

KEY	
L	Lodge
V(JP)	Village - Jacks Point
R(JP)	Residential - Jacks Point
G/F	Golf Course and Facilities
O/G	Open Space and Golf Course
---	Lake Shore Protection Area
---	Highway - Foreshore access



Lake Wakatipu

State Highway 6

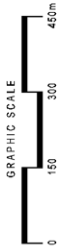


FIGURE 11
Amended Jacks Point Structure Plan
(Section 6.9.9 of the Jacks Point Decision)
scale 1:15,000 (A4)
11 August 2003

Reasons for Decision

1. It is appropriate to provide for small-scale commercial activities, including office and administration activities, at Jacks Point Zone, as it will assist in enhancing people's social and economic wellbeing.
2. The provision of small-scale commercial activities will provide opportunity for activities which are unlikely to have more than minor adverse effect on the environment.
3. It is important that health and education services are provided for when necessary, but do not compromise the facilitation of community health and education services in other areas of the Wakatipu basin; and
4. An average density of 10 – 12 residential units per hectare over all Residential Activity Areas within the Zone will ensure efficient use of the land resource in those areas where it is appropriate.

6.9.10 Submissions – Recognition of the need for Comprehensive Development

Henley Downs Holdings Limited [16/19/4] submits that whilst the submitter specifically supports the Variation, should the Queenstown Lakes District Council not accept the submitters submission seeking to include the Henley Downs property in the proposed Zone, then the Variation should be rejected so that further analysis of the Henley Downs and Jardine properties be allowed so as to not compromise the ability for the Coneburn area to be available for significant development, again to be consistent with the recognition that has previously been given by the Council as to the suitability of the area for such development.

Accordingly, the submitter requests that if amendments are not made to include the submitter's land in the Variation, the Council withdraw the Variation.

Jacks Point Limited [322/16/19/4] opposes the submission by Henley Downs because:

- (i) This aspect of the submission is entirely inconsistent with the bulk and thrust of the submission which is that the proposed Zone is appropriate.
- (ii) There is no resource management justification for rejecting the Variation on the basis that the Henley Downs submission is not accepted.
- (iii) The Variation as notified should be considered and determined on its merits, as should the Henley Downs submission. There is no reason or necessity for the two to be linked as proposed by Henley Downs in their submission.
- (iv) Granting the relief requested in the submission will not achieve appropriate outcomes under the Resource Management Act 1991, would not be appropriate in terms of avoiding, remedying or mitigating adverse effects on the environment, would not constitute a wise and efficient use of natural and physical resources, and would not accord with the purpose and principles of the Resource Management Act.

6.9.11 Consideration

While it is noted that this decision seeks to include that land owned by Henley Downs Holdings Limited be included within the Jacks Point Zone, the Council agrees with Jacks Point Limited that the submission by Henley Downs is inappropriate for the following reasons:

- There is no resource management justification for rejecting the Variation on the basis that the Henley Downs submission is not accepted.
- The Variation as notified should be considered and determined on its merits, as should the Henley Downs submission. There is no reason or necessity for the two to be linked as proposed by Henley Downs in their submission.

Notwithstanding the above, it is appropriate to consider a zone change of the Henley Downs land now, primarily to ensure that development in that part of the Coneburn area is dealt with in a comprehensive manner. The variation process has provided Henley Downs with the opportunity to put forward a proposal, and the Hearings Panel has assessed that proposal accordingly.

6.9.12 Decision

That the submission by **Henley Downs Holdings Limited** [16/19/4] is **rejected** and that the further submission by **Jacks Point Limited** [322/16/19/4] is **accepted**.

Reasons for Decision

1. The submission by Henley Downs is inappropriate for the following reasons:
 - There is no resource management justification for rejecting the Variation on the basis that the Henley Downs submission is not accepted; and
 - The Variation as notified should be considered and determined on its merits, as should the Henley Downs submission. There is no reason or necessity for the two to be linked as proposed by Henley Downs in their submission.

6.10 **Extension of the Jacks Point Zone – Homestead Bay**

The following submissions and further submissions relate to the extension of the Jacks Point Zone boundaries to include that land known as Homestead Bay. Homestead Bay currently forms part of the Remarkables Station. D S and J F Jardine and G B Boock seek amendments to the Jacks Point Zone provisions to facilitate a sustainable village development at Homestead Bay.

6.10.1 Submissions – Extension of Zone Boundaries to include Homestead Bay

D S and J F Jardine and G B Boock [16/27/1] supports the proposed Variation and seek that the Variation be confirmed.

Naturally Best New Zealand Limited [344/16/27/1] and **Shotover Park Limited** [345/16/27/1] oppose the submission in its entirety for all the reasons set out in NBNZL's submission number 16/35 and SPL's submission number 16/41.

Submission number 16/27 and the relief sought, insofar as it seeks to include any additional land in the proposed variation and/or anything different from the proposed variation as notified, is outside the jurisdiction of the Queenstown Lakes District Council.

D S and J F Jardine and G B Boock [16/27/2] seek that Variation 16 be amended as detailed to better serve the purpose and principles of the Resource Management Act 1991.

The submission seeks to extend the Jacks Point Zone to include an adjacent area to the south referred to in this submission as "Homestead Bay" (refer Appendix 8 – Structure Plans submitted by Jardine/Boock). Homestead Bay includes the balance of Jacks Point, the Remarkables Station domesticated area and home paddocks, and a natural terraced area extending south and east parallel to the lakeshore. The proposed addition of Homestead Bay to the Jacks Point Zone includes the proposal to realign and form a paper road from SH6 to the Lake Wakatipu foreshore, and a proposal to complete a formed walkway from Lakeside Estates through to Kelvin Heights Reserve.

The proposed Homestead Bay extension to the Jacks Point Zone comprises a variety of Activity Areas being:

- Residential;
- Village;
- Open Space – Vineyard;
- Open Space – Foreshore;
- Open Space;
- Boating Facilities; and
- Farm Buildings and Craft.

The submitters request the following amendments to the Proposed District Plan:

- (a) Amend Variation 16 as set out in this submission.
- (b) Make any other amendments necessary to give effect to the overall intent of the decisions requested in this submission.
- (c) Make any other amendments to the District Plan (including amendments to objectives and policies) necessary to give effect to the matters set out in this submission.
- (d) Delete, or amend, by way of redrafting, renotification, consent order or any other means, the provisions of the proposed plan modification Homestead Bay (Extension of Jacks Point Zone), to reflect the matters addressed in this submission.

6.10.2 Consideration

With regard to the submissions by D S and J F Jardine and G B Boock, seeking that land owned by the submitter be included within that land subject to Variation 16, it must first be considered whether it is in the community's interest to consider urban development within the subject site.

A number of changes were sought by the submitter and it was considered that the submission process allowed adequate opportunity for any person to comment on the proposed changes, and that the submissions should be considered on their merits, taking into account the need to approach development in a comprehensive manner (which is within the wider community's interest).

As discussed in section 2.1 of this decision, upon notification of the 1995 Proposed District Plan submissions were lodged by the Jardine's seeking that the Coneburn Downs area be identified as an area suitable for future residential development. Following the Council's decisions on submissions, the Jardine's lodged a reference in regard to their respective submission. The Jardine's have reached agreement with the Council and are now attempting to resolve the reference by establishing objectives and policies in the Plan that recognise the potential for future urban development in the Coneburn Downs area. It is considered that the Jardine's submission to the Jacks Point Variation is consistent with the agreement reached with the Council in relation to their reference.

In July 2002 the Council held a number of Public Workshops to assist in the formulation of a Strategic Plan for Queenstown. The Council found that the Coneburn Downs area was widely accepted by the community as a landscape that could successfully absorb future urban development if it was carried out in an environmentally sensitive manner. It is considered that controlled development of Homestead Bay is consistent with the community's aspirations for the area, and will potentially result in the following positive outcomes:

- Increased housing stock (in a high amenity landscape);
- Employment opportunities;
- Recreation opportunities; and
- Access to walking trails, lake margins and boating facilities.

With regard to those parts of this report that relate to potential adverse effects of development on existing urban and commercial areas in the Wakatipu basin, it is considered that the extension of Jacks Point Zone to include Homestead Bay will be negligible.

In considering whether to include Homestead Bay within the Jacks Point Zone, it is prudent to consider the following matters:

- Landscape character;
- Landscape visibility and absorption capability;
- Infrastructure requirements for development;
- Whether the potential adverse effects of development are avoided, remedied, or mitigated through the District Plan provisions as they relate to Jacks Point; and
- Whether the structure plan proposed by the submitter is appropriate in context of the consideration and decisions in this report.

Landscape Character

The landscape character at Homestead Bay is quite different from that land which forms the site for the Variation as notified. Homestead Bay comprises of a beachfront and terraces

facing south on the shores of Lake Wakatipu. The site is bounded and defined by natural streams and a series of shelterbelts.

Homestead Bay is largely pastoral in character and contains very little native vegetation. Currently a gravel road is used by the Jardine family and visitors to access the beach area which is a popular spot for windsurfing. The beach area and adjacent low lying terraces are ideal for public recreation.

The site affords excellent views of the Wakatipu basin's outstanding natural landscape. To east the Remarkables range dominate views, to the south and west is Lake Wakatipu, and to the north Peninsula Hill floats on the sky line. Immediately adjacent to the site, to the west, lies Jacks Point.

Landscape visibility and absorption capability

An extensive visibility analysis has been carried out over Homestead Bay as part of the Coneburn Area Resource Study. The analysis is primarily used to identify those parts of the site that are not visible from State Highway 6 and Lake Wakatipu. The visibility analysis (refer Figure 10, Coneburn Area Resource Study) identifies Homestead Bay as being highly visible from Lake Wakatipu and not being visible from State Highway 6.

Although visible from the southern arm of Lake Wakatipu, Homestead Bay is not visible from that part of the lake which lies to the west of Jacks Point Zone. Nor is the site visible from Queenstown, Fernhill and Frankton, the Remarkables Ski Field Road (albeit subject to the retention of an existing shelterbelt) and that part of State Highway 6 which runs adjacent to the Jacks Point Zone. The site is visible from the top of Peninsula Hill and further towards Kingston on State Highway 6.

Council's Landscape Architect makes the following comment in regard to the sites absorption capability and general locality:

"The concentration of built form within a condensed area is appropriate in this instance as this is a logical place for a development and therefore will not appear to conflict with the natural form of the landscape within which it is located. For this reason it is not considered necessary to screen the proposed village area but rather view it as a destination for both tourists and locals."

It is considered that, although visible from various parts of the District, the potential to absorb development at Homestead Bay is very high, particularly given the positive outcomes that will potentially result from the proposed development design.

By way of example, the existing Remarkables Station homestead illustrates the potential absorption capability of the site when appropriate vegetation is established. The existing buildings are not visible from beyond the boundaries of Homestead Bay, except for fleeting views from the lake.

Infrastructure

With regard to infrastructure, it is noted that the submitters have not submitted a report in this regard, and as such, the findings of the Coneburn Area Resource Study are relied upon, and in addition regard is given to the Soil Survey undertaken by Glasson Potts Fowler Limited.

With regard to roading, access to the site from State Highway 6 is achieved from Woolshed Road. It would be appropriate for any further accesses to be at the discretion of Council and Transit New Zealand.

It is considered that provision for wastewater disposal is achievable. The Soil Survey carried out over the site confirms that there is potential for on site disposal to land.

With regard to water supply there are three primary alternative water sources available for Homestead Bay – Lake Wakatipu, a secure bore, or connection to Council's water supply at the Kawarau Bridge.

There are a series of streams and watercourses running through the subject land. Subject to consent by the Otago Regional Council, these waterways may be used for the discharge of stormwater. It is considered that the additional run off associated with development of the site will be minimal.

With regard to power supply, Delta Utility Services have advised that there is sufficient capacity in the grid exit point (operated by Transpower) to cope with an expected load increase of up to 1000 lots in the Coneburn area. However, feeder lines into the area will be require up grading at some time during development.

Telecom New Zealand Limited advise that there is an existing fibre optic cable that extends to the Lakeside Estates Development and that this has very high capacity to serve future development. Telecom does not expect that there would be any restriction on the expansion of its system to serve development in the Jacks Point Area.

District Plan Provisions

It is considered that, subject to the amendments made in this decision, the Jacks Point Zone provisions are appropriate for application to Homestead Bay. It is considered that the provisions, in conjunction with an appropriate structure plan layout, will ensure that the potential adverse effects of development on the site will be no more than minor. Essentially, the provisions and structure plan will ensure that development is contained within those areas that are able to absorb it, thus achieving the District Plan's Objectives and Policies, and other areas will be retained as open space, suitable for recreation and other outdoor pursuits.

With regard to the submissions by Naturally Best New Zealand Limited and Shotover Park Limited, it is considered their concerns are addressed by the amendments made throughout this decision. Furthermore, it is considered within the Council's jurisdiction to consider including any additional land in the proposed Variation and/or anything different from the proposed Variation if a submission is made to that effect.

In addition to the District Plan rules the submitters have made available to the Council proposed guidelines for development and design. It is considered that the vision of the Council and the submitter for Homestead Bay can be achieved through the proposed design guidelines and as such, they will be adopted by both parties prior to development of the site.

Proposed Structure Plan

The proposed structure plan and associated activity areas for Homestead Bay are discussed in section 6.10.11.

Conclusion

In short, it is considered that development at Homestead Bay has the potential to result in a range of outcomes that will benefit the community while endorsing the principles of sustainable management of natural and physical resources. Those benefits are both for residents and visitors to the District, and include:

- Enhanced access to beach and Lake;
- Access to open space and recreation facilities;
- Provision of public amenities;
- Increased housing stock;
- Employment and business opportunities;
- High standard living environs;
- Protection and enhancement of native ecology; and
- Involvement of local community.

With regard to the above discussion, and that information contained within the relevant reports and provided by the submitter, it is considered appropriate to extend the Jacks Point Zone to include Homestead Bay, subject to the amendments made throughout this report.

To ensure that those outcomes advocated by the submitter eventuate, the landowners of the subject land have agreed to develop in accordance with development controls for the Jacks Point Zone and design guidelines for Homestead Bay. The obligation, achieved by the use of covenants on land titles, is entrenched in the Stakeholder's Deed and the Jacks Point Zone provisions (pursuant to this decision).

6.10.3 Decision

That the submissions by **D S and J F Jardine and G B Boock** [16/27/1] [16/27/2] and further submissions by **D S and J F Jardine and G B Boock** [341/16/27/1] are **accepted**, and that the further submissions by **Naturally Best New Zealand Limited** [344/16/27/1] and **Shotover Park Limited** [345/16/27/1] are **rejected**, and Variation 16 is amended as herein to include Homestead Bay.

Sections 6.10.4 to 6.10.24 of this decision relate to those specific amendments sought by D S and J F Jardine and G B Boock in relation Homestead Bay.

Reasons for Decision

1. Subject to the amendments made within this decision, Homestead Bay will be developed in an appropriate manner and will eventuate in a variety of positive outcomes for both residents and visitors to the area; and
2. Subject to the amendments made within this decision, Variation 16 is an appropriate means of assisting in the promotion of sustainable management of natural and physical resources.

6.10.4 Submissions – Public Access to Lake Wakatipu, Open Space and Recreation Facilities

D S and J F Jardine and G B Boock [16/27/3] submit that section 12.1.2 (iv) refers to the values of each of the resort zones, highlighting those features that are special or that create a unique setting for each area. The following additional comments highlight the values of the Homestead Bay area and in particular, the special public recreation opportunities afforded by the bay.

The submitters request the following amendment to paragraph 2 of clause 12.1.2 (iv):

"The proposed zone has a varying landform across the site, comprising hummocky to channelled topography in the east by Kingston Road, a central valley that is flat to slightly undulating, an elevated schist ridge adjacent to Lake Wakatipu, the highest point of which is known as Jacks Point, and lakeside terraces extending around Homestead Bay, where recreational access to Lake Wakatipu can be provided. Homestead Bay is the first point south of Kelvin Peninsula where public access to the lake is potentially available."

D S and J F Jardine and G B Boock [16/27/4] submit that section 12.1.3 (vii) of the plan refers to the resource management issues of the various resort zones. In a number of cases there is overlap between the zones. Issue (vii) is specific to Jacks Point, and recognises that the value of achieving public access to the lake.

The submitters request the an amendment to clause 12.1.3 (vii) by adding:

"Homestead Bay provides particular opportunities for public access to, and enjoyment of, the Lake."

D S and J F Jardine and G B Boock [16/27/6] submit that the Jacks Point Zone, as notified, has only limited lake margin access. The following amendment to the policy acknowledges the additional benefit to the guests at Jacks Point and to the general public of having practical lake access.

Accordingly, the submitters request the following amendment to clause 12.1.4 Policy 4.6:

"To 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."

D S and J F Jardine and G B Boock [16/27/7] submit that an additional policy is proposed that recognises that limited development opportunities are available within the Homestead Bay, while ensuring that Council will assess each application in terms of the effect on amenity values.

The submitters request an amendment to clause 12.1.4 by adding Policy 4.7:

" 4.7 To provide for the development of lakeside activities in the Homestead Bay area, in a manner which complements and enhances amenity values."

D S and J F Jardine and G B Boock [16/27/8] submit that policy 4.8 highlights the importance of lakeshore revegetation. This policy has regard to section 6 (a), (b) and (d) of the Act. Planting through this area will assist in mitigating any visual impacts of development on these lake margins. It is acknowledged that the lake margins are no longer in their natural state, having been modified by pastoral farming practices. The regeneration of the lake margin beyond what could be expected from maintenance of Rural General zoning would assist in fulfilling the purpose of the Act.

Accordingly, the submitters request an amendment to clause 12.1.4 by adding Policy 4.8:

"4.8 To ensure substantial native revegetation of the lake foreshore and open spaces within Homestead Bay."

D S and J F Jardine and G B Boock [16/27/9] submit that the Council and Kelvin Peninsula Community Association have sought the extension of the lakeshore walkway (as an extension of the Sunshine Bay to Kelvin Heights walking track) to connect between Jardines Park (at Kelvin Heights) and Wye Creek. The Lakeside Estates subdivision is required to form the walkway between that property and the edge of Remarkables Station, and between Remarkables Station and Jardines Park. However, a missing section remains - Remarkables Station. This submission seeks to address this issue by enabling the completion of a public walking track from Kelvin Heights through and past Lakeside Estates.

Accordingly, the submitters request an amendment to the Jacks Point Zone by adding to 12.1.5 – Environmental Results Anticipated, the following provisions:

"(h) Achieving public access to the lake foreshore from State Highway 6 (Jacks Point) and facilitating increased use and enjoyment of Lake Wakatipu.

(i) Completion of a public walkway connecting Jardine's Park (Kelvin Heights) with the public recreation area south of Lakeside Estates."

6.10.5 Consideration

In proposing development at Homestead Bay the submitter has highlighted the opportunity to enhance public access to the lake and foreshore. It is considered that the enhancement of such access to the wider community is a significant benefit of the proposed development, primarily because it will assist in providing for people's social well being. Along with access, public facilities such as a boat ramp, jetty and parking area are proposed, all of which would be well utilised by visitors and locals alike.

The submitters seek amendments to the Variation that will identify:

- The values associated with Homestead Bay;
- Resource management issues associated with Homestead Bay;
- Policies for protecting and managing the values associated with Homestead bay; and
- The anticipated outcomes associated with Homestead Bay.

Such an approach to resource management in the District Plan is appropriate as it provides a clear and transparent picture as to the intent of rules in the Plan.

With regard to the above discussion, it is considered appropriate that the amendments sought by the submitter be accepted (with minor amendments to the wording), as such amendments will ensure that the community (both residents and visitors to the District) will benefit from development at Homestead Bay.

6.10.6 Decision

That the submissions by **D S and J F Jardine and G B Boock** [16/27/3] [16/27/4] [16/27/6] [16/27/7] [16/27/8] [16/27/9] are **accepted**, and the following amendments are made to Variation 16:

"12.1.2 Values

...

iv Jacks Point Resort

....

Jacks Point Resort is situated in the basin floor, surrounded by the outstanding natural landscape of The Remarkables range, Peninsula Hill and Lake Wakatipu.

