

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH
I TE KŌTI TAIAO O AOTEAROA
KI ŌTAUTAHU**

Decision No. [2025] NZEnvC 369

IN THE MATTER of the Resource Management Act 1991

AND appeals under clause 14 of the First
Schedule to the Act

BETWEEN CARDRONA CATTLE COMPANY
LIMITED

(ENV-2021-CHC-34)

(ENV-2021-CHC-61)

Appellant

AND QUEENSTOWN LAKES DISTRICT
COUNCIL

Respondent

Court: Environment Judge K G Reid
Submissions: I M Gordon for Cardrona Cattle Company Limited
M Conway and S Richardson for Queenstown Lakes
District Council
Last case event: 26 September 2025
Date of Decision: 12 November 2025
Date of Issue: 12 November 2025

DECISION OF THE ENVIRONMENT COURT

A: I accept that the Victoria Flats sub-zone is a sub-zone of the GCZ.



B: I accept the position of the parties that the Victoria Flats sub-zone is not an urban rezoning and that the NPS-HPL does not apply.

C: I make the orders attached to this decision with the consent of the parties.

REASONS

Introduction

[1] This appeal concerns a rezoning issue raised in a submission on the proposed Queenstown Lakes District Plan (PDP) in respect of land at Victoria Flats mostly within the Gibbston Character Zone (GCZ) (with Rural Zone land located on either side of the site). Cardrona Cattle Company Ltd (the appellant or CCCL) appealed the decision of the Queenstown Lakes District Council (Council) to decline rezoning of its land, which it sought to be rezoned from GCZ to General Industrial and Service Zone (GISZ). The appeal was assigned to Topic 35 – General Industrial & Service Zone – CCCL.

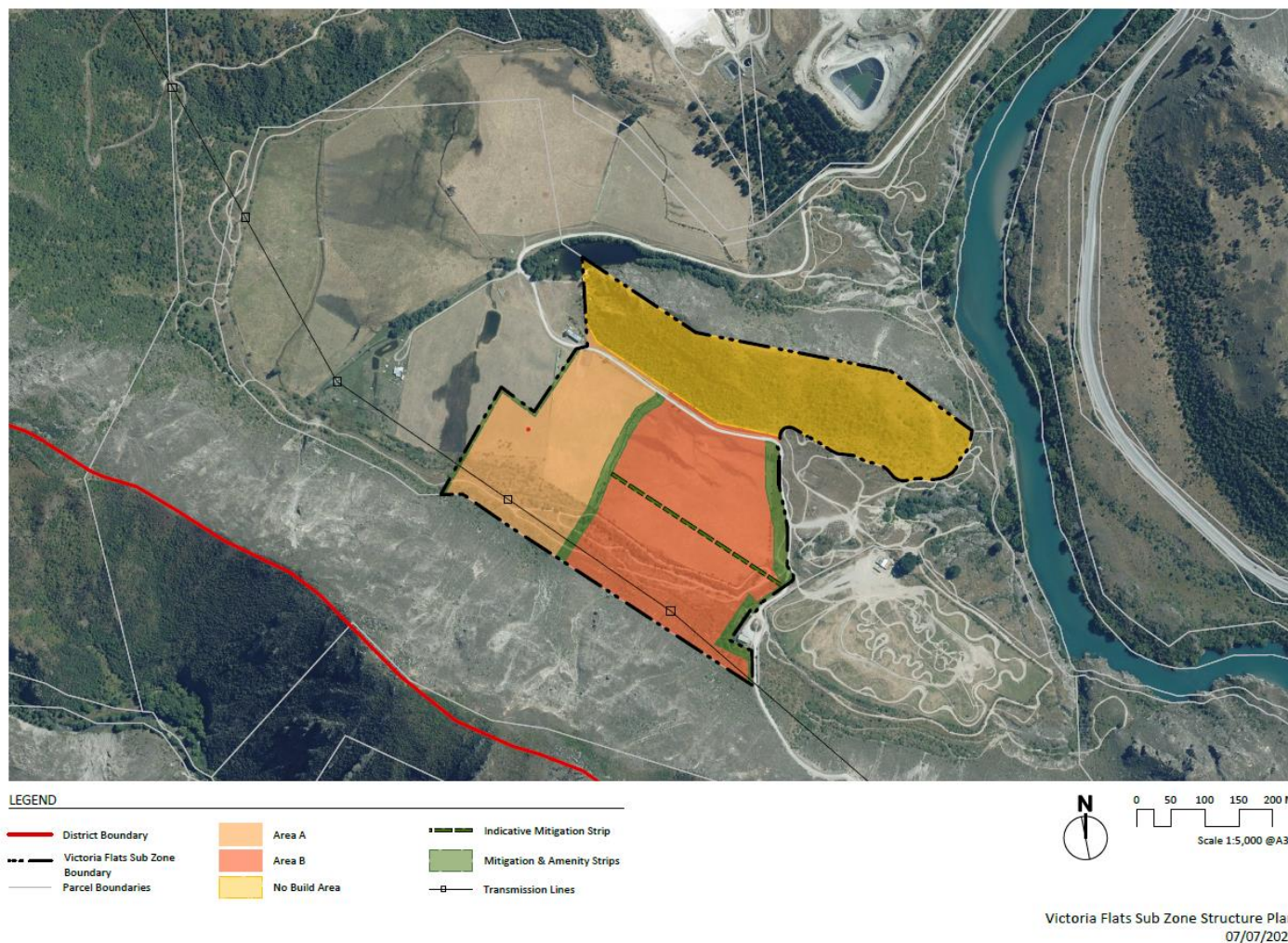
[2] On 14 July 2025 the parties filed a joint memorandum and a draft consent order that would resolve the appeal. That agreement involved:

- (a) rezoning part of the appeal site from GCZ to Victoria Flats sub-zone (which is a sub-zone of the GCZ);
- (b) inserting a structure plan over the part of the appeal site that is zoned Victoria Flats sub-zone;
- (c) inserting bespoke provisions in Chapter 23 (GCZ) and Chapter 27 (Subdivision and Development) that apply to the Victoria Flats sub-zone.

[3] In summary, the joint memorandum recorded that the parties agreed to update the PDP provisions to provide for a GCZ sub-zone called ‘Victoria Flats sub-zone’ that enables some rural yard-based industrial activities. The Victoria Flats sub-zone includes some differences in provisions for Areas A and B, as well

as requiring some mitigation and amenity strips, and a no build area.

[4] The areas that are to be rezoned and that are subject to the consent memorandum are Area A, Area B and the No Build Area as shown below:



[5] The parties submitted in their joint memorandum that the agreement reached has taken into account the existing consented development at Victoria Flats and ensures that there is a strong focus on maintaining the rural character of the area, including through the visual mitigation requirements.

[6] The court carried out an initial review of the consent documents filed by the parties. In a Minute¹ issued to the parties the court noted that at paragraph

¹ Minute of the court dated 16 July 2025.

[26] of the joint memorandum, the parties stated that clause 3.6 of the National Policy Statement for Highly Productive Land (NPS-HPL), which restricts the Council (and the court) from allowing urban rezoning of NPS-HPL, “is not engaged by the agreement reached”.

[7] The parties stated that this is because the site is presently zoned GCZ which is a rural zone under the PDP, and the agreement reached is for a sub-zone enabling activities that are at a scale and density that maintain rural character and landscape amenity according to the respective landscape and planning experts.

[8] The court advised the parties that on the material filed it was not satisfied that the restriction on rezoning of rural land as urban in clause 3.6 does not apply to the proposed rezoning and that it did not appear that an analysis of the current zoning compared to the proposed rezoning of the kind undertaken in *Save The Maitai Incorporated v Nelson City Council*² had been undertaken.

[9] In the Minute the court raised the following questions:

- (a) is the nearest equivalent zone in the National Planning Standards to the GCZ rural general or rural production?
- (b) is the proposed Victoria Flats sub-zone properly regarded as a separate zone to the GCZ?
- (c) if so, is the nearest equivalent zone of the Victoria Flats sub-zone property to be regarded as rural general or rural production, or alternatively an “Urban Zone” (for example light industrial) under the National Planning Standards and NPS-HPL?

