

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

IN THE MATTER of the Resource Management Act 1991

AND an appeal under clause 14 of the First
Schedule of the Act

BETWEEN HOGANS GULLY FARMING
LIMITED

(ENV-2019-CHC-099)

Appellant

AND QUEENSTOWN LAKES DISTRICT
COUNCIL

Respondent

Environment Judge J J M Hassan – sitting alone under s279 of the Act

In Chambers at Christchurch

Date of Consent Order: 7 September 2021

CONSENT ORDER

A: Under s279(1)(b) of the Resource Management Act 1991, the Environment Court, by consent, orders that:

- (1) the appeal is allowed, and the Queenstown Lakes District Council is directed to rezone the land shown at Appendix 1, with the exception of the land identified on Appendix 1 as unformed legal road, to Hogans Gully Resort Zone under the Proposed District Plan, subject to the provisions set out at Appendix 2;



- (2) the zoning of the part of the unformed legal road identified as ‘Road to be Stopped in Red’ is to be subject to the parties seeking further orders for the rezoning of that land following the completion of the proposed stopping of that part of the unformed legal road; and
- (3) subject to (2), the appeal is otherwise dismissed.

B: Under s285 of the Resource Management Act 1991, there is no order as to costs.

REASONS

Introduction

[1] This is an appeal by Hogans Gully Farming Limited (‘appellant’) against a decision of the Queenstown Lakes District Council (‘Council’) made as part of Stage 2 of its Proposed District Plan (‘PDP’) process.

[2] The appeal relates to the zoning of land at Hogans Gully Farm, located west of McDonnell Road, north of State Highway 6, east of the Bendemeer Special Zone, and south of Hogans Gully Road, near Arrowtown (‘land’). The Council’s Stage 2 decision zoned the land as Wakatipu Basin Rural Amenity Zone, and rejected a submission by the appellant seeking that the land be rezoned as Hogans Gully Resort Zone (‘HGRZ’).

[3] I have read and considered the joint memorandum filed by counsel for the parties dated 10 August 2021, in which the parties advised that an agreement had been reached that would resolve the appeal in its entirety, subject to the rezoning of the part of the site identified as unformed legal road to be stopped, which is to be subject to future orders sought following the stopping of that part of the unformed legal road. The parties respectfully requested in that memorandum that the court approve the rezoning agreed, the inclusion of the new HGRZ provisions, and associated amendments to certain PDP district-wide provisions contained in Chs 25, 27, 31, 35 and 36.

[4] The memorandum records that the parties, on the basis of the revised HGRZ provisions and amended PDP district-wide provisions, and with the support of expert evidence, are satisfied the proposed rezoning:

- (a) is within the scope of the appellant's appeal;
- (b) falls within the court's jurisdiction;
- (c) achieves the strategic objectives of the PDP; and
- (d) conforms to the relevant requirements and objectives of the Resource Management Act 1991 ('the RMA or the Act'), in particular Pt 2.

[5] I have also read and considered the s32AA evaluation provided by the parties and the joint witness statements of the planning and landscape experts.

Other relevant matters

[6] No parties gave notice to join the appeal under s274 RMA.

Outcome

[7] The court is making this order under s279(1)(b) RMA, such order being by consent, rather than representing a decision or determination on the merits pursuant to s297. The court understands for present purposes that:

- (a) all parties to the proceeding have executed the memorandum requesting this order; and
- (b) all parties are satisfied that all matters proposed for the court's endorsement are within the scope of relief sought in the notice of appeal, fall within the court's jurisdiction, and conform to relevant requirements and objectives of the Act, including in particular Pt 2.

[8] Therefore, the court orders, by consent, that the provisions and the zoning map of the Proposed Queenstown Lakes District Plan are amended, as set out in Appendices 1 and 2.

[9] No order is sought or given for the rezoning of the unformed legal road which traverses part of the site to be rezoned and is identified in Appendix 1.

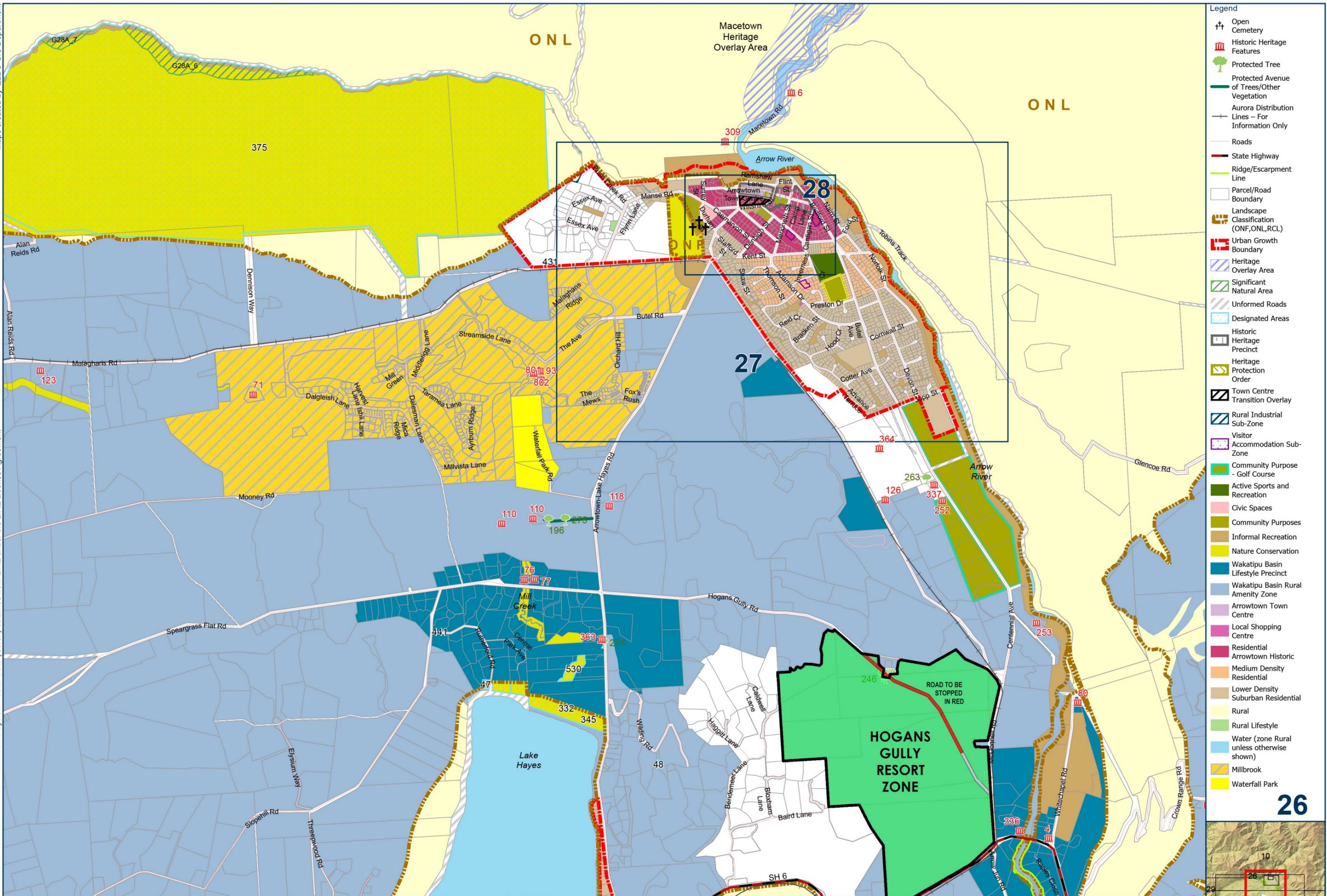
[10] There is no order for costs.



J J M Hassan
Environment Judge

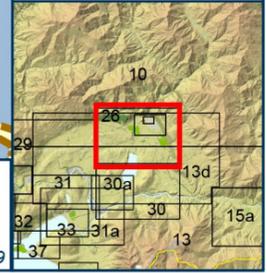


APPENDIX 1



- Legend**
- ††† Open Cemetery
 - Historic Heritage Features
 - Protected Tree
 - Protected Avenue of Trees/Other Vegetation
 - Aurora Distribution Lines - For Information Only
 - Roads
 - State Highway
 - Ridge/Escarpment Line
 - Parcel/Road Boundary
 - Landscapes Classification (ONF, ONL, RCL)
 - Urban Growth Boundary
 - Heritage Overlay Area
 - Significant Natural Area
 - Unformed Roads
 - Designated Areas
 - Historic Heritage Precinct
 - Heritage Protection Order
 - Town Centre Transition Overlay
 - Rural Industrial Sub-Zone
 - Visitor Accommodation Sub-Zone
 - Community Purpose - Golf Course
 - Active Sports and Recreation
 - Civic Spaces
 - Community Purposes
 - Informal Recreation
 - Nature Conservation
 - Wakatipu Basin Lifestyle Precinct
 - Wakatipu Basin Rural Amenity Zone
 - Arrowtown Town Centre
 - Local Shopping Centre
 - Residential Arrowtown Historic
 - Medium Density Residential
 - Lower Density Suburban Residential
 - Rural
 - Rural Lifestyle
 - Water (zone Rural unless otherwise shown)
 - Millbrook
 - Waterfall Park

26



APPENDIX 2

48 Hogans Gully Resort Zone

48.1 Resort Zone Purpose

48.1.1 The purpose of the Zone is to enable high quality golf course resort and on-site visitor facilities that are subservient to the surrounding landscape and rural context. The Zone enables the development and ongoing operation of a golf course with a clubhouse, driving range, maintenance facilities, and associated commercial activities, along with visitor accommodation and limited residential activities, to complement the resort amenities.

Development anticipated by the Zone will be absorbed into the landscape by locating built development within the upper terraces of the Zone where it is not visible from the adjacent surrounding roads (State Highway 6, McDonnell Road and Hogans Gully Road). Large open space and landscape protection areas adjacent to the surrounding roads will be maintained to protect open character and visual amenity values. Design and landscaping controls will blend built development into the surroundings, and an extensive ecological planting and protection program will enhance the nature conservation values of the Zone and will assist in integrating built form into the landscape when viewed from elevated public locations. The Landscape Amenity Management Areas (LAMA) identified on the Structure Plan are located where additional mitigation is required to avoid or mitigate potential adverse visual and cumulative effects.

The golf course will be a high quality championship-level course that is suitable for national and international tournaments, which can showcase the District and contribute significantly to the economy.

A public walking / cycling trail is enabled and located where it will link with the wider Wakatipu Trails network while not conflicting with golf operations.

The continuation of pastoral farming within the Landscape Protection Activity Area will provide for an open pastoral landscape as viewed from surrounding roads.

48.1.2 Activity Areas

The Hogans Gully Resort Zone Structure Plan at Chapter 27.13 sets out the spatial layout of activities within the Zone. The location of activity areas takes into account the topography and ecological features of the Zone, the optimal routing of the golf course and positioning of the golf course facilities, and the potential for visibility of built development when viewed from the surrounding roads and elevated public locations.

The Structure Plan identifies Activity Areas across the Zone that serve different functions and provide for certain activities, as follows:

- a. **Landscape Protection (LP)** – the open, pastoral area adjacent to State Highway 6, McDonnell Road, Hogans Gully Road (Activity Area LP1), and the Bendemeer Zone (Activity Area LP2). The purpose of Activity Area LP1 is to provide for pastoral farming and to retain the open landscape character of the Zone adjacent to the surrounding roads. The purpose of Activity Area LP2 is also to retain open landscape character around the edge of the Zone, and in particular to provide a buffer area between the development areas within the Zone and the Bendemeer Zone. Built development is restricted in Activity Area LP;
- b. **Pastoral / Golf Course (PG)** – this Activity Area occupies the wider, open, elevated terraces of the Zone and provides for part of the golf course, surrounding pastoral land and the driving range and golf academy;

- c. **Ecology / Golf (EG)** – located within the narrower, enclosed and incised gully and rocky outcrop areas within the Zone’s upper terraces, and this Activity Area provides for part of the golf course and expansive areas for ecological protection and enhancement;
- d. **Club House (C)** – located centrally within the Zone and adjacent to and overlooking the 18th fairway and green. It provides for a range of commercial activities associated with the golf course and resort operations, including resort reception, golf services, visitor accommodation, restaurant and bar and administration;
- e. **Maintenance / Service (M)** – located in the southern part of the Zone and provides for golf course maintenance, equipment and materials storage, and staff facilities, and to support the ongoing operation and maintenance of the resort. Topography (including required new earth mounding) and vegetation will ensure that structures and activities within this Activity Area will not be visible when viewed from State Highway 6;
- f. **Homestead (HS)** – located centrally within the site, this Activity Area contains the existing homestead, accessory buildings, site landscaping and access. It provides for alterations and additions to the existing building, and for a limited number of additional accessory buildings;
- g. **Driving Range (DR)** – located in the northeast of the Zone adjacent to the main entrance from McDonnell Road, to contain buildings for a driving range and golf academy, and associated carparking and access. Topography (including required new earth mounding) and vegetation will ensure that structures and activities within this Activity Area will not be visible when viewed from McDonnell Road;
- h. **Visitor Accommodation (VA)** – located centrally, adjacent to the Club House and the 18th hole, to provide for visitor accommodation units;
- i. **Visitor Accommodation / Residential (VAR1 to VAR9)** – located in pockets within the upper terraces of the Zone where built development can be absorbed into the landscape and the rural context, to provide for visitor accommodation and residential activities as part of the Resort development. Specific numbers of units are enabled in each of these Activity Areas, based on their absorption capability within the landscape. A total of 60 visitor accommodation / residential units are enabled within Activity Areas VAR1 – VAR9. Topography (including required new earth mounding) and vegetation will ensure that structures and activities within these Activity Areas will not be visible when viewed from surrounding roads.