The proposed zone has a varying landform across the site, comprising hummocky to channelled topography in the east by Kingston Road, a central valley that is flat to slightly undulating, an elevated schist ridge adjacent to Lake Wakatipu, the highest point of which is known as Jacks Point, and lakeside terraces extending around Homestead Bay, where recreational access to Lake Wakatipu can be provided. Homestead Bay is the first point south of Kelvin Peninsula where public access to the lake is available.

...

12.1.3 Resource Management Issues

...

vii Public Access (Jacks Point Resort)

Jacks Point is the only resort zone that adjoins a major natural lake. Public access to and along lakes are a matter of national importance in achieving the purpose of the Act. Significant opportunity exists through the development of this zone to enhance public access to the shores of Lake Wakatipu. Homestead Bay provides additional opportunities for public access to, and enjoyment of, the Lake.

12.1.4 Objectives and Policies

...

Objective 4 – Jacks Point Resort Zone

...

Policies:

...

4.6 To 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.

4.7 To provide for the development of lakeside activities in the Homestead Bay area, in a manner which complements and enhances amenity values.

4.8 To ensure substantial native revegetation of the lake foreshore and open spaces within Homestead Bay.

...

12.1.5 Environmental Results Anticipated

...

i The following environmental results are anticipated in the Shotover, Millbrook and Jacks Point Resorts:

...

(h) Achieving Enhancing public access to the lake foreshore from State Highway 6 and facilitating increased use and enjoyment of Lake Wakatipu. (Jacks Point)

(i) Completion of a public walkway connecting Jardine's Park (Kelvin Heights) with the public recreation area south of Lakeside Estates."

Reasons for Decision

1. Enhancing the provision of lakeshore access to the wider community is a significant benefit of the proposed development, primarily because it will assist in providing for people's social well being.
2. The amendments will ensure that the community (both residents and visitors to the District) will benefit from development at Homestead Bay.

6.10.7 Submissions – Facilitation of Further Activities

D S and J F Jardine and G B Boock [16/27/10] submit that amendments are necessary to assist in clarifying the size of the Jacks Point Zone, and identifying the range of activities that are anticipated within the resort.

The submitters request the following amendments to section 12.2.1 – Zone Purposes of the Jacks Point Zone provisions, by amending paragraph 4 to read:

"The purpose of the Jacks Point Zone is to provide for a high quality destination golf resort covering approximately 542ha of land between the Remarkables and Lake Wakatipu. The zoning anticipates two 18-hole championship golf courses, a luxury lodge, a variety of residential and commercial activities, craft and winery activities, outdoor recreation and enhanced access to and enjoyment of Lake Wakatipu."

6.10.8 Consideration

With regard to those amendments sought in the above submission, it is considered appropriate to amend the Zone purpose to reflect:

- That small-scale commercial activities will be undertaken within the Zone (as discussed in section 6.4.2 of this report);
- That craft and winery activities will be undertaken within the Zone (as discussed in 6.10.11 of this report); and

- That outdoor recreation and enhanced access to Lake Wakatipu will be provided in association with the development at Homestead Bay.

In addition, upon considering all those submissions to extend the Zone boundaries to include the Homestead Bay area, the Panel considered it appropriate to amend the purpose of the Zone to reflect:

- The evidence presented to the Panel by Jardine/Boock which placed emphasis on the creation of a 'real' community; and
- Development will take place in accordance with development controls and design guidelines; and
- The sustainable nature of the Zone, as emphasised in the evidence of Jardine/Boock.

Such an approach to resource management in the District Plan is appropriate, as it provides a clear and transparent picture as to the intent of rules in the Plan and will ensure that the community (both residents and visitors to the District) will benefit from development at Homestead Bay (and the balance of the Zone).

6.10.9 Decision

That the submission by **D S and J F Jardine and G B Boock** [16/27/10] is **accepted in part**, and the following amendments are made to Variation 16:

"12.2.1 Zone Purpose

...

~~*The purpose of the Jacks Point Zone is to provide for a high quality destination golf resort covering approximately 120ha of land between the Remarkables and Lake Wakatipu. The zoning anticipates two 18-hole championship golf courses, a luxury lodge, and a variety of residential activities.*~~

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

The anticipated villages 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 design guidelines, in conjunction with provisions of the District Plan and other methods, will ensure that the villages contribute to providing 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 educational and medical facilities, craft and winery activities, outdoor recreation and enhanced access to and enjoyment of Lake Wakatipu.

The submission by D S and J F Jardine and G B Boock is accepted in part to the extent that the amendments proposed by the submitter are accepted. Notwithstanding this, the Panel considered that further amendments were required to achieve the full intent of the submission and reflect the amended nature of the Jacks Point Zone pursuant to the amendments made throughout this decision.

Reasons for Decision

1. The amendments to the Zone purpose provide a clear and transparent picture as to the intent of rules in the Plan and will ensure that the community (both residents and visitors to the District) will benefit from development at Homestead Bay (and the balance of the Zone).

6.10.10 New Activity Areas within the Homestead Bay Area

D S and J F Jardine and G B Boock [16/27/14] seek the following amendments to rule 12.2.5.1(i) of the Jacks Point Zone, to add the following Activity Area descriptions:

- "(b) ... In the Jacks Point Resort, retail and commercial activities, and indoor and outdoor recreation facilities are also allowed in this area. In the Waterfall Park Resort Zone the use of this area is restricted to Residential and Visitor Accommodation Activities including bars and restaurants, theatres, conference, cultural and resort facilities and office and administration activities ancillary to the above activities. Within the Homestead Bay Village area of the Jacks Point Zone there shall be a maximum of 12 separate buildings.*
- (h) Open Space – Vineyard (OS/V) – the use of this area is restricted to a vineyard and associated winery and accessory buildings and activities.*
- (i) Open Space – Foreshore (OS/F) – the use of this area is limited to regeneration of native endemic species over 80% of the land area, and retention of open space.*
- (j) Open Space – (OS) – the use of this area is restricted to pastoral and arable farming and endemic re-vegetation.*
- (k) 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 activities, retail sales, farmstay and culinary activities.*
- (l) Boating Facilities Activity Area (BFA) – the use of this area is limited to a double boat ramp, jetty and weather protection feature, and associated boat/trailer/car parking and public facilities."*

The submitter states that these additional Activity Areas are intended to recognise the particular Resource Management values of the area that cannot be provided for through the existing range of Activity Areas.

These Activity Areas are very specific and impose strict limitations that seek to protect and enhance the environmental quality of the area.

D S and J F Jardine and G B Boock [341/16/27/14] support their original submissions in their entirety save that the activity areas and zone provisions for the Homestead Bay area of the Jacks Point Resort Zone should be amended. The amendments are to result in better utilisation of the land resource of the Homestead Bay area whilst more effectively avoiding, remedying, and mitigating adverse effects on the environment. In particular, the submitters seek amendments to the Activity Areas as follows:

- "h) Vineyard / Residential:
This area is to be a series of vineyard fields and pathways with clustered vineyard hamlets. No more than 20 building platforms to be formed in this area.
The use of this area is restricted to residential, vineyard and associated winery, accessory buildings and activities. There are to be more than 15 building platforms in this area. All dwellings in this zone are to be subject to a Resource Consent."*

Reason:

The clustering of development will allow for low visual impact and a more economic use of the land. The extension of the vineyard zone allows for an economic winery and unit to be established if trial is successful.

"j) *Residential / Open space:*
The use within this area is restricted to low level, low impact dwellings set within a regenerating foreshore environment. All dwellings in this zone to be subject to a Resource Consent."

Reason:

To encourage the sensitive siting of low impact buildings which take advantage of the contours and shelves to minimise visibility from the lake. This is a low key 'batch' community set in natural landscape with no 'suburban' elements such as large expansive lawn or fencing.

"k) *Farm Buildings and Craft/Art, Area:*
The use of this area is restricted to existing residence, lodge accommodation, workers housing, farm buildings and buildings and activities associated with craft and farming related activities, retail sales, farm stay and dining activities."

Reason:

Recognising the unique existing dwelling and environment has a quality that lends itself to tourism uses over time. Also recognising that no provision has been made for workers or extended family housing on the Station.

"l) *Boating Facilities Activities Area (BFA):*
Use of this area is restricted to double boat ramp, jetty, weather protection feature, Boatshed, Café, Boat trailer and car parking, Building structures to be subject to a resource consent."

Reason:

The area to resemble a traditional High Country Station harbour rather than a suburban boating ramp and parking area. The café will provide for public and be a more secure means of providing for public safety and amenities.

D S and J F Jardine and G B Boock [16/27/15] submit that the proposed Boating Facilities Activity Area at Homestead Bay has been identified to ensure that the Council and members of the public are aware that there will be only one area on the Jack Point coastline where boating activities (and consequent lake margin modifications) will occur. The zone extends into the lake, to enable the construction of a boat ramp, jetty and any necessary weather protection. These will be public facilities.

The submitters request the following amendment to rule 12.2.5.1(ii)(a)(i) of the Jacks Point Zone provisions, to read:

"in the Jacks Point Resort Zone (excluding the Boating Facilities Activity Area) no building or structure shall be located closer than 20 metres to the Zone boundary. "

And the addition of the following new rule, 12.2.5.1(ii)(a)(ii):

"This rule shall not apply to the Boating Facilities Activity Area (BFA) in the Jacks Point Zone."

D S and J F Jardine and G B Boock [16/27/16] submit that a separate rule is proposed to ensure easy administration of the District Plan. The requirement to plant up to 20% of the Residential Activity Areas within Homestead Bay will be additional to the 80% of the Open Space – Foreshore Area that is also required to be planted. The intention is to ensure that building form is not dominant in these areas.

The submitters request the following amendments to the Proposed District Plan, by adding the following new rule to section 12.2.5.1:

“(iii) Planting Within Homestead Bay Residential Activity Areas

Within each Residential Activity Area in the Homestead Bay area of the Jacks Point Zone at least 20% of the area shall be planted in native vegetation.”

6.10.11 Consideration

Note: The structure plan layout is discussed in section 6.10.14 of this report.

The submitter seeks additional Activity Areas in Homestead Bay to recognise the particular Resource Management values of the area that cannot be provided for through the existing range of Activity Areas in the Jacks Point Zone. It is noted that the submitter made an original submission followed by a further submission in regard to the same matters. In this regard, the latter submission shall be given preference in those matters to which it addresses.

In summary, the submissions seek the following Activity Areas be added to the Zone:

Activity Area Sought	Reasons Sought	Appropriateness within the Zone
Vineyard / Residential	The use of this area is restricted to residential, vineyard and associated winery, accessory buildings and activities. There are to be no more than 15 building platforms in this area. All dwellings in this zone are to be subject to Resource Consent.	The vineyard development will assist in attracting visitors to Homestead Bay and will provide opportunity for social interaction. As described by Council’s Landscape Architect, the vineyard introduces a soft rural element that allows a transition into the wider rural landscape to the east. Viewed from Lake Wakatipu the vineyard will sit beneath the ridgeline of the terraces, and from State Highway 6 the vineyard will only be visible south of the site, albeit in fleeting instances and during season. It is considered appropriate to provide for a limited number of dwellings in clusters throughout the vineyard area. This will add to the character of Homestead Bay and further soften any visual effect the vineyard may have. 15 building platforms are recommended within the vineyard area (which includes capacity for associated winery and accessory buildings and activities). Provided that such activities are clustered (in 3 or 4 areas), the Panel considered that such an approach will ensure that the vineyard remains the dominant feature within the Activity Area. Concern was raised by the Panel that development could occur without the establishment of a vineyard. Accordingly it was decided that no building may be erected prior to a vineyard being planted.
Open Space – Foreshore (OS/F)	The use of this area is limited to regeneration of native endemic species over 80% of the land area, and retention of open space.	Provision of native revegetation on the foreshore at Homestead Bay as described above can only have positive effects on the local and wider environment. The revegetation will assist greatly in mitigating the potential adverse visual effects of development. The extent of this area is discussed in section 6.10.14 of this decision.
Open Space (OS)	The use of this area is restricted to pastoral and arable farming and endemic re-vegetation.	The provision of open space is appropriate and necessary to ensure amenity values are retained. Essentially, the farming practices are a continuation of existing activities, while the use of endemic revegetation will assist with restoring ecological values to the area and mitigating the adverse effects of future development.

Residential / Open space	The use within this area is restricted to low level, low impact dwellings set within a regenerating foreshore environment. All dwellings in this zone to be subject to a Resource Consent.	It is considered that residential development in this area is not inappropriate provided that the native planting proposed by the submitter takes place prior to development occurring within the Activity Area. Regeneration of native vegetation, coupled with site and zone standards and appropriate guidelines for design will ensure that the adverse effects of residential development will be no more than minor. The submitter has sited 12 homesites within the Activity Area. Having considered the absorption capability of the site, the Panel agrees that 12 homesites is the appropriate density.
Farm Buildings and Craft (FBA)	The use of this area is restricted to existing residence, lodge accommodation, workers housing, farm buildings and buildings and activities associated with craft and farming related activities, retail sales, farm stay and dining activities.	It is considered that the existing residence, workers accommodation, a farmstay, farm buildings and buildings associated with craft and farming are appropriate. The land is currently, and will continue to be, part of the Remarkables Farm Station. Such activities are consistent with the Rural General Zone. With regard to retail activities it is considered appropriate to provide for sale of goods produced and reared on site. Other retail activities and dining activities are more appropriately provided for in the Village Activity area where the adverse effects will be no more than minor. With regard to lodge activities, it is considered appropriate that a bed and breakfast may run in this Activity Area, and any other visitor accommodation be assessed to determine the potential effects. To ensure that the intent of the Activity Area is clear, and that the area does not become over domesticated, it is considered appropriate to introduce a relevant policy to the Jacks Point Zone provisions.
Boating Facilities Activities Area (BFA)	Use of this area is restricted to double boat ramp, jetty, weather protection feature, Boatshed, Café, Boat trailer and car parking, Building structures to be subject to a resource consent.	It is considered appropriate to provide for those activities sought, provided they are open to public use. As such the benefits for the wider community would be significant to the point that they will outweigh adverse environmental impacts. Notwithstanding this, any development of such facilities must be in accordance with concise guidelines to ensure the best possible outcome.

It is considered that all the Activity Areas sought by the submitter are appropriate subject to the comments made in the above table.

It is appropriate to provide certainty as to the layout of activities at Homestead Bay. Such an approach provides certainty to the Council and to the community in terms of the eventual outcome of development. It also provides certainty that the effects of each activity will be confined to a particular area on the site and provides an opportunity to assess whether activities will have an effect on neighbouring land uses.

Activities in the Village Activity Area

Section 6.4.3 of this report makes decisions in respect to commercial activities in the Zone, in essence, providing for small-scale commercial activities within the Village Activity Area. The decided approach remains appropriate.

It is appropriate that there be no limit placed on the amount of buildings provided within the Village Activity Area at Homestead Bay. The density of buildings in that area is adequately constrained by the size of the area and by the site and zone standards of the Jacks Point Zone (ie height and site coverage).

Activities within the Boating Facilities Activity Area

With regard to the Boating Facilities Activity Area, it is agreed with the submitter that the identification of such an area provides certainty as to where modifications will take place on the foreshore. In this regard it is also appropriate that the Activity Area extend onto the lake to identify the extent of any development. While it is considered that the visual effects of a jetty and any necessary weather protection may be more than minor, such effects are outweighed by the positive effects for the wider community. The proposed development will enhance people's access to the beach (for swimming, windsurfing and picnicking), and provide an area for people to launch boats and socialise. Such facilities will assist in making the village a destination to both tourists and residents.

The Panel gave considerable consideration to whether all activities within the Boating Facilities Activity Area should be subject to consent as a controlled activity. It was decided that, in conjunction with the definition of buildings, the Activity Area description and other Zone provisions provide adequate control of any proposed activities that may potentially occur there.

As identified by the submitter, to allow for development of the Boating Facilities Activity Area of Homestead Bay, the Site Standards relating to setbacks from the Zone boundary must be amended to preclude the Boating facilities Activity Area. Given the above discussion, such an amendment is considered appropriate.

Planting within the Residential/Open Space Activity Area

With regard the proposal by the submitter that at least 20% of the Residential/Open Space Activity Area must be planted with native vegetation, such an approach is considered efficient, except that:

- 20% of the Residential/Open Space Activity Area is deficient in terms of mitigating the potential adverse effects of development; and
- It is necessary to ensure that planting is initiated prior to development.

Essentially, a 20% threshold allows for 80% of the residential site to be left as open space or planted in exotic species, which would not afford integrated landscape management with the Open Space – Foreshore Activity Area. Development is only considered appropriate in this Activity Area if it remains subservient to the landscape.

The Hearings Panel discussed the matter with the submitter and, with the submitters agreement, it has been decided that it is appropriate that a minimum of 50% of the Residential/Open Space Activity Area be planted with native vegetation, thus allowing 50% of the site to remain as open space and/or provide for structures and other residential activities. The species of native planting is not restricted and therefore it is considered that owners can maximise their site through the planting of native grass species and other small endemic plants. Such planting, along with planting on the lake foreshore will result in positive environmental outcomes, including:

- Mitigation of potential adverse effects associated with development;
- Enhancement of amenity values throughout Homestead Bay; and
- Restabilising of native flora and fauna throughout the area.

6.10.12 Decision

That the submission by **D S and J F Jardine and G B Boock** [16/27/15] is **accepted**, and that the submissions by **D S and J F Jardine and G B Boock** [16/27/14] [16/27/16] and further submission by **D S and J F Jardine and G B Boock** [341/16/27/14] are **accepted in part**, and the following amendments are made to Variation 16:

“12.1.4 Objectives and Policies

...

Policies:

...

4.7 To 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.

...

12.2.5.1 Site Standards

i Structure Plan

...

"(b) ... In the Jacks Point Resort, retail and small-scale commercial activities, and indoor and outdoor recreation facilities are also allowed in this area. In the Waterfall Park Resort Zone the use of this area is restricted to Residential and Visitor Accommodation Activities including bars and restaurants, theatres, conference, cultural and resort facilities and office and administration activities ancillary to the above activities.

(h) Open Space – Vineyard (OSV) – the use of this area is restricted to a vineyard, associated winery and accessory buildings and activities, and residential activities, provided that:

(i) No more than 15 building platforms are permitted within the Activity Area:

(ii) Those 15 building platforms referred to in (i) above are confined to 3 or 4 clusters; and

(iii) No building is to be erected prior to a vineyard being planted within the Activity Area.

(i) Open Space – Foreshore (OSF) – the use of this area is restricted to the regeneration of native endemic species over 80% of the land area, and retention of open space.

(j) Open Space (OS) – the use of this area is restricted to pastoral and arable farming and endemic revegetation.

(k) Open Space – Residential (OSR) – the use of this area is restricted to 12 low level, low impact residential dwellings set within a regenerating foreshore environment, provided that:

(i) Prior to any development occurring within any allotment located within the Open Space - Residential Activity Area, at least 50% of that allotment must be planted with native vegetation.

(l) 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 activities, retail sales of goods produced or reared on site, a farmstay and a bed and breakfast operation.

(m) Boating Facilities Activity Area (BFA) – the use of this area is limited to a double boat ramp, jetty, a weather protection feature, a boat shed and associated boat/trailer/car parking and public facilities, provided that all facilities are available for public use.

ii Setbacks from Roads and Internal Boundaries

(a) No building or structure shall be located closer than 6m to the Zone boundary, except:

- (i) *in the Jacks Point Resort Zone (excluding the Boating Facilities (BFA) Activity Area) no building or structure shall be located closer than 20 metres to the Zone boundary; and*
- (ii) *This rule shall not apply to the Boating Facilities (BFA) Activity Area in the Jacks Point Zone.*

Those submissions by D S and J F Jardine and G B Boock that are accepted in part are accepted to the extent that the Activity Areas sought by the submitters have been allowed, subject to refinement in terms of the activities that may be carried out within them.

Reasons for Decision

1. It is appropriate to provide certainty as to the layout of activities at Homestead Bay. Such an approach provides certainty to the Council and to the community in terms of the eventual outcome of development. It also provides certainty that the effects of each activity will be confined to particular Activity Areas within the site and that other activities will be assessed accordingly prior to consent.
2. Section 6.4.3 of this decision amends provisions in respect to commercial activities in the Zone, in essence, providing for small-scale commercial activities within the Village Activity Area. The decided approach remains appropriate.
3. The density of buildings in the Village Activity Area is adequately constrained by the size of the area and by the site and zone standards of the Jacks Point Zone.
4. Identification of the Boating Facilities Activity Area provides certainty as to where modifications will take place on the foreshore and confines potential adverse effects to one area. It is noted that all structures greater than 5m² and/or greater than 2m in height are subject to resource consent as a controlled activity.
5. The provisions as they relate to the Open Space - Residential Activity Area will protect and enhance amenity and ecological values and assist with the mitigation of future development within that Activity Area.

