

Decision No: C 181 /2001

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of seven references pursuant to Clause 14 of the First Schedule to the Act

BETWEEN T K SIDEY

Appeal: RMA 1191/98

AND

CHERRY MODES LIMITED

Appeal: RMA 1316/98

AND

D J AND W J CLARKE

Appeal: RMA 1322/98

AND

SPEARGRASS FLAT
PROPERTIES LIMITED

Appeal: RMA 1323/98

AND

KV AND D L BONHAM

Appeal: RMA 1324/98

AND

J C R RUTHERFORD

Appeal: RMA 1327/98

AND

D AND D HEADS

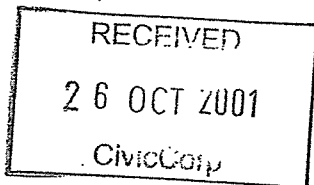
Appeal: RMA 1362/98

Referrers

AND

QUEENSTOWN LAKES
DISTRICT COUNCIL

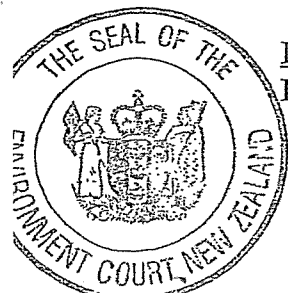
Respondent



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BEFORE THE ENVIRONMENT COURT

Environment Judge J R Jackson (sitting alone under section 279 of the Act)



IN CHAMBERS at CHRISTCHURCHRECORD OF DETERMINATION OF APPEALBackground

[1] These seven references under the Resource Management Act 1991 ("the Act") are by T K Sidey ("T Sidey"), Cherry Modes Limited ("Cherry Modes"), D J and W J Clarke ("the Clarkes"), Speargrass Flat Properties Limited ("Speargrass Flat"), K V and D L Bonham ("the Bonhams"), J C R Rutherford ("J Rutherford") and D and D Heads ("the Heads") (collectively identified as the "Referrers"). The references are in relation to the 1998 Queenstown Lakes Proposed District Plan as revised by decisions ("the Proposed Plan") with respect to Volume 2 which concerns the Planning Maps and in particular Planning Map 26.

[2] The Referrers made submissions on the Queenstown Lakes District Council Proposed District plan seeking the following:

- The Bonhams [1162\1] requested an amendment to Map 24 that includes the submitters' land in the Rural Residential zone.
- J Rutherford [2417\1] requested that part of Lot 17 DP 12678 (CT 16C/158) (as shown on the plan attached to the submission) be included in the Rural Residential Zone and that Map 24 be amended accordingly.
- The Heads [1723\1] considered that the proposed Rural Residential area will benefit all present and future residents, enabling the Council to service the District in an orderly and economic manner. The submitters requested that the new Rural Residential area at Lake Hayes be approved.
- Speargrass Properties [2545\3] considered that the provision for Rural Residential development reduces pressure for the use of versatile soils for lifestyle rather than for productive purposes and can reduce pressure for development that may have adverse effects on the landscape values of the District. The submitter requested the retention of the Rural Residential area



provisions including issues, objectives and policies as provided in the proposed District Plan. In submissions [2545\1] and [6159\3] Speargrass Properties considered that the properties fronting the northern side of Speargrass Flat Road between the intersection with Arrowtown-Lake Hayes Road and Slopehill Road, and the properties on the south side of Speargrass Flat Road between Slopehill Road, to and including the Speight's garden area, should be included within the proposed Rural Residential Zone to reflect the existing activity.

- T Sidey [2477\1] supported the Lake Hayes Rural Residential Zone at the north end of the lake, but sought that the zone should exclude the wildlife reserve in front of Lots 6 and 7 DP 15096 (Lots 1 and 2 DP 22941).
- Cherry Modes [1320\1] supported the proposal to create the Lake Hayes Rural Residential Zone.

[3] The Respondent made a number of decisions, which accepted the Referrers' submissions in part. Together, Decisions 8/8.2.7, 8/8.1.2, 8/1.1.1, and 8/8.2.8:

- a) Deleted the proposed Rural Zoning from part of the subject site (being that area to the west of Rutherford Road and south of Speargrass Flat Road);
- b) Replaced the proposed Lake Hayes Rural Residential Zone with the new Rural Lifestyle Zone over a wider geographic area; and
- c) Adopted new Rural Living provisions.

Attachments "A" and "B" show the zoning of the subject area in the Notified Proposed District Plan and the zoning of the subject area in the Revised Proposed District Plan.

[4] Between 29 September 1998 and 2 October 1998 the Court received these references from the Referrers. The relief sought was as follows:



- **RMA 1191/98 (T Sidey)**

That the area in question (bounded by Rutherford Road, Speargrass Flat Road and Arrowtown/Lake Hayes Road) which includes my property above, revert to Rural Residential Zoning as in the proposed District Plan of 10-10-95.

- **RMA 1316/98 (Cherry Modes)**

That the Applicants land and land situated to the North of Lake Hayes proposed to be zoned Rural Lifestyle as per Decision NO. 8/8.1.2 be rezoned Rural Residential with consequential amendments to provide for a minimum lot size of 4000m² (with no average).