[10] Subject to the submissions of the parties, the court recorded that its current view was that the issue of the nearest equivalent zone under the National Planning Standards (and NPS-HPL) is a question of what the area in question is “predominantly used for”, rather than whether scale and density provisions

² *Save The Maitai Incorporated v Nelson City Council* [2024] NZEnvC 155.

maintain rural character and landscape amenity landscape.

[11] The parties were directed to consider the above matters and provide the court with further evidence and submissions.

[12] In response CCCL filed and served further evidence of:

- (a) Adam Thompson;
- (b) Dave Henderson; and
- (c) Brett Giddens.

[13] The Council filed additional evidence from Marcus Langman.

Clause 3.6 NPS-HPL

[14] Clause 3.6 of the NPS-HPL states:

- (1) Tier 1 and 2 territorial authorities may allow urban rezoning of highly productive land only if:
 - (a) the urban rezoning is required to provide sufficient development capacity to meet demand for housing or business land to give effect to the National Policy Statement on Urban Development 2020; and
 - (b) there are no other reasonably practicable and feasible options for providing at least sufficient development capacity within the same locality and market while achieving a well-functioning urban environment; and
 - (c) the environmental, social, cultural and economic benefits of rezoning outweigh the long-term environmental, social, cultural and economic costs associated with the loss of highly productive land for land-based primary production, taking into account both tangible and intangible values.

...

CCCL's position

[15] CCCL submitted that the requirements in clause 3.6(1) are only activated if

it is proposed to rezone highly productive land to an urban zoning. Its position is that:

- (a) the proposed Victoria Flats sub-zone is not an urban zone, meaning clause 3.6 is not relevant;
- (b) the GCZ zone is the parent of the proposed Victoria Flats sub-zone as the Victoria Flats sub-zone is more restrictive than the GCZ. The Victoria Flats sub-zone is not considered a separate zone from the GCZ and instead is seen as subordinate to it;
- (c) the proposed Victoria Flats sub-zone meets the relevant requirements of clause 3.8 of the NPS-HPL, as well as clause 3.10 of the NPS-HPL (however, clauses 3.8 and 3.10 (or at least clause 3.10) do not need to be assessed if clause 3.6 is met);³
- (d) if the court does not consider that clauses 3.6, 3.8 and 3.10 of the NPS-HPL are met, the Victoria Flats sub-zone still has a pathway to rezoning by:
 - (i) applying the *Port Otago*⁴ requirement to resolve the tensions between the NPS-HPL and the NPS-UD at the plan development stage, rather than leaving how the tensions are to be resolved solely at the resource consent stage. This requires considering how the proposed provisions of the Victoria Flats sub-zone would direct a ‘structured approach’ to the consideration of future consents, in the development of the Victoria Flats sub-zone provisions. CCCL considers that the proposed provisions have been appropriately developed with this in mind.
 - (ii) applying *East West*⁵ and recognizing the Victoria Flats sub-zone as a true exception to the restrictive directions of the NPS-HPL.

³ See *Nabkies v Selwyn District Council* [2023] NZEnvC 259, at [24].

⁴ *Port Otago Limited v Environmental Defence Society* [2023] NZSC 112.

⁵ *Royal Forest and Bird Protection Society of New Zealand Incorporated v New Zealand Transport Agency* [2024] NZSC 026.

It noted that the architecture of the PDP recognises exceptions in other areas, such as the exception zones. While this has primarily been in respect of outstanding natural landscape matters (e.g. exception ski resort zones), the GCZ itself is an exception zone.

The Council's position

[16] The Council's position is that:

- (a) the Victoria Flats sub-zone is properly regarded as a sub-zone of the GCZ;
- (b) together, they are a form of Rural Production Zone (RPZ) (or alternatively, General Rural Zone (GRZ)); and
- (c) the rezoning from GCZ to Victoria Flats sub-zone is not an urban rezoning for the purposes of clause 3.6 of the NPS-HPL;
- (d) the Council would not support an urban rezoning in the site's location, nor does it consider that the clause 3.6 criteria are met that would allow an urban rezoning of the site.

The parties' responses to the court's questions

Question 1 *Is the nearest equivalent zone in the National Planning Standards to the GCZ a General Rural Zone or Rural Production Zone?*

[17] Table 13 of the National Planning Standards sets out the zone names and descriptions as follows:

Zone Name	Description
Large lot residential zone	Areas used predominantly for residential activities and buildings such as detached houses on lots larger than those of the Low density residential and General residential zones, and where there are particular landscape characteristics, physical limitations or other constraints to more intensive development.

Zone Name	Description
Low density residential zone	Areas used predominantly for residential activities and buildings consistent with a suburban scale and subdivision pattern, such as one to two storey houses with yards and landscaping, and other compatible activities.
General residential zone	Areas used predominantly for residential activities with a mix of building types, and other compatible activities.
Medium density residential zone	Areas used predominantly for residential activities with moderate concentration and bulk of buildings, such as detached, semi-detached and terraced housing, low-rise apartments, and other compatible activities.
High density residential zone	Areas used predominantly for residential activities with high concentration and bulk of buildings, such as apartments, and other compatible activities.
General rural zone	Areas used predominantly for primary production activities, including intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location.
Rural production zone	Areas used predominantly for primary production activities that rely on the productive nature of the land and intensive indoor primary production. The zone may also be used for a range of activities that support primary production activities, including associated rural industry, and other activities that require a rural location.
Rural lifestyle zone	Areas used predominantly for a residential lifestyle within a rural environment on lots smaller than those of the General rural and Rural production zones, while still enabling primary production to occur.
Settlement zone	Areas used predominantly for a cluster of residential, commercial, light industrial and / or community activities that are located in rural areas or coastal environments.
Neighbourhood centre zone	Areas used predominantly for small-scale commercial and community activities that service the needs of the immediate residential neighbourhood.
Local centre zone	Areas used predominantly for a range of commercial and community activities that service the needs of the residential catchment.
Commercial zone	Areas used predominantly for a range of commercial and community activities.
Large format retail zone	Areas used predominantly for commercial activities which require large floor or yard areas.
Mixed use zone	Areas used predominantly for a compatible mixture of residential, commercial, light industrial, recreational and/or community activities.
Town centre zone	Areas used predominantly for: <ul style="list-style-type: none"> • in smaller urban areas, a range of commercial, community, recreational and residential activities.

Zone Name	Description
	<ul style="list-style-type: none"> in larger urban areas, a range of commercial, community, recreational and residential activities that service the needs of the immediate and neighbouring suburbs.
Metropolitan centre zone	Areas used predominantly for a broad range of commercial, community, recreational and residential activities. The zone is a focal point for sub-regional urban catchments.
City centre zone	Areas used predominantly for a broad range of commercial, community, recreational and residential activities. The zone is the main centre for the district or region.
Light industrial zone	Areas used predominantly for a range of industrial activities, and associated activities, with adverse effects (such as noise, odour, dust, fumes and smoke) that are reasonable to residential activities sensitive to these effects.
General industrial zone	Areas used predominantly for a range of industrial activities. The zone may also be used for activities that are compatible with the adverse effects generated from industrial activities.
Heavy industrial zone	Areas used predominantly for industrial activities that generate potentially significant adverse effects. The zone may also be used for associated activities that are compatible with the potentially significant adverse effects generated from industrial activities.
Natural open space zone	Areas where the natural environment is retained and activities, buildings and other structures are compatible with the characteristics of the zone.
Open space zone	Areas used predominantly for a range of passive and active recreational activities, along with limited associated facilities and structures.
Sport and active recreation zone	Areas used predominantly for a range of indoor and outdoor sport and active recreational activities and associated facilities and structures.

[18] CCCL considers the nearest equivalent zone in the National Planning Standards to be the GRZ. The Council considers the nearest equivalent to be the RPZ.

CCCL

[19] Mr Giddens' evidence on behalf of CCCL is that the nearest equivalent zone in the National Planning Standards to the GCZ is GRZ because that zone appears to contemplate a slightly wider range of activities requiring a rural location than the RPZ, but he considered both descriptors to include 'other activities that require a rural location'.

[20] If the sub-zone were to be considered as a separate zone Mr Giddens also considered that the nearest equivalent zone under National Planning Standards might be the Settlement Zone rather than a General Rural or RPZ.