6.10.13 Submissions – Homestead Bay Structure Plan

D S and J F Jardine and G B Boock [16/27/11] submit that a separate Structure Plan be used for the Homestead Bay area, so that the scale of the plans remains legible and easy to administer.

This proposed amendment confirms that all buildings and activities would need to be located within the appropriate Activity Area, and that the visual impacts would be assessed as a controlled activity.

The submitters request the following amendment to section 12.2.3.2 (viii) of the Jacks Point Zone rules, by amending paragraph (c) to read:

- "(c) *In the Jacks Point Zone buildings which comply with Figure 1 and Figure 1A Structure Plan - Jacks Point Zone with the exercise of the Council's control being limited to:*
- *the external appearance of buildings with respect to the effect on visual values of the area and coherence with surrounding buildings;*
 - and*
 - *infrastructure and servicing; and*
 - *associated earthworks and landscaping; and*
 - *access."*

The submitters request the following amendments to section 12.2.3.4 (iii) of the Jacks Point Zone rules, by amending paragraph (b) to read:

- "(b) *In the Jacks Point Zone all buildings which do not comply with Figure 1 and Figure 1A Structure Plan – Jacks Point Zone."*

The submitters request the following amendments to section 12.2.4 of the Jacks Point Zone rules, by amending paragraph (a) to read:

"(a) *In the Jacks Point Resort Zone the design and layout of the Highway and Lakeshore Landscape Protection Areas and Open Space – Foreshore Activity Area under Rule 12.2.3.2 (x) and any variation of the Public Access Route shown on the Figure 1 and Figure 1A Structure Plan may be publicly notified under section 94 of the Act.* "

D S and J F Jardine and G B Boock [16/27/13] submit that an amendment is necessary to the Structure Plan to enable the inclusion of Homestead Bay within the Jacks Point Zone. The Activity Areas within Homestead Bay are consistent with those in the Jacks Point Zone.

The amended Structure Plan enables greater protection of the Jacks Point feature, in an integrated manner that otherwise could not be achieved.

Accordingly, the submitters request the Council adopt Figure 1A – Structure Plan (refer Appendix 8A – Structure Plan submitted by Jardine/Boock).

6.10.14 Consideration

The Activity Areas proposed within Homestead Bay have been discussed in section 6.10.11. It is considered that, subject to the decisions in this report, each Activity Area provides for an appropriate consolidation of related and compatible activities. The purpose of the structure plan is to ensure that the location of Activity Areas ensures that the potential adverse effects on the environment are avoided, and that activities located adjacent to one another are not in conflict.

With regard to the structure plans submitted by D S and J F Jardine and G B Boock it is considered that the Activity Areas and layout are better provided for in that structure plan submitted in their further submission (refer Appendix 8A) for the following reasons:

- That structure plan supports those Activity Areas identified as being appropriate in this decision;
- That structure plan is in accordance with the Master Plan produced for the site; and
- That structure plan provides for better integration of activities, particularly vineyard and residential activities.

It is considered appropriate to adopt structure plan in Appendix 8A (with minor amendments) for the following reasons:

- Farming and related activities are adequately separated from residential and village activities, thus avoiding any potential conflict;
- Residential activities to the east are integrated with the revegetation of the foreshore area, which shall be no less than 80% of the relevant Activity Area (discussed in 6.10.17 of this report);
- The Open Space/Vineyard Activity Area provides for soft integration between the village area and the surrounding farming activities;
- The Village Activity Area is set back from the foreshore, thus providing adequate space for the provision of public facilities;
- The Village Activity Area is provided in the most logical part of the site when considering potential adverse effects on the environment and absorption capability of the site;
- The Boating Facilities Activity Area provides certainty as to the location of such public boating facilities and associated activities, and it appropriately located in terms of access, visibility and functionality;
- In accordance with the structure plan, all buildings will sit below the top of the terraces when viewed from the lake (ie taller buildings will be located in the village, lower down on the terraces);
- All Activity Areas lie within the natural boundaries of the site;
- Walking tracks in the rural environment have been identified; and

- A Lakeshore Landscape Protection Area is afforded to Jacks Point, which will result in retention and enhancement of native vegetation and ecology throughout that area.

Notwithstanding the above discussion, the subject site provides clear and visible boundaries for development – the village is contained below terraces, with an ephemeral stream to the west and an existing shelterbelt to the east. The Panel consider that it is necessary to extend the Open Space – Foreshore (OSF) Activity Area to incorporate the ephemeral stream running adjacent to the Farm Buildings Activity Area and to the west of the Village Activity Area. The inclusion of this area will assist in:

- Ensuring the environmental gains of the Zone outweigh the environmental losses;
- Enhancing ecological corridors throughout the Zone;
- Maintaining a buffer between the Village Activity Area and the Farm Buildings Activity Area; and
- Reinforcing the natural boundaries of the site.

In addition to seeking the inclusion of a structure plan for Homestead Bay, the submitters seek consequential amendments to the Zone provisions to provide for the structure plan. Those consequential amendments are considered appropriate as they ensure that the District Plan provisions remain clear and coherent.

It is noted that, without derogating from the intent of the relief sought, the wording of the requested amendments has been altered slightly to reflect the decisions throughout this report.

6.10.15 Decision

That the submissions by **D S and J F Jardine and G B Boock** [16/27/11] [16/27/13] are **accepted in part**, and the following amendments are made to Variation 16 (including the incorporation of the following Homestead Bay Structure Plan into Part 12 of the Proposed District Plan):

"12.2.3.2 Controlled Activities

...

(viii) Buildings

...

(c) *In the Jacks Point Zone buildings which comply with the relevant Jacks Point Structure Plan, Figure 1 Structure Plan – Jacks Point Zone with the exercise of the Council's control limited to:*

- *the external appearance of buildings with respect to the effect on visual values of the area and coherence with surrounding buildings; and*
- *infrastructure and servicing; and*
- *associated earthworks and landscaping; and*
- *access.*

...

12.2.3.4 Discretionary Activities

...

(iii) Buildings

...

- (b) *In the Jacks Point Zone all buildings which do not comply with the relevant Jacks Point Structure Plan Figure 1 Structure Plan – Jacks Point Zone.*

...

12.2.4 Non-Notification of Applications

- (a) *In the Jacks Point Resort Zone the design and layout of the Highway and Lakeshore Landscape Protection Areas and Open Space – Foreshore Activity Area under Rule 12.2.3.2 (x) and any variation of the Public Access Route shown on the Jacks Point Structure Plans may be publicly notified under section 94 of the Act.”*

Additions to the Jacks Point Structure Plan: Refer Figure 12 – Jardine’s Structure Plan (Section 6.10.15 of the Jacks Point Decision).

The submissions by D S and J F Jardine and G B Boock are accepted to the extent that the general layout of the proposed structure plans submitted are appropriate, and accordingly, have been incorporated into the Jacks Point Zone. Those parts of the submissions which are not accepted relate to adopting the layout of either proposed structure plan exactly as submitted.

Reasons for Decision

1. The Structure Plan for Homestead Bay:
 - Supports those Activity Areas identified as being appropriate in this decision;
 - Is in accordance with the Master Plan produced for the site;
 - Seeks to separate activities which may be potentially incompatible;
 - Seeks to integrate those activities that can exist along side one another; and
 - Adheres to and compliments the natural topography of the site;
 - Provides enhanced public access to the rural environment; and
 - Afforded a lakeshore Landscape Protection Area to Jacks Point, which will result in retention and enhancement of native vegetation and ecology throughout that area.
2. The inclusion of the ephemeral stream, running adjacent to the Farm Buildings Activity Area and to the west of the Village Activity Area, within the Open Space – Foreshore (OSF) Activity Area will:
 - Ensuring the environmental gains of the Zone outweigh the environmental losses;
 - Enhancing ecological corridors throughout the Zone;
 - Maintaining a buffer between the Village Activity Area and the Farm Buildings Activity Area; and
 - Reinforcing the natural boundaries of the site.
3. Those consequential amendments sought by the submitter are considered appropriate as they ensure that the District Plan provisions remain clear and coherent.

6.10.16 Submissions – Planting within Open Space Activity Areas of Homestead Bay

D S and J F Jardine and G B Boock [16/27/12] submit that amendments are necessary to ensure that the Open Space – Foreshore Activity Area is treated in the same manner as the Jacks Point Landscape Protection Areas, in that a consent is required to undertaken any planting.

The submitters request the following amendment to section 12.2.3.2 (x) – Landscaping and Public Access (Jacks Point Zone), to read:

“The design of the Lakeshore and Highway Landscape Protection Areas and provision of public access to Lake Wakatipu through the zone, and for planting within the Open Space – Foreshore Activity Area in respect of...”



KEY	
V	Village
OSV	Open Space - Vineyard
OSR	Open Space - Residential
OSF	Open Space - Foreshore
O/S	Open Space
FBA	Farm Buildings and Craft Activity Area
BFA	Boating Facilities Activity Area
	Lakeshore Landscape Protection Area
	Public Access Route
	Tablelands and Jacks Point



Lake Wakatipu



FIGURE 12
 Homestead Bay Structure Plan
 (Section 6.10.15 of the Jacks Point Decision)
 scale 1:10,000 (A4)
 13 August 2003

6.10.17 Consideration

The Open Space – Foreshore Activity Area is appropriately treated in the same manner at the Landscape Protection Areas in the Jacks Point Zone for the following reasons:

- Landscaping of this area in the appropriate manner (ie with suitable native species of appropriate height and foliage) will assist in mitigating any potential adverse effects associated with development;
- Landscaping will enhance the amenity values of the foreshore area; and
- Landscaping will assist in restabilising native flora and fauna throughout the area.

6.10.18 Decision

That the submission by **D S and J F Jardine and G B Boock** [16/27/12] is **accepted**, and the following amendments are made to Variation 16:

The submitters request the following amendment to section 12.2.3.2 (x) – Landscaping and Public Access (Jacks Point Zone), to read:

"12.2.3.2 Controlled Activities

...

(x) Landscaping and Public Access (Jacks Point Resort Zone)

The design of the Lakeshore and Highway Landscape Protection Areas and provision of public access to Lake Wakatipu through the zone, and for planting within the Open Space – Foreshore Activity Area in respect of...

Reasons for Decision

1. The amendments as proposed will assist in protecting and enhancing amenity and ecological values.

6.10.19 Submissions – Number of Residential Dwellings within the Homestead Bay Area

D S and J F Jardine and G B Boock [16/27/17] submits that it is necessary to amend rule 12.2.5.2 (i) (d) so that the rule reads:

"In the Jacks Point Zone (excluding the Homestead Bay area) the maximum number of residential units permitted is 400 provided that..."

This amendment assists in clarifying that the Homestead Bay area is additional to the existing 400 dwellings allowed on the balance of Jacks Point:

D S and J F Jardine and G B Boock [16/27/18] submit that an upper limit on the number of residential units is consistent with the format for the remainder of the Jacks Point Zone and other resort zones in the District Plan. The landscape assessment attached to the submitter's submission confirms that up to 30 dwellings could be built in the allocated areas without compromising the landscape and scenic values of this area. A timing constraint has been included to ensure that the dwellings are only built after 80% of the freehold area is planted in native vegetation.

Accordingly, the submitters request the following amendments to rule 12.2.5.2(i) of the Jacks Point Zone provisions, by adding a new subsection:

"(e) In the Homestead Bay area of the Jacks Point Zone, the maximum number of residential units permitted is 30, provided that no units may be constructed until 80% of the freehold land within the Open Space – Foreshore Activity Area has been planted with native endemic species."

During the hearing for Variation 16, the submitter requested that the above submission, as far as it relates to a maximum number of residential units, be withdrawn. The submitter considered that a maximum site coverage (ie building footprint) of 2.5%, along with any other relevant site and zone standards, would provide for more appropriate management of the land resource.

6.10.20 Consideration

With regard to the number of residential units permitted within the Jacks Point Zone, it is considered appropriate to differentiate Homestead Bay from the balance of Jacks Point Zone, for the following reasons:

- The 400 residential units proposed at the time of notification are appropriately contained within that area of Jacks Point Zone as notified;
- Homestead Bay provides the Jacks Point Zone with the capacity to absorb more than 400 residential units with no more than minor effect on the environment; and
- The provision of further residential development at Homestead Bay will provide for sustainable management of the land resource.

With regard to restricting the number of residential dwellings within areas facilitating residential development (ie the Village, Residential/Open Space, and Vineyard/Residential Activity Areas) it is considered unnecessary for the following reasons:

- The density of residential development in the Vineyard/Residential Activity Area is constrained to 15 building platforms;
- Residential development in the Village and Residential/Open Space Activity Areas are constrained by the size of the areas and by site and zone standards;
- Development in the Homestead Bay area is restricted to a total of 2.5% site coverage (refer section 6.10.24 of this decision); and
- Subject to the provisions of the District Plan, unlimited residential development will allow for sustainable management of the land resource with no more than minor adverse effect on the environment.

With regard to requiring 80% of the freehold land within the Open Space Activity Area to be planted prior to any construction of residential units, such a rule is considered appropriate as it will assist in ensuring that the adverse effects of future development at Homestead Bay are avoided, remedied or mitigated.

6.10.21 Decision

That the submission by **D S and J F Jardine and G B Boock** [16/27/17] is **accepted** and the submission by **D S and J F Jardine and G B Boock** [16/27/18] is **accepted in part**, and the following amendments are made to Variation 16:

"12.2.5.2 Zone Standards

(i) Residential Units

...

(d) *In the Jacks Point Zone (excluding the Homestead Bay area) the maximum number of residential units permitted is 400 provided that:*

- (a) *Until such time as 18 golf holes are constructed, only 200 residential units and a 60 room lodge are permitted.*
- (b) *No residential dwelling may be occupied until 18 golf holes have been constructed.*

(e) In the Homestead Bay area of the Jacks Point Zone, 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."

That part of the submission by D S and J F Jardine and G B Boock which is accepted relates to the requirement for 80% of the freehold land within the Open Space – Foreshore Activity Area to be planted with native endemic species prior to any residential units being constructed within the Homestead Bay area. That part of the submission which is not accepted relates to the maximum number of residential units.

Reasons for Decision

1. It is unnecessary to restrict the number of residential dwellings within residential areas, for the following reasons:
 - The density of residential development in the Vineyard/Residential Activity Area is constrained to 15 residential dwellings;
 - Residential development in the Village and Residential/Open Space Activity Areas are constrained by the size of the areas and by site and zone standards;
 - Development in the Homestead Bay area is restricted to a total of 2.5% site coverage; and
 - Subject to the provisions of the District Plan, unlimited residential development will allow for sustainable management of the land resource with no more than minor adverse effect on the environment.
2. The requirement to plant 80% of the Open Space – Foreshore Activity Area will assist in protecting and enhancing ecological, landscape and visual amenity values in the area.

6.10.22 Submissions – Building Coverage in the Homestead Bay Area

D S and J F Jardine and G B Boock [16/27/20] seek to clarify that the 5% building coverage limit applies independently to the Homestead Bay area from the balance of the Jacks Point Zone.

Accordingly, the submitters seek to amend rule 12.2.5.2 (v) by adding:

"Within the Jacks Point Zone the 5% limit shall apply separately to that part of the zone shown in Figure 1 and that part of the zone shown in Figure 1A."

During the hearing, the Panel discussed the 5% building coverage limit with the Submitters. The submitters stated that all proposed development at Homestead Bay would constitute less than 2.5% building coverage of the site. As such, it was submitted by D S and J F Jardine and G B Boock at the hearing that a maximum site coverage of 2.5% at Homestead Bay is sufficient and appropriate to provide for the proposed development.

6.10.23 Consideration

5% is considered an appropriate threshold for building coverage within the Jacks Point Zone. However, Council agrees with the submitter that the building coverage for Homestead Bay should apply separately from that which is proposed for the balance of Jacks Point Zone. Such an approach will assist in plan administration and ensure that development is evenly spread (albeit in clusters located in accordance with the structure plans for the Zone).

A maximum site coverage of 2.5% will assist in ensuring that the adverse effects of development are no more than minor.

6.10.24 Decision

That the submission by **D S and J F Jardine and G B Boock** [16/27/20] is **accepted**, and the following amendments are made to Variation 16:

"12.2.5.2 Zone Standards

...

(v) Site Coverage

...

- (b) *In the Millbrook Resort, Jacks Point (excluding Homestead Bay) and Waterfall Park Resort Zones the maximum site coverage shall not exceed 5% of the total area of the Zone. For the purposes of this Rule, site coverage includes all buildings, accessory, utility and service buildings. Excludes weirs, filming towers, bridges, roads and parking areas.*
- (c) *In the Homestead Bay area of the Jacks Point Zone (Structure Plan 3 – Jacks Point Zone) the maximum site coverage shall not exceed 2.5% of that area. For the purposes of this Rule, site coverage includes all buildings, accessory, utility and service buildings. Excludes weirs, filming towers, bridges, roads and parking areas.*

Reasons for Decision

1. The building coverage for Homestead Bay should apply separately from that which is proposed for the balance of Jacks Point Zone, as such an approach will assist in plan administration and ensure that development is evenly spread (albeit in clusters located in accordance with the structure plans for the Zone).
2. A maximum site coverage of 2.5% will assist in ensuring that the adverse effects of development are no more than minor.

6.11 Traffic Safety

The following submissions and further submissions relate to concerns raised in regard to traffic safety and pressures on the roading network, including State Highway 6 and the Kawarau Falls Bridge.

6.11.1 Submissions

Transit New Zealand [16/49/1] considers the reference to the Transportation section of the Queenstown Lakes Proposed District Plan is confusing, in particular the use of the phrase "District Wide Rules which may apply".

The submitter seeks that the reference to the District Plan Transportation section is made clearer and given more certainty.

Transit New Zealand [16/49/2] supports in part Rule 12.2.3.2(ix)(b) of the Variation. The rule makes parking, loading and access, in respect of location and design of access points, a controlled activity. Transit does not support the lack of specific performance standards in relation to access design and location for the Jacks Point Resort.

The submitter seeks that:

- Proposed Rule 12.2.3.2 (ix) (b) is included in the District Plan as publicly notified, provided that a staged access performance standard for Jacks Point Resort is included in the performance standards for controlled activities;
- The access performance standard reflects the effects of development, as it progresses, on the safe and efficient management of the affected stretch of State Highway;
- The access standard be developed in consultation with Transit and in general accordance with the standards contained within the manual of Traffic Signs and Markings 1998; and
- In the event that an access performance standard is not able to be included in the Variation then Transit requests that access into the Jacks Point Resort Zone is made a discretionary activity.

Jacks Point Limited [322/16/49/1] accepts and agrees with Transit's submission that the Zone should contain appropriate access performance standards for access points onto the state highway.

Transit New Zealand [16/49/3] submits that Variation 16 includes a non-notification section with specific reference to access into the Jacks Point Resort zone and the possibility of processing a resource consent on a notified basis (12.2.4 (a)). Below this is a general clause for non-notification of all controlled activities in general (12.2.4 (b)). Logic suggests that the first specific provision overrides the second general provision. However, Transit is unsure how this section of the Variation will be interpreted in reality.

The submitter seeks that:

- A performance standard as described above (submission 16/49/3) be included in the Zone provisions;
- The Variation be worded to enable any access proposal that goes outside of the performance standard to become a discretionary activity;
- In the event that a performance standard is not included in the Variation for controlled activities, that the Variation be amended to reflect that where applications, relating to access points off the State Highway into the Jacks Point Resort, do not have Transit's written approval then these applications will be publicly notified.

Jacks Point Limited [322/16/49/3] submits that it is inappropriate that Transit have absolute control over approval of access locations (if that is in fact what Transit is seeking). Controlled Activity status for access points which meet the required performance standard, and discretionary activity status for access points which do not meet such a standard, are appropriate, and render unnecessary any over riding requirement for Transit approval to access points.

Naturally Best New Zealand Limited [16/35/22] and **Shotover Park Limited** [16/41/22] submit that the proposed variation will have an adverse effect on the roading network. In particular, the proposed development will place significant additional pressure on the single lane Kawarau Bridge. The submitters seek that Variation 16 be rejected.