- **RMA 1322/98 (The Clarkes)**

- (1) *The Lake Hayes Rural Residential Zone (including properties to the north of Speargrass Flat Road) was reinstated with a minimum subdivision being 1 hectare (rather than 4000 m²);*
- (2) *Or the Rural Lifestyle zone is maintained, but the minimum lot size is 1 hectare, with an average of 1 hectare.*

- **RMA 1323/98 (Speargrass Properties)**

Zoning the subject properties north of Speargrass Flat Road as Rural Residential.

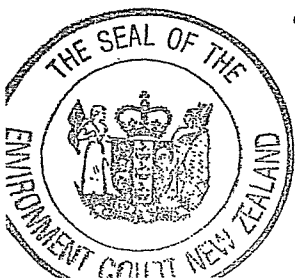
- **RMA 1324/98 (The Bonhams)**

- (a) *The whole of our land (Lot 18 DP 12678) be included within the rural lifestyle zone; or*
- (b) *The whole of our land be zoned Rural Residential.*

- **RMA 1327/98 J Rutherford)**

- (a) *The whole of our land (all the land in Certificate of Title 16C/158) be included within the rural lifestyle zone; or*
- (b) *That part of the land the Council agreed to rezone be zoned Rural Residential.*

- **RMA 1362/98 (The Heads)**



- (a) *That the land south of Speargrass Flat Road and east of Slopehill Road and Rutherford Road, being the land shown "RR" on attachment "B", be rezoned from Rural Lifestyle to Rural Residential.*
- (b) *Either*
- (i) *The Rural Residential area (shown on Planning Map 26) south of Speargrass Flat Road and west of Slopehill Road be rezoned from Rural Residential to Rural General; or*
- (ii) *The Rural Residential area (shown on Planning Map 26) south of Speargrass Flat Road and west of Slopehill Road be rezoned from Rural Residential to Rural Lifestyle.*

[5] The following persons gave notice to the Court that they wished to be a party to these references under section 271 and section 274 of the Act:

- **RMA 1191/98 (T Sidey)**

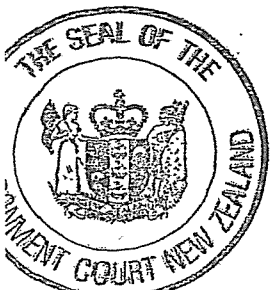
T Brown, T Kroos and, Bujagali Partnership under section 274 of the Act. On 3 August 2000 C McLeay advised the Court that he would be acting for the following parties with respect to the seven references: Bujagali Trust No.1 and Bujagali Trust Number 2, D and B Badcock, D and D Heads, T and K Kroos, J and Y Stevenson, H and D Forsyth, E and T Brown, I and M Van der Wilt, J Martin and S O'Hanian. On 19 February 2001 the Court received notice that Mr Ferry wishes to be heard in relation to this reference under section 274 of the Act.

- **RMA 1316/98 (Cherry Modes)**

T Brown, T Kroos and, Bujagali Partnership under section 274 of the Act. On 3 August 2000 C McLeay advised the Court that he would be acting for the following parties with respect to the seven references: Bujagali Trust No.1 and Bujagali Trust Number 2, D and B Badcock, D and D Heads, T and K Kroos, J and Y Stevenson, H and D Forsyth, E and T Brown, I and M Van der Wilt, J Martin and S O'Hanian.

- **RMA 1322/98 (The Clarkes)**

P and N Richan, H and R Dean, D Badcock, D and D Heads, D Speight, M Beale, M Fleck, G and C Dennison, under section 271A of the Act. T Brown, T Kroos and,



Bujagali Partnership under section 274 of the Act. On 3 August 2000 C McLeay advised the Court that he would be acting for the following parties with respect to the seven references: Bujagali Trust No.1 and Bujagali Trust Number 2, D and B Badcock, D and D Heads, T and K Kroos, J and Y Stevenson, H and D Forsyth, E and T Brown, I and M Van der Wilt, J Martin and S O'Hanian. By letter dated 30 October 2000 the Court was advised that P and N Richan wished to withdraw their interest in this reference. On 12 November 2000 the Court received notice that J and E Lapsley wished to be heard under section 274 of the Act.

• **RMA 1323/98 (Speargrass Properties)**

Mr and Mrs D Badcock, H and R Dean, P and N Richan and D and D Heads, under section 271A. T Brown, T Kroos and, Bujagali Partnership under section 274 of the Act. On 3 August 2000 C McLeay advised the Court that he would be acting for the following parties with respect to the seven references: Bujagali Trust No.1 and Bujagali Trust Number 2, D and B Badcock, D and D Heads, T and K Kroos, J and Y Stevenson, H and D Forsyth, E and T Brown, I and M Van der Wilt, J Martin and S O'Hanian. By letter dated 30 September 2000 the Court was advised that P and N Richan wished to withdraw their interest in this reference. On 12 November 2000 the Court received notice that J and E Lapsley wished to be heard under section 274 of the Act.

• **RMA 1324/98 (The Bonhams)**

T Brown, T Kroos and, Bujagali Partnership under section 274 of the Act. On 3 August 2000, C McLeay advised the Court that he would be acting for the following parties with respect to the seven references: Bujagali Trust No.1 and Bujagali Trust Number 2, D and B Badcock, D and D Heads, T and K Kroos, J and Y Stevenson, H and D Forsyth, E and T Brown, I and M Van der Wilt, J Martin and S O'Hanian.

