consent under Table 4 - Farm Buildings shall not be considered the permitted baseline for residential or other non-farming activity development within the Rural Zone.
- 21.3.3.8** The Ski Area and Rural Industrial Sub Zones, being Sub Zones of the Rural Zone, require that all rules applicable to the Rural Zone apply unless stated to the contrary.
- 21.3.3.9** Ground floor area means any areas covered by the building or parts of the buildings and includes overhanging or cantilevered parts but does not include pergolas (unroofed), projections not greater than 800mm including eaves, bay or box windows, and uncovered terraces or decks less than 1m above ground level.
- 21.3.3.10** Building platforms identified on a site's computer freehold register shall have been registered as part of a resource consent approval by the Council.
- 21.3.3.11** These abbreviations are used in the following tables. Any activity which is not permitted (P) or prohibited (PR) requires resource consent.

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

21.4

Rules - Activities

All activities, including any listed permitted activities shall be subject to the rules and standards contained in Tables 1 to 10.

Table 1 –Activities

Table 2 – Standards for all Activities

Table 3 – Structures and Buildings

Table 4 – Farm Buildings

Table 5 – Commercial Activities

Table 6 – Informal Airports

Table 7 – Ski Area Sub Zone

Table 8 – Rural Industrial Sub Zone

Table 9 – Surface of Lakes and Rivers

Table 10 – Closeburn Station

Table 1	Activities - Rural Zone	Activity Status
21.4.1	Any activity not listed in tables 1 to 10.	NC
	Farming Activities	
21.4.2	Farming Activity that complies with the standards in Table 2.	P
21.4.3	Construction or addition to farm buildings that comply with the standards in Table 4.	P
21.4.4	Factory Farming that complies with the standards in Table 2.	P
	Residential Activities, Subdivision and Development	
21.4.5	The use of land or buildings for residential activity except as provided for in any other rule.	D
21.4.6	One residential unit within any building platform approved by resource consent.	P
21.4.7	The construction and exterior alteration of buildings located within a building platform approved by resource consent, or registered on the applicable computer freehold register, subject to compliance with the standards in Table 3.	P
21.4.8	The exterior alteration of any lawfully established building located outside of a building platform, subject to compliance with the standards in Table 3.	P
21.4.9	The identification of a building platform not less than 70m ² and not greater than 1000m ² .	D
21.4.10	The construction of any building including the physical activity associated with buildings including roading, access, lighting, landscaping and earthworks, not provided for by any other rule.	D
21.4.11	Domestic Livestock.	P
21.4.12	Residential Flat (activity only, the specific rules for the construction of any buildings apply).	P
	Commercial Activities	
21.4.13	Home Occupation that complies with the standards in Table 5.	P

Table 1	Activities - Rural Zone	Activity Status
21.4.14	Retail sales of farm and garden produce and wine grown, reared or produced on-site or handicrafts produced on the site and that comply with the standards in Table 5. Except roadside stalls that meet the following shall be a permitted activity: - the ground floor area is less than 5m²; - are not higher than 2.0m from ground level; - the minimum sight distance from the stall/access shall be 200m; - the minimum distance of the stall/access from an intersection shall be 100m; and, the stall shall not be located on the legal road reserve. Control is reserved to all of the following: - The location of the activity and buildings. - Vehicle crossing location, car parking. - Rural amenity and landscape character.	C
21.4.15	Commercial activities ancillary to and located on the same site as recreational activities.	D
21.4.16	Commercial recreation activities that comply with the standards in Table 5.	P
21.4.17	Cafes and restaurants located in a winery complex within a vineyard.	D
21.4.18	Ski Area Activities within the Ski Area Sub Zone.	P
21.4.19	Ski Area Activities not located within a Ski Area Sub Zone, with the exception of heli-skiing and non-commercial skiing.	NC
21.4.20	Visitor Accommodation.	D
21.4.21	Forestry Activities in Rural Landscapes.	D
21.4.22	Retail activities within the Rural Industrial Sub Zone that involve the sale of goods produced, processed or manufactured on site or ancillary to Rural Industrial activities that comply with Table 8.	P
21.4.23	Administrative offices ancillary to and located on the same site as Rural Industrial activities being undertaken within the Rural Industrial Sub Zone that comply with Table 8.	P
	Other Activities	
21.4.24	Activities on the surface of lakes and rivers that comply with Table 9.	P
21.4.25	Informal Airports that comply with Table 6.	P
21.4.26	Any building within a Building Restriction Area identified on the Planning Maps.	NC
21.4.27	Recreation and/or Recreational Activity.	P
	Activities within the Outer Control Boundary at Queenstown Airport and Wanaka Airport	
21.4.28	New Building Platforms and Activities within the Outer Control Boundary - Wanaka Airport On any site located within the Outer Control Boundary, any new activity sensitive to aircraft noise or new building platform to be used for an activity sensitive to aircraft noise (except an activity sensitive to aircraft noise located on a building platform approved before 20 October 2010).	PR

