Before the Queenstown Lakes District Council

In the matter of The Resource Management Act 1991

And The Queenstown Lakes District proposed District Plan

MEMORANDUM OF COUNSEL FOR

Jacks Point Residents and Owners Association (#1277);

Jacks Point Residential No. 2 Limited, Jacks Point Village Holdings Limited, Jacks Point Developments Limited, Jacks Point Land Limited, Jacks Point Land No. 2 Limited, Jacks Point Management Limited, Henley downs Land Holdings Limited, Henley Downs Farm Holdings Limited, Coneburn Preserve Holdings Limited, Willow Pond Farm Limited (#1275)

Dated 20 September 2017

Solicitors Anderson Lloyd Maree Baker-Galloway| Rosie Hill Level 2, 13 Camp Street, Queenstown 9300 PO Box 201, Queenstown 9348 DX Box ZP95010 Queenstown p + 64 3 450 0700| f + 64 3 450 0799 maree.baker-galloway@al.nz | rosie.hill@al.nz

anderson lloyd.

May it please the Panel

1 This memorandum of Counsel is written on behalf of further submitters 1275 (Jacks Point et al) and 1277 (Jacks Point Residents and Owners Association) in respect of the Panel's procedural Minute dated 13 September 2017.

Service of further submissions

- In respect of FS 1275, Counsel confirms that service was effected to submitter 361's representative (Jayne Macdonald) on Friday 18 December 2015 at 4.29pm. A copy of the email evidencing this service is annexed as Appendix 1 to this Memorandum.
- In respect of FS1277, Counsel confirms that the further submission was filed with Council on 18 December 2015 at 4.44pm by Kezia Evans (kezia@jackspoint.com). Counsel has searched subsequent email records and has not been able to locate evidence of service to submitter 361's representative. Counsel however notes that Ms Evans may have effected service within the specified timeframes but has not filed the associated emails.
- 4 Counsel has conferred with representatives within the Jacks Point organisation who confirmed that emails are periodically deleted and as such records of service may not be complete so as to evidence service.

Waiver of directions for late service

- 5 It is submitted it is more likely than not FS 1277 was served on Ms Macdonald within the requisite time periods but that evidence of service is unable to be located at this time. This observation is made on the basis that Ms Macdonald did not have record of receipt of service of FS 1275, but as evidenced by **Appendix 1**, this was in fact effected to Ms McDonald.
- 6 In the interests of caution however, Counsel now seeks a waiver of the directions and timeframes for service of this further submission, and completes service on Ms Macdonald the same date of this Memorandum.
- 7 Counsel considers there to be no prejudice in allowing the further submission to now be served for the following reasons:
 - a. The further submission on Submitter 361 duplicates FS 1275 which was served on Ms Macdonald therefore that submitter was aware of the implications and scope of the further submission at play and no additional matters are being raised after the fact;
 - i. The screenshots below in **Appendix 2** show the identical wording of the two submissions in respect of Submission 361.

The wording of both submissions is unequivocal in respect of Submission 361 and both clearly oppose the submission for same specific reasons stated.

- ii. For the assistance of the Panel, and to complete services, the Further Submissions 1277 and 1275 are attached as Appendix 3 to this Memorandum.
- Submitter 361 had referred to both FS 1275 and 1277 in its evidence prepared for the Proposed District Plan Hearings, and was aware of those submissions which were live before its hearings before the Panel;
 - i. The planning evidence for Submitter 361¹ referenced both FS 1275 and 1277 at paragraphs 6.3 and 6.4, and in respect of both, noted that concerns raised about earthworks and landscaping were being addressed by integration and height limits, as well as addressing light spill.
 - ii. Counsel's legal submissions referred to and addressed the FS 1277 and 1275 and addressed the substance of both of those submissions.
 - iii. The Council's section 42a Report referenced both FS 1275 and 1277² thereby ensuring Submitter 361 was aware of (again) the substantive issues raised by those further submitters in respect of its submission.
 - iv. Counsel for Submitter 361 erred in her legal submissions by stating that the Submitter 361 was 'not aware' ³of FS 1275 and 1277 until the release of the 42a report as evidenced by the Service provide in Appendix 1 of this Memorandum.
- c. Council also notified all submitters that submissions and further submissions on those submissions could be viewed on its website at the following link: <u>Search and view submissions and associated documents</u>
 - This link shows FS 1275 and 1277 as being further submitters on submission 361, which further put Submitter 361 on notice of the existence of those Further Submitters once the further submission period had closed (also refer screenshot in Appendix 4).

¹ S0361 Hensman and others T13 HuttonA Statement of Evidence

² T13 (group 2) s42a report dated 24 May 2017 at pages 114 – 115

³ S0361 Hensman and Others T13 MacdonaldJ Legal Submissions at [52]

S41C(7) Strikeout Application

- 8 For the reasons outlined in this Memorandum, Counsel does not consider there to be any grounds for a strikeout of either FS 1275 or 1277. However should there be a finding there has been no service, and the application for late service is not accepted, counsel reserves leave to separately address the strike out application in detail should it be required.
- 9 In the meantime however it is noted that given there is no prejudice arising on Submitter 361 for the reasons stated above, and that although record of service of 1277 has not been located as at the date of this Memorandum it is possible that it was effected, Counsel does not consider that this oversight could be said to amount to an 'abuse of process'.
- 10 Counsel notes that the test for what amounts to abuse of process under s41C is a particularly high one, given the importance of the public participatory process in the preparation of resource management plans. Although the following extract is from a case on the exercise of the Court's powers to strikeout under s279, the wording of the legislative provisions is the same as s41C and for the purposes of this matter, the issues at hand are materially the same:

The authority to strike-out proceedings is to be exercised sparingly and only in cases where the Court is satisfied that it has the requisite material before it to reach a certain and definite conclusion. The authority is only to be used where the claim is beyond repair and so unobtainable that it could not possibly succeed. In considering striking out applications the Court does not consider material beyond the proceedings and uncontested material and affidavits.⁴

11 Counsel apologises for any oversight of service if there was any consequential inconvenience or confusion caused to Submitter 361.

