

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

Decision No. [2021] NZEnvC 34

IN THE MATTER

of the Resource Management Act 1991

AND

appeals under clause 14 of Schedule 1  
of the Act

BETWEEN

CONEBURN PRESERVE  
HOLDINGS LIMITED & OTHERS

(ENV-2018-CHC-137)

A & J SCHRANTZ

(ENV-2018-CHC-061)

WEI HENG FONG

(ENV-2018-CHC-116)

Appellants

AND

QUEENSTOWN LAKES DISTRICT  
COUNCIL

Respondent

Court: Environment Judge J J M Hassan  
Environment Commissioner J T Baines  
Environment Commissioner M C G Mabin

Hearing: at Queenstown on 23 and 24 September 2020

Last case event: Closing submissions for Jacks Point dated 19 October 2020

Appearances: M Baker-Galloway for Jacks Point  
J D K Gardner-Hopkins for A and J Schrantz  
G M Todd for W H Fong  
M Wakefield and R Mortiaux for QLDC



CONEBURN PRESERVE HOLDINGS LIMITED & ORS V QLDC – TOPIC 22

J Taverner for herself and S Taverner (s274 parties)  
C Geddes for himself and S Geddes (s274 parties)  
R Brabant for himself, E Brabant and J Williams  
(s274 parties)

Date of Decision: 16 March 2021

Date of Issue: 16 March 2021

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**INTERIM DECISION OF THE ENVIRONMENT COURT**  
**Topic 22 – Jacks Point Zone**

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A: The appeals are allowed to the extent that QLDC is directed to amend the Proposed District Plan as follows:

- (1) Chapter 41 as set out in Attachment A;
- (2) Chapter 27 as set out in Attachment B; and
- (3) the Jacks Point Structure Plan as set out in Attachment C.

B: The appeals remain extant on issues not determined herein.

C: Costs are reserved.

**REASONS**

**Introduction**

[1] This decision relates to appeals by Coneburn Preserve Holdings Limited and ors<sup>1</sup> ('Jacks Point'), Alexander and Jayne Schrantz ('the Schrantzes'), and Wei Heng Fong in relation to the staged review of the Queenstown Lakes District Plan

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<sup>1</sup> Jacks Point Village Holdings Limited, Jacks Point Land Limited, Jacks Point Land No. 2 Limited, Jacks Point Management Limited, Henley Downs Land Holdings Limited, Henley Downs Farms Holdings Limited, Coneburn Preserve Holdings Limited and Willow Pond Farm Limited.

(‘PDP’) and concerns Topic 22 – Jacks Point Zone (Ch 41).

[2] Jacks Point is a group of entities which have been involved in the development of the zone since its inception. The Schrantzes own Lot 35 in the Preserve at Jacks Point and have consent to build there,<sup>2</sup> while Mr Fong owns six undeveloped Preserve Homesite lots in the vicinity of where some of the new proposed Homesites would be located. The appeals were all allocated to Topic 22 and parties took part in court-facilitated ADR.<sup>3</sup> A number of s274 parties joined the appeals but only three made an appearance at hearing.

### **Background**

[3] In 2002, QLDC initiated a variation for a special Jacks Point Zone (JPZ) over an area of approximately 420ha at the foot of the Remarkables and close to the edge of Lake Wakatipu in Queenstown.

[4] The Structure Plan for this original area of the JPZ was based on very detailed site studies. These included detailed mapping and analysis of the landscape, and factors such as geology, topography, soils, ecology, hydrology, land use and its visibility from adjacent public viewpoints.<sup>4</sup> While the JPZ initially became operative in 2006, over the last 15 or so years the JPZ has developed as the needs and demands of the community have changed with time. More land has also been acquired by Jacks Point.<sup>5</sup>

[5] Within the plan review process, Jacks Point worked with QLDC in preparation of the new Ch 41 provisions as notified. It assisted in the formulation of changes to Ch 27 (Subdivision) and a new Structure Plan, as well as the updating

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<sup>2</sup> Notice of appeal for the Schrantzes dated 15 June 2018 at [3].

<sup>3</sup> Homestead Bay Trustees Limited was also assigned to Topic 22 but filed a notice of withdrawal dated 17 September 2020 in relation to its interest in the topic (as an appellant and a s274 party).

<sup>4</sup> J G Darby evidence-in-chief dated 8 July 2020 at [10].

<sup>5</sup> J G Darby evidence-in-chief dated 8 July 2020 at [16].

of the Coneburn Resource Study and an Assessment of Landscape and Visual Effects. These were accepted by QLDC as inputs into the Plan review.<sup>6</sup> They now inform the Topic 22 provisions in consideration in the PDP appeals.

### Issues for determination

[6] Parties made progress prior to hearing through ADR and expert conferencing with a number of appeal points being settled and withdrawn. Evidence was filed and pre-circulated as follows:

QLDC	Ms V Jones	Planning, dated 7 August 2020
	Ms B Gilbert	Landscape, dated 7 August 2020
	Mr G Falconer	Urban design, dated 7 August 2020
Jacks Point	Mr C Ferguson	Planning, dated 8 July 2020 and rebuttal dated 15 September 2020
	Ms Y Pflüger	Landscape, dated 8 July 2020
	Mr J Darby	Director of Jacks Point, dated 8 July 2020
s274 parties	Mr R Brabant	Resident, dated 14 August 2020
	Ms J Taverner	Resident, dated 14 August 2020
	Mr C Geddes	Resident, dated 14 August 2020

[7] Two joint witness statements on landscape and planning were filed following expert conferencing.<sup>7</sup> No evidence was filed by the Schrantzes or Mr Fong.

[8] The evidence traverses a number of matters that are no longer in dispute.

<sup>6</sup> Opening submissions for Jacks Point dated 23 September 2020 at [7].

<sup>7</sup> Planning Joint Witness Statement dated 28 August 2020; Landscape Joint Witness Statement dated 10 September 2020.

Before the hearing, QLDC confirmed<sup>8</sup> five live issues for determination:

- (a) Issue 1: the drafting of policy 41.2.1.1;
- (b) Issue 2: the drafting of policy 41.2.1.22;
- (c) Issue 3: the appropriateness of the additional homesites included in the Ch 41 structure plan;
- (d) Issue 4: the Village Activity Area; and
- (e) Issue 5: the approach to the Peninsula Hill ONL/Peninsula Hill Landscape Protection Area overlay.

[9] This decision is confined to Issues 2 and 3.<sup>9</sup>

[10] As for the remaining issues:

- (a) the appeal point for Issue 1 was withdrawn by Jacks Point;
- (b) Issue 4 remains live but is subject to the proposed use of s293 which has been subject to other directions post-hearing.<sup>10</sup> To allow the s293 process to proceed according to arrangements with other parties, Jacks Point withdrew its appeal points on Policy 41.2.1.19, rule 41.4.2.1, rule 41.5.2.6 and 41.5.2.1. It relies on its consequential and alternative relief remaining live. Accordingly, no determination from the court is sought at this stage on Issue 4;
- (c) Issue 5 remains live but is adjourned and presently requires no finding from the court. No proposed changes are included in the consolidated provisions provided by parties at the end of the hearing, instead a place holder is noted as it is agreed that it will be appropriate for there to be a policy in the JPZ that directs itself to the ONL eventually.

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<sup>8</sup> Memorandum on behalf of QLDC dated 17 September 2020.

<sup>9</sup> Memorandum on behalf of Jacks Points dated 24 September 2020 at [2]-[6].

<sup>10</sup> Minutes dated 15 October 2020 and 11 March 2021.

[11] Jacks Point's closing submissions included a consolidated set of proposed updated Topic 22 provisions (**Attachments A, B and C**):<sup>11</sup>

... that reflect the agreed position between Geddes, Brabant and Taverner (in respect of Issue 2), and the Schrantzes (in respect of Issue 3), Council and Jacks Point as at the close of play of the hearing.

[12] As discussed, at the conclusion of the hearing, the parties sought that the court approve the agreed provisions and Structure Plan<sup>12</sup> in respect of Issues 2 and 3 as there is consensus between the experts and all parties (except Mr Fong).

[13] We are satisfied that the two Issues are sufficiently discrete to enable us to determine them by this decision.

### **Jurisdiction**

[14] The court has the same power, duty and discretion as QLDC had as the decision-maker on the Plan provisions. We may confirm, amend or cancel QLDC's decision (relevantly) in relation to Policy 41.2.1.22 and the number of additional Homesites and associated policies and rules (s290, RMA).

[15] We also note, we are empowered by s293 to direct that changes be made to the PDP that go beyond the scope of relief in the appeals. This is the case with Issue 4 (the Village Activity Area) as noted above and directions have been made for parties to pursue an application under s293 to that effect.

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<sup>11</sup> Closing submissions for Jacks Point dated 19 October 2020 at [3].

<sup>12</sup> There is one outstanding matter in relation to the Structure Plan: the treatment of Peninsula Hill, and whether or not the Landscape Protection Area hatching should be applied over the entire part of hill within the Zone, or just part thereof. This issue is adjourned and no determination currently sought.

## Relevant PDP provisions

[16] The JPZ's (only) objective (41.2.1) provides for:

... the establishment of an integrated community, incorporating residential living, visitor accommodation, community, and small-scale commercial activities with appropriate regard for landscape and visual amenity values, and within a framework of open space and recreation amenities.<sup>13</sup>

[17] The related policies provide for the JPZ generally, and pertain to residential, village and education, open space and visitor accommodation activities and uses.

[18] The PDP's Ch 27 concerns subdivision and development. Provision 27.3 sets out location specific objectives and policies, including for the JPZ. Objective 27.3.7 directs that:<sup>14</sup>

subdivision occurs consistent with the Jacks Point Structure Plan.

## Issue 2 – Pol 41.2.1.22

[19] Jacks Point seek an amendment to this policy to reduce tension between that policy and the controlled activity rule (41.4.4.2) in contemplation of a new golf clubhouse being constructed within the Open Space Golf ('OSG') Activity Area.

[20] The 'Decisions Version' ('DV') of Pol 41.2.1.22, the subject of appeals, is to:

Avoid all buildings in the Open Space Golf (OSG) and Open Space Residential Amenity (OSA) Activity Areas other than ancillary small scale recreational buildings on the same site as the activity it is ancillary to, and that are of a design that is sympathetic to the landscape.

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<sup>13</sup> PDP Ch 41 – Objective 41.2.1.

<sup>14</sup> PDP Ch 27 – Objective 27.3.7.

[21] The parties agree that this Policy should be amended to read:<sup>15</sup>

Avoid all buildings in the Open Space Golf (OSG) and Open Space Residential Amenity (OSA) Activity Areas, other than ancillary small scale recreational buildings ~~on the same site as the activity it is ancillary to~~ and that are of a design that is sympathetic to the landscape. The restriction to “small scale” restriction does not apply to a single clubhouse or golf cart storage facility associated with buildings ancillary to the existing 18 hole Jacks Point golf course, that are located within the ~~on land zoned~~ OSG Activity Area, where it ~~which~~ is not overlaid by the Tablelands Landscape Protection Area.

[22] OSG and OSA Activity Areas are intended as open space areas and for recreational use by residents in the JPZ. Ms Baker-Galloway explained that Jacks Point intends to finish development of the golf course with a club house and golf cart storage facility located on the golf course (and not in the village as it is currently). With the exception of those buildings, the remaining OSG and OSA areas are to be protected as open and unbuilt space with only small buildings that are ancillary to the areas’ recreational uses.<sup>16</sup>

[23] Counsel submits that the agreement now reached in respect of the directive policy ensures that it makes that very clear direction. The specific reference to the club house and golf cart storage building is to ensure integration and consistency between the policy and the relevant controlled activity rule 41.4.4.2 which gives Council control over the “bulk” of buildings ancillary to outdoor recreation activities in the open space areas.<sup>17</sup>

### ***Discussion***

[24] On the expert evidence, and in view of the consensus reached between the parties who called evidence, we find the agreed revisions to this Policy are

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<sup>15</sup> Closing submissions for Jacks Point dated 19 October 2020 at [8].

<sup>16</sup> Closing submissions for Jacks Point dated 19 October 2020 at [9].

<sup>17</sup> Closing submissions for Jacks Point dated 19 October 2020 at [9].



appropriate. As revised, we find Pol 41.2.1.22 most appropriate for achieving related Obj 41.2.1. We confirm the revised wording accordingly.

### **Issue 3 – the appropriateness of the additional homesites included in the Ch 41 structure plan**

#### ***General – appeals by Schrantzes and Fong***

[25] The proposed Structure Plan makes provision for several identified ‘Homesites’. As that name suggests, ‘Homesite Activity Areas’ are identified as locations where a residential building is enabled subject to specified controls. The DV provided for various modifications and additions on the notified provisions Homesites provisions. The DV was appealed by two parties with property interests at Jacks Point, the Schrantzes and Wei Heng Fong.

[26] On the matter of Homesites, the Schrantzes’ appeal (in respect of which Mr Fong was a s274 party) sought:<sup>18</sup>

Removal of the 18 additional house sites introduced into the Tablelands to return to the density provided for in the Operative plan.

[27] However, the Schrantzes did not call evidence or attend the hearing. Just prior to the commencement of hearing, counsel for the Schrantzes advised that they are now generally supportive of the “package” of planning provisions being put forward by Jacks Point.<sup>19</sup> We treat their appeal as so modified.