[21] In his evidence, Mr Langman disagreed with Mr Giddens on the above point. That is because, in his view, while the definition of the Settlement Zone does provide for “Areas used predominantly for a cluster of residential, commercial, light industrial and or community activities”, he does not consider this to be the case for the Victoria Flats sub-zone. In his view the sub-zone is more akin to the Rural Industrial sub-zone in the PDP, which similarly is located in the Rural Zone sub-chapter.

[22] Counsel for CCCL also disagreed with Mr Giddens regarding the Settlement Zone and submitted that the NPS-HPL definitions must prevail and Mr Giddens was in error when he suggested that the Victoria Flats sub-zone “might” be a Settlement Zone if it was not a GRZ or RPZ.⁶ CCCL submits that if the sub-zone was considered to be a Settlement Zone this would make it an urban zone which would be fatal to the rezoning request.

The Council

[23] Regarding the nearest equivalent zone the Council submitted that a similar question was considered and answered in *Gibbston Vines Ltd v Queenstown Lakes District Council*.⁷ In that case the court found that:

[22(b)] the GCZ is a form of General Rural zoning as defined in standard 8 of the National Planning Standards 2019 (in terms of the nearest equivalent zone test in NPS-HPL cl 1.3(4)(b)). That interpretation is on our reading of the GCZ Zone Purpose in 23.1, Objs 23.2.1 and 23.2.2 and their implementing policies (including

⁶ This acknowledgement does not undermine the balance of his evidence (which also recorded his original support for an Industrial Zoning, which would be an urban zone). Given this acknowledgement by counsel, it was not considered necessary for Mr Giddens to provide a reply statement to make that same acknowledgement.

⁷ *Gibbston Vines Ltd v Queenstown Lakes District Council* [2023] NZEnvC 265.

Pols 23.2.1.1-4) and rules (including rr 23.4.1 and 23.4.14). It is materially consistent with the analysis and observations in *Wakatipu Equities Ltd v Queenstown Lakes District Council*.

[24] However, Mr Langman has a differing view that the GCZ is a form of RPZ because the proposed Victoria Flats sub-zone is not a separate zone from the GCZ. If it is considered a separate zone his evidence is that the nearest equivalent zone would likely be a GRZ.

[25] His evidence is that the key difference between the definitions of the RPZ and the GRZ in the National Planning Standards is that the RPZ includes the words “rely on the productive nature of the land”, while the GRZ does not. In his opinion the specific reference to viticulture as a primary production activity that relies on the productive nature of the land in the zone purpose means that the GCZ aligns better with the RPZ than the GRZ.

[26] Based on Mr Langman’s evidence the Council submits that the GCZ is a form of RPZ as defined in the Planning Standards. Alternatively, the Council submitted that if the court finds (consistent with the *Gibbston Vines* decision) that the GCZ is a form of GRZ, that position would also lead to the same outcome in relation to the clause 3.6 assessment, as neither zone is urban.

[27] Mr Langman also considered whether the sub-zone could be considered Light Industrial Zone. He did not think that this zone fits comfortably with the Victoria Flats sub-zone, given the requirement within the provisions to protect landscape values and rural character and the low density of development in relation to site size and site coverage. In his opinion, this sets apart the Victoria Flats sub-zone from an urban zone (noting that the NPS-HPL includes the Light Industrial Zone as an urban zone).

Question 2: *Is the proposed Victoria Flats sub-zone properly regarded as a separate zone to the GCZ?*

[28] The purpose of the GCZ is to provide primarily for viticulture and

commercial activities with an affiliation to viticulture within the confined space of the Gibbston Valley.

[29] 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. 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.

[30] The zone has experienced residential subdivision and development. This creates the potential to degrade the distinctive character and create conflict with established and anticipated intensive viticultural activities.

[31] The objective of the Victoria Flats sub-zone is to provide for a range of yard-based industrial, service and trade supplier activities while maintaining rural character and landscape values.

[32] CCCL's position is that the proposed Victoria Flats sub-zone is not a separate zone but a sub-zone of the parent GCZ. This is because the Victoria Flats sub-zone is more restrictive than the GCZ. Mr Giddens' evidence supports this, and he explains that the proposed Victoria Flats sub-zone was designed specifically to be a sub-zone of the GCZ.

[33] Mr Langman agrees that the sub-zone is not a separate zone. While it is proposed to have its own objective and policy suite, his evidence is that the other provisions of the GCZ still apply. For example, it is not a zone in itself, given the integration with the GCZ chapter and provisions.

[34] The Council submitted that the question of whether a precinct was a sub-zone or a separate zone was considered in *Wakatipu Equities Ltd v Queenstown Lakes District Council*.⁸ The court found that the Wakatipu Basin Lifestyle Precinct was

⁸ [2023] NZEnvC 188.

not a separate zone from the Wakatipu Basin Rural Amenity Zone.

[35] In summary, this was because:

- (a) the Precinct was designed as a nested component of the Zone and subject to its overarching purposes;
- (b) despite having its own objective, the Precinct included a proviso that reinforced the overarching purpose of the Zone; and
- (c) despite providing greater enablement of rural living opportunities than other areas of the Zone, the Precinct was not self-contained.

[36] In comparison, in *Save The Maitai Inc v Nelson City Council*⁹ the court found that the sub-zone in question had a fundamentally different purpose to the wider zone and therefore was regarded as a separate zone.

[37] While “sub-zone” is not defined in the National Planning Standards or the NPS-HPL, the Council submits that the sub-zone is akin to a Precinct, reflective of the approach in *Wakatipu Equities* because it cannot be separated from the GCZ. For example, while the Victoria Flats sub-zone is proposed to have its own objectives and policies, the other provisions of the GCZ still apply.

What is the area used predominantly for?

[38] The court in *Wakatipu Equities* found that the phrase “areas used predominantly for” that is used in the zone definitions in the National Planning Standards refers to what the main purpose of the zone is. The plain ordinary meaning of “area” refers to the spatial dimensions of the zone as depicted on the PDP planning maps, “used” refers to the purpose served by the zone, and “predominantly” means mainly.

[39] Mr Henderson’s evidence outlines the evolution of the site and its recent

⁹ [2024] NZEnvC 155.

use for tourism activities in the form of recreational two and four wheel drive adventures (2008-2020), grazing and baleage (pre-2018) and the stockpiling topsoil (current) in part of Area A. The balance of the site is not currently used for any productive purpose.

[40] Viticulture is the predominant horticultural activity on the soils in the GCZ. CCCL and the Council each engaged experts in viticulture and a third expert to assist with expert conferencing was also engaged. They found that viticulture on the site would not be profitable. This was supported by Mr Henderson's evidence, which is that Areas A and B will never be developed for viticulture.

Question 3: If so, is the nearest equivalent zone of the Victoria Flats sub-zone property to be regarded as rural general or rural production, or alternatively an "urban zone" (for example light industrial) under the national planning standards?

[41] The parties do not consider the Victoria sub-zone to be a separate zone, but for completeness submitted that the sub-zone is rural in nature and therefore does not represent an urban rezoning that would engage clause 3.6 of the NPS-HPL.

[42] In support of this position Mr Langman's evidence noted the following:

- (a) the provisions have been drafted specifically to protect rural character (as well as landscape values);
- (b) different densities in areas A and B recognise the capacity of the zone to absorb development while protecting landscape values;
- (c) provision is made for planting and mitigation within the sub-zone to maintain rural character;
- (d) the establishment of non-yard-based industrial and service activities is restricted, and consideration is given to the impacts of these on rural character and whether the activity results in 'urban development';
- (e) office and retail activities are a non-complying activity unless they are

ancillary to the activity and do not exceed 20% of the GFA of the building they are contained in;

- (f) the site sizes, while smaller than generally found in the PDP Rural Zone (noting that there is no minimum site size in the Rural Zone), are similar in size to the Wakatipu Basin Lifestyle Precinct Zone, which is also a sub-zone in the PDP Rural chapter; and
- (g) building coverage is limited to 20% of a site which is low compared to urban zones, with an additional control on impermeable surface coverage of a maximum of 50% of a site (excluding unsealed roads, storage areas and vehicle manoeuvring areas).

[43] In his opinion, the zone as drafted does not accord with the definition of “urban development” which is defined in the PDP as follows:

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, nor does the provision of regionally significant infrastructure within rural areas.

Consideration

[44] Having considered the submissions of the parties and the planning evidence, I accept that the Victoria Flat sub-zone is a sub-zone of the GCZ.