Marce Baker Galloway

Maree Baker-Galloway

Counsel for Further Submissions 1275 and 1277

⁴ Caldway Installation Ltd v North Shore City Council, Planning Tribunal Decision W118/96 and Hern v Aickin [2000] NZRMA 475 at [6].

Appendix 1 – Email of service FS1275 dated 18 December 2015

Rosie Hill

From:	Chris Ferguson < Chris.Ferguson@boffamiskell.co.nz>
Sent:	Friday, 18 December 2015 4:29 p.m.
То:	'services@qldc.govt.nz'
Cc:	'jo_dey@hotmail.com'; 'hamish.d@daypoint.co.nz'; 'jfordpcs@gmail.com';
	'alex_schrantz@hotmail.com'; 'julie.jamieson@xtra.co.nz'; 'amybayliss@gmail.com';
	'duncanandsheena@mac.com';
	@hotmail.com'; 'ngeddes@cfma.co.nz'; Jayne MacDonald; 'mayor@qldc.govt.nz';
	'clivegeddes@xtra.co.nz'; Scott Freeman; 'neandrews1@gmail.com';
	'tonyandbev@xtra.co.nz'; 'tim@southernplanning.co.nz'; 'reception@jea.co.nz';
	'ijwilliams@xtra.co.nz'; 'Chris.s.cunningham@gmail.com'; 'russ@fetchnz.com';
	'westenbergs@gmail.com'; 'robert@robertmakgill.com'; 'anne.harris@hwge.biz'
Subject:	Proposed District Plan Further Submission - Jacks Point
Attachments:	Henley Downs Further submission FINAL 20151218.pdf

Please find attached further submissions to the Proposed Queenstown Lakes District Plan by Jacks Point.

Kind regards

×	Ages Lil terk in bestel yielen. Te biggener per plant, fahret present allen die weland viel gener beste beite Million

Chris Ferguson | Associate Principal | Planner

email: <u>chris.ferguson@boffamiskell.co.nz</u> | ddi: +64 3 353 75 68 | tel: +64 3 366 88 91 | mob: +64 21 907 773 PO BOX 110 | GROUND FLOOR | 4 HAZELDEAN ROAD | CHRISTCHURCH 8140 | NEW ZEALAND <u>www.boffamiskell.co.nz</u>

Appendix 2 – Screenshots of Submissions 1275 and 1277 in respect of Submissions 361

FS 1275:

(ngeddes@cfma.co.nz)				
361 Grant Hylton Hensman, Sharyn Hensman & Bruce Herbert Robertson, Scope Resources Ltd, Granty Hylton Hensman & Noel Thomas van Wichen, Trojan Holdings Ltd Mactodd, PO Box 653, Queenstown, Queenstown, 9348, New Zealand (jmacdonald@mactodd.co. nz)	Oppose	Chapter 11 Map 13	The rezoning of Rural General to Industrial as requested is opposed on the basis that it will have cumulative adverse effects on landscape and visual values, and the character of the area.	Disallow the submission.

FS 1277:

361 Grant Hylton Hensman, Sharyn Hensman & Bruce Herbert Robertson, Scope Resources Ltd, Granty Hylton Hensman & Noel Thomas van Wichen, Trojan Holdings Ltd Mactodd, PO Box 653, Queenstown, Queenstown, 9348, New Zealand (jmacdonald@mactodd. co.nz)	Oppose	Chapter 11 Map 13	The rezoning of Rural General to Industrial as requested is opposed on the basis that it will have cumulative adverse effects on landscape and visual values, including light spill, and the character of the area.	Disallow the submission
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Appendix 3 – Copies of FS 1277 and 1275

Further Submission on Queenstown Lakes Proposed District Plan 2015 - Stage 1

Clause 8 of the First Schedule, Resource Management Act 1991

To: Queenstown Lakes District Council By email: services@qldc.govt.nz

Name of Submitter: Jacks Point Residents and Owners Association (original submission number 765)

Attention:	Michael Coburn
Phone:	0274 336 996
Email:	mike@jackspoint.com

1. This is a further submission in support of/ in opposition to submissions on the Proposed District Plan – Stage 1.

The submitter is a person who has an interest in the proposed district plan provisions in respect of Jacks Point that is greater than the interest the general public has. The JPROA was established by the developer of Jacks Point as a vehicle to administer the private open space, communal infrastructure and the internal road network within Jacks Point.

- 2. The submitter supports or opposes the submissions as detailed in the table below.
- 3. The reasons for support or opposition of each submission are specified in the table below, however the reasons for such further submission are broadly concerned with:
 - (a) The management of the Jacks Point communal facilities
 - (b) Maintaining the high quality landscape setting of Jacks Point
 - (c) Maintaining the character and amenity values of the residential environment for its members through adherence to the building design guidelines and design matters in the District Plan.
- 4. A copy of this submission has been served on all submitters identified.