[28] Mr Fong’s appeal supported the Schrantzes’ position, opposed the additional Homesites included in the DV and sought reversion to the previous status quo under the District Plan. Mr Fong did not call evidence but counsel made oral submissions explaining his concerns that the further Homesites were

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<sup>18</sup> ENV-2018-CHC-061.

<sup>19</sup> Memorandum of counsel for the Schrantzes dated 22 September 2020.

not justified or appropriate.<sup>20</sup>

[29] As for the DV provisions of Chs 41 and 27 pertaining to Jacks Point, it is useful to refer to Ms Baker-Galloway's submissions by way of overview:<sup>21</sup>

- (a) There is a suite of new provisions that are intended to ensure tangible landscape and biodiversity outcomes are achieved through the implementation of an integrated Vegetation Management Strategy (VMS) over the area within which Homesites 38 – 56 are contained. This includes:
  - (i) New policies 27.3.7.8 and 41.2.1.29 addressing biodiversity, ecological, landscape character and amenity values generally through the requirement for a VMS;
  - (ii) Subdivision in accordance with the Structure Plan and requirement for a VMS is controlled under new rule 27.7.5.4, which contains the prescriptive requirements of a VMS for the subdivision of Homesites 38 – 56 to qualify as a controlled activity. If the requirements of rule 27.7.5.4 are not met then subdivision of the Homesites will be non-complying pursuant to 27.7.5.5 – 7. Matter of control (g) ensures council can require a legal instrument to secure implementation of the VMS;
  - (iii) Rule 27.7.5.4 includes detail of the minimum content of the VMS (Information requirement (a)), and details in terms of implementation including protection of existing vegetation, irrigation if required, and staging and timing of planting (information requirement (b));
  - (iv) Once subdivided, it is a controlled activity to build a residence within a Homesite under rule 41.4.4.17 (with the exception of 39, 40 and 58, see below). There is the tracked addition to 41.4.4.17(h) to bring through to the landuse consent stage the ongoing obligation to implement the stages of the VMS not required at subdivision stage, and to maintain the VMS. In addition there is new standard 41.5.4.8 that requires implementation of the VMS prior to occupation of a unit – breach of this standard would be non-complying. It is submitted that both within the subdivision rules, and the landuse rules, there are

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<sup>20</sup> Transcript (Todd) p 156.

<sup>21</sup> Closing submissions for Jacks Point dated 19 October 2020 at [10].

significant protections to ensure implementation and maintenance of the VMS. At both the subdivision and landuse consenting stages a failure to do so would be non-complying.

- (b) Homesites 39 and 40 are proximate to the Outstanding Natural Landscape of Peninsula Hill and accordingly it was agreed a specific policy 41.2.1.32 was appropriate, along with a restricted discretionary status for building of residences in new rule 41.4.4.19.
- (c) Standard 41.5.4.4 also contains the agreed datum level for each new Homesite above which maximum height standard is 5m. Standard 41.5.5.5 (c) sets the reflectance value and colour range.

[30] Ms Baker-Galloway explained how those provisions were underpinned by detailed and careful analysis and testing over time by experts, as well as the work of the Hearings Commissioners at first instance. She noted the importance of updating the Coneburn Area Resource Study in 2015 prior to notification of the PDP, including updating of the character of identified character landscape areas, changes to landscape absorption capability through mounding, vegetation and built form and reduced visibility from SH6 and Lake Wakatipu due to highway mitigation planting, mounding and other development.<sup>22</sup>

[31] Ultimately, there was full consensus between the landscape and planning experts that, subject to some revisions to related Ch 41 provisions, all the DV's Homesites are appropriate.

[32] Homesite 58 was given particular scrutiny by the landscape experts given that it would sit within the Peninsula Outstanding Natural Landscape ("ONL"). However, the landscape experts (Ms Pflüger, called by Jacks Point, and Ms Gilbert called by QLDC) were ultimately agreed that this Homesite would not compromise the ONL's related values and was appropriate. On that consensus, the planning witnesses (Mr Ferguson called by Jacks Point and Ms Jones called by

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<sup>22</sup> Closing submissions for Jacks Point dated 19 October 2020 at [19], referring to Y Pflüger evidence-in-chief dated 8 July 2020 at [23].

QLDC) were also supportive of this Homesite subject to their agreement on related policy changes.<sup>23</sup> The planners were mindful that the court had not yet finally determined the Ch 3 Strategic Objectives and Policies including as to so-termed ‘Exclusion Zones’ (potentially including Jacks Point). However, they agreed that there should be a specific policy that would apply to Homesite 58 for the purposes of protecting the values of the Peninsula ONL.<sup>24</sup> They recommended the inclusion in Ch 41 of a new policy 41.2.1.33, as follows:

Ensure that use and development within Homesite 58:

- a. does not detract from the visual amenity and open space values when viewed from the urban areas of Queenstown; is not visible from within residential activity areas of the Jacks Point Zone; and that the visual effects of effects of building development from Lake Wakatipu are restricted to views obtained from a distance of greater than 1.4 km;
- b. is accessed by the private accessway shown on the Structure Plan (41.7) which is consistent in appearance to a simple farm type accessway, which incorporates native tree and shrub planting that screens it from views beyond Homesite 58;
- c. avoids light spill beyond Homesite 58; and
- d. enhances the nature conservation values, landscape values, and biodiversity values of HS58 and the adjoining OSL Activity Area through planting designed to reinforce existing landform and vegetation patterns.

[33] No party opposes the inclusion of Homesite 58 or this now agreed outcome for that Homesite.

[34] For Jacks Point, Ms Baker-Galloway characterised the approach as being of “micro-siting” Homesite 58 in view of its ability to absorb built development, with agreement between the experts that use and development can be provided for in a restricted discretionary framework along with comprehensive policy direction.<sup>25</sup>

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<sup>23</sup> Closing submissions for Jacks Point dated 19 October 2020 at [22].

<sup>24</sup> Planning Joint Witness Statement dated 28 August 2020 at [6.1] and [6.3].

<sup>25</sup> Closing submissions for Jacks Point dated 19 October 2020 at [19]; new policy 41.2.1.33, new restricted discretionary rule 41.4.4.18 for a dwelling, and standards 27.7.5.1(e), 41.5.4.6 and 41.5.5.1(d) in respect of access.

Counsel submits that there is a strong evidential basis to support Homesite 58, reflected in the detailed assessment work on both landscape character and visibility of Ms Pflüger, and expect caucusing with Ms Gilbert.<sup>26</sup>

[35] The remaining Homesites in issue are not within an ONL but are sited in an area identified as the ‘Tablelands Landscape Protection Area’. There is a consensus between the planning and landscape experts that these Homesites are appropriate. As Ms Baker-Galloway properly submitted, there is no evidence of adverse effects on important values and there will be significant benefits to be gained. Those are through the provision of high quality living opportunities and the implementation of the Vegetation Management Strategy.<sup>27</sup>

[36] During a hearing recess, the court undertook a site visit that included a visual inspection of all the proposed Homesites and a walk through the ONL environs of Homesite 58. Given the challenging access to Homesite 58, involving a need for skilled four-wheel driving, the court was accompanied for this part of its visit by a representative of Jacks Point. The remainder of the site visit was unaccompanied. This was in terms of an itinerary proposed by the parties.

### *Discussion*

[37] The court understands that, to those with established interests, change is not always welcome. In this case, that includes the change that occurs through the DV’s addition of several additional Homesites. In essence, this concern pertains to the maintenance of amenity values, a matter to which we must have particular regard (s7(c), RMA).

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<sup>26</sup> Closing submissions for Jacks Point dated 19 October 2020 at [20].

<sup>27</sup> Opening submissions for Jacks Point dated 23 September 2020 at [18].

[38] However, we accept the consensus landscape and planning evidence in finding that:

- (a) Homesite 58 is located such as to be effectively absorbed into the Peninsula ONL and not materially impact the ONL's values, subject to the inclusion in Ch 41 of the recommended new policy 41.2.1.33;
- (b) the remaining Homesites will not adversely impact upon the important values of the Tablelands Landscape Protection Area and will assist to achieve benefits from the implementation of the Vegetation Management Strategy;
- (c) all the additional Homesites will also assist to deliver benefits by the provision of high quality living opportunities; and
- (d) the updated Ch 41 and Ch 27 provisions, as recommended by the planning witnesses and set out in Attachments A and B to this decision are the most appropriate, including for achieving related Objectives.

### **Outcome**

[39] The appeals are allowed to the extent that QLDC is directed to amend the Proposed District Plan as follows:

- (a) Chapter 41 as set out in Attachment A;
- (b) Chapter 27 as set out in Attachment B; and
- (c) the Jacks Point Structure Plan as set out in Attachment C.

[40] The relief sought by Mr Fong in regard to the Homesites is otherwise disallowed.

[41] Costs are reserved, and a timetable will be set in due course.

For the court:



**J J M Hassan**  
**Environment Judge**



**Attachment A**  
**Chapter 41**



**Please Note: Variations to parts of this chapter have been decided by Council on 7 March 2019 as part of Stage 2 of the PDP. You can view the Stage 2 Decisions, appeals and section 274 notices on our website. The appeal and section 274 periods for the Stage 1 and 2 Decisions have closed.**

*Consolidated version as at 19 October 2020, which incorporates all amendments agreed between the parties during the hearing. All amendments shown in track changes by underline or ~~strike through~~.*

#### 41.1           Zone Purpose

The purpose of the Jacks Point Zone is to provide for residential, rural living, commercial, community and visitor accommodation in a high quality sustainable environment comprising residential areas, two mixed use villages and a variety of recreation opportunities and community benefits including access to public open space and amenities.

The village areas and associated residential activities at Jacks Point will be sustainable in their nature, constituting mixed density development, best practice methods of waste disposal and longevity in their quality and built form. The preparation of development controls and non-regulatory design guidelines, in conjunction with provisions of the District Plan and other methods, will ensure provision for the social, economic and cultural wellbeing of the wider community, while also assisting in ecological enhancement and the seamless integration of the built and natural environment.

In addition, the zoning anticipates an 18-hole championship golf course, a luxury lodge, small-scale commercial activities, provision for community facilities, craft and winery activities, outdoor recreation and enhanced access to and enjoyment of Lake Wakatipu.

#### 41.2           Objectives and Policies

**41.2.1**       Objective - The establishment of an integrated community, incorporating residential living, visitor accommodation, community, and small-scale commercial activities with appropriate regard for landscape and visual amenity values, and within a framework of open space and recreation amenities.

## Policies

### General - Zone Wide

- 41.2.1.1 Require activities to be located in accordance with the Structure Plan (41.7) to establish the spatial layout of development within the zone and diversity of living and complementary activities, taking into account:
  - a. integration of activities;
  - b. landscape and amenity values;
  - c. road, open space and trail networks;
  - d. visibility from State Highway 6 and from Lake Wakatipu.
- 41.2.1.2 Provide public access from the State Highway to the lake foreshore and to facilitate increased use and enjoyment of the margin and waters of Lake Wakatipu.
- 41.2.1.3 Provide safe and efficient road access from State Highway 6.
- 41.2.1.4
  - a. Ensure subdivision and development incorporates the design elements shown on the Structure Plan, namely roads, road connections, open space, access connections and trails.
  - b. Ensure the efficient provision of servicing infrastructure, roading and vehicle access.
  - c. Ensure efficient provision of sewage disposal, water supply and refuse disposal services which do not adversely affect water quality or other environmental values.
- 41.2.1.5 Control the take-off and landing of aircraft within the zone.
- 41.2.1.6 Avoid industrial activities.
- 41.2.1.7 Maintain and protect views into the Jacks Point Zone of a predominantly rural and open character when viewed from the lake, and to maintain and protect views across the site to the mountain peaks beyond the lake when viewed from the State Highway.

### Residential

- 41.2.1.8
  - a. Provide for a diversity of living accommodation, including opportunities for farm and rural living at low densities.
  - b. Provide for medium density and small lot housing subject to ensuring the scale and form of built development provides an appropriate standard of residential amenity and design.
- 41.2.1.9 Require that any conventional low density residential development in the Residential Hanley Downs (R(HD)) and Jacks Point (R(JP)) Activity Areas be offset by higher density residential development and common open spaces in order to achieve efficient use of land and infrastructure.

- 41.2.1.10 Maintain or enhance the character and amenity values that exist in the established Jacks Point Residential Activity Areas (R(JP)) as at 31 August 2016, including the high standard of design and landscape elements incorporated into communal open space areas, transport corridors and private lots, and lower average densities compared to the Hanley Downs Residential Activity Areas.
- 41.2.1.11 Enable medium density housing development within the established Jacks Point Residential Activity Areas (R(JP)) subject to the scale and form of built development being appropriate to the character of the Activity Area.
- 41.2.1.12 Recognise the (Hanley Downs) Residential Activity Areas (R(HD)) as being appropriate to accommodate residential development at a greater scale and intensity than elsewhere in the zone.
- 41.2.1.13 Apply residential development controls to protect privacy and amenity, provide access to sunlight, to achieve design cohesion, and to provide appropriate opportunities outdoor living, consistent with the residential density anticipated in that Activity Area.
- 41.2.1.14 Enable commercial activities on primary roads within the Hanley Downs Residential Activity Areas (R(HD)) of a scale limited to servicing the needs of the local community.
- 41.2.1.15 Provide for predominantly low density residential development in the Residential - State Highway Activity Areas ((R(HD-SH) and (R(JP-SH))), and appropriately mitigated through landscaping and the provision of open space.
- 41.2.1.16 Ensure that residential development in the Jacks Point Zone does not dominate views from the State Highway and that any adverse visual impacts are mitigated through landscaping, building design and provision of open space.