Jacks Point Limited [322/16/35/22] [322/16/41/22] oppose the submissions on the basis that the proposed variation will not have an adverse effect on the roading network, with specific reference to the Kawarau Bridge which is scheduled to be upgraded.

Henley Downs Holdings Limited [343/16/35/22] [343/16/41/22] submit that the submitters concerns as to regional planning matters and potential effects on State Highway 6 have not been shared by Transit NZ or the Otago Regional Council.

6.11.2 Consideration

Transit New Zealand raises concerns in regard to that part of section 12.2.2 of the District Plan which reads:

“Attention is drawn to the following District Wide Rules which may apply in addition to any relevant Zone Rules.”

The above phrase is considered adequate in drawing the attention of plan user's to other parts of the plan that may be relevant to the activity they are undertaking. It is also noted that the phrase is a generic one used throughout the plan.

Transit NZ seeks that:

- A staged access performance standard for Jacks Point is included in the performance standards for controlled activities;
- The access performance standard reflects the effects of development, as it progresses, on the safe and efficient management of the affected stretch of State Highway; and

- The access standard be developed in consultation with Transit NZ and in general accordance with the standards contained within the manual of Traffic Signs and Markings 1998.

Significant consultation has been undertaken with Transit NZ in regard to their submissions. With the assistance of Traffic Design Group Limited, an appropriate access design for Jacks Point Zone has been agreed to by Transit NZ. It is considered that the access design will provide adequately for the proposed level of development at Jacks Point (including the extension of the Zone to incorporate Homestead Bay and land owned by Henley Downs). Incorporated in the District Plan as a site standard, any deviation from the access design approved by Transit NZ would be assessed as a discretionary activity.

To ensure that the potential adverse effects of traffic generated by development at Jacks Point are avoided, it is considered appropriate that the relevant site standard also contain a provision requiring that access in accordance with the approved design is required to be established prior to:

- Any subdivision occurring within the Zone;
- The construction of an 18 hole golf course; and
- Any residential dwellings being occupied.

Prior to construction of the approved access, Woolshed Road will be used to access the Zone. It is considered appropriate that an advise note be included with the Jacks Point Zone provisions reiterating the need for a 'Traffic Management Plan', if and when construction traffic undertakes use of this road.

The concerns raised by submitters in regard to the potential adverse effects on the Kawarau Falls Bridge have not, to date, been raised by Transit NZ. In addition, the Traffic Report for Jacks Point Zone, produced by Traffic Design Group, makes the following comments:

"The proposed Jacks Point Variation will not contribute to the need for immediate improvement to the State Highway beyond the site other than the access development as described..."

From an overall traffic and transport perspective, the intersection proposed satisfying all of Transit NZ's geometric and construction standards, will have no more than minor effects on the operation of the State Highway. There are considered to be no wider-area traffic issues that would prevent approval of this Variation."

Having considered the comments from Transit NZ (including those made during formal consultation), and the report produced by Traffic Design Group, it is considered that the Variation will not result in more than minor adverse effect on the Kawarau Falls Bridge

6.11.3 Decision

That the submissions by **Transit New Zealand** [16/49/2] [16/49/3] and further submissions by **Jacks Point Limited** [322/16/49/1] [322/16/40/6] [322/16/49/3] [322/16/35/22] [322/16/41/22] and **Henley Downs Holdings Limited** [343/16/35/22] [343/16/41/22] are **accepted**, and that the submissions by **Transit New Zealand** [16/49/1], **Naturally Best New Zealand Limited** [16/35/22] and **Shotover Park Limited** [16/41/22] are **rejected**, and the following amendments are made to Variation 16:

"12.2.5.1 Site Standards

...

iii Access (Jacks Point Resort Zone)

- (a) Access to the Jacks Point Zone shall be from the Transit New Zealand approved access, located and constructed in accordance

with Figure 4 – Jacks Point Zone: Transit Approved Intersection Design.

(b) The approved access referred to in (a) above shall be established prior to:

- Any subdivision occurring within the Zone
- The completion of a golf course or any public recreation facilities within the Zone
- Any new residential dwellings within the Zone being occupied

Advisory Note: A ‘Traffic Management Plan’ is required to be submitted to Transit New Zealand from any persons using Woolshed Road in relation to construction and/or development at Jacks Point Zone.”

Additions to the Jacks Point Structure Plan: Refer Figure 13 – Jacks Point Zone: Transit Approved Intersection Design (Section 6.10.15 of the Jacks Point Decision).

Reasons for Decision

1. The proposed access design for Jacks Point Zone has been approved by Transit New Zealand.
2. The approved access design addresses those concerns raised by submitters in regard to the lack of certainty as to any access point or points onto the State Highway.
3. The proposed access will have no more than minor effects on the operation of the State Highway.
4. There are no wider-area traffic issues that can be addressed in the context of Variation 16.

6.12 Strategic Planning

The following submissions and further submissions relate to the requirement for the Council to develop a strategic plan for Queenstown before it proceeds with further development in the Coneburn Downs Area.

6.12.1 Submissions

Wakatipu Environmental Society [16/52/1] submits that no decision should be made on the Variation until a strategic plan has determined that the subject land is not needed to accommodate future urban growth in the district.

The submitter requests that the Variation is not proceeded with until a strategic development plan for the district has been approved by the community.

During the hearing, Ms Karen Swain, Acting President of WESI, brought the following issues to the Panel’s attention:

- As notified, Variation 16 is not consistent with the outcomes of the *Tomorrow’s Queenstown* community workshops held in June 2002. While the workshops did see a general consensus that the Coneburn area should be set aside for future urban development, it did not indicate that the local community called for another golf course and associated luxury housing.
- The community workshops identified the need to address issues associated with:
 - Appropriate and affordable housing;
 - Gaps between the rich and poor;
 - Large low wage and itinerant work forces; and
 - The community’s vulnerability to global and economic trends.
- The potential adverse effects of golf course development, particularly in the context of attempting to achieve a sustainable environment, must be considered.
- The potential adverse effects of the proposed development on the State Highway and public transport must be considered.

- Adequate public notification of the proposed development at Jacks Point has not taken place, and accordingly, it is inappropriate to proceed with the Variation.

Jacks Point Limited [322/16/52/1] opposes the submission by WESI. The reasons for opposition are:

- (a) There is no justification or necessity to delay determination of the Variation until a so called strategic plan has been prepared.
- (b) Any investigations into and consideration of appropriate uses of the land subject to Variation 16 can be carried out during the process of determination of that Variation.
- (c) There is no justification in delaying consideration and determination of the Variation until a strategic development plan for the district has been prepared and/or approved by the community.
- (d) Granting the relief requested in the submission will not achieve appropriate outcomes under the Resource Management Act 1991, would not be appropriate in terms of avoiding, remedying or mitigating adverse effects on the environment, would not constitute a wise and efficient use of natural and physical resources, and would not accord with the purpose and principles of the Resource Management Act.

Naturally Best New Zealand Limited [344/16/52/1] and **Shotover Park Limited** [345/16/52/1] support in part the submission by Wakatipu Environmental Society and submit that:

- (a) The proposed Variation is piece meal and unstrategic.
- (b) The rezoning of the area should only proceed once a strategic management plan has been prepared and approved for the Wakatipu Basin.
- (c) The strategic management plan should make provision for all the matters set out in NBNZL's submission number 16/35 and SPL submission number 16/41.

6.12.2 Consideration

Wakatipu Environmental Society sought that a Strategic Planning Process for the Wakatipu basin be carried out prior to a decision being made on Variation 16. Such a process was undertaken in June 2002 when the Council held community planning workshops. The workshops resulted in a strategic planning document being produced for the Council, namely, Tomorrow's Queenstown.

With regard to urban growth the strategic plan set urban boundaries around the Coneburn area, thus identifying Jacks Point as an area appropriate for urban development. The staging of urban development was considered important – areas should be used upon demand. New greenfields development should be at a higher density than in the past and consideration should be given to landscape values where they exist.

The general consensus that came out through exercises undertaken at the community planning workshops held in June 2002 was that the Coneburn area should accommodate future urban development.

It is considered that, subject to the amendments in this decision, Variation 16 is consistent with the outcomes of the Council's community planning workshops.

With regard to those matters raised by WESI at the hearing, it is considered that, while these matters are outside the jurisdiction of what may be considered in the context of the original submission, the Panel has given regard to those matters and addressed them to the best of their ability through the various mechanisms available to them.

With regard to the submission by Jacks Point Limited, it is noted that while the strategic planning process did not unduly delay the progression of Variation 16, such a process does have merit in assisting with the determination of the Variation. The strategic planning process involved a range of community members and as such resulted in a broad overview of the community's aspirations for the Wakatipu basin. In this context it is a very useful planning tool that has and will assist with the management of the District's resources.

With regard to the submissions by Naturally Best New Zealand Limited and Shotover Park Limited is considered that:

- The proposed development is not piece meal, but rather it manages the land in a comprehensive manner appropriate to such a landscape;
- The proposed development is, subject to the amendments in this decision, consistent with the outcomes of the community planning workshops held in June 2002; and
- The community planning workshops and resultant strategic plan address all those issues raised in the submitters' submissions and, in addition, many other resource management issues.

6.12.3 Decision

That the submission by **Wakatipu Environmental Society** [16/52/1] is **accepted**, and that the further submissions by **Jacks Point Limited** [322/16/52/1], **Naturally Best New Zealand Limited** [344/16/52/1] and **Shotover Park Limited** [345/16/52/1] are **rejected**.

Reasons for Decision

1. A necessary and appropriate strategic planning exercise, incorporating the Coneburn area, was carried out by the Council prior to a hearing date for Variation 16 being set.
2. Subject to the amendments within this decision, Variation 16 is consistent with the outcomes of the Council's strategic planning exercise.
3. The proposed development is not piece meal, but rather it manages the land in a comprehensive manner appropriate to such a landscape;
4. The community planning workshops and resultant strategic plan address all those issues raised in the submissions by Naturally Best New Zealand Limited and Shotover Park Limited.

12 Special Zones

Resort Zones – Shotover, Millbrook, Jacks Point and Waterfall Park
Rural Visitor Zones – Cecil Peak, Walter Peak, Cardrona, Blanket Bay, Arthurs Point, Arcadia Station and Windermere
Penrith Park Zone
Bendemeer Zone
Remarkables Park Zone

Introduction

There are areas within the district, which require special zones. These are resort zones, visitor zones and three residential zones.

12.1 Resort Zones

12.1.1 Resources and Activities

i Shotover Resort

The Council recognises the potential of the Shotover Resort to contribute to a demand for rural residential living in a sustainable manner which conserves and enhances amenity and rural character. The zoning provides for a nine-hole golf course and a range of passive and active recreation facilities. It encourages the compatibility of recreational and residential uses and provides facilities which contribute to the social amenities of the residential areas. It also has the potential to contribute to the visitor industry and economic development of the District. Given the visibility of the area it is appropriate to enable such activities by way of a special zone.

ii Millbrook Resort and Jacks Point ~~Resort~~

The Council recognises the potential of the Millbrook Resort and Jacks Point ~~Resort~~ to contribute to visitor and economic development within the District. This will arise from increased employment and visitor activity generated by the zones ~~resort~~. Both zones ~~resorts~~ provide for ~~two~~ golf courses ~~each~~ and a range of outdoor and indoor sporting and recreational activities. In Millbrook Resort hotel and other visitor accommodation exist along with support facilities and services. Similar developments are proposed for Jacks Point. The Resort zone recognises the special amenities of the rural area in which the development is located and provides for the on-going implementation of the activities of the resort.

iii Waterfall Park Resort

Waterfall Park is an established visitor facility, the main feature being the spectacular waterfall located in Mill Creek which flows through the centre of the property, and it provides outdoor recreation, entertainment areas and a restaurant. Given the importance of visitor industry to the District's economy, it is important to enable Waterfall Park to further develop and to provide a range of facilities.

12.1.2 Values

i Shotover Resort

The site lies within a high quality environment situated above the Lower Shotover River, with significant scenic values and wide open spaces, which development must take into account. Development can be carried out in a manner which conserves and enhances the important scenic and natural values of the area .

ii Millbrook Resort

The site contains four elements, which contribute to amenity and importance of the zone.

Firstly, the zone site is located within the Wakatipu Basin formation surrounded by an outstanding mountain landscape. Within the Basin glacial outwash gravels have created a contrasting landscape of rolling lowland hills, terraces and lakes.

Secondly, the site was one of the earliest developed farms in the District. The property was settled by the Butel family (origin France) who came to the area during the Arrowtown goldrush in the early 1860s. Instead of mining they set up a wheat farm and flour mill operation to provide for the rapidly expanding Arrowtown population. The original stone buildings housing the mill, stables, implement shed and blacksmith shop still remain, and many of the original implements and machinery are still on the property.

Thirdly, the site has been maintained in a high quality sward of pasture grasses. A large number of mature trees exist on the site, many of which date back to the first settlers. The tree species are predominantly European deciduous hardwoods including oaks, maples and walnuts. These mature trees give the farm an outstanding parkland character.

Finally, the site lies within a high quality environment in terms of its scenic, visual and climatic values, clean air and open vistas.

iii Waterfall Park Resort

The site lies within a high quality scenic environment adjacent to the Millbrook Resort Zone. Waterfall Park is unique to the District in that it is a visitor attraction resulting from a naturally occurring geological feature. The existing recreational areas and amphitheatre are located adjacent to the waterfall and continue along part of Mill Creek. The restaurant facility, reception area and car park are located on the north eastern boundary looking out on the waterfall and recreational areas.

iv Jacks Point ~~Resort~~

Jacks Point ~~Resort~~ is situated in the basin floor, surrounded by the outstanding natural landscape of *The Remarkables* range, Peninsula Hill and Lake Wakatipu.

The proposed zone has a varying landform across the site, comprising hummocky to channelled topography in the east by Kingston Road, a central valley that is flat to slightly undulating, an elevated schist ridge adjacent to Lake Wakatipu, the highest point of which is known as Jacks Point, and lakeside terraces extending around Homestead Bay, where recreational access to Lake Wakatipu can be provided. Homestead Bay is the first point south of Kelvin Peninsula where public access to the lake is available.

It is this variable topography and the resulting low visibility from surrounding areas that lead to a report commissioned by the Council in 1993 to identify a large portion of the site as being suitable for future development. As the site has been in pastoral management for many decades, there is little remnant native vegetation, except on the steep bluff dropping off into Lake Wakatipu. Most tree or shrub vegetation is in the form of recently planted as well as mature shelterbelts and the ever present briar and Matagouri.

12.1.3 Resource Management Issues

i Provision of Essential Services

Development may result in a considerable number of persons residing within the Zones, either as visitors or permanent residents. The provision of adequate sewage disposal, water supply and refuse disposal services is important in terms of ensuring the protection of ground water quality.

ii Visual Amenities

Development in the Zones must take into account potential conflict with nearby activities, with the productive use of adjoining rural land and the need to protect visual amenity of the environment because of their location.

Jacks Point has particular landscape and visual amenity issues due to its visibility from Lake Wakatipu, State Highway 6 (a scenic rural road) and adjoining mountain peaks. The surrounding land features, such as *The Remarkables*, Peninsula Hill, and Lake Wakatipu are all regarded as having outstanding natural qualities in terms of section 6(a) of the Resource Management Act and it is important that any development in this location is considered in relation to those qualities.

iii Traffic Safety and Access

Protection of the road network from activities which reduce safety and efficiency is desirable.

iv Pollution of Lake Hayes and Mill Creek (Millbrook and Waterfall Park Resorts)

Lake Hayes is a shallow water body with a depth of 33 m. Nutrients entering the lake from its catchment are high, arising from numerous limestone outcrops which are easily eroded and readily transported by water run-off. Grazing of stock comprises the major land use within the catchment and continual topdressing and other nutrient enrichment of pastures has meant run-off-entering watercourses is excessively high in phosphate and nitrate levels. This is particularly the case with Mill Creek.

v Historical Character (Millbrook Resort)

The site contains a unique history. The remaining large trees, grassed slopes and the historic design of the buildings is an important element in preserving the special value of Millbrook for the enjoyment of present and future residents and visitors.

vi Natural Character (Waterfall Park Resort)

The site contains a unique natural feature. The quality of the development is an important element in the preservation and enhancement of the waterfall for the enjoyment of present and future residents and visitors.

vii Public Access (Jacks Point ~~Resort~~)

Jacks Point is the only resort zone that adjoins a major natural lake. Public access to and along lakes are a matter of national importance in achieving the purpose of the Act. Significant opportunity exists through the development of this zone to enhance public access to the shores of Lake Wakatipu. Homestead Bay provides additional opportunities for public access to, and enjoyment of, the Lake.

12.1.4 Objectives and Policies

Objective 1 – Shotover Resort Zone

Development of rural residential living for permanent residents and visitors, in combination with recreational activities and visitor facilities.

Conserving and enhancing the physical and scenic values of the area and its setting.

Servicing to avoid adverse effects on the landscape, lakes, rivers and ecological values.

Policies:

- 1.1 *To ensure development is carried out in a comprehensive manner in terms of an appropriate strategy and activities are compatibly located.*
- 1.2 *To ensure buildings and other structures are appropriate to the area with regard to external appearance.*
- 1.3 *To identify activities which are appropriate.*
- 1.4 *To avoid, remedy or mitigate adverse effects of uses, activities, buildings and structures to ensure a reasonable standard of amenity.*
- 1.5 *To ensure sewage disposal, water supply and refuse disposal services are provided which avoid, remedy or mitigate adverse effects on the water or other environmental qualities, on and off the site.*

Implementation Methods

The objectives and associated policies will be implemented through:

- (i) **District Plan**
 - (a) Rules relating to the location of activities, building external appearance, parking, air emission, and the provision of essential services.

Explanation and Principal Reasons for Adoption

Residential living will be enabled, together with a range of active and passive recreational activities and social facilities. The focus of the recreational activities will be the golf course and equestrian centre, and development is to complement these.

To ensure development takes place in an integrated manner the Council considers it appropriate to include a Structure Plan. Minor amendments may be considered by the Council through the resource consent procedure.

The desirability of enabling a range of building design types has been recognised. It is important that design is compatible with the objectives of the Zone and avoids, remedies or mitigates adverse effects on adjoining areas.

The establishment of services is necessary and should include roads, car parks, dams and other structures.

A broad range of activities is permitted including recreational activities, residential living, and facilities which contribute to social amenities. Given the special nature of the Zone, any activities involving buildings and other structures need to be assessed in terms of the location and style of development.

It is recognised that some activities may have the potential to adversely impact on amenities and character and it is considered necessary to assess such proposals as discretionary activities.

Objective 2 Millbrook Resort Zone

Visitor, residential and recreation activities developed in an integrated manner with regard for landscape, heritage, ecological, water and air quality values and minimal impact on adjoining neighbours and roads.

Policies:

- 2.1 *To reduce nutrient levels and other pollutants generally and within Mill Creek and to improve and protect the water quality of Lake Hayes.*
- 2.2 *To ensure an adequate level of sewage disposal, water supply and refuse disposal services are provided which do not impact on water or other environmental qualities on or off the site.*
- 2.3 *To require the external appearance of buildings to have regard to landscape and heritage values of the site.*
- 2.4 *To require development to be located in accordance with a Structure Plan to ensure the compatibility of activities and to minimise the impact on neighbouring activities, the road network and the landscape amenity of the Basin.*
- 2.5 *To protect and enhance the important heritage features on the site, particularly the original farm buildings and tree plantings.*
- 2.6 *To require adequate on-site car parking.*
- 2.7 *To control air emissions for visual amenity purposes.*
- 2.8 *To control the take-off and landing of aircraft.*

Implementation Methods

The objective and associated policies will be implemented through a number of methods including:

- (i) **District Plan**

- (a) Rules relating to the location of activities, external appearance, parking, air emission, helicopter activities and the provision of essential services.
- (b) Controls on development to protect the catchment of Mill Creek and Lake Hayes.
- (c) District Plan rules to protect the important heritage features on the site.
- (ii) **Other Methods**
 - (a) Encourage a reduction in the use of fertiliser in the catchment.
 - (b) Encourage the establishment of planted stream bank buffer strips with stock excluded.
 - (c) Encouraging the re-establishing wetlands and ponds in Mill Creek.
 - (d) Controlling the discharge of pollutants that can enter Lake Hayes.