Submission (number/ name / address)	Support/ Oppose	Provision(s)	Reasons	Decision sought from QLDC
361_Grant Hylton Hensman, Sharyn Hensman & Bruce Herbert Robertson, Scope Resources Ltd, Granty Hylton Hensman & Noel Thomas van Wichen, Trojan Holdings Ltd	Oppose	Chapter 11 Map 13	The rezoning of Rural General to Industrial as requested is opposed on the basis that it will have cumulative adverse effects on landscape and visual values, including light spill, and the character of the area.	Disallow the submission
Mactodd, PO Box 653 , Queenstown, Queenstown, 9348, New Zealand (jmacdonald@mactodd. co.nz)				
<u>632</u> RCL Queenstown Pty Ltd, RCL Henley Downs Ltd, RCL Jacks	Oppose	28.3 Objectives and Policies,3.2.5 Goal 5,6.3 Objectives and Policies,41 Jacks Point Zone,	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submission 765 the submission is opposed	Disallow the submission
John Edmonds + Associates Ltd, PO Box		41.1 Zone Purpose, 41.2.1.13, 41.3	as it will not maintain open space and landscape values, create	
95, Queenstown, 9348, New Zealand (reception@jea.co.nz)		Other Provisions and Rules, 41.4.6.1, 41.4.9, 41.4.9.1, 41.5.2.9, 41.5.3.3, 41.5.4.1, 41.5.4.2, 41.5.5.1,	potential lightspill effects in the absence of specific measures to avoid such effects, and will not	
And		41.5.5.2, 41.5.5.4, 41.5.7.2, 41.5.12, 41.5.12.2, 41.5.12.4, 41.5.15, 41.5.15.2,	maintain the character and amenity values of the residential environment.	
<u>855</u> RCL Queenstown Pty Ltd, RCL Henley Down Ltd, RCL Jacks Point Ltd (RCL		37 Designations, Entire Plan 27 Subdivision and Development, 27.2.1	chuironniont.	

John Edmonds and		Objective 1. 27.2.1.1, 27.2.1.2, 27.2.1.3, 27.2.1.4,		
Associates Ltd, 0, New		27.2.1.5, 27.2.1.6, 27.2.1.7, 27.2.2		
Zealand		Objective 2,		
(reception@jea.co.nz)		27.2.2.1, 27.2.2.3, 27.2.2.4, 27.2.2.5, 27.2.2.6, 27.2.2.8, 27.2.2.9, 27.2.3		
		Objective 3, 27.2.3.2, 27.2.4		
		Objective 3, 27.2.3.2, 27.2.4 Objective 4, 27.2.4.1, 27.2.4.2,		
	1. A State of the second se	27.2.4.3, 27.2.4.4, 27.2.4.5, 27.2.4.6,		
		27.2.5		
		Objective 5, 27.2.5.1, 27.2.5.2,		
		27.2.5.3, 27.2.5.4, 27.2.5.5, 27.2.5.7,		
		27.2.5.8, 27.2.5.9, 27.2.5.10:,		
		27.2.5.11, 27.2.5.13, 27.2.5.14,		
		27.2.5.16, 27.2.5.17, 27.2.5.18,		
		27.2.6		
		Objective 6, 27.2.6.1, 27.2.6.2,		
		27.2.7		
		Objective 7, 27.2.7.1, 27.2.7.2,		
		27.2.8		
		Objective 8, 27.2.8.1, 27.2.8.2,		
		27.4.2		
		Non-complying activities:, 27.4.3		
_		Restricted Discretionary activities:,		
		27.7.14		
		Objective - Jacks Point Zone,		
		27.7.14.5, 27.7.14.7, 27.7.14.8,		
		36.5.3, 41.7 Structure Plan		
		41.7 Structure Flatt		
715 Jardine Family Trust	Support	41.2.1.4, 41.2.1.10, 41.2.1.13,	Support the submission, subject	Allow the submission
and Remarkables		41.2.1.26, 41.4.6.1, 41.4.9.11,	to refinements to the JPZ	subject to refinements to
Station Limited		41.4.9.15, 41.4.9.16, 41.5.2.7,	structure plan and provisions	the structure plan and JPZ
		41.5.6.1, 41.5.8.1, 41.5.11,	provide for: protection of	provisions to provide for
Gallaway Cook Allan,		41.5.12.2, 41.5.15.2, 41.5.15.4, 41.7	landscape and amenity values	the matters raised in this

PO Box 143 , Dunedin, 9054, New Zealand (phil.page@gallawaycoo kallan.co.nz)		Structure Plan, Map 13 - Gibbston Valley, Cecil Peak and Wye Creek (Insets), Entire Plan	including landscape protection areas, a sensitively designed marina village, additional water transport connections, sensitively designed and limited residential and other activities that complement and do not adversely affect or detract from the wider JPZ activity areas, staged development and overall integration of the Homstead Bay Activity Area with the JPZ.	further submission.
789 Vivo Capital Limited PO Box 77-037, Mt Albert, Auckland, 1350, New Zealand (robert@robertmakgill.co m)	Oppose	 41 Jacks Point Zone, 41.2 Objectives and Policies, 41.4 Rules – Activities, 41.5 Rules - Standards, 41.7 Structure Plan 	The proposed development in what is currently an Open Space Landscape Protection Area is opposed as it will reduce open space, detract from landscape values and put increased pressure on infrastructure. The expansion is contrary to the master plan, and the Structure Plan.	Disallow the submission
855 RCL Queenstown Pty Ltd, RCL Henley Down Ltd, RCL Jacks Point Ltd (RCL) John Edmonds + Associates Ltd, PO Box 95, Queenstown, 9348, New Zealand (reception@jea.co.nz)	Oppose	41 Jacks Point Zone 41.5.3 41.5.6 41.7 27.8.9	The submission seeks allowance for a new access into the JPZ off the State Highway. The effects of a new access are unknown and therefore opposed.	Disallow submission.

