

Key:

Normal text – notified version of Schedule 21.22 (June 2022)

Black underline and strikethrough text – recommended amendments based on submissions (August 2023)

Red underline and strikethrough text – recommended amendments QLDC rebuttal (29 September 2023)

Blue underline and strikethrough text – amendments agreed during joint landscape and planning expert conferencing (3 October 2023)

Green underline and strikethrough text – QLDC recommended amendments at hearing opening in response to Upper Clutha Environmental Society submissions (16 October 2023)

Commented [BA1]: Highlighted terms to be discussed during landscape conferencing on the individual schedules

21.23 Schedule of Landscape Values: Upper Clutha Rural Character Landscape Priority Areas

Preamble

Purpose

Schedule 21.22 identifies and describes ~~24 Outstanding Natural Features (ONF) or Outstanding Natural Landscape (ONL)~~ 5 Rural Character Landscape (RCL) priority areas (PA), as set out in Strategic Policy ~~3.3.369~~.

The ~~PA S~~ schedules are a tool to assist with the identification of the landscape values that are to be protected within each ~~priority area PA~~ and related landscape capacity. They contain both factual information and evaluative content ~~and are to inform plan development and plan implementation processes.~~

The description of each priority area must be read in full. Each description, as a whole, expresses ~~high-level PA scale~~, the landscape values ~~and the attributes on from which those values derive.~~

Application

The PA schedules have been prepared to reflect that the PA mapping extends beyond the Rural Zone. The application of the PA schedules is as follows:

- ~~Other than the Ski-Area Sub-Zone (see below), t~~The PA schedules apply (as relevant) to any proposal requiring resource consent in the Rural Zone, including the Rural Industrial Sub-Zone.
- ~~The PA schedules apply (as relevant) to any activity in the Ski-Area Sub-Zone that is not provided for by that sub-zone.~~
- ~~The PA schedules do not directly apply to proposals requiring resource consent in any other zones, including the Ski-Area Sub-Zones and other eException zZones (see 3.1B.5). They but may inform landscape assessments for proposals involving any land within a PA but are not required to be considered for proposals requiring resource consent on land outside of the Rural Zone, including the Rural Industrial Sub-Zone.~~

Commented [BG2]: Added for clarity

Commented [BG3]: Added for clarity

Commented [br4]: Change made by BG in response to D Lucas EIC for UCESI (OS 67).

Commented [BA5]: Typographical correction

Commented [BA6]: Typographical correction

Commented [BA7]: Typographical correction

Commented [BG8]: Additional text addresses (at least in part) issues raised in:
OS 169.5 CPC Trustee Ltd, Timely Giving Ltd and Black Peak Farming Ltd.
OS146.4 Alpine Deer NZ LP.
OS 137.9 Robert and Pamela McRae.
OS 173.6 Motuihe Trustees Ltd.
OS 167.4 Chilcotin Holdings Limited.
OS 172.5 Arthurs Point Trustees Limited.
OS172.5 Arthurs Point Trustees Limited.
OS172.7 Arthurs Point Trustees Limited.
OS 167.4 Chilcotin Holdings Limited.

Commented [BG9]: Added for clarity

Commented [BA10]: New paragraph to reflect that the RCL PAs extend beyond the Rural Zone

Commented [BG11]: Added for clarity

Commented [BG12]: OS 67 Julian Haworth on behalf of UCESI.

Commented [BA13]: Change made by RE in response to evidence of Blair Devlin for various submitters (Milstead Trust (OS82) and others). Replacing 'should' with 'shall' is not supported as there may be PAs where the capacity is representative of specific sites, even if unintentional.

Commented [BG14]: Added to assist clarity.

Landscape Attributes and Values

The landscape attributes and values identified, relate to the PA as a whole and ~~should are not be taken as prescribing intended to describe~~ the ~~relevant~~ attributes and values of specific sites ~~within the PA~~.