### **Villages and Education**

- 41.2.1.17
  - a. Enable the Jacks Point Village Activity Area (V(JP)) to develop as the vibrant mixed use hub of the Jacks Point Zone, comprising a range of activities including:
    - i. high and medium density residential housing;
    - ii. a small local shopping centre that services the needs of Jacks Point residents and provides for small scale destination shopping and office space;
    - iii. visitor accommodation;
    - iv. education facilities, community activities, healthcare, and commercial recreation activities;
    - v. technology and innovation-based business.
  - b. Enable the Homestead Bay Village Activity Area (V(HB)) to develop as a secondary commercial and mixed use centre supporting aquatic activities and the needs of residential activity around Homestead Bay.

- 41.2.1.18 Enable commercial and community activities and visitor accommodation in the Jacks Point Village (V(JP)) and Homestead Bay Village (V(HB)) Activity Areas, provided residential amenity, health, and safety are protected or enhanced through:
- a. compatible hours of operation and noise;
  - b. a high standard of building design;
  - c. the location and provision of open space, buffers and setbacks;
  - d. appropriate landscape mitigation;
  - e. efficient design of vehicle access and car parking; and
  - f. an appropriate scale of activity, and form of building development.
- 41.2.1.19 Encourage high quality urban design throughout the Jacks Point Village (V(JP)) and Homestead Bay Village (V(HB)) Activity Areas by:
- a. requiring all subdivision and development to be in accordance with a Comprehensive Development Plan incorporated in the District Plan, which shall establish an integrated and coordinated layout of open space; built form; roading patterns; pedestrian, cycle access, and carparking; the land uses enabled within the buildings; streetscape design; design controls in relation to buildings and open space; and an appropriate legal mechanism to ensure their implementation;
  - b. requiring the street and block layouts and the bulk, location, and design of buildings to minimise the shading of public spaces and to avoid the creation of wind tunnels;
  - c. encouraging generous ground floor ceiling heights for commercial buildings that are relatively consistent with others in the village; and
  - d. encouraging the incorporation of parapets, corner features for landmark sites, and other design elements in order to achieve a positive design outcome and providing for a 3 storey building height in the Jacks Point Village Activity Area and 2 storey commercial building height in the Homestead Bay Village Activity Area.
- 41.2.1.20 Enable the development of education and associated activities and day care facilities within the Education Activity (E) Area, subject to achieving a high standard of urban design.

### Open Space

- 41.2.1.21 Recognise the important contribution that the open space areas that adjoin the residential and village areas make to the identity, character, amenity, and outlook of the Jacks Point Zone for residents and visitors.
- 41.2.1.22 Avoid all buildings in the Open Space Golf (OSG) and Open Space Residential Amenity (OSA) Activity Areas, other than ancillary small scale recreational buildings on

~~the same site as the activity it is ancillary to and that are of a design that is sympathetic to the landscape. The restriction to "small scale" restriction does not apply to a single clubhouse or golf cart storage facility associated with buildings ancillary to the existing 18 hole Jacks Point golf course, that are located within the on-land zoned OSG Activity Area, where it which is not overlaid by the Tablelands Landscape Protection Area.~~

- 41.2.1.23 Provide for farming and associated activities, while ensuring that the scale of building and other development associated with those activities does not result in over-domestication of the landscape.
- 41.2.1.24 Enable mining activities within the Open Space Golf (OSG) Activity Area for the development of the Jacks Point Zone provided the adverse environmental effects of the activity are managed.
- 41.2.1.25 Provide for local biodiversity through:
  - a. the protection and enhancement of existing ecological values, in a holistic manner;
  - b. reduction in grazing around wetland areas; and
  - c. the provision of links between grey shrublands, wetlands and the lakeshore escarpment, including indigenous vegetation links between Activity Areas where appropriate.
- 41.2.1.26 Ensure that development within the ecologically sensitive areas of the zone results in a net environmental gain.
- 41.2.1.27 Ensure that subdivision, development and ancillary activities within the Tablelands Landscape Protection Area maintain the character of the landscape.
- 41.2.1.28 Ensure substantial native revegetation of the gully within the Open Space Foreshore (OSF) Activity Area within Homestead Bay and the Homesite (HS) Activity Areas.
- 41.2.1.29 Ensure that use and development within Homesites HS<sub>38</sub> to HS<sub>56</sub> and any adjoining area of OSL or OSG, maintains and enhances the indigenous biodiversity, ecological values landscape character, and visual amenity values of these Homesites and this part of the Tablelands Landscape Protection Area through the implementation of a vegetation management strategy.
- 41.2.1.30 Encourage native planting of the Open Space Activity Areas (OSF, OSL and OSG).
- 41.2.1.31 Provide for the development of lakeside activities and low density residential development in the Homestead Bay area, in a manner which complements and enhances amenity values.

[Placeholder – Policy in respect of Issue 5 Peninsula Hill ONL/Landscape Protection Area – adjourned]

41.2.1.32 Ensure that use and development within Homesite Activity Areas HS<sub>39</sub> and HS<sub>40</sub> maintains or enhances the landscape character and visual amenity values of the Tablelands Landscape Protection Area, and protects the values of the Outstanding Natural Landscape, by:

- a) Ensuring building development is not visually prominent when viewed from State Highway 6, other Homesites within the Tablelands Landscape Protection Area, the access road to the Homesites, the Lodge Activity Areas, the Queenstown Trail, and the Jacks Point residential activity areas, recognising that buildings will be visible from these areas.;
- b) Ensuring vehicle access harmonises with the landform, including by establishing native tree and shrub planting to mitigate visibility, and utilising shared accessways as much practical.;
- c) Avoiding light spill beyond the Homesite ;
- d) Requiring the planting of predominantly indigenous vegetation species to enhance indigenous biological diversity, and build on existing ecological patterns, including wetland and grey shrubland habitats in accordance with Vegetation Management Strategy; and
- e) requiring that buildings do not detract from the landscape values of the adjacent Peninsula Hill Outstanding Natural Landscape.

#### Lodge

41.2.1.32 To provide for visitor accommodation and ancillary facilities within the Lodge (L) Activity Areas in a manner that does not adversely affect the open character and amenity of the surrounding Open Space Golf (OSG) Activity Areas.

#### Homesite 58

##### 41.2.1.33

##### 41.2.1.33

Ensure that use and development within Homesite 58:

- a. Does not detract from the visual amenity and open space values when viewed from the urban areas of Queenstown; is not visible from within residential activity areas of the Jacks Point Zone; and that the visual effects of effects of building development from Lake Wakatipu are restricted to views obtained from a distance of greater than 1.4 km;
- b. is accessed by the private accessway shown on the Structure Plan (41.7) which is consistent in appearance to a simple farm type accessway, which incorporates native tree and shrub planting that screens it from views beyond Homesite 58;

- c. avoids light spill beyond Homesite 58; and
- d. Enhances the nature conservation values, landscape values, and biodiversity values of HS58 and the adjoining OSL Activity Area through planting designed to reinforce existing landform and vegetation patterns.

### 41.3 Other Provisions and Rules

#### 41.3.1 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	Planning Maps	

#### 41.3.2 Interpreting and Applying the Rules

- 41.3.2.1 Any activity which is not provided for within the list of activities below or which is not provided a specific activity status through any other rule within Rule 41.4 Tables 1 - 5 'Activities located in Jacks Point Zone' shall be a discretionary activity.
- 41.3.2.2 The existence of a farm building either permitted or approved by resource consent under Rule 41.5.4.10 shall not be considered the permitted baseline for residential or other non- farming activity development within the Open Space Activity Areas of the Jacks Point Zone.
- 41.3.2.3 Where provisions refer to the Structure Plan, this shall be taken to mean the Structure Plan contained in Rule 41.7

and Rule 41.4 (Rules – Activities) and Rule 41.5 (Standards for Activities). References to the Structure Plan and to Activity Areas are references to the Jacks Point Zone Structure Plan and the Activity Areas identified on that Structure Plan.

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

41.3.2.5 Where an activity does not comply with a Standard in Rule 41.5 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.

41.3.2.6 The following abbreviations are used within this Chapter.

P	Permitted	C	Controlled	R	Restricted Discretionary
				D	
D	Discretionary	N	Non-Complying	P	Prohibited
		C		R	

41.3.2.7 Rule 33.5.2 does not apply within the Jacks Point Zone.

#### 41.4 *Rules – Activities*

<b>Table 1</b>	<b>Activities Located in the Jacks Point Zone</b>	<b>Activity Status</b>
<b>41.4.1</b>	Residential Activity (R)Areas and the Rural Living Activity Area	
	Residential Activities Areas (R)	P
	41.4.1.1 Residential activities – all Residential Activities Areas unless specified otherwise.	
	Residential State Highway Activity Areas R(SH)	P
	41.4.1.2 Residential activities and works for the visual mitigation of the effects of development as viewed from the State Highway	
	Rural Living (RL) Activity Area	C
	41.4.1.3 Residential activities.  Control is reserved to:	



Table 1	Activities Located in the Jacks Point Zone	Activity Status
	<ul style="list-style-type: none"> <li>a. the external appearance of buildings with respect to the effect on visual and landscape values of the area;</li> <li>b. the adequacy of infrastructure and servicing;</li> <li>c. the effects of associated earthworks and landscaping;</li> <li>d. access and parking provision;</li> <li>e. the bulk and location of buildings;</li> <li>f. the effects of exterior lighting.</li> </ul>	
	<p>Residential R(HD) Activity Areas</p> <p>41.4.1.4 Educational and Day Care Facilities.</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> <li>a. the location and external appearance of buildings;</li> <li>b. setback from roads;</li> <li>c. setback from internal boundaries;</li> <li>d. traffic generation, access and parking;</li> <li>e. provision of outdoor space;</li> <li>f. street scene including landscaping;</li> <li>g. provision for walkways, cycle ways and pedestrian linkages;</li> <li>h. potential noise impacts;</li> <li>i. infrastructure and servicing, including traffic effects.</li> </ul>	C
	<p>41.4.1.5 Residential Activity Areas R(HD) A – E, R(HD-SH) 1, and R(HD-SH)-3</p> <p>Any residential activity which results in either:</p> <p>three or more attached residential units; or</p>	RD

Table 1	Activities Located in the Jacks Point Zone	Activity Status
	<p>a. density of more than one residential unit per 380 m<sup>2</sup> of net site area.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. external appearance;</li> <li>b. access and car parking;</li> <li>c. traffic generation effects;</li> <li>d. associated earthworks;</li> <li>e. landscaping;</li> <li>f. effects on adjacent sites that are not part of the medium density residential development being applied for;</li> <li>g. bulk and location;</li> <li>h. legal mechanisms proposed in relation to building bulk and location.</li> </ul> <p>Except that this rule shall not apply to residential units located on sites smaller than 380m<sup>2</sup> created pursuant to subdivision rule 27.7.5.2.</p>	
	<p>Residential R(JP) 1 - 3 and R(JP-SH) 4 Activity Areas</p> <p>41.4.1.6 Any residential activity which results in either:</p> <p>three or more attached residential units; or:</p> <ul style="list-style-type: none"> <li>a. density of more than one residential unit per 380 m<sup>2</sup> of net site area.</li> </ul> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. external appearance;</li> <li>a. residential amenity values;</li> <li>b. access and car parking;</li> <li>c. associated earthworks.;</li> </ul>	RD

Table 1	Activities Located in the Jacks Point Zone	Activity Status
	<ul style="list-style-type: none"> <li>d. landscaping;</li> <li>e. effects on adjacent sites that are not part of a medium density residential development subject to the application;</li> <li>f. bulk and location;</li> <li>g. legal mechanisms proposed in relation to building bulk and location.</li> </ul>	
	<p>Residential R(HD)A - D and R(SH-HD)1 - 3 Activity Areas</p> <p>41.4.1.7 Commercial activities and Community activities including the addition, alteration or construction of associated buildings.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. location, scale and external appearance of buildings;</li> <li>b. setback from roads;</li> <li>c. setback from internal boundaries;</li> <li>d. vehicle access, street layout and car parking;</li> <li>e. street scene including landscaping;</li> <li>f. enhancement of ecological and natural values;</li> <li>g. provision for walkways, cycle ways and pedestrian linkages;</li> <li>h. scale of the activity;</li> <li>i. noise;</li> <li>j. hours of operation.</li> </ul> <p>Except that this rule shall not apply to:</p> <ul style="list-style-type: none"> <li>a. a single residential unit on any site contained within a separate computer freehold register;</li> </ul>	RD