[45] To be a different zone the sub-zone must be fundamentally different to the purpose of the wider zone and represent a different package of provisions that are not readily aligned with the GCZ. The objective of the Victoria Flats sub-zone is to provide for a range of yard-based industrial, service and trade supplier activities while maintaining rural character and landscape values. I accept that it is designed to be subordinate to, and more restrictive than, the GCZ.

[46] On this basis, I accept the position of the parties that the Victoria Flats sub-zone is not an urban rezoning and that the NPS-HPL does not apply.

Outcome

[47] The court accepts the parties' submissions, and makes the orders attached by consent.

[48] The court confirms the withdrawal of CCCL's Rural Visitor Zone appeal (ENV-2021-CHC-061).

[49] Both files are now closed.

[50] There is no order as to costs.



K G Reid
Environment Judge

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH
I TE KŌTI TAIAO O AOTEAROA
KI ŌTAUTAHU**

IN THE MATTER of the Resource Management Act 1991

AND an appeal under clause 14 of the First
Schedule to the Act

BETWEEN CARDRONA CATTLE COMPANY
LIMITED

(ENV-2021-CHC-034)

Appellant

AND QUEENSTOWN LAKES DISTRICT
COUNCIL

Respondent

Court: Environment Judge K G Reid

CONSENT ORDER

A: Under s 279(1)(b) of the Resource Management Act 1991, the Environment Court, by consent, orders that the appeal is allowed, to the extent that the PDP is amended in accordance with Appendix 1 and Appendix 2 to this order.

B: The appeal is otherwise dismissed.

C: Under s 285 of the Resource Management Act 1991, there is no order as to costs.



REASONS

Introduction

[1] The court has read and considered the notice of appeal by Cardrona Cattle Company Limited¹⁰ (appellant) that was filed in relation to the decisions of the Queenstown Lakes District Council (Council) on Stage 3 of the Queenstown Lakes Proposed District Plan (PDP).

[2] The court has considered the joint memorandum filed by the parties dated 14 July 2025, in which all parties respectfully request that the court endorse:

- (a) rezoning of part of the appellant's land to Victoria Flats sub-zone and insertion of a Structure Plan; and
- (b) amended provisions for inclusion in the PDP.

[3] The court is making this order under section 279(1)(b) of the Act, being an order by consent, rather than representing a decision or determination on the merits pursuant to section 297. The court understands that:

- (a) all parties to the appeal have executed the memorandum requesting this order; and
- (b) all parties are satisfied that all matters proposed for the Court's endorsement are within the scope of relief sought by the appeal, fall within the Court's jurisdiction, and conform to relevant requirements and objectives of the Resource Management Act 1991.

Order

[4] Therefore, the court orders, by consent, that:

¹⁰ Notice of appeal dated 5 August 2021.

- (a) the PDP is amended as set out in Appendix 1 and Appendix 2;
- (b) the appeal is allowed, to the extent that the PDP is amended in accordance with Appendix 1 and Appendix 2; and
- (c) the appeal is otherwise dismissed.

[5] There is no order for costs.



Appendix 1

23 Gibbston Character Zone

23.1 Zone Purpose

The purpose of the Gibbston Character zone 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 Kawareau 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.

The zone has experienced residential subdivision and development. This creates the potential to degrade the distinctive character and create conflict with established and anticipated intensive viticultural activities.

Parts of Victoria Flats in Gibbston exhibit a different character to the wider Gibbston Valley to the west of Nevis Bluff and provide for activities that are not based on the rural resources of the area, including the district landfill. The Victoria Flats Sub-Zone provides primarily for industrial and service activities on larger allotments (when compared to the General Industrial and Service Zone), which maintain the rural amenity values of the wider environment and protects the landscape values. The sub-zone is located next to the district landfill and provides for a range of activities, including those that facilitate recycling, composting, processing of waste materials, and the storage of materials for use and re-use to promote sustainable resource management within the district.

23.2 Objectives and Policies

23.2.1 Objective - 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 of the Gibbston Valley 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 of the Gibbston Valley 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.
- 23.2.1.6 Protect, maintain and enhance landscape values by ensuring all structures are located in areas with the potential to absorb change.
- 23.2.1.7 Avoid the location of structures, including water tanks, other than regionally significant infrastructure, on skylines, ridges, hills and prominent slopes.
- 23.2.1.8 Locate, design, operate and maintain regionally significant infrastructure so as to seek to avoid significant adverse effects on the character of the landscape, while acknowledging that location constraints and/or the nature of the infrastructure may mean that this is not possible in all cases.
- 23.2.1.9 In cases where it is demonstrated that regionally significant infrastructure cannot avoid significant adverse effects on the character of the landscape, such adverse effects shall be remedied or mitigated.
- 23.2.1.10 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.
- 23.2.1.11 The location and direction of lights do not cause glare to other properties, roads, public places or degrade views of the night sky.
- 23.2.1.12 Avoid adverse cumulative impacts on ecosystem and nature conservation values.
- 23.2.1.13 Have regard to the risk of fire from vegetation and the potential risk to people and buildings, when assessing subdivision and development.
- 23.2.1.14 Provide adequate firefighting water and fire service vehicle access to ensure an efficient and effective emergency response.

23.2.2 Objective - The life supporting capacity of soils is sustained.

Policies

- 23.2.2.1 Avoid the adverse effects of subdivision and development on the life-supporting capacity of soil.
- 23.2.2.2 Enable a range of activities to utilise the range of soil types and microclimates.
- 23.2.2.3 Protect the soil resource by controlling activities including earthworks and indigenous vegetation clearance.
- 23.2.2.4 Encourage land management practices and activities that benefit soil and vegetation cover.

23.2.3 Objective - The life supporting capacity of water is safeguarded through the integrated management of the effects of activities.

Policy

In conjunction with the Otago Regional Council, regional plans and strategies:

- a. encourage activities, that use water efficiently, thereby conserving water quality and quantity;
- b. discourage activities that adversely affect the potable quality and life supporting capacity of water and associated ecosystems.

23.2.4 Objective - Land management practices that recognise and accord with the environmental sensitivity and amenity values of the Gibbston Character Zone are encouraged.

Policies

- 23.2.4.1 Encourage appropriate management of vegetation cover and development including earthworks to prevent siltation and sedimentation effects on water resources.
- 23.2.4.2 Noise levels should not be inconsistent with rural productive activities and the character and rural amenity of the Gibbston area.
- 23.2.4.3 Control access and egress to ensure safe and efficient movement of traffic on roads and for users of trails, walkways and cycleways.
- 23.2.4.4 Manage forestry and farm-forestry activities to avoid adverse effects on landscape, amenity and viticulture production.

23.2.5 Objective – Yard-based industrial and service activities, including noise and odour generating activities, are provided for within the Victoria Flats Sub-Zone while maintaining rural character and amenity and protecting landscape values.

Policies

- 23.2.5.1 Provide for a range of yard-based industrial, service and trade supplier activities within the Victoria Flats Sub-Zone, managed in a way that maintains rural character and protects landscape values.
- 23.2.5.2 Recognise the landfill is regionally significant infrastructure.
- 23.2.5.3 Avoid the establishment of activities in the Victoria Flats Sub-Zone that result in urban development outside of the urban growth boundary, and ensure a low density of built form so that the rural character of the sub-zone is maintained.
- 23.2.5.4 Avoid, where practicable, otherwise minimise the adverse effects from exterior lighting.
- 23.2.5.5 Built form and outdoor storage within the Sub-Zone shall not be visually prominent when viewed from State Highway 6 through the use of earthworks, landscaping and controls on building height.
- 23.2.5.6 Avoid residential activities, homestays, residential visitor accommodation and visitor accommodation activities in the sub-zone.
- 23.2.5.7 Ensure that development in the sub-zone does not result in unacceptable risk to the operation
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or safety of State Highway 6.

23.2.5.8 Provide for limited retail and office activities ancillary to the primary activity on the site.

23.2.5.9 Manage development within the Sub-Zone utilising different densities that recognise the capacity of the zone to absorb development while protecting landscape values.

23.2.5.10 Utilise planting and landscaping to provide for visual mitigation of built development and the maintenance of rural character when viewed from State Highway 6.

