

QUEENSTOWN LAKES DISTRICT COUNCIL

Hearing of Submissions on Proposed District Plan

Report 17-12

Report and Recommendations of Independent Commissioners
Regarding Mapping of Gibbston Valley

Commissioners

Denis Nugent (Chair)

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PART A: THE STATION AT WAITIRI

Submitter **The Station at Waitiri (Submission 331)**

1. PRELIMINARY MATTERS

1.1. Subject of Submissions

1. These submissions related to an area of approximately 125 ha at the eastern end of the Gibbston Character Zone, legally described as Lots 51,52,53,54 & 55 DP 390679 and Section 12 SO 342162.

1.2. Outline of Relief Sought

2. The submission sought that land near Gibbston be rezoned from Rural and Gibbston Character Zone to Rural Lifestyle.

1.3. Description of the Site and Environs

3. The site, as refined by additional information provided, can be described as the plateau of a peninsula on a meander of the Kowarau River downstream of the bulk of the Gisborne Character Zone. It is at an elevation of approximately 340m, and approximately 100m above the Kowarau River. The area of the site requested for rezoning is approximately 1.25km² or 125 ha. It is shown on Figure 12-1 below.



Figure 12-1 - The southern promontory of the submitter's land. Purple outlines the area that the submitter has refined the submission to, which is essentially the land that is zoned Gibbston Character zone¹.

1.4. The Case for Rezoning

4. In regard to the Rural Zone and Gibbston Character Zone the submission stated (in summary):

¹ Sourced from Mr Buxton's Section 42A Report

- a. account had not been taken of the changing nature of rural residential density approved by resource consent on the subject site which was at a level of residential density across the site normally anticipated within the rural lifestyle zone; and
 - (b) the Council had failed to consult with landowners as to appropriate zoning, its exercise of rezoning was not comprehensive and lacked detailed analysis of zoning requirements and needs, and it had not assessed if the current zoning can meet the objectives of the Rural and Gibbston Character Zone.
5. The submitter did not attend the hearing or present any evidence.

1.5. Discussion of Planning Framework

6. The Zone Purpose for the Gibbston Character Zone states that it is to provide primarily for viticulture and commercial activities with an affiliation to viticulture within the confined space of the Gibbston Valley. The zone is recognised as having a distinctive character and sense of place. It incorporates terraced areas above the Kawarau River, lying between and including Chard Farm and Waitiri. Soils, the microclimate within this area and availability of water have enabled development for viticulture to the extent that this is an acclaimed wine producing area.
7. Recommended Policy 6.3.2 of the PDP is to *Provide a separate regulatory regime for the Gibbston Valley (identified as the Gibbston Character Zone), Rural Residential Zone, Rural Lifestyle Zone and the Special Zones within which the Outstanding Natural Feature, Outstanding Natural Landscape and Rural Character Landscape categories and the policies of this chapter related to those categories do not apply unless otherwise stated.*
8. Objectives and policies in the Gibbston Character Zone require that provision be made for viticulture activities and there are objectives and policies on preserving the economic potential and the landscape amenity of land in the zone². Rules to support these policies include the use of approved building platforms, and restricted discretionary status and assessment matters for new buildings.
9. The zone purpose for the Rural Lifestyle Zone is to provide for rural living opportunities with an overall density of one residential unit per two hectares across a subdivision. Objectives and policies are to maintain and enhance rural character and amenity. Building platforms are to be identified at the time of subdivision to manage the sprawl of buildings, manage adverse effects on landscape values and to manage other identified constraints such as natural hazards, roading access and servicing. The potential adverse effects of buildings are controlled by height, colour and lighting standards.³

2. ISSUES

- a. Appropriateness of existing and proposed zoning
- b. Landscape
- c. Traffic

² See Objective 23.2.1 and Policies 23.2.1.1-23.2.1.5

³ See Objective 22.2.1 and Policies 22.2.1.1-22.2.1.5, and rules in Sections 22.4.and 22.5

