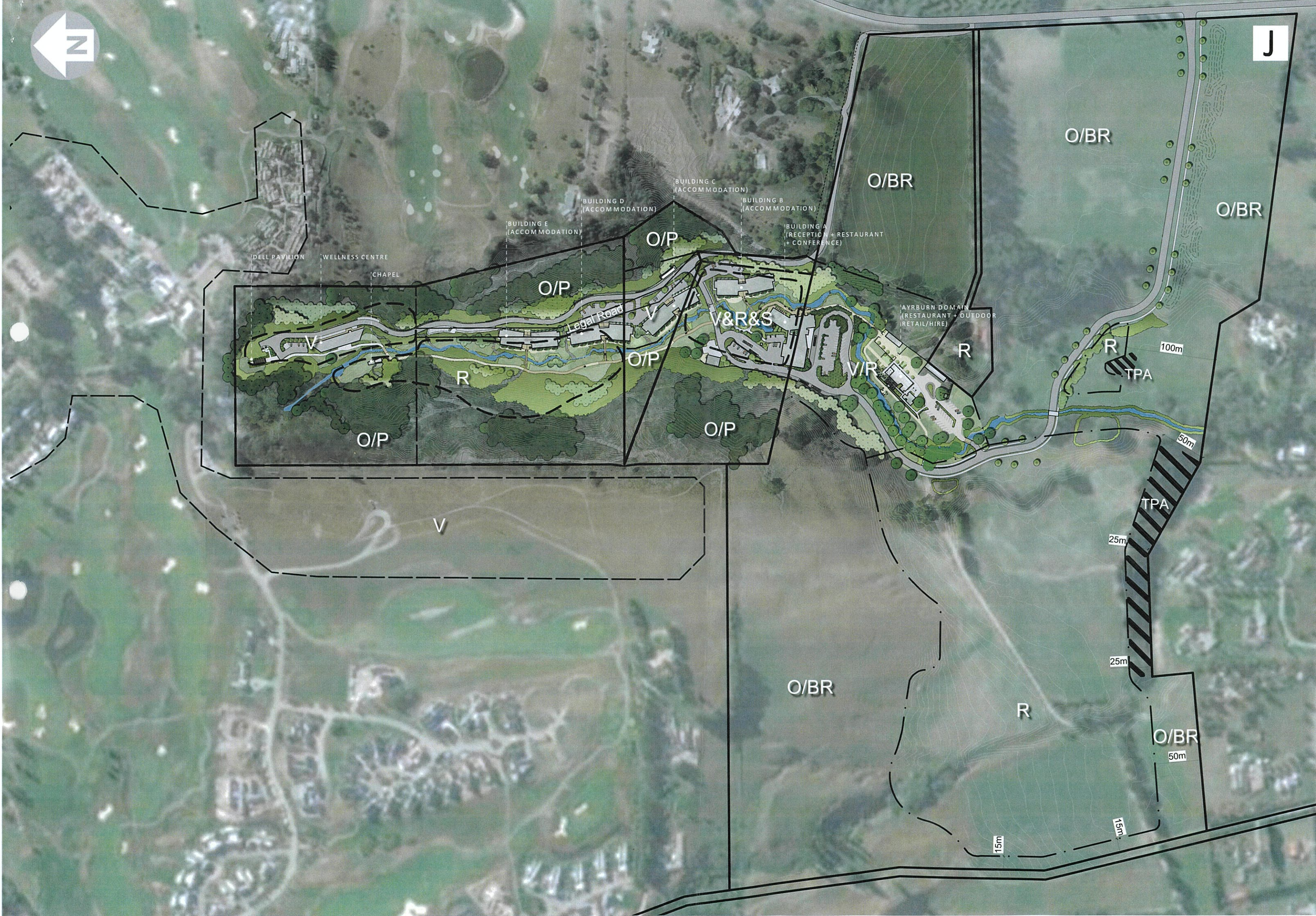


S2388 Waterfall Park Developments Limited – Legal Submissions – Summary Points

1. The combination of factors which applies to the Ayrburn rezoning is unique, and does not apply to any other rezoning proposal: concealed – WPZ road access issue – Mill Creek and related public access and ecological considerations – accessibility to the Queenstown Trail and public transport services – easily defensible zone boundaries – co-location with the Millbrook Zone and the Waterfall Park Zone and related UGB considerations.
2. There are three zoning options – urban Ayrburn Zone, rural living WBLP or rural WBRAZ. On the evidence presented, WBRAZ is not an option. The choice must be between urban Ayrburn Zone or rural living WBLP.
3. The consequence of point 2. above, before the zoning choice is made, is that the WPZ access road is a reality. That reality is a significant factor in the zoning decision.
4. Mr Brown's policy analysis and assessment leads inevitably to the conclusion that the urban Ayrburn Zone will better achieve the relevant policy provisions of the relevant planning instruments, and Part 2 of the Act, than the rural living WBLP zoning.
5. That policy conclusion should be assessed against a 'real world' comparison of the benefits which will flow from the two zoning options:
 - a. Ayrburn Zone: Up to 200 residential or retirement units - residential living benefits which flow from that - potential creation of a small community - immediate access to the Queenstown Trail network - short walk to public transport service access to Frankton, Queenstown and Arrowtown - potential to enjoy the restaurant and other amenities if the WPZ hotel eventuates.
 - b. WBLP: limited number (30-40) million dollar rural living allotments – similar benefits to a. above except without the potential creation of a small community and possibly with a higher percentage of 'second homes' not permanently occupied – benefits enjoyed by a significantly lesser number of people.
6. That policy conclusion should also be tested against a 'real world' comparison of the costs of the alternative zoning options – a minor difference in effects on users of the adjoining short section of the Queenstown Trail network.
7. Urban Growth Boundary - detailed submissions already presented – two additional points:
 - a. Millbrook is undoubtedly urban - Millbrook's 30 vacant residential lots.
 - b. Comparison with Arthurs Point.



J



DELL PAVILION

WELLNESS CENTRE

CHAPEL

BUILDING E
(ACCOMMODATION)

BUILDING D
(ACCOMMODATION)

BUILDING C
(ACCOMMODATION)

BUILDING B
(ACCOMMODATION)

BUILDING A
(RECEPTION + RESTAURANT
+ CONFERENCE)

Legal Road

V&R&S

AYR BURN DOMAIN
(RESTAURANT + OUTDOOR
RETAIL/HIRE)

O/P

O/P

O/BR

O/BR

O/BR

V

R

O/P

O/P

V/R

R

R

TPA

100m

50m

V

O/P

O/BR

R

O/BR

50m

25m

25m

15m

15m