Table 1	Activities - Rural Zone	Activity Status
21.4.29	Activities within the Outer Control Boundary - Queenstown Airport On any site located within the Outer Control Boundary, which includes the Air Noise Boundary, as indicated on the District Plan Maps, any new Activity Sensitive to Aircraft Noise.	PR
	Mining Activities	
21.4.30	The following mining and extraction activities are permitted: a. Mineral prospecting. b. Mining by means of hand-held, non-motorised equipment and suction dredging, where the total motive power of any dredge does not exceed 10 horsepower (7.5 kilowatt); and c. The mining of aggregate for farming activities provided the total volume does not exceed 1000m ³ in any one year. d. The activity will not be undertaken on an Outstanding Natural Feature.	P
21.4.31	Mineral exploration that does not involve more than 20m ³ in volume in any one hectare Control is reserved to all of the following: • The adverse effects on landscape, nature conservation values and water quality. Rehabilitation of the site is completed that ensures: • the long term stability of the site. • that the landforms or vegetation on finished areas are visually integrated into the landscape. • water quality is maintained. • that the land is returned to its original productive capacity.	C
21.4.32	Any mining activity other than provided for in rules 21.4.30 and 21.4.31.	D
	Industrial Activities	
21.4.33	Rural Industrial Activities within a Rural Industrial Sub-Zone that comply with Table 8.	P
21.4.34	Buildings for Rural Industrial Activities that comply with Table 8.	P
21.4.35	Industrial Activities directly associated with wineries and underground cellars within a vineyard.	D
21.4.36	Other Industrial Activities.	NC

21.5

Rules - Standards

Table 2	General Standards The following standards apply to any of the activities described in Tables 1 to 10 in addition to the specific table (Tables 3-10) unless otherwise stated.	Non-compliance Status
21.5.1	Setback from Internal Boundaries The minimum setback of any building from internal boundaries shall be 15m. Discretion is restricted to all of the following: • Rural Amenity and landscape character. • Privacy, outlook and amenity from adjoining properties. Except this rule shall not apply within the Rural Industrial Sub Zone. Refer to Table 8.	RD
21.5.2	Setback from Roads The minimum setback of any building from a road boundary shall be 20m, except, the minimum of any building setback from State Highway 6 between Lake Hayes and Frankton shall be 50m. The minimum setback of any building for other sections of State Highway 6 where the speed limit is 70 km/hr or greater shall be 40m. Discretion is restricted to all of the following: • Rural Amenity and landscape character. • Open space. • The adverse effects on the proposed activity from noise, glare and vibration from the established road.	RD
21.5.3	Setback from Neighbours of Buildings Housing Animals The minimum setback from internal boundaries for any building housing animals shall be 30m. Discretion is restricted to all of the following: • Odour. • Noise. • Dust. • Vehicle movements.	RD

Table 2	General Standards The following standards apply to any of the activities described in Tables 1 to 10 in addition to the specific table (Tables 3-10) unless otherwise stated.	Non-compliance Status
21.5.4	Setback of buildings from Water bodies The minimum setback of any building from the bed of a wetland, river or lake shall be 20m. Discretion is restricted to all of the following: • Indigenous biodiversity values. • Visual amenity values. • Landscape and natural character. • Open space. • Whether the waterbody is subject to flooding or natural hazards and any mitigation to manage the adverse effects of the location of the building.	RD
21.5.5	Dairy Farming (Milking Herds, Dry Grazing and Calf Rearing) All effluent holding tanks, effluent treatment and effluent storage ponds, shall be located at least 300 metres from any formed road or adjoining property. Discretion is restricted to all of the following: • Odour. • Visual prominence. • Landscape character. • Effects on surrounding properties.	RD
21.5.6	Dairy Farming (Milking Herds, Dry Grazing and Calf Rearing) All milking sheds or buildings used to house or feed milking stock shall be located at least 300 metres from any adjoining property or formed road.	D
21.5.7	Dairy Farming (Milking Herds, Dry Grazing and Calf Rearing) Stock shall be prohibited from standing in the bed of, or on the margin of a water body. For the purposes of this rule: • Margin means land within 3.0 metres from the edge of the bed. • Water body has the same meaning as in the RMA, and also includes any drain or water race that goes to a lake or river.	PR
21.5.8	Factory Farming (excluding the boarding of animals) Factory farming within 2 kilometres of a Residential, Rural Residential, Rural Lifestyle, Township, Rural Visitor, Town Centre, Local Shopping Centre or Resort Zone.	D