<u>425</u> F S Mee Developments Ltd C/- 38 Boyd Road Kawarau Falls QUEENSTOWN 9371	Oppose in part	Chapter 21 (Rural), Chapter 7 (Residential) and Planning Maps 33 and 37	The rezoning of Rural General land as low and medium density residential as requested is opposed in part. The proposal will may result in adverse effects on the amenity values for residents within Jacks Point, including from light spill.	Disallow the submission unless adverse effects on amenity values for Jacks Point Residents, including from light spill onto neighbouring land can be avoided.
<u>383 Queenstown Lakes</u> District Council submission points 383.176 Private Bag 50072, Queenstown, 9348, New Zealand (mayor@qldc.govt.nz)	Oppose	41.4 Zone purpose 41.4.3 41.4.4	The submitter supports the concept of enabling external design guidelines and instruments, but proposes the references to those guidelines and instruments needs clarification rather than wholesale deletion and to that extent the submission is opposed.	Allow the submission point subject to clarifying wording.
Submission point 383.77	Support	41.5.13.1	The amendment improves the mitigation of effects of lighting.	Allow the submission
<u>540</u> Clive and Sally Geddes clivegeddes@xtra.co.nz	Support/Op pose	Chapter 41 in its entirety	The submitter supports the general direction of the submission to ensure high quality, integrated outcomes continue to be achieved in the JPZ, and notes that those outcomes are best achieved through the JPZ as notified. To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856 or	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, disallow the submission.

			suggests that JPROA residents or the JPROA has not been consulted, the submission is opposed as it will note enable the efficient and effective management of farm preserve areas, open space or development of the JPZ, which should be subject to design controls provided for in covenants or other instruments.	
547 J M Smith, Bravo Trustee Company Limited & S A Freeman Southern Planning Group, PO Box 1081, Queenstown, 9348, New Zealand (scott@southernplanning.c o.nz)	Support/Op pose	41 Jacks Point Zone 41.1 Zone Purpose 41.2.1 Objective 1 41.4 Rules – Activities 41.4.1, 41.4.9, 41.5 Rules Standards, 41.5.12 41.7 Structure Plan	The submitter supports the general direction of the submission to ensure high quality, integrated outcomes continue to be achieved in the JPZ and notes that those outcomes are best achieved through the JPZ as notified. To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, the submission is opposed as it will not enable the efficient and effective management of farm preserve areas, open space or development of the JPZ, which should be subject to design controls provided for in covenants or other instruments	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, disallow the submission.
<u>195</u> Alexander Schrantz House A1, 6 Mount Davis Road, Pokfulam, Hong Kong, 0000, Hong Kong (alex_schrantz@hotmail.co m)	Support/Op pose	41 Jacks Point Zone	The submitter supports the comments in the submission regardig the rigour applied to Jacks Point and notes that that rigour is best achieved through the JPZ as notified. To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, the submission is opposed as it will not enable the efficient and effective management of farm	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, disallow the submission.

			preserve areas, open space or development of the JPZ, which should be subject to design controls provided for in covenants or other instruments	
762 and 856 Jacks Point entities: -Jacks Point Residential No. 2 Limited Jacks Point Village Holdings Limited Jacks Point Developments Limited Jacks Point Land Limited Jacks Point Land No. 2 Limited Jacks Point Management Limited Henley Downs Land Holdings Ltd Henley Downs Farm Holdings Ltd Coneburn Preserve Holdings Limited Willow Pond Farm Limited	Support	Chapters 27 and 41	The submitter supports the JPZ as notified and refinements to the provisions of the JPZ such that properties currently administered by JPROA which are developed properties should continue to be managed under existing Jacks Point provisions. The submtter further supports the proposed provisions in relation to properties yet to be developed, specifically the FP1, FP2 and Wetland activity areas to the extent they deliver reliable protection of open space, walking access and conservation benefits and the Village area, E Activity Area, EIC and properties associated with the Jacks Point developer to fulfil the vision of an integrated community, subject to the same design controls and to the extent that they are administered in the future by the JPROA such that the collective site coverage is no greater than 5% and development is supported by the Coneburn Resource Study. In respect to all the R Activity Areas, such areas need not be part of the JPROA. The submitters generally support the provision for increased urban growth capacity subject to design controls for buildings and management of any adverse effects from lighting	Allow the submissions having regard to this further submission.

	(including under covenants or other instruments) and there being no impact on JPROA administered infrastructure or roading capacity. The submitter supports the Henley Downs Village being now primarily for residential activities as this is important for the sustainability of one commercial village to service the wider JPZ.
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- 5. The JPROA wish to be heard in support of this submission.
- 6. The JPROA will consider presenting a joint case with others presenting similar submissions.

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Further Submission on Queenstown Lakes Proposed District Plan 2015 - Stage 1

Clause 8 of the First Schedule, Resource Management Act 1991

To: Queenstown Lakes District Council By email: services@qldc.govt.nz

Submitter: "Jacks Point" (Submitter number 762 and 856)

Jacks Point Residential No. 2 Limited Jacks Point Village Holdings Limited Jacks Point Developments Limited Jacks Point Land Limited Jacks Point Land No. 2 Limited Jacks Point Management Limited Henley Downs Land Holdings Ltd Henley Downs Farm Holdings Ltd Coneburn Preserve Holdings Limited Willow Pond Farm Limited

Attention:	Chris Ferguson, Planner
Phone:	(03) 353 7568
Mobile:	021 907 773
Email:	Chris.Ferguson@boffamiskell.co.nz