The Structure Plan also identifies the vehicle access ways into and through the Zone, the public walking / cycling trail, and the LAMA.

48.1.3 Staging of the development

The development within the Zone will be staged to ensure it principally provides for visitor industry activities. The maintenance facilities in Activity Area M (along with required landscape mitigation works), the golf course and associated infrastructure (Activity Areas PG and EG), club house (Activity Area C), driving range (Activity Areas PG and DR) and visitor accommodation activities (Activity Area VA) will be established prior to any built development within Activity Areas VAR1 – VAR9.

48.1.4 Landscape values of the Hogans Gully Resort Zone

The Zone contains the following distinct character areas:

- a. The northern and central elevated part of the Zone comprises multiple ridge and steep gully systems, schist outcrops and plateau, with rolling, hummocky landform in the western area;

- b. The southern and eastern parts of the Zone comprise lower linear terraces of river alluvium, separated from the elevated moraine by steep escarpments;

The landscape attributes of the Zone include the following:

- c. Distinctive and dramatic ridge, knoll and gully systems formed by glacial erosion;
- d. Natural wetlands in the gullies;
- e. The Arrow irrigation race traversing the Zone;
- f. Open pastoral land adjoining the surrounding roads (State Highway 6, McDonnell Road and Hogans Gully Road), allowing views to Morven Hill, the Crown Terrace escarpment and the moraine 'foothill' landscape of the Zone;
- g. Vegetation patterns characterised by pastoral grassland, with some areas of exotic conifer forest and patches of willow and birch. The northern and central gully formations contain indigenous grey shrubland, mostly of matagouri, with some wetland and riparian vegetation;
- h. A moderate level of naturalness, where development remains subservient to more natural landscape elements and patterns;
- i. High visibility of the lower linear terraces from the surrounding roads, providing an impression of a low key and spacious rural entrance to the Wakatipu Basin;
- j. High visibility of the whole Zone from the zig-zag of the Crown Range Road and parts of Tobins Track, as part of panoramic views across the Wakatipu Basin. From the elevated parts of Arrowtown visibility is limited and distant.

The Zone has the following landscape values:

- k. High biophysical values, as result of the distinctive ice-eroded ridge, knoll and gully landforms and the associated indigenous grey shrubland and wetland vegetation;
- l. High expressiveness and legibility values as a consequence of the legible ice-scoured and alluvial landforms;
- m. High aesthetic values as a result of the scenic quality of the rural landscape and the memorability of parts of the Zone, particularly the open pastoral terraces, the schist escarpments adjacent to the terraces and the hummocky elevated moraine 'foothills';
- n. Moderate naturalness values, as a result of the predominance of natural elements and open space over built development and man-made structures;
- o. Moderate associative values as a result of the attractive rural character of the area and its importance in significant views along State Highway 6 and the Crown Range Road.

The undulating, hummocky topography and the anticipated indigenous vegetation protection and enhancement, in combination with other landscape mitigation, means that the Zone has capacity to absorb well-sited, carefully designed development that is generally not visible from surrounding roads within the Wakatipu Basin floor and is integrated with the landform and planting strategies described in Section 48.1.

48.1.5 Landscape Amenity Management Areas

LAMAs are identified on the Structure Plan and all have a relationship to a specific Activity Area (Activity Areas M, DR, C, VAR2, VAR5, and VAR8). LAMAs comprise areas where landscaping, including mounding, additional planting, or retention of existing vegetation, or a combination of these, is required to integrate or mitigate the presence of buildings and resort infrastructure. The LAMAs have a dual function, being the mitigation of visual and cumulative effects of buildings so that they are not directly visible, or if visible, not prominent when viewed from neighbouring properties and public places, and as a means of contributing to the amenity of the Zone.

Any terrain modification as part of a LAMA will be designed to read as a continuation of existing topography around the related development area and will generally be at a gentle grade. Planting may include a combination of evergreen beech and exotic deciduous trees laid out in naturalistic clusters consistent with the site and the rural character of the wider Basin, and in grassland to blend with surrounding areas. The combination of evergreen and deciduous species will enable year-round visual mitigation while allowing seasonal interest throughout the property.

At the time resource consent applications for subdivision or buildings are lodged, plans showing the location and design of the LAMA shall be submitted for approval. The Zone provisions require that all LAMA be established prior to the construction of any buildings within the relevant activity area.

Included at Section 48.10 is a series of indicative LAMA layout / design plans for the Zone, which depict the approximate extent of existing and proposed vegetation, and, in some cases, mounding required for relevant Activity Areas in order to sufficiently mitigate the visual effects of new buildings (in the Activity Areas if fully developed), and ensure cumulative adverse effects within any Activity Area are avoided. These indicative LAMA layout / design plans are not intended to be replicated in all cases through consent conditions, but instead are to guide the design and landscape mitigation expectations of LAMA in relation to the development of the Zone.

48.2 Objectives and policies

48.2.1 Objective - A golf course resort that provides on-site visitor facilities and amenities, and limited residential activities, all located and designed to integrate with the rural landscape character and amenity values of the Zone and wider surroundings, and where nature conservation values are maintained and enhanced through significant native regeneration.

Policies

Structure Plan and Resort Development

- 48.2.1.1 Enable the development, operation, use and maintenance of the golf course as the primary on-site visitor activity within the Zone.
- 48.2.1.2 Require development to be in accordance with a Structure Plan to ensure development appropriately integrates with and does not adversely affect the landscape, recreational, and ecological values and opportunities of the Zone and the wider Basin.
- 48.2.1.3 Development that is not located in accordance with the Structure Plan, where it will give rise to adverse effects on landscape character and amenity values, is avoided.
- 48.2.1.4 Require that development is staged to ensure that the visitor industry facilities, including the golf course and related facilities (maintenance facilities, clubhouse and driving range), and visitor accommodation facilities in Activity Area VA, are established prior to further built development.

Activities

- 48.2.1.5 Provide for Visitor Accommodation in Activity Areas C, VA and VAR1 – VAR9, while avoiding residential activities in Activity Areas C and VA and providing for limited residential activity within VAR1 – VAR9, to ensure that the Zone principally provides for temporary visitor accommodation.
- 48.2.1.6 Provide for a limited number of Residential Units across the Zone, in order to maintain a low average density of residential development.
- 48.2.1.7 Provide for resort and golf-related administration, visitor accommodation and facilities (including restaurant, café, bar, lounge, and limited retail) in Activity Area C; restaurant, bar, café and lounge facilities in Activity Area VA; and for driving range and educational (golf academy) activities in Activity Area DR.
- 48.2.1.8 Provide for limited ancillary buildings for golf and resort purposes, farming and resort infrastructure that avoids or mitigates adverse effects on landscape and amenity values.
- 48.2.1.9 Provide for the take-off and landing of helicopters while ensuring that adverse effects on neighbours' amenities are avoided or mitigated by flight paths and flight numbers.
- 48.2.1.10 Provide for a public walkway and cycleway as part of the wider Wakatipu Trails network.
- 48.2.1.11 Avoid any commercial and industrial activities that are not integral to the operation of the Resort.

Ecology, Landscape and Amenity

- 48.2.1.12 Protect and enhance ecological values through an extensive ecological management and enhancement programme, including indigenous vegetation protection, restoration and enhancement, and other protection measures including plant and animal pest management and ongoing management and monitoring, to ensure that:
 - a. indigenous habitats are viable and can support a variety of indigenous fauna are established within the Zone; and
 - b. planting areas contribute to blending built development into the local and wider landscape.
- 48.2.1.13 Ensure that the enhancement planting is appropriately staged, in accordance with the staging required in the Ecological Planting and Staging Plan at 48.12 and in Chapter 27.7.A to correspond with stages of development of the Resort.
- 48.2.1.14 Require landscaping within individual lots to integrate with the enhancement planting in the Zone and to ensure that buildings blend into the landscape.
- 48.2.1.15 Maintain landscape values in those parts of the Zone adjacent to the surrounding roads (Activity Area LP1) and visible from nearby properties (LP2), including by retaining open space and farming, and by restricting built development.
- 48.2.1.16 Require the establishment of LAMAs in accordance with the Structure Plan in Section 48.8 to ensure that the potential adverse effects of built form on landscape and visual amenity values are avoided or mitigated.

Buildings and access

- 48.2.1.17 Control building height, roof form, building coverage, external materials and colours, and glare in order to:
 - a. Avoid or mitigate adverse visual effects of built form on landscape values when

viewed from within and beyond the Zone; and

- b. Ensure that built development is subservient to the landscape within the context of the Zone and wider rural environment.

48.2.1.18 Maintain landscape character by ensuring that the design of all accesses to the Zone, and the cycleway / walkway, are visually recessive and have a non-urban character.

Resort Infrastructure

48.2.1.19 Require that development within the Zone is connected to a reticulated wastewater treatment and disposal system, where available.

48.2.1.20 Where connection to a reticulated wastewater system is not available, avoid or mitigate any potential adverse effects on natural water systems and ecological values by ensuring the safe and efficient disposal of wastewater through provision of a comprehensive system that is designed to provide sufficient capacity for anticipated development within the Zone.

48.2.1.21 Ensure a comprehensive approach to on-site stormwater management that is designed to provide sufficient capacity for anticipated development within the Zone.

48.3 Other Provisions and Rules

48.3.1 District Wide

Attention is drawn to the following District Wide chapters.

1. Introduction	2. Definitions	3. Strategic Direction
4. Urban Development	5. Tangata Whenua	6. Landscapes and Rural Character
25. Earthworks	26. Historic Heritage	27. Subdivision
28. Natural hazards	29. Transport	30. Energy and Utilities
31. Signs	32. Protected Trees	33. Indigenous Vegetation and Biodiversity
34. Wilding Exotic trees	35. Temporary Activities and Relocatable Buildings	36. Noise
37. Designations	39. Wahi Tupuna	Planning Maps

48.3.2 Interpreting and Applying the Rules

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

48.3.2.2 Where an activity does not comply with a standard listed in the standards tables, the activity status identified by the 'Non-Compliance Status' column shall apply. Where an activity breaches more than one standard, the most restrictive status shall apply to the activity.