Table 2	General Standards The following standards apply to any of the activities described in Tables 1 to 10 in addition to the specific table (Tables 3-10) unless otherwise stated.	Non-compliance Status
21.5.9	Factory Farming Factory farming of pigs where: 21.5.9.1 the number of housed pigs exceeds 50 sows or 500 pigs of mixed ages; and/or 21.5.9.2 any housed pigs are closer than 500m to a property boundary; and/or 21.5.9.3 the number of outdoor pigs exceeds 100 pigs and their progeny up to weaner stage; and/or 21.5.9.4 outdoor sows are not ringed at all times; and/or 21.5.9.5 the stocking rate of outdoor pigs exceeds 15 pigs per hectare, excluding progeny up to weaner stage.	NC
21.5.10	Factory farming of poultry where: 21.5.10.1 the number of birds exceeds 10,000 birds; and/or 21.5.10.2 birds are housed closer than 300m to a site boundary.	NC
21.5.11	Any factory farming activity other than factory farming of pigs or poultry.	NC
21.5.12	Airport Noise – Wanaka Airport Alterations or additions to existing buildings, or construction of a building on a building platform approved before 20 October 2010 within the Outer Control Boundary, shall be designed to achieve an internal design sound level of 40 dB Ldn, based on the 2036 noise contours, at the same time as meeting the ventilation requirements in Table 5, Chapter 36. Compliance can either be demonstrated by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the internal design sound level, or by installation of mechanical ventilation to achieve the requirements in Table 5, Chapter 36.	NC
21.5.13	Airport Noise – Queenstown Airport (a) Within the Queenstown Airport Air Noise Boundary (ANB) - Alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise shall be designed to achieve an Indoor Design Sound Level of 40 dB Ldn, within any Critical Listening Environment, based on the 2037 Noise Contours. Compliance shall be demonstrated by either adhering to the sound insulation requirements in Table 4 of Chapter 36 and installation of mechanical ventilation to achieve the requirements in Table 5 of Chapter 36, or by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open. (b) Between the Queenstown Airport Outer Control Boundary (OCB) and the ANB – Alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise shall be designed to achieve an Indoor Design Sound Level of 40 dB Ldn within any Critical Listening Environment, based on the 2037 Noise Contours. Compliance shall be demonstrated by either installation of mechanical ventilation to achieve the requirements in Table 5 of Chapter 36 or by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open. (c) Standards (a) and (b) exclude any alterations or additions to any non-critical listening environment.	NC

Table 3	Standards for Structures and Buildings The following standards apply to structures and buildings, except Farm Buildings.	Non-compliance Status
21.5.14	Structures Any structure within 10 metres of a road boundary, which is greater than 5 metres in length, and between 1 metre and 2 metres in height, except for: 21.5.14.1 post and rail, post and wire and post and mesh fences, including deer fences; 21.5.14.2 any structure associated with farming activities as defined in this plan. Discretion is restricted to all of the following: • Effects on landscape character, views and amenity, particularly from public roads. • The materials used, including their colour, reflectivity and permeability. • Whether the structure will be consistent with traditional rural elements.	RD
21.5.15	Buildings Any building, including any structure larger than 5m ² , that is new, relocated, altered, reclad or repainted, including containers intended to, or that remain on site for more than six months, and the alteration to any lawfully established building are subject to the following: All exterior surfaces shall be coloured in the range of browns, greens or greys (except soffits), including; 21.5.15.1 Pre-painted steel and all roofs shall have a reflectance value not greater than 20%; and, 21.5.15.2 All other surface finishes shall have a reflectance value of not greater than 30%. 21.5.15.3 In the case of alterations to an existing building not located within a building platform, it does not increase the ground floor area by more than 30% in any ten year period. Discretion is restricted to all of the following: • External appearance. • Visual prominence from both public places and private locations. • Landscape character. • Visual amenity.	RD
21.5.16	Building size The maximum ground floor area of any building shall be 500m ² . Discretion is restricted to all of the following: • External appearance. • Visual prominence from both public places and private locations. • Landscape character. • Visual amenity. • Privacy, outlook and amenity from adjoining properties.	RD

Table 3	Standards for Structures and Buildings The following standards apply to structures and buildings, except Farm Buildings.	Non-compliance Status
21.5.17	Building Height The maximum height shall be 8m. Discretion is restricted to all of the following: • Rural Amenity and landscape character. • Privacy, outlook and amenity from adjoining properties. • Visual prominence from both public places and private locations.	RD

Table 4	Standards for Farm Buildings The following standards apply to Farm Buildings.	Non-compliance Status
21.5.18	The construction, replacement or extension of a farm building as a permitted activity is subject to the following: 21.5.18.1 The landholding is greater than 100ha; and 21.5.18.2 The density of all buildings on the site, inclusive of the proposed building(s) will be less than one farm building per 25 hectares on the site; and 21.5.18.3 Is not located within an Outstanding Natural Feature (ONF); and 21.5.18.4 If located within the Outstanding Natural Landscapes (ONL) is less than 4 metres in height and the ground floor area is not greater than 100m²; and 21.5.18.5 Is less than 600 masl; and 21.5.18.6 If located within the Rural Landscapes (RLC), is less than 5m in height and the ground floor area is not greater than 300m²; and 21.5.18.7 Buildings shall not protrude onto a skyline or above a terrace edge when viewed from adjoining sites, or formed roads within 2km of the location of the proposed building. Discretion is restricted to all of the following: • Rural Amenity values. • Landscape character. • Privacy, outlook and rural amenity from adjoining properties. • Visibility, including lighting. • Scale. • Location.	RD

