

BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL

IN THE MATTER OF

The Resource Management Act  
1991

AND

IN THE MATTER OF

The Queenstown Lakes  
Proposed District Plan  
Submission and Further  
Submissions on Chapter 41  
Jacks Point.

---

STATEMENT OF EVIDENCE BY NEVILLE ANDREWS

SUBMISSION #576 17 FEBRUARY 2017

## 1. Introduction

- 1.1 My name is Neville Ernest Andrews. Along with my wife Erynne Andrews we live at 32 Orford Drive, Jacks Point, Queenstown.
- 1.2 I have significant business experience and currently work as Chief Operating Officer for a large local business with operations here and in Australia. For the last 20 years I have worked as a senior executive in a multinational business.
- 1.3 The property my wife and I own overlooks Peregrine Ridge and a considerable part of Jacks Point including Lake Tewa, the Golf Course and what is currently zoned FP-1 and FP-2

## 2 Background

- 2.1 The key purpose of my original submission was to object to the proposed zoning changes to tranches of land that would significantly impact those living close to those zones, or overlook those zones.
- 2.1 What RCL is proposing in the request to rezone land adjacent to Jacks Point Rise to OSCR is a classic example of the significant changes I am opposed to.
- 2.2 There are others with more intimate knowledge of that issue who will talk to that.
- 2.3 I wish to address three key issues, two of which are related to proposed zone changes, namely:
  - 2.3.1 The reduction in the amount of "preserve" land
  - 2.3.2 Rezoning request for FP-1 and FP-2
  - 2.3.3 Increase of height of buildings for the village adjacent to Lake Tewa

## 3 Summary:

- 3.1 I strongly object to any moves that change preserve to built ratios from the long held principle of 95:5
- 3.2 I strongly object to the proposal to rezone FP-1 and FP -2 to OSG and OSL
- 3.3 I strongly object to the height increase to 10m for village buildings adjacent to Lake Tewa
- 3.4 These proposed changes are completely contrary to the environment we expected to continue to live in when we bought into the zone.

## 4 Preserve to Built ratio

- 4.1 Coneburn Development Controls (CDC) agreed by original (many still current) developers in July 2003 and the attached to Jacks Point Stakeholders Deed (August 2003) enshrines the 95:5 principle.

- 4.2 Clause 1.1 of the CDC states “at least 95% of the area will be retained as open space including golf courses, reserves, revegetation, farmland, horticulture, and rural uses, general landscaping, wetlands etc
- 4.3 Clause 1.1 further more states the controls were put in place to “ensure certainty in respect of development of design outcomes” . Certainty, is an assured fact which should apply to all and for a much longer period of time than 14 years.
- 4.4 The Jacks Point website (see attached examples) has numerous references reinforcing this 95:5 principle, and in fact is using it to attract residents and buyers.
- 4.5 I along with many other residents bought into the Zone believing this to be set in stone.
- 4.6 Any changes to this principle will likely adversely impact our property values and liveability.
- 4.7 Inconveniently or deliberately vague there is no definition of “preserve” in the Original Deed, the CDC, the JPROA constitution, the ODP or the Resource Management Act.
- 4.8 According to the Oxford Dictionary, preserve is defined as “Maintain (something) in its original state.
- 4.9 To me the original state for Jacks Point has to be the state it was in when acquired for development.
- 4.10 I believe council (and this committee) should insist on an accurate calculation being done. Some of the calculations I have seen do not take into account roads and footpaths. And assume 45% section coverage and less in the so-called “Preserve Area”. I suggest once a piece of land goes into private ownership regardless of the coverage it is no longer preserve nor can it be considered open space accessible by the residents. I am sure my neighbour would take a dim view of me roaming his property.
- 4.11 Mr Darby’s evidence for JPG under submitters 762/856/1275, 765/1277 is proposing a major deviation from the 95:5 principle and strangely under the title “Completion of the Original Vision For Jack’s Point” in clause 24 he states JPG controls 563ha of land of which approximately 500ha will be managed in perpetuity as either golf course or protected natural space. This equates to an 89:11 ratio. The increase in the built portion equates to a 220% increase in the “built on area” in the JPG controlled space. Let me remind him the original vision he stood by was 95:5
- 4.12 Any changes to this ratio are completely inconsistent with the original deed and vision. It is inconsistent with the expectation of the current residents and should not be tampered with.

**5 Rezoning FP-1 and FP-2 to OSG and OSL respectively**

5.1 I strongly oppose this suggestion

5.2 If approved it will contribute to the degradation of the 95:5 principle

5.3 It will significantly alter the outlook of many Jack's Point residents, my self included.

5.4 It will significantly change the nature of what is essentially a rural outlook.

5.5 It will significantly reduce the preserve concept of Jacks Point.

5.6 I and many others bought property believing that part of the zone would not be built on.

**6 Increase in Building height for Village adjacent to Lake Tewa**

6.1 I reference Vicki Jones 42A report

6.2 She recommends in clause 1.3d that Jacks Point Village building height be increased to 10m

6.3 I strongly oppose this recommendation

6.4 Lake Tewa is a key aspect of the view for a significant number of Jack's Point residents myself included. The village build is already degrading the view of the lake for many of us and a height increase will only degrade it further.

**7 Constitutional Issues that impact governance of development of Jacks Point.**

7.1 I appreciate constitutional issues are not the concern of this hearing however understanding how the consturion is structured will aid understanding of the challenges residents in Jacks Point have in being listened to and having their views taken seriously.