23.3 Other Provisions and Rules

23.3.1 District Wide

Attention is drawn to the following District Wide chapters.

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes and Rural Character
25 Earthworks	26 Historic Heritage	27 Subdivision
28 Natural Hazards	29 Transport	30 Energy and Utilities
31 Signs	32 Protected Trees	33 Indigenous Vegetation
34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings	36 Noise
37 Designations	District Plan web mapping application	

23.3.2 Interpreting and Applying the Rules

23.3.2.1 A permitted activity must comply with all the rules listed in the activity and Standards tables, and any relevant district wide rules.

23.3.2.2 Compliance with any of the following standards, in particular the permitted standards, does not absolve any commitment to the conditions of any relevant land use consent, consent notice or covenant registered on the site's computer freehold register.

23.3.2.3 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.

23.3.2.4 The Council reserves the right to ensure development and building activities are undertaken in accordance with the conditions of resource and subdivision consent through monitoring.

23.3.2.5 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 subdivision conditions.

23.3.2.X The Victoria Flats Sub-Zone, being a Sub-Zone of the Gibbston Character Zone, requires that all rules applicable to the Gibbston Character Zone apply unless stated to the contrary.

23.3.2.6 For controlled and restricted discretionary activities, the Council shall restrict the exercise of its discretion to the matters listed in the rule.

- 23.3.2.7 Building platforms identified on a site's computer freehold register shall have been registered as part of a resource consent approval by the Council.
- 23.3.2.8 Internal alterations to buildings including the replacement of joinery are permitted.
- 23.3.2.9 The status of any Plantation Forestry will be determined by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.
- 23.3.2.10 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

23.4 Rules - Activities

All activities, including any listed permitted activities shall be subject to the rules and standards contained in Tables 1 to 3.

Table 1 — Activities

Table 2 — Buildings

Table 3 — Commercial activities

Rule	Table 1 - Activities	Activity
	Farming Activities	
23.4.1	Farming activity (includes viticulture).	P
23.4.2	Domestic Livestock.	P
23.4.3	Factory Farming.	NC
	Residential Activity, Subdivision and Development	
23.4.4	The construction and exterior alteration of residential buildings located within a building platform approved by resource consent, or registered on the applicable computer freehold register, subject to compliance with Table 2.	P
23.4.5	The exterior alteration of any lawfully established building located outside of a building platform, subject to compliance with the standards in Table 2.	P
23.4.6	One residential unit within any building platform approved by resource consent.	P
23.4.7	Residential Flat (activity only, the specific rules for the construction of any buildings apply).	P
23.4.8	The use of land or buildings for Residential activity except as provided for by any other rule.	D
23.4.9	The identification of a building platform not less than 70m ² and not greater than 1000m ² .	D

23.4.10	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
23.4.10A	<u>Residential activity, residential units, residential flats, or additions or alterations to residential units within the Victoria Flats Sub-Zone</u>	<u>NC</u>
	Commercial Activities	
23.4.11	Home Occupation that complies with the standards in Table 3.	P
23.4.12	<p>Industrial activities limited to wineries and underground cellars, not exceeding 300m².</p> <p><u>Rural industrial activities, including composting, within the Victoria Flats Sub-Zone</u></p> <p><u>Yard-based industrial and service activities within the Victoria Flats Sub-Zone</u></p> <p><u>Trade suppliers within the Victoria Flats Sub-Zone, excluding:</u></p> <ul style="list-style-type: none"> a. <u>Automotive and marine suppliers</u> b. <u>Catering equipment suppliers</u> c. <u>Industrial clothing and safety equipment suppliers</u> d. <u>Office furniture, equipment and systems suppliers.</u> <p><u>Any other industrial activities and service activities within the Victoria Flats Sub-Zone not otherwise provided for</u></p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"> a. <u>Rural character and landscape values</u> b. <u>Whether the activity results in urban development</u> c. <u>Lighting</u> d. <u>Screening and location of storage areas for waste materials, equipment and parking</u> e. <u>Traffic generation</u> f. <u>Landscaping</u> 	<p>P</p> <p><u>P</u></p> <p><u>P</u></p> <p><u>P</u></p> <p><u>RD</u></p>
23.4.X	<u>Waste management facilities, including recycling facilities within the Victoria Flats Sub-Zone</u>	<u>P</u>
23.4.13	Commercial recreation activities that comply with the standards in Table 3.	P

23.4.14	<p>Retail sales of farm and garden produce, handicrafts and wine that is grown, reared or produced on the site and that comply with the standards in Table 3.</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> a. the location of the activity and buildings; b. access, vehicle crossing location, car parking; c. screening and location of storage areas for waste materials, outdoor display areas and parking; d. signage; e. lighting. 	C
<u>23.4.14A</u>	<p><u>Ancillary Office and Retail activities in the Victoria Flats Sub-Zone</u></p> <p><u>(a) Office and retail activities that are ancillary to the Industrial or Service activities, and do not exceed 20% of the GFA of the building they are contained within.</u></p> <p><u>(b) Office and retail activities that do not meet Rule 23.4.14A (a)</u></p>	<p><u>P</u></p> <p><u>NC</u></p>
23.4.15	<p>Winery and Farm Buildings</p> <p>The construction, addition or alteration of a farm building or winery with control reserved to:</p> <ul style="list-style-type: none"> a. location, scale, height and external appearance, as it effects the Gibbston Valley's landscape and amenity values; b. landscaping; c. parking and access, in respect of earthworks and the impact on the safety and efficiency of State highway 6; d. the location, scale and functional need of car parking; e. associated earthworks; f. provision of water supply, sewage treatment and disposal; g. lighting, including car parking areas; h. screening and location of storage areas for waste materials, outdoor display and signage areas and parking. 	C
<u>23.4.15A</u>	<p><u>Buildings in the Victoria Flats Sub-Zone</u></p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"> a. <u>location, scale, height and external appearance, as it affects the Gibbston Valley's landscape and rural amenity values;</u> b. <u>landscaping;</u> c. <u>the location, scale and functional need of car parking;</u> d. <u>associated earthworks;</u> e. <u>provision of water supply, sewage treatment and disposal, and stormwater disposal;</u> f. <u>signage and signage platforms;</u> g. <u>lighting, including car parking areas;</u> h. <u>screening and location of storage areas for waste materials, equipment, and parking.</u> i. <u>traffic generation and traffic safety.</u> 	<u>RD</u>

23.4.16	<u>Visitor accommodation within the Victoria Flats Sub Zone</u>	<u>NC</u>
	Visitor accommodation <u>elsewhere in the Gibbston Character Zone.</u>	D
	Other Activities	
23.4.17	Non-commercial recreation and recreational activity.	P
<u>23.4.17A</u>	<u>Outdoor storage (excluding shipping containers) within the Victoria Flats Sub-Zone</u>	<u>P</u>
<u>23.4.17B</u>	<u>Outdoor storage of shipping containers within the Victoria Flats Sub-Zone</u> <u>Discretion is restricted to:</u> a. <u>Visual prominence from SH6</u> b. <u>Mitigation</u> c. <u>Height</u> d. <u>External Appearance</u> e. <u>Visual amenity</u>	<u>RD</u>
23.4.18	Informal airports for emergency landings, rescues, fire-fighting and activities ancillary to farming activities.	P
23.4.19	Informal airports, expect as provided for in 23.4.18.	D
<u>23.4.19A</u>	<u>Food and beverage at Victoria Flats Sub-Zone</u> <u>Limited to one premise no greater than 200m² floor area</u>	<u>D</u>
23.4.20	Any other activity not listed in Table 1, except for Plantation Forestry where the	NC

	Resource Management (Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017) Regulation 2017 prevails.	
23.4.21	<u>With the exception of the Victoria Flats Sub-Zone</u> , Residential Visitor Accommodation and Homestays	P
23.4.22	<u>Residential Visitor Accommodation and Homestays in the Victoria Flats Sub-Zone</u>	NC

23.5 Rules - Standards

	Table 2: Standards for buildings	Non- compliance
23.5.1	<p>Buildings, Materials and Colours</p> <p>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:</p> <p>All exterior surfaces shall be coloured in the range of browns, greens or greys (except soffits), including;</p> <p>23.5.1.1 Pre-painted steel, and all roofs must have a light reflectance value not greater than 20%.</p> <p>23.5.1.2 all other surface** finishes except for schist must have a light reflectance value of not greater than 30%.</p> <p>23.5.1.3 In the case of alterations to an existing building where there is not an approved building platform on the site, it does not increase the building coverage by more than 30% in a ten year period.</p> <p>Control is reserved to all of the following:</p> <p>Except these standards do not apply to the blades of frost fighting devices.</p> <p>* Excludes soffits, windows and skylights (but not glass balustrades).</p> <p>** Includes cladding and built landscaping that cannot be measured by way of light reflectance value but is deemed by the Council to be suitably recessive and have the same effect as achieving a light reflectance value of 30%.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. external appearance; b. visibility from public places and surrounding properties; c. lighting; d. landscape character; e. visual amenity.
23.5.2	<p>Building size</p> <p>The ground floor area of any building must not exceed 500m².</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. external appearance; b. visibility from public places; c. landscape character; d. visual amenity; e. privacy, outlook and amenity from adjoining properties.