- 1. This is a further submission in support of/ in opposition to submissions on the Proposed District Plan – Stage 1.
- 2. The submitter is:
 - (a) A person who has an interest in the proposal that is greater than the interest the general public has.
 - (i) The persons/ organisations identified above all have interests in the Jacks Point Zone ("JPZ") as identified in the Proposed Plan greater than that of the general public due to the various property interests owned and associated with the submitters.
 - (ii) A number of submissions have been received by the Queenstown Lakes District Council on the proposed provisions of the JPZ. These submissions, together with the Proposed Plan together may have significant implications on the development of the JPZ.
- 3. The submitter supports or opposes the submissions as detailed in the table below.
- 4. The reasons for support or opposition of each submission are specified in the table below, however the reasons for such further submission are summarised as follows:
 - (a) Detailed submissions were provided by the submitter in submissions numbers 762 and 856 (Jacks Point). The reasons for those submissions are adopted by this further submission as the reason for this further submission. In summary the reason for this further submission is that:
 - (i) Chapters 41 and Chapter 27 as notified are generally appropriate to give effect to the higher order provisions of the PDP, with minor changes detailed in submissions

762 and 856 in order to improve the efficiency and effectiveness of the methods used to achieve relevant objectives and policies, and to address internal inconsistencies.

- (ii) To the extent that the submissions listed below are consistent with submissions 762 and 856 they are supported. To the extent they are inconsistent with submissions 762 and 856 they are opposed on the basis they will not assist the development of the JPZ in an efficient and effective manner.
- 5. A copy of this submission has been served on all submitters identified.
- 6. I wish to be heard in support of my submission.
- 7. I will consider presenting a joint case with others presenting similar submissions.

By its duly authorised agent **Chris Ferguson**

For and behalf of:

Jacks Point Residential No. 2 Limited Jacks Point Village Holdings Limited Jacks Point Developments Limited Jacks Point Land Limited Jacks Point Land No. 2 Limited Jacks Point management Limited Henley Downs Land Holdings Ltd Henley Downs Farm Holdings Ltd Coneburn Preserve Holdings Limited Willow Pond Farm Limited

18th day of December 2015

FURTHER SUBMISSIONS

Submission (number/ name/ address)	Support/ Oppose	Provision(s)	Reasons	Decision sought
131Joanna & SimonTaverner4747McChesney Road,Arthurs Point,Queenstown, 9371, NewZealand(jo_dey@hotmail.com)	Oppose	41 Jacks Point Zone 41.1 Zone Purpose 41.2.1 Objective 1 41.4 Rules – Activities 41.4.1, 41.4.9, 41.5 Rules Standards, 41.5.12 41.7 Structure Plan	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, the submission is opposed as it will not enable the efficient and effective development of the JPZ.	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, disallow the submission.
<u>178</u> Trustee for JH Dowell Trust PO Box 302860, North Harbour, North Shore City, 0751, New Zealand (hamish.d@daypoint.co.nz)	Oppose	41 Jacks Point Zone 41.2.1.26 41.4.9 41.7 Structure Plan	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, the submission is opposed as it will not enable the efficient and effective development of the JPZ.	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, disallow the submission.
<u>185</u> James & Elisabeth Ford 4 Kinross Lane, Jacks Point, Queenstown, 9300, New Zealand (jfordpcs@gmail.com)	Oppose	41 Jacks Point Zone Map 13 - Gibbston Valley Cecil Peak and Wye Creek (Insets)	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, the submission is opposed as it will not enable the efficient and effective development of the JPZ.	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, disallow the submission.
<u>195</u> Alexander Schrantz House A1, 6 Mount Davis Road, Pokfulam, Hong Kong, 0000, Hong Kong	Oppose	41 Jacks Point Zone	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, the submission is opposed as it will not enable the	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, disallow the submission.

(alex_schrantz@hotmail.co m)			efficient and effective development of the JPZ.	
207 Julie & William Jamieson 9/67 Andrews Road, Queenstown, 9300, New Zealand (julie.jamieson@xtra.co.nz)	Oppose	41 Jacks Point Zone 41.1 Zone Purpose 41.2.1 Objective 1 41.4 Rules – Activities 41.4.1, 41.4.9, 41.5 Rules Standards, 41.5.12 41.7 Structure Plan	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, the submission is opposed as it will not enable the efficient and effective development of the JPZ.	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, disallow the submission.
246 Amy Bayliss 2B Amber Close, RD 1, Queenstown, 9371, New Zealand (amybayliss@gmail.com)	Oppose	41 Jacks Point Zone 41.1 Zone Purpose 41.2.1 Objective 1 41.4 Rules – Activities 41.4.1, 41.4.9, 41.5 Rules Standards, 41.5.12 41.7 Structure Plan	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, the submission is opposed as it will not enable the efficient and effective development of the JPZ.	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, disallow the submission.
259 Duncan & Sheena Ashford & Ashford-Tait PO Box 2579, Wakatipu, Queenstown, 9349, New Zealand (duncanandsheena@mac. com)	Oppose	41 Jacks Point Zone 41.1 Zone Purpose 41.2.1 Objective 1 41.4 Rules – Activities 41.4.1, 41.4.9, 41.5 Rules Standards, 41.5.12 41.7 Structure Plan	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, the submission is opposed as it will not enable the efficient and effective development of the JPZ.	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, disallow the submission.
284 Maria & Matthew Thomson 12 Bretby Court, Jacks Point, Queenstown, 9371, New Zealand (thomsonplastering@xtra.c o.nz)	Oppose	41 Jacks Point Zone 41.1 Zone Purpose 41.2.1 Objective 1 41.4 Rules – Activities 41.4.1, 41.4.9, 41.5 Rules Standards, 41.5.12 41.7 Structure Plan	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, the submission is opposed as it will not enable the efficient and effective development of the JPZ.	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, disallow the submission.
<u>316</u> Karen Page	Oppose	41 Jacks Point Zone 41.2.1.26, 41.4.9	To the extent that the submission opposes the JPZ as notified, and is	To the extent that the submission opposes the JPZ as notified, and is