Explanation and Principal Reasons for Adoption

The Council considers that development within the Zone should recognise the particular nutrient enrichment problems associated with Mill Creek and Lake Hayes. In order to achieve this objective the Council has not provided for farming uses within the Zone.

The Council and Millbrook have an agreement whereby Millbrook have paid a contribution toward connection to the Arrowtown Lower Shotover Treatment Plant pipeline.

Millbrook has also contributed to the upgrading of the Arrowtown Water Scheme to enable that scheme to supply Millbrook's anticipated fully developed potable water requirements. The Council has supplied water to the boundary of the zone as part of that agreement.

The operators of the complex will also be required to deposit all refuse at a Council approved landfill.

Full development of the Zone will extend into the next century. A comprehensive range of sporting, leisure and visitor activities can be undertaken within the Zone together with conference, commercial, hotel and other residential uses. The focus of the sporting activities will be the golf courses with the provision of other activities and residential use linked to this. The central area of the Zone will be comprised of the Millbrook Village, on the periphery of which will be other recreational activities and clusters of residential dwellings of different types.

In order to facilitate the staged development within the Zone the Council believes a Structure Plan, which recognises the activities, character and amenities of the Zone and the area, is essential. The purpose of the Structure Plan is to provide for and enhance the amenities of the area and ameliorate any adverse effects of development.

To ensure the special amenities of the Zone and the outstanding character of the surrounding landscape are protected, buildings will require consent in terms of their external appearance. The assessment matters are directed at ensuring and enhancing the special character of the particular activity sections within the Zone as defined by the Structure Plan.

An extensive number of mature trees are established on the Millbrook site many dating back to the first settlers. These mature trees give the farm a parkland character.

The Wakatipu Basin including Arrowtown and Frankton provide the living environment for a significant number of the District's residents. As such it is important to protect the air clarity and quality of the basin as well as minimise noise impact from aircraft on surrounding living environments.

Objective 3 – Waterfall Park Resort Zone

Development of visitor, residential and recreational facilities for permanent residents and visitors.

Conserving and enhancing the natural and scenic values contained within the property and it's setting.

Developing and servicing the property to avoid adverse effects on the landscape, Mill Creek and ecological values.

Policies:

- 3.1 *To reduce nutrient levels and other pollutants generally and within Mill Creek and to improve and protect the water quality of Lake Hayes.*
- 3.2 *To ensure an adequate level of sewage disposal, water supply and refuse disposal services are provided which do not impact on water or other environmental qualities on or off the site.*
- 3.3 *To ensure buildings and other structures erected within the zone are appropriate to the area in which they are located, with regard to external appearance.*
- 3.4 *To require all development to be located in accordance with the Structure Plan.*
- 3.5 *To protect and enhance the important natural feature on the site.*
- 3.6 *To require adequate on-site vehicle parking and manoeuvring.*
- 3.7 *To control air emissions for visual amenity purposes.*
- 3.8 *To protect and enhance Mill Creek as an important brown trout spawning habitat.*

Implementation Methods
<p>The objective and associated policies will be implemented through a number of methods including:</p> <ul style="list-style-type: none"> (i) District Plan <ul style="list-style-type: none"> (a) Rules relating to the location of activities, external appearance of buildings, parking, air emission and the provision of essential services. (b) Controls on development to protect the catchment of Mill Creek and Lake Hayes.

(c)	District Plan rules to protect the important natural features on the site.
(ii) Other Methods	
(a)	Encourage a reduction in the use of fertiliser in the catchment.
(b)	Encourage the establishment of planted stream bank buffer strips with stock excluded.
(c)	Encourage the re-establishing wetlands and ponds in Mill Creek.
(d)	Controlling the discharge of pollutants that can enter Lake Hayes.

Explanation and Principal Reasons for Adoption

The Council considers development within the zone should recognise the particular nutrient enrichment problems associated with Mill Creek and Lake Hayes. In order to achieve this objective the Council has not provided for farming uses within the zone.

Water supply for development in the zone will be provided from a connection to a Council owned and operated reticulated water supply, should a connection be made between the Arrowtown and Lake Hayes Council owned water supply system. Alternatively, a community owned water supply for the zone will be developed from a suitable internal water source such as a bore within the zone.

Sewage effluent from development within the zone will be discharged into a Council owned and operated reticulated sewage treatment and disposal system if available. Alternatively, on-site disposal of treated waste which provides for measures to prevent contamination and nutrient loadings in the Mill Creek catchment is considered appropriate. Such treatment and disposal options within the Zone would be required to be operated as a community owned facility.

Waste and refuse generated within the Zone will be required to be deposited at a Council approved landfill site. Such sites are prohibited within the zone.

A Structure Plan is included as part of the Zone to ensure development proceeds in an integrated manner. The purpose of the Structure Plan is to provide for and enhance the amenities of the area and ameliorate any adverse effects of development. Minor amendments to the Structure Plan will be considered by the Council through the resource consent procedure.

To ensure the special amenities of the Zone and the surrounding landscape are protected, buildings will require consent in terms of their external appearance. The assessment matters are directed at ensuring and enhancing the special character of the particular activities permitted within the Zone as identified by the Structure Plan.

Objective 4 – Jacks Point ~~Resort~~ Zone

To enable development of an integrated ~~resort~~ community, incorporating residential activities, visitor accommodation, small-scale commercial activities and outdoor recreation – with appropriate regard for landscape and visual amenity values, servicing and public access issues.

Policies:

- 4.1 *To 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.*
- 4.2 *To ensure an adequate level of sewage disposal, water supply and refuse disposal services are provided which do not impact on water or other environmental values on or off the site.*
- 4.3 *To require the external appearance, bulk and location of buildings to have regard to the landscape values of the site.*
- 4.4 *To require development to be located in accordance with a Structure Plan to ensure the compatibility of activities and to mitigate the impact on neighbouring activities, the road network and landscape values.*
- 4.5 *To control the take-off and landing of aircraft within the zone.*
- 4.6 *To 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*
- 4.7 *To ensure that subdivision, development and ancillary activities on the Tablelands and Jacks Point are subservient to the landscape.*
- 4.8 *To provide for local biodiversity through:*
 - *the protection and enhancement of existing ecological values, in a holistic manner;*
 - *Reduction in grazing around wetland areas; and*
 - *The provision of links between grey shrublands, wetlands and the lakeshore escarpment.*
- 4.9 *To ensure that development within the sensitive areas of the Zone results in a net environmental gain.*
- 4.10 *To ensure that residential development is not readily visible from the State Highway.*
- 4.11 *To ensure that subdivision and development does not compromise those visual amenity values associated with the southern entrance to Queenstown.*
- 4.12 *To provide for the development of lakeside activities in the Homestead Bay area, in a manner which complements and enhances amenity values.*
- 4.13 *To ensure substantial native revegetation of the lake foreshore and open spaces within Homestead Bay.*
- 4.14 *To 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.*
- 4.15 *To avoid mining activities which do not contribute to the sustainable development of the Jacks Point Zone.*

Implementation Methods

The objective and associated policies will be implemented through a number of methods including:

(i) District Plan

- (a) Adherence to a structure plan to ensure comprehensive and integrated development within the zone.
- (b) Rules assigned to avoid, remedy or mitigate the effects of use and development of land.

(ii) Other Methods

- (a) Development Controls and Design Guidelines ~~covenants~~ in respect of buildings and landscaping.
- (b) Jacks Point Stakeholders Deed

Explanation and Principal Reasons for Adoption

The purpose of the Jacks Point Structure Plan is twofold. The first purpose is to identify activity areas in which development is appropriately managed. The second purpose is to ensure the long term comprehensive and integrated management of the zone. The Structure Plan forms part of the District Plan and any amendment to it requires a Plan Change. Deviations to the Structure Plan can be made through the resource consent process, the significance of the deviation determining the status of the resource consent application (ie. controlled, discretionary or non-complying).

The protection of visual amenity and landscape values are of critical importance in the development of the zone and it's successful integration into the wider outstanding natural landscape. This is achieved in part through the Structure Plan and in part through the external appearance, bulk and location of buildings constructed within the zone.

Water supply for development in the zone is proposed to be provided from either a bore within the zone or extracted from Lake Wakatipu. Both methods will result in an uncontaminated plentiful supply.

Sewage effluent from development within the zone is proposed to be discharged on-site through a high quality treatment method that provides for measures to prevent contamination and nutrient loadings into Lake Wakatipu. Waste and refuse generated within the Zone is required to be deposited at a Council approved landfill site.

The Stakeholders Deed embodies the agreement reached between the primary landowners of the Coneburn Land and the Council, ensuring that the land within the Zone will be developed in a coordinated and harmonious manner and that the environmental and community outcomes envisaged by the Deed will be achieved.

12.1.5 Environmental Results Anticipated

- i The following environmental results are anticipated in the Shotover, Millbrook and Jacks Point Resorts:
- (a) Preservation of the open space and rural amenity.
 - (b) Preservation and enhancement of the recreational facilities while conserving the key physical and scenic values of the area namely:
 - i recognition of the predominant land forms surrounding the site particularly the peaks and mountain ranges.
 - ii recognition and enhancement of the important vegetation on the site.
 - iii recognition and enhancement of the important natural and visual resources that dominate the site.
 - (c) Provision of a range of accommodation facilities while ensuring the quality of the local environment is maintained.
 - (d) Exclusion or mitigation of activities which cause adverse environmental effects through the use of performance standards.
 - (e) Ensuring traffic safety on local roads and State Highway 6.
 - (f) Maintenance and enhancement of the water quality of Mill Creek and Lake Hayes.
 - (g) Resorts at Millbrook and Jacks Point which complement the rural and alpine environment of the Wakatipu Basin in both design and general visual appearance.
 - (h) ~~Achieving~~ Enhancing public access to the lake foreshore from State Highway 6 and facilitating increased use and enjoyment of Lake Wakatipu (Jacks Point).
 - (i) Completion of a public walkway connecting Jardine's Park (Kelvin Heights) with the public recreation area south of Lakeside Estates.
- ii The following environmental results are anticipated in Waterfall Park Resort:
- (a) Preservation and enhancement of the amenity values of the waterfall and Mill Creek which dominate the site and provide its scenic and visual values.
 - (b) Provision of a range of passive recreational activities, open space, residences and resort services in positions which ensure that the quality of the environment is maintained.
 - (c) Development of a resort which complements the natural features of the site in terms of design and visual appearance.
 - (d) Exclusion or mitigation of activities which cause adverse environmental effects through the use of performance standards.
 - (e) Preservation and enhancement of Mill Creek as a spawning bed for brown trout.

12.2 Resort Zone Rules

12.2.1 Zone Purposes

The purpose of the Shotover Resort Zone is to enable residential living and a range of passive and active recreation facilities.

The purpose of the Millbrook Resort Zone is to provide for a visitor resort of high quality covering approximately 200ha of land near Arrowtown. Millbrook provides for recreational, commercial, residential and visitor activities and the general amenity of the Zone is one of higher density development enclaves located in the open rural countryside with well landscaped grounds. The Zone provides for golf courses and a range of other outdoor and indoor sporting and recreational activities. Hotel and residential accommodation are provided for, together with support facilities and services.

The purpose of the Waterfall Park Resort Zone is to provide for open space and passive recreational activities in conjunction with residential, visitor accommodation and commercial activities in a high amenity environment.

~~The purpose of the Jacks Point Zone is to provide for a high quality destination golf resort covering approximately 420ha of land between the Remarkables and Lake Wakatipu. The zoning anticipates two 18-hole championship golf courses, a luxury lodge, and a variety of residential activities.~~

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

The anticipated villages 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 design guidelines, in conjunction with provisions of the District Plan and other methods, will ensure that the villages contribute to providing 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 educational and medical facilities, craft and winery activities, outdoor recreation and enhanced access to and enjoyment of Lake Wakatipu.

12.2.2 District Rules

Attention is drawn to the following District Wide Rules which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter.

(i)	Heritage Protection	-	Refer Part 13
(ii)	Transport	-	Refer Part 14
(iii)	Subdivision, Development and Financial Contributions	-	Refer Part 15
(iv)	Hazardous Substances	-	Refer Part 16
(v)	Utilities	-	Refer Part 17
(vi)	Signs	-	Refer Part 18
(vii)	Relocated Buildings and Temporary Activities	-	Refer Part 19

12.2.3 Activities

12.2.3.1 Permitted Activities

Any Activity which complies with all the relevant **Site** and **Zone** Standards and is not listed as a **Controlled, Discretionary, Non-Complying or Prohibited** Activity, shall be a **Permitted Activity**.

12.2.3.2 Controlled Activities

The following shall be **Controlled Activities** provided they are not listed as a **Prohibited, Non-Complying or Discretionary Activity** and they comply with all the relevant **Site** and **Zone** Standards. The matters in respect of which the Council has reserved control are listed with each **Controlled Activity**.

i Recreation Facilities

- (a) In the Shotover Resort Zone recreation facilities for active and passive purposes, including, but not limited to those for the purposes of golf, tennis and croquet excluding equestrian activities. Provided in those areas shown as G1 on the Structure Plan, recreation facilities for passive and active recreation shall not include buildings or structures.
- (b) In the Waterfall Park Resort Zone recreation facilities for active and passive purposes. Provided in those areas shown as O/P on the Structure Plan, facilities for passive and active recreation shall not include buildings or structures.

ii Residential Activities

In the Shotover Resort Zone residential activities provided the maximum number of residential units which may be erected within the Zone shall not exceed 160.

iii Visitor Accommodation

In the Shotover Resort and Waterfall Park Resort Zones all Visitor Accommodation.

iv Administration

In the Shotover Resort and Waterfall Park Resort Zones administration and servicing of facilities within the Zone, including storage, maintenance and depot facilities.

v Community Activities

- (a) In the Shotover Resort and Waterfall Park Resort Zones community activities limited to crèches and other child care facilities, conference and theatre facilities .

vi Dams and Other Structures

- (a) In the Shotover Resort Zone dams and other structures for the retention of water, associated ponds and streams, water races, drains, channels and pipes provided that all necessary authorisations are obtained from the appropriate authority
- (b) In the Shotover Resort Zone water and irrigation races, drains, channels and pipes, provided authorisation is obtained from the appropriate authority.
- (c) In the Waterfall Park Resort Zone structures for the retention of water, ponds, streams, water races, drains, channels and pipes.

vii Education Facilities

In the Waterfall Park Resort Zone education facilities.

All activities from i to vii above are controlled in respect of the following matters:

- (a) Location and external appearance of buildings
- (b) Setback from roads
- (c) Setback from internal boundaries
- (d) Vehicle access and street layout
- (e) Outdoor living space
- (f) Street scene including landscaping
- (g) Enhancement of ecological and natural values
- (h) Provision for internal walkways, cycle ways and pedestrian linkages
- (i) Noise
- (j) Hours of operation.

viii Buildings

- (a) In the Millbrook Resort Zone buildings which comply with Figure 1 Structure Plan – Millbrook Resort Zone with the exercise of the Council's control being limited to the external appearance of the building and to the effect of visual values of the area including coherence with the surrounding buildings.
- (b) In the Waterfall Park Resort Zone buildings with the exercise of the Council's control being limited to the external appearance of the building and to the effect of visual values of the area including coherence with the surrounding buildings.
- (c) In the Jack's Point Zone buildings which comply with the relevant Jacks Point Structure Plan ~~Figure 1 Structure Plan – Jacks Point Zone~~ with the exercise of the Council's control being limited to:
 - the external appearance of buildings with respect to the effect on visual values of the area and coherence with surrounding buildings; and
 - infrastructure and servicing; and
 - associated earthworks and landscaping; ~~and~~
 - access;
 - location; and
 - compliance with any relevant Council approved development controls and design guidelines.
- (d) In the Jacks Point Zone, residential buildings located within the Homesite Activity Areas (HS Activity Areas), with the exercise of the Council's control being limited to:
 - the external appearance of buildings with respect to the effect on visual and landscape values of the area;
 - The protection and enhancement of Wetland areas within and adjacent to the site;
 - infrastructure and servicing;
 - associated earthworks and landscaping;
 - access and parking;
 - bulk and location;
 - exterior lighting; and
 - compliance with any relevant Council approved development controls and design guidelines.

ix Parking, Loading and Access

- (a) In the Shotover Resort Zone parking, loading and access in respect of the impact on the safety and efficiency of the surrounding road network and the number of parking spaces to be provided.
- (b) In the Millbrook Resort, Jacks Point and Waterfall Park Zones parking, loading and access in respect of the location and design of access points and their impact on the safety and efficiency of the surrounding road network, and the number of parking spaces to be provided.

x Landscaping and Public Access (Jacks Point Zone)

The design of the Lakeshore, Peninsula Hill and Highway Landscape Protection Areas and provision of public access to Lake Wakatipu through the zone, and for planting within the Open Space – Foreshore Activity Area in respect of:

- All landscaping;
- Species proposed;
- Long term management considerations;
- The maintenance of view shafts;
- Integration with adjoining land uses;
- Mode of access, i.e. walking, cycle or motor vehicle;
- Alterations to the alignment of the public access route shown on the structure plan

xi Earthworks

In the Jacks Point Zone, earthworks associated with golf course development, that exceed 1,000m³ in volume and/or 2,500m² of exposed topsoil at any time.

xii Outline Development Plan – Residential Activity Areas

In the Jacks Point Zone, the Outline Development Plan of any Residential (R) Activity Area lodged with the Council for approval pursuant to Rule 12.2.5.1(xi), in respect of:

- (a) Roading pattern.
- (b) Indicative subdivision design and lot configuration and allotment sizes.
- (c) Compliance with the relevant Density Master Plan.
- (d) Mitigation measures to ensure that no building will be readily visible from State Highway 6.
- (e) Mitigation measures to ensure that no building in the central valley will be readily visible from Lake Wakatipu.
- (f) Proposed setbacks from roads and internal boundaries.
- (g) Pedestrian links through the (R) Activity Area to connect with surrounding or adjoining (G) and/or (O/P) Activity Areas.
- (h) The identification of areas for visitor parking which have regard to the amenity values of the Zone.
- (i) Proposed landscaping to be situated on any road reserve or other land intended to be accessible to the public.

- (j) The maintenance of view shafts.
- (k) The relationship and preservation of public use of and access to public open spaces.
- (l) The Design Guidelines which will apply to all buildings erected within the area subject to the Outline Development Plan.

xiii Outline Development Plan – Village Activity Areas

In the Jacks Point Zone, the Outline Development Plan of any Village (V) Activity Area lodged with the Council for approval pursuant to Rule 12.2.5.1(xiii), in respect of:

- (a) Roading pattern.
- (b) Indicative subdivision design and configuration and allotment sizes.
- (c) Compliance with the relevant Density Master Plan.
- (d) Proposed setbacks from roads and internal boundaries.
- (e) Pedestrian links through the (V) Activity Area to connect with surrounding or adjoining (G) and/or (O/P) Activity Areas.
- (f) The identification of areas for visitor parking which have regard to the amenity values of the Zone.
- (g) Proposed landscaping to be situated on any road reserve or other land intended to be accessible to the public.
- (h) The maintenance of view shafts.
- (i) The relationship and preservation of public use of and access to public open spaces.
- (j) The Design Guidelines which will apply to all buildings erected within the area subject to the Outline Development Plan.

12.2.3.4 Discretionary Activities

The following shall be **Discretionary Activities** provided they are not listed as a **Prohibited or Non-Complying** Activities and they comply with all the relevant **Zone** Standards:

i Commercial Recreation Activities Limited to:

- (a) In the Shotover Resort Zone, Equestrian Centre, stables and associated facilities
- (b) In the Shotover Resort Zone night golf and facilities associated with night golf activity, except within the area on the Structure Plan shown as G1.

ii Storage of Vehicles

In the Shotover Resort Zone the use of the existing stone buildings within 150 m of Lots 1 and 2 DP 24120 and Lot 1 DP 21400 for any activity other than storage of vehicles.

iii Buildings

(a) In the Millbrook Zone all buildings which do not comply with Figure 1 Structure Plan – Millbrook Resort Zone.