<b>Table 1</b>	<b>Activities Located in the Jacks Point Zone</b>	<b>Activity Status</b>
	<p>b. residential units located on sites smaller than 380 m<sup>2</sup> created pursuant to subdivision rules 27.5.5 or 27.7.5.2.</p>	
	<p>Residential R(HD)- E Activity Area</p> <p>41.4.1.8 Commercial activities, community activities, and visitor accommodation including the addition, alteration or construction of associated buildings.</p> <p>Discretion is restricted to:</p> <p>a. location, scale and external appearance of buildings;</p> <p>b. setback from roads;</p> <p>c. setback from internal boundaries;</p> <p>d. traffic generation;</p> <p>e. vehicle access, street layout and car parking;</p> <p>f. street scene including landscaping;</p> <p>g. enhancement of ecological and natural values;</p> <p>h. provision for walkways, cycle ways and pedestrian linkages;</p> <p>i. scale of the activity;</p> <p>j. noise;</p> <p>k. hours of operation.</p>	RD
	<p>All Residential (R) Activity Areas and Rural Living (RL) Activity Area</p> <p>41.4.1.9 Residential Visitor Accommodation and Homestays</p>	P

<b>Table 2</b>	<b>Activities Located in the Jacks Point Zone – Village and Education Activity Areas</b>	<b>Activity Status</b>
<b>41.4.2</b>	Village and Education (V), V(HB) and (E) Activity Areas	

Table 2	Activities Located in the Jacks Point Zone – Village and Education Activity Areas	Activity Status
	<p>Village Activity (V) and V(HB) Areas</p> <p>41.4.2.1 Any commercial, community, residential, residential visitor accommodation, homestay, or visitor accommodation activity within the Jacks Point (V) or Homestead Bay (HB) Village Activity Areas, including the addition, alteration or construction of associated buildings, provided the application is in accordance with a Comprehensive Development Plan incorporated in the District Plan, which applies to the whole of the relevant Village Activity Area and is sufficiently detailed to enable the matters of control listed below to be fully considered.</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> <li>a. the layout and orientation of built form, open spaces, roading pattern, car parking, and pedestrian and cycle access;</li> <li>b. the bulk, location and external appearance of buildings and associated including the creation of active frontages adjacent to roads and public spaces;</li> <li>c. the density and location of any proposed residential activity;</li> <li>d. the location of any proposed commercial and community activity;</li> <li>e. landscaping;</li> <li>f. streetscape design;</li> <li>g. the formulation of design controls in relation to buildings, open space, and streetscapes</li> </ul>	C

Table 2	Activities Located in the Jacks Point Zone – Village and Education Activity Areas	Activity Status
	<p>and an appropriate legal mechanism to ensure their implementation;</p> <p>h. the adequate provision of storage and loading/ servicing areas; and</p> <p>i. traffic effects.</p>	
	<p>Education (E) Activity Area</p> <p>41.4.2.2 Educational and Day Care Facilities.</p> <p>Control is reserved to:</p> <p>a. location and external appearance of buildings;</p> <p>b. setback from roads;</p> <p>c. setback from internal boundaries;</p> <p>d. provision of outdoor space;</p> <p>e. street scene including landscaping;</p> <p>f. provision for walkways, cycle ways and pedestrian linkages;</p> <p>g. noise;</p>	C

<b>Table 2</b>	<b>Activities Located in the Jacks Point Zone – Village and Education Activity Areas</b>	<b>Activity Status</b>
	h. infrastructure and servicing, including traffic effects.	

<b>Table 3</b>	<b>Activities Located in the Jacks Point Zone – Lodge Activity Area</b>	<b>Activity Status</b>
<b>41.4.3</b>	Lodge (L) Activity Areas – L(1), L(2) and L(P)	
	<p>Lodge Activity Areas (L)(1) and L(2)</p> <p>41.4.3.1 Visitor accommodation activities, restaurants, and conference facilities.</p> <p>Lodge Activity Area (L)(P)</p> <p>41.4.3.2 Parking associated with visitor accommodation activities, restaurants and conference facilities undertaken within L(1) and L(2).</p>	<p>P</p> <p>P</p>
	<p>Buildings</p> <p>41.4.3.3 Buildings (including the addition, alteration or construction of buildings).</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>a. the external appearance of buildings with respect to the effect on visual and landscape values of the area;</li> <li>b. infrastructure and servicing;</li> <li>c. associated earthworks and landscaping;</li> <li>d. access and parking;</li> <li>e. bulk and location;</li> <li>f. exterior lighting.</li> </ol>	RD
	41.4.3.4 Any tennis court (including fencing) located within Lodge Area 2, and any outdoor swimming pool (including fencing) located within any Lodge Area (except spa pools less than 9m <sup>2</sup> and located within any Lodge Activity Area) provided:	C

<b>Table 3</b>	<b>Activities Located in the Jacks Point Zone – Lodge Activity Area</b>	<b>Activity Status</b>
	<ul style="list-style-type: none"> <li>i. the tennis court surfaces are either dark green or grey in colour; and</li> <li>ii. any tennis court fencing is chain mesh or similar, and grey in colour.</li> </ul> <p>Control is reserved to:</p> <ul style="list-style-type: none"> <li>a. associated earthworks and landscaping;</li> <li>b. colour;</li> <li>c. fencing, including any glare resulting from the location and orientation of glass pool fencing.</li> </ul>	
	<p>41.4.3.5 Any tennis court (including fencing) located within Lodge Area 2 and any outdoor swimming pool (including fencing) located within any Lodge Area that does not comply with Rule 41.4.3.4(i) and (ii), with discretion restricted to those matters listed in Rule 41.4.3.4 (a) - (c).</p>	RD
	<p>41.4.3.6 Except as provided for in Rules 41.4.3.4 and 41.4.3.5, any outdoor tennis court located within the Lodge Activity Areas.</p>	NC

<b>Table 4</b>	<b>Activities Located in the Jacks Point Zone – Open Space and Homesite Activity Areas</b>	<b>Activity Status</b>
<b>41.4.4</b>	Open Space (OS) and Homesite (HS) Activity Areas	
	<p>Open Space Golf (OSG) Activity Area</p> <p>41.4.4.1 Indigenous revegetation and outdoor recreation activities, including the development and operation of golf courses, associated earthworks, green keeping, driving range, administrative offices associated</p>	P



Table 4	Activities Located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Activity Status
	with golf, sales, and commercial instruction.	
	<p>Open Space Golf (OSG) Activity Area, except within the Lake Shore Landscape Protection Area</p> <p>41.4.4.2 Any administrative offices and buildings ancillary to outdoor recreation activities.</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> <li>a. the external appearance of buildings with respect to the effect on visual and landscape values of the area;</li> <li>b. the adequacy of Infrastructure and servicing;</li> <li>c. the effects of associated earthworks and landscaping;</li> <li>d. access and parking provision;</li> <li>e. the bulk and location of buildings;</li> <li>f. the effects of exterior lighting.</li> </ul>	C
	<p>Open Space Golf (OSG) Activity Area</p> <p>41.4.4.3 Any buildings within a Landscape Protection Area, or any buildings other than administrative offices and buildings ancillary to outdoor recreation activity; and any activities other than those specified under Rules 41.4.4.2 and 41.4.4.4.</p>	D
	<p>Open Space Golf (OSG) Activity Area</p> <p>41.4.4.4 The mining of rock and aggregate and/or gravel for use anywhere within the Jacks Point Zone.</p>	D
	<p>Open Space Landscape (OSL) Activity Area</p> <p>41.4.4.5 Pastoral and arable farming, endemic revegetation, and pedestrian and cycle trails.</p>	P

<b>Table 4</b>	<b>Activities Located in the Jacks Point Zone – Open Space and Homesite Activity Areas</b>	<b>Activity Status</b>
	Open Space Landscape (OSL) (Highway Buffer) Activity Area  41.4.4.6 Sheep farming, endemic revegetation, and pedestrian and cycle trails.	P

	Open Space Landscape (OSL) Activity Area  41.4.4.7  (a) Any building within a Landscape Protection Area.  (b) Any building other than a building ancillary to farming activity.	D
	Any farm building other than within a Landscape Protection Area.  41.4.4.8 Control is reserved to:  a. the external appearance of buildings with respect to the effect on visual and landscape values of the area;  b. the adequacy of Infrastructure and servicing;  c. the effects of associated earthworks and landscaping;  d. access and parking provision;  e. the bulk and location of buildings;  f. the effects of exterior lighting.	C
	Open Space Residential Amenity (OSA) Activity Area  41.4.4.9 Recreation amenities, playgrounds, landscaping, pedestrian and cycle trails, lighting, stormwater retention, and underground services.	P

	<p>Open Space Residential Amenity (OSA) Activity Area</p> <p>41.4.4.10 Any buildings ancillary to outdoor recreation activity.</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> <li>a. the external appearance of buildings with respect to the effect on visual and landscape values of the area;</li> <li>b. the adequacy of Infrastructure and servicing;</li> <li>c. the effects of associated earthworks and landscaping;</li> <li>d. access and parking provision;</li> <li>e. the bulk and location of buildings;</li> <li>f. the effects of exterior lighting.</li> </ul>	C
	<p>Open Space Residential Amenity (OSA) Activity Area</p> <p>41.4.4.11 Any building other than those ancillary to outdoor recreation activity.</p>	D
	<p>Open Space – Horticultural (OSH) Activity Area</p> <p>41.4.4.12 Horticultural activities and accessory buildings and activities, and residential activities.</p>	D
	<p>Open Space – Residential (OSR) Activity Areas</p> <p>41.4.4.13 OSR South</p> <p>No more than 39 residential units.</p> <p>41.4.4.14 OSR North</p> <p>No more than 10 residential units.</p>	D
	<p>Open Space Boating Facilities Activity Area OS (BFA)</p> <p>41.4.4.15 A double boat ramp, jetty, a weather protection feature or breakwater, a boat shed and associated boat/trailer/car parking and public</p>	RD

	<p>facilities, provided that all facilities are available for public use.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. effects on natural character;</li> <li>b. effects on landscape and amenity values;</li> <li>c. effects on public access to and along the lake margin;</li> <li>d. external appearance, colours and materials;</li> <li>e. location.</li> </ul>	
	<p>Open Space Wetland (OSW) Activity Area</p> <p>41.4.4.16 Structures restricted to those necessary to develop pedestrian access (e.g. boardwalks), fences, or other structures relating to the protection and enhancement of biodiversity and ecological values.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. bulk and location;</li> <li>b. lighting;</li> <li>c. biodiversity values (temporary during construction and long term);</li> <li>d. external appearance (including colour and materials);</li> <li>e. amenity values;</li> <li>f. stormwater disposal; and</li> <li>g. landscaping in relation to any structures.</li> </ul>	RD
	<p>Homesite (HS) Activity Area</p> <p>41.4.4.17 No more than one residential building located within a Homesite (HS) Activity Area.</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> <li>a. the external appearance of buildings with respect to the effect on visual and landscape values of the area;</li> </ul>	C

	<ul style="list-style-type: none"> <li>b. infrastructure and servicing;</li> <li>c. associated earthworks and landscaping;</li> <li>d. access and parking;</li> <li>e. bulk and location;</li> <li>f. exterior lighting;</li> <li>g. the protection and enhancement of the wetland areas adjacent to the Homesite (HS) Activity Area; <u>and</u></li> <li>h. the implementation and maintenance of a <u>vegetation Management Strategy established through Rule 27.7.5.4.</u></li> </ul> <p><u>Except that this rule shall not apply to residential units located on Homesite Activity Areas HS39, HS40 and HS58 pursuant to Rules 41.4.4.18 and 41.4.4.19.</u></p>	
	<p>41.4.4.18 <u>No more than one residential unit located within Homesite Activity Area HS<sub>58</sub>.</u></p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"> <li>a. <u>The external appearance of buildings with respect to the effect on visual and landscape values of the area.</u></li> <li>b. <u>Infrastructure and servicing, including firefighting water supply</u></li> <li>c. <u>Associated earthworks and landscaping.</u></li> <li>d. <u>The visual effects of building and associated lighting and access, including in views from within the Tablelands, residential areas and walkways areas of the Jacks Point Zone</u></li> <li>e. <u>Any mitigation and its impact on the character of the landscape.</u></li> <li>f. <u>Consistency with the structure plan for the</u></li> </ul>	RD

	<p><u>alignment of vehicle access to the Homesites</u></p> <p>g. <u>Light spill beyond the Homesite Activity Area</u></p> <p>h. <u>Enhancing nature conservation values, including where appropriate extending into the surrounding OSL Activity Area.</u></p>	
	<p><u>41.4.4.19</u></p> <p><u>No more than one residential unit located within Homesite Activity Areas HS<sub>39</sub> and HS<sub>40</sub>.</u></p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"> <li>• <u>The external appearance of buildings with respect to the effect on visual amenity and landscape values of the area.</u></li> <li>• <u>Infrastructure and servicing.</u></li> <li>• <u>Associated earthworks and landscaping.</u></li> <li>• <u>The visual effects of building and associated lighting and access</u></li> <li>• <u>Light spill beyond the homesite activity area</u></li> <li>• <u>Nature conservation values, consistent with any vegetation management strategy.</u></li> <li>• <u>Implementation and maintenance of any vegetation management strategy established through Rule 27.7.5.4 27.7.5.4</u></li> </ul>	<u>RD</u>
	<p><u>41.4.4.18</u> [numbering to be updated from this point on] Any tennis court (including fencing) and any outdoor swimming pool (including fencing) located within a Homesite Area (except spa pools less than 9m<sup>2</sup>) provided:</p>	<u>C</u>