<u>23.5.2A</u>	<u>Building size in the Victoria Flats Sub-Zone</u> <u>The ground floor area of any building must not exceed 400m².</u>	<u>RD</u> <u>Discretion is restricted to:</u> <ol style="list-style-type: none"> <u>external appearance;</u> <u>rural amenity;</u> <u>visual amenity and landscape character, including effects on Outstanding Natural Landscape values; and</u> <u>visual prominence from State Highway 6.</u>
<u>23.5.2B</u>	<u>Building coverage in the Victoria Flats Sub-Zone</u> <u>The maximum building coverage per site in the Victoria Flats Sub-Zone is 20%.</u>	<u>RD</u> <u>Discretion is restricted to:</u> <ol style="list-style-type: none"> <u>external appearance;</u> <u>rural amenity;</u> <u>visual amenity and landscape character, including effects on Outstanding Natural Landscape values; and</u> <u>visual prominence from State Highway 6.</u>
23.5.3	Building Height The maximum height of any residential building, residential accessory building or commercial building other than for a farming or winery building shall be 8m.	NC
23.5.4	Building Height The maximum height of any farming or winery building shall be 10m, other than frost fighting towers which must not exceed 12m in height.	NC
<u>23.5.4A</u>	<u>Building Height – Victoria Flats Sub-Zone</u> <u>The maximum height of buildings in shall be as follows:</u> <ol style="list-style-type: none"> <u>6m – Permitted;</u> <u>Up to 8m, measured to the eaves of the building, and with an increase to 10m measured at the apex where a gable design is utilized for any façade of the building that faces SH6— restricted discretionary</u> 	<u>P</u> <u>RD</u> <u>Discretion is restricted to:</u> <ol style="list-style-type: none"> <u>external appearance;</u> <u>rural amenity;</u> <u>visual amenity and landscape character, including effects on Outstanding Natural Landscape values; and</u> <u>visual prominence from State Highway 6.</u>

	(c) A building height exceeding that specified in (b) – non complying	NC
23.5.5	Setback from Internal Boundaries (any building) (a) The minimum setback of buildings from internal boundaries shall be 6m. (b) In the Victoria Flats Sub Zone, there shall be no minimum setback along common boundaries.	RD Discretion is restricted to: a. rural amenity; b. landscape character; c. privacy, outlook and amenity from adjoining properties.
23.5.5A	Setback from Internal Boundaries (any building) in the Victoria Flats Sub Zone (a) The minimum setback of buildings from other buildings on adjoining sites within the Victoria Flats Sub Zone shall be 12m. <u>Advice note: the rule permits buildings on a site from being located up to an adjoining site boundary (or boundaries) provided that there is 12m separation from buildings on adjoining sites.</u>	RD <u>Discretion is restricted to:</u> a. Visual prominence from SH6; b. Mitigation
23.5.6	Setback from Roads (any building) (a) The minimum setback of buildings from road boundaries shall be 20m, except the minimum setback of any building for sections of State highway 6 where the speed limit is 70 km/hr or greater shall be 40m. (b) Within the Victoria Flats Sub Zone, setback from roads shall be 5m.	NC RD <u>Discretion is restricted to:</u> a. rural amenity; b. landscape character.
23.5.7	Setback of buildings from Water bodies The minimum setback of any building from the bed of a water body shall be 20m.	RD Discretion is restricted to: a. any indigenous biodiversity values; b. visual amenity values; c. landscape character; d. open space; e. whether the waterbody is subject to flooding or natural hazards and any mitigation to manage the location of the building.
23.5.X	Impermeable surface coverage – Victoria Flats Sub-Zone <u>No more than 50% of the site area shall be impermeable surface including buildings and paved surfaces, but excluding unsealed yards, storage areas and vehicle</u>	RD <u>Discretion is restricted to:</u> a. management of stormwater; b. rural character;

	<u>manoeuvring areas.</u>	c. <u>open space</u> ; d. <u>landscape treatment</u> .
23.5.8	All fixed exterior lighting must be directed away from adjacent sites and roads.	NC
23.5.9	<p>Firefighting water and access</p> <p>New buildings for residential activities and visitor accommodation, where there is no reticulated water supply, or any reticulated water supply is not sufficient for firefighting, must have one of the following:</p> <p>either a sprinkler system installed and plumbed with a maintained static water storage supply of at least 7,000 litres available to the system, or</p> <p>water supply and access for firefighting that meets the following requirements:</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. the extent to which SNZ PAS 4509: 2008 can be met including the adequacy of the water supply;</p> <p>b. the accessibility of the firefighting water connection point for fire service vehicles;</p> <p>c. whether and the extent to which the building is assessed as a low fire risk.</p>
	<p>23.5.9.1 Water storage of at least 45,000 litres shall be maintained (excluding potable water storage for domestic use) with an outlet connection point that can provide 1500L/min (25 L/s) and any necessary couplings.</p> <p>23.5.9.2 The connection point for the firefighting water supply must be located more than 6m and less than 90m from the building for residential activities or visitor accommodation and be accessible by emergency service vehicles during fire events.</p> <p>23.5.9.3 A hardstand area with a minimum width of 4.5m and length of 11m located within 6m of the firefighting water supply connection point and capable of supporting a 20 tonne fire service vehicle.</p> <p>23.5.9.4 Access from the property road boundary to the handstand area capable of accommodating a 20 tonne fire service vehicle.</p>	

	Table 3: Standards for Commercial Activities	Non - Compliance
23.5.10	<p>Commercial Recreation Activities</p> <p>Commercial recreation activity undertaken outdoors and involving not more than 10 persons in any one group.</p>	D
23.5.11	<p>Retail Sales</p> <p><u>With the exception of the Victoria Flats Sub-Zone, Bbuildings</u> in excess of 25m² gross floor area to be used for retail sales identified in Table 1 must be setback from road boundaries by a minimum distance of 30m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. landscape character and visual amenity;</p> <p>b. access;</p> <p>c. on-site parking.</p>

23.5.12	Home Occupation 23.5.12.1 The maximum net floor area of home occupation activities must not exceed 100m ² . 23.5.12.2 Goods, materials or equipment must not be stored outside a building. 23.5.12.3 All manufacturing, altering, repairing, dismantling or processing of any goods or articles must be carried out within a building.	RD Discretion is restricted to: a. the nature, scale and intensity of the activity in the context of the surrounding rural area; b. visual amenity from neighbouring properties and public places; c. noise, odour and dust; d. the extent to which the activity requires a rural location because of its affiliation to rural resources; e. screening and location of storage areas for waste materials, lighting, outdoor
		display areas and parking; f. access safety and transportation effects.
23.5.13	Residential Visitor Accommodation 23.5.13.1 The total nights of occupation by paying guests on a site do not exceed a cumulative total of 120 nights per annum from the date of initial registration. 23.5.13.2 The number of guests must not exceed 2 adults per bedroom and the total number of adults and children must not exceed: <ul style="list-style-type: none"> • 3 in a 1-bedroom residential unit; • 6 in a 2-bedroom residential unit; • 9 in a 3-bedroom or more residential unit. 23.5.13.3 The activity is registered with Council prior to commencement. 23.5.13.4 Up to date records of the Residential Visitor Accommodation activity are kept, including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice. Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 23.5.13.1 to 23.5.13.4.	RD Discretion is restricted to: a. the location, nature and scale of activities; b. the management of noise, rubbish, recycling and outdoor activities; c. privacy and overlooking; d. outdoor lighting; e. guest management and complaints procedures; f. the keeping of records of residential visitor accommodation use, and availability of records for Council inspection; and g. monitoring requirements, including imposition of an annual monitoring charge.