3. DISCUSSION OF ISSUES AND CONCLUSIONS

10. We recognise that this site is somewhat different to most of the Gibbston Character Zone. It lies on the opposite side of the Kawarau River, at a higher altitude than most of the zone and the topography is different. Where the rest of the zone consists largely of gently sloping terraces either side of SH6, this site is on an elevated, steep sided plateau high above the river and highway. No viticulture has been established on the site. From what we learned from another Gibbston submitter, not all the land in the zone is suitable for viticulture, particularly the highest parts of it. However no expert evidence about this was provided to us. What is clear is that no viticulture has been established on this site and the owners now appear to be more interested in rural lifestyle type development.
11. Essentially, we have to decide whether the proposed Rural Lifestyle Zone would be more suitable for this site than the existing Gibbston Character Zone.
12. A resource consent has already been granted for a subdivision of 20 lifestyle lots surrounding a central vineyard area. That consent appears to have now lapsed. This rezoning proposal would increase the potential for rural lifestyle development, to as much as 84 allotments if some amendments to the RL Zone rules requested by the submitter, to reduce the minimum lot size to 1 ha with no 2ha average, were to be accepted. That aspect of the submission has been heard by the Stream 2 Panel as part of the hearings on the Rural Zones.
13. The flat top of the plateau is not visible from the rest of the Gibbston Character Zone, the highway, the river, or anywhere else except from within the site, or adjoining high, remote rural land. The Gibbston Character Zone is intended to create a very distinctive character centred on viticulture and associated activities, and a number of sites within the zone are already developed that way. A Rural Lifestyle zoning would create a distinctly different character, but because of the isolation of the site that is not a particular concern for us. Similarly, there would be an effect on the existing landscape character but, as we understand the provisions as notified, the main suite of objectives and policies in rural areas, particularly those relating to ONL's and Rural Character landscapes is not intended to apply in either of the two zones. Again, the lack of visibility except within the site reduces that concern.
14. Subdivision and the creation of building platforms in both zones are restricted discretionary activities. Rules in the both zones are intended to mitigate effects on landscape character and amenity. In this case, that would be perceived mainly from within the site.
15. We observed on our site visit that the existing accessway up to the plateau has poor sight lines in each direction where it joins the highway. There did not appear to us to be any alternative locations for an accessway that would be any better. No assessment on this matter was provided by the submitter. Assessment matters for both zones require traffic safety and efficiency on adjoining roads to be assessed. Either form of zoning would create an expectation of development but the Rural Lifestyle zoning would probably enable the creation of a greater number of allotments because there would be no need to preserve any productive or economic value of the land or make any provision for viticulture activities.
16. We received no information at all about servicing of the land, or about any natural hazards that might exist on the site.

17. In summary, both zones provide a means for residential accommodation to be provided. Both zones provide some protection of landscape quality and amenity, although not to the same extent as in the ONL's and Rural Landscape Character areas. Because of the need to provide also for viticulture activities and to protect the productive economic values of the land in the Gibbston Character Zone, we consider that the Rural Lifestyle Zone would provide for a greater density of development, which we do not consider is appropriate, particularly given the absence of any expert assessment of traffic safety and efficiency, landscape, servicing or natural hazards. We accept that the provisions of both zones allow for these matters to be further considered at subdivision and land use consent stage. However before we can consider an upzoning such as this we would need enough evidence to demonstrate that there is a realistic possibility that development would be possible, and we have not received that.
18. In fact, we cannot help wondering whether either of these zonings is really appropriate for this land and whether it would have been better zoned Rural, which would have ensured a more rigorous examination of any development proposals. However, the submission does not provide any scope to take that any further.

4. RECOMMENDATION

19. For the reasons set out above, we recommend that:
 - a. Submission 331.5 be rejected; and
 - b. The Council reconsider the zoning of this site with a view to zoning it Rural.

PART B: GIBBSTON VALLEY STATION LIMITED

Submitter **Gibbston Valley Station Limited (Submission 827)**

Further Submissions:

None

5. PRELIMINARY MATTERS

5.1. Subject of Submission

20. This submission relates to Gibbston Valley Station, a 330 hectare site located on State Highway 6 at Gibbston.

5.2. Outline of Relief Sought

21. The submitter sought that its properties (described as Gibbston Valley Station) be rezoned from Rural and Gibbston Character Zone to an alternative zone that provides for a range of uses including residential, viticulture, commercial, visitor accommodation, and commercial recreation.