On 29 June 2000 the Court was advised by counsel for the Bonhams that reference 1324/98 had been resolved by agreement. Further the letter stated that the referrers do not accede to the Bujagali Partnership being joined as parties to this reference on the ground that no grounds had been disclosed for such status. By minute dated 11 August 2000 I directed that Mr T Kroos and the Bujagali Partnership each file and



serve an affidavit stating the specific grounds on which they claim to have section 274 status. On 6 September 2000 the Court received the affidavit of C G and K E McLeay, beneficiaries of the Bujagali Partnership, stating that the Partnership (comprised of Bujagali No 1 and Bujagali No 2 Trusts) as adjoining owners and the McLeays as occupiers have an interest greater than the public generally.

On 12 November 2000 the Court received notice that J and E Lapsley wished to be heard under section 274 of the Act.

- **RMA 1327/98 (J Rutherford)**

T Brown, T Kroos and, Bujagali Partnership under section 274 of the Act. On 29 June 2000 the Court was advised by counsel for J Rutherford that reference 1327/98 had been resolved by agreement. Further the letter stated that the referrer does not accede to the Bujagali Partnership being joined as a party to this references on the ground that no grounds had been disclosed for such status. By minute dated 11 August 2000 I directed that Mr T Kroos and the Bujagali Partnership each file and serve an affidavit stating the specific grounds on which they claim to have section 274 status. On 6 September 2000 the Court received the affidavit of C G and K E McLeay, beneficiaries of the Bujagali Partnership, stating that the Partnership (comprised of Bujagali No 1 and Bujagali No 2 Trusts) as adjoining owners and the McLeays as occupiers have an interest greater than the public generally.

On 3 August 2000 C McLeay advised the Court that he would be acting for the following parties with respect to the seven references: Bujagali Trust No.1 and Bujagali Trust Number 2, D and B Badcock, D and D Heads, T and K Kroos, J and Y Stevenson, H and D Forsyth, E and T Brown, I and M Van der Wilt, J Martin and S O'Hanian.

On 12 November 2000 the Court received notice that J and E Lapsley wished to be heard under section 274 of the Act.

- **RMA 1362/98 (The Heads)**



D Speight, G and C Dennison, M Fleck, M Buckenham, Mr and Mrs D Badcock, P and N Richan, H and R Dean under section 271A of the Act. T Brown, T Kroos and, Bujagali Partnership under section 274 of the Act. On 3 August 2000 C McLeay advised the Court that he would be acting for the following parties with respect to the seven references: Bujagali Trust No.1 and Bujagali Trust Number 2, D and B Badcock T and K Kroos, J and Y Stevenson, H and D Forsyth, E and T Brown, I and M Van der Wilt, J Martin and S O'Hanian.

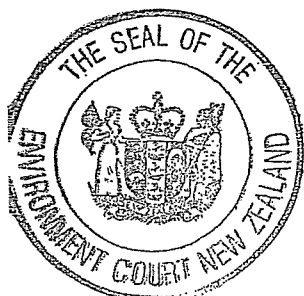
By letter dated 30 September 2000 the Court was advised that P and N Richan wished to withdraw their interest in this reference. On 12 November 2000 the Court received notice that J and E Lapsley wished to be heard under section 274 of the Act. On 31 January 2001 the Court received notice that R and H Dean no longer wished to be heard in relation to this appeal. On 19 February 2001 the Court received notice that Mr P Ferry wishes to be heard under section 274 of the Act.

[6] In June 2001 the Court received a joint memorandum of the parties ("the consent memorandum") setting out a compromise manner in which the references might be determined by consent, subject to the approval of the Court.

[7] Pursuant to the consent memorandum, the respondent has agreed to:

- (a) Delete the Rural Lifestyle zone from Areas marked as AD and AC on Attachment "C" and replace it with a Rural Residential zone, which will contain a number of rules, site and zone standards, and assessment matters specific to the area. The area will be referred to in the District Plan as the Rural Residential zone at the north of Lake Hayes, and will be identified on the planning maps as such.
- (b) Extend Rural Residential west of Rutherford Road to include all the Bonham and Rutherford land, and add a building Restriction Area over the elevated portions of these properties.
- (c) Retain the Rural Residential zone, unchanged, over the Area marked AB on Attachment "C".

These proposed amendments to the Planning Maps are shown as Attachment "D". The amendments to the provisions of Part 8 are outlined in full in paragraph [12] below.



[8] The Parties agreed that the Areas marked AD (including the extension to the west of Rutherford Road) and AC on Attachment "A" could absorb a greater density of development than is provided for through the Rural Lifestyle zone provisions.

[9] Furthermore, the parties agreed that by adding a number of additional policies and provisions specific to the area, rather than relying on the existing Rural Residential zone provisions, the rural amenity of the area and values associated with the water quality and fisheries could be better preserved.