48.3.2.3 The following abbreviations are used within this chapter:

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

48.4 Rules – Activities

	Activities – Hogans Gully Resort Zone	Activity Status
	Structure Plan	
48.4.1	Landscaping, amenity planting, conservation planting, including clearance of any exotic vegetation	P
48.4.2	<p>Primary Road Access, and the indicative walkway/cycleway, as shown on the Structure Plan (+/- 30m).</p> <p>Control is reserved to:</p> <ol style="list-style-type: none"> a. Entrance design (including lighting); b. Materials and colour; c. Edge and berm treatment (including footpaths (if required) and any lighting); d. Stormwater management; e. Location and alignment. 	C
	Landscape Amenity Management Areas (LAMA)	
48.4.3	<p>The establishment of any LAMA identified on the Structure Plan, associated with buildings in Activity Areas M, DR, C, VAR2, VAR5, and VAR8.</p> <p>Control is reserved to:</p> <ol style="list-style-type: none"> a. The effectiveness of the LAMA proposed, in terms of its contribution to visual coherence and amenity, whether it ensures integration and whether it provides adequate mitigation of future buildings proposed within the relevant Activity Area when viewed from public viewpoints outside the Zone, including: <ol style="list-style-type: none"> i. the extent to which any existing vegetation should be retained; ii. the size, volume and batter of any earthworks required; iii. the species mix, proposed density and location of any new vegetation and its size at planting and maturity; iv. ongoing maintenance requirements and obligations, including the replacement of any diseased, damaged, dead or dying plants; v. irrigation methods; vi. the extent to which the earthworks are congruous with the landscape. b. The approach to establishment of the LAMA. For the purpose of this rule “establishment” means that the works required, including all planting, irrigation installation, and any earthworks: <ol style="list-style-type: none"> i. are implemented and physically completed; and ii. have been audited by the Council no sooner than 6 months following physical completion; and iii. have been certified by the Council as being completed. c. The mechanisms (including registration of legal instruments, as appropriate) to ensure that: 	C

	<ul style="list-style-type: none"> i. any LAMA will be established prior to construction of any buildings in any Activity Area, and that ii. ongoing commitments exist in relation to the maintenance and management of the LAMA, including through a landscape management strategy; iii. there are ongoing monitoring requirements. <p>Information requirements</p> <p>Where LAMA is proposed, the application must be accompanied by a LAMA strategy prepared by a suitably qualified and experienced person. The LAMA strategy shall include the following information:</p> <ul style="list-style-type: none"> a. A description of the LAMA proposed relative to the subject Activity Area, including any new vegetation, existing vegetation to be retained, earthworks (including mounding and shaping), and/or other measures. b. If the LAMA proposed departs from the indicative LAMA plans at Part 48.10, an assessment which explains the rationale for any departures and which demonstrates that the LAMA proposed will result in an effective approach to the mitigation and integration of built form, and contribute to coherence and amenity within the Zone. 	
	Buildings	
48.4.4	<p>Buildings in Activity Areas LP1, PG, EG, limited to buildings for resort infrastructure, and accessory buildings for golf and farming purposes</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> a. External materials and colours b. Location with respect to effects when viewed from State Highway 6, McDonnell Road or Hogans Gully Road. 	C
48.4.5	<p>Buildings in Activity Areas VAR1 – VAR9, C, M, DR and VA and where in the case of any buildings within any of Activity Areas M, DR, C, VAR2, VAR5, and VAR8 the relevant LAMA in proximity to the Activity Area has been established in accordance with a resource consent granted under Rule 48.4.3.</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> a. Infrastructure (including the approach to stormwater and wastewater management) b. Access, including design and finished surface treatment of access and walkways c. Effects on landscape character d. Consistency with the Landscaping and Site Treatment Details at Part 48.7. <p>Where buildings are proposed in Activity Areas M, DR, C, VAR2, VAR5, and VAR8, in addition to a – c above control is reserved to:</p> <ul style="list-style-type: none"> d. The effectiveness of the LAMA established in proximity to the Activity Area, in terms of whether it provides adequate mitigation of and visual relief from the buildings proposed and all future buildings within the Activity Area when viewed from public viewpoints outside the Zone; and e. Whether additional LAMA is required in order to provide adequate mitigation. If additional LAMA is required, the matters of control in Rule 48.4.3 will apply. <p>Note: Future applications for buildings in Activity Areas M, DR, C, VAR2, VAR5 and VAR8 may rely on the LAMA that has been established as part of any prior application under either this rule, Rule 48.4.3, or a subdivision consent pursuant to Rule 27.7.A.</p>	C

48.4.6	Buildings within any of Activity Areas M, DR, VAR2 and C where the relevant LAMA in proximity to the Activity Area has not been established in accordance with Rule 48.4.3	NC
48.4.7	Alterations and additions to the homestead in Activity Area HS. Control is reserved to: a. Effects on landscape character associated with the bulk and external appearance of buildings b. Landform modification, exterior lighting, access, infrastructure c. Landscaping and planting (if required for mitigation of any potential effects of the building on landscape character)	C
48.4.8	Buildings in Activity Area LP2, and any buildings in Activity Areas LP1, PG, EG, not otherwise provided for.	NC
	Visitor Accommodation	
48.4.9	Visitor Accommodation in Activity Areas C, VA, and VAR1 – VAR9	P
48.4.10	Visitor Accommodation in Activity Areas M, LP, PG and EG	NC
	Residential Activity	
48.4.11	Residential activities, Residential Visitor Accommodation and Homestays in Activity Areas VAR1 – VAR9 and HS	P
48.4.12	Residential activities in Activity Areas C, VA, M, DR, LP, PG and EG	NC
	Commercial, Community and Recreational Activities	
48.4.13	Operation, use and maintenance of golf courses, buggy / golf cart tracks, informal walkways and accessways, and related recreational and ancillary commercial activities, commercial golf instruction, irrigation plant and reticulation	P
48.4.14	Golf course construction Control is reserved to: a. Erosion and sediment management. b. Effects on landforms within the golf course construction area. c. Location and sequencing of golf course development relative to any buildings or LAMA areas required for future mitigation.	C
48.4.15	Educational activities, limited to the Resort golf academy in Activity Area DR	P
48.4.16	Recreation, Recreational Activities, and Informal Recreation Activities	P
48.4.17	Commercial Recreation Activities other than those activities related to golf	D
48.4.18	Offices and administration activities directly associated with the management and development of the Resort or ancillary to other permitted or approved activities located within Activity Areas C, DR and M	P
48.4.19	Bars, cafés, restaurants, golf-related ancillary retail, conference facilities, and indoor and outdoor entertainment in Activity Areas C and VA	P
48.4.20	Commercial and Community Activities not otherwise provided for	NC
	Rural Activities	
48.4.21	Farming and domestic livestock activities	P
48.4.22	Mining	NC

48.4.23	Forestry Activities, except for Plantation Forestry where the National Environmental Standard for Plantation Forestry prevails	PR
48.4.24	Factory Farming	PR
	Service Activities and Industrial Activities	
48.4.25	Indoor and outdoor storage and use of golf course construction and maintenance equipment and materials, service and industrial activities related to the golf course construction and maintenance within the Zone, including related staff facilities and amenities in Activity Area M	P
48.4.26	Service Activities and Industrial Activities, except for: a. activities directly related to other approved or permitted activities within the Zone; b. located within the Activity Area M	NC
48.4.27	Panelbeating, spray painting, motor vehicle repair or dismantling except for activities directly related to other approved or permitted activities within the Zone and located within Activity Area M	PR
48.4.28	Fibreglassing, sheet metal work, bottle or scrap storage, motorbody building or wrecking, fish or meat processing (excluding that which is ancillary to a retail premises such as a butcher, or fishmonger), or any activity requiring an Offensive Trade Licence under the Health Act 1956	PR
	Other Activities	
48.4.29	Informal airports in all Activity Areas limited to helicopters for emergency landings, rescues, fire-fighting and activities ancillary to farming	P
48.4.30	Informal airports limited to helicopters within Activity Area C Discretion is restricted to: a. The number of trips; b. Noise effects on properties outside the Zone; c. The flight path to and from the landing location.	RD
48.4.31	Access to Activity Area HS from McDonnell Road for activities other than those provided for in Activity Area HS	NC
48.4.32	The construction of any Visitor Accommodation / Residential Unit in Activity Areas VAR1 – VAR9 prior to issue of the certificate of title for the lot the Visitor Accommodation / Residential Unit is to be constructed on	NC
48.4.33	Any other activity not provided for by any rule	NC

48.5 Rules – Standards

	Standards – Hogans Gully Resort Zone	Non-compliance status				
	Structure Plan and sequencing of development					
48.5.1	Development shall be located in accordance with the Structure Plan	NC				
48.5.2	The golf course and built development within the Zone shall be sequenced as follows: <table border="1" data-bbox="363 1921 1018 2020"> <thead> <tr> <th>Stage</th> <th>Works</th> </tr> </thead> <tbody> <tr> <td>Stage 1</td> <td> <ul style="list-style-type: none"> Establishment of the maintenance </td> </tr> </tbody> </table>	Stage	Works	Stage 1	<ul style="list-style-type: none"> Establishment of the maintenance 	NC
Stage	Works					
Stage 1	<ul style="list-style-type: none"> Establishment of the maintenance 					

	<p>facilities in Activity Area M (including associated landscape mitigation) and access roading and resort infrastructure;</p> <ul style="list-style-type: none"> • Construction of the golf course in Activity Areas PG and EG and the Clubhouse in Activity Area C, and associated golf related infrastructure and roading; • Construction of the driving range in Activity Area PG and the associated buildings in Activity Area DR, and associated infrastructure and roading. 	
	<p>Stage 2</p> <ul style="list-style-type: none"> • Construction of at least 16 Visitor Accommodation Units in Activity Area VA. 	
	<p>Stage 3</p> <ul style="list-style-type: none"> • Construction of the Visitor Accommodation / Residential Units in Activity Areas VAR1 – VAR9. 	
48.5.3	<p>Ecological Protection and Enhancement</p> <p>Buildings in Activity Areas VAR1 – VAR9 shall not be occupied prior to:</p> <ol style="list-style-type: none"> completion of the ecological protection and enhancement works identified as A, B, C and R on the Ecological Planting and Staging Plan at Part 48.12 completion of the ecological planting required in the relevant individual lot, as detailed in the Landscaping and Site Treatment Details at Part 48.7 	NC
	Buildings	
48.5.4	<p>Building Siting</p> <p>All buildings in VAR1 – VAR9 shall be located a minimum of 3 metres from the lot boundary.</p>	NC
48.5.5	<p>Glare / Lighting</p> <ol style="list-style-type: none"> All exterior lighting shall be down lighting no more than 1m above ground level, except that this rule does not apply to roading at the intersection with McDonnell Road Lighting shall not create any light spill onto adjoining properties and shall be directed away from adjacent roads and properties. Any building or fence that can be viewed from a public place that is constructed or clad in metal, or material with reflective surfaces shall be painted or otherwise coated with a recessive finish consistent with Rule 48.5.10. 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. 	NC
48.5.6	Building Height	NC

	<p>The maximum building height shall be as follows:</p> <p>48.5.6.1 Activity Area C 8m provided that:</p> <ol style="list-style-type: none"> a. no part of any building protrudes above a height plane of 434 MASL; and b. the eastern elevation shall comprise single story built form only of maximum height above finished floor level of 429.5 MASL <p>48.5.6.2 Activity Area VA 6.5m</p> <p>48.5.6.3 Activity Area DR 6.5m</p> <p>48.5.6.4 Activity Area M 5.5m</p> <p>48.5.6.5 Activity Area HS 8m</p> <p>48.5.6.6 Activity Areas EG, PG and LP 3.8m</p> <p>48.5.6.7 Activity Areas VAR 1 – VAR 9 3.8m</p> <p>Provided that, in Activity Areas VAR1 – VAR9:</p> <ol style="list-style-type: none"> a. All visitor accommodation / residential units shall be restricted to single story building forms. b. Height shall be measured from the top of the floor slab to the highest point of the roof form. Finished floor levels shall be as set out in Schedule 48.9: Finished Floor Levels. 											
48.5.7	<p>Roof form in VAR1 – VAR9</p> <ol style="list-style-type: none"> a. All roofs shall be constructed at the minimum slope specified by the relevant manufacturer but shall not exceed 5 degrees. b. Roof features and light well features may extend 1.2 metres above roof forms and shall be no more than 1.2m x 1.2m in plan dimension. 	NC										
48.5.8	<p>Site coverage – Activity Areas VAR1 – VAR9</p> <p>Site coverage on any lot in Activity Areas VAR 1 – VAR 9 shall be:</p> <table border="1" data-bbox="381 1317 970 1794"> <thead> <tr> <th>Coverage by:</th> <th>Coverage as percentage of lot area:</th> </tr> </thead> <tbody> <tr> <td>Buildings</td> <td>35% maximum</td> </tr> <tr> <td>Hardstand / driveway</td> <td>25% maximum for lots up to 1000m² 20% maximum for lots greater than 1000m²</td> </tr> <tr> <td>Lawn / garden</td> <td>10% maximum</td> </tr> <tr> <td>Indigenous vegetation planting</td> <td>30% minimum</td> </tr> </tbody> </table>	Coverage by:	Coverage as percentage of lot area:	Buildings	35% maximum	Hardstand / driveway	25% maximum for lots up to 1000m ² 20% maximum for lots greater than 1000m ²	Lawn / garden	10% maximum	Indigenous vegetation planting	30% minimum	NC
Coverage by:	Coverage as percentage of lot area:											
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Lawn / garden	10% maximum											
Indigenous vegetation planting	30% minimum											
48.5.9	<p>Building coverage – Activity Areas M, C, DR, HS and VA</p> <p>The maximum building coverage for all buildings in Activity Areas M, C, DR and HS shall not exceed the following percentage of the total area of those activity areas:</p> <p>Activity Area M 25%</p> <p>Activity Area C 35%</p>	NC										