Table 4	Standards for Farm Buildings The following standards apply to Farm Buildings.	Non-compliance Status
21.5.19	Exterior colours of buildings: 21.5.19.1 All exterior surfaces shall be coloured in the range of browns, greens or greys (except soffits). 21.5.19.2 Pre-painted steel, and all roofs shall have a reflectance value not greater than 20%. 21.5.19.3 Surface finishes shall have a reflectance value of not greater than 30%. Discretion is restricted to all of the following: • External appearance. • Visual prominence from both public places and private locations. • Landscape character. • Visual amenity.	RD
21.5.20	Building Height The maximum height for any farm building shall be 10m. Discretion is restricted to: • Rural amenity values. • Landscape character. • Privacy, outlook and amenity from adjoining properties.	D

Table 5	Standards for Commercial Activities	Non-compliance Status
21.5.21	Commercial recreation activity undertaken on land, outdoors and involving not more than 10 persons in any one group.	D
21.5.22	Home Occupation 21.5.22.1 The maximum net floor area of home occupation activities shall be 150m²; 21.5.22.2 No goods materials or equipment shall be stored outside a building; 21.5.22.3 All manufacturing, altering, repairing, dismantling or processing of any goods or articles shall be carried out within a building. Discretion is restricted to all of the following: • The nature, scale and intensity of the activity in the context of the surrounding rural area. • Visual amenity from neighbouring properties and public places. • Noise, odour and dust. • The extent to which the activity requires a rural location because of its link to any rural resource in the Rural Zone. • Access safety and transportation effects.	RD

Table 5	Standards for Commercial Activities	Non-compliance Status
21.5.23	Retail Sales Buildings in excess of 25m ² gross floor area to be used for retail sales identified in Table 1 shall be setback from road boundaries by a minimum distance of 30m. Discretion is restricted to all of the following: • Landscape character and visual amenity. • Access safety and transportation effects. • On-site parking.	RD
21.5.24	Retail Sales Retail sales where the access is onto a State Highway, with the exception of the activities listed in Table 1.	NC

Table 6	Standards for Informal Airports	Non-compliance Status
21.5.25	Informal Airports Located on Public Conservation and Crown Pastoral Land Informal airports that comply with the following standards shall be permitted activities: 21.5.25.1 Informal airports located on Public Conservation Land where the operator of the aircraft is operating in accordance with a Concession issued pursuant to Section 17 of the Conservation Act 1987; 21.5.25.2 Informal airports located on Crown Pastoral Land where the operator of the aircraft is operating in accordance with a Recreation Permit issued pursuant to Section 66A of the Land Act 1948; 21.5.25.3 Informal airports for emergency landings, rescues, fire-fighting and activities ancillary to farming activities; 21.5.25.4 In relation to points (21.5.25.1) and (21.5.25.2), the informal airport shall be located a minimum distance of 500 metres from any formed legal road or the notional boundary of any residential unit or approved building platform not located on the same site.	D
21.5.26	Informal Airports Located on other Rural Zoned Land Informal Airports that comply with the following standards shall be permitted activities: 21.5.26.1 Informal airports on any site that do not exceed a frequency of use of 3 flights* per week; 21.5.26.2 Informal airports for emergency landings, rescues, fire-fighting and activities ancillary to farming activities; 21.5.26.3 In relation to point (21.5.26.1), the informal airport shall be located a minimum distance of 500 metres from any formed legal road or the notional boundary of any residential unit of building platform not located on the same site. <i>* note for the purposes of this Rule a flight includes two aircraft movements i.e. an arrival and departure.</i>	D

Table 7	Standards for Ski Area Activities within the Ski Area Sub Zones	Non-compliance Status
21.5.27	Construction, relocation, addition or alteration of a building. Control is reserved to all of the following: • Location, external appearance and size, colour, visual dominance. • Associated earthworks, access and landscaping. • Provision of water supply, sewage treatment and disposal, electricity and communication services (where necessary). • Lighting.	C
21.5.28	Ski tows and lifts. Control is reserved to all of the following: • The extent to which the ski tow or lift or building breaks the line and form of the landscape with special regard to skylines, ridges, hills and prominent slopes. • Whether the materials and colour to be used are consistent with the rural landscape of which the tow or lift or building will form a part. • Balancing environmental considerations with operational characteristics.	C
21.5.29	Night lighting. Control is reserved to all of the following: • Hours of operation. • Duration and intensity. • Impact on surrounding properties.	C
21.5.30	Vehicle Testing. In the Waiorau Snow Farm Ski Area Activity Sub Zone; the construction of access ways and tracks associated with the testing of vehicles, their parts and accessories. Control is reserved to all of the following: • Gravel and silt run off. • Stormwater, erosion and siltation. • The sprawl of tracks and the extent to which earthworks modify the landform. • Stability of over-steepened embankments.	C