[10] The consent memorandum was signed by counsel for the Council, counsel for T Sidey, counsel for Cherry Modes, the Clarkes for themselves, a representative for Speargrass Properties, counsel for the Bonhams and J Rutherford, Mrs D Heads for the Heads, a representative for M Beale, M Fleck, D Speight and Mr Ferry, counsel for M Buckenham and counsel for Mr Lapsley. As noted at paragraph [5] of this decision, Mr C McLeay advised the Court that he would be acting for a number of parties with respect to the seven references. Nevertheless, Mr C McLeay has signed the consent memorandum on behalf of the Bujagali Partnership and Mr Kroos and Mr Brown have each signed the consent memorandum for themselves. Counsel for P, S, and M Fleming and counsel for W Eaton have signed the consent memorandum, although I cannot find on any of the references any record of those persons having filed a notice under sections 271A or 274 of an interest in these references.

[11] Withdrawal notices were received by the Court from R Dean in respect of RMA 1322/98, 1323/98 and 1362/98 and from G Dennison in respect of RMA 1322/98 and 1362/98.

Orders

[12] Having considered the references and the memorandum of consent of the parties, the Court by consent, orders:

- (1) Appeals RMA 1191/98, RMA 1316/98, RMA 1322/98, RMA 1323/98, RMA 1324/98, RMA 1327/98 and RMA 1362/98 are allowed to the extent set out in (2) below.



- (2) Under clause 15(2) of the First Schedule to the Act the Court directs the Queenstown Lakes District Council to modify the Proposed Plan as follows:

Part 8 - Rural Living

a) Add the following Resource Management Issue to Part 8.1.1 of the Proposed District Plan:

- v *Recognising the Special Character of the Rural Residential zone at the north of Lake Hayes (as shown on Planning Map 26)*

The Rural Residential zone at the north of Lake Hayes has a special character that is distinct from other Rural Residential areas. In addition to issues (i) – (iv) above and the District-wide issues stated in Part 4 of the Plan, the following characteristics and values raise additional issues which are unique to the Lake Hayes area:

- *The close proximity of the area to Lake Hayes and to the escarpment of Slope Hill mean that it is important to consider the effects of development of the Rural Residential area on the landscape values of the nearby Outstanding Natural Landscapes and Outstanding Natural Features.*

(Refer Objective and Policies contained in Part 4.2)

- *The fact that Mill Creek runs through the middle of the zone, and that this is the principal in-flow and spawning area for Lake Hayes. This*



emphasises the need for an integrated approach to managing land use and the effects of that use on water quality.

The unique characteristics of this area are recognised through a number of policies, site and zone standards, and assessment matters that relate specifically to this area.

b) Add the following statement to existing Policy 2.4:

2.4 ... and in the Rural Residential zone at the north of Lake Hayes, on prominent slopes

c) Add the following policies to Objective 3 – Life Supporting Capacity of Water:

3.2 In respect of the Rural Residential zone at the north of Lake Hayes:

- To minimise erosion of phosphorus-rich soil*
- To require run-off from buildings, roads, and other impervious surfaces to be buffered or treated before entering Mill Creek or Lake Hayes*
- To protect and encourage the further creation of wetlands and ponds in the vicinity of Mill Creek as a means of removing nutrients prior to entering the waterbodies*
- To ensure that land use activities are considered in terms of effects on the quality of the receiving waters.*



- *To require a land disturbance strategy to be provided where any earthworks are being undertaken in association with a land use activity or subdivision.*
- *To require a landscaping plan to be provided with any land use consent application.*

d) Add the following paragraph to Part 8.2 Rural Living Areas Rules:

The Rural Residential zone at the north of Lake Hayes is anticipated to be characterised by a diversity of lot sizes, comprehensive amenity and riparian planting, and generous setbacks from roads and internal boundaries.

e) Add the following to 8.2.4.1 Site Standard (ii) - Setback from Internal Boundaries:

(a) Minimum setback from internal boundaries of any building for any activity shall be:

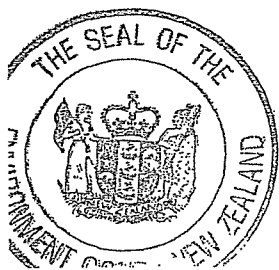
...

*The Rural Residential zone at the north of Lake Hayes
15 m*

f) Add the following to 8.2.4.1 a new Site standard (vi) - Residential Density:

In the Rural Residential zone at the north of Lake Hayes –

(a) for allotments less than 8,000m² in size, there shall be only one residential unit.



(b) *for allotments equal to or greater than 8,000m², there shall be no more than 1 residential unit per 4000m², on average.*

- g) **Add the following to 8.2.4.2 Zone Standard (i) - Building Line Restriction:**

...
No building shall be erected on the elevated land of Part Lot 17 DP 12678 and Part Lot 18 DP 12678, (as shown on Planning Map 26)

- h) **Add the following to 8.2.4.2 Zone Standard (ii) - Building Height**

(a) ...

(b) *No part of any building located:*

i) ...

ii) *within the Rural Residential zone at the north of Lake Hayes*

shall protrude through a surface drawn parallel to and 7m vertically above the ground level."

- i) **Add an exemption from 8.2.4.2 Zone Standard (viii) - Residential Density for the Lake Hayes area:**

In the Rural Residential Zone, except in the Rural Residential area at the north of Lake Hayes...