	<p>i. the tennis court surfaces are either dark green or grey in colour; and</p> <p>ii. any tennis court fencing is chain mesh or similar, and grey in colour.</p> <p>Control is reserved to:</p> <p>a. associated earthworks and landscaping;</p> <p>b. colour;</p> <p>c. fencing, including any glare resulting from the location and orientation of glass pool fencing.</p>	
	<p>41.4.4.19 Any tennis court (including fencing) and any outdoor swimming pool (including fencing) located in a Homesite Area that does not comply with Rule 41.4.4.23(i) and (ii), with discretion restricted to those matters listed in Rule 41.4.4.23 (a) - (c).</p>	RD
	<p>41.4.4.20 Except as provided for in Rules 44.4.4.1823- and 44.4.4.1923 [cross referencing to be updated], any outdoor tennis court located within a Homesite Area or the Tablelands Landscape Protection Area.</p>	NC
	<p>Open Space Foreshore (OSF) Activity Area</p> <p>41.4.4.21 The regeneration of native endemic species and retention of open space</p>	P

Table 5	Activities Located in the Jacks Point Zone – Zone Wide Activities	Activity Status
41.4.5	Jacks Point Zone – Zone Wide Rules	
	<p>41.4.5.1 Sale of Liquor</p> <p>Premises licensed for the sale of liquor (including both off-licenses and on- licenses).</p> <p>Discretion is restricted to:</p> <p>a. location;</p>	RD

Table 5	Activities Located in the Jacks Point Zone – Zone Wide Activities	Activity Status
	<ul style="list-style-type: none"> <li>b. scale of the activity;</li> <li>c. residential amenity values;</li> <li>d. noise;</li> <li>e. hours of operation;</li> <li>f. car parking and vehicle generation.</li> </ul>	
41.4.5.2	<p>State Highway Mitigation</p> <p>Mitigation works undertaken within the location shown on the Structure Plan.</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> <li>a. the creation of a comprehensively designed landscape edge to the northern part of the zone within the OSA and R (HD – SH) 1 Activity Areas;</li> <li>b. mitigation of the visual impacts of potential buildings when viewed from State Highway 6 through earth contouring and vegetation (at maturity), within Activity Areas R(HD-SH) – 1 and R(HD-SH)- 2 and RHD-SH) 3;</li> <li>c. maintaining views across the zone to the mountains located against the western shores of Lake Wakatipu;</li> <li>d. appropriate plant species, height at planting and at maturity; and</li> <li>e. provision for on-going maintenance and ownership.</li> </ul>	C
41.4.5.3	<p>Aircraft</p> <ul style="list-style-type: none"> <li>a. Emergency landings, rescues, firefighting and activities ancillary to farming activities;</li> <li>b. Informal Airports limited to the use of helicopters.</li> <li>c. The establishment and operation of Airport Activity or</li> </ul>	<p>P</p> <p>D</p> <p>NC</p>



Table 5	Activities Located in the Jacks Point Zone – Zone Wide Activities	Activity Status
	Aerodrome other than those allowed by Rules 41.4.5.3(a) and 41.4.5.3(b), including Informal Airports used by fixed wing aircraft.	
41.4.5.4	Factory Farming	NC
	<p>41.4.5.5 Forestry activity, including plantation forestry within an OSL or ONL.</p> <p>For any Plantation Forestry outside an OSL or ONL the Resource Management (Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017 shall prevail.</p> <p>All forestry activities, excluding harvesting of forestry which existed as at 31 August 2016.</p>	NC
41.4.5.6	<p>Mining Activities</p> <p>With the exception of the mining of rock and/or aggregate and/or gravel provided for by Rule 41.4.4.4.</p>	NC
41.4.5.7	Industrial Activities	NC
41.4.5.8	Landfill	NC
41.4.5.9	Panelbeating, spraypainting, motor vehicle, repair or dismantling fibreglassing, sheet metal work, bottle or scrap storage, motorbody building, fish or meat processing.	PR
41.4.5.10	Any activity requiring an Offensive Trade Licence under the Health Act 1956.	PR

41.5 Rules - Activity Standards

Table 6	Standards for activities located in the Jacks Point Zone - Residential Activity Areas	Non-compliance Status
41.5.1	Residential Activity Area	
	<p>Density</p> <p>41.5.1.1 The average density of residential units within each of the Residential Activity Areas shall be as follows:</p> <p style="padding-left: 40px;">R(JP) – 1      13 – 19 per Ha</p> <p style="padding-left: 40px;">R(JP) – 2A    14 – 33 per Ha</p> <p style="padding-left: 40px;">R(JP) – 2B    14 – 15 per Ha</p> <p style="padding-left: 40px;">R(JP) – 3      14 per Ha</p> <p style="padding-left: 40px;">R(JP-SH) – 1   10 per Ha</p> <p style="padding-left: 40px;">R(JP-SH) – 2   9 per Ha</p> <p style="padding-left: 40px;">R(JP-SH) – 3   5 – 27 per Ha</p> <p style="padding-left: 40px;">R(JP-SH) – 4   5 – 12 per Ha</p> <p style="padding-left: 40px;">R(HD-SH) – 1   12 – 22 per Ha</p> <p style="padding-left: 40px;">R(HD-SH) – 2   2 – 10 per Ha</p> <p style="padding-left: 40px;">R(HD-SH) – 3   12-22 per Ha</p> <p style="padding-left: 40px;">R(HD) – A      17 – 26 per Ha</p> <p style="padding-left: 40px;">R(HD) – B      17 – 26 per Ha</p> <p style="padding-left: 40px;">R(HD) – C      15 -22 per Ha</p> <p style="padding-left: 40px;">R(HD) – D      17 – 26 per Ha</p> <p style="padding-left: 40px;">R(HD) – E      25 – 45 per Ha</p> <p style="padding-left: 40px;">R(HD) – F      2 – 10 per Ha</p> <p style="padding-left: 40px;">RL – 1, 2, 3    2 per Ha</p> <p>Density shall be calculated on the net area of land available for development and excludes land vested or held as reserve, open space, public access routes or roading and excludes sites used for non-residential activities. Within the Residential Areas of Hanley Downs, if part of an Activity Area is to be developed or subdivided, compliance must be achieved within that part and measured cumulatively with any preceding subdivision or development which</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. residential amenity values;</p> <p>b. traffic, access, parking;</p> <p>c. adequacy of infrastructure.</p>

Table 6	Standards for activities located in the Jacks Point Zone - Residential Activity Areas	Non-compliance Status
	<p>has occurred with that Activity Area. Within the Jacks Point Residential Activity Areas, density shall be calculated and applied to the net area of land across the whole Activity Area, as defined in 41.5.1.1 above.</p>	
	<p>41.5.1.2 Building Height</p> <p>The maximum height of buildings shall be:</p> <ul style="list-style-type: none"> <li>a. Residential (R) Activity Areas 8m</li> <li>b. Rural Living Activity Areas 5m</li> <li>c. All other buildings and structures 4m</li> </ul>	NC
	<p>41.5.1.3 Notwithstanding Rule 41.5.1.2, where</p> <ul style="list-style-type: none"> <li>a. any medium density residential housing development has been consented under Rules 41.4.1.5 or 41.4.1.6; or</li> <li>b. on sites smaller than 380m<sup>2</sup> created by subdivision;</li> </ul> <p>The maximum height of buildings may exceed the maximum height stated in Rule 41.5.1.2, up to a maximum of 3 storeys or 10m (whichever is lesser).</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. visual dominance;</li> <li>b. external appearance;</li> <li>c. the scale and extent of building portions that exceed three stories or 10m.</li> </ul>
	<p>41.5.1.4 Recession Planes (applicable to flat sites only)</p> <p>Within the R(HD) and R(HD-SH) Activity Areas:</p> <p>In addition to the maximum height of buildings specified under Rule 41.5.1.2, buildings shall comply with the following recession plane requirements:</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. privacy effects;</li> <li>b. access to sunlight and the impacts of shading;</li> </ul>

Table 6	Standards for activities located in the Jacks Point Zone - Residential Activity Areas	Non-compliance Status
	<p>a. No part of any building shall protrude through the following recession lines inclined towards the site at:</p> <ul style="list-style-type: none"> <li>i. Northern Boundary: 55 degrees;</li> <li>ii. Western and Eastern Boundaries: 45 degrees;</li> <li>iii. Southern Boundaries: 35 degrees;</li> </ul> <p>Commencing at:</p> <ul style="list-style-type: none"> <li>iv. 3.5m above ground level at any given point along any internal site boundary up to a distance of 12m from a rear internal boundary; and</li> <li>v. 2.5m above ground level at any given point along any internal site boundary within 12m of a rear internal boundary or any internal site boundary of a rear site;</li> </ul> <p>Except that within the Residential Hanley Downs (R (HD)) Activity areas, this rule shall not apply to:</p> <ul style="list-style-type: none"> <li>i. Sites smaller than 380m<sup>2</sup> created by subdivision;</li> <li>ii. A medium density residential development consented under Rule 41.4.1.5;</li> </ul> <p>b. In addition to a. above and notwithstanding the height limit of accessory buildings imposed by Rule 41.5.18(i), the maximum height of any part of a building located within 2m of an internal boundary is 4m.</p> <p>c. Application of recession line rules – clarification:</p> <ul style="list-style-type: none"> <li>i. Gable end roofs may penetrate the building recession plane by no more than one third of the gable height;</li> </ul> <p>d. A recession line restriction shall not apply to accessory buildings nor common walls shared at a boundary and parts of buildings that do not extend beyond the length of that wall.</p>	<ul style="list-style-type: none"> <li>c. effects upon access to views of significance;</li> <li>d. visual dominance and external appearance.</li> </ul>

Table 6	Standards for activities located in the Jacks Point Zone - Residential Activity Areas	Non-compliance Status
	<p>Advice Notes:</p> <p>Refer to Definitions for detail of the interpretation of recession planes, rear sites, and flat sites.</p> <p>For corner sites, being sites that have a frontage to more than one road, the shortest internal site boundary shall be considered the rear internal boundary.</p>	
	<p>Window Sill Heights</p> <p>41.5.1.5 Within the R(HD) and the R(HD-SH) Activity Areas, window sill heights above the first storey shall not be set lower than 1.5m above the floor level where the external face of the window is within 4m of an internal site boundary, except where buildings face reserves or where opaque glass is used for windows.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. privacy effects.</p>
	<p>41.5.1.6 Building Coverage</p> <p>a. on any site within the R(JP), R(JP-SH) Activity Areas, buildings shall not exceed a maximum site coverage of 45%; and</p> <p>b. (on any site within the R(HD) and R(HD-SH) Activity Areas, buildings shall not exceed a maximum site coverage of 50%.</p> <p>Except that:</p> <p>Residential activity in the R(JP), R(JP-SH), R(HD), and R(HD-SH) Activity Areas consented under Rule 41.4.6 (medium density residential development) or under Rule 27.7.5.2 or 27.5.5, shall not exceed a maximum site coverage of 60%.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. urban design;</p> <p>b. effects on amenity values for neighbours;</p> <p>c. the character of the Activity Area;</p> <p>d. stormwater management.</p>
	<p>41.5.1.7 Building Setbacks (except in the Residential Hanley Downs area)</p>	<p>RD</p>

Table 6	Standards for activities located in the Jacks Point Zone - Residential Activity Areas	Non-compliance Status
	<p>Buildings for all activities, except for buildings located on sites created pursuant to subdivision Rules 27.5.17, shall be subject to the following minimum setback rules:</p> <ul style="list-style-type: none"> <li>a. two setbacks of 4.5m, with all remaining setbacks of 2m; or</li> <li>b. one setback of 6m, one setback of 3.5m and all other setbacks of 2m;</li> </ul> <p>Except that:</p> <ul style="list-style-type: none"> <li>i. any residential unit may encroach into a setback by up to 1m for an area no greater than 6m<sup>2</sup> provided the component of the building infringing the setback has no windows or openings;</li> <li>ii. accessory buildings for residential activities, including garages, may encroach into the setback where they are no more than 3.5m in height and where no windows or openings are orientated toward an internal boundary;</li> <li>iii. no setbacks are required when buildings share a common wall at the boundary.</li> </ul>	<p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. bulk, height and proximity of the building façade to the boundary;</li> <li>b. the impact on neighbours' amenity values;</li> <li>c. loss of daylight;</li> <li>d. access to sunlight.</li> </ul>
	<p>41.5.1.8</p> <ul style="list-style-type: none"> <li>a. In the Residential (Hanley Downs) Activity Areas, buildings for all activities, except for buildings located on sites smaller than 380m<sup>2</sup> and created pursuant to subdivision Rule 27.7.5.2, shall be subject to the following minimum setback rules: <ul style="list-style-type: none"> <li>i. one internal setback of 3m;</li> <li>ii. a road set back of at least 3m, provided that any garage is set back at least 4.5m from the road boundary;</li> <li>iii. for sites fronting a single road and with a frontage exceeding 12.5m, one internal setback of 1.5m from an</li> </ul> </li> </ul>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. bulk, height and proximity of the building façade to the boundary;</li> <li>b. the impact on neighbours' amenity values;</li> </ul>