Table 7	Standards for Ski Area Activities within the Ski Area Sub Zones	Non-compliance Status
21.5.31	Retail activities ancillary to Ski Area Activities. Control is reserved to all of the following: • Location. • Hours of operation with regard to consistency with ski-area activities. • Amenity effects, including loss of remoteness or isolation. • Traffic congestion, access and safety. • Waste disposal. • Cumulative effects.	C

Table 8	Standards for Activities within the Rural Industrial Sub Zone	Non-compliance Status
21.5.32	Buildings Any building, including any structure larger than 5m², that is new, relocated, altered, reclad or repainted, including containers intended to, or that remain on site for more than six months, and the alteration to any lawfully established building are subject to the following: All exterior surfaces shall be coloured in the range of browns, greens or greys (except soffits), including; 21.5.32.1 Pre-painted steel and all roofs shall have a reflectance value not greater than 20%; and, 21.5.32.2 All other surface finishes shall have a reflectance value of not greater than 30%. Discretion is restricted to all of the following: • External appearance. • Visual prominence from both public places and private locations. • Landscape character. • Visual amenity.	RD
21.5.33	Building size The maximum ground floor area of any building shall be 500m². Discretion is restricted to all of the following: • External appearance. • Visual prominence from both public places and private locations. • Visual amenity. • Privacy, outlook and amenity from adjoining properties.	RD

Table 8	Standards for Activities within the Rural Industrial Sub Zone	Non-compliance Status
21.5.34	Building Height The maximum height for any industrial building shall be 10m. Discretion is restricted to all of the following: • rural amenity and landscape character. • privacy, outlook and amenity from adjoining properties.	RD
21.5.35	Setback from Sub Zone Boundaries The minimum setback of any building within the Rural Industrial Sub Zone shall be 10m from the Sub Zone boundaries. Discretion is restricted to all of the following: • The requirement for landscaping to act as a buffer between the Rural Industrial Sub-Zone and neighbouring properties and whether there is adequate room for landscaping within the reduced setback. • Rural amenity and landscape character. • Privacy, outlook and amenity from adjoining properties.	RD
21.5.36	Retail Activities Retail activities including the display of items for sale shall be undertaken within a building and shall not exceed 10% of the building's total floor area.	NC
21.5.37	Lighting and Glare 21.5.37.1 All fixed exterior lighting shall be directed away from adjoining sites and roads; and 21.5.37.2 No activity on any site shall result in greater than a 3.0 lux spill (horizontal and vertical) of light onto any other site measured at any point inside the boundary of the other site, provided that this rule shall not apply where it can be demonstrated that the design of adjacent buildings adequately mitigates such effects. 21.5.37.3 There shall be no upward light spill.	NC

Table 9	Activities and Standards for Activities on the Surface of Lakes and Rivers	Activity Status
21.5.38	Jetboat Race Events Jetboat Race Events on the Clutha River, between the Lake Outlet boat ramp and the Albert Town road bridge not exceeding 6 race days in any calendar year. Control is reserved to all of the following: • The date, time, duration and scale of the jetboat race event, including its proximity to other such events, such as to avoid or mitigate adverse effects on residential and recreational activities in the vicinity. • Adequate public notice is given of the holding of the event. • Reasonable levels of public safety are maintained.	C

Table 9	Activities and Standards for Activities on the Surface of Lakes and Rivers	Activity Status
21.5.39	Commercial non-motorised boating activities Discretion is restricted to all of the following: • Scale and intensity of the activity. • Amenity effects, including loss of privacy, remoteness or isolation. • Congestion and safety, including effects on other commercial operators and recreational users. • Waste disposal. • Cumulative effects. • Parking, access safety and transportation effects.	RD
21.5.40	Jetties and Moorings in the Frankton Arm Jetties and moorings in the Frankton Arm, identified as the area located to the east of the Outstanding Natural Landscape line as shown on the District Plan Maps. Discretion is restricted to all of the following: • Whether they are dominant or obtrusive elements in the shore scape or lake view, particularly when viewed from any public place, including whether they are situated in natural bays and not headlands. • Whether the structure causes an impediment to craft manoeuvring and using shore waters. • The degree to which the structure will diminish the recreational experience of people using public areas around the shoreline. • The effects associated with congestion and clutter around the shoreline. Including whether the structure contributes to an adverse cumulative effect. • Whether the structure will be used by a number and range of people and craft, including the general public. • The degree to which the structure would be compatible with landscape and amenity values, including colour, materials, design.	RD
21.5.41	Structures and Moorings Any structure or mooring that passes across or through the surface of any lake or river or is attached to the bank of any lake and river, other than where fences cross lakes and rivers.	D
21.5.42	Structures and Moorings Any structures or mooring that passes across or through the surface of any lake or river or attached to the bank or any lake or river in those locations on the District Plan Maps where such structures or moorings are shown as being non-complying.	NC
21.5.43	Commercial boating activities Motorised commercial boating activities. <i>Note: Any person wishing to commence commercial boating activities could require a concession under the QLDC Navigation Safety Bylaw. There is an exclusive concession currently granted to a commercial boating operator on the Shotover River between Edith Cavell Bridge and Tucker Beach until 1 April 2009 with four rights of renewal of five years each.</i>	D