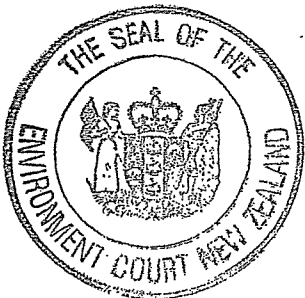
- j) **Add the following to 8.2.4.2 Zone Standard (ix) - Setback from Roads**



... Except that in the Rural Residential zone at the north of Lake Hayes, the minimum setback from Speargrass Flat Road shall be 15 m.

- k) Re-order the Assessment Matters as follows in order to improve the workability of the section:

<i>Section Headings – as they currently exist</i>	<i>Section Headings - Proposed re-ordering</i>
(i) General – Nature Conservation Values	i) General – Nature Conservation Values
(ii) Natural Hazards – General	(ii) Natural Hazards – General
(iii) Controlled Activity - All Buildings	(iii) Controlled Activity - All Buildings
(iv) Building Height - Zone Standard	(iv) Controlled Activity – Retail Sales
(v) Controlled Activity – Retail Sales	(v) Discretionary Activity – Visitor Accommodation
(vi) Discretionary Activity – Visitor Accommodation	(vi) Building Coverage (new)
(vii) Access	(vii) Setback from Internal Boundaries
(viii) Scale and Nature of Activities	(viii) Access
(ix) Setback from Roads	(ix) Scale and Nature of Activities
(x) Setback from internal setbacks	(x) Building Height (Zone Standard)
	(xi) Setback from Roads



l) Add to 8.3.2 - Assessment Matter (i) General - Nature Conservation Values

At the Rural Residential zone at the north of Lake Hayes, whether and the extent to which the proposed development will:

(d) Result in adverse effects on water qualities, fisheries and other wildlife values, and whether and to what extent it is possible to avoid, remedy, or mitigate such effects;

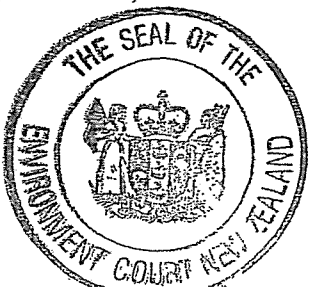
(e) Result in opportunities for the protection and enhancement of the water quality of Mill Creek, the wetland area, and Lake Hayes through the creation of new wetland areas, and the fencing off of areas within close proximity to Mill Creek in order to enable the protection and re-vegetation of riparian margins.”

m) Add the following to 8.3.2 - Assessment Matters (iii) Controlled Activity - All Buildings

In the Rural Residential zone at the north of Lake Hayes, whether and the extent to which;

(c) There is an opportunity to enhance the amenity values of the area through methods such as landscaping, the provision of open space areas, and the protection of highly visible areas;

(d) The proposed development is complementary or sympathetic to



existing or proposed landscaping on adjacent properties;

- (e) *Appropriate riparian planting is proposed within the setback from Mill Creek;*
 - (f) *The proposed earthworks will result in increased sedimentation of Mill Creek and Lake Hayes that will have an adverse effect on their nature conservation values;*
 - (g) The proposed earthworks are consistent with the natural topography of the area;
 - (h) The proposed earthworks will cause excessive nuisance to neighbours as a result of dust or run-off;
 - (i) *Any of the adverse effects identified in (c) – (h) above can be avoided or mitigated by appropriate conditions of consent (for example; voluntary covenants, consent notices, and other restrictive mechanisms).*
- n) Add to 8.3.2 Assessment Matter (vi) - Building coverage**

In the Rural Residential zone at the north of Lake Hayes-

- (a) the proximity of the site, the proposed building and other hard surfaces to the margins and esplanade reserves of Mill Creek and to Lake Hayes;
- o) Add to 8.3.2 Assessment Matter (vii) - Setback from Internal Boundaries**



(f) In the Rural Residential zone at the north of Lake Hayes, whether and the extent to which any buildings and associated works located within the setback from Mill Creek will have an adverse effect on the fisheries values and water quality of Mill Creek and Lake Hayes.”

(p) **Add to 8.3.2 Assessment Matter (viii) - Access**

(c) *In the Rural Residential zone at the north of Lake Hayes, whether and the extent to which there is the opportunity to utilise common access ways in order to minimise the area of hard surfaces and land disturbance.*

Part 15 Subdivision, Development and Financial Contributions

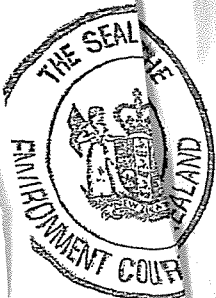
(q) **Add two new policies associated with Objective 5 - Amenity Protection:**

Policies:

5.7 To minimise street lighting in the Rural Residential area at the north of Lake Hayes in order to retain the rural amenity values of the area.

5.8 To promote the use of stormwater management methods which involve the use of pervious surfaces such as open swales in the Rural Residential area at the north of Lake Hayes, in order to retain the rural amenity values of the area.

(r) **Add a new Discretionary Subdivision Activity to Provision 15.2.3.3:**



Except where specified as a Non-Complying Subdivision Activity in Rule 15.2.3.4 below...