22. A set of provisions for a Gibbston Valley Subzone (GVSZ) including objectives, policies, rules and a Structure Plan was submitted at the hearing by Mr Brett Giddens, planning consultant for the submitter⁴. This was further refined by Mr Giddens and Mr Buxton after the hearing at our request.

5.3. Description of the Site and Environs

23. GVS is a 300-hectare station that contains existing and consented development within the valley floor of Gibbston, with the higher reaches having a pastoral farming focus. The site currently contains vineyards, a winery with associated door sales, a café/restaurant and staff accommodation and is also partly used for pastoral farming. The site is part of the wider Gibbston Character Zone situated in the Kawarau Gorge. This area contains a number of vineyards, wineries and farms.

24. The location of the land to which the submission relates is identified on the aerial photograph below (Figure 12-2).

⁴ B Giddens, Evidence Summary, 28 August 2017, Appendix A

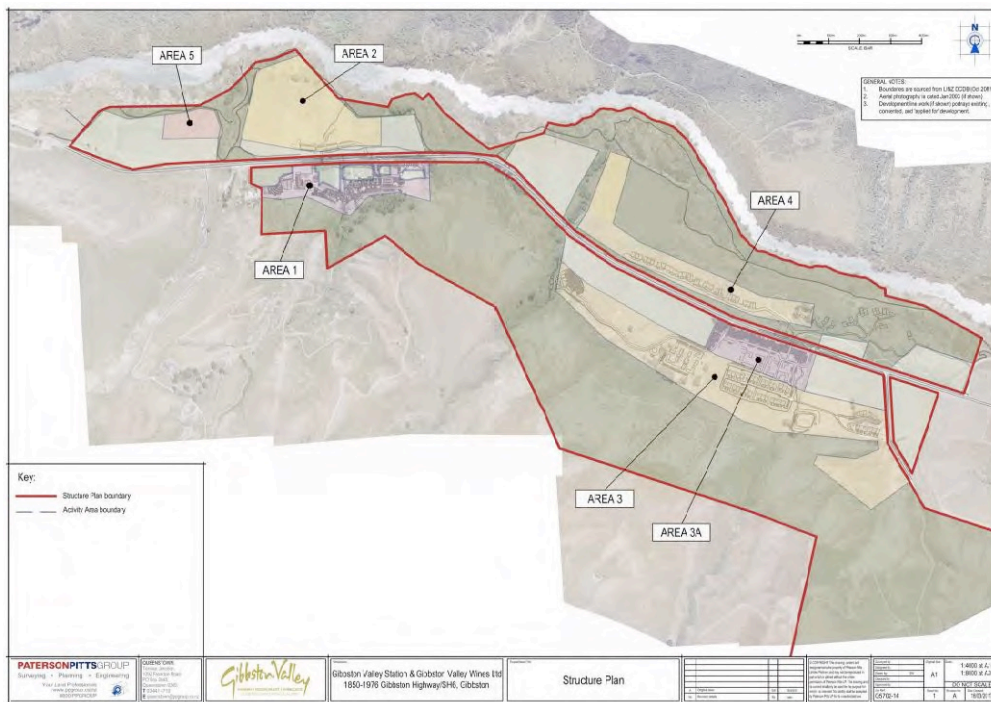


Figure 12-2 – Proposed Gibbston Valley Character Subzone

5.4. The Case for Rezoning

25. The submitter stated that the Council has already granted Resource Consent RM080864 (and other consents) that enable a considerable level of further development, and that under those consents the Council has assessed the property in relation to its potential to absorb a high level of residential, commercial, viticultural and commercial recreational activity and found it can cater for change without significantly impacting on the environment. The submitter sought a zoning that would allow a more flexible and economic framework to enable the submitter to undertake such development.
26. The submitter stated the following in relation to the proposed rezoning:
- the subject land is not within an ONL, and that development of the property can be *constrained to the valley floor such that landscape values in the wider area can be maintained and protected;*
 - access to the property will not adversely impact on the State Highway and its functioning;*
 - provision of a range of activities on the subject land that will help meet the needs of the community, provide for an appropriate level of growth, and be located in an area that does not further compromise rural productive land uses or landscape values; and*
 - the property can be readily serviced by local infrastructure and is not located within a flood hazard or management area.*⁵
27. Dr Read opposed the rezoning from a landscape perspective because the proposed development in combination would significantly exceed the ability of the valley landscape to absorb it. It would be reliant for visual mitigation on large areas of grape vines that have yet to be planted. She had reservations that the proposed roadside grape plantings, when in leaf, and the proposed stone walls, would detract from the open character of the area.⁶

