

**SUMMARY OF PROPOSED COMPREHENSIVE DEVELOPMENT PLAN AND ASSOCIATED
CHANGES TO CHAPTER 41 OF THE PROPOSED DISTRICT PLAN**

SECTION 293 PROPOSAL

**ALTERATION TO CHAPTER 41 STRUCTURE PLAN AND PROVISIONS APPLYING TO LAND
LOCATED AT MAORI JACK ROAD, JACKS POINT**

1. This document provides a summary of the proposed alterations to Chapter 41 of the Proposed District Plan provisions and structure plan, including the addition of a Comprehensive Development Plan (**CDP**) that would apply to approximately 24ha of land located within the vicinity of Jacks Point Village. The land to which this proposal relates is located on Maori Jack Road, McAdam Drive, Black Spur Lane, Mulholland Drive and Inder Street, west of Homestead Bay Road, south of Ti Kouka Street and north of Lodge Road, Jacks Point, Queenstown.
2. This summary document incorporates the following documents, plans and supporting material:

APPENDIX 1 – Revised Jacks Point Zone Structure Plan

APPENDIX 2 – Proposed Comprehensive Development Plan

APPENDIX 3 – Revised Chapter 41 Jacks Point Zone

APPENDIX 4 – Section 32AA Evaluation

APPENDIX 5 – Consultation and Options Report (30 June 2021)

APPENDIX 6 – Summary of consultation and changes made since 30 June 2021

APPENDIX 7 – Draft Design Guidelines (aka Controls)

Background

3. In 2018 Jacks Point appealed the Council's decision on Chapter 41 of the PDP on a number of related provisions for the Jacks Point Village Activity Area. The appeal was heard by the Environment Court (Topic 22) in September 2020. At this hearing consensus was reached between Jacks Point, the Council and other parties on a process to advance the potential incorporation of a CDP into Chapter 41, together with related changes to the Chapter 41 provisions and the Structure Plan, through an application to use section 293.
4. On 15 October 2020, the Environment Court issued a minute directing a process for consultation on the formulation of a CDP and to submit an application to the Court to use section 293.

The proposed changes to Chapter 41

5. The proposed changes involve a set of integrated changes to Chapter 41 seeking the following:
 - a) Reclassifying land to provide for the expansion of the Village Activity Area and reflecting this reclassification in changes to the Jacks Point Zone Structure Plan;
 - b) The introduction of a CDP for the expanded Village Activity Area; and
 - c) A range of associated changes to the provisions of Chapter 41.

6. All of the proposed alterations to the PDP occur within Chapter 41 Jacks Point Zone, as detailed below.

Changes to the Jacks Point Zone Structure Plan

7. It is proposed to expand the Jacks Point Village Activity Area to incorporate the driving range, currently located with the Education Activity Area, to undertake realignments with the Open Space Golf Activity Area along the eastern side of Lake Tewa and an area of land immediately alongside the driving range within the current Open Space Golf Activity Area, and to include two new areas of Open Space Residential Amenity Activity Area (OSA) nested within the Village Activity Area, as shown on the revised Structure Plan (**Appendix 1**).

Village Activity Area - Comprehensive Development Plan

8. It is proposed to insert the Jacks Point Village CDP at a new Schedule 41.9, located at the end of Chapter 41, as contained within **Appendix 2**.
9. The CDP comprises a set of regulatory plans and controls, for activities within the Jacks Point Village Activity Area. The CDP implements Policy 41.2.1.19 of Chapter 41 that requires all subdivision and development to be in accordance with a Comprehensive Development Plan incorporated in the District Plan.
10. For activities to fall within the CDP and be considered as a controlled activity by Rule 41.4.2.1, they are required to be in accordance with the CDP and be of sufficient detail to enable the matters of control is to be fully considered. In response to Rule 41.2.1.19, the CDP provides for land uses according to land use areas, including Visitor Accommodation, Mixed Use, Medium Density Residential and Community. To be in accordance with the CDP, development will be required to comply with the regulatory plans and controls relevant to that land use area (or land use areas).
11. The CDP controls that have been developed for the Jacks Point Village establish a basis for:
 - (a) Defining the spatial arrangement of the range of activities anticipated by the Village Activity Area (Rule 41.4.2.1), according to identified land use areas
 - (b) The provision of pedestrian access and cycle trails
 - (c) Delivery of public amenities in Village and the new OSAs
 - (d) Providing a local shopping centre
 - (e) Minimum ground floor heights within the mixed-use land use area
 - (f) Road hierarchy
12. Separate from the CDP are the Design Guidelines (aka Controls), which are being formulated in order to achieve Rule 41.4.2.1 g. and that will provide further guidance over the urban design outcomes within the Jacks Point Village. The Design Guidelines are a non-statutory document outside of the District Plan and will be administered by the Jacks Point Village Design Review Board (**DRB**). The establishment of the DRB and the associated process for administration of the Design Guidelines occurs through private covenants registered over the land within the Jacks Point Village Activity Area. It is noted that the land currently owned by RCL has a different process for the review and approval of potential development, outside of the District Plan.
13. The plans incorporated into the CDP are:
 - (a) Plan 1 - Land Use Areas and Site Coverages – identifies land use areas and the activities that may be undertaken within them across the expanded Village Activity Area

- (b) Plan 2 - Road Network and Hierarchy – including areas for non-accessory parking
- (c) Plan 3 – Community Amenities, Pedestrian and Cycle Networks

Changes to Chapter 41 Jacks Point Zone Provisions

14. It is proposed to amend the Rules of Chapter 41 Jacks Point Zone, as shown in **Appendix 3**, and as follows:
- (a) Modify the heading above Policy 41.2.1.17 by removing the text “*and Education*”
 - (b) Modify Policy 41.2.1.19 to insert reference to the new Jacks Point Village Activity Area CDP located within Schedule 41.9.
 - (c) Delete Policy 41.2.1.20 relating to the Education Activity Area
 - (d) Modify the heading of Table 2 to remove the text “*and Education*”
 - (e) Modify Rule 41.4.2. to remove reference to the Education Activity Area
 - (f) Modify Rule 41.4.2.1 to delete the text with matters of control g. relating to “the formulation of” design controls. Delete Rule 41.4.2.2. relating to activities within the Education Activity Area
 - (g) Modify the heading of Table 7 and Rule 41.5.2 to remove the text “*and Education*”
 - (h) Modify standard 41.5.2.2 Building Coverage – Village (JP) Activity Area – to remove the current 60% coverage limitation, applied across the entire activity area with new building coverage areas for each of the land use areas identified on the CDP (contained within Schedule 41.9)
 - (i) Delete existing Standard 41.5.2.2 Building Coverage – Education Activity Area

Section 293 process / next steps

15. Section 293 of the RMA allows the Environment Court to direct appropriate procedural steps that provide for the consideration and determination of amendments to the Proposed District Plan.

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2021)

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