- (iv) *In the Rural Residential zone at the north of Lake Hayes, the further subdivision of any allotment, including balances, that had previously been used to calculate the average allotment size under Rule 15.2.6.2(iv).*
- (s) **Add a reference to (iv) above in 15.2.3.5(ii) Assessment Matters, as follows:**
- (ii) *In considering whether or not to grant consent or impose conditions in respect to Discretionary Subdivision Activities specified in Rule 15.2.3.3 (i) – (iv) above, where the exercise of the Council's discretion is not limited, the Council shall have regard to, but not be limited by, the following assessment matters...*
- (t) **Apply Assessment Matters outlined in 15.2.3.5(ii)(b)(i – vi) to the Rural Residential area at north Lake Hayes:**
- (b) *Subdivisions of Land in the Rural General, Rural Lifestyle, Gibbston Character and Bendemeer Zones, and at the Rural Residential area at the north of Lake Hayes..."*
- (u) **Add a new Site Subdivision Standard (Lot Sizes and Dimensions) to 15.2.6.2:**



(iv) *Lot Averages*

(a) *The total lots to be created by subdivision, including balance lots, shall not be less than the average specified for each zone:*

<i>Zone</i>	<i>Average</i>
<i>Rural Residential at the North end of Lake Hayes</i>	<i>8,000m²</i>

(b) *For the purpose of calculating any average, the following three titles at the north of Lake Hayes shall include the area previously taken from those titles (at their southern end) as a Wildlife Management Reserve, as described below:*

Legal Descriptions of Land taken from these lots as land owned: *Wildlife Management Reserve:*

Lot 1 DP 27445

Lot 4 DP 15096

Lot 1 DP 26803

Lot 5 DP 15096

Lot 2 DP 26803”

(v) **Add a new Assessment Matter to 15.2.6.4(i) Lot Size and Dimensions:**

(g) *In the Rural Residential zone at the north of Lake Hayes, whether and to what extent there is the opportunity to protect or restore wetland areas in*



order to assist in reducing the volume of nutrients entering Mill Creek and Lake Hayes."

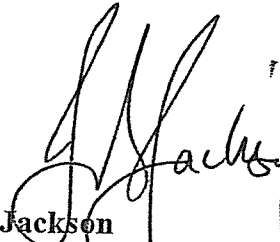
(w) Amend Assessment Matter 15.2.9.4(xi):

(xi) ...and, in the case of the Rural Residential zone at the North end of Lake Hayes, the Lake Hayes Management Strategy (1995) and any amendments thereto."

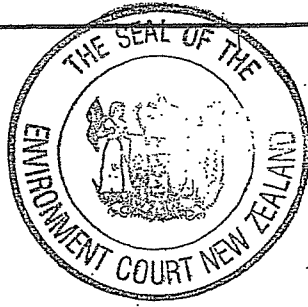


(3) There is no order as to costs.

DATED at CHRISTCHURCH this 29th day of October 2001.


