

**Appendix C – Version of Chapter 41 as sought at the close of hearing**

## 41 Jacks Point Zone

### 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 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 - Development of an integrated community, incorporating residential living, visitor accommodation, community, and small-scale commercial activities within a framework of open space and recreation amenities.**

#### Policies

41.2.1.1 Use a Structure Plan to establish the spatial layout of development within the zone and diversity of living and complementary activities, taking into account:

- Integration of activities and servicing;
- Landscape and amenity values;
- Road, open space and trail networks;
- Visibility from State Highway 6 and Lake Wakatipu.

41.2.1.2 Ensure subdivision and development incorporates the design elements shown on the Structure Plan, namely roads, road connections, open space, access connections and trails.

41.2.1.3 Maintain and protect views into the site when viewed from the lake, and to maintain and protect views across the site to the mountain peaks beyond when viewed from the State Highway.

41.2.1.4 Ensure that residential development is not readily visible from the State Highway.

41.2.1.5 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.

41.2.1.6 Provide for local biodiversity through:

- The protection and enhancement of existing ecological values, in a holistic manner;
- Reduction in grazing around wetland areas; and

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- The provision of links between grey shrublands, wetlands and the lakeshore escarpment, including indigenous vegetation links between Activity Areas where appropriate.
- 41.2.1.7 Ensure that development within the ecologically sensitive areas of the zone results in a net environmental gain.
- 41.2.1.8 Control the take-off and landing of aircraft within the zone.
- 41.2.1.9 Ensure that subdivision, development and ancillary activities within the Tablelands maintain the character of the landscape.
- 41.2.1.10 Provide for farming and associated activities in appropriate areas, while ensuring that development associated with those activities does not result in over domestication of the landscape.
- 41.2.1.11 Enable mining activities which contribute to the development of the zone, provided environmental effects are appropriately managed.
- 41.2.1.12 Provide a diversity of living accommodation, including opportunities for farm and rural living at low densities.
- 41.2.1.13 Recognise the Residential (Hanley Downs), and the Village Activity Areas as being appropriate to accommodate residential development at a greater scale and intensity than elsewhere in the zone.
- 41.2.1.14 Enable medium density housing development within the established areas of Jacks Point where the scale and form of built development is appropriate to the character of the Activity Area.
- 41.2.1.15 Ensure the visual impacts of subdivision and development within the Residential State Highway and Activity Areas are appropriately mitigated through landscaping and the provision of open space.
- 41.2.1.16 To protect the character of the Peninsula Hill landscape from the adverse effects of inappropriate subdivision use and development, by:
- a. Identifying areas with the capacity to absorb change based on the Coneburn Area Resource Study
  - b. Avoiding development within the highly visible slopes located within the Peninsula Hill Landscape Protection Area
  - c. Managing effects on land within the Open Space Landscape Activity Area, including for the provision of farming and outdoor recreation activities, provided they are sympathetic to the character of the landscape and minimise visible effects from public places
  - d. Enabling the use of land located within the identified Homesites, subject to:
    - i) The visible effects of building development being restricted to long distance views from Lake Wakatipu (i.e. greater than 3km) and no visibility from State Highway 6
    - ii) The alignment of vehicle access to the Homesites through the Open Space Landscape Activity must follow the gullies to the east of each Homesite and be designed to minimise effects on landscape values;
    - iii) Avoiding light spill beyond the site
    - iv) Enhancing nature conservation values
- 41.2.1.17 and Enable the Jacks Point Village Activity Area to develop as a vibrant mixed use hub for the Jacks Point Zone, comprising a range of activities including high density and

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medium density residential housing, a small local shopping centre that services the needs of Jacks Point residents and a small amount of destination shopping, office space, visitor accommodation, education, community activities, healthcare, commercial recreation activity, and technology and innovation-based business.

- 41.2.1.18 To require the establishment of Comprehensive Development Plan within the Jacks Point Village Activity Area, in order to achieve:
- Establishing the layout of open space, built form, roading patterns, pedestrian and cycle access
  - Streetscape design
  - Formulation of building design controls and an appropriate legal mechanism to ensure their implementation
  - The provision of sufficient land for a school
- 41.2.1.19 Encourage high quality urban design within the Village Activity Areas by incorporating parapets, corner features for landmark sites and other design elements in order to achieve a positive design outcome.
- 41.2.1.20 Enable commercial activities within the Residential (Hanley Downs) Activity Area, designed to service the needs of the local community, where they can locate along or near primary roads.
- 41.2.1.21 Enable commercial and community activities and visitor accommodation, provided residential amenity, health and safety are protected or enhanced through:
- Compatible hours of operation and noise;
  - A high standard of building design;
  - The location and provision of open space, buffers and setbacks;
  - Appropriate landscape mitigation;
  - The design of vehicle access and car parking; and
  - An appropriate scale of activity and form of building development.
- 41.2.1.22 Use residential development controls to protect privacy and amenity, provide access to sunlight, achieve design cohesion and to provide appropriate opportunities for outdoor living.
- 41.2.1.23 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.
- 41.2.1.24 Maintain or enhance the character and amenity values of the established residential neighborhoods within the Jacks Point area, including the high standard of design and landscape elements incorporated into communal open space areas, transport corridors and private lots.
- 41.2.1.25 Recognise and provide for the creation of a distinctive design aesthetic within the new residential areas of the Jacks Point Zone, which may evolve to be unique from the established areas of Jacks Point, providing that the unifying structural elements of the structure plan are preserved.
- 41.2.1.26 Avoid industrial activities.
- 41.2.1.27 Provide for the development of lakeside activities in the Homestead Bay area, in a manner which complements and enhances amenity values.

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- 41.2.1.28 Ensure substantial native revegetation of the lake foreshore and open spaces within Homestead Bay and Home site activity areas within the Tablelands.
- 41.2.1.29 Provide safe and efficient road access from State Highway 6.
- 41.2.1.30 Ensure provision of integrated servicing infrastructure, roading and vehicle access.
- 41.2.1.31 Ensure an adequate level of sewage disposal, water supply and refuse disposal services are provided which do not adversely affect water or other environmental values.

## 41.3 Other Provisions and Rules

### 41.3.1 District Wide

Attention is drawn to the following District Wide chapters. All provisions referred to are within Stage 1 of the Proposed District Plan, unless marked as Operative District Plan (ODP).

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
24 Signs (18 ODP)	25 Earthworks (22 ODP)	26 Historic Heritage
27 Subdivision	28 Natural Hazards	29 Transport (14 ODP)
30 Utilities and Renewable Energy	31 Hazardous Substances (16 ODP)	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 Clarification

- 41.3.2.1 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.
- 41.3.2.2 Earthworks undertaken for the development of land associated with any subdivision shall be governed by Chapter 27: Subdivision and Development.
- 41.3.2.3 A permitted activity must comply with all the rules listed in the activity and standards tables, and any relevant district wide rules.
- 41.3.2.4 Where an activity does not comply with a rule or standard 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.
- 41.3.2.5 The following abbreviations are used within this Chapter.

P	Permitted	C	Controlled
RD	Restricted Discretionary	D	Discretionary
NC	Non Complying	PR	Prohibited



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Table 1 Rule	Activities Located Within the Jacks Point Zone	Activity Status
	<p>Control is reserved to:</p> <ul style="list-style-type: none"> <li>• The external appearance of buildings with respect to the effect on visual and landscape values of the area.</li> <li>• Infrastructure and servicing.</li> <li>• Associated earthworks and landscaping.</li> <li>• Access and parking.</li> <li>• Bulk and location.</li> <li>• Exterior lighting.</li> <li>• Visibility of the building from State Highway 6 and Lake Wakatipu.</li> </ul>	
41.4.3.3	<p>Except as provided for in (41.4.3.4) below, any residential unit in HS<sub>57</sub> or HS<sub>58</sub> Activity Areas and any visitor accommodation activity within HS<sub>37</sub> to HS<sub>58</sub> Activity Areas.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>• The matters listed in clause (41.4.3.2) above.</li> <li>• The appropriateness of any mitigation and its impact on the character of the landscape.</li> <li>• The alignment of vehicle access to the Homesites through the Open Space Landscape Activity Area must be located within the gullies to the east of each Homesite and be designed to minimise effects on landscape values</li> <li>• Avoiding light spill beyond the site</li> </ul>	RD
41.4.3.4	<p>Any building, other than buildings related to any farming or recreation activity (Rule 41.4.3.2), within the Peninsula Hill Landscape Protection Area</p>	NC
41.4.3.5	<p>Any building, other than buildings related to any farming or recreation activity (Rule 41.4.3.2), within the Open Space Landscape Activity Area, Lake Shore Landscape Protection Area or Highway Landscape Protection Area identified on the Structure Plan.</p>	D
41.4.3.6	<p>Within the BFA any boat ramp, jetty, breakwater or other buildings and associated parking and boat trailer parking.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>• Effects on natural character.</li> <li>• Effects on landscape and amenity values.</li> <li>• Effects on public access to and along the lake margin.</li> <li>• External appearance, colours and materials.</li> </ul>	RD







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Table 1 Rule	Activities Located Within the Jacks Point Zone	Activity Status
	<p>include a Comprehensive Development Plan in respect of the whole JP(V) Activity Area.</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> <li>• Establishing the layout of built form, open space, roading patterns, pedestrian and cycle access</li> <li>• Streetscape design</li> <li>• Formulation of building design controls and an appropriate legal mechanism to ensure their implementation</li> <li>• The provision of not less than 2ha of land (aggregate) for a school</li> </ul>	
41.4.8.2	The use or development of land within the JP(V) Activity Area in that is consistent with the CDP issued as part of a consent granted under Rule 41.4.8.1.	P
41.4.8.3	The use or development of land within the JP(V) Activity Area in the absence of resource consent granted under Rule 41.4.8.1	D
41.4.8.4	The use and development of land within the JP(V) Activity Area having more than one resource consent in effect at any one time in respect to Rule 41.4.8.1	RD
41.4.8.5	<p>The use and development of land within the JP(V) Activity Area subject to the resource consent under Rule 41.4.8.1, for an area less than the whole JP(V) Activity Area</p> <p>In respect to Rules 41.4.8.3 and 41.4.8.4, discretion is restricted to matters that are inconsistent with the CDP as granted under Rule 41.4.8.1, insofar as those inconsistencies relate to the following matters:</p> <ul style="list-style-type: none"> <li>• Integrity of the layout of built form, open space, roading patterns, pedestrian and cycle access</li> <li>• Integrity of streetscape design</li> <li>• Integrity of building design controls and the general layout of built form</li> </ul>	RD
41.4.9	<p><b>Commercial Activities and Community Activities</b></p> <ul style="list-style-type: none"> <li>• .</li> </ul> <p>41.4.9.1 Commercial activities and Community activities, located within the R(HD) and R(SH-HD) Activity Areas, including the addition, alteration or construction of associated buildings.</p> <p>Discretion is restricted to.</p> <ul style="list-style-type: none"> <li>• The vibrancy of the Village Activity Area</li> <li>• Location, scale and external appearance of buildings</li> </ul>	RD

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Table 1 Rule	Activities Located Within the Jacks Point Zone	Activity Status
	<ul style="list-style-type: none"> <li>• Setback from roads</li> <li>• Setback from internal boundaries</li> <li>• Traffic generation</li> <li>• Effects on the safety and efficiency of the State Highway 6 road network at any intersections with the Jacks Point Zone, until such time as a new intersection upgrade at Woolshed Road has been completed and is available for use</li> <li>• Infrastructure capacity</li> <li>• Vehicle access, street layout and car parking</li> <li>• Street scene including landscaping</li> <li>• Enhancement of ecological and natural values</li> <li>• Provision for walkways, cycle ways and pedestrian linkages</li> <li>• Scale of the activity</li> <li>• Noise</li> <li>• Hours of operation</li> <li>• State Highway Mitigation in the locations shown on the Structure Plan</li> </ul>	
41.4.10	<p><b>Sale of Liquor</b></p> <p>Premises licensed for the sale of liquor (including both off-licenses and on-licenses).</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>• Location.</li> <li>• Scale of the activity.</li> <li>• Residential amenity values.</li> <li>• Noise.</li> <li>• Hours of operation.</li> <li>• Car parking and vehicle generation.</li> </ul>	RD
41.4.11	<p><b>Structure Plan - Activities</b></p> <p>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 Rules 41.4 Table 1 – Rules for Activities and 41.5 Table 2 - Standards for Activities:</p> <p>41.4.11.1 Residential Activities Area (R) – the use of this area is restricted to residential activities.</p>	D

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Table 1 Rule	Activities Located Within the Jacks Point Zone	Activity Status
	41.4.11.2 Residential State Highway R(SH) – the use of this area is restricted to residential activities and for the mitigation of development from the State Highway.	
	41.4.11.3 Village Area (V) – The use of this area is restricted to residential and visitor accommodation activities including bars, restaurants, theatres, conference, cultural and community facilities and office and administration activities ancillary to the above activities, small-scale commercial activities, health activities, educational activities, office and administration activities, and indoor and outdoor recreation facilities.	
	41.4.11.4 Lodge Activity Area (L) - the use of this area is restricted to visitor accommodation activities, restaurants and conference facilities.	
	41.4.11.5 Preserve Homesite Activity Area (HS) - the use of this area is restricted to residential activities with a maximum of one residential unit per HS Activity Area and visitor accommodation within homesites HS <sub>37</sub> to HS <sub>58</sub> .	
	41.4.11.6 Wetland (W) – Structures are 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.	
	41.4.11.7 Open Space Golf (OSG) – the use of this area is restricted to the development and operation of golf courses, including associated earthworks, green keeping, driving range, administrative offices, sales, commercial instruction; mining; and any utilities, infrastructure and vehicle access related to other activities anticipated by the Zone.	
	41.4.11.8 Open Space Landscape (OSL) –activities in this area are limiting to farming, together with farm buildings, fencing, trail formation, mining, farm access tracks, outdoor recreation activities and any utilities, infrastructure and vehicle access related to other activities anticipated by the Zone.	
	41.4.11.9 Open Space Residential Amenity (OSA) – the use of this area is restricted to recreation amenities, playgrounds, landscaping, pedestrian and cycle trails, lighting, stormwater retention and underground services.	
	41.4.11.10 Open Space - Horticultural (OSH) - the use of this area is restricted to horticultural activities and accessory buildings and activities, and residential activities.	
	41.4.11.11 Open Space - Foreshore (OSF) - the use of this area is restricted to the regeneration of native endemic species, and retention of open space.	
	41.4.11.12 Open Space - Residential (OSR) - the use of this area is restricted to 12 residential units set within a regenerating foreshore environment.	
	41.4.11.13 Farm Buildings and Craft Activity Area (FBA) - the use of this area is limited to the existing residence, farm buildings and buildings and activities associated with craft and farming related	

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Table 1 Rule	Activities Located Within the Jacks Point Zone	Activity Status
	activities, retail sales of goods produced or reared on site, a farm stay and a bed and breakfast operation.  41.4.11.14 Boating Facilities Activity Area (BFA) - the use of this area is limited to a double boat ramp, jetty, a weather protection feature or breakwater, a boat shed and associated boat/trailer/car parking and public facilities, provided that all facilities are available for public use.	
41.4.12	<b>Factory Farming</b>	NC
41.4.13	<b>Forestry Activities</b>  All forestry activities, excluding harvesting of existing forestry which exists at the date of the notification of the Proposed District Plan on 31 August 2016.	NC
41.4.14	<b>Mining Activities</b>  With the exception of the mining of rock and/or aggregate and/or gravel provided for by Rule 41.4.5.	NC
41.4.15	<b>Industrial Activities</b>	NC
41.4.16	<b>Informal Airports</b>  41.4.16.1 Informal Airports limited to the use of helicopters.  41.4.16.2 The establishment and operation of all other Airport Activity or Aerodrome, including Informal Airports used by fixed wing aircraft.	D NC
41.4.17	<b>Informal Airports</b> for emergency landings, rescues, fire-fighting and activities ancillary to farming activities.	P
41.4.18	<b>Landfill</b>	NC
41.4.19	Panelbeating, spraypainting, motor vehicle, repair of dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building, fish or meat processing, or any activity requiring an Offensive Trade Licence under the Health Act 1956.	PR

## 41.5 Rules - Standards

Table 2 Rule	Standards for activities located in the Jacks Point Zone	Non-compliance Status
41.5.1	<b>Standards for Building</b>  <b>Open Space Horticulture:</b>  41.5.1.1 Within the Open Space - Horticultural (OSH) Activity Area:  a. There shall be no more than 15 building platforms;  b. Those 15 building platforms referred to in (a) above are confined	RD