<p>23.5.14</p>	<p>Homestay</p> <p>23.5.14.1 The total number of paying guests on a site does not exceed five per night.</p> <p>23.5.14.2 The Council is notified in writing prior to commencement of a Homestay activity.</p> <p>23.5.14.3 Up to date records of the Homestay activity must be kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</p> <p>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 23.5.14.1 to 23.5.14.3.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the location, nature and scale of activities; b. privacy and overlooking; c. the management of noise, rubbish, recycling and outdoor activities; d. the keeping of records of Homestay use, and availability of records for Council inspection; and e. monitoring requirements, including imposition of an annual monitoring charge.
<p><u>23.5.15</u></p>	<p><u>SH6 / Victoria Flats Road Intersection – Victoria Flats Sub-Zone</u></p> <p><u>The following rules apply where there is no roundabout constructed either at the intersection of SH6 and Victoria Flats Road, or at any alternate single location where access from the Victoria Flats Sub-Zone is to State Highway 6:</u></p> <p>23.5.15.1 <u>Use of new buildings shall not commence until the intersection of Victoria Flats Road and State Highway 6 has been upgraded to include a right hand turn bay;</u></p> <p>23.5.15.2 <u>With a right turn bay in place, the use of new buildings shall not commence where they would result in more than 100vph on Victoria Flats Road for a weekday peak hour two-way volume;</u></p> <p>23.5.15.3 <u>The use of new buildings shall not commence where they would result in a weekday peak hour two-way volume of more than 300vph on Victoria Flats Road.</u></p> <p><u>For the purpose of the above rules, peak hours shall be calculated through monitoring on Victoria Flats Road over a week-long period, outside of the period 20 December to 15 January, and with the highest count taken to determine peak hours.</u></p>	<p><u>RD (23.5.15.1 and 23.5.15.2)</u></p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"> a. <u>The safe and efficient operation of State Highway 6</u> <p><u>NC (23.5.15.3)</u></p>
<p><u>23.5.XX</u></p>	<p><u>All lighting in the Victoria Flats Sub-Zone shall comply with the following:</u></p> <ul style="list-style-type: none"> a. <u>All fixed exterior lighting must be directed away from direct views from State Highway 6, and so as to limit the effects on the night sky; and</u> b. <u>No activity on any site will result in greater than a 3.0 lux spill (horizontal and vertical) of light onto any other</u> 	<p><u>RD</u></p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"> a. <u>Effects of light spill when viewed from State Highway 6 and the night sky.</u>

	<u>site located outside of the sub-zone.</u> c. <u>There must be no upward light spill.</u>	
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23.6 Rules - Non-Notification of Applications

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

- 23.6.1** Controlled activity retail sales of farm and garden produce and handicrafts grown or produced on site (Rule 23.4.14), except where the access is directly onto a State highway.
- 23.6.2** Controlled activity winery and farm buildings (Rule 23.4.15) except where the access is directly onto a State highway.
- 23.6.3** Restricted Discretionary activity buildings in the Victoria Flats Sub Zone (Rule 23.4.15B)

23.7 Rules - Assessment Matters (Landscape)

The following assessment matters apply to any discretionary or activity within the Gibbston Character zone where landscape is relevant

23.7.1 Effects on landscape character:

The following shall be taken into account:

- 23.7.1.1** Where the activity is adjacent to an Outstanding Natural Feature or Landscape, whether and the extent to which the proposed development will adversely affect the quality or character of the adjacent Outstanding Natural Landscape or Feature.
- 23.7.1.2** Whether and the extent to which the scale and nature of the proposed development will degrade the character of the surrounding landscape.
- 23.7.1.3** Whether the design and landscaping would be compatible with or would enhance the character of the landscape.

23.7.2 Effects on visual amenity

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

- 23.7.2.1** The visual prominence of the proposed development from any public places, in particular State highway 6, cycleways and bridleways.
- 23.7.2.2** The proposed development is likely to be visually prominent such that it detracts from private views.
- 23.7.2.3** Any screening or other mitigation by any proposed method such as earthworks and/or new planting will detract from the landscape character or obstruct views of the landscape from both public and private locations.
- 23.7.2.4** 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.
- 23.7.2.5** Any roads, access boundaries and associated planting, earthworks and landscaping will

reduce visual amenity, with particular regard to elements that are inconsistent with the existing natural topography and patterns.

- 23.7.2.6 Boundaries follow, wherever reasonably possible and practicable, the natural lines of the landscape or landscape units.

23.7.3 Design and density of development

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

- 23.7.3.1 Opportunity has been taken to aggregate built development to utilise common access ways including roads, pedestrian linkages, services and open space (i.e. open space held in one title whether jointly or otherwise).
- 23.7.3.2 There is merit in clustering the proposed building(s) or building platform(s) having regard to the overall density of the proposed development and whether this would exceed the ability of the landscape to absorb change.
- 23.7.3.3 Development is located within the parts of the site where they will be least visible from public and private locations.
- 23.7.3.4 Development is located in the parts of the site where they will have the least impact on landscape character.

23.7.4 Tangata Whenua, biodiversity and geological values

- 23.7.4.1 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.

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

23.7.5 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:

- 23.7.5.1 The proposed development will not further degrade landscape quality and character and visual amenity values, with particular regard to situations that would result in a loss of rural character and openness due to the prevalence of residential activity within the Gibbston Valley landscape.
- 23.7.5.2 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.

23.7.6 Other Factors and positive effects

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:

- 23.7.6.1 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.

- 23.7.6.2 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.
- 23.7.6.3 Any positive effects including environmental compensation, easements for public access to lakes, rivers or conservation areas.
- 23.7.6.4 Any opportunities to retire marginal farming land and revert it to indigenous vegetation.
- 23.7.6.5 Where adverse effects cannot avoided, mitigated or remedied, the merits of any compensation.
- 23.7.6.6 In the case of a proposed residential activity or specific development, whether a specific building design, rather than nominating a building platform, helps demonstrate the proposed development would maintain or enhance the character of the Gibbston Valley landscape.

27 Subdivision and Development

27.3 Location-specific objectives and policies

In addition to the district wide objectives and policies in Part 27.2, the following objectives and policies relate to subdivision in specific locations.

Victoria Flats Sub-Zone

27.3.23 Objective - Subdivision that provides for a range of yard-based industrial, service and trade supplier activities while maintaining rural character and landscape values.

Policies

- 27.3.23.1 Enable subdivision which provides for a combination of lot sizes, through the use of minimum and average lot areas while maintaining rural character and landscape values.
- 27.3.23.2 Ensure that subdivision and development takes place in accordance with the Victoria Flats Structure Plan (Schedule 27.13.21), in particular identified landscape treatment, which is to be established prior to activities taking place within the zone, and can only be done as a comprehensive subdivision proposal covering both Area A and Area B.
- 27.3.23.3 Ensure any new subdivision provides adequate road access, loading and manoeuvring suitable for the activities anticipated to establish within the lots.
- 27.3.23.4 Infrastructure (water, wastewater and stormwater) is provided to each developed lot, managed, and maintained if development cannot connect to Council services.
- 27.3.23.5 Require safe access to be provided from State Highway 6 / Victoria Flats Road to the Victoria Flats Sub-Zone at the rate the Victoria Flats Sub-Zone is developed.
- 27.3.23.6 Require that prior to buildings being established on Lots within Area A and Area B that the landscaping and earthworks as shown on the Landscape Management Plan in Schedule 27.13.21 are completed, and that any landscape mitigation is incorporated on the respective lot for development be protected by way of a consent notice ensuring the landscaping is maintained for long term effectiveness.

27.5 Rules - Subdivision

	<u>Subdivision Activities - District Wide</u>	<u>Activity Status</u>
<u>27.5.X</u>	<u>Within the Victoria Flats Sub-Zone, subdivision which complies with the minimum lot areas specified in Part 27.6</u>	<u>C</u>

	<u>Control is limited to the matters of control listed in 27.7.1</u>	
<u>27.5.31</u>	<u>Within the Victoria Flats Sub-Zone, subdivision which does not comply with the minimum lot areas specified in Part 27.6.</u>	<u>D</u>

27.6 Rules - Standards for Minimum Lot Areas

No lots to be created by subdivision, including balance lots, shall have a net site area or where specified, an average net site area less than the minimum specified.