	<p>Activity Area DR 25%</p> <p>Activity Area HS 15%</p> <p>Activity Area VA 25%</p> <p>Provided that in Activity Area VA, the maximum coverage by a single building shall be 150m².</p>	
48.5.10	<p>External Materials</p> <p>External wall cladding shall have a light reflectance value (LRV) of 30% or lower as specified, and shall be restricted to the following materials only:</p> <ul style="list-style-type: none"> a. Timber: burnt larch, charcoal or black stained weathered timber cladding, Western Red Cedar or Alaskan Yellow Cedar with penetrating oil stain in dark recessive colours. All in lieu of painted timber surfaces. b. Stone: Schist. c. Profiled metal: standing seam profile in dark colours, or pre-weathered zinc. d. Joinery suites limited to dark aluminium or steel frames with an LRV less than 25%. e. Concrete: either in situ or precast. Low light reflection coefficient to be achieved through texture or oxide additives. f. Corten or mild steel: as wall cladding panels. <p>Roof materials shall have a LRV of 20% or lower, and shall be restricted to the following materials only:</p> <ul style="list-style-type: none"> g. Metal: standing seam profile. Factory coated metal or pre-weathered zinc. h. Corten steel: Corten rain-screen over membrane roofing system. i. Membrane flat roof systems with black or grey mineral chip. j. Timber black stained or weathered timber rain- screen over membrane roofing system. k. Green roof: Proprietary roof system with locally sourced plants in keeping with the wider planting scheme and species listed at 48.7.A1(i). l. Paved areas within lots shall be restricted to mid to dark grey natural materials, such as schist paving, asphalt, exposed aggregate, granites, bluestone or similar. 	NC
48.5.11	<p>Maximum Total Site Coverage</p> <p>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 but excludes weirs, filming towers, bridges and roads and parking areas and other hard surfacing.</p>	NC
48.5.12	<p>Building Design – Activity Areas C and DR</p> <p>All buildings shall be in accordance with the architectural plans at Schedule 48.11.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> i. Effects on landscape character. ii. Consistency with effects of the building in Schedule 48.11 in relation to the

		scale, form, materials and colours.																								
48.5.13	<p>Buildings for golf purposes in Activity Areas PG, EG</p> <p>a. The total number of buildings for golf purposes in Activity Areas PG and EG shall be 2.</p> <p>b. The maximum gross floor area of any building for golf purposes shall be 25m².</p>	D																								
48.5.14	<p>Buildings for farming purposes or resort infrastructure (including existing buildings) in Activity Area LP1</p> <p>a. The total number of buildings in Activity Area LP1 (including existing buildings) shall be 5.</p> <p>b. The maximum gross floor area of any building for the purpose of this rule shall be 50m²</p> <p>c. No buildings shall be located south of the primary access road to Activity Area M.</p>	NC																								
Visitor Accommodation / Residential Activity																										
48.5.15	<p>Residential Activity within Visitor Accommodation Units</p> <p>Within Visitor Accommodation Units in Activity Areas VAR1 – VAR9, any residential activity shall be limited to not more than 180 nights per year per unit by the owners of the units</p>	NC																								
48.5.16	<p>Number of Visitor Accommodation units in Activity Area VA</p> <p>The minimum number of Visitor Accommodation units in Activity Area VA shall be 16.</p>	NC																								
48.5.17	<p>Maximum number of Visitor Accommodation / Residential Units in Activity Areas</p> <p>The maximum number of Visitor Accommodation / Residential Units per Activity Area in Activity Areas VAR1 – VAR9 and HS shall be as follows:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Activity Area</th> <th>Maximum number of Units</th> </tr> </thead> <tbody> <tr><td>VAR1</td><td>5</td></tr> <tr><td>VAR2</td><td>10</td></tr> <tr><td>VAR3</td><td>13</td></tr> <tr><td>VAR4</td><td>4</td></tr> <tr><td>VAR5</td><td>4</td></tr> <tr><td>VAR6</td><td>6</td></tr> <tr><td>VAR7</td><td>7</td></tr> <tr><td>VAR8</td><td>3</td></tr> <tr><td>VAR9</td><td>7</td></tr> <tr><td>HS</td><td>1</td></tr> <tr><td>Total</td><td>60</td></tr> </tbody> </table>	Activity Area	Maximum number of Units	VAR1	5	VAR2	10	VAR3	13	VAR4	4	VAR5	4	VAR6	6	VAR7	7	VAR8	3	VAR9	7	HS	1	Total	60	NC
Activity Area	Maximum number of Units																									
VAR1	5																									
VAR2	10																									
VAR3	13																									
VAR4	4																									
VAR5	4																									
VAR6	6																									
VAR7	7																									
VAR8	3																									
VAR9	7																									
HS	1																									
Total	60																									

	<p>Provided that:</p> <p>a. The combined maximum number of Residential Units in Activity Areas VAR1 – VAR9 shall be 30.</p> <p>b. The maximum number of Residential Units in Activity Area HS shall be 1.</p>	
	Site treatment in Activity Areas VAR1 – VAR9	
48.5.18	<p>Indigenous vegetation planting</p> <p>The area of indigenous vegetation planting required by Rule 48.5.8 shall be undertaken in accordance with the Landscaping and Site Treatment Details at Schedule 48.7.A.1 - Landscaping.</p>	D
48.5.19	<p>Boundary Treatment, Access and Parking, Services, Swimming and Spa Pool, and Outdoor Fires</p> <p>Boundary Treatment, Access and Parking, Services, Swimming and Spa Pool, and Outdoor Fires shall be in accordance with the Landscaping and Site Treatment Details at Schedule 48.7.A.2 – A.7.</p>	D
48.5.20	<p>Fencing – Activity Area LP</p> <p>Any fencing must be at the boundary of Activity Area LP or otherwise for containing grazing.</p>	D
	Other Activities	
48.5.21	<p>Retail Sales</p> <p>No goods or services shall be displayed, sold or offered for sale from a site except:</p> <p>a. goods grown, reared or produced on the site;</p> <p>b. goods and services associated with, and ancillary to the commercial and recreation activities within Activity Areas C, VA and DR.</p>	NC
48.5.22	<p>Nature and Scale of Activities</p> <p>Except within Activity Areas C and M, no goods, materials or equipment shall be stored outside a building, except for vehicles associated with the activity parked on the site.</p>	NC

48.6 Non-notification of Applications

48.6.1 Except as provided for by the Act, all applications for controlled activities and restricted discretionary activities will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons, other than any application made under Rule 48.4.30.

48.7 Landscaping and Site Treatment Details – Activity Areas VAR1 – VAR9

A.1 Landscaping

i) Plant species to be used within the required indigenous vegetation planting area on the lot shall be limited to the following only:

- a. *Trees*
 - *Sophora microphylla* (Kowhai)
 - *Nothofagus solandri* var. *cliffortioides* (Mountain beech)
 - *Aristotelia serrata* (Wineberry/makomako)
 - *Aristotelia fruticosa* (Mountain wineberry)
- b. *Native grasses*
 - *Chionochloa rubra* (Red tussock)
 - *Chionochloa rigida* (Snow tussock)
 - *Carex dipsacea* (Sedge)
 - *Anemanthele lessoniana* (Gossamer grass)
 - *Festuca novae zelandiae* (Hard tussock)
 - *Elymus solandri* (Blue wheatgrass)
 - *Poa colensoi* (Blue tussock)
 - *Carex breviculmis* (Grassland sedge)
- c. *Native shrubs*
 - *Brachyglottis greyi* (Daisy bush)
 - *Hebe odora* (Boxwood hebe)
 - *Hebe topiaria* (hebe)
 - *Hebe cupressoides* (Cypress hebe)
 - *Hebe salicifolia* (Koromiko)
 - *Griselinia littoralis* (Broadleaf)
 - *Melicytus alpinus* (Porcupine shrub)
 - *Discaria toumatou* (Matagouri)
 - *Coprosma propinqua* (Mingimingi)
 - *Carmichaelia petriei* (Desert/native broom)
- d. *Flaxes*
 - *Phormium cookianum* (Mountain flax)
 - *Phormium tenax* (Flax)
- e. *Alpine rock plants*
 - *Raoulia species* (Cushion plants)
- f. *Ferns*
 - *Pteridium esculentum* (Bracken Fern)
- g. *Other species*
 - *Any other indigenous species not included on this list but established in the wider Wakatipu Basin*

- ii) All areas within the lot excluding the building, driveway, turning area and lawn, are to be planted with plants selected from the list A.1.(i) above. All planting to be implemented within the first planting season from completion of construction.
- iii) All planting is to be designed and planted to show species variety, achieving a wild / natural landscape outcome, utilising multiple species from the plant list at A.1.(i) above.
- iv) This is to be achieved by utilising a minimum of 8 species from the planting list in A.1.(i), to achieve visually continuous planting in the surrounding wider landscape and within adjacent visitor accommodation / residential lots. Each of the selected species shall make up a minimum of 12.5% of the species mix aside from the 4 species listed under A.1.(i) a) 'trees' which can make up a minimum of 5% of the total planting.
- v) Lawn and private gardens (such as herb and vegetable gardens) shall be no more than 10% of the lot size.

- vi) No exotic trees or plants are permitted aside from a small herb or vegetable garden (see A.1.(i) above).
- vii) Varieties of plant cultivar or colour are discouraged.
- viii) Plant numbers on slopes must be calculated for the actual surface area to ensure slopes will be sufficiently planted. Exterior service areas are to be appropriately screened with native planting selected from the planting species list and materials referred to under A.1.(i). Exterior service areas include but are not limited to wastewater tanks, gas bottles, washing lines, rubbish and recycling area, air conditioning units, compost facilities, firewood stacks etc.
- ix) Sculptures and garden art shall be discretely located within courtyards or similar, shall not exceed 2 metres in height and of an appropriate recessive colour range and material. Brightly coloured or reflective garden sculptures are not permitted.

A.2 Boundary Treatment

- x) There is to be no fencing on external or internal lot boundaries. Where owners wish to undertake fencing for the purpose of containment only, the fence must be located beyond the lot setbacks amongst vegetation and screened from neighbours and wider views by vegetation.
- xi) Where a fence is required for containment, it shall be no higher than 1 metre in height and be constructed in traditional post and wire, or waratah and wire, or post and netting, or waratah and netting. Posts for the purpose of fencing shall be in traditional round tanalised pine only, not exceeding 1 metre in height and left to weather.
- xii) Walls for the purpose of privacy and shelter (around courtyards for example) shall be constructed in the materials specified for architectural wall claddings at Rule 48.5.10, shall not exceed 1.5 metres in height, and shall not be located within the indigenous vegetation planting area required by Rule 48.5.8.
- xiii) Any walls for the purpose of retaining and landscaping shall be in local schist only, horizontally laid.
- xiv) Pool fencing is to comply with any applicable safety standards and and landscape design. Pool fencing must be of dark colours and natural materials.

A.3 Access and Parking

- xv) All driveway and vehicle courtyards within the lot boundary shall be concrete with an exposed aggregate finish only.
- xvi) Vehicle parking aprons shall be beyond lot setbacks, with driveway access at a maximum of 4 metres across the setback.
- xvii) Garaging for a minimum of two cars shall be provided on each lot.
- xviii) House numbering shall be installed on a single macrocarpa post no higher than 1m, located to the left-hand side of the driveway entrance. This shall be in colours of burnt larch, charcoal, black stained, or natural/ weathered macrocarpa relative to the cladding of the building on the lot.
- xix) Within lots, ornamental gates or entry features such as stone walls, timber walls or timber posts, by way of example, are not allowed.

A.4 Services

- xx) Power meters, vents or any electronic units attached to the visitor accommodation / residential unit shall be painted to match wall cladding.
- xxi) No air conditioning units, or other units of any kind are permitted to be mounted on roofs. Air conditioning units must be ground mounted for screening requirements).
- xxii) A television satellite dish (Sky or internet by way of example) is optional but must be located on the roof, in grey colour, and not exceeding 600mm in diameter. Internet services are provided underground to each lot.
- xxiii) All exterior service areas must not be located in the indigenous vegetation planting area required by Rule 48.5.8. Exterior service areas include but are not limited to wastewater tanks, washing lines, rubbish and recycling areas, air conditioning units, compost facilities, firewood stacks, fuel tanks and gas bottles
- xxiv) All site utilities to visitor accommodation / residential unit such as gas supply, electrical supply, stormwater piping, foul sewer, and telecommunications shall be undergrounded.

A.5 Landform

- xxv) Any mounding shall be located within the lot setbacks and be of natural shape and contour to avoid a 'flat top' and steep sides.
- xxvi) Any mounding is required to blend into existing topography to accentuate the natural landform and add to the rural character of the site.