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Table 2 Rule	Standards for activities located in the Jacks Point Zone	Non-compliance Status
	<p style="text-align: center;">to 3 or 4 clusters; and</p> <p style="text-align: center;">c. No building is to be erected prior to the horticultural activity being planted.</p> <p><b>Homesites:</b></p> <p>41.5.1.2 Within any Homesite Activity Area (HS Activity Area), except homesites HS<sub>57</sub> and HS<sub>58</sub>, buildings shall not exceed a total building footprint of 1,000m<sup>2</sup> within that Activity Area.</p> <p style="text-align: center;">For rules 41.5.1.1 and 41.5.1.2, discretion is restricted to:</p> <ul style="list-style-type: none"> <li>• The external appearance of buildings with respect to the effect on visual and landscape values of the area.</li> <li>• Associated earthworks and landscaping.</li> <li>• Bulk and location.</li> <li>• Visibility of the building from State Highway 6 and Lake Wakatipu.</li> </ul> <p>41.5.1.3 Building within any Homesite where a requirement to comply with the Preserve Design Guidelines has not been registered on the title for the Site.</p> <p><b>Activity Areas R(HD) – Fb and G:</b></p> <p>41.5.1.4 Building within Activity Areas R(HD) – Fb and G, prior to, or outside the area of any residential building platform created by subdivision (Rule 27. 7.11.2)</p> <p style="text-align: center;">Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>• Effects on landscape and amenity values</li> <li>• Conservation values</li> </ul>	<p style="text-align: center;">RD</p> <p style="text-align: center;">RD</p> <p style="text-align: center;">RD</p>
41.5.2	<p><b>Vegetation</b></p> <p>41.5.2.1 Within the Peninsula Hill Landscape Protection Area (refer Structure Plan) 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).</p> <p>41.5.2.2 Within the Lakeshore Landscape Protection Area (refer Structure Plan) 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).</p> <p>41.5.2.3 Within the Tablelands (refer Structure Plan), there shall be no exotic vegetation planted and/or cultivated, with the exception of:</p> <p style="margin-left: 20px;">a. grass species if local and characteristic of the area; and</p> <p style="margin-left: 20px;">b. other vegetation if it is:</p>	<p style="text-align: center;">D</p> <p style="text-align: center;">D</p> <p style="text-align: center;">D</p>

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Table 2 Rule	Standards for activities located in the Jacks Point Zone	Non-compliance Status
	<ul style="list-style-type: none"> <li>• less than 0.5 metres in height; and</li> <li>• less than 20 square metres in area; and</li> <li>• within 10 metres of a building; and</li> <li>• intended for domestic consumption.</li> </ul>	
41.5.2.4	No buildings shall be erected within a Homesite Activity Area (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 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 Activity Area is located.	D
41.5.2.5	On any site within a Residential Jacks Point Activity Area there shall be no shrub and tree planting with less than 75% of the species identified on the Jacks Point plant list contained within Part 41.8. Percentages are in terms of overall plant numbers.  Discretion is restricted to any effects on nature conservation values.	RD
41.5.2.6	Within the OSR Activity Area, at least 50% of any site shall be planted in native vegetation, prior to building.  Discretion is restricted to any effects on nature conservation values.	RD
41.5.2.7	Within the OSF the clearance of native vegetation, which reduces vegetation cover below 80% of this Activity Area.	RD
41.5.2.8	Anywhere within the zone, there shall be no planting and/or growing of the following tree species: <ul style="list-style-type: none"> <li>• European larch (<i>Larix decidua</i>)</li> <li>• Sycamore</li> </ul> Also refer to the District Wide Chapter 34 Wilding Exotic Trees.	RD PR
41.5.2.9	Except as provided for in (41.5.2.6) above, any native vegetation required to be planted within this Zone shall: <ol style="list-style-type: none"> <li>a. Include species appropriate to the ecosystems of the area being planted.</li> <li>b. Be capable of reaching 80% canopy closure for the ecosystem type being planted.</li> <li>c. Have eradicated any invasive plant pests the time of planting.</li> <li>d. Be maintained, with any plants that die or are diseased replaced.</li> </ol> Discretion is restricted to any effects on nature conservation values.	RD

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Table 2 Rule	Standards for activities located in the Jacks Point Zone	Non-compliance Status								
41.5.3	<p><b>Structure Plan</b></p> <p>41.5.3.1 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 may be otherwise located and follow different alignments provided that any such alignment enables a similar journey.</li> </ul> <p>41.5.3.2 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.</p> <p>41.5.3.3 Open Spaces are shown indicatively, with their exact location and parameters to be established through the subdivision process. Development prior to such subdivision occurring, which would preclude the creation of these open spaces, shall be deemed to be contrary to this rule.</p> <p>41.5.3.4 Within any open space area created by subdivision, in accordance with Rules 41.5.3.3 and 27.8.9.1, there shall be no building.</p>	D								
41.5.4	<p><b>Earthworks (excluding earthworks associated with a subdivision)</b></p> <p>41.5.4.1 Volume of Earthworks</p> <p>The maximum total volume of earthworks (m<sup>3</sup>) shall not exceed that specified in the table below.</p> <ul style="list-style-type: none"> <li>a. The maximum total volume of earthworks shall be calculated per site, within any consecutive 12 month period.</li> <li>b. Volume shall mean the sum of all earth that is moved within a site and includes any combination of cut and fill, removing fill off-site and replacing fill on site – refer Interpretive Diagrams 5 (a), (b) and (c) of the Earthworks Chapter of the Operative District Plan.</li> </ul> <table border="1" style="width: 100%; margin-top: 10px;"> <thead> <tr> <th style="text-align: left;">Activity Area</th> <th style="text-align: center;">Maximum Total Volume</th> </tr> </thead> <tbody> <tr> <td>Residential Activity Areas Village Homestead Bay Open Space Horticulture Open Space Residential Open Space Foreshore Farm Buildings and Craft Activity Area Boating Facilities Area</td> <td style="text-align: center;">500 m<sup>3</sup></td> </tr> <tr> <td>Open Space Landscape Open Space Amenity Homesite</td> <td style="text-align: center;">1,000 m<sup>3</sup></td> </tr> <tr> <td>Open Space Golf Lodge</td> <td style="text-align: center;">No maximum</td> </tr> </tbody> </table>	Activity Area	Maximum Total Volume	Residential Activity Areas Village Homestead Bay Open Space Horticulture Open Space Residential Open Space Foreshore Farm Buildings and Craft Activity Area Boating Facilities Area	500 m <sup>3</sup>	Open Space Landscape Open Space Amenity Homesite	1,000 m <sup>3</sup>	Open Space Golf Lodge	No maximum	RD
Activity Area	Maximum Total Volume									
Residential Activity Areas Village Homestead Bay Open Space Horticulture Open Space Residential Open Space Foreshore Farm Buildings and Craft Activity Area Boating Facilities Area	500 m <sup>3</sup>									
Open Space Landscape Open Space Amenity Homesite	1,000 m <sup>3</sup>									
Open Space Golf Lodge	No maximum									



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Table 2 Rule	Standards for activities located in the Jacks Point Zone	Non-compliance Status
	Village	
41.5.4.2	<p>Height of cut and fill and slope</p> <p>a. OSL, OSG, OSA HS, E, and L Activity Areas:</p> <ul style="list-style-type: none"> <li>• No road, track or access way shall have an upslope cut or batter greater than 1 metre in height, measured vertically.</li> <li>• All cuts and batters shall be laid back such that their angle from the horizontal is no more than 65 degrees.</li> <li>• The maximum height of any fill shall not exceed 2 metres.</li> </ul> <p>b. All other Activity Areas:</p> <ul style="list-style-type: none"> <li>• The maximum height of any cut shall not exceed 2.4 metres.</li> <li>• The maximum height of any fill shall not exceed 2 metres.</li> <li>• The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see Interpretative Diagram 6 of the Earthworks Chapter of the Operative District Plan), except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5 metre in height.</li> </ul>	RD
41.5.4.3	<p>Fill</p> <p>a. All fill for residential building platforms and associated retaining walls is to be in accordance with the requirements of NZS 4404:2010 and/or NZS 4431:1989 as appropriate.</p>	
41.5.4.4	<p>Environmental Protection Measures</p> <p>a. Any person carrying out earthworks shall implement sediment and erosion control measures to avoid sediment effects beyond the boundary of the site.</p> <p>b. Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site.</p> <p>c. Areas of exposed soil are to be vegetated / re-vegetated within 12 months from the completion of works.</p>	
41.5.4.5	<p>Water bodies</p> <p>a. Earthworks within 7m of the bed of any water body shall not exceed 20m<sup>3</sup> in total volume, <u>except any man made water body (e.g. Lake Tewa)</u>, within any consecutive 12 month period.</p> <p>b. Any material associated with earthworks activity shall not be positioned within 7m of the bed of any water body, except any man made water body (e.g. Lake Tewa) or where it may dam, divert or contaminate water.</p> <p>c. Earthworks shall not:</p>	

# JACKS POINT ZONE 41

Table 2 Rule	Standards for activities located in the Jacks Point Zone	Non-compliance Status
	<ul style="list-style-type: none"> <li>• cause artificial drainage of any groundwater aquifer;</li> <li>• cause temporary ponding of any surface water.</li> </ul> <p>41.5.4.6 Cultural heritage and archaeological sites</p> <p>a. Earthworks shall not modify, damage or destroy any waahi tapu, waahi taonga or identified feature in Chapter 26, or any archaeological site.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>• The nature and scale of the earthworks</li> <li>• Environmental protection measures</li> <li>• Remedial works and revegetation</li> <li>• The effects on landscape and visual amenity values</li> <li>• The effects on land stability and flooding</li> <li>• The effects on water bodies</li> <li>• The effects on cultural and archaeological sites</li> <li>• Noise</li> </ul>	
41.5.5	<p><b><u>State Highway Mitigation (Hanley Downs area)</u></b></p> <p><u>Within Activity Areas R(HD-SH) - 1, R(HD-SH) - 2 and R(HD-SH) - 3, any subdivision or building development prior to the implementation of the State Highway mitigation approved through Rule 41.4.4.</u></p>	D
41.5.6	<p><b>Setbacks from Roads and Internal Boundaries</b></p> <p>41.5.6.1 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>41.5.6.2 Buildings for all activities, except for buildings located on sites smaller than 550m<sup>2</sup> and created pursuant to subdivision, shall be subject to the following internal setback rules:</p> <p>a. Two setbacks of 4.5m, with all remaining setbacks of 2m; or</p> <p>b. One setback of 6m, one setback of 3.5m and all other setbacks of 2m;</p> <p>41.5.6.3 <b>Except that:</b></p> <p>a. Any building 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;</p> <p>b. 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;</p> <p>c. No setbacks are required when buildings share a common wall at</p>	RD

# JACKS POINT ZONE 41

Table 2 Rule	Standards for activities located in the Jacks Point Zone	Non-compliance Status
	<p style="text-align: center;">the boundary.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>• Bulk, height and proximity of the building façade to the boundary.</li> <li>• The impact on neighbours' amenity values.</li> </ul> <p>41.5.6.4 In the Residential (Hanley Downs) Activity Area:</p> <p>a. For commercial activities, community activities and visitor accommodation, buildings shall be set back at least 3 m from any road boundary.</p> <p>b. For all other activities, except for residential activities on sites smaller than 550m<sup>2</sup> and created by subdivision, buildings shall be set back 4.5m from any road boundary.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>• Bulk, height.</li> <li>• Proximity on residential amenity values.</li> <li>• Loss of daylight.</li> <li>• Access to sunlight.</li> </ul>	
41.5.7	<p><b>Access to the State Highway</b></p> <p>41.5.7.1 Access from State Highway 6 shall be only at the intersections at Maori Jack Road, Woolshed Road and at the location approved through RM160652, as shown on the Structure Plan.</p> <p>41.5.7.2 The Woolshed Road access shall not be used 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>Discretion is restricted to the safe and efficient functioning of the road network.</p> <p>Advisory Notes:</p> <p>i. 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>ii. The upgrade of the intersection of Woolshed Road and State Highway 6 will require approval from the NZ Transport Agency. The expectation of the NZ Transport Agency is that the existing crossing points CP60, CP62 and CP63 will be permanently and physically closed when that intersection upgrade is completed.</p>	RD
41.5.8	<p><b>Fencing</b></p> <p>41.5.8.1 There shall be no fences or walls within the boundary of any lot or title within the Tablelands (refer Structure Plan) outside of any</p>	D

# JACKS POINT ZONE 41

Table 2	Standards for activities located in the Jacks Point Zone	Non-compliance Status																																						
Rule																																								
	<p>Homesite Activity Area (HS Activity Area), 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> <p>41.5.8.2 In the R(HD) and R(HD-SH) Activity Areas, except for sites smaller than 550m<sup>2</sup> and created by subdivision, fences located within a setback from a road shall be no higher than 1.2m in height, except that a fence of up to 1.8 m in height may be erected within the road setback for a maximum of 1/2 of the length of the road boundary of the site.</p>																																							
41.5.9	<p><b>Density</b></p> <p>41.5.9.1 The average density of residential units within each of the Residential Activity Areas shall be as follows:</p> <table style="margin-left: 40px;"> <tr><td>R(JP) – 1</td><td>13.83 – 19.74 per Ha</td></tr> <tr><td>R(JP) – 2A</td><td>11.04 – 27.02 per Ha</td></tr> <tr><td>R(JP) – 2B</td><td>14.25 – 15.07 per Ha</td></tr> <tr><td>R(JP) – 3</td><td>14.18 per Ha</td></tr> <tr><td>R(JP-SH) – 1</td><td>11.00 per Ha</td></tr> <tr><td>R(JP-SH) – 2</td><td>10.20 per Ha</td></tr> <tr><td>R(JP-SH) – 3</td><td>11.85 per Ha</td></tr> <tr><td>R(JP-SH) – 4</td><td>7.24 – 18.10 per Ha</td></tr> <tr><td>R(HD-SH) – 1</td><td>12 - 22 per Ha</td></tr> <tr><td>R(HD-SH) – 2</td><td>2 - 10 per Ha</td></tr> <tr><td>R(HD-SH) – 3</td><td>12 – 22 per Ha</td></tr> <tr><td>R(HD) - A</td><td>17 - 24 per Ha</td></tr> <tr><td>R(HD) – B</td><td>17 - 24 per Ha</td></tr> <tr><td>R(HD) - C</td><td>15 - 22 per Ha</td></tr> <tr><td>R(HD) - D</td><td>17 - 24 per Ha</td></tr> <tr><td>R(HD) - E</td><td>24 per Ha</td></tr> <tr><td>R(HD) - FA</td><td>–17 - 24 per Ha</td></tr> <tr><td>R(HD) – FB</td><td>2 per Ha</td></tr> <tr><td>R(HD) – G</td><td>2 per Ha</td></tr> </table> <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 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.</p> <p>41.5.9.2 <b>Except</b> that this rule shall not apply to:</p> <p style="margin-left: 40px;">a. A single residential unit on any site contained within a separate certificate of title</p> <p>Discretion is restricted to:</p>	R(JP) – 1	13.83 – 19.74 per Ha	R(JP) – 2A	11.04 – 27.02 per Ha	R(JP) – 2B	14.25 – 15.07 per Ha	R(JP) – 3	14.18 per Ha	R(JP-SH) – 1	11.00 per Ha	R(JP-SH) – 2	10.20 per Ha	R(JP-SH) – 3	11.85 per Ha	R(JP-SH) – 4	7.24 – 18.10 per Ha	R(HD-SH) – 1	12 - 22 per Ha	R(HD-SH) – 2	2 - 10 per Ha	R(HD-SH) – 3	12 – 22 per Ha	R(HD) - A	17 - 24 per Ha	R(HD) – B	17 - 24 per Ha	R(HD) - C	15 - 22 per Ha	R(HD) - D	17 - 24 per Ha	R(HD) - E	24 per Ha	R(HD) - FA	–17 - 24 per Ha	R(HD) – FB	2 per Ha	R(HD) – G	2 per Ha	RD
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# JACKS POINT ZONE 41

Table 2 Rule	Standards for activities located in the Jacks Point Zone	Non-compliance Status
	<ul style="list-style-type: none"> <li>• Residential amenity values.</li> <li>• Traffic, access, parking.</li> <li>• Adequacy of infrastructure.</li> <li>• Effects on the safety and efficiency of the State Highway 6 road network at any intersections with the Jacks Point Zone, until such time as a new intersection upgrade at Woolshed Road has been completed and is available for use</li> </ul>	
41.5.10	<p><b>Scale of Commercial Activity</b></p> <p>41.5.10.1 The maximum net floor area (as defined) for any single commercial activity shall be 200m<sup>2</sup>, except that this does not apply within the JP(V) Activity Area.</p> <p>41.5.10.2 The maximum net floor area for any single retail activity, excluding one supermarket, within the JP(V) Activity Area shall be 300m<sup>2</sup>.</p> <p>Council's Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>• The extent to which the commercial activity will service the needs of the local community</li> </ul> <p>41.5.10.3 The total floor space of all commercial activities in the R(HD) A to E Activity Areas shall not exceed 550m<sup>2</sup>.</p> <p>41.5.10.4 [insert total aggregate cap on commercial land within JP(V) Activity Area – if determined to be appropriate]</p>	<p>D</p> <p>D</p> <p>RD</p> <p>NC</p> <p>D</p>
41.5.11	<p><b>Building Colours</b></p> <p>Any building shall result in:</p> <p>41.5.11.1 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%</p> <p>41.5.11.2 Roof colours with a light reflectance value of 20% or less, and in the range of browns, greys and black</p> <p><b>Preserve Homesites</b></p> <p>41.5.11.3 The external surfaces of any building within the Homesite Activity Area shall achieve a reflectance value of less than 30%, in the range of browns, greys and greens</p>	<p>D</p>
41.5.12	<p><b>Residential Units</b></p> <p>In the OSH, OSR, FBA and V(HB) 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>	<p>NC</p>
41.5.13	<p><b>Building Height</b></p> <p>41.5.13.1 In the Lodge (L) Activity Area, the maximum height of any building shall be 5m.</p>	<p>RD</p>