J R Jackson
Environment Judge

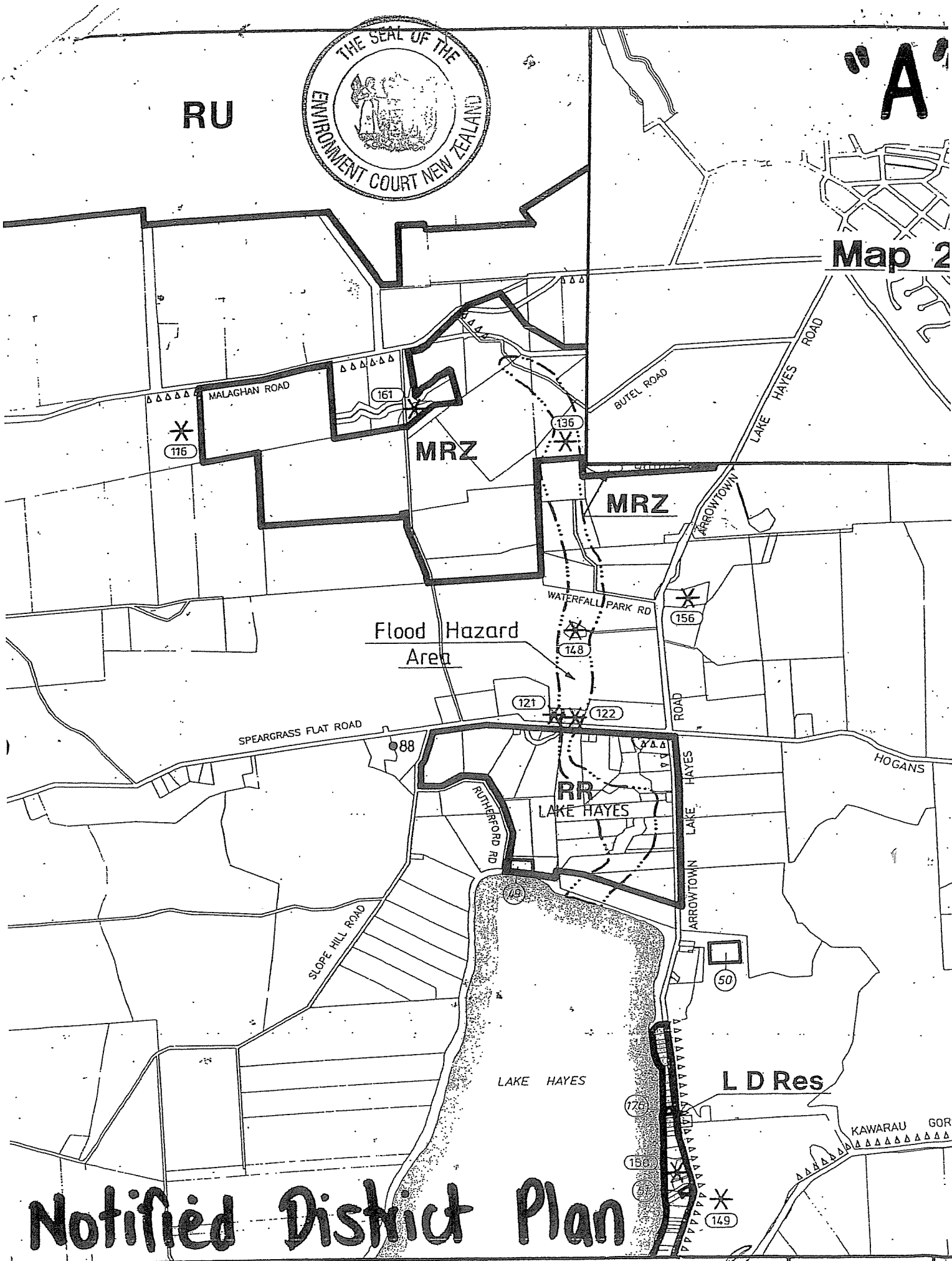




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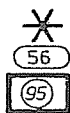
Map 2



Notified District Plan

SORT ZONE (MRZ)
RESIDENTIAL (LD Res)

Heritage Items
Designations



Proposed Road
Road to be Closed
Protected Hedgerow

XXX ZONE BDY.
AAAA DISTRICT BDY.