~~(b) In the Jacks Point Zone all buildings which do not comply with the relevant Jacks Point Structure Plan Figure 1 Structure Plan – Jacks Point Zone.~~

In the Jacks Point Zone, buildings located within the Lodge Activity Areas (L Activity Areas), with the exercise of the Council's discretion being limited to:

- the external appearance of buildings with respect to the effect on visual and landscape values of the area;
- infrastructure and servicing;
- associated earthworks and landscaping;
- access and parking;
- bulk and location;
- height;
- exterior lighting; and
- compliance with any relevant Council approved development controls and design guidelines.

(c) In the Jacks Point Zone, within any Homesite Activity Area (HS Activity Area), the addition of any building which results in a total building footprint greater than 1000m² within that Activity Area, with the exercise of Council's discretion limited to those matters identified in Rule 12.2.3.2(viii)(d) above.

~~(d) In the Jacks Point Zone, buildings directly associated with services (refer definition) which do not comply with the relevant Structure Plan, with the exercise of Council's discretion limited to those matters identified in Rule 12.2.3.4(iii)(b) above.~~

iv Residential Units

(a) In the Waterfall Park Zone all residential activities provided that the maximum number of residential units within the zone shall not exceed 100.

(b) In the Shotover Resort Zone any more than two residential units on Lot 6 DP 22166.

v Airports

(a) Limited to a single helicopter landing area in the Millbrook Resort Zone;

(b) Limited to helicopter landing areas in the Jacks Point ~~Resort~~ Zone.

vi Vegetation (Jacks Point Zone)

In the Jacks Point Zone:

- (a) Within the Highway Landscape Protection Area (refer Structure Plan) – the planting and/or growing of any tree which may or does obscure views from the State Highway to the mountain peaks beyond the zone.
- (b) Within the Peninsula Hill Landscape Protection Area (refer Structure Plan) – the planting and/or cultivation of any tree or shrub which is not indigenous and characteristic of the Peninsula Hill escarpment.
- (c) Within the Lakeshore Landscape Protection Area (refer Structure Plan) the planting and/or cultivation of any tree or shrub which is not indigenous and characteristic of the Lake Wakatipu foreshore.
- (d) Within the Tablelands and Jacks Point Area (refer Structure Plan), the planting and/or cultivation of any exotic vegetation, with the exception of endemic grass species.
- (e) Anywhere within the zone, the planting and/or growing of the following tree species:
 - Pinus muricata; or
 - Pinus contorta; or
 - Pinus nigra.

vii Earthworks (Jacks Point Zone)

In the Jacks Point Zone, earthworks which are not associated with a subdivision, the construction, addition or alteration of any building, or golf course development, and do not comply with the site and zone standards for earthworks in the Low Density Residential Zone (as amended from time to time), with the exercise of Council's discretion being limited to:

- The protection of amenity values;
- The protection of adjoining sites;
- Any other necessary environmental protection measures; and
- The potential impacts on sites of cultural and archaeological heritage value.

viii Golf Course Development (Jacks Point Limited)

With the exception of one 18-hole golf course in accordance with Zone Standard 12.2.5.2 (d), any golf course development, with the exercise of Council's discretion being limited to:

- The community's desire for an additional golf course; and
- Whether the proposed golf course will assist in providing for the economic, social and cultural wellbeing of the community.

ix Outdoor Swimming Pools (Jacks Point Zone)

In the Jacks Point Zone, any outdoor swimming pool located within the Tablelands and Jacks Point Area (except spa pools less than 9m² and located within any Homesite or Lodge Activity Area) shall be a restricted discretionary activity, with the exercise of Council's discretion being limited to:

- Associated earthworks and landscaping;
- Colour;
- Fencing;
- Consistency with any Council approved development controls and design guidelines for the area.

x Mining

In the Jacks Point Zone, the mining of rock and/or aggregate and/or gravel, for use within that Zone.

xi Health and Education Services

In the Jacks Point Zone, health and education services and facilities, with the exercise of Council's discretion being limited to:

- The potential for the proposed activity to compromise the provision of existing community health and education services within the Wakatipu basin; and
- The extent to which the proposed activity is necessary and assists in the development of a sustainable community at Jacks Point.

12.2.3.5 Non-Complying Activities

The following shall be **Non-Complying Activities**, provided that they are not listed as a **Prohibited Activity**:

i Factory Farming

ii Farming

In the Millbrook Resort and Waterfall Park Resort Zones all farming activities.

iii Forestry Activities

iv Mining Activities

With the exception of the mining of rock and/or aggregate and/or gravel in the Jacks Point Zone, as provided for by rule 12.2.3.4 (vii).

v Industrial and Service Activities

With the exception of service activities in the Jacks Point Zone

vi Airports

Airports **other than**

- (a) the use of land and water for emergency landings, rescues and fire fighting.
- (b) a single helicopter landing area approved as a discretionary activity under Rule 12.2.3.4 (v) in each of the Millbrook Resort Zone.
- (c) helicopter landing areas approved as a discretionary activity under Rule 12.2.3.4 (v) in the Jacks Point ~~Resort~~ Zone.

vii Buildings

- (a) In the Waterfall Park Resort Zone buildings within 7 m of Mill Creek.
- (b) In the Jacks Point Zone all buildings which do not comply with the relevant Structure Plan.

Except any building authorised pursuant to Rule 12.2.3.4(iii)(d)

viii Residential Flat

Except in the Jacks Point Zone

ix Wetlands

In the Jacks Point Zone, any development, landscaping and/or earthworks within 20 metres of any wetland area identified on the relevant structure plan.

x Outdoor Tennis Courts (Jacks Point Zone)

In the Jacks Point Zone, any outdoor tennis court located within the Tablelands and Jacks Point Area.

Any Activity which is not listed as a **Prohibited Activity** and which does not comply with one or more of the relevant **Zone Standards**, shall be a **Non-Complying Activity**.

12.2.3.6 Prohibited Activities

The following shall be **Prohibited Activities**:

- i Panelbeating, spray painting, motor vehicle repair or 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.

In the Shotover Resort Zone any activities within 150 m of Lot 1 and 2 DP 24120 and Lot 1 DP 21400 and within 200 m of Lot 4 DP 22166, other than the use of such land as the golf course, and for the provision of water required for the continued maintenance of the golf course provided that this Rule 12.2.3.6 ii does not apply to any residential or rural use or activity proposed in relation to or undertaken on Lot 6 DP 22166.

12.2.4 Non-Notification of Applications

- (a) In the Jacks Point ~~Resort~~ Zone the design and layout of the Highway and Lakeshore Landscape Protection Areas and Open Space – Foreshore Activity Area under Rule 12.2.3.2 (x) and any variation of the Public Access Route shown on the Jacks Point Structure Plans may be publicly notified under section 94 of the Act.
- (b) Any application for a resource consent for the following matters may be considered without the need to obtain a written approval of affected persons and need not be notified in accordance with Section 93 of the Act, unless special circumstances exist in relation to any such application:
 - (i) All applications for **Controlled Activities**.

12.2.5 Standards - Activities**12.2.5.1 Site Standards****i Structure Plan**

The siting of buildings and activities within the Resort Zones must be in conformity with the Activity areas of the relevant **Structure Plans** as set out below and in Figure 1 to this Rule, except for Accessory, Utility and Service Buildings less than 40m² floor area in the Millbrook and Waterfall Park Resort Zones. The location of activities as provided for by the Structure Plan is restricted to the following:

- (a) Residential Activities Area (R) - the use of this area is restricted to Residential Activities.

- (b) Village Area (V) – In the Shotover Resort, Jacks Point and Millbrook Resort Zones 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. In the Jacks Point ~~Resort Zone, retail activities, small-scale commercial activities, health activities, educational activities, office and administration activities,~~ and indoor and outdoor recreation facilities are also allowed in this area. In the Waterfall Park Resort Zone the use of this area is restricted to Residential and Visitor Accommodation Activities including bars and restaurants, theatres, conference, cultural and resort facilities and office and administration activities ancillary to the above activities.
- (c) Recreation Activities (F) - the use of this area is restricted to recreation activities.
- (d) Golf Course and Open Space (G) – the use of this area is restricted to outdoor recreation activities and open space provided that up to two residential units may be established on Lot 6 DP 22166
- (e) Open Space, Landscaping and Passive Recreation (O/P) – the use of this area is restricted to outdoor recreation activities and open space.
- (f) Resort Services (S) – the use of this area is restricted to service and maintenance facilities for other activities in the Zone.
- (g) Lodge Activity Area (L) – the use of this area is restricted to visitor accommodation activities, restaurants, conference or meeting facilities.
- (h) Homesite Activity Area (HS Activity Area) – the use of this area is restricted to Residential Activities and, in addition, a maximum of one residential unit per HS Activity Area.
- (i) Open Space – Vineyard (OSV) – the use of this area is restricted to a vineyard, associated winery and accessory buildings and activities, and residential activities, provided that:
- (i) No more than 15 building platforms are permitted within the Activity Area;
 - (ii) Those 15 building platforms referred to in (i) above are confined to 3 or 4 clusters; and
 - (iii) No building is to be erected prior to a vineyard being planted within the Activity Area.
- (j) Open Space – Foreshore (OSF) – the use of this area is restricted to the regeneration of native endemic species over 80% of the land area, and retention of open space.
- (k) Open Space (OS) – the use of this area is restricted to pastoral and arable farming and endemic revegetation.
- (l) Open Space – Residential (OSR) – the use of this area is restricted to 12 low level, low impact residential dwellings set within a regenerating foreshore environment, provided that:
- (i) Prior to any development occurring within any allotment located within the Open Space - Residential Activity Area, at least 50% of that allotment must be planted with native vegetation.
- (m) Farm Buildings and Gaft 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 activities, retail sales of goods produced or reared on site, a farmstay and a bed and breakfast operation.

- (n) Boating Facilities Activity Area (BFA) – the use of this area is limited to a double boat ramp, jetty, a weather protection feature, a boat shed and associated boat/trailer/car parking and public facilities, provided that all facilities are available for public use.

ii Setback from Roads and Internal Boundaries

- (a) No building or structure shall be located closer than 6m to the Zone boundary, **except:**
- (i) in the Jack's Point ~~Resort~~ Zone (excluding the Boating Facilities (BFA) Activity Area) no building or structure shall be located closer than 20 m to the Zone boundary.
 - (ii) This rule shall not apply to the Boating Facilities (BFA) Activity Area in the Jacks Point Zone.
- (b) In the Shotover Resort Zone no building shall be located within the following minimum setback distances from Jims Way or Tucker Beach Road:
- | | | |
|----|---|-----|
| i | Buildings for Residential Accommodation, Recreation Activities, Retail Activities | 10m |
| ii | Buildings for Visitor Accommodation | 20m |
- (c) In the Millbrook Resort Zone no building shall be located within the following minimum setback distances from Malaghan Road or the Arrowtown Lake Hayes Road:
- | | | |
|----|---|-----|
| i | Buildings for Residential Accommodation, Recreation Activities, Retail Activities | 10m |
| ii | Buildings for Visitor Accommodation | 20m |

iii Access (Jacks Point ~~Resort~~ Zone)

- (a) Access to the Jacks Point Zone shall be from the Transit New Zealand approved access, located and constructed in accordance with Figure 4 – Jacks Point Zone: Transit Approved Intersection Design.
- (b) The approved access referred to in (a) above shall be established prior to:
- Any subdivision occurring within the Zone
 - The completion of a golf course or any public recreation facilities within the Zone
 - Any new residential dwellings within the Zone being occupied

Advisory Note: A 'Traffic Management Plan' is required to be submitted to Transit New Zealand from any persons using Woolshed Road in relation to construction and/or development at Jacks Point Zone.

iv Planting (Jacks Point Zone)

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 revegetated with native vegetation. The area required to be revegetated for the purposes of this rule shall be the greater of 3,000m² or 20 per cent of the area of the lot or title within which the Homesite

Activity Area is situated. The area to be revegetated may, at the election of the owner of lot or title, be situated all or partly within the lot or title within which the Homesite Activity Area is situated and/or all or partly in another location(s) agreed by the Council. 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.

v Fencing (Jacks Point Zone)

There shall be no fences or walls within or on the boundary of any lot or title within the Tablelands and Jacks Point Area (refer Structure Plan) of the Jacks Point Zone outside of any Homesite Activity Area (HS Activity Area), except for fencing between stock managed areas and areas retired from stock. Any such fencing shall be post and wire only.

vi Earthworks

The following limitations apply to all earthworks (as defined within this Plan) within the Jacks Point Zone, **except** for earthworks associated with:

- A subdivision;
- The construction, addition or alteration of any building; and
- Golf course development.

(1) Volume of Earthworks

- (a) The total volume of earthworks does not exceed **100m³** per site (within a 12 month period). For clarification of “volume”, see interpretative diagram 5.
- (b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed **200m²** in area within that site (within a 12 month period).
- (c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed **20m³** (notwithstanding provision 17.2.2).

(2) Height of cut and fill and slope

- (a) 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). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.
- (b) The maximum height of any cut shall not exceed 2.4 metres.
- (c) The maximum height of any fill shall not exceed 2 metres.

(3) Environmental Protection Measures

- (a) Measures to minimise sediment contamination of any Water body.
- (b) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.
- (c) No vegetation, soil, earth, rock or any other debris shall be allowed to enter or shall be positioned where it may dam or divert any river or stream or adversely affect instream habitats.

(4) Protection of Archaeological sites and sites of cultural heritage

- (a) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.

- (b) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgement Areas.

vii Density Master Plan (Jacks Point Zone)

- (a) No residential development shall take place within any Jacks Point Residential Activity Area (R(JP) Activity Area) or the Jacks Point Village Activity Area (V(JP) Activity Area) identified on Structure Plan 1 – Jacks Point Zone until a Density Master Plan has been lodged with the Council in respect of all R(JP) and V(JP) Activity Areas illustrating how an average density of between 10-12 dwellings per hectare will be achieved calculated across and including all of the land within all of the R(JP) and V(JP) Activity Areas. The Density Master Plan shall identify how many dwellings are proposed within each R(JP) and V(JP) Activity Area in order to achieve the required overall average density of between 10-12 dwellings per hectare across all of the R(JP) and V(JP) Activity Areas. The Density Master Plan shall also identify a staging plan for development of all the R(JP) and V(JP) Activity Areas.
- (b) An amended Density Master Plan may be lodged with the Council in respect of all R(JP) and V(JP) Activity Areas from time to time – with the effect of amending densities within individual R(JP) and V(JP) Activity Areas – provided that such an amended Density Master Plan maintains the overall average density of between 10-12 dwellings per hectare within all R(JP) and V(JP) Activity Areas.
- (c) No residential development shall take place within any Henley Downs Residential Activity Area (R(HD) Activity Area) or the Henley Downs Village Activity Area (V(HD) Activity Area) identified on Structure Plan 2 – Jacks Point Zone until a Density Master Plan has been lodged with the Council in respect of all R(HD) and V(HD) Activity Areas illustrating how an average density of between 10-12 dwellings per hectare will be achieved calculated across and including all of the land within all of the R(HD) and V(HD) Activity Areas. The Density Master Plan shall identify how many dwellings are proposed within each R(HD) and V(HD) Activity Area in order to achieve the required overall average density of between 10-12 dwellings per hectare across all of the R(HD) and V(HD) Activity Areas. The Density Master Plan shall also identify a staging plan for development of all the R(HD) and V(HD) Activity Areas.
- (d) An amended Density Master Plan may be lodged with the Council in respect of all R(HD) and V(HD) Activity Areas from time to time – with the effect of amending densities within individual R(HD) and V(HD) Activity Areas – provided that such an amended Density Master Plan maintains the overall average density of between 10-12 dwellings per hectare within all R(HD) and V(HD) Activity Areas.
- (e) No residential development shall take place within any R(JP) Activity Area, V(JP) Activity Area, R(HD) Activity Area or V(HD) Activity Area which does not comply with the current Density Master Plan lodged with the Council pursuant to previous subparagraphs of this rule.

viii Outline Development Plan (Jacks Point Zone)

- (a) No subdivision or development shall take place within any individual Residential (R) Activity Area shown on the Jacks Point Structure Plan unless an Outline Development Plan has been lodged with and approved by the Council pursuant to Rule 12.2.3.2 (xi) with respect to all of that area.

- (b) No subdivision or development shall take place within any Residential (R) Activity Area which does not comply with an Outline Development Plan in respect of that area approved by the Council pursuant to the preceding rule.
- (c) No subdivision or development shall take place within any Village (V) Activity Area shown on the Jacks Point Structure Plan unless an Outline Development Plan has been lodged with and approved by the Council pursuant to Rule 12.2.3.2(xii) with respect of all of that (V) area.
- (d) No subdivision or development shall take place within any (V) Area which does not comply with an Outline Development Plan in respect of that (V) Area approved by the Council pursuant to the preceding rule.

ix Nature and Scale of Activities

In the Jacks Point Zone the maximum net floor area (as defined) for any commercial activity shall be 200m².

12.2.5.2 Zone Standards

i Residential Units

- (a) In the Shotover Resort Zone the maximum number of residential units permitted is 160.
- (b) In the Millbrook Resort Zone the maximum number of residential units permitted is 450. These units must be located in accordance with the Structure Plan, provided until such time as 27 golf holes are completed, only 300 residential units are permitted.
- (c) In the Waterfall Park Resort Zone the maximum number of residential units permitted is 100. The units must be located in accordance with the Structure Plan.
- (d) In the Jacks Point Zone **(excluding the Homestead Bay area)** ~~the maximum number of residential units permitted is 400 provided that:~~
 - (a) Until such time as 18 golf holes are constructed, only 200 residential units and a 60 room lodge are permitted.
 - (b) No residential dwelling may be occupied until 18 golf holes have been constructed.
- (e) In the Homestead Bay area of the Jacks Point Zone, 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.

ii Building Height

- (a) In the Shotover Resort Zone the maximum height of buildings shall be:
 - (i) Hotels, clubhouses, conference and theatre facilities
restaurants, retail and residential buildings 7m
 - (ii) Filming towers 12m
 - (iii) All other buildings and structures 4m
- (b) In the Millbrook Resort Zone the maximum height of buildings shall be:
 - (i) Hotels, clubhouses, conference and theatre facilities

- restaurants, retail and residential buildings 8m
- (ii) Filming towers 12m
- (iii) All other buildings and structures 4m
- (c) In the Waterfall Park Resort Zone the maximum height of buildings shall be:
- (i) Accommodation, clubhouses, conference, theatre facilities, restaurants, and residential buildings 8m
- (ii) Filming towers, aerials, chimneys 12m
- (iii) All other buildings and structures 4m
- (d) In the Jack's Point Zone the maximum height of buildings shall be:
- ~~(i) Clubhouses, restaurants, retail and residential buildings 8m~~
- ~~(ii) Lodge (Area L) 10m~~
- ~~(iii) Filming Towers 12m~~
- ~~(iv) All other buildings and structures 4m~~
- (i) Village (V) Activity Areas 10m
- (ii) Non residential farm buildings 10m
- (iii) Residential (R) Activity Areas 8m
- (iv) Open Space/Vineyard (OS/V) Activity Area 8m
- (v) Farm Buildings and Craft (FBA) Activity Area 8m
- (vi) Lodge (L) Activity Areas 5m
- (vii) All other buildings and structures 4m

The maximum height for any building shall be measured from ground level, measured at any point and the highest part of the building immediately above that point.