# JACKS POINT ZONE 41

Table 2 Rule	Standards for activities located in the Jacks Point Zone	Non-compliance Status																																																																												
	<p>Council's Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>• Visual dominance.</li> <li>• External Appearance.</li> <li>• The scale and extent of the portions that exceed 5m.</li> </ul>																																																																													
	<p>41.5.13.2 The maximum height of buildings shall be:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%;">a.</td> <td style="width: 70%;">Jacks Point Village Activity Area</td> <td style="width: 25%; text-align: right;">12m</td> </tr> <tr> <td>b.</td> <td>All other Village (V) Activity Areas</td> <td style="text-align: right;">10m</td> </tr> <tr> <td>c.</td> <td>Farm buildings, except within the Peninsula Hill Landscape Protection Area</td> <td style="text-align: right;">8m</td> </tr> <tr> <td>d.</td> <td>Residential (R) Activity Areas</td> <td style="text-align: right;">8m</td> </tr> <tr> <td>e.</td> <td>Farm Buildings and Craft (FBA) Activity Area</td> <td style="text-align: right;">8m</td> </tr> <tr> <td>f.</td> <td>:</td> <td></td> </tr> <tr> <td>g.</td> <td>Open Space Golf (OSG) Activity Area</td> <td style="text-align: right;">8m</td> </tr> <tr> <td>h.</td> <td>Lodge (L) Activity Areas</td> <td style="text-align: right;">7.5m</td> </tr> <tr> <td>i.</td> <td>Preserve Homesite Activity Area</td> <td style="text-align: right;">5m</td> </tr> <tr> <td>j.</td> <td>All other buildings and structures, including any building within the Peninsula Hill Landscape Protection Area .</td> <td style="text-align: right;">4m</td> </tr> </table>	a.	Jacks Point Village Activity Area	12m	b.	All other Village (V) Activity Areas	10m	c.	Farm buildings, except within the Peninsula Hill Landscape Protection Area	8m	d.	Residential (R) Activity Areas	8m	e.	Farm Buildings and Craft (FBA) Activity Area	8m	f.	:		g.	Open Space Golf (OSG) Activity Area	8m	h.	Lodge (L) Activity Areas	7.5m	i.	Preserve Homesite Activity Area	5m	j.	All other buildings and structures, including any building within the Peninsula Hill Landscape Protection Area .	4m	NC																																														
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	<p>41.5.13.3 The maximum height for any building shall be measured from ground level, measured at any point, to the highest part of the building immediately above that point, except in specified Homesite Activity Areas (HS) Activity Areas, where the maximum height shall be 5m above the datum level specified for each Homesite, as follows:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Homesite</th> <th style="text-align: left;">Datum (masl)</th> <th style="text-align: left;">Homesite</th> <th style="text-align: left;">Datum (masl)</th> </tr> </thead> <tbody> <tr><td>HS1</td><td>372.0</td><td>HS19</td><td>372.0</td></tr> <tr><td>HS2</td><td>381.0</td><td>HS20</td><td>377.2</td></tr> <tr><td>HS3</td><td>381.0</td><td>HS21</td><td>372.5</td></tr> <tr><td>HS4</td><td>377.0</td><td>HS22</td><td>374.0</td></tr> <tr><td>HS5</td><td>388.0</td><td>HS23</td><td>371.5</td></tr> <tr><td>HS6</td><td>382.0</td><td>HS24</td><td>372.4</td></tr> <tr><td>HS7</td><td>379.0</td><td>HS25</td><td>373.0</td></tr> <tr><td>HS8</td><td>386.5</td><td>HS26</td><td>378.1</td></tr> <tr><td>HS9</td><td>389.0</td><td>HS27</td><td>388.0</td></tr> <tr><td>HS10</td><td>395.0</td><td>HS28</td><td>392.6</td></tr> <tr><td>HS11</td><td>396.0</td><td>HS29</td><td>385.5</td></tr> <tr><td>HS12</td><td>393.0</td><td>HS30</td><td>395.9</td></tr> <tr><td>HS13</td><td>399.0</td><td>HS31</td><td>393.7</td></tr> <tr><td>HS14</td><td>403.0</td><td>HS32</td><td>384.8</td></tr> <tr><td>HS15</td><td>404.0</td><td>HS33</td><td>385.8</td></tr> <tr><td>HS16</td><td>399.5</td><td>HS34</td><td>399.0</td></tr> <tr><td>HS17</td><td>394.5</td><td>HS35</td><td>405.0</td></tr> <tr><td>HS18</td><td>392.5</td><td>HS36</td><td>400.3</td></tr> </tbody> </table>	Homesite	Datum (masl)	Homesite	Datum (masl)	HS1	372.0	HS19	372.0	HS2	381.0	HS20	377.2	HS3	381.0	HS21	372.5	HS4	377.0	HS22	374.0	HS5	388.0	HS23	371.5	HS6	382.0	HS24	372.4	HS7	379.0	HS25	373.0	HS8	386.5	HS26	378.1	HS9	389.0	HS27	388.0	HS10	395.0	HS28	392.6	HS11	396.0	HS29	385.5	HS12	393.0	HS30	395.9	HS13	399.0	HS31	393.7	HS14	403.0	HS32	384.8	HS15	404.0	HS33	385.8	HS16	399.5	HS34	399.0	HS17	394.5	HS35	405.0	HS18	392.5	HS36	400.3	NC
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# JACKS POINT ZONE 41

Table 2 Rule	Standards for activities located in the Jacks Point Zone	Non-compliance Status
	<p>41.5.13.4 Within the R(HD) and R(HD-SH) Activity Areas:</p> <p>a. In addition to the maximum height of buildings above, within all R(HD) Activity Areas, except for:</p> <ul style="list-style-type: none"> <li>• Sites smaller than 550m<sup>2</sup> created by subdivision.</li> <li>• A medium density residential development consented under Rule 41.4.6</li> </ul> <p>no part of any building shall protrude through a recession line inclined towards the site at an angle of 45° and commencing at 2.5m above ground level at any given point along any internal site boundary.</p> <p><b>Except that:</b></p> <p>b. A gable or dormer may encroach beyond the recession lines where it is:</p> <ul style="list-style-type: none"> <li>• no greater than 1m in height and width measured parallel to the nearest adjacent boundary</li> <li>• no greater than 1m in depth measured horizontally at 90 degrees to the nearest adjacent boundary.</li> </ul> <p>c. 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> <p>41.5.13.5 For:</p> <p>a. Any non-residential activity consented under Rule 41.4.9.</p> <p>b. Any medium density residential housing development consented under Rule 41.4.6.</p> <p>c. Sites smaller than 550m<sup>2</sup> created by subdivision.</p> <p>the maximum height of buildings may exceed the maximum height stated in (a) above, up to a maximum of 3 storeys or 10m (whichever is lesser).</p>	NC
41.5.14	<p><b>Glare</b></p> <p>41.5.14.1 All fixed lighting shall be directed away from adjacent roads and properties.</p> <p>41.5.14.2 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
41.5.15	<p><b>Servicing</b></p> <p>41.5.15.1 All dwellings shall connect to reticulated infrastructure for the provision of a water supply, wastewater disposal, power and telecommunications. Except this rule does not apply to dwellings located within the HS Activity Area.</p> <p>41.5.15.2 All services, with the exception of stormwater systems, shall be</p>	NC

# JACKS POINT ZONE 41

Table 2 Rule	Standards for activities located in the Jacks Point Zone	Non-compliance Status
	reticulated underground.	
41.5.16	<p><b>Building Coverage</b></p> <p>41.5.16.1 On any site within the R(JP) and R(JP-SH) Activity Areas, buildings shall not exceed a maximum site coverage of 45%.</p> <p>Except, in relation to any medium density residential housing development consented under Rule 41.4.6 where a maximum site coverage of 55% shall apply.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>• Urban design.</li> <li>• Effects on amenity values for neighbours and the character of the Activity Area.</li> </ul> <p>41.5.16.2 On any site within the R(HD), R(HD-SH), buildings shall not exceed a maximum building coverage of 50%, except:</p> <ol style="list-style-type: none"> <li>a. Residential activity consented under Rule 41.4.6 medium density residential housing, where a maximum site coverage of 70% shall apply;</li> <li>b. Any non-residential activity consented under Rule 41.4.7 where a maximum site coverage of 70% shall apply;</li> <li>c. This rule shall not apply to sites smaller than 550m<sup>2</sup> created by subdivision.</li> </ol> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>• Effects on amenity values for neighbours; and,</li> <li>• Stormwater management.</li> </ul> <p>41.5.16.3 Building coverage across the whole V(JP) Activity Area shall not exceed 60%.</p> <p>Discretion is restricted to the matters listed in clause (41.5.15.2) above.</p> <p>41.5.16.4 Within the Village (Homestead Bay) Activity Area, building coverage shall not exceed a maximum of 21,500 m<sup>2</sup>.</p> <p>41.5.16.5 Building coverage within the HS<sub>57</sub> or HS<sub>58</sub> shall not exceed 25% of each homesite area shown on the structure plan.</p>	<p>RD</p> <p>RD</p> <p>RD</p> <p>NC</p> <p>D</p>
41.5.17	<p><b>Outside storage and Non-Residential Activities</b></p> <p>41.5.17.1 For any 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> <p>41.5.17.2 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</p>	NC



# JACKS POINT ZONE 41

Table 2 Rule	Standards for activities located in the Jacks Point Zone	Non-compliance Status
	permitted.	
41.5.18	<p><b>Location of Retail Activities</b></p> <p>41.5.18.1 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
41.5.19	<p><b>Temporary and Permanent Storage of Vehicles</b></p> <p>Within the Tablelands (refer Structure Plan), but excluding the Homesite and Lodge Activity Areas (HS) and (L) Activity Areas, there shall be no temporary or permanent siting of:</p> <ul style="list-style-type: none"> <li>• Motor vehicles, trailers, caravans, boats or similar objects;</li> <li>• Storage containers, workshops, offices, sheds, huts or similar structures (other than public toilets and shelter); and</li> <li>• Scaffolding or similar construction materials;</li> </ul> <p><b>Except</b> for temporary filming towers erected during an event and for no more than 7 days either side of an event.</p>	NC
41.5.20	<p><b>Wetlands</b></p> <p>There shall be no development, landscaping and/or earthworks within 7 metres of any Wetland 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, to undertake ecological enhancement, including the removal of plant pests.</p>	NC
41.5.21	<p><b>State Highway Noise</b></p> <p>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 Acoustics – Recommended design sound levels and reverberation times for building interiors.</p> <p>The Council restricts its exercise of discretion to health and residential amenity</p>	RD

## 41.6 Non-Notification of Applications

- 41.6.1 Any application for resource consent for controlled activities shall not require the written consent of other persons and shall not be notified or limited-notified.
- 41.6.2 Any application for resource consent for the following restricted discretionary activities shall be considered without public notification but notice may be served on those persons considered to be adversely affected if the written approval has not been obtained
- 41.6.2.1 Rule 41.4.3.3 Residential Units and Visitor Accommodation within the HS Activity Area

# JACKS POINT ZONE 41

- 41.6.2.2 Rule 41.4.8 Sale of Liquor
- 4.5.1.4 Building within Activity Areas R(HD) – Fb and G
- 41.6.2.3 Rule 41.5.5 Setbacks from Roads and Internal Boundaries
- 41.6.2.4 Rule 41.5.6 Access to the State Highway, only in respect of the New Zealand Transport Agency

**41.7 Structure Plan**

[Insert Revised Structure Plan]

## 41.8 Jacks Point Plant List

### TREES

Botanical Name	Common Name	Sun	Mid Sun	Shade	Moist	Dry	Sheltered	Exposed
<i>Aristotelia 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

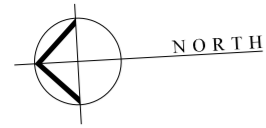
<i>Aristotelia fruticosa</i>	Mountain wineberry	x			x			x
<i>Carmichaelia petriei</i>	NZ broom	x	x	x	x			x
<i>Coprosma crassifolia</i>	NZ Coprosma	x	x		x	x		x
<i>Coprosma lucida</i>	Shining Karamu		x	x	x	x		x
<i>Coprosma propinqua</i>	Mingimingi	x			x	x		x
<i>Coprosma rugosa</i>	Needle-leaved Mt	x	x		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
<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

# JACKS POINT ZONE 41

Myrsine divaricata	Weeping mapou	x	x		x	x			x
Olearia arborescens	Southern Tree Daisy	x	x		x	x			x
Olearia avicenniifolia	Tree Daisy	x					x		x
Olearia bullata		x			x	x			x
Olearia cymbifolia		x	x		x	x			x
Olearia fragrantissima		x					x	x	
Olearia hectori		x			x	x			x
Olearia lineata	Tree Daisy	x	x		x	x			x
Olearia nummulariaefolia	Tree Daisy	x					x		x
Olearia odorata	Tree Daisy	x			x			x	
Ozothamnus sp.	Cottonwood	x			x	x			x
Pimelea aridula	NZ daphne	x			x	x			x
Pseudopanax colensoi var. ternatus	Mountain three finger		x	x	x	x			x

## GRASSES

Aciphylla aurea	Golden speargrass	x					x		x
Aciphylla glaucescens	Blue speargrass	x					x		x
Astelia fragrans	Bush lily		x	x	x			x	
Astelia nervosa	Mountain Astelia		x	x	x	x			x
Carex coriacea	NZ swamp sedge	x				x			x
Carex maorica	Carex	x	x			x			x
Carex secta	Purei	x	x			x			x
Chionochloa conspicua	Bush tussock	x	x			x	x		x
Chionochloa rigida	Narrow-leaved snow	x				x	x		x
Chionochloa rubra	Red Tussock	x				x	x		x
Cortaderia richardii	South Island Toeotoe	x				x	x		x
Festuca novae zelandiae	Hard tussock	x					x		x
Juncus distegus	Wivi		x			x			x
Juncus gregiflorus	NZ soft rush		x			x			x
Juncus sarophorus	Wivi	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



**FIGURE 1**  
**Jacks Point Zone**  
**Jacks Point/JPROA Preferred Structure Plan**

scale 1:25,000 (A4), 1:12,500 (A2)

Rev N 03 May 2017

**KEY**

- R(JP) Residential Jacks Point
- R(JP-SH) Residential Jacks Point - State Highway
- V(JP) Village Jacks Point
- R(HD) Residential Hanley Downs
- R(HD-SH) Residential Hanley Downs - State Highway