Table 6	Standards for activities located in the Jacks Point Zone - Residential Activity Areas	Non-compliance Status
	<p>internal boundary that intersects with a road boundary; and</p> <p>iv. all remaining internal setbacks of 1m; and all remaining internal setbacks on rear sites of 1.5m.</p> <p>Except that:</p> <p>i. Accessory buildings for residential activities, including garages, may encroach into any 1m internal setback described in 41.5.1.8(a)(iv) where the buildings are no more than 3.5m in height and where no windows or openings are orientated toward an internal boundary;</p> <p>ii. The eaves of any residential unit may encroach into the setback by no more than 400mm;</p> <p>iii. No setbacks are required when buildings share a common wall at the boundary.</p>	c. shading and access to sunlight.
	<p>Retail Activities</p> <p>41.5.1.9 Retail activities within the R(HD) Activity Areas shall be located within 120 metres of the Primary Road shown on the Structure Plan or within 120 metres of its final formed location.</p>	NC
	<p>41.5.1.10 The total gross floor area of all commercial activities, excluding associated car parking, in the R(HD)A - E Activity Areas shall not exceed 550m<sup>2</sup> across all Activity Areas.</p>	NC
	<p>State Highway Noise</p> <p>41.5.1.11 Any residential activities located within 80 m of the seal edge of State Highway 6, shall be designed and constructed to meet noise performance standards for noise from traffic on the State Highway that will not exceed 35dBA Leq(24 hour) in bedrooms and 40 dBA (Leq (24 hour) for other habitable rooms in accordance with the satisfactory sound levels recommended by Australian and New Zealand Standard AS/NZ2107:2000</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. residents' health and residential amenity.</p>

Table 6	Standards for activities located in the Jacks Point Zone - Residential Activity Areas	Non-compliance Status
	Acoustics Recommended design sound levels and reverberation times for building interiors.	
	<p>Planting – Jacks Point Residential Activity Areas</p> <p>41.5.1.12 On any site within a Residential Jacks Point R (JP) Activity Area at least 75% of all trees and shrubs planted shall be from the species identified on the Jacks Point plant list contained within Part 41.8. Percentages are in terms of overall plant numbers.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. any effects on nature conservation values;</li> <li>b. effects on landscape character and visual amenity.</li> </ul>
	<p>41.5.1.13 Residential Visitor Accommodation</p> <p>41.5.1.13.1 Must be limited to one residential unit or residential flat per site not exceeding a cumulative total of 42 nights occupation by paying guests on a site per 12 month period.</p> <p>41.5.1.13.2 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</p> <p>41.5.1.13.3 Must comply with the minimum parking requirements for a residential unit and/or residential flat (whichever is used for the residential visitor accommodation activity) in Chapter 29 Transport.</p> <p>41.5.1.13.4 The Council must be notified in writing prior to the commencement of a Residential Visitor Accommodation activity.</p> <p>41.5.1.13.5 Up to date records of the Residential Visitor Accommodation activity must be kept, including a</p>	<p>D</p>



Table 6	Standards for activities located in the Jacks Point Zone - Residential Activity Areas	Non-compliance Status
	<p>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.</p> <p>41.5.1.13.6 Smoke alarms must be provided in accordance with clause 5 of the Residential Tenancies (Smoke Alarms and Insulation) Regulations 2016.</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 41.5.1.13.1 to 41.5.1.13.6.</p>	
	<p>41.5.1.14 Homestay</p> <p>41.5.1.14.1 May occur within either an occupied residential unit or an occupied residential flat on a site, and must not occur within both on a site.</p> <p>41.5.1.14.2 Must not exceed 3 paying guests on a site per night.</p> <p>41.5.1.14.3 Must comply with minimum parking requirements of standard 29.8.9 in Chapter 29 Transport.</p> <p>41.5.1.14.4 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</p> <p>41.5.1.14.5 The Council must be notified in writing prior to the commencement of a Homestay activity.</p>	D

Table 6	Standards for activities located in the Jacks Point Zone - Residential Activity Areas	Non-compliance Status
	<p>41.5.1.14.6 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 41.5.1.14.1 to 41.5.1.14.6.</p>	

Table 7	Standards for activities located in the Jacks Point Zone – Village and Education Activity Areas	Non-compliance Status
41.5.2	Village and Education Activity Areas	
	<p>41.5.2.1 Scale of Commercial Activity</p> <p>The maximum net floor area for any single commercial activity shall be 200m<sup>2</sup>.</p> <p>For the purpose of Rule 41.5.2.1, commercial activities are as defined in Chapter 2, but excludes markets, showrooms, professional, commercial and administrative offices, service stations, and motor vehicle sales.</p>	D
	<p>Building Coverage</p> <p>41.5.2.2 On any site within the (E) Activity Area, buildings shall not exceed a maximum site coverage of 45%.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. urban design;</li> <li>b. effects on amenity values for neighbours (particularly in adjoining residential</li> </ul>

Table 7	Standards for activities located in the Jacks Point Zone – Village and Education Activity Areas	Non-compliance Status
		activity areas) and the character of the (E) Activity Area; c. stormwater management.
	41.5.2.3 Within the Jacks Point Village JP(V) Activity Area the maximum building coverage, calculated across the total Activity Area, shall not exceed 60%.	RD Discretion is restricted to: a. urban design; b. effects on amenity values for neighbours and the character of the Activity Area; c. stormwater management.
	Building coverage in the Homestead Bay Village 41.5.2.4 Within the Homestead Bay V(HB) Activity Area, the maximum building coverage, calculated across the total Activity Area, shall not exceed 60%.	RD Discretion is restricted to: a. urban design; b. effects on amenity values for neighbours and the character of the Activity Area; c. stormwater management.
	Building Height 41.5.2.5 The maximum height of buildings shall be: a. Homestead Bay Village (V-HB) Activity Area 10m	NC

Table 7	Standards for activities located in the Jacks Point Zone – Village and Education Activity Areas	Non-compliance Status
	<ul style="list-style-type: none"> <li>b. Jacks Point Village (V-JP) Activity Area 12m and comprising no more than 3 storeys</li> <li>c. Education Precinct (E) Activity Area 10m</li> <li>d. all other buildings and structures 4m</li> </ul>	
	<p>Residential Units</p> <p>41.5.2.6 In the V(HB) Activity Area, no residential units may be constructed until 80% of the freehold land within the Open Space Foreshore Activity Area has been planted with native endemic species</p>	NC
Table 8	Standards for activities located in the Jacks Point Zone – Lodge Activity Area	Non-compliance Status
41.5.3	Lodge Activity Areas	
	<p>Building Setback</p> <p>41.5.3.1 In Lodge Activity Area denoted as L(P) on the Structure Plan, buildings and structures shall be set back a minimum of 10m from the activity area boundary.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. the outdoor car parking areas with respect to the effects on visual and landscape values;</li> <li>b. the effectiveness of mounding and planting at screening buildings and car parking and the shape and design of earthworks,</li> </ul>

<b>Table 7</b>	<b>Standards for activities located in the Jacks Point Zone – Village and Education Activity Areas</b>	<b>Non-compliance Status</b>
		including their relationship to existing landforms.
	<p><b>Building Height</b></p> <p>41.5.3.2 In the Lodge (L) Activity Areas, the maximum height of any building shall be 5.0m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. visual dominance;</li> <li>b. external appearance;</li> <li>c. the scale and extent of the portions that exceed 5m.</li> </ul>
	<p>41.5.3.3 In the Lodge (L) Activity Area, the maximum height of any building shall be 7.5m.</p>	NC

<b>Table 9</b>	<b>Standards for activities located in the Jacks Point Zone – Open Space and Homesite Activity Areas</b>	<b>Non-compliance Status</b>
<b>41.5.4</b>	Open Space (OS) and Homesite (HS) Activity Areas	
	<p>41.5.4.1 Boundaries of Open Space Activity Areas</p> <p>The boundaries of Open Space Activity Areas are shown indicatively and may be varied by up to 20m and the exact location and parameters are to be established through the subdivision process. Development prior to such subdivision occurring, which would preclude the creation of these open spaces, shall be contrary to this rule.</p>	D
	<p>Open Space - Subdivision</p> <p>41.5.4.2 Within any open space area created by subdivision, in accordance with (Rules 41.5.4.1 and 27.7.5.1), there shall be no building.</p>	D

Table 9	Standards for activities located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Non-compliance Status																												
	<p>Building Coverage – Homesite (HS) Activity Area</p> <p>41.5.4.3 Within any Homesite (HS) Activity Area, buildings shall not exceed a total building footprint of 1,000m<sup>2</sup> within each homesite.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. the external appearance of buildings with respect to the effect on visual and landscape values of the area.;</li> <li>b. associated earthworks and landscaping;</li> <li>c. bulk and location;</li> <li>d. visibility of the building from State Highway 6 and Lake Wakatipu.</li> </ul>																												
	<p>Building height relative to ground level – Homesite (HS) Activity Area</p> <p>41.5.4.4 The maximum height for any building shall be 5m above the datum level specified for each Homesite, as follows:</p> <table border="0" data-bbox="496 1686 963 2000"> <thead> <tr> <th colspan="2">HomesiteDatum (mas)</th> <th colspan="2">HomesiteDatum (mas)</th> </tr> </thead> <tbody> <tr> <td>HS1</td> <td>372.0</td> <td>HS29</td> <td>385.5</td> </tr> <tr> <td>HS2</td> <td>381.0</td> <td>HS30</td> <td>395.9</td> </tr> <tr> <td>HS3</td> <td>381.0</td> <td>HS31</td> <td>393.7</td> </tr> <tr> <td>HS4</td> <td>377.0</td> <td>HS32</td> <td>384.8</td> </tr> <tr> <td>HS5</td> <td>388.0</td> <td>HS33</td> <td>385.8</td> </tr> <tr> <td>HS6</td> <td>382.0</td> <td>HS34</td> <td>399.0</td> </tr> </tbody> </table>	HomesiteDatum (mas)		HomesiteDatum (mas)		HS1	372.0	HS29	385.5	HS2	381.0	HS30	395.9	HS3	381.0	HS31	393.7	HS4	377.0	HS32	384.8	HS5	388.0	HS33	385.8	HS6	382.0	HS34	399.0	<p>NC</p>
HomesiteDatum (mas)		HomesiteDatum (mas)																												
HS1	372.0	HS29	385.5																											
HS2	381.0	HS30	395.9																											
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Table 9	Standards for activities located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Non-compliance Status																																																																																								
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	<p>41.5.4.5 Building within any Homesite where a requirement to comply with the Preserve Design Guidelines has <u>not</u> been registered on the title for the Site.</p> <p>Discretion is restricted to the matters of discretion listed in 41.4.4.17.</p>	RD																																																																																								
	<p><u>41.5.4.6 The formation of any vehicle accessway to Homesite Activity Area HS<sub>58</sub> shall not:</u></p> <p>a. <u>Within Section (S1) exceed 3m in carriageway width and shall not include the passing bays.</u></p> <p>b. <u>Within Sections (S2) and (S3) exceed 3m in carriageway width, except to provide for passing bays</u></p> <p>c. <u>Within all Sections (S1 – S3) be formed in any other surface than a loose gravel finish and shall not include lighting.</u></p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. <u>Visual impacts</u></p> <p>b. <u>Landscap e character</u></p>																																																																																								

Table 9	Standards for activities located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Non-compliance Status
	<p>Revegetation – Homesite (HS) Activity Area</p> <p>41.5.4.6 No buildings shall be erected within a Homesite (HS) Activity Area unless and until an area as specified within this rule has been re-vegetated with native vegetation. The area required to be re-vegetated for the purposes of this rule shall be the greater of 3,000m<sup>2</sup> or 20 per cent of the area of the lot or title within which the Homesite (HS) Activity Area is situated, whichever is greater. For the purposes of this rule no account shall be taken of any native vegetation existing at the date of application for subdivision consent to create the lot or title within which the Homesite (HS) Activity Area is located.</p> <p><u>41.5.4.8 Within the area of the Site containing Homesite Activity Areas HS<sub>38</sub> to HS<sub>56</sub>, development shall provide for implementation of the vegetation management strategy established through Rule 27.7.5.4, prior to the occupation of any residential unit.</u></p>	<p>D</p> <p><u>NC</u></p>
	<p>Building Height</p> <p>41.5.4.9 The maximum height of buildings shall be:</p> <p>a. Homesite Activity Area 5 m</p> <p>b. all other buildings and structures 4 m</p>	<p>NC</p>
	<p>Residential Units</p>	<p>NC</p>



Table 9	Standards for activities located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Non-compliance Status
	41.5.4.10 In the OSH, OSR, and OS Activity Areas, no residential units may be constructed until 80% of the freehold land within the Open Space Foreshore Activity Area has been planted with native endemic species.	
	<p>Standards for Building</p> <p>41.5.4.11 Within the Open Space - Horticultural (OSH) Activity Area:</p> <ul style="list-style-type: none"> <li>a. there shall be no more than 15 building platforms;</li> <li>b. those 15 building platforms referred to in (a) above are confined to 3 or 4 clusters; and</li> <li>c. no building is to be erected prior to the horticultural activity being planted.</li> </ul>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. the external appearance of buildings with respect to the effect on visual and landscape values of the area;</li> <li>b. associated earthworks and landscaping;</li> <li>c. bulk and location;</li> <li>d. visibility of the building from State Highway 6 and Lake Wakatipu.</li> </ul>
	<p>Farm buildings within the Open Space Landscape (OSL) Activity Area and not within a Landscape Protection Area</p> <p>41.5.4.12 The construction, replacement or extension of a farm building within the Open Space Landscape Activity Area shall meet the following standards:</p> <ul style="list-style-type: none"> <li>a. the landholding the farm building shall be located within is greater than 100 ha; and</li> </ul>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. the extent to which the scale and location of the farm</li> </ul>