October 2023 Further amendments agreed in expert conferencing

Given the relatively high level landscape PA scale of the PAs landscape assessment underpinning the schedules, a finer grained location-specific assessment of landscape attributes and values would typically be required for plan development or plan implementation purposes (including any plan changes or resource consent applications) (Refer SP 3.3.43 and SP3.3.45). The PA Schedules represent a point in time and are not intended to provide a complete record, and other location specific landscape values may be identified through these finer grained assessment processes.

The PA Schedules include attributes¹ that contribute positively to landscape values, attributes that detract from landscape values, and attributes that are neutral with respect to informing landscape values.

The PA Schedules refer to plant and animal pests. Within the PAs plant and animal pests are a negative detract from landscape value. Few, if any of Aotearoa's the District's RCLs ONE/Ls are pristine, with there are varying levels of modification evident (including plant and animal pests). This means that landscape restoration and enhancement (which can include the management of pests) is typically a highly desirable outcome. The inclusion of pest information is intended as helpful information to guide appropriate future landscape management within the PA. (For example, where a resource consent or plan change is proposed within the PA, the proposal or provisions may seek to specifically address the management of pests).

With respect to the link between the PA RCL Schedules and Strategic Policies 3.2.5.5, 3.2.5.7, and 3.3.41, landscape character and visual amenity values are expressed through the 'three dimensioned' construct of landscape values set out in the structure of the PA RCL Schedules (i.e. physical, associative and perceptual / sensory). The concept of 'landscape character' encompasses all three dimensions of landscape values. 'Visual amenity values' typically draw from the perceptual dimension, however there is inevitably an overlap with the physical dimension.

With respect to the link between the PA RCL Schedules and PDP Policy 3.3.41, the key public routes and viewpoints are typically identified in the description of the 'Important land use patterns and features', with key scenic routes identified under 'Important recreation attributes and values' and/or 'Particularly important views to and from the area'.

The relationship between the PA RCL and the wider Rural Character Landscape context, the Outstanding Natural Features within the Upper Clutha Basin and the Outstanding Natural Landscapes that frame the Upper Clutha Basin are typically addressed in the description of 'Important land use patterns and features', 'Important shared and recognised attributes and values', 'Particularly important views to and from the area', and 'Aesthetic qualities and values'.

Landscape Capacity

The landscape capacity ratings used in the PA Schedules, which are described below, are intended to reflect the capacity of the landscape or feature to accommodate various types or forms of development, without compromising the identified landscape values. The definition of landscape capacity applied in the PA Schedules is set out in 3.1B.5(b).

The capacity ratings, and associated descriptions, are based on an assessment of each PA as a whole, and should not be intended to describe or be taken as prescribing the relevant capacity of specific sites within a PA.

The descriptions in the PA Schedules are relatively 'high level' and focus on describing potential outcomes that would likely be appropriate within each PA. These descriptions are not a replacement for any relevant policies, rules or standards in the District Plan, and are intended to provide guidance only.

Landscape capacity is not a fixed concept, and it estimates an unknown future, and it may change over time as development occurs or landscape characteristics change. In addition, across each PA there is likely to be variation in landscape capacity, which will require detailed consideration and assessment through future plan changes or resource consent applications.

For the purposes of the PA Schedules, landscape capacity is described using the following five terms:

¹ The identification of an attribute in the PA schedule is not confirmation or otherwise as to whether the attribute has been legally established.

October 2023 Further amendments agreed in expert conferencing

Commented [BG15]: Grammatical correction.

Commented [BA16]: Chris Ferguson planning evidence for OS183 and OS220 Henley Downs Farm Holdings Ltd and others

Commented [BG17]: Added for clarity

Commented [BG18]: Grammar correction.

Commented [BA19]: Paragraph moved up

Commented [br20]: Change made by BG in response to James Bentley's EIC on behalf of Darby et al (OS 183).