A.5 Swimming and Spa Pool

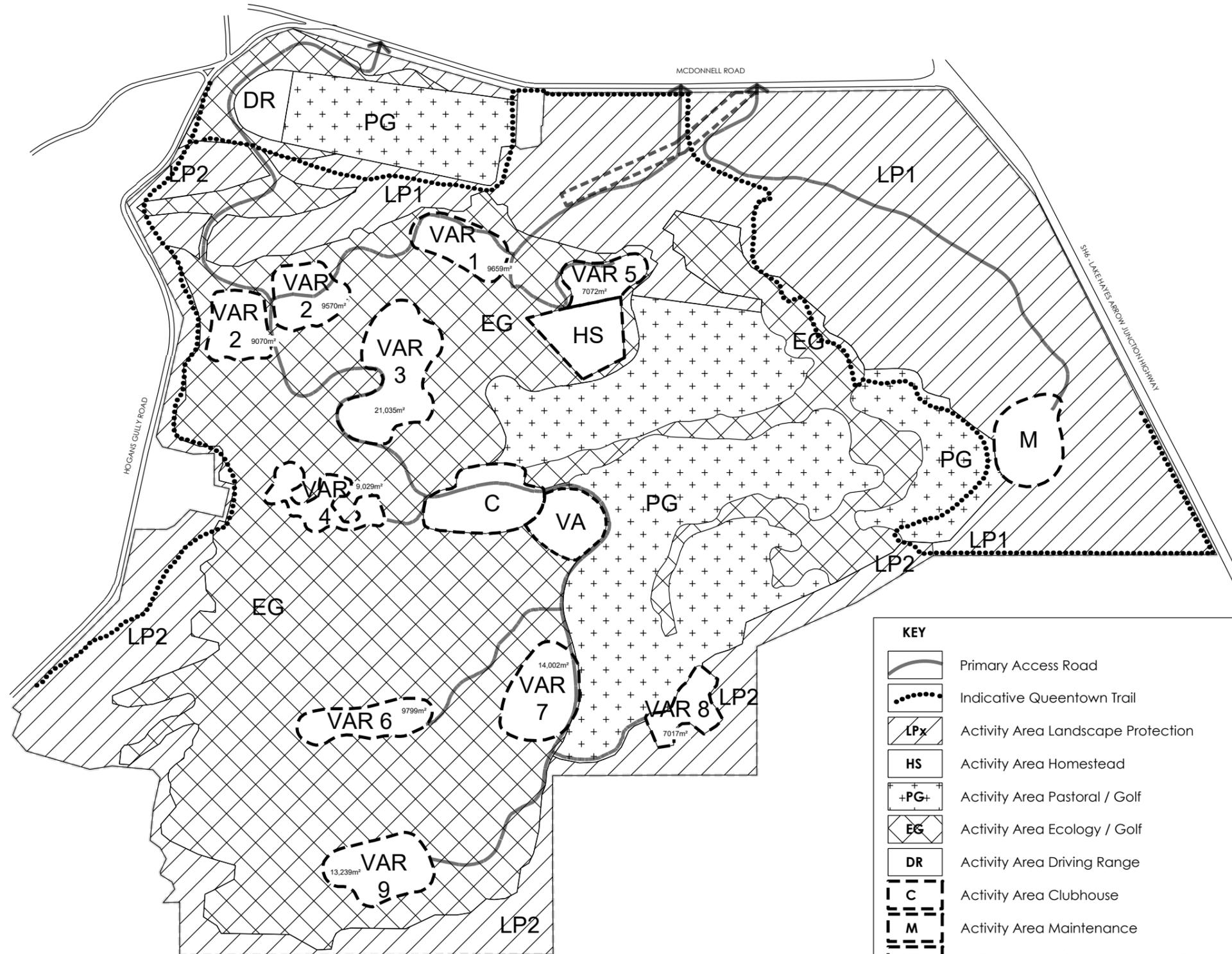
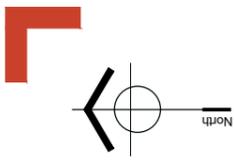
- xxvii) Any swimming pools and spa pools are not permitted within the indigenous vegetation planting area required by Rule 48.5.8.
- xxviii) Any swimming pool or spa pool plant is to be located inside the visitor accommodation / residential unit or garage and must be acoustically insulated to achieve the relevant noise standards of the Zone.

xxix)

A.6 Outdoor Fires

- xxx) Any outdoor fires must be gas fired only or to approved emission controls.

48.8 Hogans Gully Resort Zone – Structure Plan

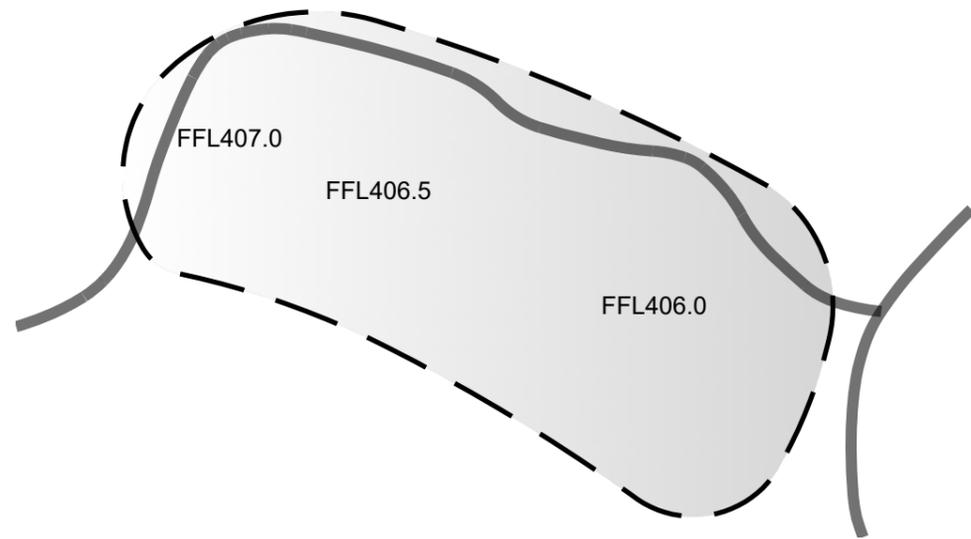


KEY		
	Primary Access Road	
	Indicative Queentown Trail	
	Activity Area Landscape Protection	56.162 ha
	Activity Area Homestead	1.151 ha
	Activity Area Pastoral / Golf	27.419 ha
	Activity Area Ecology / Golf	51.126 ha
	Activity Area Driving Range	0.723 ha
	Activity Area Clubhouse	1.506 ha
	Activity Area Maintenance	1.246 ha
	Activity Area Visitor Accommodation	0.934 ha
	Activity Area Visitor Accommodation / Residential	10.949 ha
Total site area =		158.795 ha

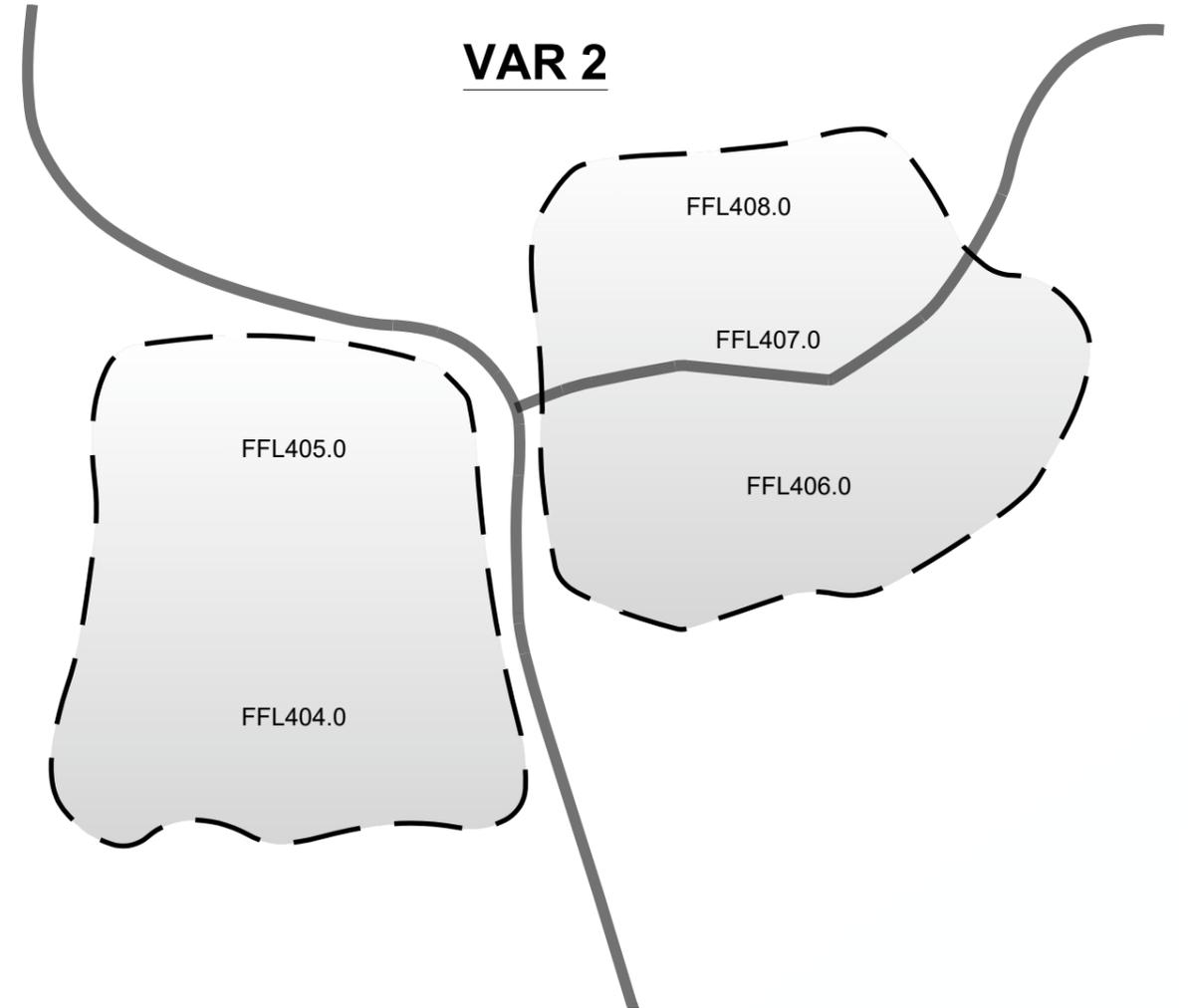
48.9 Finished Floor Levels Plan – Activity Areas VAR1 – VAR9



VAR 1

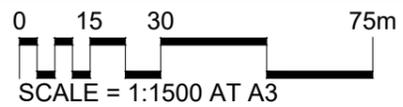


VAR 2



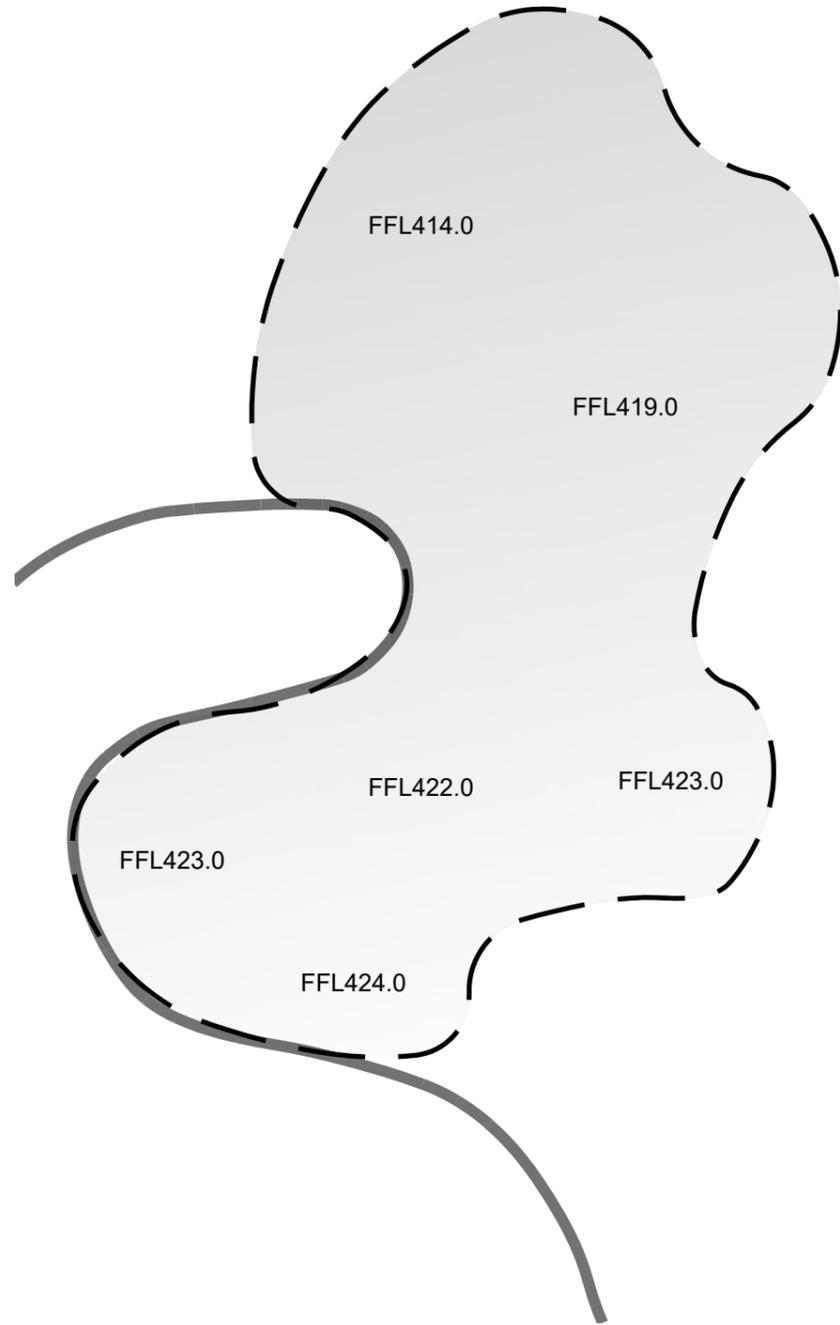
NOTES

- Refer to Baxter Design Proposed Structure Plan reference 2512-SK320
- Dashed lines represent the outline of each Activity Area Visitor Accommodation / Residential.
- Solid lines represent proposed primary access roads.
- Floor levels within each residential area are indicative and can vary +/- 1m from those shown here.