⁵ Submission 827 by Gibbston Valley Station Ltd, page 2, paragraph 6 (b) – (f)

⁶ Dr M Read, EIC, 24 May 2017, paragraphs 17.1 – 17.13; see also Rebuttal Evidence, 7 July 2017, paragraphs 8.37 – 8.50; Reply Evidence, 6 October 2017, paragraphs 3.1 – 3.5

28. Mr Davis opposed the rezoning from an ecological perspective because of the ecological values of the subject area identified in resource consent application RM080864 and the identification of SNA F40D. The values were associated with shrubland communities and rocky outcrops providing habitat for lizards and shrublands that include mature kowhai trees that have a severely restricted distribution in the district. The consented development has taken these ecological values into account and worked within these constraints.
29. The proposed rezoning of the site may provide a more permissive planning context that may not protect the ecological values. Without further detailed information regarding proposed development activities he did not support the rezoning for the site.⁷
30. Mr Mander considered that the effects of the proposed development on the state highway have not been addressed and unless evidence can be provided from the applicant that the NZ Transport Agency will allow access to the state highway he opposes the rezoning from a traffic perspective.⁸
31. Mr Buxton opposed the proposed rezoning because he considered that the proposed subzone would be contrary to objectives and policies in the PDP relating to the Gibbston Character Zone, that the subzone provisions would be inconsistent with the zone purpose of the parent GCSZ, and that the proposal would remove the relationship with viticultural activities and introduce a substantial degree of urbanisation into the valley.⁹

5.5. Discussion of Planning Framework

32. At a wider, strategic level, the following provisions of Chapter 3¹⁰ dealing with economic development and urban development are relevant.

Objectives

- 3.2.1 *The development of a prosperous, resilient and equitable economy in the District.*
- 3.2.1.1 *The significant socioeconomic benefits of well designed and appropriately located visitor industry facilities and services are realised across the District.*
- 3.2.1.6 *Diversification of the District's economic base and creation of employment opportunities through the development of innovative and sustainable enterprises.*
- 3.2.1.8 *Diversification of land use in rural areas beyond traditional activities, including farming, provided that the character of rural landscapes, significant nature conservation values and Ngāi Tahu values, interests and customary resources, are maintained.*
- 3.2.2 *Urban growth is managed in a strategic and integrated manner.*
- 3.2.2.1 *Urban development occurs in a logical manner so as to:*
- *promote a compact, well designed and integrated urban form;*
 - *build on historical urban settlement patterns;*

⁷ G Davis, EIC, 24 May 2017, paragraphs 5.35 – 5.39; see also Rebuttal Evidence, 7 July 2017, paragraphs 3.19 – 3.21

⁸ D Mander, EIC, 24 May 2017, paragraphs 10.7 – 10.10; see also Rebuttal Evidence, 7 July 2017, paragraphs 4.1 – 4.4

⁹ R Buxton, Section 42A Report, 24 May 2017, paragraphs 21.8 – 21.15

¹⁰ As recommended by the Stream 1B Panel

- *achieve a built environment that provides desirable, healthy and safe places to live, work and play;*
- *minimise the natural hazard risk, taking into account the predicted effects of climate change;*
- *protect the District's rural landscapes from sporadic and sprawling development; and*
- *ensure a mix of housing opportunities including access to housing that is more affordable for residents to live in;*
- *contain a high quality network of open spaces and community facilities; and.*
- *be integrated with existing, and planned future, infrastructure.*