Table 9	Standards for activities located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Non-compliance Status
	<ul style="list-style-type: none"> <li>b. the density of all buildings on the landholding site, inclusive of the proposed building(s) does not exceed one farm building per 50 hectares on the site; and</li> <li>c. the farm building shall be less than 5m in height and the ground floor area shall be no greater than 300m<sup>2</sup>; and</li> <li>d. farm buildings shall not protrude onto a skyline or above a terrace edge when viewed from adjoining sites, or formed roads within 2km of the location of the proposed building.</li> </ul>	<p>building is appropriate in terms of:</p> <ul style="list-style-type: none"> <li>i. rural amenity values;</li> <li>ii. landscape character;</li> <li>iii. privacy, outlook, and rural amenity from adjoining properties;</li> <li>iv. visibility, including lighting;</li> <li>v. scale;</li> <li>vi. location.</li> </ul>
	<p>Planting and Cultivation – Landscape Protection and Tablelands Areas</p> <p>41.5.4.13 Within the Highway Landscape Protection Area (refer Structure Plan 41.7) the planting and/or growing of any tree shall not obscure views from the</p>	D

Table 9	Standards for activities located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Non-compliance Status
	State Highway to the mountain peaks beyond the zone.	
41.5.4.14	Within the Peninsula Hill Landscape Protection Area (refer Structure Plan 41.7) the planting and/or cultivation of any tree or shrub shall be indigenous and characteristic of the Peninsula Hill escarpment (i.e. grey shrubland and tussock grassland on exposed sites and beech forest on sheltered sites).	D
41.5.4.15	Within the Lakeshore Landscape Protection Area (refer Structure Plan 41.7) the planting and/or cultivation of any tree or shrub shall be indigenous and characteristic of the Lake Wakatipu foreshore (i.e. broadleaf forest, grey shrubland and tussock grassland plant communities).	D
41.5.4.16	<p>Within the Tablelands Area (refer Structure Plan 41.7), there shall be no exotic vegetation planted and/or cultivated, with the exception of:</p> <ul style="list-style-type: none"> <li>a. grass species if local and characteristic of the area; and</li> <li>b. other vegetation if it is: <ul style="list-style-type: none"> <li>i. less than 0.5 metres in height; and</li> <li>ii. less than 20 square metres in area; and within 10 metres of a building; and</li> <li>iii. intended for domestic consumption.</li> </ul> </li> </ul>	D
41.5.4.17	Within the OSR Activity Area, at least 50% of any site shall be planted in native vegetation, prior to building.	RD  Discretion is restricted to any effects on nature conservation values.
41.5.4.18	<p>Open Space Wetlands (OSW) Activity Area</p> <p>There shall be no development or landscaping, within 7 metres of any wetland located within a Wetland</p>	NC

Table 9	Standards for activities located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Non-compliance Status
	<p>Activity area identified on the Structure Plan, except to enable development of pedestrian access (including boardwalks), the erection of fences to control stock or other structures related to the protection of these areas, or to undertake ecological enhancement, including the removal of plant pests.</p>	
	<p><b>Fencing</b></p> <p>41.5.4.19 There shall be no fences or walls within the boundary of any lot or title within the Tablelands Landscape Protection Area (refer Structure Plan) outside of any Homesite (HS) Activity Area or approved building platform, except for fencing between stock managed areas and areas retired from stock and for the purpose of demarcating private land from land accessible to the public as a result of the creation of public walkways additional to those walkways identified as "Public Access Route" on the Structure Plan. Any such fencing shall be post and wire only.</p>	D
	<p><b>Temporary and Permanent Storage of Vehicles</b></p> <p>41.5.4.20 Within the Tablelands Landscape Protection Area (refer Structure Plan), but excluding the Homesite (HS) Activity Areas, there shall be no temporary or permanent siting of:</p> <ul style="list-style-type: none"> <li>a. motor vehicles, trailers, caravans, boats or similar objects;</li> <li>b. storage containers, workshops, offices, sheds, huts or similar structures (other than public toilets and shelter); and</li> <li>c. scaffolding or similar construction materials.</li> </ul> <p>Except for temporary filming towers erected during an event and for no more than 7 days either side of an event.</p>	NC

Table 10	Standards for activities located in the Jacks Point Zone – Zone Wide Standards	Non-compliance Status
41.5.5	General Zone Wide Standards	
	<p>Structure Plan</p> <p>41.5.5.1 Development shall be undertaken in general accordance with the Structure Plan in Part 41.7. For the purposes of interpreting this rule, the following shall apply:</p> <ul style="list-style-type: none"> <li>a. a variance of up to 120m from the location and alignment shown on the Structure Plan of the Primary Roads, and their intersections with State Highway 6, shall be acceptable;</li> <li>b. Public Access Routes and Secondary Roads, <u>except as provided for in d. below,</u> may be otherwise located and follow different alignments provided that any such alignment enables a similar journey;</li> <li>c. development shall facilitate a road connection at each Key Road Connection shown on the Structure Plan to enable vehicular access to roads which connect with the Primary Roads, provided that a variance of up to 50m from the location of the connection shown on the Structure Plan shall be acceptable; <u>and</u></li> <li>d. <u>The following variances in the alignment of the secondary road access to Homesite HS58 shall be acceptable:</u> <ul style="list-style-type: none"> <li>i. <u>Section 1 (S1) shall be aligned along the existing farm track with no variance allowed</u></li> <li>ii. <u>Section 2 (S2) shall be aligned within 5m of the identified access</u></li> </ul> </li> </ul>	D

	iii. <u>Section 3 (S3) shall be aligned within 20m of the identified access.</u>	
	<p>Setbacks from the zone boundary</p> <p>41.5.5.2 Buildings or structures shall be set back a minimum of 20m from the zone boundary, except this rule shall not apply to the Boating Facilities (BFA) Activity Area.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. bulk, height and proximity of the building facade to the boundary;</p> <p>b. the impact on neighbours amenity values;</p> <p>c. shading and access to sunlight.</p>
	<p>Access to the State Highway</p> <p>41.5.5.3 Access from State Highway 6 shall be only at the intersections at Maori Jack Road, and Woolshed Road and in a third location as approved by RM160562, as shown on the Structure Plan.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. the safe and efficient functioning of the road network.</p>
	<p>41.5.5.4 The scale of use of the Woolshed Road access shall not increase until an amended design for that road's intersection with State Highway 6 has been upgraded, completed and available for use, except as provided for through the approval of a Traffic Management Plan by the NZ Transport Agency (refer Advisory Note below).</p> <p>Advice Notes:</p> <p>a. a 'Traffic Management Plan' is required to be submitted to the NZ Transport Agency from any person/s using Woolshed Road in relation to construction within the Jacks Point Resort Zone;</p> <p>b. the upgrade of the intersection of Woolshed Road and State</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. the safe and efficient functioning of the road network.</p>

	Highway 6 will require approval from the NZ Transport Agency.	
	<p><b>Building Colours</b></p> <p>41.5.5.5 Any building shall result in:</p> <ul style="list-style-type: none"> <li>a. at least 70% of the total painted or galvanised external surface of buildings (excluding roofs and windows) with a reflectance value of between 0 and 35%;</li> <li>b. roof colours with a light reflectance value of 20% or less, and in the range of browns, greys and black.</li> </ul> <p><u>c.All external surfaces within Homesites HS38 – HS58, shall have a reflectance value of between 0 and 30% and also be in the range of browns, greys, and green.</u></p>	D
	<p><b>Glare</b></p> <p>41.5.5.6 All fixed lighting shall be directed away from adjacent roads and properties.</p>	NC
	<p>41.5.5.7 No activity shall result in a greater than 3.0 lux spill, horizontal and vertical, of light onto any property located outside of the Zone, measured at any point inside the boundary of the adjoining property.</p>	NC
	<p><b>Outside storage and non-residential activities</b></p> <p>41.5.5.8 In relation to non-residential activities, no goods, materials or equipment shall be stored outside a building, except for vehicles associated with the activity parked on the site overnight.</p>	NC
	<p>41.5.5.9 All manufacturing, altering, repairing, dismantling or processing of any materials, goods or articles shall be carried out within a building except in relation to farming.</p> <p>Except within the Village Activity Areas, where outside storage and activities are permitted.</p>	NC
	<b>Servicing</b>	NC

	<p>41.5.5.10 All dwellings shall connect to reticulated infrastructure for the provision of a water supply, wastewater disposal, power and telecommunications.</p> <p>(Except this Standard shall not apply within any Homesite Activity Area)</p> <p>41.5.5.11 All services, with the exception of stormwater systems, shall be reticulated underground.</p>	
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## **41.6** *Rules - Non-Notification of Applications*

- 41.6.1** Any application for resource consent for a controlled activity shall not require the written approval of other persons and shall not be notified.
- 41.6.2** Any application for the following activities shall not require the written approval of other persons and shall not be notified.
- a. Rules 41.4.3.3 and 41.4.3.5 Buildings and tennis courts (including the addition to or construction of buildings) within the Lodge (L) Activity Areas.
- 41.6.3** Any application for resource consent for the following restricted discretionary activities shall be considered without public notification but notice shall be served on those persons considered to be adversely affected if written approval has not been obtained.
- a. Rule 41.4.1.8 Commercial activities, community and visitor accommodation.
  - b. Rule 41.4.5.1 Sale of Liquor.
  - c. Rule 41.5.1.7 Setbacks from Roads and Internal Boundaries.
  - d. Rules 41.5.5.3 and 41.5.5.4 Access to the State Highway.



41.7

*Structure Plan Refer to Consent Order: <https://www.qldc.govt.nz/media/ijqeizuk/2020-05-21-consent-order-topic-22-jacks-point.pdf>*

## 41.8 Jacks Point Plant List

### Trees

Botanical Name	Common Name	Sun	Mid Sun	Shade	Moist	Dry	Sheltered	Exposed
<i>Aristolelia serrata</i>	Wineberry	x	x		x	x		x
<i>Carpodetus serratus</i>	Putaputaweta / marbleleaf	x	x		x		x	
<i>Coprosma linariifolia</i>	Mikimiki	x	x		x	x		x
<i>Cordyline australis</i>	Ti kouka / cabbage tree	x	x		x	x		x
<i>Fuchsia excorticata</i>	Kotukutuku / tree fuchsia		x		x		x	
<i>Elaeocarpus hookerianus</i>	Pokaka		x		x		x	
<i>Griselinia littoralis</i>	Kapuka / broadleaf	x	x		x	x		x
<i>Hoheria lyallii</i>	Mountain ribbonwood	x			x			x
<i>Melicytus lanceolatus</i>	Mahoe wao	x	x		x		x	
<i>Melicytus ramiflorus</i>	Mahoe / whiteywood	x	x		x	x		x
<i>Metrosideros umbellata</i>	Southern rata	x	x		x	x		x
<i>Myrsine australis</i>	Mapou	x	x	x	x	x		x
<i>Nothofagus fusca</i>	Red beech	x	x		x	x	x	
<i>Nothofagus solandri</i> var. <i>cliffortioides</i>	Mountain beech	x	x		x	x	x	
<i>Pennantia corymbosa</i>	Kaikomako	x	x		x	x		x
<i>Pittosporum eugenioides</i>	Tarata / lemonwood	x	x		x	x		x
<i>Pittosporum tenuifolium</i>	Kohuhu	x	x		x	x		x
<i>Podocarpus hallii</i>	Hall's Totara	x	x		x	x		x
<i>Prumnopitys taxifolia</i>	Matai		x	x	x	x	x	
<i>Pseudopanax crassifolius</i>	Lancewood	x	x		x	x		x
<i>Sophora microphylla</i>	Kowhai	x	x		x	x	x	

### Shrubs

Botanical Name	Common Name	Sun	Mid Sun	Shade	Moist	Dry	Sheltered	Exposed
<i>Aristolelia fruticosa</i>	Mountain wineberry	x			x			x
<i>Carmichaelia petriei</i>	NZ broom	x	x	x	x			x
<i>Coprosma crassifolia</i>	NZ Coprosma	x	x		x	x		x
<i>Coprosma lucida</i>	Shining Karamu		x	x	x	x		x
<i>Coprosma propinqua</i>	Mingimingi	x			x	x		x
<i>Coprosma rugosa</i>	Needle-leaved Mt Coprosma	x	x		x	x		x
<i>Corokia cotoneaster</i>	Korokia	x	x		x	x		x
<i>Cyathodes juniperina</i>	Mingimingi	x	x			x		x
<i>Discaria toumatou</i>	Matagouri	x			x	x		x