Table 9	Activities and Standards for Activities on the Surface of Lakes and Rivers	Activity Status
21.5.44	Recreational and commercial boating activities The use of motorised craft on the following lakes and rivers is prohibited, except where the activities are for emergency search and rescue, hydrological survey, public scientific research, resource management monitoring or water weed control, or for access to adjoining land for farming activities. 21.5.44.1 Hawea River. 21.5.44.2 Commercial boating activities on Lake Hayes. 21.5.44.3 Any tributary of the Dart and Rees rivers (except the Rockburn tributary of the Dart River) or upstream of Muddy Creek on the Rees River. 21.5.44.4 Young River or any tributary of the Young or Wilkin Rivers and any other tributaries of the Makarora River. 21.5.44.5 Dingle Burn and Timaru Creek. 21.5.44.6 The tributaries of the Hunter River. 21.5.44.7 Hunter River during the months of May to October inclusive. 21.5.44.8 Motatapu River. 21.5.44.9 Any tributary of the Matukituki River. 21.5.44.10 Clutha River - More than six jet boat race days per year as allowed by Rule 21.5.38.	PR
	Standards: Surface of Lakes and Rivers	Non-compliance Status
21.5.45	Boating craft used for Accommodation Boating craft on the surface of the lakes and rivers used for accommodation, unless: 21.5.45.1 the craft is only used for overnight recreational accommodation; and 21.5.45.2 the craft is not used as part of any commercial activity; and 21.5.45.3 all effluent is contained on board the craft and removed.	NC

Table 9	Activities and Standards for Activities on the Surface of Lakes and Rivers	Activity Status
21.5.46	No new jetty within the Frankton Arm identified as the area east of the Outstanding Natural Landscape Line shall: 21.5.46.1 be closer than 200 metres to any existing jetty; 21.5.46.2 exceed 20 metres in length; 21.5.46.3 exceed four berths per jetty, of which at least one berth is available to the public at all times; 21.5.46.4 be constructed further than 200 metres from a property in which at least one of the registered owners of the jetty resides.	NC
21.5.47	The following activities are subject to compliance with the following standards: 21.5.47.1 Kawarau River, Lower Shotover River downstream of Tucker Beach and Lake Wakatipu within Frankton Arm - Commercial motorised craft shall only operate between the hours of 0800 to 2000. 21.5.47.2 Lake Wanaka, Lake Hawea and Lake Wakatipu - Commercial jetski operations shall only be undertaken between the hours of 0800 to 2100 on lakes Wanaka and Hawea and 0800 and 2000 on Lake Wakatipu. 21.5.47.3 Dart and Rees Rivers - Commercial motorised craft shall only operate between the hours of 0800 to 1800, except that above the confluence with the Beansburn on the Dart River commercial motorised craft shall only operate between the hours of 1000 to 1700. 21.5.47.4 Dart River – The total number of commercial motorised boating activities shall not exceed 26 trips in any one day. No more than two commercial jet boat operators shall operate upstream of the confluence of the Beansburn, other than for tramper and angler access only.	NC

Table 10	Activities and Standards for Activities on Closeburn Station	Activity Status
21.5.48	The construction of a single residential unit and any accessory building(s) within lots 1 to 6, 8 to 21 DP 26634 located at Closeburn Station. Control is reserved to all of the following: - External appearances and landscaping, with regard to conditions 2.2(a), (b), (e) and (f) of resource consent RM950829. - Associated earthworks, lighting, access and landscaping. - Provision of water supply, sewage treatment and disposal, electricity and telecommunications services.	C
	Standards: Closeburn Station	Non-compliance Status
21.5.49	Setback from Internal Boundaries 21.5.49.1 The minimum setback from internal boundaries for buildings within lots 1 to 6 and 8 to 21 DP 26634 at Closeburn Station shall be 2 metres. 21.5.49.2 There shall be no minimum setback from internal boundaries within lots 7 and 22 to 27 DP300573 at Closeburn Station.	D

Table 10	Activities and Standards for Activities on Closeburn Station	Activity Status
21.5.50	Building Height 21.5.50.1 The maximum height for any building, other than accessory buildings, within Lots 1 and 6 and 8 to 21 DP 26634 at Closeburn Station shall be 7m. 21.5.50.2 The maximum height for any accessory building within Lots 1 to 6 and 8 to 21 DP 26634 at Closeburn Station shall be 5m. 21.5.50.3 The maximum height for any building within Lot 23 DP 300573 at Closeburn Station shall be 5.5m. 21.5.50.4 The maximum height for any building within Lot 24 DP 300573 at Closeburn Station shall be 5m.	NC
21.5.51	Residential Density In the Rural Zone at Closeburn Station, there shall be no more than one residential unit per allotment (being lots 1-27 DP 26634); excluding the large rural lots (being lots 100 and 101 DP 26634) held in common ownership.	NC
21.5.52	Building Coverage In lots 1-27 at Closeburn Station, the maximum residential building coverage of all activities on any site shall be 35%.	NC

21.6

Non-Notification of Applications

Any application for resource consent for the following matters shall not require the written consent of other persons and shall not be notified or limited-notified:

- 21.6.1** Controlled activity retail sales of farm and garden produce and handicrafts grown or produced on site **(Rule 21.4.14)**, except where the access is onto a State highway.
- 21.6.2** Controlled activity mineral exploration **(Rule 21.4.31)**.
- 21.6.3** Controlled activity buildings at Closeburn Station **(Rule 21.5.48)**.