Strategic Policies

- 3.3.13 *Apply Urban Growth Boundaries (UGBs) around the urban areas in the Wakatipu Basin (including Jack's Point), Wanaka and Lake Hawea Township.*
- 3.3.14 *Apply provisions that enable urban development within the UGBs and avoid urban development outside of the UGBs.*
- 3.3.15 *Locate urban development of the settlements where no UGB is provided within the land zoned for that purpose.*
- 3.3.22 *Provide for rural living opportunities in areas identified on the District Plan maps as appropriate for Rural Residential and Rural Lifestyle development.*
- 3.3.24 *Ensure that cumulative effects of new subdivision and development for the purposes of rural living does not result in the alteration of the character of the rural environment to the point where the area is no longer rural in character.*
- 3.3.25 *Provide for non-residential development with a functional need to locate in the rural environment, including regionally significant infrastructure where applicable, through a planning framework that recognises its locational constraints, while ensuring maintenance and enhancement of the rural environment.*
- 4.2.1.3 *Ensure that urban development is contained within the defined Urban Growth Boundaries, and that aside from urban development within existing rural settlements, urban development is avoided outside of those boundaries.*
- 4.2.1.7 *Contain urban development of existing rural settlements that have no defined Urban Growth Boundary within land zoned for that purpose.*
33. While the proposal presented to us would in part achieve these strategic objectives, we must also have regard to the following specific objectives, policies and other provisions of the GCZ, as these must be assumed to give effect to the Chapter 3 provisions.
34. The provisions relating to the GCZ are set out in Chapter 23 of the PDP. The zone purpose is to provide primarily for viticulture and commercial activities with an affiliation to viticulture within the confined space of the Gibbston Valley.¹¹ The zone is recognised as having a distinctive character and sense of place incorporating terraced areas above the Kawarau River,

¹¹ Section 23.1

lying between and including Chard Farm and Waitiri. Soils, the microclimate within this area and availability of water have enabled development for viticulture to the extent that this is an acclaimed wine producing area. The zone purpose recognises residential subdivision and development creates the potential to degrade the distinctive character and create conflict with established and anticipated intensive viticultural activities.

35. Numerous objectives and policies give effect to this purpose. Objective 23.2.1 and its policies state:

Objective

23.2.1 *The economic viability, character and landscape values of the Gibbston Character Zone are protected by enabling viticulture and other appropriate activities that rely on the rural resource and managing the adverse effects resulting from other activities locating in the Zone.*

Policies

23.2.1.1 *Enable viticulture activities and provide for other appropriate activities that rely on the rural resource while protecting, maintaining or enhancing the values of indigenous biodiversity, ecosystems services, the landscape and surface of lakes and rivers and their margins.*

23.2.1.2 *Ensure land with potential value for rural productive activities is not compromised by the inappropriate location of other developments and buildings.*

23.2.1.3 *Ensure activities not based on the rural resources of the area occur only where the character and productivity of the Gibbston Character Zone and wider Gibbston Valley will not be adversely impacted.*

23.2.1.4 *Provide for a range of buildings allied to rural productive activity and worker accommodation.*

23.2.1.5 *Avoid or mitigate adverse effects of development on the landscape and economic values of the Gibbston Character Zone and wider Gibbston Valley.*

23.1.1.10 *Provide for the establishment of activities such as commercial recreation, visitor accommodation and rural living that are complementary to the character and viability of the Gibbston Character Zone, providing they do not impinge on rural productive activities.*

36. These have been set out in full to illustrate the emphasis that is put on maintaining the economic values of the rural resource particularly viticulture and the need to restrain other activities that might compromise the ability to realise those values.

37. Other objectives and policies deal with landscape values, regionally significant infrastructure, providing for appropriate commercial recreation and visitor activities complementary to the zone's purpose, ecosystems, fire risk, environmental sensitivity and amenity, noise, access and forestry.

