



24 September 2021

Environmental Protection Agency
Via email: Silverlight.Fasttrack@epa.govt.nz

Attention: Sandra Balcombe, Manager Land and Oceans Applications

Dear Sandra,

RE: REQUEST FOR INFORMATION FROM QUEENSTOWN LAKES DISTRICT COUNCIL IN RELATION TO SILVERLIGHT STUDIOS APPLICATION UNDER COVID-19 RECOVERY (FAST-TRACK CONSENTING) ACT 2020

Thank you for your letter dated 10 September 2021 requesting on behalf of The Silverlight Studios Expert Consenting Panel (the Panel) further information relating to the project. This letter is in response to that letter (requests in blue and responses below).

- 1. What is the implication of the recent EC decision in Upper Clutha Environmental Society Inc v QLDC [2021] NZEnvC 124 regarding the adjustments to the Clutha River ONF corridor in the vicinity of the site?*

There is no implication on the application from the above decision given the minor change to the ONF boundary in the vicinity of the site. A Section 293 consultation process is currently underway, giving affected parties an opportunity to comment on the change in the location of the ONF boundary. The proposed change to the Clutha River ONF on the site is minor, and affects only a narrow strip along the northern site boundary, where the site adjoins the Clutha River. The extent of the changes in relation to the site can be seen at this link: [Clutha River ONF mapping](#).

- 2. Do any unresolved appeals on QLDC Proposed District Plan provisions identified in Appendix 30 of the applicant's AEE raise any issues that would fundamentally change policy direction contained in the Council's Consolidated Decisions Version of those provisions?*

The matters still under appeal are not expected to result in any fundamental changes in policy direction to Chapter 3 (Strategic Direction) and Chapter 6 (Landscapes – Rural Character). The Court has confirmed what is close to the final version of Chapters 3 and 6 in its Interim Decision 2.9, dated 24 August, which updates the numbering of Chapter 3 compared to the numbering

used in the Applicant's Appendix 30. There are also likely to be subtle wording changes since the version relied on in Appendix 30, but no substantial changes in policy direction.

It is noted that the site has been identified by the Court through an interim decision as being within one of the Upper Clutha Landscape Priority Areas – the Halliday Road/Corbridge RCL PA (see Strategic Policy 3.3.39). When referring to Policy 3.2.5.v on page 5 of Appendix 30, the applicant indicates identification is still to occur, but in fact this has now happened and the application site is included. This means the site will be subject to the Values Identification Framework directed by the Court in the future which is required to be completed by Council by June 2022.

Chapter 39 (Wahi Tupuna) is under appeal (12 appeals) and may substantially change. Appeals include relief to delete the whole chapter and all the mapped Wahi Tupuna areas, including the one over the Clutha River along the northern boundary of the site.

Stage 3 – Appeal – Corbridge Estate Limited Partnerships – [ENV 2021-CHCh-038]:

The appeal seeks Rural Visitor Zoning over the Site, which was rejected in Council's decision on submissions. If the appeal is successful in changing the underlying zoning from Rural Zone to Rural Visitor Zone, then the majority of Chapter 6 (Landscapes – Rural Character) will no longer be relevant, and Chapter 46 Rural Visitor Zone will apply. This would result in a more tailored landscape management regime applying to the site, and specific policy support for small-scale visitor industry activities on the site.

3. *Are there any relevant provisions in QLDC's plans / policy statements that are not included in Appendices 29 and 30?*

The following provision is also considered relevant as the proposal will include signage:

Appendix 29:

Part 4 - District Wide Issues

4.2 – Landscape and Visual Amenity

4.2.5 Objectives and Policies

9 – Structures To preserve the visual coherence of:

(c) All rural landscapes by

- limiting the size of signs, corporate images and logos*
- providing for greater development setbacks from public roads to maintain and enhance amenity values associated with the views from public roads.*

4. *Does QLDC agree with the conclusions in the "Assessment" columns of those appendices?*

QLDC generally agrees with the conclusions in the assessment columns, noting that a peer review assessment of the proposal from a visual and landscape perspective (which a number of the key objectives and policies relate to) has not been undertaken. The key area of disagreement is:

- Given the urban scale and character of the proposal, it is considered to be contrary to policies 3.3.14, 4.2.1.3, 4.2.1.4, 4.2.2.21 and 6.3.2.1 which seek to avoid urban development outside of the Urban Growth Boundaries (UGBs) or within the rural areas of the Upper Clutha Basin. This differs from the assessment in the appendices, with the applicant considering the proposal to be inconsistent with these policies but not contrary to them.

5. Are any additional resource consents required from the applicant over and above those set out in the AEE?

No. It is considered the applicant has correctly identified the resource consents required.

If you have any further questions, please don't hesitate to contact me via tony.avery@qldc.govt.nz or 03 441 0461 / 027 498 2473.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tony Avery', is written over a horizontal line. The signature is enclosed in a light grey rectangular box.

Tony Avery

GENERAL MANAGER – PLANNING & DEVELOPMENT