- L Lodge
- HS Preserve Homesites

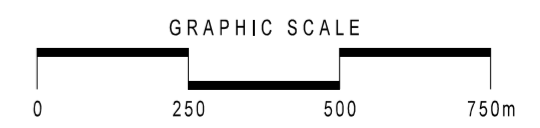
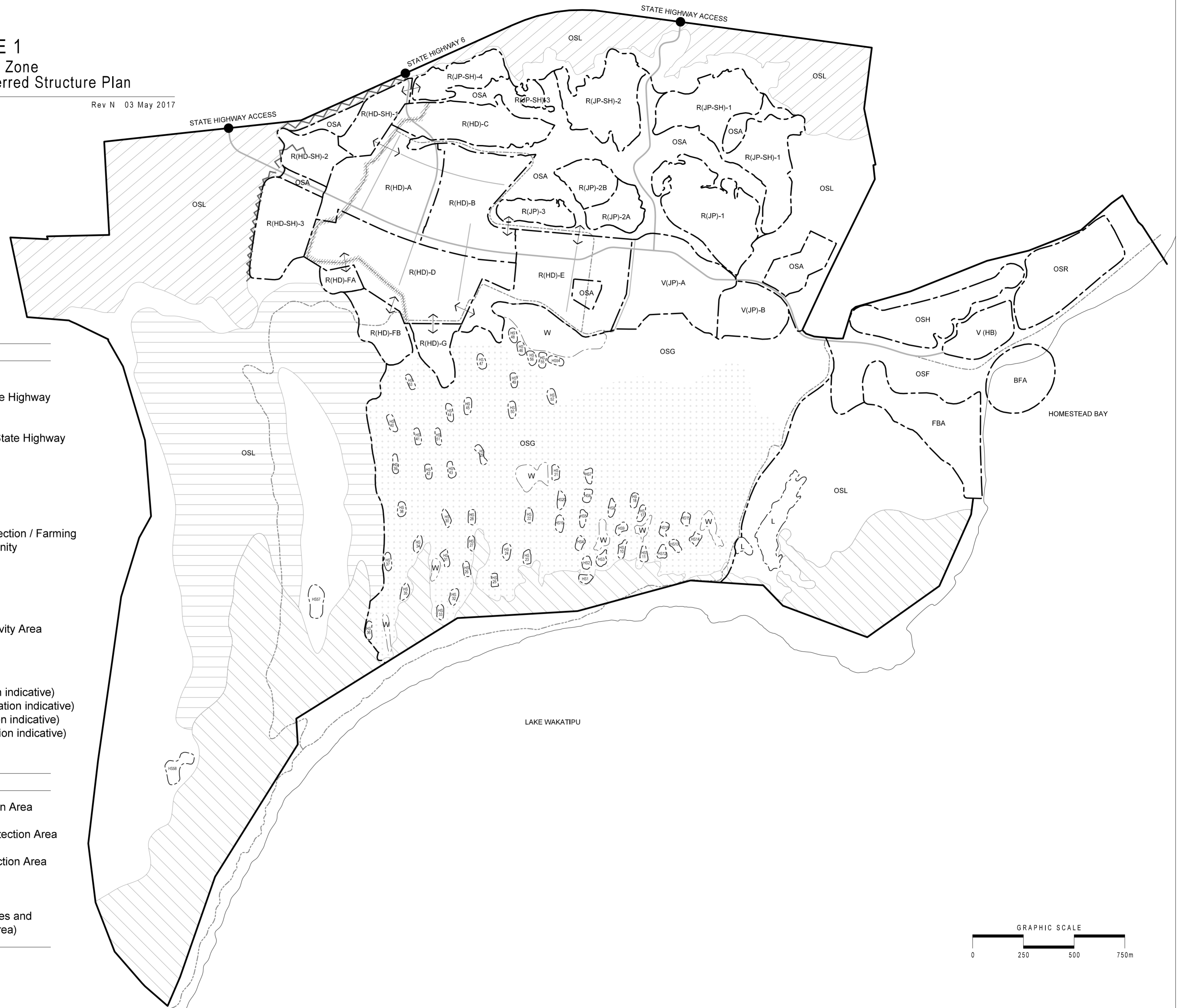
- W Wetland
- OSG Open Space Golf
- OSL Open Space Landscape Protection / Farming
- OSA Open Space Residential Amenity

- V(HB) Village Homestead Bay
- OSH Open Space Horticulture
- OSR Open Space Residential
- OSF Open Space Foreshore
- FBA Farm Buildings and Craft Activity Area
- 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)
- /// Open Space

**OVERLAYS**

- Highway Landscape Protection Area
- Peninsula Hill Landscape Protection Area
- Lake Shore Landscape Protection Area
- State Highway Mitigation
- Tablelands (includes Homesites and Wetlands within Tablelands area)



## 27 Subdivision and Development

### 27.1 Purpose

Subdivision and the resultant development enables the creation of new housing and land use opportunities, and is a key driver of the District's economy. The council will support subdivision that is well designed, is located in the appropriate locations anticipated by the District Plan with the appropriate capacity for servicing and integrated transportation.

All subdivision requires resource consent unless specified as a permitted activity. It is recognised that subdivisions will have a variable nature and scale with different issues to address. Good subdivision design, servicing and the management of natural hazards are underpinned by a shared objective to create healthy, attractive and safe places.

Good subdivision creates neighbourhoods and places that people want to live or work within, and should also result in more environmentally responsive development that reduces car use, encourages walking and cycling, and maximises access to sunlight.

Good subdivision design will be encouraged by the use of the QLDC Subdivision Design Guidelines 2015. The Subdivision Design Guidelines 2015 includes subdivision and urban design principles and outcomes that give effect to the objectives and policies of the Subdivision and Strategic Directions Chapters, in both designing and assessing subdivision proposals. Proposals at odds with these documents are not likely to be consistent with the policies of the Subdivision and Strategic Directions chapters, and therefore, may not achieve the purpose of the RMA. The purpose of the QLDC Land Development and Subdivision Code of Practice is to provide a best practice guideline for subdivision and development infrastructure in the District.

The subdivision chapter is the primary method to ensure that the District's neighbourhoods are quality environments that take into account the character of local places and communities.

Infrastructure upgrades necessary to support subdivision and future development are to be undertaken and paid for by subdividers and developers in accordance with the Council's 10 Year Plan Development Contributions Policy.

### 27.2 Objectives and Policies – district wide

**27.2.1 Objective - Subdivision will enable quality environments that ensure the District is a desirable place to live, visit, work and play.**

#### Policies

27.2.1.1 Require subdivision infrastructure to be constructed, designed and is fit for purpose, while recognising opportunities for innovative design.

27.2.1.2 To enable subdivision that is consistent with the QLDC Subdivision Design Guidelines 2015, recognising that good subdivision design responds to the

## SUBDIVISION and DEVELOPMENT 27

neighbourhood context and the opportunities and constraints of the application site.

- 27.2.1.3 Require that allotments are a suitable size and shape, and are able to be serviced and developed to the anticipated land use of the applicable zone.
- 27.2.1.4 Discourage non-compliance with minimum allotment sizes, however where minimum allotment sizes are not achieved consideration will be given to whether any adverse effects are mitigated or compensated by providing:
  - i. desirable urban design outcomes.
  - ii. greater efficiency in the development and use of the land resource.
  - iii. affordable or community housing.
- 27.2.1.5 The Council recognises that there is an expectation by future landowners that the effects and resources required by anticipated land uses will have been resolved through the subdivision approval process.
- 27.2.1.6 Ensure the requirements of other relevant agencies are fully integrated into the subdivision development process.
- 27.2.1.7 Recognise there will be certain subdivision activities, such as boundary adjustments, that will not require the provision of services.
- 27.2.1.8 Avoid subdivision of a residential flat from a residential unit, except where it can be demonstrated that the subdivision will not result in an increase in the level of non-compliance with the standards of the underlying zone.
- 27.2.1.9 Avoid the subdivision of land resulting in the division of a residential building platform.

### **27.2.2 Objective - Subdivision design achieves benefits for the subdivider, future residents and the community.**

#### **Policies**

- 27.2.2.1 Ensure subdivision design provides a high level of amenity for future residents by aligning roads and allotments to maximise sunlight access.
- 27.2.2.2 Ensure subdivision design maximises the opportunity for buildings to front the road.
- 27.2.2.3 Locate open spaces and reserves having regard to topography, accessibility, use and ease of maintenance, while ensuring these areas are a practicable size for their intended use.
- 27.2.2.4 Subdivision shall seek to provide for good and integrated connections and accessibility to:
  - i. existing and planned areas of employment;
  - ii. community activities and facilities;



## SUBDIVISION and DEVELOPMENT 27

- iii. services;
- iv. trails;
- v. public transport; and
- vi. existing and planned neighbourhoods, both within and adjoining the subdivision area.

- 27.2.2.5 Subdivision design will integrate neighbourhoods by creating and utilising connections that are easy and safe to use for pedestrians and cyclists and that reduce vehicle dependence within the subdivision.
- 27.2.2.6 Encourage innovative subdivision design that responds to the local context, climate, landforms and opportunities for views or shelter.
- 27.2.2.7 Encourage informal surveillance of streets and the public realm for safety by requiring that the minority of allotments within a subdivision are fronting, or have primary access to, cul-de-sacs and private lanes.
- 27.2.2.8 Promote informal surveillance for safety through overlooking of open spaces and transport corridors from adjacent sites and dwellings and by effective lighting.
- 27.2.2.9 Manage subdivision within or near to electricity transmission corridors and electricity sub-transmission lines to facilitate good amenity and urban design outcomes, while avoiding potential adverse effects (including reverse sensitivity effects) on the National Grid and electricity sub-transmission lines.

### **27.2.3 Objective - The potential of small scale and infill subdivision be recognised and provided for while acknowledging their design limitations.**

#### **Policies**

- 27.2.3.1 Acknowledge that small scale subdivision, (for example subdivision involving the creation of fewer than four allotments), and infill subdivision where the subdivision involves established buildings, might have limited opportunities to give effect to policies 27.2.2.4, 27.2.2.5 and 27.2.2. 7.
- 27.2.3.2 While acknowledging potential limitations, encourage small scale and infill subdivision to:
  - i. Ensure lots are shaped and sized to allow adequate sunlight to living and outdoor spaces, and provide adequate on-site amenity and privacy;
  - ii. Where possible, locate lots so that they over-look and front road and open spaces;
  - iii. Avoid the creation of multiple rear sites, except where this is not practicable;

## SUBDIVISION and DEVELOPMENT 27

- iv. Where buildings are constructed with the intent of a future subdivision, encourage site and development design to maintain, create and enhance positive visual coherence of the development with the surrounding neighbourhood;
- v. Identify and create opportunities for connections to services and facilities in the neighbourhood.

### **27.2.4 Objective - Natural features, indigenous biodiversity and heritage values are identified, incorporated and enhanced within subdivision design.**

#### **Policies**

- 27.2.4.1 Enhance biodiversity, riparian and amenity values by incorporating existing and planned waterways and vegetation into the design of subdivision, transport corridors and open spaces.
- 27.2.4.2 Ensure that subdivision and changes to the use of land that result from subdivision do not reduce the values of heritage items and protected features scheduled or identified in the District Plan.
- 27.2.4.3 Provide for the protection of heritage and archaeological sites, and avoid the loss of archaeological sites and heritage items in the first instance, and where effects on these features cannot be reasonably avoided, effects shall be mitigated to an extent that is proportionate to the level of significance of the feature.
- 27.2.4.4 Encourage subdivision design to protect and incorporate archaeological sites or cultural features, recognising these features can contribute to and create a sense of place. Where applicable, have regard to Maori culture and traditions in relation to ancestral lands, water, sites, wahi tapu and other taonga.
- 27.2.4.5 Encourage initiatives to protect and enhance landscape, vegetation and indigenous biodiversity by having regard to:
  - i. Whether any landscape features or vegetation are of a sufficient value that they should be retained and the proposed means of protection;
  - ii. Where a reserve is to be set aside to provide protection to vegetation and landscape features, whether the value of the land so reserved should be off-set against the development contribution to be paid for open space and recreation purposes.
- 27.2.4.6 Ensure that new subdivisions and developments recognise, incorporate and adopt suitable measures to enhance existing established protected indigenous vegetation.

For the purposes of this policy, the adoption of suitable measures to enhance existing established protected indigenous vegetation may include, but not be limited to protective fencing, destocking, removal of existing wilding species and invasive weeds or active ecological restoration with indigenous tree and shrub species common to the area.

# SUBDIVISION and DEVELOPMENT 27

**27.2.5 Objective - Infrastructure and services are provided to new subdivisions and developments.**

## **Policies**

### ***Transport, Access and Roads***

27.2.5.1 Integrate subdivision roading with the existing road networks in a safe and efficient manner that reflects potential traffic levels and the provision for safe and convenient walking and cycling.

For the purposes of this policy, reference to 'potential traffic levels' refers to those traffic levels anticipated by the zoning of the District Plan.

27.2.5.2 Ensure safe and efficient pedestrian, cycle and vehicular access is provided to all lots created by subdivision and to all developments.

27.2.5.3 Provide linkages to public transport networks, trail, walking, and cycling networks, where useful linkages can be developed.

27.2.5.4 To ensure the physical and visual effects of subdivision and roading are minimised by utilising existing topographical features.

27.2.5.5 Ensure appropriate design and amenity associated with roading, vehicle access ways, trails and trail connections, walkways and cycle ways within subdivisions are provided for by having regard to:

- i. The location, alignment, gradients and pattern of roading, vehicle parking, service lanes, access to lots, trails, walkways and cycle ways, and their safety and efficiency.
- ii. The number, location, provision and gradients of access ways and crossings from roads to lots for vehicles, cycles and pedestrians, and their safety and efficiency.
- iii. The standard of construction and formation of roads, private access ways, vehicle crossings, service lanes, walkways, cycle ways and trails.
- iv. The provision and vesting of corner splays or rounding at road intersections.
- v. The provision for and standard of street lighting, having particular regard to the siting and location, the provision for public safety and to the avoidance of upward light spill on the night sky.
- vi. The provision of appropriate tree planting within roads.
- vii. Any requirements for widening, formation or upgrading of existing roads.
- viii. Any provisions relating to access for future subdivision on adjoining land.
- ix. The provision of public transport routes and improved linkages to public transport routes and bus shelters.

# SUBDIVISION and DEVELOPMENT 27

## ***Water supply, stormwater, wastewater***

27.2.5.6 All new lots shall be provided with connections to a reticulated water supply, stormwater disposal and/or sewage treatment and disposal system, where such systems are available or should be provided for.

## ***Water***

27.2.5.7 Ensure water supplies are of a sufficient capacity, including firefighting requirements, and of a potable standard, for the anticipated land uses on each lot or development.

27.2.5.8 Encourage the efficient and sustainable use of potable water by acknowledging that the Council's reticulated potable water supply may be restricted to provide primarily for households' living and sanitation needs and that water supply for activities such as irrigation and gardening may be expected to be obtained from other sources.

27.2.5.9 Encourage initiatives to reduce water demand and water use, such as roof rain water capture and use and greywater recycling.

27.2.5.10 Ensure appropriate water supply, design and installation by having regard to:

- i. The availability, quantity, quality and security of the supply of water to the lots being created;
- ii. Water supplies for firefighting purposes;
- iii. The standard of water supply systems installed in subdivisions, and the adequacy of existing supply systems outside the subdivision;
- iv. Any initiatives proposed to reduce water demand and water use.

27.2.5.11 Ensure that the provision of any necessary additional infrastructure for water supply, stormwater disposal and/or sewage treatment and disposal and the upgrading of existing infrastructure is undertaken and paid for by subdividers and developers.

## ***Stormwater***

27.2.5.12 Ensure appropriate stormwater design and management by having regard to:

- i. Viable alternative design for stormwater management that minimises run-off and recognises stormwater as a resource through re-use in open space and landscape areas;
- ii. The capacity of existing and proposed stormwater systems;
- iii. The method, design and construction of the stormwater collection, reticulation and disposal systems, including connections to public reticulated stormwater systems;
- iv. The location, scale and construction of stormwater infrastructure;

## SUBDIVISION and DEVELOPMENT 27

- v. The effectiveness of any methods proposed for the collection, reticulation and disposal of stormwater run-off, including opportunities to maintain and enhance water quality through the control of water-borne contaminants, litter and sediments, and the control of peak flow.

27.2.5.13 The Council will support subdivision design that includes the joint use of stormwater and flood management networks with open spaces and pedestrian/cycling transport corridors and recreational opportunities where these opportunities arise, provided maintenance and operation requirements are acceptable to Council if the assets are to be vested.

For the purpose of this policy, term 'acceptable to Council' means that any system shall be appropriate from a Council maintenance and operation perspective and shall be fit for purpose once vested. Where land is to be vested as reserve, Council will ensure that the open space area is of a sufficient size, gradient and surface to be useful, and can be maintained at a reasonable cost to the Council.

### ***Wastewater***

27.2.5.14 Treat and dispose of sewage in a manner that:

- i. Maintains public health;
- ii. Avoids adverse effects on the environment in the first instance; and
- iii. Where effects on the environment cannot be reasonably avoided, effects shall be minimised to an extent that is proportionate to the level of significance of the effects.

27.2.5.15 Ensure appropriate sewage treatment and disposal by having regard to:

- i. The method of sewage treatment and disposal;
- ii. The capacity of, and impacts on, the existing reticulated sewage treatment and disposal system;
- iii. The location, capacity, construction and environmental effects of the proposed sewage treatment and disposal system.

27.2.5.16 Ensure that the design and provision of any necessary infrastructure at the time of subdivision takes into account the requirements of future development on land in the vicinity.

### ***Energy Supply and Telecommunications***

27.2.5.17 To ensure adequate provision is made for the supply and installation of reticulated energy, including street lighting, and communication facilities for the anticipated land uses while:

- i. Providing flexibility to cater for advances in telecommunication and computer media technology, particularly in remote locations;

## SUBDIVISION and DEVELOPMENT 27

- ii. Ensure the method of reticulation is appropriate for the visual amenity and landscape values of the area by generally requiring services are underground and in the context of rural environments where this may not be practicable, infrastructure is sited in a manner that does not adversely impact upon visual amenity and landscape values of the receiving environment;
- iii. Have regard to the design, location and direction of lighting to avoid upward light spill, recognising the night sky as an element that contributes to the District's sense of place;
- iv. Generally require connections to electricity supply and telecommunications systems to the boundary of the net area of the lot, other than lots for access, roads, utilities and reserves. Where the subdivision provides for a residential building platform the proposed connections to electricity supply and telecommunications systems shall be established to the residential building platform.