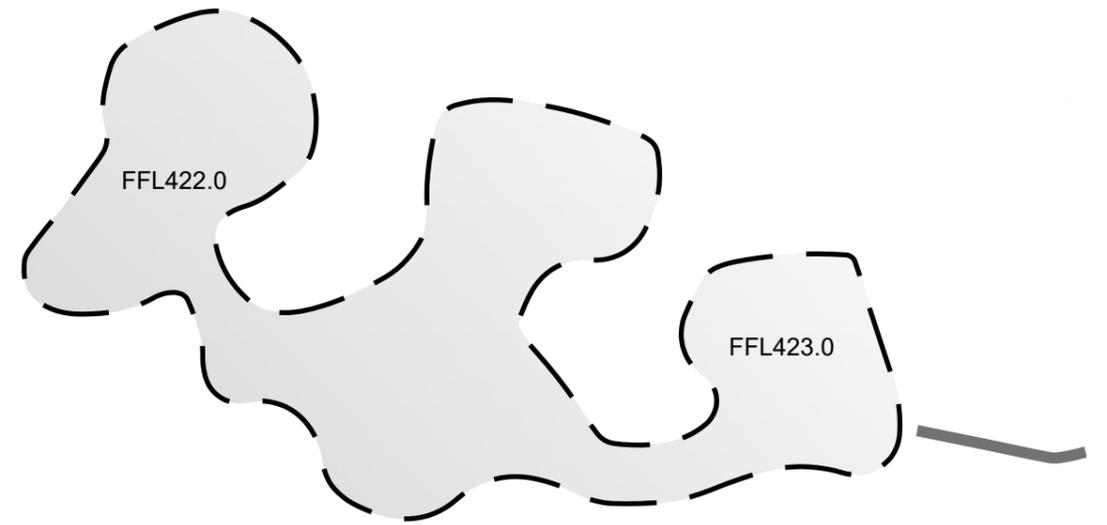




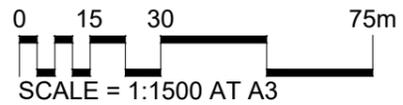
VAR 3



VAR 4

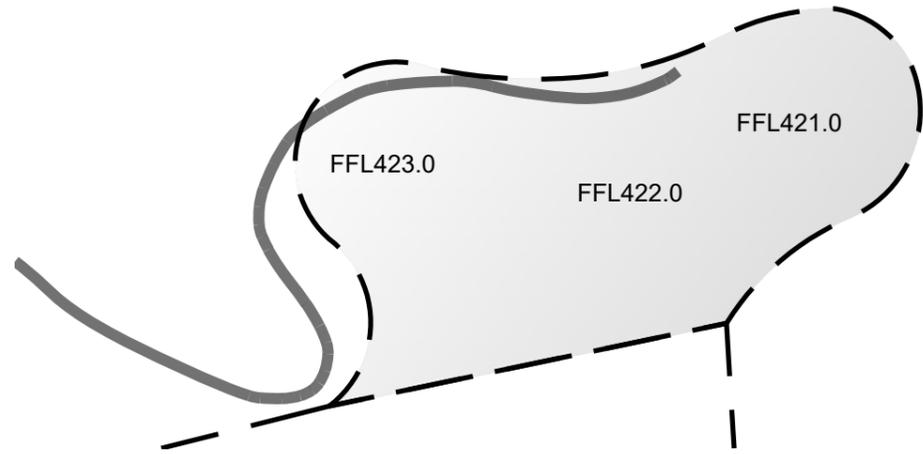


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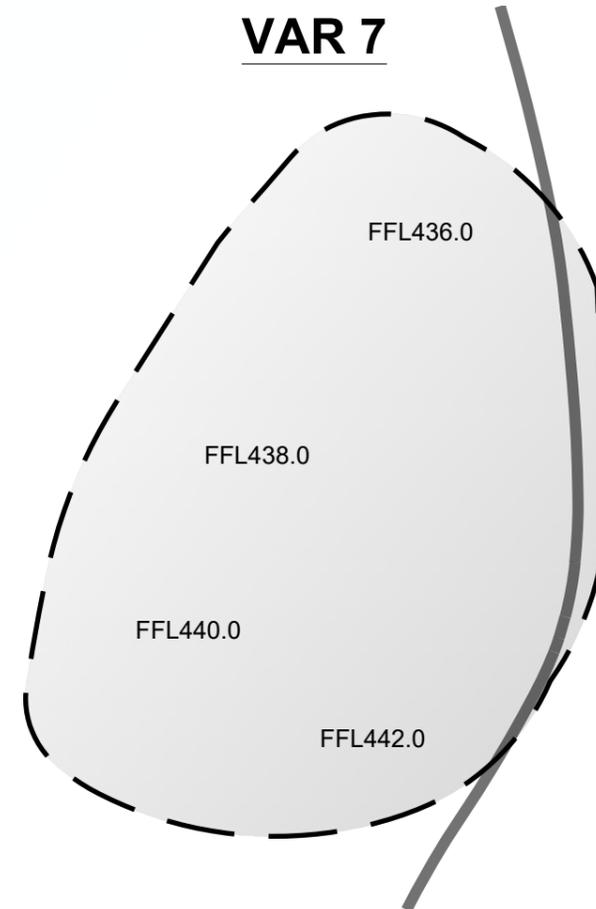




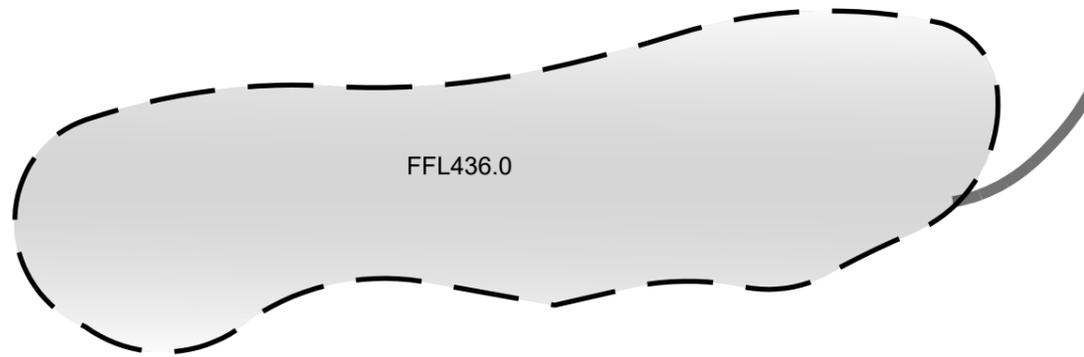
VAR 5



VAR 7

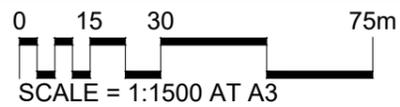


VAR 6



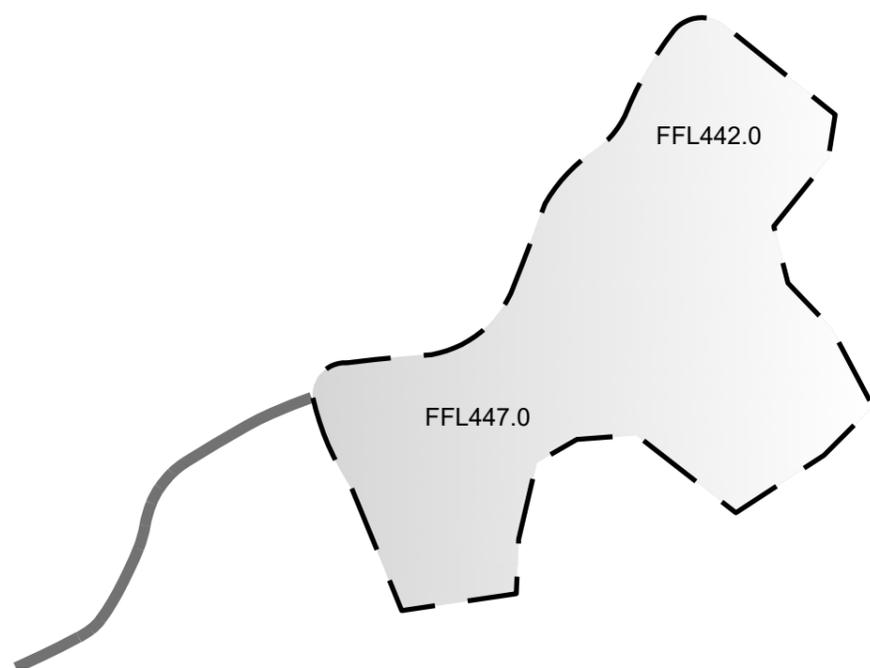
NOTES

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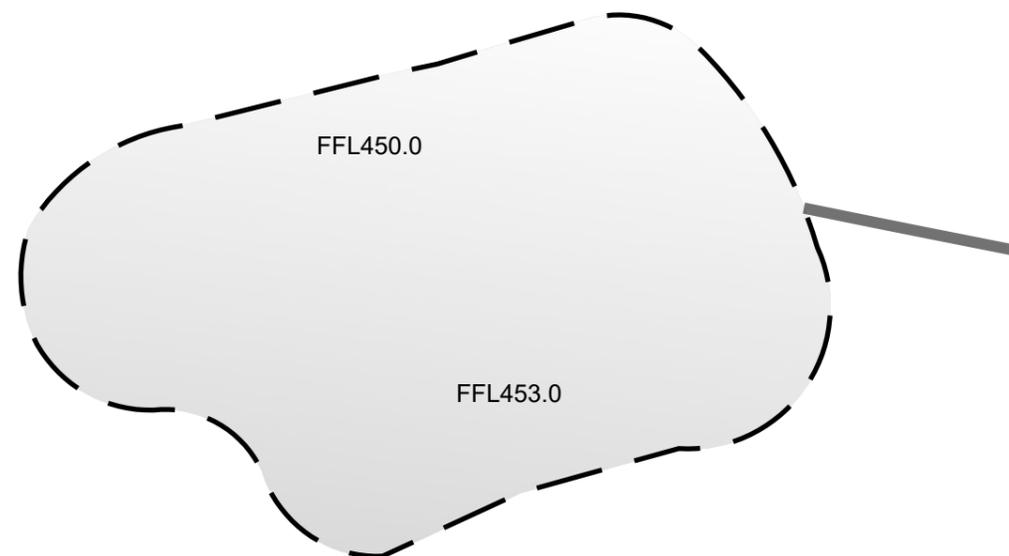




VAR 8

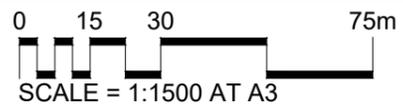


VAR 9



NOTES

- Refer to Baxter Design Proposed Structure Plan reference 2512-SK320
- Dashed lines represent the outline of each Activity Area Visitor Accommodation / Residential.
- Solid lines represent proposed primary access roads.
- Floor levels within each residential area are indicative and can vary +/- 1m from those shown here.