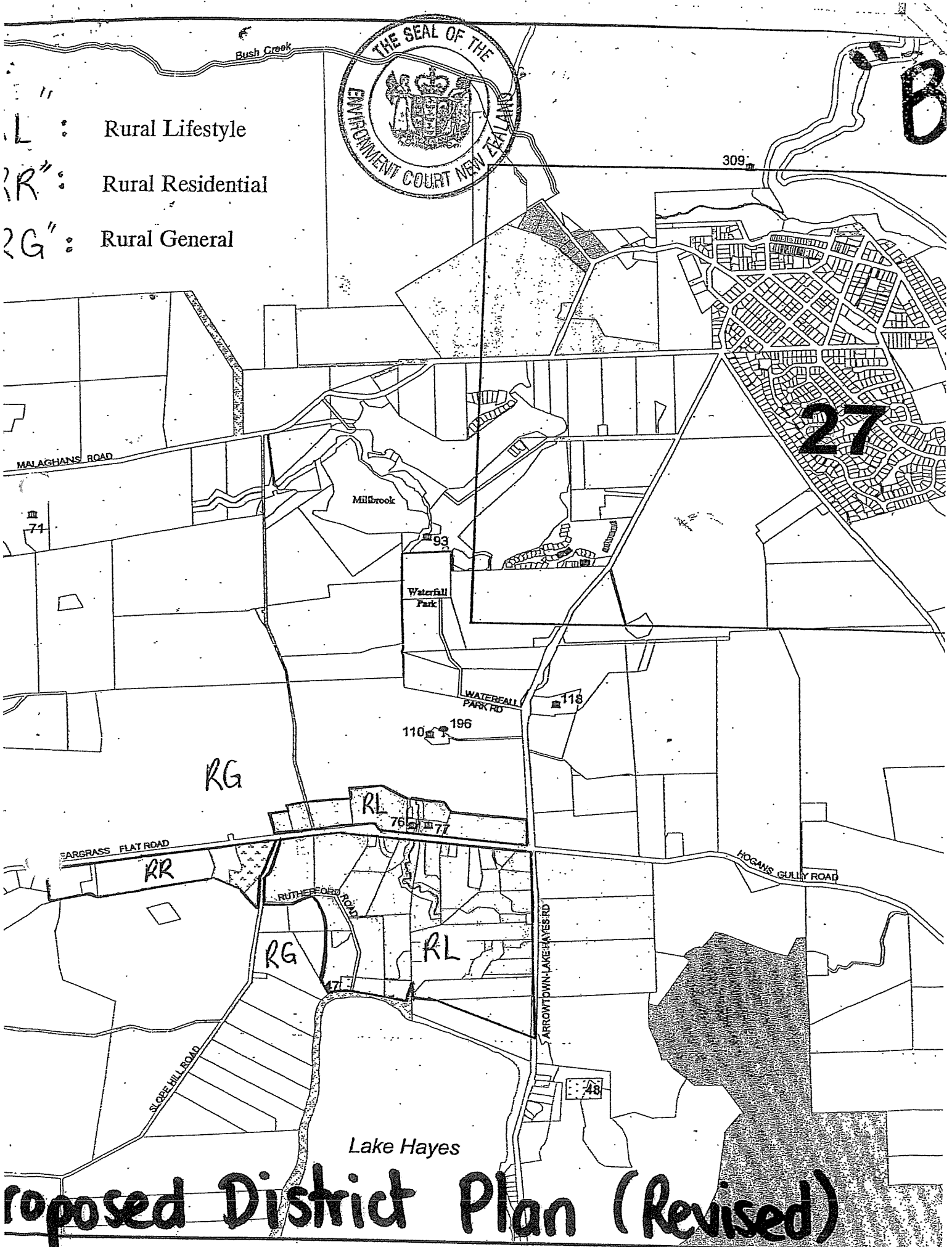


11
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11

Location Diagram



- RL : Rural Lifestyle
- RR : Rural Residential
- RG : Rural General

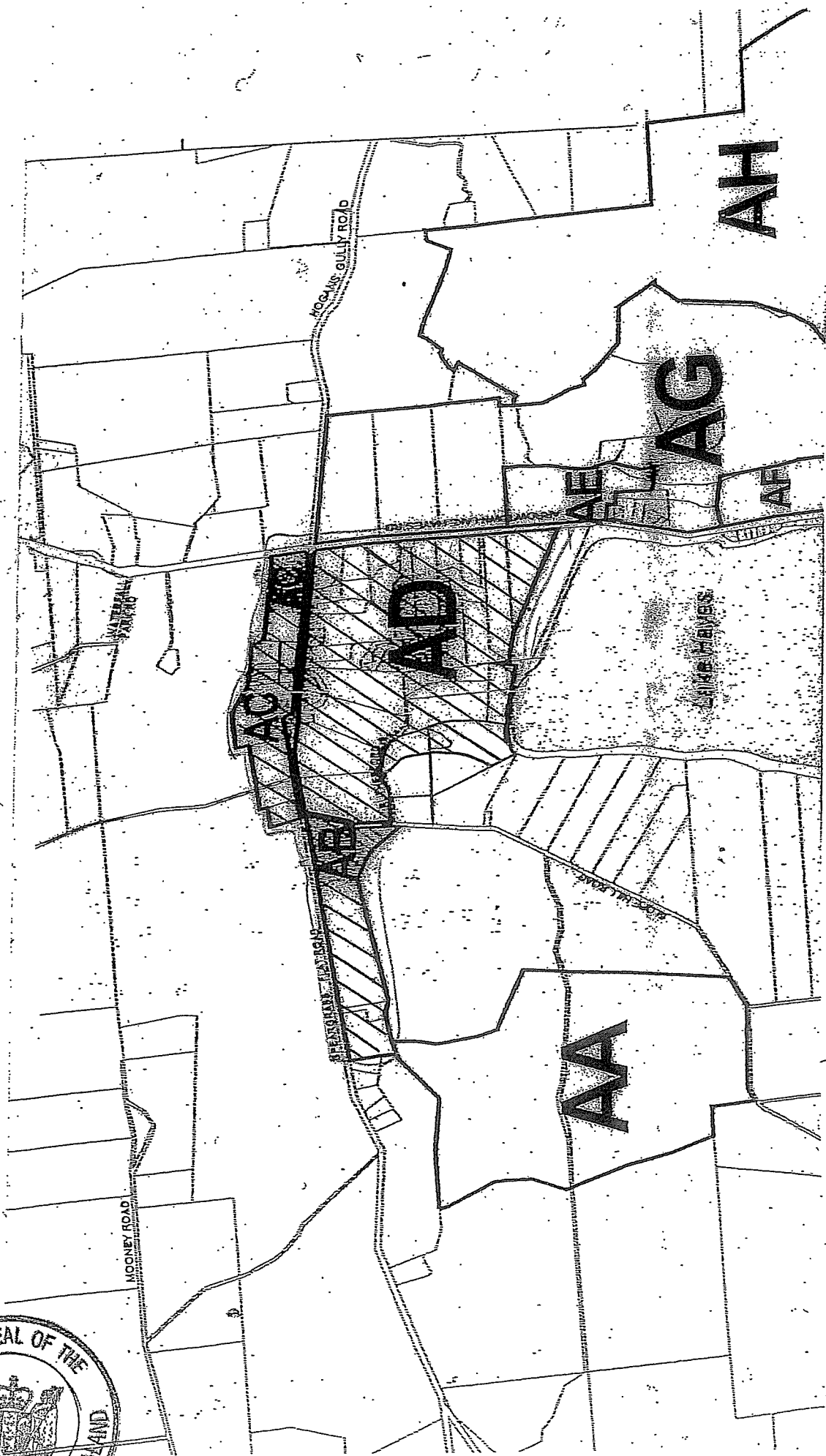


Proposed District Plan (Revised)

Arrowtown Lakes District Council

10	
29	26
31	30

11
C






PA

"D"

WATERFALL
PARK RD

LEGEND

-  Rural Residential Zone
-  Rural Residential at the North of Lake Hayes
-  Building Restriction

RR

RUTHERFORD ROAD

RR @ north
of Lake
Hayes

ARROWTOWN LAKE HAYES RD



Lake Hayes