Except in the following Homesite Activity Areas (HS Activity Areas), where the maximum height shall be 5m above the datum level specified for that Activity Area:

<u>HS Activity Area Number</u>	<u>Datum (masl)</u>	<u>HS Activity Area Number</u>	<u>Datum (masl)</u>
<u>HS¹</u>	<u>372.0</u>	<u>HS¹⁹</u>	<u>372.0</u>
<u>HS²</u>	<u>381.0</u>	<u>HS²⁰</u>	<u>377.2</u>
<u>HS³</u>	<u>381.0</u>	<u>HS²¹</u>	<u>372.5</u>
<u>HS⁴</u>	<u>377.0</u>	<u>HS²²</u>	<u>374.0</u>
<u>HS⁵</u>	<u>388.0</u>	<u>HS²³</u>	<u>371.5</u>
<u>HS⁶</u>	<u>382.0</u>	<u>HS²⁴</u>	<u>372.4</u>
<u>HS⁷</u>	<u>379.0</u>	<u>HS²⁵</u>	<u>373.0</u>
<u>HS⁸</u>	<u>386.5</u>	<u>HS²⁶</u>	<u>378.1</u>
<u>HS⁹</u>	<u>389.0</u>	<u>HS²⁷</u>	<u>388.0</u>
<u>HS¹⁰</u>	<u>395.0</u>	<u>HS²⁸</u>	<u>392.6</u>
<u>HS¹¹</u>	<u>396.0</u>	<u>HS²⁹</u>	<u>385.5</u>
<u>HS¹²</u>	<u>393.0</u>	<u>HS³⁰</u>	<u>395.9</u>
<u>HS¹³</u>	<u>399.0</u>	<u>HS³¹</u>	<u>393.7</u>
<u>HS¹⁴</u>	<u>403.0</u>	<u>HS³²</u>	<u>384.8</u>
<u>HS¹⁵</u>	<u>404.0</u>	<u>HS³³</u>	<u>385.8</u>
<u>HS¹⁶</u>	<u>399.5</u>	<u>HS³⁴</u>	<u>399.0</u>
<u>HS¹⁷</u>	<u>394.5</u>	<u>HS³⁵</u>	<u>405.0</u>
<u>HS¹⁸</u>	<u>392.5</u>	<u>HS³⁶</u>	<u>400.3</u>

- (a) All fixed lighting shall be directed away from adjacent roads and properties.
- (b) Any building or fence constructed or clad in metal, or material with reflective surfaces shall be painted or otherwise coated with a non-reflective finish.
- (c) 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.

iv Servicing

- (a) All services are to be reticulated underground.
- (b) In the Shotover Resort Zone development shall be served by a communal sewage and water scheme.
- (c) In the Millbrook Resort Zone all effluent disposal shall be reticulated to the Shotover Sewerage Treatment Plant.

v Site Coverage

- (a) In the Shotover Resort Zone the maximum site coverage shall not exceed 6% of the total area of the Zone. For the purposes of this Rule, site coverage includes all buildings, accessory, utility and service buildings. **Excludes** weirs, filming towers, bridges and roads.
- (b) In the Millbrook Resort, Jacks Point (excluding Homestead Bay) and Waterfall Park Resort Zones the maximum site coverage shall not exceed 5% of the total area of the Zone. For the purposes of this Rule, site coverage includes all buildings, accessory, utility and service buildings. **Excludes** weirs, filming towers, bridges, roads and parking areas.
- (c) In the Homestead Bay area of the Jacks Point Zone (Structure Plan 3 – Jacks Point Zone) the maximum site coverage shall not exceed 2.5% of that area. For the purposes of this Rule, site coverage includes all buildings, accessory, utility and service buildings. Excludes weirs, filming towers, bridges, roads and parking areas.

vi Nature and Scale of Activities

Except within those areas of the Structure Plan identified as the Village Centre:

- (a) No goods, materials or equipment shall be stored outside a building, except for vehicles associated with the activity parked on the site overnight.
- (b) 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 activities ~~at~~ in the Jacks Point Zone.

vii Retail Sales

- (a) In the Shotover Resort and Waterfall Park Zones no goods shall be displayed, sold or offered for sale from a site **except**:
 - (i) goods grown, reared or produced on the site;
 - (ii) within those areas of the Structure Plan identified as the

Village Centre.

- (b) In the Millbrook Resort Zone no goods or services shall be displayed, sold or offered for sale from a site **except**:
- (i) goods grown, reared or produced on the site;
 - (ii) goods and services associated with and ancillary to the recreation activities taking place (within buildings associated with such activities) within those areas of the Structure Plan identified as recreation facilities;
 - (iii) within those areas of the Structure Plan identified as the Village Centre.

viii Noise

- (a) In the Shotover Resort, Zone non-residential activities shall be conducted so the following noise levels are not exceeded at the boundary of the zone:

Daytime 0800 - 2000 hours	50dBA L ₁₀
Night time 2000 - 0800 hours	40dBA L ₁₀ and 70 dBA L _{max}

- (b) In the Millbrook Resort and Jacks Point ~~Resort~~ Zones non-residential activities shall be conducted so the following noise limits are not exceeded at any point within the boundary of the Residences Activities Area shown on the Structure Plans.

Daytime 0800 - 2000 hours	50dBA L ₁₀
Night time 2000 - 0800 hours	40dBA L ₁₀ and 70dBA L _{max}

- (c) In the Waterfall Park Resort Zone non-residential activities, shall be conducted so the following noise levels are not exceeded at any point within the boundary of the zone:

Daytime 0800 - 2000 hours	50dBA L ₁₀
Night time 2000 - 0800 hours	40dBA L ₁₀ and L _{max} 70dBA

Noise levels shall be measured and assessed in accordance with NZS 6801:1991 and NZS 6802:1991. Construction noise shall comply with and be measured and assessed in accordance with the relevant New Zealand Standard.

ix Access

There shall be no vehicular access to the Shotover Resort Zone from State Highway 6. All access shall be from Tucker Beach Road or Jim's Way, provided that no traffic associated with construction or development on the land shall be permitted to use the existing access immediately to the west of that land (Lot 5 DP 22166).

x Landscaping

- (a) In the Shotover Resort Zone the owner(s) of the land shown as G1 on the Structure Plan shall be responsible for the creation and maintenance of a 15 m strip within the G1 area adjoining the boundary of the properties described as Lots 1 and 2 DP 24120 and Lot 1 DP 21400 and Lot 5 DP 22166.

- (b) Such 15 m strip shall be established on the land shown as G1 on the Structure Plan. The owner(s) of such land shall be responsible for the preparation of a planting programme. The planting programme shall have regard to earth mounding, plant species, density and height. The planting programme is to be approved by G F and C G Williams, and J J L and L J Turner, or their successors in title, as the case may be, prior to works commencing.

xi Arrow Irrigation Race

In the Shotover Resort Zone the Water User shall not obstruct access by the Arrow Irrigation Company to any irrigation works on or off the Water User's land and shall not plant trees or construct works which would obstruct such access or interfere with the irrigation works and shall ensure that such access to the Water User's land is always kept available to the Company.

Further to this rule, the Water User shall ensure that, without the consent of the company (not to be unreasonably withheld):

- (a) On slopes of 0°-12° no buildings, excavations or tree planting shall be effected within 6 m of an irrigation race.
- (b) On slopes of 12°-20° no buildings, excavations or tree planting shall be effected within 7 m of an irrigation race.
- (c) On slopes of greater than 20° no buildings, excavations or tree planting shall be effected within 10 m of an irrigation race.
- (d) No fences shall be erected within 6 m of the waters edge of an irrigation race except for those which cross any access track.

Gates shall be provided and paid for by the water user and located in a position approved by the company.

xii Fire Fighting

In the Millbrook Resort, Jack's Point and Waterfall Park Resort Zones a fire fighting reserve of water shall be maintained. The storage shall meet the Fire Service Code of Practice 1992.

xiii Water Quality

In the Millbrook Resort and Waterfall Park Resort Zones activities shall be assessed as to their potential effects on the water quality of Mill Creek and Lake Hayes in terms of siltation and nutrient loading. No activity shall compromise the existing water quality or vegetation.

xiv Refuse Management

All refuse shall be collected and disposed of to a Council approved landfill site. There shall be no landfill sites situated within the Zone.

xv Atmospheric Emissions

- (a) Within any premises in the Millbrook Resort, and Waterfall Park Resort Zones the best practicable means shall be adopted to minimise the emission of smoke, smell and other air pollutants from the premises and to render any air pollutant harmless and inoffensive.
- (b) In the Millbrook Resort and Waterfall Park Resort Zones feature open fireplaces are permitted in the clubhouse and other communal buildings including bars and restaurants. There shall be no other solid fuel fires.

xvi Temporary and Permanent Storage of Vehicles

In the Jacks Point Zone, within the Tablelands and Jacks Point Area (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:

- Motor vehicles, trailers, caravans, boats or similar objects;
- Storage containers, workshops, offices, sheds, huts or similar structures (other than public toilets and shelter); and
- Scaffolding or similar construction materials.

12.5.2 Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

i Controlled Activity - Parking, Loading and Access

Conditions may be imposed to ensure:

- (a) The level of parking provision is appropriate having regard to standards for similar activities as set out in Rule 14, Transport.
- (b) The design, location and access is safe.

ii Controlled and Discretionary Activities - Buildings - Resort Zone s

- (a) For buildings and other structures in the Village area:
 - (i) The extent to which an historic building design theme is to be followed, in keeping with buildings already established within the Village.
 - (ii) The extent to which external above ground building cladding and roofing materials are predominantly local stone, plaster rendered for a stonelike appearance, timber weatherboards, and slate or corrugated iron roofs.
 - (iii) The extent to which predominant colours are to be creams, greys and earth tones and a variety of trim colours may be considered.
- (b) For buildings in the residential areas:
 - (i) The extent to which buildings within residential areas follow a unified design theme based on the gable roofed form.
 - (ii) The extent to which buildings are carefully sited within areas of established trees in order to reduce their visual prominence as seen from surrounding public roads.
 - (iii) The extent to which all external above ground cladding is restricted to local stone, plaster rendered for a stone-like appearance and timber weatherboards.
 - (iv) The extent to which all roofing materials are slate and corrugated iron.
 - (v) The extent to which predominant colours within this area are to be grey through to earth tones in harmony with their landscape setting. A variety of trim colours may be considered.
- (c) For facilities within the recreation area:
 - (i) External appearance of buildings are to be appropriate to their function and use.
 - (ii) Natural materials and colours are to be used.
- (d) For resort services within the service area:

- (i) External appearance of buildings are to be appropriate to their function and use.
- (ii) Where practical an historic agricultural building design theme will be followed.
- (e) For other buildings and structures which are to be erected:
 - (i) All other buildings and structures are to be screened by landform and/or tree planting so as not to be visibly prominent from surrounding public roads.
 - (iii) Predominant colours are to be greys and earth tones.
- (f) ~~For buildings within the lodge area in the Jacks Point Zone:~~
 - ~~(i) The extent to which all external above ground cladding is restricted to local stone, plaster rendered for a stone-like appearance, and timber weatherboards.~~
 - ~~(ii) The use of non-reflective glazing.~~
 - ~~(iii) The extent to which all colours will be predominantly within the shades of creams, greys and earth tones~~
 - ~~(iv) The use of slate as the predominant roofing material~~
 - ~~(v) The extent to which all earthworks ensure the line and form of the landscape is generally maintained, and methods for remedial earthworks and planting.~~

For buildings within the Homesite and Lodge Activity Areas (HS and L Activity Areas) in the Jacks Point Zone:

- (i) The extent to which each building meets the following external cladding criteria:

South elevation:	Not less than 75% local stone
East elevation:	Not less than 50% local stone
West elevation:	Not less than 50% local stone
- (ii) The extent to which all external above ground cladding is restricted to local stone, plaster rendered for a stone like appearance, and timber weatherboards.
- (iii) The use of non-reflective glazing and/or eaves to minimise reflection of light off glass.
- (iv) The extent to which all colours will be predominantly within the shades of browns, greys and earth tones.
- (v) The use of local grasses, tussocks, shale (local schist chip) and slate as the predominant roofing materials.
- (vi) The extent to which all earthworks ensure that the line and form of the landscape is maintained and, in addition, methods for remedial earthworks and planting.
- (vii) The extent to which any building and/or domestic curtilage area has been designed and/or located in a manner complementary to the topography of the site.
- (viii) The extent to which the bulk, location and design of any building is subservient to the surrounding landscape and does not

compromise the visual amenity values of the Zone and surrounding area.

- (ix) The extent to which wetland areas (including waterways) within and adjacent to the site are to be protected and enhanced.
 - (x) The extent to which exterior lighting can be minimised to avoid adverse effects on amenity values.
 - (xi) The extent to which earthworks and/or landscaping is necessary to ensure that buildings do not have an adverse visual effect on landscape and visual amenity values.
 - (xii) The extent to which any proposed landscaping enhances landscape, visual amenity and ecological values.
 - (xiii) The extent to which any proposed access way is subservient to the natural topography of the site.
 - (xiv) The extent to which outdoor parking and storage areas are sited and screened within the Homesite or Lodge Activity Area, so as to avoid motor vehicles, trailers, boats, caravans, containers and similar objects being visible from beyond the Activity Area boundaries.
 - (xv) The extent to which the proposed development complies with any relevant Council approved development controls and design guidelines.
- (g) For all buildings within the Jacks Point Zone:
- (i) The effect of building setbacks on adjoining properties, in terms of:
 - Dominance of buildings:
 - Loss of privacy:
 - Access to sunlight and daylight: and
 - access to views:
 - (ii) The extent to which the proposed building has been considered in terms of the surrounding built and natural environment, and the extent to which it complements that environment: and
 - (iii) The extent to which the location of the proposed building is necessary to achieve the desired density of the area in which it is located.
- (h) For buildings directly associated with services, in the Jacks Point Zone:
- (i) The extent to which the bulk, location and design of any building is subservient to the surrounding landscape and does not compromise the visual amenity values of the Zone and surrounding area.
 - (ii) The extent to which the proposed location for any building is necessary and appropriate, having particular regard to the surrounding landscape and visual amenity values.
 - (iii) Within the Tablelands and Jacks Point Area, the extent to which the building and associated curtilage is hidden from view from any public place or place frequented by the public.

- (iv) Within the Tablelands and Jacks Point Area, the extent to which all external above ground cladding is restricted to local stone, plaster rendered for a stone like appearance, and timber weatherboards.
- (v) Within the Tablelands and Jacks Point Area, the use of local grasses, tussocks, shale (local schist chip) and slate as the predominant roofing materials.
- (vi) The extent to which all earthworks ensure that the line and form of the landscape is maintained and, in addition, methods for remedial earthworks and planting.
- (vii) The extent to which any building and curtilage area has been designed and/or located in a manner complementary to the topography of the site.
- (viii) The extent to which wetland areas (including waterways) within and adjacent to the site are to be protected and enhanced.
- (ix) The extent to which exterior lighting can be avoided to prevent adverse effects on amenity values.
- (x) The extent to which earthworks and/or landscaping is necessary to ensure that buildings do not have an adverse visual effect on landscape and visual amenity values.
- (xi) The extent to which any proposed landscaping enhances landscape, visual amenity and ecological values.
- (xii) The extent to which any proposed access way is subservient to the natural topography of the site.
- (xiii) The extent to which the proposed development complies with any relevant Council approved development controls and design guidelines.

iii Discretionary and Non-Complying Activities - Airports

- (a) The extent to which noise from aircraft is/will:
 - (i) Compatible with the character of the surrounding area;
 - (ii) Adversely affect the pleasant use and enjoyment of the surrounding environment by residents and visitors;
 - (iii) Adversely affect the quality of the experience of people partaking in recreational and other activities.
- (b) The cumulative effect of a dispersed number of airports.
- (c) Convenience to and efficient operation of existing airports.
- (d) The visual effect of airport activities.
- (e) The frequency and type of aircraft activities.

iv Structure Plan - Resort Zones

- (a) The extent to which the siting of the building is inconsistent with the Structure Plan and the impact it would have on the open and rural character.
- (b) The effect the siting of the building would have on the consistent design theme and visual amenity of the Zone both from within and outside the Zone boundaries.

v Setback from Roads and Internal Boundaries

- (a) The extent to which the intrusion towards the internal boundary or road setback is necessary to enable more efficient, practical and/or pleasant use of the remainder of the site.
- (b) Any adverse effects of the proximity or bulk of the building, in terms of visual dominance by buildings. The outlook from adjoining sites, buildings or roads, which is out of character with the local environment.
- (c) Any adverse effects on adjoining sites of reduced privacy through overlooking or being in close proximity to neighbouring buildings.
- (d) The ability to mitigate any adverse effects of the proposal on adjoining sites.
- (e) Any adverse effects of the proximity or bulk of the building, in terms of the loss of the historic character of the area.

...

xi Vegetation (Jacks Point Zone)

- (a) The height to which the proposed tree or shrub will grow, and its characteristics
- (b) The potential for the tree or shrub to adversely affect indigenous and/ or endemic vegetation
- (c) The number of exotic trees or shrubs to be planted and their relative spacing
- (d) Whether such planting would result in an unnatural appearance in this general locality and whether such planting (taking into account the effect at maturity) will blend with the predominant vegetative pattern. Public amenity values and viewshafts.

xii Earthworks – Controlled Activity (Jacks Point Zone)

- (a) The extent to which sediment / erosion control techniques will mitigate effects upon stormwater and overland flows.
- (b) Whether the activity will generate noise, vibration and dust effects, which could detract from the amenity values of the surrounding area.
- (c) The time period within which the earthworks will be completed.
- (d) The slope of the site.
- (e) The location of the earthworks.
- (f) The extent to which the earthworks and methods take into account the sensitivity of the landscape.
- (g) The proposed rehabilitation of the site.
- (h) The extent to which the natural ground levels will be altered.
- (i) The purpose of the earthworks.
- (j) Whether the proposed earthworks represent the best available alternative.
- (k) The extent to which the earthworks are necessary to give effect to the intent of the Zone.

xiii Earthworks – Discretionary Activity

Sediment run-off:

- (a) The extent to which sediment/erosion control techniques are adequate to ensure that sediment remains on-site.
- (b) Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.
- (c) Whether earthworks will be completed within a short period, reducing the duration of any adverse effects.
- (d) Whether the timing of the earthworks will avoid the wettest season, when erosion and sediment run-off is the highest.
- (e) The slope of the site.

Effects on landscape and visual amenity values:

- (a) Whether the scale and location of any cut and fill will adversely affect:
 - the visual quality and amenity values of the landscape;
 - the natural landform of any ridgeline or visually prominent areas;
 - the visual amenity values of surrounding sites.
- (b) Whether the earthworks will take into account the sensitivity of the landscape.
- (c) The potential for cumulative effects on the natural form of existing landscapes.
- (d) The proposed rehabilitation of the site.

Effects on adjacent sites:

- (a) Whether the earthworks will adversely affect the stability of neighbouring sites.
- (b) Whether the earthworks will change surface drainage, and whether the adjoining land will be at a higher risk of inundation, or a raised water table.
- (c) Whether cut, fill and retaining are done in accordance with engineering standards.

General amenity values:

- (a) Whether the removal of soil to or from the site will affect the surrounding roads and neighbourhood through the deposition of sediment, particularly where access to the site is gained through residential areas.
- (b) Whether the activity will generate noise, vibration and dust effects, which could detract from the amenity values of the surrounding area.
- (c) Whether natural ground levels will be altered.

Impacts on sites of cultural heritage value:

- (a) Whether the subject land contains Waahi Tapu or Waahi Taoka, or is adjacent to a Statutory Acknowledgment Area, and whether tangata whenua have been notified.
- (b) Whether the subject land contains a recorded archaeological site, and whether the NZ Historic Places Trust has been notified.

xiv Golf Course Development – Discretionary Activity (Jacks Point Zone)

- (a) Whether the proposed golf course assists in achieving the community's aspirations for the Jacks Point Zone:
- (b) The potential for the proposed golf course to compromise other recreational and community activities within the Jacks Point Zone: and

- (c) Whether an additional golf course is likely to assist in providing for the economic, social and cultural wellbeing of the wider community.

xv Controlled Activity – Outline Development Plan (Jacks Point Zone)

(a) For Residential (R) Activity Area Outline Development Plans:

- (i) The extent to which the proposed Outline Development Plan achieves the policies and objectives of the zone.
- (ii) The effect of setbacks on adjoining properties in terms of dominance of buildings, loss of privacy, access to sunlight and daylight and access to views.
- (iii) The ability to provide adequate opportunities for garden and tree planting around buildings.
- (iv) Pedestrian safety.
- (v) The extent to which imaginative, efficient and comprehensive design solutions are applied to encourage a layout that will establish an individual theme or site specific response within each Residential (R) Activity Area.
- (vi) The extent to which pedestrian walkways provide convenient and logical connections to other Residential (R), Village (V), Open Space (OS) and Golf (G) Activity Areas.
- (vii) The extent to which existing watercourses and wetlands in the vicinity are protected and enhanced.
- (viii) The extent to which 'green engineering' solutions can be applied to stormwater runoff.
- (ix) The extent to which the subdivision and development design encourages efficient use of solar energy and takes advantage of northerly aspects.
- (x) The extent to which the subdivision and development design minimises the potential for pedestrian and traffic conflicts.
- (xi) The extent to which the subdivision and development design is consistent with the topography of the particular Residential (R) Activity Area.
- (xii) The methods used to manage the boundary between the Activity Area and the surrounding Open Space (OS) and/or Golf (G) Activity Area.
- (xiii) The extent to which visitor parking is provided for, in a manner which does not compromise the amenity values of the Zone.
- (xiv) The extent to which the subdivision layout provides for areas of open space for use by the local community, particularly families and children.
- (xv) The extent to which the Design Guidelines proposed to apply to buildings will achieve the policies and objectives of the Zone.
- (xvi) The extent to which the Design Guidelines proposed to apply to buildings will achieve an integrated character and/or design theme for the area subject to the Outline Development Plan.