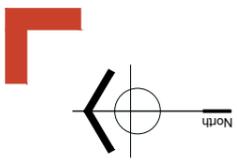
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- NOTES**
- Refer to Baxter Design Proposed Structure Plan reference 2512-SK320
 - Dashed lines represent the outline of each Activity Area Visitor Accommodation / Residential.
 - Solid lines represent proposed primary access roads.
 - Floor levels within each residential area are indicative and can vary +/- 1m from those shown here.
 - Maximum permitted building height = 6.5m double storey



48.10 Landscape Amenity Management Areas – Indicative Plans



KEY	
1	Maintenance Compound
2	Hogan Gully Road
3	Driving Range
4	Clubhouse Carpark
5	VAR5 McDonnell Road
6	VAR8 neighbours

48.11 Architectural Plans – Clubhouse and Driving Range buildings



Pattersons
 2017 © PATTERSONS
 Hogans Gully Estate
 Arrowtown, Queenstown
 Draft Resource Consent
 17008
 Artist's Impression

Pattersons
 2017 © PATTERSONS
 Hogans Gully Estate
 Arrowtown, Queenstown
 Draft Resource Consent
 17008
 Floor Plan
 1:500@A3 / 1:250@A1
 01-Dec-17 207



PATTERSON
2017 © PATTERSONS

Hogans Gully Estate
Arrowtown, Queenstown

Resource Consent
17008

Artist's Impression

25/01/2018



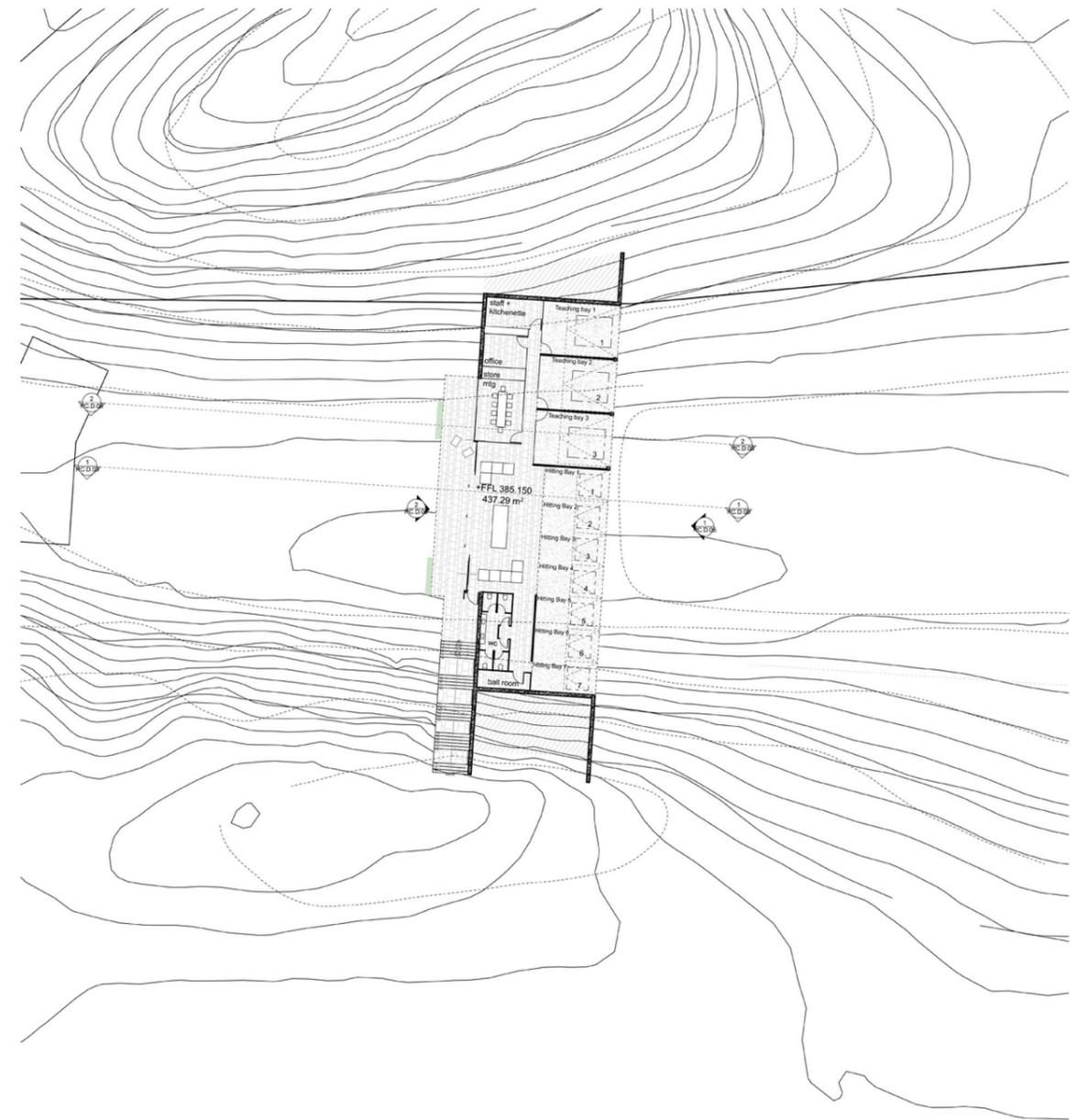
PATTERSON
2017 © PATTERSONS

Hogans Gully Estate
Arrowtown, Queenstown

Resource Consent
17008

Site Plan

1:2000@A3 / 1:1000@A1 25/01/2018 RC.D.02



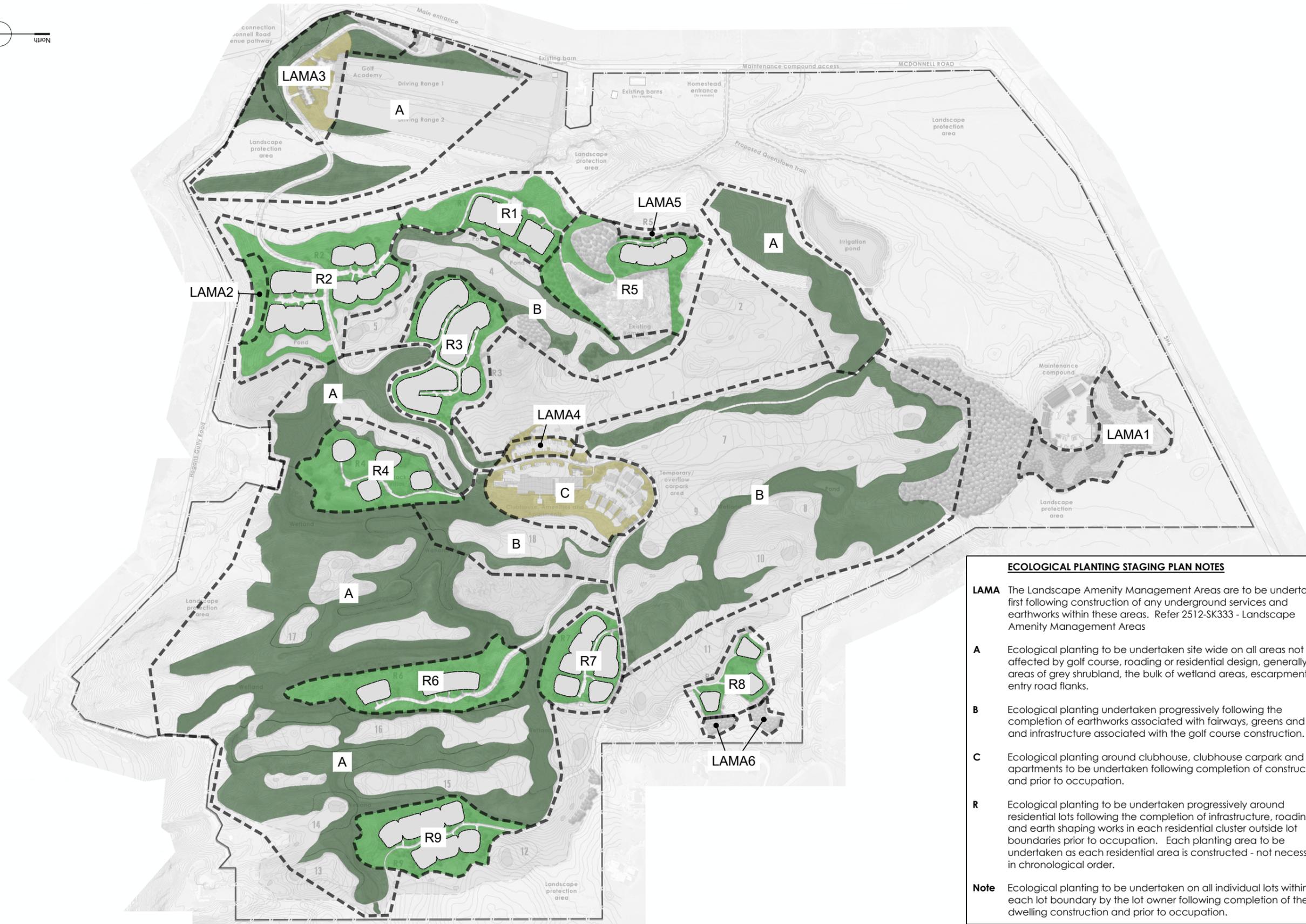
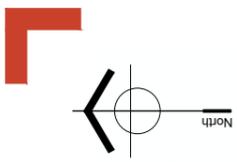
PATTERSON
2017 © PATTERSONS

Hogans Gully Estate
Arrowtown, Queenstown

Resource Consent
17008

Plan

48.12 Ecological Planting and Staging Plan



ECOLOGICAL PLANTING STAGING PLAN NOTES

- LAMA** The Landscape Amenity Management Areas are to be undertaken first following construction of any underground services and earthworks within these areas. Refer 2512-SK333 - Landscape Amenity Management Areas
- A** Ecological planting to be undertaken site wide on all areas not affected by golf course, roading or residential design, generally areas of grey shrubland, the bulk of wetland areas, escarpments and entry road flanks.
- B** Ecological planting undertaken progressively following the completion of earthworks associated with fairways, greens and tees and infrastructure associated with the golf course construction.
- C** Ecological planting around clubhouse, clubhouse carpark and apartments to be undertaken following completion of construction and prior to occupation.
- R** Ecological planting to be undertaken progressively around residential lots following the completion of infrastructure, roading, and earth shaping works in each residential cluster outside lot boundaries prior to occupation. Each planting area to be undertaken as each residential area is constructed - not necessarily in chronological order.
- Note** Ecological planting to be undertaken on all individual lots within each lot boundary by the lot owner following completion of the dwelling construction and prior to occupation.

Amendments to Earthworks Chapter 25:

Amend Chapter 25 by inserting new rules into Table 25.2 – Maximum Volume

	<u>Hogans Gully Resort Zone</u>	
<u>25.5.X</u>	<u>For each unit within Activity Areas VAR 1 – VAR 9</u> <u>Activity Area HS</u>	<u>300m³ per unit</u>
<u>25.5.X2</u>	<u>Activity Areas C, VA, M</u>	<u>1000m³</u>
<u>25.5.X3</u>	<u>Activity Area PG, EG, LP</u> <u>Farming activities</u> <u>Golf course development / redevelopment</u>	<u>100m³</u> <u>No limit</u>

Subsequent renumbering of remaining rules in Table 25.2.

Amendments to Subdivision and Development Chapter 27:

Amend Chapter 27 by inserting the following into Section 27.3 Location – Specific objectives and policies: Hogans Gully Resort Zone

27.3.XX Objective – Subdivision consistent with the Hogans Gully Resort Zone Structure Plan that provides for golf related commercial recreation and commercial activities, visitor accommodation and residential activities, and requires appropriate ecological management and indigenous revegetation.

Policies

27.3.XX.1 Enable subdivision that provides for development located in accordance with the Hogans Gully Resort Zone Structure Plan within Section 27.13.

27.3.XX.2 Require the adoption and implementation of ecological management and indigenous revegetation as part of the subdivision process.

27.3.XX.3 Require that development within the Zone is connected to a reticulated wastewater treatment and disposal system, where available.

27.3.XX.4 Where connection to a reticulated wastewater system is not available, avoid or mitigate any potential adverse effects on natural water systems and ecological values by ensuring the safe and efficient disposal of wastewater through provision of a comprehensive system that is designed to provide sufficient capacity for anticipated development within the Zone.

27.3.XX.5 Ensure a comprehensive approach to on-site stormwater management that is designed to provide sufficient capacity for anticipated development within the Zone.