Commented [BA21]: Additional correction

Commented [BG22]: OS 166.27 Real NZ.
OS 82.12 Blair Devlin on behalf of Milstead Trust.
OS67.19 Julian Haworth.
OS 182.9 Jeremy Burdon, Jo Batchelor and Andrea Donaldson.
OS 182.4 Jeremy Burdon, Jo Batchelor and Andrea Donaldson.
OS 182.25 Jeremy Burdon, Jo Batchelor and Andrea Donaldson.
OS 114.9 Woodlot Properties Ltd.
OS 145.3 Jon Waterston.
OS 142.6 Hansen Family Partnership.
OS 145.6 Jon Waterston.
OS 85.7 Sipka Holdings Ltd.
OS 85.8 Sipka Holdings Ltd.
OS 138.4 Off Road Adventures Queenstown Limited.
OS 138.9 Off Road Adventures Queenstown Limited.
OS 118.8 Robina Bodle Trust.
OS 84.9 Sir Robert Stewart.
OS 84.10 Sir Robert Stewart.
OS 174.9 Redemption Song LLC.
OS 174.10 Redemption Song LLC.
OS 36.2 Suzanne Rose.

Commented [BG23]: Added for clarity.

Commented [BA24]: OS6.2 Michael & Bridget Davies and others

Commented [BA25]: Change made by RE in response to evidence of Blair Devlin for various submitters (Milstead Trust (OS82) and others). Replacing 'should' with 'shall' is not supported as there may be PAs where the capacity is representative of specific sites, even if unintentional.

Some landscape capacity: typically this corresponds to a situation in which a careful or measured amount of sensitively located and designed development of this type is unlikely to materially compromise the identified landscape values.

Limited landscape capacity: typically this corresponds to a situation in which the landscape is near its capacity to accommodate development of this type without material compromise of its identified landscape values and where only a modest small amount of sensitively located and designed development is unlikely to materially compromise the identified landscape values.

Very limited landscape capacity: typically this corresponds to a situation in which the landscape is very close to its capacity to accommodate development of this type without material compromise of its identified landscape values, and where only a very small amount of sensitively located and designed development is likely to be appropriate.

Very limited to no Extremely limited landscape capacity: typically this corresponds to a situation in which the landscape is extremely close to its capacity to accommodate development of this type without material compromise of its identified landscape values, and where only an extremely small amount of very sensitively located and designed development is likely to be appropriate.

Extremely limited or no landscape capacity: there are extremely limited or no opportunities for development of this type. Typically this corresponds to a situation where, other than rare exceptions, development of this type is likely to materially compromise the identified landscape values. However, there may be exceptions where occasional, unique or discrete development protects identified landscape values.

No landscape capacity: typically this corresponds to a situation where development of this type is likely to materially compromise the identified landscape values.

It is intended that the use of this five-tier landscape capacity terminology, along with a description of the characteristics that are likely to frame development that is appropriate (from a landscape perspective), and the description of the landscape attributes and values of the PA will assist in providing high level guidance with respect to the scale, location and characteristics of each landuse type that will protect maintain and/or enhance landscape values in each PA ONF/L.

The capacity descriptions are based on the scale of the priority area and should not be taken as prescribing the capacity of specific sites; landscape capacity may change over time; and across each priority area there is likely to be variations in landscape capacity, which will require detailed consideration and assessment through consent applications.

Activities listed in Policy 3.3.41

Activities listed have the same meaning as their defined term in Chapter 2. Where an activity is not defined by Chapter 2, the following meanings apply:

- Tourism related activities: has the same meaning as 'Resort' in Chapter 2.
- Urban expansions means:
 - a change from a rural activity to urban development; or
 - a change (including any proposed change) in zoning to an urban zone, including any change to the urban growth boundary or any other zone changes (or proposed changes) that would provide for urban development.
- Intensive agriculture: has the same meaning as 'Factory Farming' in Chapter 2.
- Mineral extraction: has the same meaning as 'Mining Activity' in Chapter 2.
- Farm scale quarries: means mining of aggregate for farming activities on the same site.
- Renewable energy generation: has the same meaning as Renewable Electricity Generation and Renewable Electricity Generation Activities in Chapter 2.
- Forestry: has the same meaning as Forestry Activity in Chapter 2.
- Rural living: has the same meaning as rural living in Chapter 3 section 3.5B.5.