PO Box 46, Queenstown, 9300, NZ (karen_page1@hotmail.co m)		41.7 Structure Plan	inconsistent with submissions 762 and 856, the submission is opposed as it will not enable the efficient and effective development of the JPZ.	inconsistent with submissions 762 and 856, disallow the submission.
342 Scope Resources and Southern Beaver Ltd Attn: Nick Geddes Clark Fortune McDonald & Associates , PO Box 553, Queenstown, 9348, New Zealand (ngeddes@cfma.co.nz)	Oppose	41 Jacks Point Zone	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, the submission is opposed as it will not enable the efficient and effective development of the JPZ.	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, disallow the submission.
361_Grant Hylton Hensman, Sharyn Hensman & Bruce Herbert Robertson, Scope Resources Ltd, Granty Hylton Hensman & Noel Thomas van Wichen, Trojan Holdings Ltd Mactodd, PO Box 653, Queenstown, Queenstown, 9348, New Zealand (jmacdonald@mactodd.co. nz)	Oppose	Chapter 11 Map 13	The rezoning of Rural General to Industrial as requested is opposed on the basis that it will have cumulative adverse effects on landscape and visual values, and the character of the area.	Disallow the submission.
383 Queenstown Lakes District Council submission points 383.176 Private Bag 50072, Queenstown, 9348, New Zealand (mayor@qldc.govt.nz)	Oppose	41.4 Zone purpose 41.4.3 41.4.4	The submitter supports the concept of enabling external design guidelines and instruments, but proposes the references to those guidelines and instruments needs clarification rather than wholesale	Allow the submission point subject to clarifying wording.

			deletion and to that extent the submission is opposed.	
Submission point 383.177	Support	41.5.8.2	It is agreed the provision is unclear and requires amendment.	Allow the submission point.
Submission point 383.178	Support	41.5.13.1	The amendment improves the mitigation of effects of lighting.	Allow the submission point
540 Clive and Sally Geddes clivegeddes@xtra.co.nz	Oppose	Chapter 41 in its entirety	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, the submission is opposed as it will not enable the efficient and effective development of the JPZ.	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, disallow the submission.
547 J M Smith, Bravo Trustee Company Limited & S A Freeman Southern Planning Group, PO Box 1081, Queenstown, 9348, New Zealand (scott@southernplanning.c o.nz)	Oppose	41 Jacks Point Zone 41.1 Zone Purpose 41.2.1 Objective 1 41.4 Rules – Activities 41.4.1, 41.4.9, 41.5 Rules Standards, 41.5.12 41.7 Structure Plan	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, the submission is opposed as it will not enable the efficient and effective development of the JPZ.	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, disallow the submission.
567 Wild Grass Partnership, Wild Grass Investments No 1 Limited & Horizons Investment Trust Southern Planning Group, PO Box 1081, Queenstown, 9348, New Zealand (scott@southernplanning.c o.nz)	Support	41 Jacks Point Zone, 41.2 Objectives and Policies, 41.2.1 Objective 1, 41.4.3.1, 41.4.4.1, 41.4.8, 41.4.9, 41.4.9.6, 41.5.4, 41.5.12, 41.7 Structure Plan, Map 13 - Gibbston Valley, Cecil Peak and Wye Creek	To the extent that the submission can integrate with the JPZ as notified, and is consistent with the principles of the Coneburn Study and submissions 762 and 856, the submission is supported.	To the extent that the submission can integrate with the JPZ as notified, and is consistent with submissions 762 and 856 and addresses landscape, open space and amenity values, allow the submission.
567 Wild Grass Partnership, Wild Grass	Support	27 Subdivision and Development, 27.1 Purpose	To the extent that the submission can integrate with the provisions of	To the extent that the submission can integrate with the JPZ as

Investments No 1 Limited & Horizons Investment Trust Southern Planning Group, PO Box 1081, Queenstown, 9348, New Zealand (scott@southernplanning.c o.nz)		 27.2 Objectives and Policies – district wide, 27.2.1.1, 27.4 Rules - Subdivision, 27.4.1 Discretionary activities, 27.5 Rules - Standards for Subdivision Activities, 	chapter 27 as they relate to JPZ as notified, and is consistent with submissions 762 and 856 and addresses landscape, open space and amenity values, the submission is supported.	notified and addresses landscape, open space and amenity values, and is consistent with submissions 762 and 856, allow the submission.
576 Neville Andrews PO Box 2316, Wakatipu, 9349, New Zealand (neandrews1@gmail.com)	Oppose	41 Jacks Point Zone 41.1 Zone Purpose 41.2.1 Objective 1 41.4 Rules – Activities 41.4.1, 41.4.9, 41.5 Rules Standards, 41.5.12 41.7 Structure Plan	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, the submission is opposed as it will not enable the efficient and effective development of the JPZ.	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, disallow the submission.
582 Tony & Bev Moran 139 Mabers Road, Kaiapoi RD2, 7692, New Zealand (tonyandbev@xtra.co.nz)	Oppose	41 Jacks Point Zone 41.1 Zone Purpose 41.2.1 Objective 1 41.4 Rules – Activities 41.4.1, 41.4.9, 41.5 Rules Standards, 41.5.12 41.7 Structure Plan	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, the submission is opposed as it will not enable the efficient and effective development of the JPZ.	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, disallow the submission.
601 Tim & Paula Williams 31 Avalon Crescent, Queenstown, 9300, New Zealand (tim@southernplanning.co. nz)	Oppose	 41 Jacks Point Zone, 41.2 Objectives and Policies, 41.4 Rules – Activities, 41.4.1, 41.5 Rules - Standards, 41.7 Structure Plan 	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, the submission is opposed as it will not enable the efficient and effective development of the JPZ.	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, disallow the submission.
603 Alpine Trust	Oppose	41 Jacks Point Zone, 41.4 Rules – Activities	To the extent that the submission opposes the JPZ as notified, and is	To the extent that the submission opposes the JPZ as notified, and is