Amend Chapter 27 by amending Rule 27.6.1 as follows:

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

Zone		Minimum Lot Area
<u>Hogans Gully Resort Zone</u>		<u>Activity Areas VAR1 – VAR9: 600m²</u> <u>All other Activity Areas: No Minimum</u>

27.7 Rules - Location Specific Standards

Note. Subdivision in accordance with the Structure Plan would be a controlled activity pursuant to Rule 27.7.1

27.7.A

Hogans Gully Resort Zone

27.7.A.1 Subdivision comprising all of any part of Activity Areas C, M, VA, VAR 1 – VAR 9, HS, PG, EG and LP

C

Control is reserved to:

- (a) The matters listed under Rule 27.7.1.
- (b) The methods to achieve a comprehensive approach to wastewater treatment and stormwater management.
- (c) The methods to ensure that the design and external appearance of all buildings within the lots created will be sympathetic to the landscape setting.
- (d) The content of the *Hogans Gully Ecological Management Plan and Revegetation Strategy* (EMPRS). The purpose of the EMPRS is to ensure that Policies 48.2.1.12 and 48.2.1.13 are achieved, that viable indigenous habitats that can support a variety and indigenous fauna are established within the Zone, and that the planting areas contribute to blending built development into the local and wider landscape.
- (e) Implementation of the EMPRS including (but not limited to) requirements for works to be completed prior to any certification under s224(c) of the Act and via any legal instruments on the title(s) of the land within Activity Areas VA and VAR 1 – VAR 9 to ensure ongoing compliance and monitoring with the EMPRS.
- (f) The content of legal instruments on the title(s) of the land within Activity Areas VAR1 – VAR9 requiring the following ongoing responsibilities of owners:
 - (i) the lot owner shall ensure that the lot is kept free of noxious weeds and in a neat and tidy condition;
 - (ii) All vegetation required within the lot by Part 48.7 (Landscaping and Site Treatment Details) shall be maintained in perpetuity by the owner.

Information and outcomes requirements:

Any application for subdivision shall include an EMPRS. The EMPRS shall be prepared by a suitably qualified ecologist and shall set out the detail of and programme for the specific works required in Items 1 – 14 below and the satisfaction of Item 11:

1. The areas shall be rabbit fenced and where necessary stock fenced to permanently exclude grazing animals from these areas.
2. All woody weeds and wilding species including but not limited to willows, briar, hawthorn, broom and wilding conifers shall be removed and shall not be replanted.
3. Pest species shall be controlled.
4. No indigenous vegetation shall be removed except where necessary for restoration purposes or for the replacement of diseased or dying vegetation.
5. New indigenous vegetation shall be:
 - planted at a maximum of 1.2 m centres;

- planted within a protective shelter;
 - planted with fertiliser,
 - of revegetation grade and eco-sourced.
6. Restoration of dryland communities should consist of a combination of indigenous species that represent the pre-human plant diversity within the Wakatipu Basin and provide for vegetation complexity (e.g. kowhai, *Olearia*'s, *Coprosma*, hebes and native broom). Species selected shall increase plant diversity and provide a food source for invertebrates, lizards and birds within these areas.
 7. Restoration of wetlands and riparian areas shall occur using native species such as *Carex*, *Juncus*, toetoe and flax and supported by shrubland species tolerant of periodic saturation such as *Coprosma propinqua*, *Olearia lineata*, and kowhai.
 8. All indigenous vegetation within the dryland areas shall be supported by irrigation for at least 3 years following the installation of the plantings.
 9. Twice yearly maintenance (Autumn and Spring) of ecological plantings shall occur for the first five years.
 10. An annual audit shall be undertaken to assess the performance of the ecological plantings for the first 3 years of the project and subsequently on a biennial basis. An audit report shall be submitted to council documenting the findings of the audit. The audit report shall address pest and weed control programs undertaken throughout the year, any replacement planting required, the overall plant losses and percentage survival of the plantings and proposed amendments to the EMPRS.
 11. Completion of the works in 1 – 10 above will be when all the plantings, irrigation and rabbit and stock proof fencing has been installed for a period of 12 months and the first audit report finds the performance metrics and objectives of the EMPRS have been achieved.

Staging

The ecological works required in Items 1 – 10 above shall be undertaken in accordance with A, B, C and R of the **Ecological Planting and Staging Plan** at Chapter 48, Part 48.12.

	<p>27.7.A.2 <u>Subdivision comprising all of any part of Activity Areas VA, VAR 1 – VAR 9 where the application is not accompanied by the information required by Rule 27.7.XX.1 (if applicable).</u></p>	<p><u>NC</u></p>																						
	<p>27.7.A.3 <u>Subdivision that:</u></p> <p>(a) <u>would exceed the following lot numbers per Activity Area in Activity Areas VAR 1 – VAR 9:</u></p> <table border="1" data-bbox="622 432 1227 874"> <thead> <tr> <th><u>Activity Area</u></th> <th><u>Number of lots</u></th> </tr> </thead> <tbody> <tr> <td><u>VAR 1</u></td> <td><u>5</u></td> </tr> <tr> <td><u>VAR 2</u></td> <td><u>10</u></td> </tr> <tr> <td><u>VAR 3</u></td> <td><u>13</u></td> </tr> <tr> <td><u>VAR 4</u></td> <td><u>4</u></td> </tr> <tr> <td><u>VAR 5</u></td> <td><u>4</u></td> </tr> <tr> <td><u>VAR 6</u></td> <td><u>6</u></td> </tr> <tr> <td><u>VAR 7</u></td> <td><u>7</u></td> </tr> <tr> <td><u>VAR 8</u></td> <td><u>3</u></td> </tr> <tr> <td><u>VAR 9</u></td> <td><u>7</u></td> </tr> <tr> <td><u>HS</u></td> <td><u>1</u></td> </tr> </tbody> </table>	<u>Activity Area</u>	<u>Number of lots</u>	<u>VAR 1</u>	<u>5</u>	<u>VAR 2</u>	<u>10</u>	<u>VAR 3</u>	<u>13</u>	<u>VAR 4</u>	<u>4</u>	<u>VAR 5</u>	<u>4</u>	<u>VAR 6</u>	<u>6</u>	<u>VAR 7</u>	<u>7</u>	<u>VAR 8</u>	<u>3</u>	<u>VAR 9</u>	<u>7</u>	<u>HS</u>	<u>1</u>	<p><u>NC</u></p>
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<u>VAR 9</u>	<u>7</u>																							
<u>HS</u>	<u>1</u>																							
<p>27.7.B</p>	<p><u>Subdivision that is not in accordance with the Hogans Gully Resort Zone Structure Plan at 27.13.x.</u></p>	<p><u>NC</u></p>																						

27.13 Structure Plans and Spatial Layout Plans

Insert Hogans Gully Resort Zone Structure Plan at 27.13.X

Amendments to Signs Chapter 31:

31.14 Rules – Activity Status of Signs in Special Zones

The rules relating to signs in this table are additional to those in Table 31.4 and are subject to the standards in Table 31.15. If there is a conflict between the rules in Table 31.4 and the rules in this table, the rules in this table apply.

Table 31.14 – Activity Status of signs in Special Zones		Jacks Point Zone outside of Village Activity Areas and residential Activity Areas	Waterfall Park Zone	Millbrook Zone <u>Hogans Gully Resort Zone</u>
31.14.1	Signs for commercial activities and community activities Control is reserved to the matters set out in Rule 31.17.	C	C	C
31.14.2	Identification of a signage platform for a commercial activity or community activity Control is reserved to the matters set out in Rule 31.17.	C	C	C
31.14.3	Signs for visitor accommodation Control is reserved to the matters set out in Rule 31.17.	D	D	C
31.14.4	Signs not associated with commercial activities, community activities or visitor accommodation	P	P	P

Table 31.14 – Activity Status of signs in Special Zones		Jacks Point Zone outside of Village Activity Areas and residential Activity Areas	Waterfall Park Zone	Millbrook Zone <u>Hogans Gully Resort Zone</u>
31.14.5	Any sign activity which is not listed in Table 31.4 or Rules 31.14.1 to 31.14.4 inclusive	D	D	D

Amendments to Chapter 35 Temporary Activities:

35.2.1.X Provide for Temporary Events in the Hogans Gully Resort Zone that contribute to the District's economy while ensuring that any adverse effects such as traffic and noise effects on land outside the Zone are mitigated.

Insert new rule into Table 35.4 as follows:

35.4.X	<p><u>Temporary Events (in addition to Temporary Events under Rules 35.4.2 and 35.4.45) in the Hogans Gully Resort Zone provided that:</u></p> <ul style="list-style-type: none"> i. <u>The event does not exceed 14 consecutive calendars days (excluding set up and pack down)</u> ii. <u>The event does not operate outside the hours of 0600 to 2200. Set up and pack down outside of these hours is permitted, provided it complies with the noise limits for the Zone.</u> iii. <u>There shall be no more than 2 temporary events per calendar year limited to golf tournaments only.</u> iv. <u>All structures and equipment are removed from the zone within 10 working days of the completion of the event.</u> v. <u>A Traffic Management Plan is provided that details how traffic effects are to be managed.</u> vi. <u>An Operations Plan is provided that details how the event is to be managed.</u> vii. <u>Adequate sanitation for event attendees is provided.</u> viii. <u>Waste minimisation measures are implemented.</u> <p><u>Control is reserved to:</u></p> <ul style="list-style-type: none"> a. <u>Traffic effects and the measures promoted in the Traffic Management Plan to manage these effects</u> b. <u>Waste minimisation and management measures c.</u> <u>Adequate sanitation for event attendees</u> d. <u>Operations Plan for the event to manage effects, including amplified noise</u> <p><u>For the purpose of this rule, the relevant noise standards in 36.5 (Table 2) do not apply between the hours of 0600 and 2200.</u></p>	C
35.4.6	<p>Temporary Events</p> <p>Informal airports for rotary wing aircraft flight associated with temporary events....</p> <p><i>[Add new note:]</i></p> <p><u>Rule 35.4.6 does not apply in the Hogans Gully Resort Zone</u></p>	

Variation to Chapter 36 Noise:

36.5 Rules – Standards

Table 2: General Standards

Rule Number	Standard				Non-Compliance Status
	Zones sound is received in	Assessment location	Time	Noise limits	
36.5.1	Wakatipu Basin Rural Amenity Zone	Any point within the notional boundary of a residential unit	0800h to 2000h	50 dB $L_{Aeq(15\text{ min})}$	NC
	Rural Zone (Note: refer 36.5.14 for noise received in the Rural Zone from the Airport Zone - Queenstown). Gibbston Character Zone Airport Zone - Wanaka		2000h to 0800h	40 dB $L_{Aeq(15\text{ min})}$ 75 dB L_{AFmax}	
36.5.2	Wakatipu Basin Lifestyle Precinct	Any point within any site	0800h to 2000h	50 dB $L_{Aeq(15\text{ min})}$	NC
	<u>Hogans Gully Resort Zone (Note: for noise received in the Hogans Gully Resort Zone, the noise limits specified do not apply to noise from activities within the Hogans Gully Resort Zone)</u> Low, Medium, and High Density and Large Lot Residential Zones (Note: refer 36.5.14 for noise received in the		2000h to 0800h	40 dB $L_{Aeq(15\text{ min})}$	

	Residential Zones from the Airport Zone - Queenstown). Arrowtown Residential Historic Management Zone Rural Residential Zone Rural Lifestyle Zone Waterfall Park Zone Millbrook Zone - Residential Activity Areas only Jacks Point Zone- Residential Activity Areas only Open Space and Recreation Zones				
	Airport Zone - Queenstown
36.5.4	Jacks Point Zone – Village Activity Area only	Any point within the site.	0800h to 2200h	60 dB LAeq(15 min)	NC
			2200h to 0800h	50 dB LAeq(15 min)	NC

36.5 Rules- Standards

Table 3: Specific Standards

	Specific Standards				Non-compliance Status
	Activity or sound source	Assessment location	Time	Noise Limits	
36.5.10	<p>Helicopters</p> <p>Sound from any helicopter landing area must be measured and assessed in accordance with NZ 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas.</p> <p>Sound from helicopter landing areas must comply with the limits of acceptability set out in Table 1 of NZS 6807.</p> <p>In assessing noise from helicopters using NZS 6807: 1994 any individual helicopter flight movement, including continuous idling occurring between an arrival and departure, shall be measured and assessed so that the sound energy that is actually received from that movement is conveyed in the Sound Exposure Level (SEL) for the movement when calculated in accordance with NZS 6801: 2008.</p>	<p>At any point within the notional boundary of any residential unit, other than residential units on the same site as the activity.</p> <p><u>For any landing area in the Hogans Gully Resort Zone, the assessment location is any point within the notional boundary of a residential unit outside the Hogans Gully Resort Zone.</u></p> <p>*Note: The applicable noise limit in this rule and in rule 36.5.11 below for informal airports/landing strips used by a combination of both fixed wing and helicopters shall be determined by an appropriately qualified acoustic engineer on the basis of the dominant aircraft type to be used.</p>	At all times	50 dB L _{dn}	NC

	Specific Standards				Non-compliance Status
	Activity or sound source	Assessment location	Time	Noise Limits	
	For the avoidance of doubt this rule does not apply to Queenstown Airport and Wanaka Airport. ...				