### ***Easements***

27.2.5.18 Ensure that services, shared access and public access is identified and managed by the appropriate easement provisions.

27.2.5.19 Ensure that easements are of an appropriate size, location and length for the intended use of both the land and easement.

### **27.2.6 Objective - Cost of services to be met by subdividers.**

#### **Policies**

27.2.6.1 In accordance with Council's 10 Year Plan Development Contributions Policy, require subdividers and developers to meet the costs of the provision of new services or the extension or upgrading of existing services (including head works), that are attributable to the effects of the subdivision or development, including where applicable:

- i. roading, walkways and cycling trails;
- ii. water supply;
- iii. sewage collection, treatment and disposal;
- iv. stormwater collection, treatment and disposal;
- v. trade waste disposal;
- vi. provision of energy;
- vii. provision of telecommunications and computer media;
- viii. provision of reserves and reserve improvements.

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## 27.2.7 Objective - Create esplanades where opportunities arise.

### Policies

27.2.7.1 Create esplanades reserves or strips where the subdivision would provide nature conservation, natural character, natural hazard mitigation, infrastructural or recreational benefits. In particular, Council will encourage esplanades where they:

- i. are important for public access or recreation, would link with existing or planned trails, walkways or cycleways, or would create an opportunity for public access;
- ii. have high actual or potential value with regard to the maintenance of indigenous biodiversity;
- iii. comprise significant indigenous vegetation or significant habitats of indigenous fauna;
- iv. are considered to comprise an integral part of an outstanding natural feature or landscape;
- v. would benefit from protection, in order to safeguard the life supporting capacity of the adjacent lake and river;
- vi. would not put an inappropriate burden on Council, in terms of future maintenance costs or issues relating to natural hazards affecting the land.

27.2.7.2 Avoid reducing the width of esplanade reserves or strips, or the waiving of the requirement to provide an esplanade reserve or strip, except where the following apply:

- i. safe public access and recreational use is already possible and can be maintained for the future;
- ii. it can be demonstrated that a full width esplanade reserve or strip is not required to maintain the natural functioning of adjoining rivers or lakes;
- iii. a reduced width in certain locations can be offset by an increase in width in other locations or areas, which would result in a positive public benefit in terms of access and recreation.

27.2.7.3 To use opportunities through the subdivision process to improve the level of protection for the natural character and nature conservation values of lakes and rivers, as provided for in Section 230 of the Resource Management Act 1991.

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**27.2.8 Objective - Boundary adjustments, cross-lease and unit title subdivision are provided for.**

### **Policies**

27.2.8.1 Enable minor cross-lease and unit title subdivision of existing units without the need to obtain resource consent where there is no potential for adverse effects associated with the change in boundary location.

For clarity this policy does not provide for the subdivision of approved residential building platforms located within the Rural and Rural Lifestyle Zones.

27.2.8.2 Ensure boundary adjustment, cross-lease and unit title subdivisions are appropriate with regard to:

- i. The location of the proposed boundaries;
- ii. In rural areas, the location of boundaries with regard to approved residential building platforms, existing buildings, and vegetation patterns and existing or proposed accesses;
- iii. Boundary treatment;
- iv. The location of existing or proposed accesses and easements for access and services.

27.2.8.3 Provide for unit title, strata title or cross lease subdivision of existing approved buildings where land use consent is approved for a multi-unit commercial or residential development, including visitor accommodation development and the unit title, strata-title or cross lease subdivision is undertaken in accordance with the approved land use consent.

### **27.3 Location-specific objectives and policies**

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

**27.3.1 Objective - Peninsula Bay, Ensure effective public access is provided throughout the Peninsula Bay land.**

### **Policies**

27.3.1.1 Ensure that before any subdivision or development occurs within the Peninsula Bay Low Density Residential Zone, a subdivision consent has been approved confirming easements for the purposes of public access through the Open Space Zone.

27.3.1.2 Within the Peninsula Bay site, to ensure that public access is established through the vesting of reserves and establishment of easements prior to any further subdivision.

27.3.1.3 Ensure that easements for the purposes of public access are of an appropriate size, location and length to provide a high quality recreation resource, with excellent linkages, and opportunities for different community groups.



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**27.3.2 Objective - Kirimoko, Wanaka – To create a liveable urban environment that achieves best practice in urban design; the protection and incorporation of landscape and environmental features into the design of the area; and high quality built form.**

### **Policies**

27.3.2.1 Protect the landscape quality and visual amenity of the Kirimoko Block and preserve sightlines to local natural landforms.

27.3.2.2 Protect the natural topography of the Kirimoko Block and incorporate existing environmental features into the design of the site.

27.3.2.3 Ensure that urban development of the site is restricted to lower areas and areas of concealed topography, such as gullies (all zoned Low Density Residential) and that visually sensitive areas such as the spurs are left undeveloped (building line restriction area).

27.3.2.4 Ensure the provision of open space and community facilities that are suitable for the whole community and that are located in safe and accessible areas.

27.3.2.5 Develop an interconnected network of streets, footpaths, walkways and open space linkages that facilitate a safe, attractive and pleasant walking, cycling and driving environment.

27.3.2.6 Provide for road and walkway linkages to neighbouring developments.

27.3.2.7 Ensure that all roads are designed and located to minimise the need for extensive cut and fill and to protect the natural topographical layout and features of the site.

27.3.2.8 Minimise disturbance of existing native plant remnants and enhance areas of native vegetation by providing linkages to other open space areas and to areas of ecological value.

27.3.2.9 Design for stormwater management that minimises run-off and recognises stormwater as a resource through re-use in open space and landscape areas.

27.3.2.10 Require the roading network within the Kirimoko Block to be planted with appropriate trees to create a green living environment appropriate to the areas.

**27.3.3 Objective - Large Lot Residential Zone between Studholme Road and Meadowstone Drive - Landscape and amenity values of the zone's low density character and transition with rural areas be recognised and protected.**

### **Policies**

27.3.3.1 Have regard to the impact of development on landscape values of the neighbouring rural areas and features of these areas, with regard to

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minimising the prominence of housing on ridgelines overlooking the Wanaka township.

27.3.3.2 Subdivision and development within land located on the northern side of Studholme Road shall have regard to the adverse effects of development and associated earthworks on slopes, ridges and skylines.

**27.3.4 Objective - Bob's Cove Rural Residential Zone (excluding sub-zone) –The special character of the Bob's Cove Rural Residential Zone is recognised and provided for.**

### **Policies**

27.3.4.1 In order to maintain the rural character of the zone, all street lighting shall be low in height from the ground, of reduced lux spill and directed downwards to avoid adverse effects on the night sky.

**27.3.5 Objective - Ferry Hill Rural Residential Sub Zone –The visual amenity values and landscape character within and around the Ferry Hill Rural Residential Sub Zone to be maintained and enhanced.**

### **Policies**

27.3.5.1 Enable subdivision which provides for appropriate, integrated and orderly development in accordance with the Concept Development Plan for the Ferry Hill Rural Residential sub-zone located in Chapter 22 (at part 22.7.2) and in accordance with the Concept Development Plan set out in part 27.14.

**27.3.6 Objective - Makarora Rural Lifestyle Zone – The effects of natural hazards are avoided or mitigated and landscape character, visual amenity and nature conservation values are maintained or enhanced.**

### **Policies**

#### ***Natural Hazards***

27.3.6.1 Particular regard shall be had to the avoidance or mitigation of natural hazards identified on the Council's hazard register associated with the location of a building platform and future anticipated land uses within the building platform.

27.3.6.2 The Council shall be satisfied as to whether consultation has been undertaken with the Otago Regional Council with regard to any matters associated with defences against water, and in particular taken the opportunity to reconcile any potential issues associated with flood defence works encouraged by the Otago Regional Council, and the District Plan's objectives, policies and servicing standards for subdivision in the Makarora Rural Lifestyle Zone.

#### ***Landscape Values, Rural Character***

27.3.6.3 In recognition of the landscape values within the Makarora Rural Lifestyle Zone, regard shall be had to the potential merits with the concentration or

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clustering of built form to areas with high potential to absorb development while retaining areas that are more sensitive in their natural state.

- 27.3.6.4 In considering the appropriateness of the form and density of development, including the identification of building platforms in the Makarora Rural Lifestyle Zone the following matters shall be taken into account:
- i. The extent to which the location and size of proposed building platforms either detracts from or has the potential to enhance landscape values and rural character;
  - ii. whether and to what extent there is the opportunity for the aggregation of built development to utilise common access ways including pedestrian linkages, services and commonly-held open space (i.e. open space held in one title whether jointly or otherwise);
  - iii. whether and to what extent development is concentrated/clustered in areas with a high potential to absorb development while retaining areas that are more sensitive in their natural state.

**27.3.7 Objective - Wyuna Station Rural Lifestyle Zone - To provide for a deferred rural lifestyle zone on the terrace to the east of, and immediately adjoining, the Glenorchy Township.**

### Policies

- 27.3.7.1 Prohibit or defer development of the zone until such a time that:
- i. the zone can be serviced by a reticulated wastewater disposal scheme within the property that services both the township and proposed zone. This may include the provision of land within the zone for such purpose; or
  - ii. the zone can be serviced by a reticulated wastewater disposal scheme located outside of the zone that has capacity to service both the township and proposed zone; or
  - iii. the zone can be serviced by an on-site (individual or communal) wastewater disposal scheme no sooner than two years from the zone becoming operative on the condition that should a reticulated scheme referred to above become available and have capacity within the next three years then all lots within the zone shall be required to connect to that reticulated scheme.

**27.3.8 Objective - Wyuna Station Rural Lifestyle Zone - Subject to Objective 27.3.7 rural living development is enabled in a way that maintains the visual amenity values that are experienced from the Glenorchy Township, Oban Street and the Glenorchy-Paradise Road.**

### Policies

- 27.3.8.1 The subdivision design, identification of building platforms and associated mitigation measures shall ensure that built form and associated activities within the zone are reasonably inconspicuous when viewed from

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Glenorchy Township, Oban Street or the Glenorchy-Paradise Road.  
Measures to achieve this include:

- i. Prohibiting development over the sensitive areas of the zone via building restriction areas;
- ii. Appropriately locating buildings within the zone, including restrictions on future building bulk;
- iii. Using excavation of the eastern part of the terrace to form appropriate building platforms;
- iv. Using naturalistic mounding of the western part of the terrace to assist visual screening of development;
- v. Using native vegetation to assist visual screening of development;
- vi. The maximum height of buildings shall be 4.5m above ground level prior to any subdivision development.

27.3.8.2 Maintain and enhance the indigenous vegetation and ecosystems within the building restriction areas of the zone and to suitably and comprehensively maintain these areas into the future. As a minimum, this shall include:

- i. Methods to remove or kill existing wilding exotic trees and weed species from the lower banks of the zone area and to conduct this eradication annually;
- ii. Methods to exclude and/or suitably manage pests within the zone in order to foster growth of indigenous vegetation within the zone, on an ongoing basis;
- iii. A programme or list of maintenance work to be carried out on a year to year basis on order to bring about the goals set out above.

## **27.3.9 Objective - Industrial B Zone**

### **Policies**

- i. Reserved for Stage 2 of the District Plan Review.

## **27.3.10 Objective - Industrial B Zone**

### **Policies**

- i. Reserved for Stage 2 of the District Plan Review.

## **27.3.11 Objective - Industrial B Zone**

### **Policies**

- i. Reserved for Stage 2 of the District Plan Review.

## **27.3.12 Objective - Industrial B Zone**

### **Policies**

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- i. Reserved for Stage 2 of the District Plan Review.

**27.3.13 Objective - Jacks Point Zone - Subdivision shall have regard to identified location specific opportunities and constraints identified within the Jacks Point Structure Plan located within Chapter 41.**

## **Policies**

27.3.13.1 Ensure that subdivision and development achieves the objectives and policies located within Chapter 41.

27.3.13.2 Enable subdivision which provides for appropriate, integrated and orderly development in accordance with the Jacks Point Structure Plan located within Chapter 41.

27.3.13.3 The extent to which the subdivision achieves the matters of control listed under Rule 27.7.4 and as they relate to the Jacks Point Structure Plan located within Chapter 41.

**27.3.14 Objective – Waterfall Park - Subdivision shall provide for a range of visitor, residential and recreational facilities, sympathetic to the natural setting have regard to identified location specific opportunities and constraints.**

## **Policies**

27.3.14.1 Enable subdivision which provides for appropriate, integrated and orderly development in accordance with the Waterfall Park Structure Plan located within Chapter 42.

27.3.14.2 The extent to which the subdivision achieves the matters of control listed under Rule 27.7.1 and as they relate to the Waterfall Park Structure Plan located within Chapter 42.

**27.3.15 Objective – Millbrook - Subdivision shall provide for resort development while having particular regard to landscape, heritage, ecological, water and air quality values.**

## **Policies**

27.3.15.1 Enable subdivision which provides for appropriate, integrated and orderly development in accordance with the Millbrook Structure Plan located within Chapter 43.

27.3.15.2 The extent to which the subdivision achieves the matters of control listed under Rule 27.6.1 and as they relate to the Millbrook Structure Plan located within Chapter 43.

## **27.4 Other Provisions and Rules**

### **27.4.1 District Wide**

The rules of the zone the proposed subdivision is located within are applicable. Attention is drawn to the following District Wide chapters. All provisions referred to

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are within Stage 1 of the Proposed District Plan, unless marked as Operative District Plan (ODP).

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
24 Signs (18 Operative)	25 Earthworks (22 Operative)	26 Historic Heritage
28 Natural Hazards	29 Transport (14 Operative)	30 Utilities and Renewable Energy
31 Hazardous Substances (16 Operative)	32 Protected Trees	33 Indigenous Vegetation
34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings	36 Noise
37 Designations	Planning Maps	

### 27.4.2 Earthworks associated with subdivision

27.4.2.1 Earthworks undertaken for the development of land associated with any subdivision shall be considered against the matters of control or discretion of the District Wide Earthworks Chapter as part of any subdivision activity and in particular Rule 15.2.20.

### 27.4.3 Zones exempt from the Proposed District Plan and subdivision chapter

27.4.3.1 The following zones are not subject to this subdivision chapter:

- a Frankton Flats A Zone
- b Frankton Flats B Zone
- c Remarkables Park Zone
- d Mount Cardrona Station Zone
- e Three Parks Zone
- f Kingston Village Special Zone
- g Open Space Zone

Subdivision in the above zones is subject to the relevant provisions of Chapter 15 of the Queenstown Lakes Operative District Plan 2009.

27.4.3.2 In addition, all the Special Zones within Chapter 12 of the operative District Plan, except as identified below, are excluded from the proposed District Plan subdivision chapter:

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- a Jacks Point
- b Waterfall Park
- c Millbrook

## 27.5 Rules – Subdivision

**27.5.1** All subdivision requires resource consent unless specified as a permitted activity. The abbreviations set out below are used in the following tables. Any activity which is not permitted (P) or prohibited (PR) requires resource consent.