PO Box 2160, Queenstown, 9349, New Zealand			inconsistent with submissions 762 and 856, the submission is opposed as it will not enable the efficient and effective development of the JPZ.	inconsistent with submissions 762 and 856, disallow the submission.
605 Margaret Joans Williams 79H Kelmarna Avenue, Herne Bay, Auckland, 1011, New Zealand	Oppose	41 Jacks Point Zone, 41.2.1.26	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, the submission is opposed as it will not enable the efficient and effective development of the JPZ.	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, disallow the submission.
632 RCL Queenstown Pty Ltd, RCL Henley Downs Ltd, RCL Jacks John Edmonds + Associates Ltd, PO Box 95, Queenstown, 9348, New Zealand (reception@jea.co.nz)	Oppose	 28.3 Objectives and Policies, 3.2.5 Goal 5, 6.3 Objectives and Policies, 41 Jacks Point Zone, 41.1 Zone Purpose, 41.2.1.13, 41.3 Other Provisions and Rules, 41.4.6.1, 41.4.9, 41.4.9.1, 41.5.2.9, 41.5.3.3, 41.5.4.1, 41.5.4.2, 41.5.7.2, 41.5.12, 41.5.12.2, 41.5.12.4, 41.5.15, 41.5.15.2, 37 Designations, 27 Subdivision and Development, 27.2.1 Objective 1. 27.2.1.4, 27.2.1.5, 27.2.1.6, 27.2.2.7, 27.2.2 Objective 2, 27.2.2.1, 27.2.2.6, 27.2.2.8, 27.2.2.9, 27.2.3 Objective 3, 27.2.3.2, 27.2.4 	To the extent that the submission may inadvertently oppose the JPZ as notified as it affects land in which the submitter Jacks Point has an interest, and is inconsistent with submissions 762 and 856 in relation to land in which the submitter Jacks Point has an interest, the submission is opposed as it will not enable the efficient and effective development of the JPZ land in respect of which Jacks Point has an interest.	To the extent that the submission may inadvertently oppose the JPZ as notified as it affects land in which the submitter Jacks Point has an interest, and is inconsistent with submissions 762 and 856 in relation to land in which the submitter Jacks Point has an interest, disallow the submission.

	Objective 4, 27.2.4.1, 27.2.4.2, 27.2.4.3, 27.2.4.4, 27.2.4.5, 27.2.4.6, 27.2.5 Objective 5, 27.2.5.1, 27.2.5.2, 27.2.5.3, 27.2.5.4, 27.2.5.5, 27.2.5.7, 27.2.5.8, 27.2.5.9, 27.2.5.10:, 27.2.5.11, 27.2.5.13, 27.2.5.14, 27.2.5.16, 27.2.5.17, 27.2.5.18, 27.2.6 Objective 6, 27.2.6.1, 27.2.6.2, 27.2.7 Objective 7, 27.2.7.1, 27.2.7.2, 27.2.8 Objective 8, 27.2.8.1, 27.2.8.2, 27.4.2 Non-complying activities:, 27.4.3 Restricted Discretionary activities:, 27.7.14 Objective - Jacks Point Zone, 27.7.14.5, 27.7.14.7, 27.7.14.8, 36.5.3,		
Oppose	Structure Plan	To the extent that changes to the Structure Plan may inadvertently affect land in which the submitter Jacks Point has an interest, and is inconsistent with submissions 762 and 856 in relation to land in which the submitter Jacks Point has an interest, the submission is opposed as it will not enable the efficient and effective development of the JPZ land in respect of which Jacks Point has an interest. To the extent that the submission seeks changes to the Structure Plan that will result in a reduction in	To the extent that the Structure Plan is inconsistent with that as notified as it affects land in which the submitter Jacks Point has an interest, and is inconsistent with submissions 762 and 856 in relation to land in which the submitter Jacks Point has an interest, disallow the change to the Structure Plan. Refine the area of open space adjoining the wetland area.

			open space in relation to land in which the submitter Jacks Point has an interest, the submission is opposed. The submitter also wishes to clarify that the part of the indicative track alignment shown on the structure plan in R(HD)-E should be relocated to the property north and east of the legal road and along the road before turning into R(HD)-D to provide practical recreation linkages.	
645 Christine Cunningham 4 Main Street, Mataura, 9712, New Zealand (Chris.s.cunningham@gma il.com)	Oppose	41 Jacks Point Zone 41.1 Zone Purpose 41.2.1 Objective 1 41.4 Rules – Activities 41.4.1, 41.4.9, 41.5 Rules Standards, 41.5.12 41.7 Structure Plan	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, the submission is opposed as it will not enable the efficient and effective development of the JPZ.	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, disallow the submission.
<u>647</u> Scott Sanders 8 Point Road, Monaco, Nelson, 7011, New Zealand	Oppose	 41 Jacks Point Zone 41.1 Zone Purpose 41.2.1 Objective 1 41.4 Rules – Activities 41.4.1, 41.4.9, 41.5 Rules Standards, 41.5.12 41.7 Structure Plan 	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, the submission is opposed as it will not enable the efficient and effective development of the JPZ.	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, disallow the submission.
735 Russell Tilsley & Joanne Ruthven 1 Reading Court, Jacks Point, Queenstown, 9371, New Zealand (russ@fetchnz.com)	Oppose	 41 Jacks Point Zone 41.1 Zone Purpose 41.2.1 Objective 1 41.4 Rules – Activities 41.4.1, 41.4.9, 41.5 Rules Standards, 41.5.12 41.7 Structure Plan 	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, the submission is opposed as it will not enable the efficient and effective development of the JPZ.	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, disallow the submission.