Meaning of activities for the purpose of the PA Schedules

For the purpose of the PA schedules, Activities listed have the same meaning as their defined term in Chapter 2. Where an activity is not defined by Chapter 2, the following meanings apply: following meanings:

- Commercial recreational activities: has the same meaning as Chapter 2
- Visitor accommodation: has the same meaning as Chapter 2

October 2023 Further amendments agreed in expert conferencing

Commented [br26]: Change made by BG, relying on OS 114.3 (Woodlot Properties Limited) and ors.

Commented [br27]: Change made by BG in response to D Lucas EIC for UCESI (OS 67).

Commented [BG28]: OS 166.27 Real NZ.
OS 82.12 Milstead Trust.
OS 67.19 Julian Haworth.
OS 182.9 Jeremy Burdon, Jo Batchelor and Andrea Donaldson.
OS 182.4 Jeremy Burdon, Jo Batchelor and Andrea Donaldson.
OS 182.25 Jeremy Burdon, Jo Batchelor and Andrea Donaldson.
OS 114.9 Woodlot Properties Ltd.
OS 145.3 Jon Waterston.
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OS 118.8 Robina Bodle Trust.
OS 84.9 Sir Robert Stewart.
OS 84.10 Sir Robert Stewart.
OS 174.9 Redemption Song LLC.
OS 174.10 Redemption Song LLC.
OS 36.2 Suzanne Rose.

Commented [BA29]: OS121.4 Andrew Donaldson and others
Note there are multiple submissions seeking alignment clarity regarding terminology used in the schedules)

Commented [BA30]: OS121.4 Andrew Donaldson and others
Note there are multiple submissions seeking alignment clarity regarding terminology used in the schedules)

- Tourism related activities: has the same meaning as 'Resort' in Chapter 2.
- Urban expansions means:
 - a change from a rural activity to urban development; or
 - a change (including any proposed change) in zoning to an urban zone, including any change to the urban growth boundary or any other zone changes (or proposed changes) that would provide for urban development.
- Intensive agriculture: has the same meaning as 'Factory Farming' in Chapter 2.
- Earthworks: has the same meaning as Chapter 2
- Farm buildings: has the same meaning as Chapter 2
- Mineral extraction: has the same meaning as 'Mining' Activity in Chapter 2.
- Transport infrastructure: has the same meaning as Chapter 2
- Utilities: has the same meaning as Chapter 2
- Regionally significant infrastructure: has the same meaning as Chapter 2
- Farm scale quarries: means mining of aggregate for farming activities on the same site.
- Renewable energy generation: has the same meaning as Renewable Electricity Generation and Renewable Electricity Generation Activities in Chapter 2.
- Forestry: has the same meaning as Forestry Activity in Chapter 2.
- Rural living: has the same meaning as rural living in Chapter 3 section 3.51B.5.
- Rural industrial activities: has the same meaning as Chapter 2.
- Passenger lift systems: has the same meaning as Chapter 2 except that for the purposes of the PA schedules it includes base and terminal buildings and stations.
- Jetties, lake structures, moorings, boat sheds: have their plain meaning (and may be used interchangeably).

The range of land use activities addressed in the capacity section of the PA Schedules ~~corresponds to includes~~ the series of activities prescribed by SP 3.3.41 ~~known to be of relevance at the time of the drafting of the schedules~~. It is acknowledged that this does not span the full array of land use activities that may be contemplated in the PAs over time. In the case of a future application for a land- use activity that is not addressed in a PA Schedule, an assessment of ~~landscape attributes, values and capacity~~ applying the principles set out in 3.3.43, 3.3.45 and 3.3.46 ~~would be is~~ required.

Commented [BA31]: Note – further change made following conferencing to reflect that there are additional activities included

Commented [BA32]: Chris Ferguson planning evidence for OS183 and OS220 Henley Downs Farm Holdings Ltd and others, added for clarity, and consistency with 21.22 Preamble

Commented [BG33]: OS121.4 Andrew Donaldson and others regarding terminology used in the schedules, and for clarity