P	Permitted	C	Controlled
RD	Restricted Discretionary	D	Discretionary
NC	Non Complying	PR	Prohibited

	Boundary Adjustments	Activity status
<b>27.5.2</b>	<p>An adjustment to existing cross-lease or unit title due to an alteration to the size of the lot by alterations to the building outline, the conversion from cross-lease to unit title, the addition of an accessory building, or the relocation of accessory buildings providing the activity complies with all other provisions of the District Plan or has obtained a land use resource consent.</p> <p>In order to adhere to this rule a certificate of compliance must be issued under section 223(1)(b) of the Act.</p>	P

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	Boundary Adjustments	Activity status
<b>27.5.3</b>	<p>For boundary adjustment subdivision activities where there are two or more existing lots which each have separate Certificates of Title, new lots may be created by subdivision for the purpose of an adjustment of the boundaries between the existing lots, provided:</p> <ul style="list-style-type: none"> <li>(i) In the case of the Rural, Gibbston Character and Rural Lifestyle Zones the building platform is retained in its approved location;</li> <li>(ii) No new residential building platform shall be identified and approved as part of a boundary adjustment within Rural, Gibbston Character and Rural Lifestyle Zones;</li> <li>(iii) No additional separately saleable lots are created;</li> <li>(iv) The areas of the resultant lots comply with the minimum lot size requirement for the zone (where applicable); and</li> <li>(v) Lots must be immediately adjoining each other.</li> </ul> <p>The matters over which the Council reserves control are:</p> <ul style="list-style-type: none"> <li>• The location of the proposed boundaries;</li> <li>• Boundary treatment;</li> <li>• Easements for existing and proposed access and services.</li> </ul>	C



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	Boundary Adjustments	Activity status
<b>27.5.4</b>	<p>For boundary adjustments involving any site that contains a heritage or any other protected item in the District Plan and in the case of Arrowtown within the urban growth boundary where there are two or more existing lots which each have separate Certificates of Title, new lots may be created by subdivision for the purpose of an adjustment of the boundaries between the existing lots, provided:</p> <p>(i) No additional separately saleable lots are created.</p> <p>(iii) The areas of the resultant lots comply with the minimum lot size requirement for the zone.</p> <p>The matters over which the Council reserves control are:</p> <ul style="list-style-type: none"> <li>• The impact on the heritage values of the protected item;</li> <li>• The maintenance of the historic character of the Arrowtown Residential Historic Management Zone;</li> <li>• The location of the proposed boundaries;</li> <li>• Boundary treatment;</li> <li>• Easements for access and services.</li> </ul>	RD

	Unit Title, Strata Title or Cross Lease Subdivision	Activity status

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	Unit Title, Strata Title or Cross Lease Subdivision	Activity status
27.5.5	<p>Where land use consent is approved for a multi-unit commercial or residential development, including visitor accommodation development and a unit title, strata-title or cross lease subdivision is undertaken in accordance with the approved land use consent, provided:</p> <ul style="list-style-type: none"> <li>i All buildings must be in accordance with an approved land use resource consent;</li> <li>ii. All areas to be set aside for the exclusive use of each building or unit must be shown on the survey plan, in addition to any areas to be used for common access or parking or other such purpose.</li> <li>iii All service connections and on-site infrastructure must be located within the boundary of the site they serve or have access provided by an appropriate legal mechanism.</li> </ul> <p>The matters over which the Council reserves control are:</p> <ul style="list-style-type: none"> <li>• the effect of the site design, size, shape, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces;</li> <li>• the effects of infrastructure provision;</li> </ul> <p>For the purposes of clarity, this rule does not apply to fee simple subdivision of land where the intent is to subdivide a lot containing an approved land use consent for the above identified activities.</p>	C

	Subdivision Activities – District Wide	Activity status
27.5.6	<p><b>All urban subdivision activities, unless otherwise stated, within the following zones:</b></p> <ol style="list-style-type: none"> <li>1. Low Density Residential Zones;</li> <li>2. Medium Density Residential Zones;</li> <li>3. High Density Residential Zones;</li> <li>4. Town Centre Zones;</li> <li>5. Arrows town Residential Historic Management Zone;</li> </ol>	RD

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	<p>6. Large Lot Residential Zones;</p> <p>7. Local Shopping Centres;</p> <p>8. Business Mixed Use Zones;</p> <p>9. Queenstown Airport Mixed Use Zone.</p> <p>Discretion is restricted to the following:</p> <ul style="list-style-type: none"> <li>• Lot sizes and dimensions in respect of internal roading design and provision, relating to access and service easements for future subdivision on adjoining land;</li> <li>• Subdivision design and layout of lots;</li> <li>• Property access and roading;</li> <li>• Esplanade provision;</li> <li>• On site measures to address the risk of natural and other hazards on land within the subdivision;</li> <li>• Firefighting water supply;</li> <li>• Water supply;</li> <li>• Stormwater design and disposal;</li> <li>• Sewage treatment and disposal;</li> <li>• Energy supply and telecommunications;</li> <li>• Open space and recreation; and</li> <li>• Ecological and natural values;</li> <li>• Historic Heritage;</li> <li>• Easements; and</li> <li>• Bird strike and navigational safety.</li> </ul> <p>For the avoidance of doubt, where a site is governed by a structure plan, spatial layout plan, or concept development plan that is identified in the District Plan, subdivision activities shall be assessed in accordance with Rule 27.7.1.</p>	
27.5.7	<p><b>All subdivision activities in the District’s Rural Residential and Rural Lifestyle Zones</b></p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> <li>• In the Rural Lifestyle Zone the location of building platforms;</li> <li>• Lot sizes and dimensions in respect of internal roading design and provision, relating to access and service</li> </ul>	RD

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	<p>easements for future subdivision on adjoining land;</p> <ul style="list-style-type: none"> <li>• Subdivision design and lot layout;</li> <li>• Property access and roading;</li> <li>• Esplanade provision;</li> <li>• On site measures to address the risk of natural and other hazards on land within the subdivision;</li> <li>• Firefighting water supply;</li> <li>• Water supply;</li> <li>• Stormwater disposal;</li> <li>• Sewage treatment and disposal;</li> <li>• Energy supply and telecommunications;</li> <li>• Open space and recreation;</li> <li>• Ecological and natural values;</li> <li>• Historic Heritage</li> <li>• Easements; and</li> <li>• Bird strike and navigational safety.</li> </ul>	
27.5.8	<p>Subdivision of land in any zone within the National Grid Subdivision Corridor where all allotments identify a building platform for the principal building and any dwelling to be located outside of the National Grid Yard.</p> <p>Discretion is restricted to the following:</p> <ol style="list-style-type: none"> <li>a) Impacts on the operation, maintenance, upgrade and development of the National Grid.</li> <li>b) The ability of future development to comply with NZECP34:2001.</li> <li>c) The location, design and use of any proposed building platform as it relates to the National Grid transmission line.</li> </ol>	RD
27.5.9	<p>Subdivision of land in any zone within 32 metres of the centre line of Electricity Sub-Transmission Lines identified on the</p>	RD

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	<p>planning maps.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> <li>a) Impacts on the operation, maintenance, upgrade and development of Electricity Sub-Transmission Lines.</li> <li>b) The ability of future development to comply with NZECP34:2001;</li> <li>c) Effects on public health and safety;</li> </ul>	
27.5.10	All subdivision activities in the Rural General and Gibbston Character Zones, with the exception of unit title, strata-title or cross lease subdivision undertaken in accordance with Rule 27.5.5.	D
27.5.11	The subdivision of land containing a heritage or any other protected item and scheduled in the District Plan. This rule does not apply to boundary adjustments under Rule 27.4.2.	D
27.5.12	The subdivision of land identified on the planning maps as a Heritage Landscape.	D
27.5.13	The subdivision of a site containing a known archaeological site, whether identified and scheduled in the District Plan or not.	D
27.5.14	Subdivision that would alter, or create a new boundary within a Significant Natural Area scheduled in the District Plan.	D
27.5.15	Within the Jacks Point Zone, subdivision that does not comply with the standards in Part 27.56 and location specific standards in part 27.87, excluding the Hanley Downs part of the Jacks Point Zone, where the creation of lots less than 380m <sup>2</sup> minimum lot size within the R(HD) Activity Area shall be assessed as a RD under Rule 27.7.11.3.	D
27.5.16	Subdivision that does not comply with the standards in Part 27.6 with the exception of the Jacks Point Zone which is assessed pursuant to Rule 27.5.15.	NC
27.5.17	The further subdivision of an allotment that has previously been used to calculate the minimum average densities for subdivision in the Rural Lifestyle Zone and Rural Residential Zone.	NC
27.5.18	The subdivision of land resulting in the division of a building platform.	NC
27.5.19	The subdivision of a residential flat from a residential unit.	NC

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27.5.20	A subdivision under the Unit Titles Act where the building is not completed (meaning the applicable code of compliance certificate has not been issued), or building consent or land use consent has not been granted for the buildings.	NC
27.5.21	Any subdivision of land in any zone within the National Grid Subdivision Corridor, which does not comply with Rule 27.5.8.	NC
27.5.22	A Unit Titles Act subdivision lodged concurrently with an application for building consent, or land use resource consent.	D
27.5.23	Subdivision that does not comply with the standards related to servicing and infrastructure under Rule 27.7.15.	NC

### 27.6 Rules - Standards for Subdivision Activities

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

Zone		Minimum Lot Area
<b>Town Centres</b>		No minimum
<b>Local Shopping Centre</b>		No minimum
<b>Business Mixed Use</b>		200m <sup>2</sup>
<b>Airport Mixed Use</b>		No minimum
<b>Residential</b>	High Density	450m <sup>2</sup>
	Medium Density	250m <sup>2</sup>
	Low Density	450m <sup>2</sup>  Within the Queenstown Airport Air Noise Boundary and Outer Control Boundary  600m <sup>2</sup>
	Queenstown Heights Sub Zone	1500m <sup>2</sup>
	Arrowtown	800m <sup>2</sup>

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Zone		Minimum Lot Area
	Residential Historic Management	
	Large Lot Residential	4000m <sup>2</sup>  2000m <sup>2</sup> in the following locations:  Between Studholme Road and Meadowstone Drive
<b>Rural</b>	Rural.  Gibbston Character.  Hydro Generation.	No minimum
<b>Rural Lifestyle</b>	Rural Lifestyle	One hectare providing the average lot size is not less than 2 hectares.  For the purpose of calculating any average, any allotment greater than 4 hectares, including the balance, is deemed to be 4 hectares.
	Rural Lifestyle at Makarora.	No minimum, providing the average lot size is not less than 2 hectares.
	Rural Lifestyle Deferred A and B.	No minimum, but each of the two parts of the zone identified on the planning map shall contain no more than two allotments.
	Rural Lifestyle Buffer.	The land in this zone shall be held in a single allotment
<b>Rural Residential</b>	Rural Residential	4000m <sup>2</sup>
	Rural Residential Bob's Cove sub-zone	No minimum, providing the total lots to be created, inclusive of the entire area within the zone shall have an average of 4000m <sup>2</sup>
	Rural Residential Ferry Hill Subzone	4000m <sup>2</sup> with no more than 17 lots created for residential activity
	Rural Residential Zone at the	4000m <sup>2</sup> provided that the total lots to be created by subdivision, including balance lots, shall not be less

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Zone		Minimum Lot Area
	north of Lake Hayes	than an 8,000m <sup>2</sup> lot average.
<b>Jacks Point</b>	Residential Activity Areas	380m <sup>2</sup>
	All other Activity Areas	Subdivision shall comply with the average density requirements set out in Rule 41.5.8. Where no density is specified, there shall be no minimum lot size.
<b>Millbrook</b>		No minimum
<b>Waterfall Park</b>		No minimum

### 27.7 Rules – Zone and Location Specific Standards

	Zone Specific Standards	Activity status
<b>27.7.1</b>	<p><b>Subdivision undertaken in accordance with a structure plan, spatial layout plan, comprehensive development plan, or concept development plan that is identified in the District Plan.</b></p> <p>Control is restricted to all of the following:</p> <ul style="list-style-type: none"> <li>• Lot sizes, averages and dimensions;</li> <li>• Subdivision design;</li> <li>• Property access and roading;</li> <li>• Landscaping and vegetation;</li> <li>• Heritage;</li> <li>• Esplanade provision;</li> <li>• Natural and other hazards;</li> <li>• Firefighting water supply;</li> <li>• Water supply;</li> <li>• Stormwater design and disposal;</li> </ul>	C



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	Zone Specific Standards	Activity status
	<ul style="list-style-type: none"> <li>• Sewage treatment and disposal;</li> <li>• Energy supply and telecommunications;</li> <li>• Open space and reserves;</li> <li>• Easements; and</li> <li>• Ecological and natural values</li> </ul>	
<b>27.7.2</b>	<p><b>In addition to those matters of control listed under Rule 27.7.1 when assessing any subdivision in accordance with the principal roading layout depicted in the Kirimoko Structure plan shown in part 27.14, the following additional matters of control shall be had regard to:</b></p> <ul style="list-style-type: none"> <li>• Consistency with the Kirimoko Structure Plan;</li> <li>• Subdivision design and roading layout;</li> <li>• The provision and location of walkways and the green network;</li> <li>• The protection of native species as identified on the structure plan as green network.</li> </ul>	C
<b>27.7.3</b>	<p><b>In addition to those matters of control listed under Rule 27.7.1 when assessing any subdivision in accordance with the Ferry Hill Concept Development Plan shown in part 22.7.2, the following additional matters of control shall be had regard to:</b></p> <ul style="list-style-type: none"> <li>• Consistency with the Ferry Hill Concept Development Plan; and</li> <li>• The number, location and design of access points;</li> </ul>	C
<b>27.7.4</b>  <b>27.7.5</b>	<p><b>In addition to those matters of control listed under Rule 27.7.1 when assessing any subdivision in accordance with the Jacks Point Zone Structure Plan identified in 41.7, the following additional matters of control shall be had regard to:</b></p> <ul style="list-style-type: none"> <li>• Consistency with the Jacks Point Zone Structure Plan;</li> </ul> <p><b>Within the R(HD) and R(HD-SH) Activity Areas of the Jacks Point Zone, control shall include effects on the safety and efficiency of the State Highway 6 road network at any intersections with the Jacks Point Zone, until such time as a new intersection upgrade at Woolshed Road has been completed and is available for use.</b></p>	C

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	Zone Specific Standards	Activity status
<b>27.7.6</b>	<b>Peninsula Bay</b>	
27.7.6.1	<p>Subdivision or development within the Low Density Residential Zone at Peninsula Bay which is consistent with an Outline Development Master Plan that has been lodged with and approved by the Council.</p> <p>The matters over which the Council reserves control are:</p> <ul style="list-style-type: none"> <li>• The matters of control listed under Rule 27.7.1; and</li> <li>• Landscape and visual effects</li> </ul>	C
<b>27.7.7</b>	Subdivision or development within the Low Density Residential Zone at Peninsula Bay which is inconsistent with an Outline Development Master Plan that has been lodged with and approved by the Council.	NC
<b>27.7.8</b>	<b>Kirimoko</b>	
27.7.8.1	<ul style="list-style-type: none"> <li>i. Any subdivision that does not comply with the principal roading layout and reserve network depicted in the Kirimoko Structure Plan shown in Part 27.4315 (including the creation of additional roads, and/or the creation of access ways for more than 2 properties).</li> <li>ii. Any subdivision of land zoned Rural proposed to create a lot entirely within the Rural Zone, to be held in a separate certificate of title.</li> <li>iii. Any subdivision of land described as Lots 3 to 7 and Lot 9 DP300734, and Lot 1 DP 304817 (and any title derived therefrom) that creates more than one lot that has included in its legal boundary land zoned Rural General.</li> </ul>	NC
<b>27.7.9</b>	<b>Bob's Cove Rural Residential sub-zone</b>	
27.7.9.1	<p>Activities that do not meet the following standards:</p> <ul style="list-style-type: none"> <li>i. Boundary Planting – Rural Residential sub-zone at Bobs Cove: <ul style="list-style-type: none"> <li>a. Within the Rural Residential sub-zone at Bobs Cove, where the 15 metre building Restriction Area adjoins a development area, it shall be planted in indigenous tree and shrub species common to the area, at a density of one plant per square metre; and</li> <li>b. Where a building is proposed within 50 metres of the Glenorchy-Queenstown Road, such indigenous</li> </ul> </li> </ul>	NC

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	Zone Specific Standards	Activity status
	<p>planting shall be established to a height of 2 metres and shall have survived for at least 18 months prior to any residential buildings being erected.</p> <p>ii. Development Areas and Undomesticated Areas within the Rural Residential sub-zone at Bob's Cove:</p> <p>a Within the Rural Residential sub-zone at Bob's Cove, at least 75% of the zone shall be set aside as undomesticated area, and shown on the Subdivision Plan as such, and given effect to by consent notice registered against the title of the lots created, to the benefit of all lot holders and the Council.</p> <p>b At least 50% of the 'undomesticated area' shall be retained, established, and maintained in indigenous vegetation with a closed canopy such that this area has total indigenous litter cover. This rule shall be given effect to by consent notice registered against the title of the lot created, to the benefit of the lot holder and the Council.</p> <p>c The remainder of the area shall be deemed to be the 'development area' and shall be shown on the Subdivision Plan as such, and given effect to by consent notice registered against the title of the lots created, to the benefit of all holders and the Council.</p> <p>d The landscaping and maintenance of the undomesticated area shall be detailed in a landscaping plan that is provided as part of any subdivision application. This Landscaping Plan shall identify the proposed species and shall provide details of the proposed maintenance programme to ensure a survival rate of at least 90% within the first 5 years; and</p> <p>e This area shall be established and maintained in indigenous vegetation by the subdividing owner and subsequent owners of any individual allotment on a continuing basis. Such areas shall be shown on the Subdivision Plan and given effect to by consent notice registered against the title of the lots.</p> <p>f Any lot created that adjoins the boundary with the Queenstown-Glenorchy Road shall include a 15 metre wide building restriction area, and such building restriction area shall be given effect to by consent notice registered against the title of the lot created, to the benefit of the lot holder and the</p>	