Botanical Name	Common Name	Sun	Mid Sun	Shade	Moist	Dry	Sheltered	Exposed
<i>Dracophyllum longifolium</i>	Inaka	x	x			x		x
<i>Dracophyllum uniflorum</i>	Turpentine shrub	x	x		x			x
<i>Gaultheria antipoda</i>	Tall snowberry	x		x	x	x	x	
<i>Hebe cupressoides</i>	Cypress Hebe	x				x		x
<i>Hebe odora</i>		x			x			x
<i>Hebe rakaiensis</i>		x			x	x		x
<i>Hebe salicifolia</i>	South Island Koromiko	x			x			x
<i>Hebe subalpina</i>		x			x	x		x
<i>Leptospermum scoparium</i>	Manuka	x	x		x	x		x
<i>Melicytus alpinus</i>	Porcupine shrub	x	x		x	x		x
<i>Myrsine divaricata</i>	Weeping mapou	x	x		x	x		x
<i>Olearia arborescens</i>	Southern Tree Daisy	x	x		x	x		x
<i>Olearia avicenniifolia</i>	Tree Daisy	x				x		x
<i>Olearia bullata</i>		x			x	x		x
<i>Olearia cymbifolia</i>		x	x		x	x		x
<i>Olearia fragrantissima</i>		x				x	x	
<i>Olearia hectori</i>		x			x	x		x
<i>Olearia lineata</i>	Tree Daisy	x	x		x	x		x
<i>Olearia nummulariaefolia</i>	Tree Daisy	x				x		x
<i>Olearia odorata</i>	Tree Daisy	x			x		x	
<i>Ozothamnus</i> sp.	Cottonwood	x			x	x		x
<i>Pimelea aridula</i>	NZ daphne	x			x	x		x
<i>Pseudopanax colensoi</i> var. <i>ternatus</i>	Mountain three finger		x	x	x	x		x

### Grasses

Botanical Name	Common Name	Sun	Mid Sun	Shade	Moist	Dry	Sheltered	Exposed
<i>Aciphylla aurea</i>	Golden speargrass	x				x		x
<i>Aciphylla glaucescens</i>	Blue speargrass	x				x		x
<i>Astelia fragrans</i>	Bush lily		x	x	x		x	
<i>Astelia nervosa</i>	Mountain Astelia		x	x	x	x		x
<i>Carex coriacea</i>	NZ swamp sedge	x			x			x
<i>Carex maorica</i>	Carex	x	x		x			x
<i>Carex secta</i>	Purei	x	x		x			x
<i>Chionochloa conspicua</i>	Bush tussock	x	x		x	x		x
<i>Chionochloa rigida</i>	Narrow-leaved snow tussock	x			x	x		x
<i>Chionochloa rubra</i>	Red Tussock	x			x	x		x
<i>Cortaderia richardii</i>	South Island Toetoe	x			x	x		x
<i>Festuca novae zelandiae</i>	Hard tussock	x				x		x

Juncus distegus	Wiwi		x		x			x
Juncus gregiflorus	NZ soft rush		x		x			x
Juncus sarophorus	Wiwi	x	x		x			x
Phormium cookianum	Mountain flax	x			x	x		x
Phormium tenax	Harakeke/swamp flax	x			x	x		x
Poa cita	Silver tussock	x			x	x		x
Schefflera digitata	Seven finger	x	x		x	x	x	
Schoenus pauciflorus	Bog rush	x			x		x	
Typha orientalis	Raupo / bullrush	x			x			x

**Attachment B**

**Subdivision Chapter 27**



#### **27.7.5.4**

Subdivision of land comprising any of Homesite Activity Areas HS<sub>38</sub> – HS<sub>56</sub>

Control is reserved to:

- a. Those matters listed under Rule 27.7.1;
- b. The content of the Vegetation Management Strategy
- c. Indigenous biodiversity values
- d. Ecological values;
- e. Landscape character and visual amenity values;
- f. The measures to ensure implementation of the Vegetation Management Strategy (including potential enforceability provisions); and
- g. The appropriateness of a legal instrument (s) registered on the titles to secure implementation of the Vegetation Management Strategy.

#### **Information requirements:**

The vegetation management strategy submitted as part of this Rule shall be prepared by a suitably qualified and experienced person to provide a holistic approach to revegetation of the homesites and the surrounding area of the tablelands. The Vegetation Management Strategy shall include the following information:

(a) A Vegetation Plan, which includes:

(i) A schedule of plant species numbers, and spacing, using locally appropriate eco-sourced native species;

(ii) The boundaries of the area subject to the Vegetation Management Strategy and the location of Homesites HS<sub>38</sub> to HS<sub>56</sub>;

(iii) Identification of existing indigenous vegetation communities, including grey shrubland and wetland species, and provides a coherent pattern of new planting, which integrates with the existing indigenous vegetation and reinforces the existing landform patterning;

(iv) Any earthworks associated with the Vegetation Management Strategy; and

(v) The location and alignment of access, roading, sites for future dwellings and any associated earthworks, and integration of these built elements into the

landscape when viewed from neighbouring homesites, public walkways, the Lodge Activity Area, Lake Wakatipu and Jacks Point Zone residential activity areas.

(b) Measures relating to the implementation of the vegetation plan, including:

(i) Protection of indigenous vegetation from grazing stock, weeds and other pests;

(ii) Irrigation methods, if required; and

(iii) Staging and timing of planting.

(c) A landscape assessment, which:

(i) Includes the rationale for the boundaries for the proposed vegetation plan;

(ii) Demonstrates that the vegetation plan will result a coherent pattern of new planting, which integrates with the existing indigenous vegetation; establishes indigenous vegetation links within and between Homesites; and reinforces the existing landform patterning;

(iii) Demonstrates that the proposed planting will result in an improvement in indigenous biodiversity values across these Homesites and the surrounding Tablelands Landscape Protection Area;

(iv) Demonstrates that subdivision design elements, including vehicle access, have been integrated into the design of the proposed planting, taking into account views from:

- neighbouring homesites;
- public walkways;
- the Lodge Activity Area;
- Lake Wakatipu; and
- Jacks Point Zone residential activity areas.

Advice Note

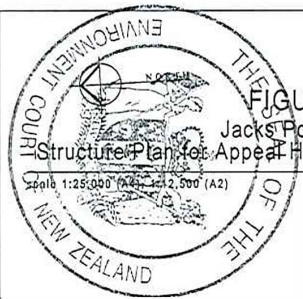
Noting that the purpose of the proposed planting is to assist the visual integration of development; and

(v) Demonstrates that the vegetation plan will accommodate views from homesites to the surrounding mountains and lake.



	<p><b><u>Subdivision of any land containing Homesite Activity Areas HS38 – HS56</u></b></p> <p><b><u>27.7.5.5</u></b></p> <p><u>Subdivision of any land containing Homesite Activity Areas HS38 – HS56, that does not:</u></p> <p>(a) <u>Include a vegetation management strategy that satisfies the information requirements in Rule 27.7.5.4;</u>  <u>or</u></p> <p>(b) <u>Include all of Homesite Activity Areas HS<sub>38</sub> to HS<sub>56</sub> and any land within the Activity Areas OSL or OSG that is located between these Homesites.</u></p> <p><b><u>27.7.5.6</u></b></p> <p><u>Subdivision of any part of Activity Areas OSL or OSG located outside of the lot containing Homesite Activity Areas HS<sub>38</sub> – HS<sub>56</sub> that does not provide for the implementation of the Vegetation Management Strategy provided in accordance within Rule 27.7.5.4, prior to the issue of s224 c) certification.</u></p> <p><b><u>27.7.5.7</u></b></p> <p><u>Subdivision of any land containing Homesite Activity Areas HS<sub>38</sub> – HS<sub>56</sub> that does not provide for the registration of a legal instrument on the relevant Record of Title, which:</u></p> <p><u>For the lot containing the Homesite Activity Area:</u></p> <p>(i) <u>requires implementation of the Vegetation Management Strategy in accordance with Rule 27.7.5.4, including any ongoing commitments associated with the implementation of the vegetation plan, as relevant to each lot containing a homesite, including areas of existing vegetation prior to the occupation of the residential unit;</u></p> <p>(ii) <u>requires implementation of the measures detailed within provision 27.7.5.4 b); and</u></p> <p><u>For those lot/s containing any part of Activity Areas OSL or OSG located outside of the lot containing Homesite Activity Areas HS<sub>38</sub> – HS<sub>56</sub></u></p> <p>(iii) <u>requires any ongoing commitments associated with the implementation of the measures detailed within provision 27.7.5.4 b).</u></p>	<p>NC</p>
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**Attachment C  
Structure Plan**

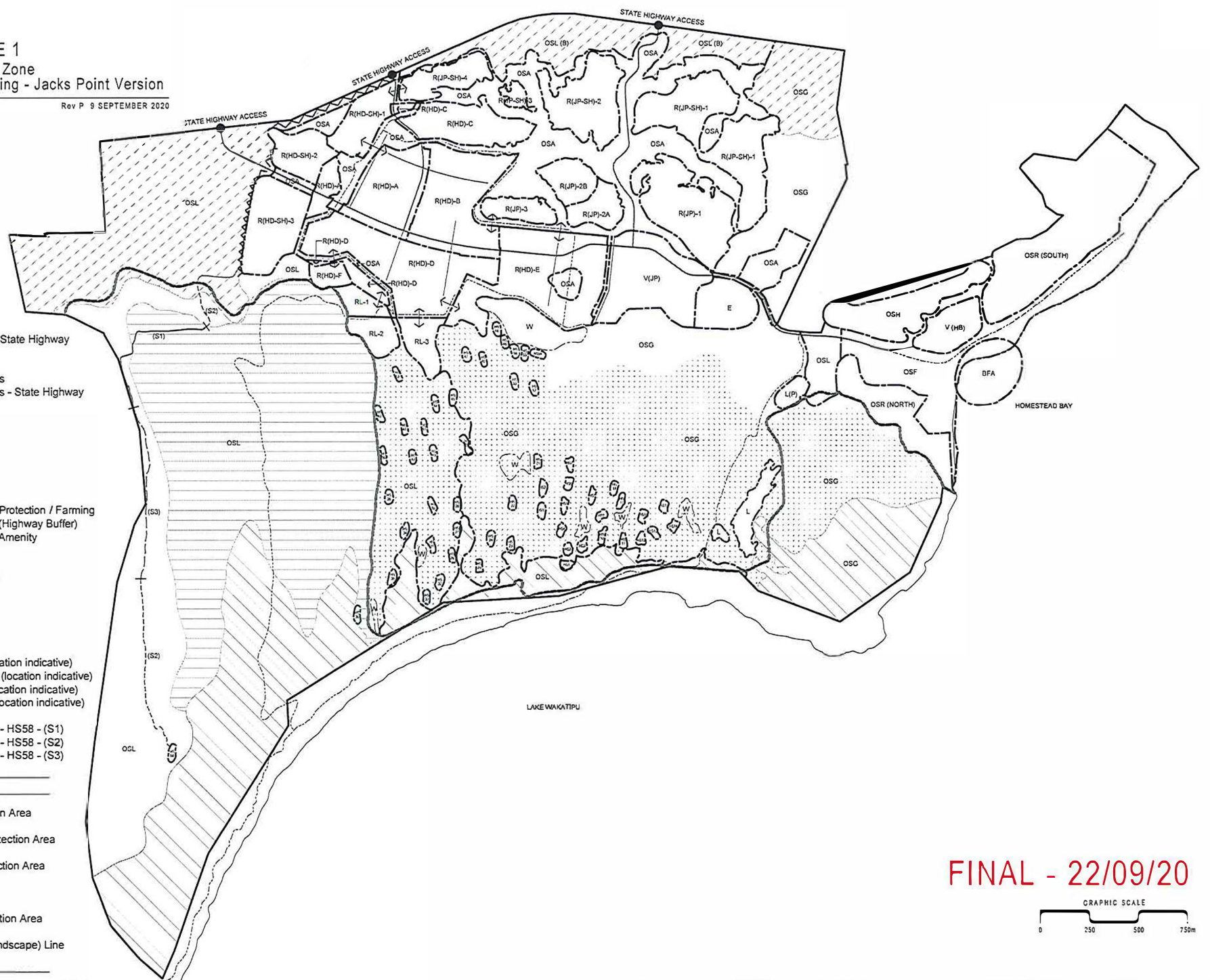


**FIGURE 1**  
 Jacks Point Zone  
 Structure Plan for Appeal Hearing - Jacks Point Version

Scale 1:25,000 (A3 - 1:12,500 (A2))  
 Rev P 9 SEPTEMBER 2020

- KEY**
- R(JP) Residential Jacks Point
  - R(JP-SH) Residential Jacks Point - State Highway
  - V(JP) Village Jacks Point
  - E Education
  - R(HD) Residential Hanley Downs
  - R(HD-SH) Residential Hanley Downs - State Highway
  - RL Rural Living
  
  - L Lodge
  - L(P) Lodge Parking
  - HS Preserve Homesites
  
  - W Wetland
  - OSG Open Space Golf
  - OSL Open Space Landscape Protection / Farming
  - OSL (B) Open Space Landscape (Highway Buffer)
  - OSA Open Space Residential Amenity
  
  - V(HB) Village Homestead Bay
  - OSH Open Space Horticulture
  - OSR (NORTH) Open Space Residential
  - OSR (SOUTH) Open Space Residential
  - OSF Open Space Foreshore
  - BFA Boating Facilities Area
  
  - Activity Area
  - - - Public Access Route (location indicative)
  - - - Secondary Road Access (location indicative)
  - - - Primary Road Access (location indicative)
  - ↔ Key Road Connections (location indicative)
  
  - - - Secondary Road Access - HS58 - (S1)
  - - - Secondary Road Access - HS58 - (S2)
  - - - Secondary Road Access - HS58 - (S3)

- OVERLAYS**
- Highway Landscape Protection Area
  - Peninsula Hill Landscape Protection Area
  - Lake Shore Landscape Protection Area
  - State Highway Mitigation
  - Tablelands Landscape Protection Area
  - ONL (Outstanding Natural Landscape) Line



**FINAL - 22/09/20**