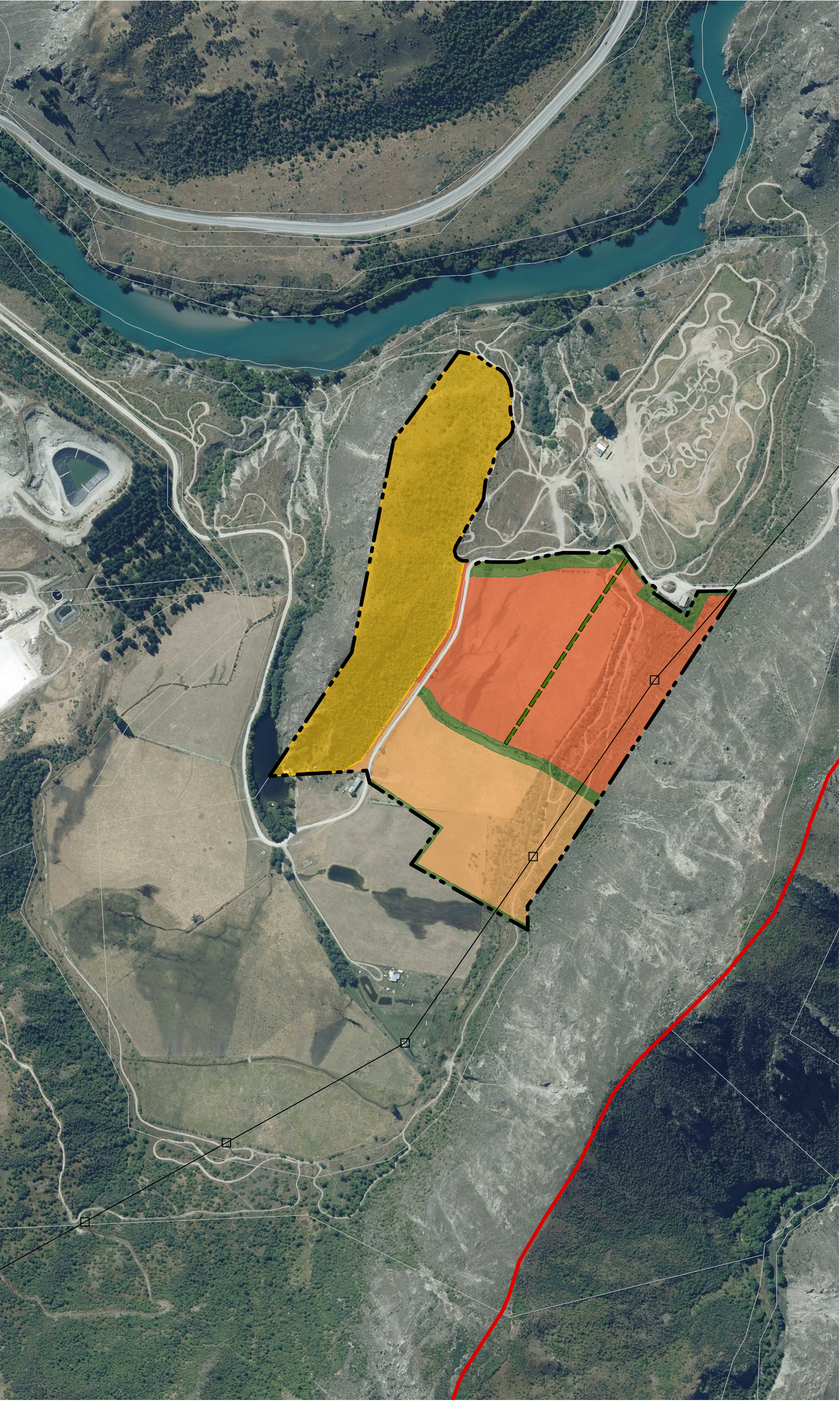
<u>Zone</u>		<u>Minimum Lot Area</u>
Rural	Rural Gibbston Character	No minimum
	Wakatipu Basin Rural Amenity Zone	80ha
	Wakatipu Basin Lifestyle Precinct	6000m ² 1.0ha minimum average
	<u>Victoria Flats Sub-Zone Area A</u>	<u>4000m²</u> <u>8000m² minimum average</u>
	<u>Victoria Flats Sub-Zone Area B</u>	<u>6000m²</u> <u>1ha minimum average</u>

...

27.7.1	Subdivision consistent with a Structure Plan that is included in the District Plan (except Structure Plans 27.13.7 Criffel Station, 27.13.9 Frankton North, 27.13.13 Connell Terrace, 27.13.14 Ballantyne Road, 27.13.19 Lake Hāwea South, 27.13.20 Wharehuanui Hills East Structure Plan, 27.13.21 Te Pūtahi Ladies Mile Zone, 27.13.22 Ayburn ₁ and 27.13.23 Hāwea / Wānaka Sticky Forest <u>and 27.7.31 Victoria Flats Sub-Zone</u>). ...	C
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<p><u>27.7.31</u></p>	<p><u>Victoria Flats Sub-Zone Structure Plan</u></p>	<p><u>C</u></p>
	<p><u>27.7.31.1</u> <u>Subdivision in accordance with Structure Plan 27.13.21 Victoria Flats Sub-Zone.</u></p> <p><u>Control is limited to:</u></p> <ul style="list-style-type: none"> a. <u>the matters of control listed in Rule 27.7.1; and</u> b. <u>the landscape mitigation for Area A, and Area B on the Structure Plan and the timing for establishment.</u> <p><u>For the purposes of this rule, landscape mitigation shall include:</u></p> <ul style="list-style-type: none"> a. <u>for the interface of Area A and Area B, earth mounding 2-3m in height and 10-15m width with predominantly evergreen planting to achieve a mature height of minimum a 5-6m, with mounding to have a naturalised form.</u> b. <u>for the eastern boundary with Area B, earth mounding 2-3m height and 10-15m width with predominantly evergreen species to achieve a minimum mature height of 10-12m, with mounding to have a naturalised form.</u> c. <u>for the boundary west of Area A, landscape strips predominately planted with evergreen species, of a minimum mature height of 8m.</u> d. <u>within Area B, a southeast to northwest aligning landscape strip predominately planted with evergreen species, of a minimum mature height of 5m – 8m.</u> <p><u>Information Requirements:</u></p> <ul style="list-style-type: none"> i. <u>Any application for subdivision shall include a Landscape Plan identifying the features noted in (a)-(d) above.</u> ii. <u>The Landscape Plan shall be prepared by a suitably qualified and experienced person and include the following information:</u> <ul style="list-style-type: none"> o <u>Plan showing the location of landscape mitigation.</u> o <u>A plant schedule that identifies plant species, numbers, grades, and spacings.</u> o <u>Details of any associated earthworks.</u> o <u>Staging and timing of planting; and</u> o <u>Ongoing maintenance obligations.</u> 	<p><u>D</u></p>
	<p><u>27.7.16.2</u> <u>Subdivision that is not in accordance with the Victoria Flats Sub-Zone Structure Plan.</u></p>	

Appendix 2



LEGEND

District Boundary

Victoria Flats Sub Zone Boundary

Parcel Boundaries

Area A

Area B

No Build Area

Indicative Mitigation Strip

Mitigation & Amenity Strips

Transmission Lines

N

0

50

100

150

200 M

Scale 1:5,000 @A3

Victoria Flats Sub Zone Structure Plan

07/07/2025

New Sub zone - Victoria Flats Sub Zone



Eagle Technology, Land Information New Zealand, GIBCO, Community Maps contributors

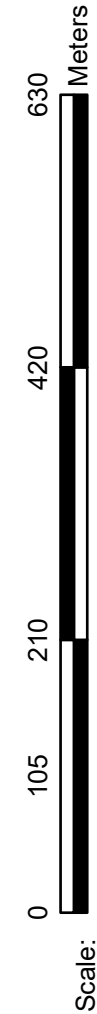


Legend



Victoria Flats Sub Zone

Map Date:
11/07/2025



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