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	Zone Specific Standards	Activity status
	Council.	
<b>27.7.10</b>	<b>Ferry Hill Rural Residential sub-zone</b>	
27.7.10.1	Any subdivision of the Ferry Hill Rural Residential sub-zone that is inconsistent with the subdivision design as identified in the Concept Development Plan for the Ferry Hill Rural Residential sub-zone.	NC
27.7.10.2	<p>Activities that do not meet the following standards:</p> <ul style="list-style-type: none"> <li>i. Retention of Lots 18 and 19 as shown on the Concept Development Plan for the Ferry Hill Rural Residential sub-zone which shall be retained for Landscape Amenity Purposes and shall be held in undivided shares by the owners of Lots 1-8 and Lots 11-15 as shown on the Concept Development Plan.</li> <li>ii. Any application for subdivision consent shall: <ul style="list-style-type: none"> <li>a Provide for the creation of the landscape allotments(s) referred to in rule 27.8.6.2 above;</li> <li>b Be accompanied by details of the legal entity responsible for the future maintenance and administration of the allotments referred to in rule <del>27.6.9.2(i)</del> 27.7.9.2(i) above;</li> <li>c Be accompanied by a Landscape Plan that shows the species, number, and location of all plantings to be established, and shall include details of the proposed timeframes for all such plantings and a maintenance programme. The landscape Plan shall ensure: <ul style="list-style-type: none"> <li>i. That the escarpment within Lots 18 and 19 as shown on the Concept Development Plan for the Ferry Hill Rural Residential sub-zone is planted with a predominance of indigenous species in a manner that enhances naturalness; and</li> <li>ii. That residential development is subject to screening along Tucker Beach Road,</li> </ul> </li> </ul> </li> <li>iii. Plantings at the foot of, on, and above the escarpment within Lots 18 and 19 as shown on the Concept Development Plan for the Ferry Hill Rural Residential sub-zone shall include indigenous trees, shrubs, and tussock grasses.</li> </ul>	NC

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	Zone Specific Standards	Activity status
	<p>iv. Plantings elsewhere may include maple as well as indigenous species.</p> <p>v. The on-going maintenance of plantings established in terms of rule 27.8.6.3 above shall be subject to a condition of resource consent, and given effect to by way of consent notice that is to be registered on the title and deemed to be a covenant pursuant to section 221(4) of the Act.</p> <p>vi. Any subdivision shall be subject to a condition of resource consent that no buildings shall be located outside the building platforms shown on the Concept Development Plan for the Ferry Hill Rural Residential sub-zone. The condition shall be subject to a consent notice that is registered on the title and deemed to be a covenant pursuant to section 221(4) of the Act.</p> <p>vii. Any subdivision of Lots 1 and 2 DP 26910 shall be subject to a condition of resource consent that no residential units shall be located and no subdivision shall occur on those parts of Lots 1 and 2 DP 26910 zoned Rural General and identified on the planning maps as a building restriction area. The condition shall be subject to a consent notice that is to be registered and deemed to be a covenant pursuant to section 221(4) of the Act.</p>	
<b>27.7.11</b>	<b>Ladies Mile</b>	
27.7.11.1	<p>i. Subdivision of land situated south of State Highway 6 (“Ladies Mile”) and southwest of Lake Hayes that is zoned Low Density Residential or Rural Residential as shown on the Planning Maps and that does not meet the following standards:</p> <p style="margin-left: 40px;">a The landscaping of roads and public places is an important aspect of property access and subdivision design. No subdivision consent shall be granted without consideration of appropriate landscaping of roads and public places shown on the plan of subdivision.</p> <p style="margin-left: 40px;">b No separate residential lot shall be created unless provision is made for pedestrian access from that lot to public open spaces and recreation areas within the land subject to the application for subdivision consent and to public open spaces and rural areas adjoining the land subject to the application for subdivision</p>	NC

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	Zone Specific Standards	Activity status
	consent.	
<b>27.7.12</b>	<b>Jacks Point</b>	
27.7.12.1	<p>Subdivision Activity failing to comply with the Jacks Point Structure Plan located within Chapter 41.7. For the purposes of interpreting this rule, the following shall apply:</p> <p>a. A variance of up to 120m from the location and alignment shown on the Structure Plan of the Primary Road, and their intersection with State Highway 6, shall be acceptable;</p> <p>b. Public Access Routes and Secondary Roads may be otherwise located and follow different alignments provided that any such alignment enables a similar journey;</p> <p>c. Subdivision 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;</p> <p>d. Open Spaces are shown indicatively, with their exact location and parameters to be established through the subdivision process.</p>	D
<b>27.7.13</b>	<b>Subdivision within Activity Areas R(HD) – Fb and G</b>	
	<p>27.7.13.4 Subdivision within any site located within Activity Area R(HD) – Fb and G</p> <p>Control is reserved to:</p>	C
27.7.13.1	<ul style="list-style-type: none"> <li>• the location of residential building platforms on each lot</li> <li>• Landscape values</li> <li>• Effects on the distinctive rocky outcrops</li> <li>• Minimising disturbance to native vegetation</li> </ul>	
	<p>27.7.13.5 Within Activity Areas R(HD)-Fb and G subdivision shall provide for:</p>	RD
27.7.11.3	<p>i. the creation of a single residential building platform per lot or no greater than 1,000m<sup>2</sup> in area and registered on the relevant Computer Register; and</p>	

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	Zone Specific Standards	Activity status
	<ul style="list-style-type: none"> <li>ii. A landscape and ecological management strategy, providing for:               <ul style="list-style-type: none"> <li>a At least 1.6 ha (being an average of 25% per lot) of native revegetation; and</li> <li>b Designed to be comprehensively applied across the activity areas and building on existing vegetation communities within the area; and</li> <li>c Co-ordinated with vehicle access and the location of building platforms.</li> </ul> </li> </ul> <p style="text-align: center;">Discretion is restricted to the matters listed with Rule 27.7.13.4</p> <p>Subdivision failing to comply with the 380m<sup>2</sup> minimum lot size for subdivision within the Hanley Downs part of the Jacks Point Zone.</p> <p>For Rules 27.7.11.2 and 27.7.11.3 Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> <li>i. Subdivision design</li> <li>ii. Traffic generation;</li> <li>iii. Access;</li> <li>iv. Effects on the safety and efficiency of the State Highway 6 road network at any intersections with the Jacks Point Zone, until such time as a new intersection upgrade at Woolshed Road has been completed and is available for use; and</li> <li>v. Landscape and visual effects.</li> </ul>	
27.7.13.2		RD
27.7.13.3	<p><b>Subdivision of any Homesite (HS) and Open Space Golf (OSG) Activity Areas</b></p> <p>27.7.13.6 Subdivision of any land containing a Homesite Activity Area failing to provide for the registration of the Preserve Design Guidelines on each lot.</p> <p>27.7.13.7 Subdivision of any land within the OSG Activity Area failing to provide for at least one Homesite area within each lot, except the subdivision of any lot created for any golf course activities.</p> <p>Discretion is restricted to:</p>	

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	Zone Specific Standards	Activity status
	<ul style="list-style-type: none"> <li>• Effects of landscape and amenity values</li> </ul>	RD  RD
<b>27.7.14</b>	Any subdivision of the Millbrook Resort Zone that is inconsistent with the Mill Brook Resort Zone Structure Plan specified in part 43.7.	D

27.7.14.1 In the following zones, every allotment created for the purposes of containing residential activity shall identify one building platform of not less than 70m<sup>2</sup> in area and not greater than 1000m<sup>2</sup> in area.

- a Rural Zone.
- b Gibbston Character Zone.
- c Rural Lifestyle Zone.

27.7.14.2 The dimensions of sites in the following zones, other than for access, utilities, reserves or roads, shall be able to accommodate a square of the following dimensions:

Zone		Minimum Dimension (m = metres)
<b>Residential</b>	Medium Density	12m x 12m
	Large Lot Urban	30m x 30m
	Township and All others	15m x 15m
<b>Rural Residential</b>	Rural Residential (inclusive of sub-zones)	30m x 30m

27.7.14.3 Lots created for access, utilities, roads and reserves shall have no minimum size.

### **27.7.15 Subdivision associated with infill development**

- a The specified minimum allotment size in Rule 27.56.1, and minimum dimensions in Rule 27.7.12.2 shall not apply in the High Density Residential Zone, Medium Density Residential Zone and Low Density Residential Zone where each allotment to be created, and the original allotment, all contain at least one established residential unit



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(established meaning a Building Code of Compliance Certificate has been issued or alternatively where a Building Code of Compliance Certificate has not been issued, construction shall be completed to not less than the installation of the roof).

### **27.7.16 Subdivision associated with residential development on sites less than 450m<sup>2</sup> in the Low Density Residential Zone**

27.7.16.1 In the Low Density Residential Zone, the specified minimum allotment size in Rule 27.6.1 shall not apply in cases where the residential units are not established, providing;

- a A certificate of compliance is issued for a residential unit(s) or,
- b A resource consent has been granted for a residential unit(s).

In addition to any other relevant matters, pursuant to s221 of the Act, the consent holder shall register on the computer freehold register of the applicable allotments:

- c That the construction of any residential unit shall be undertaken in accordance with the applicable certificate of compliance or resource consent (applies to the additional undeveloped lot to be created).
- d The maximum building height shall be 5.5m (applies to the additional undeveloped lot to be created).
- e There shall be not more than one residential unit per lot (applies to all lots).

27.7.16.2 Rule 27.7.14.1 shall not apply to the Low Density Residential Zone within the Queenstown Airport Air Noise Boundary and Outer Control Boundary.

### **27.7.17 Standards related to servicing and infrastructure**

#### ***Water***

27.7.17.1 All lots, other than lots for access, roads, utilities and reserves except where irrigation is required, shall be provided with a connection to a reticulated water supply laid to the boundary of the net area of the lot, as follows:

To a Council or community owned and operated reticulated water supply:

- a All Residential, Industrial, Business, Town Centre Corner Shopping Centre, and Airport Mixed Use Zone.
- b Rural-Residential Zones at Wanaka, Lake Hawea, Albert Town, Luggate and Lake Hayes.
- c Resort Zone, Millbrook and Waterfall Park.

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27.7.17.2 Where any reticulation for any of the above water supplies crosses private land, it shall be accessible by way of easement to the nearest point of supply.

27.7.17.3 Where no communal owned and operated water supply exists, all lots other than lots for access, roads, utilities and reserves, shall be provided with a potable water supply of at least 1000 litres per day per lot.

27.7.17.4 Telecommunication reticulation to all allotments in new subdivisions (other than lots for access, roads, utilities and reserves).

## 27.8 Rules - Exemptions

**27.8.1 The following activities are permitted and shall not require resource consent.**

27.8.1.1 The following activities shall not be considered for the provision of Esplanade reserves or strips:

- a Activities that qualify as exempt under rules (27.8.1) above.
- b Where a proposed subdivision arises solely due to land being acquired or a lot being created for a road designation, utility or reserve, then section 230 of the Act shall not apply.

### 27.8.2 Industrial B Zone

- i. Reserved for Stage 2 of the District Plan Review.

### 27.8.3 Riverside Stage 6 - Albert Town

- ii. Reserved for Stage 2 of the District Plan Review.

## 27.9 Assessment Matters for Resource Consents

27.9.1 Controlled Activity Boundary Adjustments

In considering whether or not to impose conditions in respect to boundary adjustments under Rules 27.5.3 and 27.5.4, the Council shall have regard to, but not be limited by, the following assessment criteria:

	<b>27.5.3 Assessment Matters (Boundary Adjustments)</b>
	<ul style="list-style-type: none"><li>• The location of the proposed boundaries, including their relationship to approved residential building platforms, existing buildings and vegetation patterns and existing or proposed accesses;</li><li>• The site design, size, shape, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces:</li></ul>

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	<b>27.5.3 Assessment Matters (Boundary Adjustments)</b>
	<ul style="list-style-type: none"> <li>(i) is able to accommodate development in accordance with the relevant district-wide and zone rules;</li> <li>(ii) the potential effects the safety of pedestrians and cyclists and other users of the space or access;</li> <li>• Whether any landscape features or vegetation, including mature forest, on the site are of a sufficient amenity value that they should be retained and the proposed means for their protection;</li> <li>• Refer Policies 27.2.1.7, 27.2.3.2, 27.2.5.10, 27.2.5.12, 27.2.5.15 and 27.2.8.2.</li> </ul>

	<b>27.5.4 Assessment Matters (Boundary Adjustments involving Heritage Items and within Arrows town’s urban growth boundary)</b>
	<ul style="list-style-type: none"> <li>• The location of the proposed boundaries, including their relationship to existing buildings and vegetation patterns and existing or proposed accesses;</li> <li>• The site design, size, shape, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces:               <ul style="list-style-type: none"> <li>(i) is able to accommodate development in accordance with the relevant district-wide and zone rules;</li> <li>(ii) the potential effects on the safety of pedestrians and cyclists and other users of the space or access;</li> </ul> </li> <li>• Whether any landscape features or vegetation, including mature trees, on the site are of a sufficient amenity value that they should be retained and the proposed means for their protection;</li> <li>• The effect of subdivision on any places of heritage value including existing buildings, archaeological sites and any areas of cultural significance.</li> <li>• Where lots are being amalgamated within the Medium Density Residential Zone and Low Density Residential Zone, the extent to which future development will effect the historic character of the Arrows town Residential Historic Management Zone;</li> <li>• Refer Policies 27.2.1.7, 27.2.3.2, 27.2.4.2, 27.2.4.5, 27.2.5.10, 27.2.5.12, 27.2.5.15 and 27.2.8.2.</li> </ul>

### 27.9.2 Controlled Unit Title Subdivision Activities

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In considering whether or not to impose conditions in respect to unit title, strata-title or cross lease subdivision under Rules 27.5.5, the Council shall have regard to, but not be limited by, the following assessment criteria:

	<b>27.5.5 Assessment Matters (Unit Title, Strata Title and Cross Lease Subdivision)</b>
	<ul style="list-style-type: none"> <li>• Compliance with an approved resource consent;</li> <li>• The location of the proposed boundaries, including their relationship to existing buildings existing or proposed accesses;</li> <li>• The site design, size, shape, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces:               <ul style="list-style-type: none"> <li>(i) is able to accommodate development in accordance with the relevant district-wide and zone rules;</li> <li>(ii) the potential effects the safety of pedestrians and cyclists and other users of the space or access;</li> </ul> </li> <li>• The effects of infrastructure provision;</li> <li>• Refer Policies 27.2.1.7, 27.2.3.1, 27.2.3.2, 27.2.5.10, 27.2.5.12, 27.2.5.15 and 27.2.8.3.</li> </ul>

### 27.9.3 Restricted Discretionary Activity Subdivision Activities

In considering whether or not to grant consent or impose conditions in respect to boundary adjustments under Rules 27.5.6, 27.5.7, 27.5.8 and 27.5.9, the Council shall have regard to, but not be limited by, the following assessment criteria:

	<b>27.5.6 Assessment Matters (Urban Subdivision Activities)</b>
	<ul style="list-style-type: none"> <li>i. Lot sizes and dimensions in respect of widening, formation or upgrading of existing and proposed roads and any provisions relating to access for future subdivision on adjoining land.</li> <li>ii. Consistency with the principles and outcomes of the QLDC Subdivision Design Guidelines;</li> <li>iii. Whether any landscape features or vegetation, including mature forest, on the site are of a sufficient amenity value that they should be retained and the proposed means for their protection;</li> <li>iv. The effect of subdivision on any places of heritage value including existing buildings, archaeological sites and any areas of cultural significance;</li> </ul>

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	<b>27.5.6 Assessment Matters (Urban Subdivision Activities)</b>
	<ul style="list-style-type: none"> <li>v. The location, alignment, gradients and pattern of roading, service lanes, pedestrian access ways and cycle ways, their safety and efficiency;</li> <li>vi. The extent to which the provision for open space and recreation is consistent with the objectives and policies of the District Plan relating to the provision, diversity and environmental effects of open spaces and recreational facilities;</li> <li>vii. The purposes for the creation of esplanade reserves or strips set out in section 229 and section 237 of the Act;</li> <li>viii. The provision of services in accordance with Council's Code of Practice for Subdivision;</li> <li>ix. The extent to which the safe and efficient operation of aircraft may be compromised by subdivision and its ancillary activities that encourage the congregation of birds within aircraft flight paths.</li> <li>x. Easements for existing and proposed access and services.</li> <li>xi. Refer Policies 27.2.1.1, 27.2.1.2, 27.2.1.3, 27.2.3.2, 27.2.4.5, 27.2.4.6, 27.2.5.5, 27.2.5.6, 27.2.5.10, 27.2.5.12, 27.2.5.15, 27.2.5.17 and 27.2.7.1.</li> </ul>