21.7.1 Outstanding Natural Features and Outstanding Natural Landscapes (ONF and ONL).

These assessment matters shall be considered with regard to the following principles because, in or on Outstanding Natural Features and Landscapes, the applicable activities are inappropriate in almost all locations within the zone:

21.7.1.1 The assessment matters are to be stringently applied to the effect that successful applications will be exceptional cases.

21.7.1.2 Existing vegetation that:

- a. was either planted after, or, self-seeded and less than 1 metre in height at 28 September 2002; and,
- b. obstructs or substantially interferes with views of the proposed development from roads or other public places, shall not be considered:
 - as beneficial under any of the following assessment matters unless the Council considers the vegetation (or some of it) is appropriate for the location in the context of the proposed development; and
 - as part of the permitted baseline.

21.7.1.3 Effects on landscape quality and character

In considering whether the proposed development will maintain or enhance the quality and character of Outstanding Natural Features and Landscapes, the Council shall be satisfied of the extent to which the proposed development will affect landscape quality and character, taking into account the following elements:

- a. Physical attributes:
 - Geological, topographical, geographic elements in the context of whether these formative processes have a profound influence on landscape character;
 - Vegetation (exotic and indigenous);
 - The presence of waterbodies including lakes, rivers, streams, wetlands.
- b. Visual attributes:
 - Legibility or expressiveness – how obviously the feature or landscape demonstrates its formative processes;
 - Aesthetic values including memorability and naturalness;
 - Transient values including values at certain times of the day or year;
 - Human influence and management – settlements, land management patterns, buildings, roads.

c. Appreciation and cultural attributes:

- Whether the elements identified in (a) and (b) are shared and recognised;
- Cultural and spiritual values for tangata whenua;
- Historical and heritage associations.

The Council acknowledges that Tangata Whenua beliefs and values for a specific location may not be known without input from iwi.

- d. In the context of (a) to (c) above, the degree to which the proposed development will affect the existing landscape quality and character, including whether the proposed development accords with or degrades landscape quality and character, and to what degree.
- e. any proposed new boundaries will not give rise to artificial or unnatural lines (such as planting and fence lines) or otherwise degrade the landscape character.

21.7.1.4 Effects on visual amenity

In considering whether the potential visibility of the proposed development will maintain and enhance visual amenity, values the Council shall be satisfied that:

- a. the extent to which the proposed development will not be visible or will be reasonably difficult to see when viewed from public roads and other public places. In the case of proposed development in the vicinity of unformed legal roads, the Council shall also consider present use and the practicalities and likelihood of potential use of unformed legal roads for vehicular and/or pedestrian, cycling, equestrian and other means of access;
- b. the proposed development will not be visually prominent such that it detracts from public or private views of and within Outstanding Natural Features and Landscapes;
- c. the proposal will be appropriately screened or hidden from view by elements that are in keeping with the character of the landscape;
- d. the proposed development will not reduce the visual amenity values of the wider landscape (not just the immediate landscape);
- e. structures will not be located where they will break the line and form of any ridges, hills and slopes;
- f. any roads, access, lighting, earthworks and landscaping will not reduce the visual amenity of the landscape.

21.7.1.5 Design and density of Development

In considering the appropriateness of the design and density of the proposed development, whether and to what extent:

- a. opportunity has been taken to aggregate built development to utilise common access ways including roads, pedestrian linkages, services and open space (ie. open space held in one title whether jointly or otherwise);
- b. there is merit in clustering the proposed building(s) or building platform(s) within areas that are least sensitive to change;
- c. development, including access, is located within the parts of the site where it would be least visible from public and private locations;

- d. development, including access, is located in the parts of the site where it has the least impact on landscape character.

21.7.1.6 Cumulative effects of subdivision and development on the landscape

Taking into account whether and to what extent existing, consented or permitted development (including unimplemented but existing resource consent or zoning) may already have degraded:

- a. the landscape quality or character; or,
- b. the visual amenity values of the landscape.

The Council shall be satisfied the proposed development, in combination with these factors will not further adversely affect the landscape quality, character, or visual amenity values.

21.7.2 Rural Landscape Classification (RLC)

These assessment matters shall be considered with regard to the following principles because in the Rural Landscapes the applicable activities are inappropriate in many locations:

21.7.2.1 The assessment matters shall be stringently applied to the effect that successful applications are, on balance, consistent with the criteria.