(b) For Village (V) Activity Area Outline Development Plans:

- (i) The extent to which the proposed Outline Development Plan achieves the policies and objectives of the zone.
- (ii) The effect of setbacks on adjoining properties in terms of dominance of buildings, loss of privacy, access to sunlight and daylight and access to views.
- (iii) The ability to provide adequate opportunities for garden and tree planting around buildings.
- (iv) Pedestrian safety.
- (v) The extent to which imaginative, efficient and comprehensive design solutions are applied to encourage a layout that will establish an individual theme or site specific response within the Village (V) Activity Area.
- (vi) The extent to which pedestrian walkways provide convenient and logical connections to other Residential (R), Village (V), Open Space (OS) and Golf (G) Activity Areas.
- (vii) The extent to which existing watercourses and wetlands in the vicinity are protected and enhanced.
- (viii) The extent to which 'green engineering' solutions can be applied to stormwater runoff.
- (ix) The extent to which the subdivision and development design encourages efficient use of solar energy and takes advantage of northerly aspects.
- (x) The extent to which the subdivision and development design minimises the potential for pedestrian and traffic conflicts.
- (xi) The extent to which the subdivision and development design is consistent with the topography of the particular Village (V) Activity Area.
- (xii) The methods used to manage the boundary between the Village (V) Activity Area and the surrounding Open Space (OS) and/or Golf (G) Activity Area.
- (xvii) The extent to which visitor parking is provided for, in a manner which does not compromise the amenity values of the Zone.
- (xiii) The extent to which the subdivision layout provides for areas of open space for use by the local and wider community.
- (xiv) The extent to which the Design Guidelines proposed to apply to buildings will achieve the policies and objectives of the Zone.
- (xv) The extent to which the Design Guidelines proposed to apply to buildings will achieve an integrated character and/or design theme for the area subject to the Outline Development Plan.

xvi Nature and Scale of Activities (Jacks Point Zone)

- (a) The extent to which the proposed activity will result in levels of traffic generation or pedestrian activity, which is incompatible with the nature and scale of surrounding area and the intent of the Zone.

- (b) Any potential adverse effects of increased levels of vehicle and pedestrian activity in terms of noise, vibration, disturbance, and loss of privacy, which is inconsistent with the surrounding environment.
- (c) The extent to which the proposed activity is integral and necessary and/or desirable within the Zone.
- (d) The extent to which the character of the site remains consistent with the surrounding environment.

xvii Discretionary Activity – Mining (Jacks Point Zone)

- (a) The extent to which mining activities will adversely affect:
 - (i) amenity values.
 - (ii) recreational values.
 - (iii) nature conservation values.
 - (iv) landscape and visual amenity values.
 - (v) historical, cultural or known archaeological artefacts or sites.
 - (vi) life supporting capacity of soils, water and air.
 - (vii) public access to and along the lake, river or waterway.
- (b) The extent to which screening is provided to ensure that the potential adverse visual effects of the activity are no more than minor.
- (c) The ability of the proposal to rehabilitate the site during and after mining.
- (d) The ability of the company to:
 - (i) provide a contingency plan for early mine closure.
 - (ii) adequately monitor operations and the effects on the receiving environment.
- (e) Whether the required materials can be acquired from existing mines elsewhere in the District.
- (f) The necessity of the company to provide a bond to Council reviewed annually, for the purpose of rehabilitating operation areas in the event of non-compliance with terms and conditions of any consent, premature closure or abandonment of the mine.

xviii Health and Education Services (Jacks Point Zone)

- (a) Whether the provision of health and education services within the Zone compromise the provision of health and education services in other areas of Wakatipu basin;
- (b) The extent to which health and education services within the Zone assist in the sustainable development of the Jacks Point Zone as a community; and
- (c) The extent to which health and education services within the Zone do not exacerbate potential adverse effects on the environment such as excessive traffic generation and noise pollution.

xix Outdoor Swimming Pools (Jacks Point Zone)

- (a) The extent to which earthworks and landscaping are necessary to mitigate the potential adverse visual effects of any proposed swimming pool;
- (b) The extent to which the colour of the pool and fencing is subservient to and does not detract from the surrounding landscape values; and
- (c) The extent to which the pool and any associated features are consistent with any Council approved development controls and design guidelines that apply to the area.

Part 15 Subdivision, Development and Financial Contributions

...

12.2.3.3 Discretionary Subdivision Activities

...

- (v) In the Jacks Point Zone, any subdivision occurring within any Residential (State Highway) Activity Area (R(SH) Activity Area), with the exercise of Council's discretion limited to the cumulative effect of subdivision and development on landscape and amenity values, particularly as viewed from State Highway 6.

...

15.2.7.2 Assessment Matters for Resource Consents

In considering whether or not to grant consent or impose conditions in respect to subdivision design, the Council shall have regard to, but not be limited by, the following assessment matters:

...

- (ix) In the Jacks Point Zone, within any Residential (State Highway) Activity Area (R(SH) Activity Area), the Council shall consider the extent to which subdivision, the location of building platforms and proposed development and landscaping:
- (a) Ensures that buildings and other structures are not readily visible from State Highway 6;
 - (b) Maintains and enhances the important landscape values associated with the southern entrance to Queenstown;
 - (c) Maintains and enhances the landscape and visual amenity values of the Jacks Point Zone and surrounding environment, particularly when viewed from State Highway 6; and
 - (d) Maintains and enhances any significant view corridors from State Highway 6 through and beyond the Jacks Point Zone.

...

18.2 Signs - Rules

18.2.1 Activities

Any Activity which complies with all the relevant zone standards and is not listed as a Controlled, Non-Complying or Prohibited Activity, shall be a Permitted Activity.

18.2.2 Controlled Activities

The following shall be **Controlled Activities**

- (a) All signs within the Jacks Point Zone, with the exercise of Council's control limited to:
- Colour;
 - Design;
 - Consistency with any relevant Council approved development controls and design guidelines; and
 - Consistency with public sign policy and controls throughout the District.

18.2.3 Non-Complying Activities

...

18.3 Assessment Matters

18.3.1 General

- i The Assessment Matters are other methods or matters included in the District Plan, in order to enable the Council to implement the Plan's policies and fulfil its functions and duties under the Act.
- ii In considering resource consents for land use activities, in addition to the applicable provisions of the Act, the Council shall apply the relevant Assessment Matters set out below.
- iii In the case of Controlled and Discretionary Activities, where the exercise of the Council's discretion is restricted to the matter(s) specified in a particular standard(s) only, the assessment matters taken into account shall only be those relevant to that/these standard(s).
- iv In the case of Controlled Activities, the assessment matters shall only apply in respect to conditions that may be imposed on a consent.

18.3.2 Assessment Matters

In considering whether or not to grant consent or impose conditions on a resource consent, the Council shall have regard to, but not be limited by, the following assessment matters:

i Controlled Activity – Signs within the Jacks Point Zone

Conditions may be imposed to ensure:

- (a) The colour of the sign is sympathetic to the surrounding landscape;
- (b) The design of the sign, including lighting, is consistent with and sympathetic to the surrounding built environment;
- (c) The design of the sign is consistent with any relevant Council approved development controls and design guidelines; and
- (d) The design of the sign is consistent with public sign policy and controls throughout the District.



KEY

- L Lodge
- V(JP) Village (Jacks Point)
- R(JP) Residential (Jacks Point)
- R(JP-SH) Residential (Jacks Point - State Highway)
- HS Tablelands Homesteads
- W Wetlands
- G Golf Course and Open Space
- G/F Golf Course, Open Space and Recreational Facilities
- Lake Shore Landscape Protection Area
- Highway Landscape Protection Area
- Highway - Foreshore access
- Tablelands and Jacks Point

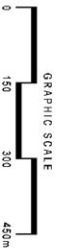
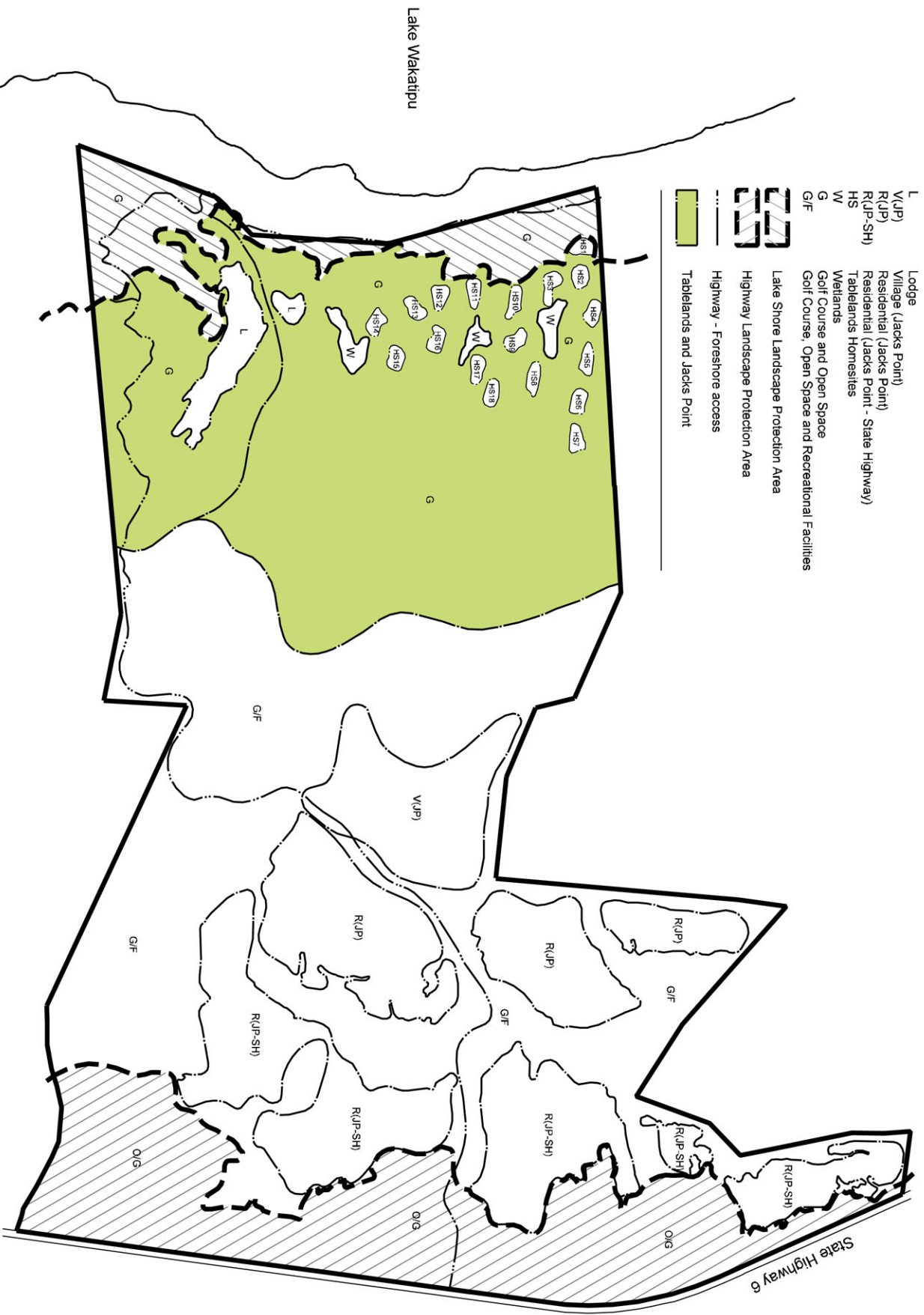
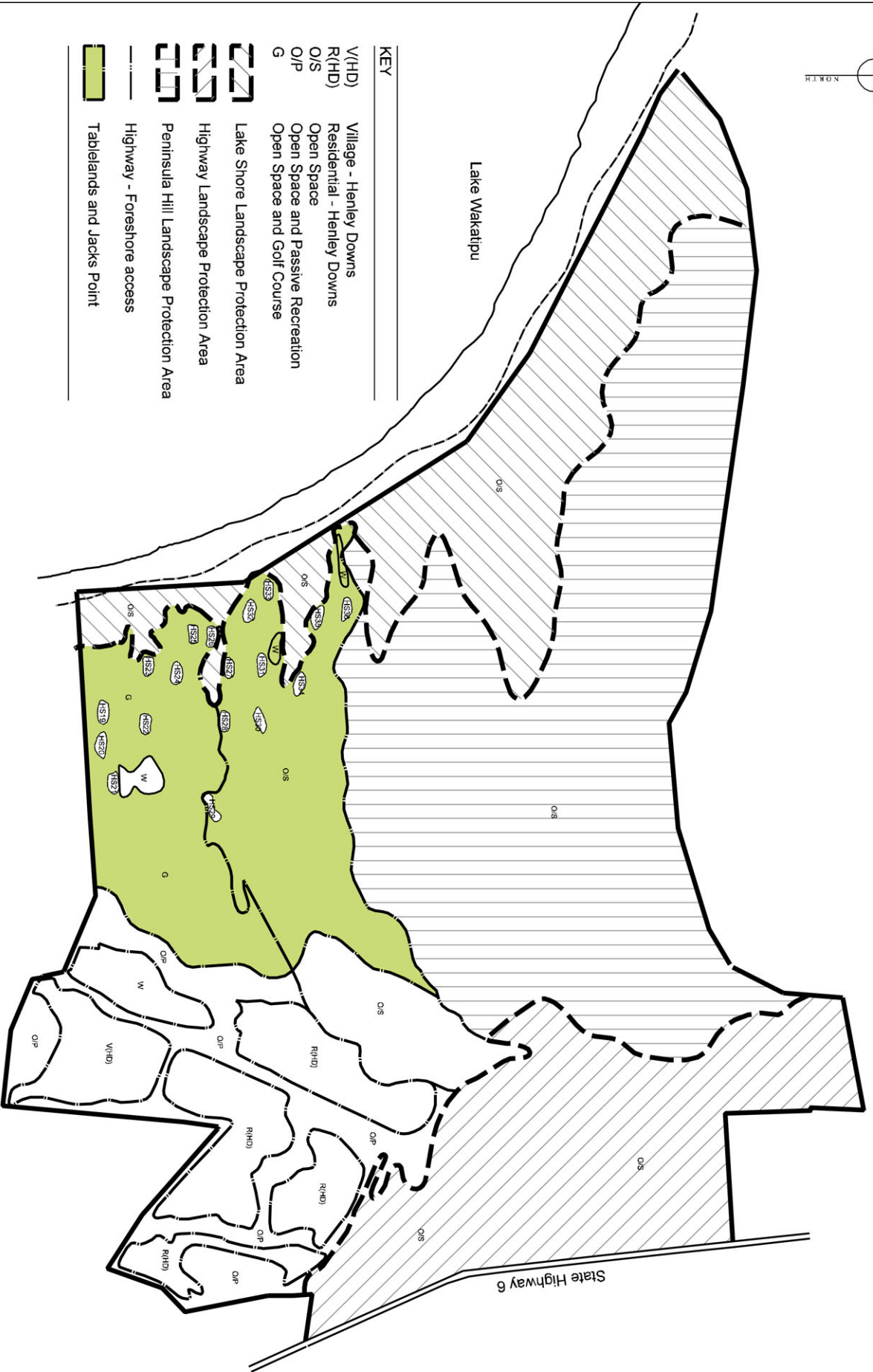
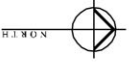


FIGURE 1

Jacks Point Zone - Jacks Point

scale 1:15,000 (A4)

11 August 2003



KEY






V(HD)	Village - Henley Downs
R(HD)	Residential - Henley Downs
O/S	Open Space
O/P	Open Space and Passive Recreation
G	Open Space and Golf Course
	Lake Shore Landscape Protection Area
	Highway Landscape Protection Area
	Peninsula Hill Landscape Protection Area
	Highway - Foreshore access
	Tablelands and Jacks Point



FIGURE 2

Jacks Point Zone - Henley Downs

scale 1:20,000 (A4) 卐

13 August 2003

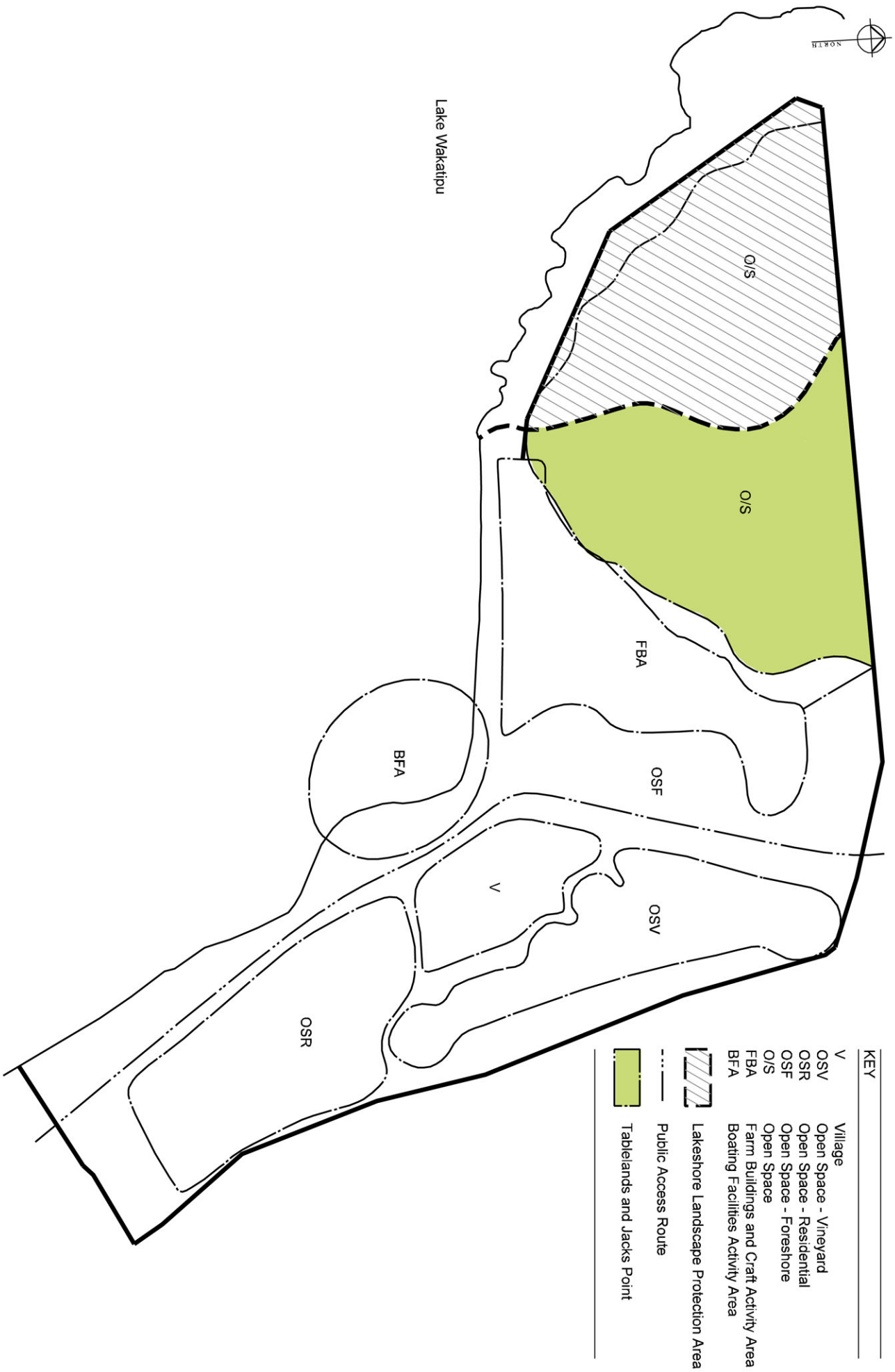


FIGURE 3

Jacks Point Zone - Homestead Bay

scale 1:10,000 (A4)

13 August 2003