6. ISSUES

- a. Compatibility of the proposed subzone with the objectives and policies of the PDP and the underlying Gibbston Character Subzone.
- b. Landscape
- c. Transport
- d. Ecology
- e. Servicing
- f. Positive effects

7. DISCUSSION OF ISSUES AND CONCLUSION

38. We say at the outset that we were impressed with the vision for the development of this property Mr Hunt described for us.¹² We can see that it would bring considerable economic and social benefit to the district through the promotion of tourism, recreation and economic production. We consider that environmental values such as landscape, ecology, and water quality can be managed, and that traffic and access issues have been well thought out and resolved in the proposals we were shown. In principle, we consider the proposal put forward is an excellent one.
39. Secondly, with regard to landscape, ecology, traffic and servicing, we accept the submitter's evidence on these matters and that these effects have been satisfactorily mitigated.
40. However we were troubled by a fundamental issue, which is that the proposal does not fit well within the objectives and policies we have outlined earlier at strategic level and those in Chapter 23.
41. With regard to the overriding strategic objectives and policies in Chapters 3 and 4, while the proposal presented to us would achieve those strategic objectives relating to economic prosperity, aspects of it may amount to urban development, and be contrary to the objectives and policies relevant to that.
42. We note that urban development is defined in Chapter 2 of the PDP as:
- Means development which is not of a rural character and is differentiated from rural development by its scale, intensity, visual character and the dominance of built structures. Urban development may also be characterised by a reliance on reticulated services such as water supply, wastewater and stormwater and by its cumulative generation of traffic. For the avoidance of doubt, a resort development in an otherwise rural area does not constitute urban development.*
43. We have considered whether what is being proposed would be a resort, and therefore outside the definition of urban development. "Resort" is defined as:
- Means an integrated and planned development involving low average density of residential development (as a proportion of the developed area) principally providing temporary visitor accommodation and forming part of an overall development focused on on-site visitor activities.*
44. We do not consider the residential pods proposed to be either of low average density or providing principally visitor accommodation, given the number of permanent residential units

¹² G Hunt, EIC, 12 June 2017

and the staff accommodation would significantly exceed the number of visitor accommodation units. Nor would the occupants of those units necessarily be focused on on-site visitor activities, given the proximity to Queenstown, and also to other off-site visitor activities. Therefore the proposal cannot be regarded as a resort.

45. We therefore consider that significant parts of this proposal amount to urban development, and would be at least inconsistent with or contrary to Objective 3.2.2, and Policies 3.3.24 and 4.2.1.3 quoted above.
46. With regard to Chapter 23 and the objectives and policies of the Gibbston Character Zone, these contain a very strong emphasis on the primacy of viticulture and related activities. Many of the proposals we were shown do not relate well to those provisions at all, and would occupy significant areas of land that would reduce the ability to carry out the rather narrow range of viticultural and related activities the zone is intended for. Examples include extensive amounts of rural residential housing, a possible golf course, culinary training, a concert venue, cycle trails, and staff accommodation facilities that appear extensive. We accept that those activities are all very worthwhile in themselves but they need to be in accordance with the quite narrow and directive provisions that set out the parameters for this zone.
47. The proposal was presented to us as a Sub-Zone within the GCSZ. It is difficult to see how a subzone can diverge widely from the purposes of its underlying zone. In other examples of Sub-Zones in this PDP, Sub-Zones are used to include specific provisions to ensure localised issues are dealt with and the purposes of the underlying zone are achieved. This Sub-Zone does the opposite by enabling activities that diverge from the intentions of the parent zone.
48. The submitter's solution to this difficulty was to point out that in fact not all the land on its property is suitable for viticulture, and that its structure plan sets aside the land that is suitable for that purpose, leaving other parts of the site for its other proposals.
49. We read evidence from Mr Christopher Keys, the chief winemaker for Gibbston Valley Wines (GVW).¹³ Mr Keys was unable to attend the hearing, but we heard evidence on the day from Ms Sascha Herbert, another winemaker employed by the company. We were told that not all of the GVCS is actually ideal or even suitable for growing grapes. Conditions on the company's land have been intensively studied for a number of years. Parts of the zone are too high or too shaded, or too cold and the growing season is too short to enable premium grape varieties to ripen satisfactorily every year. Central Otago has an international reputation as one of the best places in the world to grow the Pinot Noir grape. The company grows that grape on the site but cannot produce enough of it to satisfy market demand, and brings in grapes from other vineyards it owns in Central Otago, particularly Bannockburn, to make its premium pinot noir wines at its winery on the site. Grapes grown on site have also been found to be very suitable for production of sparkling wines and for rosé, because a month less of ripening time is required for those wine types. Thus in these witnesses' opinions, the company is maximising use of its land for wine production but cannot use the entire site for that purpose.
50. We were told that Gibbston has proven itself to be the most marginal sub region of all the sub regions GVW cultivates. Whilst capable of producing very high quality wine, it cannot do so throughout the sub region, nor in every vintage. The Gibbston region is vulnerable to unfavourable fluctuations in microclimate, soil fertility and aspect.