	<b>27.5.7 Assessment Matters (Rural Residential and Rural Lifestyle Subdivision Activities)</b>
	<ul style="list-style-type: none"> <li>• The extent to which the design maintains and enhances rural living character, landscape values and visual amenity;</li> <li>• The extent to which the location of building platforms could adversely affect adjoining non-residential land uses;</li> <li>• Orientation of lots to optimise solar gain for buildings and developments;</li> <li>• Lot sizes and dimensions in respect of widening, formation or upgrading of existing and proposed roads and any provisions relating to access for future subdivision on adjoining land.</li> <li>• Whether any landscape features or vegetation, including mature forest, on the site are of a sufficient amenity value that they should be retained and the proposed means for their protection;</li> <li>• The effect of subdivision on any places of heritage value including existing buildings, archaeological sites and any areas of cultural significance;</li> <li>• The location, alignment, gradients and pattern of roading, service lanes, pedestrian access ways and cycle ways, their safety and</li> </ul>

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	<b>27.5.7 Assessment Matters (Rural Residential and Rural Lifestyle Subdivision Activities)</b>
	<p>efficiency;</p> <ul style="list-style-type: none"> <li>• The extent to which the provision for open space and recreation is consistent with the objectives and policies of the District Plan relating to the provision, diversity and environmental effects of open spaces and recreational facilities;</li> <li>• The purposes for the creation of esplanade reserves or strips set out in section 229 and section 237 of the Act;</li> <li>• The provision of services in accordance with Council's Code of Practice for Subdivision;</li> <li>• In the case of the Makarora Rural Lifestyle Zone, the concentration or clustering of built form to areas with high potential to absorb development, while retaining areas which are more sensitive in their natural state;</li> <li>• In the Rural Residential Zone at the north end of Lake Hayes, the protection and restoration of wetland areas;</li> <li>• Easements for existing and proposed access and services;</li> <li>• Where no reticulated water supply is available, sufficient water supply and access to water supplies for firefighting purposes in accordance with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 must be provided.</li> <li>• Refer Policies 27.2.1.2, 27.2.4.5, 27.2.4.6, 27.2.5.4, 27.2.5.5, 27.2.5.10, 27.2.5.12, 27.2.5.15, 27.2.5.17 and 27.2.7.1.</li> </ul>

### 27.9.4 Restricted Discretionary Activity - Subdivision Activities with National Grid Subdivision Corridor and Electricity Sub-Transmission Lines

In considering whether or not to grant consent or impose conditions in respect to subdivision activities under Rules 27.5.8 and 27.5.9, the Council shall have regard to, but not be limited by, the following assessment criteria:

	<b>27.5.8 Assessment Matters (National Grid Subdivision Corridor)</b>
	<ul style="list-style-type: none"> <li>• Whether the allotments are intended to be used for residential or commercial activity;</li> <li>• The need to identify a building platform to ensure future buildings are located outside the National Grid Yard;</li> <li>• The ability of future development to comply with NZECP34:2001;</li> </ul>

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	<b>27.5.8 Assessment Matters (National Grid Subdivision Corridor)</b>
	<ul style="list-style-type: none"> <li>• The location and planting of vegetation;</li> <li>• Ensure the operation, maintenance and upgrade of the National Grid is not restricted;</li> <li>• Refer Policy 27.2.2.9.</li> </ul>

	<b>27.5.9 Assessment Matters (Electricity Sub-Transmission Lines)</b>
	<ul style="list-style-type: none"> <li>• Whether the allotments are intended to be used for residential or commercial activity;</li> <li>• The need to provide restricted areas to limit activities to outside the Electricity Sub-Transmission Lines;</li> <li>• Ensure the operation, maintenance and upgrade of the Electricity Sub-Transmission Lines is not restricted;</li> <li>• The ability of future development to comply with NZECP34:2001;.</li> <li>• The location and planting of vegetation;</li> <li>• Refer Policy 27.2.2.9.</li> </ul>

**27.9.5**      **Controlled Subdivision Activities – Structure Plan spatial layout plan, or concept development plan**

In considering whether or not to impose conditions in respect to subdivision activities undertaken in accordance with a structure plan, spatial layout plan, or concept development plan under Rules 27.7.1, 27.7.2, 27.7.3, 27.7.4, the Council shall have regard to, but not be limited by, the following assessment criteria:

	<b>27.7.1 Assessment Matters</b>
	<ul style="list-style-type: none"> <li>• Consistency with the relevant location specific objectives and policies in part 27.3;</li> <li>• Consistency with the relevant structure plan, spatial layout plan or concept development plan;</li> <li>• The assessment criteria identified under Rule 27.7.1.</li> </ul>

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<b>27.7.2 Assessment Matters</b>	
	<ul style="list-style-type: none"> <li>• The assessment criteria identified under Rule 27.7.1.</li> <li>• Any earthworks required to create any road, vehicle accesses, or building platforms or modify the natural landform;</li> <li>• The design of the subdivision including lot configuration and roading patterns and design (including footpaths and walkways);</li> <li>• Creation and planting of road reserves</li> <li>• The provision and location of walkways and the green network as illustrated on the Structure Plan for the Kirimoko Block in part 27.13;</li> <li>• The protection of native species as identified on the structure plan as green network.</li> <li>• Refer Policies 27.3.2.1 to 27.3.2.10.</li> </ul>

<b>27.7.3 Assessment Matters</b>	
	<ul style="list-style-type: none"> <li>• The assessment criteria identified under Rule 27.7.1;</li> <li>• Minimising the number of accesses to roads;</li> <li>• The location and design of on-site vehicular access avoids or mitigates adverse effects on the landscape and visual amenity values by following the natural form of the land to minimise earthworks, providing common driveways and by ensuring that appropriate landscape treatment is an integral component when constructing such access;</li> <li>• The extent to which plantings with a predominance of indigenous species enhances the naturalness of the escarpment within Lots 18 and 19 (as shown on the Concept Development Plan for the Ferry Hill Rural Residential sub-zone);</li> <li>• The extent to which the species, location, density, and maturity of the planting is such that residential development in the Ferry Hill Rural Residential sub-zone will be successfully screened from views obtained when travelling along Tucker Beach Road.</li> <li>• Refer Policy 27.3.5.1.</li> </ul>

<b>27.7.4 Assessment Matters</b>	
	<ul style="list-style-type: none"> <li>• The assessment criteria identified under Rule 27.7.1.</li> </ul>



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	<b>27.7.4 Assessment Matters</b>
	<ul style="list-style-type: none"><li>• The provision of public access routes, primary, secondary and key road connections.</li><li>• Within the R(HD) Activity Areas, the extent to which the structure plan provides for the following matters:<ul style="list-style-type: none"><li>- The development and suitability of public transport routes, pedestrian and cycle trail connections within and beyond the Activity Area.</li><li>- Mitigation measures to ensure that no building will be highly visible from State Highway 6 or Lake Wakatipu.</li><li>- Road and street designs.</li><li>- The location and suitability of proposed open spaces.</li><li>- Management responses to remove wilding trees.</li></ul></li><li>• Within the R(HD-SH) Activity Areas, the visual effects of subdivision and future development on landscape and amenity values as viewed from State Highway 6.</li><li>• Within the R(HD) Activity Area, the creation of sites sized between 380m<sup>2</sup> and 550m<sup>2</sup>, without limiting any other matters of control that apply to subdivision for that site, particular regard shall be had to the following matters and whether they shall be given effect to by imposing appropriate legal mechanism of controls over:<ul style="list-style-type: none"><li>- Building setbacks from boundaries.</li><li>- Location and heights of garages and other accessory buildings.</li><li>- Height limitations for parts of buildings, including recession plane requirements.</li><li>- Window locations.</li><li>- Building coverage.</li><li>- Roadside fence heights.</li></ul></li><li>• Within the OS Activity Areas shown on the Jacks Point Zone Structure Plan, measures to provide for the establishment and management of open space, including native vegetation.</li><li>• Within the R(HD) A - E Activity Areas, ensure cul-de-sacs are straight (+/- 15 degrees).</li><li>• In the Hanley Downs areas where subdivision of land within any Residential Activity Area results in allotments less than 380m<sup>2</sup> in area:</li></ul>

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<b>27.7.4 Assessment Matters</b>	
	<ul style="list-style-type: none"> <li>- The extent to which such sites are configured:               <ul style="list-style-type: none"> <li>▪ with good street frontage.</li> <li>▪ to enable sunlight to existing and future residential units.</li> <li>▪ To achieve an appropriate level of privacy between homes.</li> </ul> </li> <li>- The extent to which parking, access and landscaping are configured in a manner which:               <ul style="list-style-type: none"> <li>▪ minimises the dominance of driveways at the street edge.</li> <li>▪ provides for efficient use of the land.</li> <li>▪ maximises pedestrian and vehicular safety.</li> <li>▪ addresses nuisance effects such as from vehicle lights.</li> </ul> </li> <li>- The extent to which subdivision design satisfies:               <ul style="list-style-type: none"> <li>▪ public and private spaces are clearly demarcated, and ownership and management arrangements are proposed to appropriately manage spaces in common ownership.</li> </ul> </li> <li>• Whether design parameters are required to be secured through an appropriate legal mechanism. These are height, building mass, window sizes and locations, building setbacks, fence heights, locations and transparency, building materials and landscaping.</li> <li>• Refer Policies 27.3.13.1 to 27.3.13.3.</li> </ul>

<b>27.7.5.1 Assessment Matters</b>	
	<ul style="list-style-type: none"> <li>• Orientation of lots to optimise solar gain for buildings and developments;</li> <li>• Consistency with the principles and outcomes of the QLDC Subdivision Design Guidelines;</li> <li>• Whether any landscape features or vegetation, on the site are of a sufficient amenity value that they should be retained and the proposed means of protection;</li> <li>• The location, alignment, gradients and pattern of roading, service lanes, pedestrian access ways and cycle ways, their safety and efficiency;</li> <li>• The purposes for the creation of esplanade reserves or strips set out in section 229 and section 237 of the Act;</li> <li>• The provision of services in accordance with Council's Code of</li> </ul>

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	<b>27.7.5.1 Assessment Matters</b>
	<p>Practice for Subdivision;</p> <ul style="list-style-type: none"> <li>• Refer Policies 27.3.1.1 to 27.3.1.3.</li> </ul>

	<b>27.7.11.2 Assessment Matters</b>
	<ul style="list-style-type: none"> <li>• The assessment criteria identified under Rules 27.7.1 and 27.7.4.</li> <li>• The visibility of future development from State Highway 6 and Lake Wakatipu.</li> <li>• The number, location and design of access points</li> <li>• Maintenance or enhancement of nature conservation values.</li> <li>• Creation of open space and infrastructure</li> </ul>

### **27.10 Rules - Non-notification of Applications**

27.10.1 Except where as specified in Rule 27.10.2, applications for resource consent for the following activities shall not require the written consent of other persons and shall not be notified or limited-notified;

b Controlled Activity Boundary adjustments.

c All controlled and restricted discretionary activities.

27.10.2 Rule 27.10.1 does not apply to the following. The provisions of the RMA Act apply in determining whether an application needs to be processed on a notified basis.

Where the application site or activity:

a. Adjoins or has access onto a State highway;

b. Contains an archaeological site or any item listed under the Heritage New Zealand Pouhere Taonga Act 2014;

c. Requires the Council to undertake statutory consultation with iwi;

d. Is in the Makarora Rural Lifestyle Zone and within an area subject to any natural hazards including erosion, flooding and inundation, landslip, rockfall, alluvion, avulsion or subsidence.

e. Prior to any application for subdivision within 32m of the centreline of the Frankton – Cromwell A 110kV high voltage transmission line traversing the Shotover Country Special Zone being processed on a non-notified basis the written approval as an affected party is required from Transpower New Zealand Limited;

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- f. Discretionary activities within the Jacks Point Zone.

## 27.11 General provisions

### 27.11 State Highways

- 27.11.1 Attention is drawn to the need to obtain a Section 93 notice from the NZ Transport Agency for all subdivisions with access onto state highways that are declared Limited Access Roads (LAR). Refer to the Designations Chapter of the District Plan for sections of state highways that are LAR. Where a subdivision will change the use, intensity or location of the access onto the state highway, subdividers should consult with the New Zealand Transport Agency.

### 27.8.3 Esplanades

- 27.8.3.1 The opportunities for the creation of esplanades are outlined in objective and policies 27.2.7 5. Unless otherwise stated, section 230 of the RMA applies to the standards and process for esplanades.

## 27.12 Natural Hazards

The Natural Hazards Chapter of the District Plan sets a policy framework to address land uses and natural hazards throughout the District. All subdivision is able to be assessed against a natural hazard through the provisions of section 106 of the Act. In addition, in some locations natural hazards have been identified and specific provisions apply.

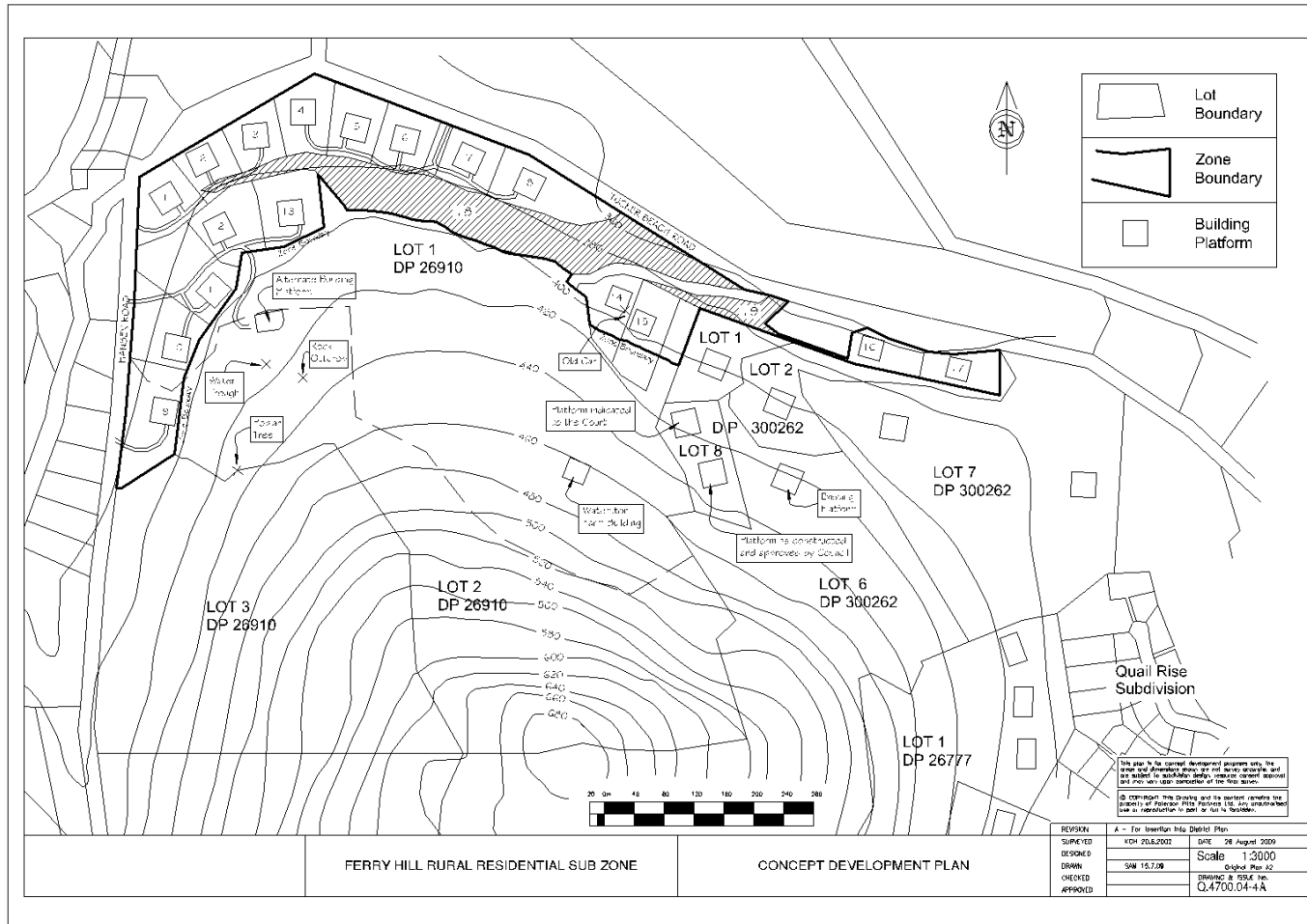
## 27.13 Development and Financial Contributions

The Local Government Act 2002 provides the Council with an avenue to recover growth related capital expenditure from subdivision and development through development contributions. The Council forms a development contribution policy as part of its 10 Year Plan and actively imposes development contributions via this process.

The Council acknowledges that Millbrook Country Club has already paid financial contributions for water and sewerage for demand up to a peak of 5000 people. The 5000 people is made up of hotel guests, day staff, visitors and residents. Should demand exceed this then further development contributions will be levied under the Local Government Act 2002.

## 27.14 Structure Plans and Spatial Layout Plans

### 27.14.1 Ferry Hill Rural Residential Subzone



27.14.2 Kirimoko Structure Plan