770 Fiordland Tablelands Limited (clivegeddes@xtra.co.nz)	Oppose	41 Jacks Point Zone, 41.7 Structure Plan	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, the submission is opposed as it will not enable the efficient and effective development of the JPZ.	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, disallow the submission.
787 Westenberg Family Trust 49 Te Karaka Drive, Te Puna , 3174, New Zealand (westenbergs@gmail.com)	Oppose	41 Jacks Point Zone 41.1 Zone Purpose 41.2.1 Objective 1 41.4 Rules – Activities 41.4.1, 41.4.9, 41.5 Rules Standards, 41.5.12 41.7 Structure Plan	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, the submission is opposed as it will not enable the efficient and effective development of the JPZ.	To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, disallow the submission.
789 Vivo Capital Limited PO Box 77-037, Mt Albert, Auckland, 1350, New Zealand (robert@robertmakgill.com)	Oppose	41 Jacks Point Zone, 41.2 Objectives and Policies, 41.4 Rules – Activities, 41.5 Rules - Standards, 41.7 Structure Plan	The expansion of the JPZ and increased scale of development is opposed as it will reduce open space, detract from landscape values and put increased pressure on infrastructure. To the extent that the submission opposes the JPZ as notified, and is inconsistent with submissions 762 and 856, the submission is opposed as it will not enable the efficient and effective development of the JPZ.	To the extent that the submission opposes the JPZ as notified, is inconsistent with submissions 762 and 856 and reduces open space and landscape values, disallow the submission.
802 Harris-Wingrove Trust	Oppose	41 Jacks Point Zone 41.1 Zone Purpose	To the extent that the submission opposes the JPZ as notified, in a	To the extent that the submission opposes the JPZ as notified, and is
PO Box 2813, Queenstown, 9371, New		41.2.1 Objective 1 41.4 Rules – Activities	manner otherwise inconsistent with submissions 762 and 856, the	inconsistent with submissions 762 and 856, disallow the submission.

Zealand (anne.harris@hwge.biz)		41.4.1, 41.4.9, 41.5 Rules Standards, 41.5.12 41.7 Structure Plan	submission is opposed as it will not enable the efficient and effective development of the JPZ.	
855 RCL Queenstown Pty Ltd, RCL Henley Down Ltd, RCL Jacks Point Ltd (RCL John Edmonds + Associates Ltd, PO Box 95, Queenstown, 9348, New Zealand (reception@jea.co.nz)	Oppose	41 Jacks Point Zone	To the extent that the submission may inadvertently oppose the JPZ as notified as it affects land in which the submitter Jacks Point has an interest, and is inconsistent with submissions 762 and 856 in relation to land in which the submitter Jacks Point has an interest, the submission is opposed as it will not enable the efficient and effective development of the JPZ land in respect of which Jacks Point has an interest.	To the extent that the submission may inadvertently oppose the JPZ as notified as it affects land in which the submitter Jacks Point has an interest, and is inconsistent with submissions 762 and 856 in relation to land in which the submitter Jacks Point has an interest, disallow the submission.

w 341 Grant Hylton Hanaman, Sharyn Kassanan D Bruce Harbert Robertson, Scope Sec. 1 Resources Ltd. Granty Bylton Nersman & Noel Thomas van Wicher, Tistian Holdings Macdonald Last.

Nactodd PD 8m 653, Queemitown, Queemitown, 9548, New Zealand [imacdonald]/mactodd.co.nd)

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27 Subdivision and Development 27.4.3 Discretionary activities 27.7 Location-specific abjactives, policies and provisions 27.8 Iluian - Location Specific Standards 23Read Zone Hap 13 - Gibboton Volley, Carol Peak and Wye **Oracle [insets]** Entire Plan.

		Submittee Name	Supporting Documents
	51118	Reberra Lucao	1118.Rabins Road Limited
1	5.1218	Sean Deni	3129_S25ki Limited
	5-1275	On's Ferguson	2375_Jacks Point
	51077	Nichael Column	1177 WODA

Proposed District Plan 2015 - Scope 1 Annexure A Amend Planning Reg to Include Industrial 5 - Canedium Annesure 5 11 Sup and Indus-September 2013 and Comeburn American C 115to and India 8115-September 2003 and Comeburn American D Specific Centrolled Subdivision Rule Accesses E Canabian Submission Section 32 Accessors F Propaged Height Limit Denses for Zone Accessive G - Pig & - Security plan. Accessor G - Fig. 8 - Gentlinem plan Accessors G - Fig C - vegetation plan Accessor G - Fig D - Jandszape buffers 100 American & Comburn Landscape **Bookcoment Report** Annexure H Comeburn - Scolagical BOOM COMMAND Romenume I Sconsomic Realistic Annesure 3 Conebum - PSI American K Conedium - Air Osality Annesure I, Constiture Visce-March 197 Annexure / Proposed Structure Plan EM-191599-14-96-15ubmission to DEDC District Plan Review America M.Access Responses Construction