¹³ C Keys, EIC, 12 June 2017

51. Mr Keys wrote that it was clear that Gibbston possesses a complex array of sites, ranging from very good to very unsuitable. Being so marginal, minor variations in soil or slope defined the land's capacity to produce top class Pinot Noir. Seasons are frequently truncated by cool weather in early April, shaving weeks off necessary ripening time.
52. The obvious implication from this is that parts of the site not needed for grapes can be more usefully used for other activities without compromising the productive viticultural output of the valley.
53. The draft provisions included an amended purpose for the GCZ, and a set of objectives and policies. In our opinion, the proposed amendment to the Zone Purpose does not articulate these principles about land suitability issues well at all. A zone purpose is essentially a piece of explanatory text, and this could be further amended quite easily. The proposed objective for the subzone does require that particular regard be had to a range of matters including productive land use qualities. The Structure Plan proposed by the submitter divided the site into Productive Land and Activity Areas, which correspond to the areas suitable or unsuitable for viticulture described by the winemakers. The rules provided for commercial activities, residential activities including permanent, visitor and staff accommodation and other non-productive activities within the activity areas. The rules required horticultural or viticultural plantings to be established in the Productive Land areas prior to the commencement of buildings in the activity areas.
54. We acknowledge that the submitter's evidence from the winemakers was that significant areas of the site are not suitable for viticulture or rural production. We accept that such areas could be available for other activities consistent with the objectives and policies. We note the proposed division of the site into Productive Lands for the purpose of viticulture, and "Activity Areas" for all the other activities. However, we were not entirely convinced that this principle had been applied consistently and that all of the lands suitable for production had been placed in the Productive Lands category.
55. In itself we were not particularly concerned about this. However we do need to be concerned about the structural integrity of the PDP.
56. We therefore think that the implementation of this otherwise excellent proposal has not been handled correctly and that it cannot be achieved as a subzone within the Gibbston Character Zone. The original submission simply asked for an alternative form of zoning to suit the purposes it now wishes to pursue. The submitter has elected to develop this as a Sub-Zone. We think it should have been presented as a zone in its own right, probably as a Resort Zone, to overcome the issues about urban development
57. It may also be that the GVCS has become too limiting since its inception and its rather narrow focus is starting to restrain otherwise appropriate activities such as those being proposed through this submission. The economy of the Queenstown Lakes District is hugely dependent on the visitor industry, visitor accommodation and commercial recreation activities. Large parts of the rural area are farmed minimally if at all.
58. We have concluded that the concept that this submitter presented to us is attractive, very well thought out and expressed, visionary, economically very beneficial, and all its effects would be capable of being managed. However, the approach adopted to incorporate it in the district plan is flawed. It should have been presented as a zone in its own right, not sitting under the

parent GCS which has proved to be an impossible task. For example, it could be presented as a Resort Zone, of which there are other examples in the district such as Millbrook.

59. Alternatively, perhaps it is time for the GCZ itself to be substantially revised and its purpose broadened to recognise a more tourism orientation which recognises and includes viticulture without being so narrowly focussed on it. We are aware that, although the submitter has a large site, it is not the only landowner or winemaker in the Gibbston area, and others may be coming to similar conclusions. We offer these suggestions to the applicant and the Council in the hope that it may be helpful in finding a more appropriate way forward for what seems to us to be a very worthwhile project.

8. RECOMMENDATION

60. For the reasons set out above, we recommend that Submission 827.2 be rejected.

PART C: SUMMARY OF RECOMMENDATIONS

61. For the reasons set out above, we recommend:
 - a. that Submission 331.5 be rejected; and
 - b. that Submission 827.2 be rejected.

62. We also recommend that the Council consider initiating a variation to zone Lots 51,52,53,54 & 55 DP 390679 and Section 12 SO 342162 as Rural.

For the Hearing Panel



Denis Nugent (Chair)

Date: 4 April 2018