7.2 JPROA has made submissions purporting to represent Jack's Point residents. That is not always the case because of a conflict of interest between the residents and the Controlling Member who appoints the Area Chairman, who presented on behalf of JPROA.

7.3 According to clause 4.4a in the constitution, "A Controlling Member is appointed until the development of Jacks Point is fully completed as determined by the Area Controlling Member at its sole discretion". In essence the Area Controlling Member, is the Developer, and the Controlling Member appoints the Area Committee Chairperson who has significant powers in the committee. As such the Developer for Jacks Point appoints the Chairperson.

- 7.4 In clause 12.22 the Controlling Member “shall be entitled to exercise a number of votes equal to one more than the number of votes required to make the decision in question”.
- 7.5 I therefore suggest that clarification issued by Mr Coburn on behalf of JPROA on 15th February, specifically clause 4b is incomplete in its explanation. At the 2015 AGM the Controlling Member did exactly that ie exercised controlling vote to change the constitution via the 14 day notification period process and in the face of considerable opposition from residents.
- 7.6 Mr Coburn’s explanation in the same document, referenced above, in clause 4c confirms the conflict of interest raised by other submitters.
- 7.7 The Chairperson can override (with the assistance of the Controlling Member) any proposals put forward by residents of Jacks Point that they disagree with.
- 7.8 The only way for true representation and the views of the residents and owners (excluding the developer) to be heard via JPROA is to reach the point where the “development of Jacks Point is fully completed”
- 7.9 Granting changes to zoning of land to allow the developer to continue to create sections and “develop Jacks Point” will only extend that control, likely until the next ODP review or a zoning change proposal. Allowing the FP-1 and FP-2 zoning change allows the developer to continue to gobble up preserve land for the developers own interest. Where will that preserve removal stop?



Neville Andrews

17<sup>th</sup> February 2017

## JACK'S POINT, QUEENSTOWN, NEW ZEALAND

Jack's Point is a 1200 hectare (3000 acre) settlement in one of the most spectacular landscapes in the world - on the shores of Lake Wakatipu, just 15 minutes from Queenstown. Home to a pioneering spirit, a championship golf course and over 35 kms of hiking and mountain biking trails.

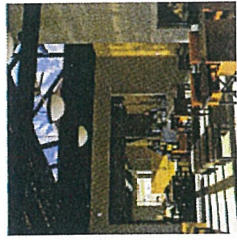
Announcing Stage 1 of the new Jack's Point Village. Express your interest in the Village now.



### BOOK GOLF

Jack's Point championship golf course; the ultimate golfing experience for all golfers to enjoy.

This 18 hole course follows natural contours and features tussock grassland, dramatic rocky outcrops and steep bluffs overlooking Lake Wakatipu.



### RESTAURANT

The Jack's Point Clubhouse Restaurant is open daily.

Their all-day menu suits every appetite, and with an emphasis on friendly service it's a welcoming place to relax and enjoy a casual meal in a beautiful, away from it all, alpine setting.



### REAL ESTATE

With 95% preserve there is the space to play. Step out your door and immediately find yourself on a 35km network of trails.



### LIVING HERE

Jack's Point provides the ultimate basecamp, a launch pad into the wilds and charms of this lake and mountain landscape.

P.2 Sam

website 12/1/17

home page

## WELCOME TO JACK'S POINT BACKYARD

JACK'S POINT IS QUEENSTOWN'S ONLY RESORT SETTLEMENT ON LAKE WAKATIPU



The beauty of Jack's Point is that with 95% preserve there is the space to play. From any residence you can walk out the door and immediately find yourself on a 35km network of trails that leads to some of the most beautiful areas in the Wakatipu, be it to run, bike, ride horseback or simply take a stroll.

Then there are the trails and adventures that extend beyond Jack's Point - be they a foray into local vineyards or a more adrenaline charged expedition - and for that Jack's Point provides the ultimate basecamp, a launch pad into the wilds and charms of the surrounding lake and mountainscape.



website 12/1/17 8.25am  
living / living here

## 2015

### THE STORY CONTINUES

Jack's Point is now a 1200 hectare (3000 acre) settlement in one of the most spectacular landscapes in the world - on the shores of Lake Wakatipu, just 15 minutes from Queenstown, New Zealand. Over 15 years in the planning, Jack's Point will feature over 1300 residential homes, a lakeside village with accommodation, restaurants and shops, a luxury lodge, alongside the highly acclaimed championship golf course, and over 35 kms of hiking, biking and equestrian trails.

What sets Jack's Point apart is the absolute commitment to the landscape - only 5% of this vast area will be built upon - but also the acknowledgment of the importance of that environment in every aspect of our lives. Jack's Point is 5% settlement, 95% preserve and 100% life.



website 12/1/17 8.25am  
living / story so far





### MASTER PLANNING JACK'S POINT

TREAD LIGHTLY - ONLY 5% OF THIS VAST AREA WILL BE BUILT UPON

Jack's Point is a 1200 hectare (3000 acre) settlement in one of the most spectacular landscapes in the world - on the shores of Lake Wakatipu, just 15 minutes from Queenstown, New Zealand. Over 15 years in the planning, Jack's Point will feature over 1300 residential homes, a lakeside village with accommodation, restaurants and shops, a luxury lodge, alongside the highly acclaimed championship golf course, and over 35 kms of hiking, biking and equestrian trails.

What sets Jack's Point apart is the absolute commitment to the landscape - only 5% of this vast area will be built upon - but also the acknowledgment of the importance of that environment in every aspect of our lives. Jack's Point is 5% settlement, 95% preserve and 100% life.

8-25-20

12/1/19

website

living / master plan