21.7.2.2 Existing vegetation that:

- a. was either planted after, or, self seeded and less than 1 metre in height at 28 September 2002; and,
- b. obstructs or substantially interferes with views of the proposed development from roads or other public places, shall not be considered:
 - as beneficial under any of the following assessment matters unless the Council considers the vegetation (or some of it) is appropriate for the location in the context of the proposed development; and
 - as part of the permitted baseline.

21.7.2.3 Effects on landscape quality and character:

The following shall be taken into account:

- a. where the site is adjacent to an Outstanding Natural Feature or Landscape, whether and the extent to which the proposed development will adversely affect the quality and character of the adjacent Outstanding Natural Feature or Landscape;
- b. whether and the extent to which the scale and nature of the proposed development will degrade the quality and character of the surrounding Rural Landscape;
- c. whether the design and any landscaping would be compatible with or would enhance the quality and character of the Rural Landscape.

21.7.2.4 Effects on visual amenity:

Whether the development will result in a loss of the visual amenity of the Rural Landscape, having regard to whether and the extent to which:

- a. the visual prominence of the proposed development from any public places will reduce the visual amenity of the Rural Landscape. In the case of proposed development which is visible from unformed legal roads, regard shall be had to the frequency and intensity of the present use and, the practicalities and likelihood of potential use of these unformed legal roads as access;
- b. the proposed development is likely to be visually prominent such that it detracts from private views;
- c. any screening or other mitigation by any proposed method such as earthworks and/or new planting will detract from or obstruct views of the Rural Landscape from both public and private locations;
- d. the proposed development is enclosed by any confining elements of topography and/or vegetation and the ability of these elements to reduce visibility from public and private locations;
- e. any proposed roads, boundaries and associated planting, lighting, earthworks and landscaping will reduce visual amenity, with particular regard to elements which are inconsistent with the existing natural topography and patterns;
- f. boundaries follow, wherever reasonably possible and practicable, the natural lines of the landscape or landscape units.

21.7.2.5 Design and density of development:

In considering the appropriateness of the design and density of the proposed development, whether and to what extent:

- a. opportunity has been taken to aggregate built development to utilise common access ways including roads, pedestrian linkages, services and open space (ie. open space held in one title whether jointly or otherwise);
- b. there is merit in clustering the proposed building(s) or building platform(s) having regard to the overall density and intensity of the proposed development and whether this would exceed the ability of the landscape to absorb change;
- c. development, including access, is located within the parts of the site where they will be least visible from public and private locations;
- d. development, including access, is located in the parts of the site where they will have the least impact on landscape character.

21.7.2.6 Tangata Whenua, biodiversity and geological values:

- a. whether and to what extent the proposed development will degrade Tangata Whenua values including Tōpuni or nohoanga, indigenous biodiversity, geological or geomorphological values or features and, the positive effects any proposed or existing protection or regeneration of these values or features will have.

The Council acknowledges that Tangata Whenua beliefs and values for a specific location may not be known without input from iwi.

21.7.2.7 Cumulative effects of development on the landscape:

Taking into account whether and to what extent any existing, consented or permitted development (including unimplemented but existing resource consent or zoning) has degraded landscape quality, character, and visual amenity values. The Council shall be satisfied;

- a. the proposed development will not further degrade landscape quality, character and visual amenity values, with particular regard to situations that would result in a loss of valued quality, character and openness due to the prevalence of residential or non-farming activity within the Rural Landscape.
- b. where in the case resource consent may be granted to the proposed development but it represents a threshold to which the landscape could absorb any further development, whether any further cumulative adverse effects would be avoided by way of imposing a covenant, consent notice or other legal instrument that maintains open space.

21.7.3 Other factors and positive effects, applicable in all the landscape categories (ONF, ONL and RLC)

21.7.3.1 In the case of a proposed residential activity or specific development, whether a specific building design, rather than nominating a building platform, helps demonstrate whether the proposed development is appropriate.

21.7.3.2 Other than where the proposed development is a subdivision and/or residential activity, whether the proposed development, including any buildings and the activity itself, are consistent with rural activities or the rural resource and would maintain or enhance the quality and character of the landscape.

21.7.3.3 In considering whether there are any positive effects in relation to the proposed development, or remedying or mitigating the continuing adverse effects of past subdivision or development, the Council shall take the following matters into account:

- a. whether the proposed subdivision or development provides an opportunity to protect the landscape from further development and may include open space covenants or esplanade reserves;
- b. whether the proposed subdivision or development would enhance the character of the landscape, or protects and enhances indigenous biodiversity values, in particular the habitat of any threatened species, or land environment identified as chronically or acutely threatened on the Land Environments New Zealand (LENZ) threatened environment status;
- c. any positive effects including environmental compensation, easements for public access such as walking, cycling or bridleways or access to lakes, rivers or conservation areas;
- d. any opportunities to retire marginal farming land and revert it to indigenous vegetation;
- e. where adverse effects cannot be avoided, mitigated or remedied, the merits of any compensation;
- f. whether the proposed development assists in retaining the land use in low intensity farming where that activity maintains the valued landscape character.