

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

Decision No. [2022] NZEnvC 213

IN THE MATTER of the Resource Management Act 1991

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

BETWEEN CONEBURN PRESERVE
HOLDINGS LIMITED & OTHERS

(ENV-2018-CHC-137)

Appellants

AND QUEENSTOWN LAKES DISTRICT
COUNCIL

Respondent

Court: Environment Judge J J M Hassan
Environment Commissioner J T Baines

Hearing: In Chambers at Christchurch

Last case event: 30 August 2022

Date of Decision: 20 October 2022

Date of Issue: 20 October 2022

DETERMINATION OF THE ENVIRONMENT COURT

Topic 22 Jacks Point Zone

A: Directions are made for Queenstown Lakes District Council to amend the proposed Queenstown Lakes District Plan as set out in Appendices 1, 2 and 3 and file a reporting memorandum once that is completed.



REASONS

Introduction

[1] This is the third interim decision relating to Topic 22 of the Queenstown District Plan review ('PDP') and the appeal by Coneburn Preserve Holdings Limited and Ors (Jacks Point).¹ It concerns the changes sought to the 'Village Activity Area' in the PDP.

Background

[2] In 2018 Jacks Point appealed Queenstown Lakes District Council's ('QLDC') decision on Chapter 41 of the PDP on a number of related provisions for the Jacks Point Village Activity Area. The appeal was allocated to Topic 22 and heard in September 2020. At the hearing of that appeal, the use of s293 Resource Management Act 1991 processes to address certain matters beyond the scope of relief in the appeal were traversed.

[3] On 15 October 2020 a Minute gave directions for parties to consult on the formulation of a Comprehensive Development Plan ('CDP') and apply to the court for directions under s293 of the RMA.² By subsequent decision, directions were made under s293(1).³

[4] Those directions obliged QLDC to give notice to the parties to the appeal, the residential precinct committee of the Jacks Point Owners and Residents Association, and all properties within the Jacks Point Zone advising as to:

¹ Coneburn Preserve Holdings Limited, Henley Downs Farms Holdings Limited, Henley Downs Land Holdings Limited, Jacks Point Land No. 2 Limited, Jacks Point Developments Limited, Jacks Point Land Limited, Jacks Point Management Limited, Jacks Point Residential No. 2 Limited, Jacks Point Village Holdings Limited, Willow Pond Farm Limited.

² The court later amended the timetable for consultation by Minute dated 11 March 2021.

³ [2021] NZEnvC 144.

- (a) the s293 proposal and process;
- (b) the ability for any person so notified to provide to QLDC and Jacks Point written comments and any supporting evidence on that proposal; and
- (c) the requirements in s274 RMA for joining the proceeding.

[5] QLDC was also directed to file with the court a report summarising the written comments and expert evidence received and making recommendations for the court's consideration on both the merits of the proposed change and procedural directions.

[6] On 15 November 2021, RCL Hanley Downs ('RCL') gave notice under s274 to joining the proceedings, noting interest in the entire proceeding. RCL is the owner of three properties within the Jacks Point Zone.⁴ No other person gave notice under s274.

[7] QLDC duly complied with the court's directions, filing its report on 1 February 2022 ('Summary Report').⁵

[8] Subsequently, parties undertook further discussions in light of some unresolved issues arising in light of QLDC's Summary Report. A two-day fixture for 25 and 26 July 2022 was initially set down but on advice that it was not required was then vacated. Parties provided progress reports leading to full settlement being reached:

- (a) on 13 March 2022, a joint memorandum reported that parties considered there was real potential for the unresolved issues to be narrowed or for parties to reach full settlement;

⁴ Notice of wish of RCL to be party to proceedings in ENV-2018-CHC-137 under s274 dated 15 November 2021.

⁵ Report of Victoria Sian Jones on behalf of QLDC summarising and making recommendations on written comments and expert evidence received on the Jacks Point s293 RMA proposal dated 1 February 2022.

- (b) on 19 July 2022, a memorandum of counsel for RCL reported that circulated consent order documentation did not cover agreement on some important infrastructure issues but that parties continued to engage to seek resolution;
- (c) on 31 August 2022, the parties filed a joint memorandum reporting that all matters were resolved. That extended to all proposed amendments to the provisions of Chapter 41 of the PDP, the Jacks Point Structure Plan and as to a proposed CDP to be included in Chapter 41 ('Final Documentation').⁶

Evaluation

[9] The court has considered the Final Documentation in conjunction with the s293 proposal, and the associated information and evidence filed. The court relies on the information before it and the parties' joint assurance that the amendments sought to be endorsed properly accords with the directed s293 process and falls within the court's jurisdiction under s293 RMA.⁷ Therefore, the court is satisfied that it is in order to approve and make associated directions for the PDP to be changed according to the s293 proposal as is set out in the Final Documentation.

Outcome

[10] Under ss 279(1)(b), 290(2) and 293 RMA, the s293 proposal for the Jacks Point Village Activity Area is approved to the extent outlined in the joint memorandum of the parties dated 30 August 2022.

[11] QLDC is directed to:

- (a) amend Chapter 41 and the relevant planning maps of the PDP as set out in Appendices 1, 2 and 3 of this decision; and

⁶ Joint memorandum in support of draft consent order dated 30 August 2022.

⁷ Joint memorandum in support of draft consent order dated 30 August 2022 at [8].

(b) file a reporting memorandum as to that once completed.

For the court



J J M Hassan
Environment Judge

Appendix 1

Agreed plan provisions for incorporation into Chapter 41 of the Proposed
District Plan

41 Jacks Point

Please Note: Variations to parts of this chapter have been decided by Council on 7 March 2019 as part of Stage 2 of the PDP. You can view the Stage 2 Decisions, appeals and section 274 notices on our website. The appeal and section 274 periods for the Stage 1 and 2 Decisions have closed.

41.1 Zone Purpose

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

The village areas and associated residential activities at Jacks Point will be sustainable in their nature, constituting mixed density development, best practice methods of waste disposal and longevity in their quality and built form. The preparation of development controls and non-regulatory design guidelines, in conjunction with provisions of the District Plan and other methods, will ensure provision for the social, economic and cultural wellbeing of the wider community, while also assisting in ecological enhancement and the seamless integration of the built and natural environment.

In addition, the zoning anticipates an 18-hole championship golf course, a luxury lodge, small-scale commercial activities, provision for community facilities, craft and winery activities, outdoor recreation and enhanced access to and enjoyment of Lake Wakatipu.

41.2 Objectives and Policies

41.2.1 Objective - The establishment of an integrated community, incorporating residential living, visitor accommodation, community, and small-scale commercial activities with appropriate regard for landscape and visual amenity values, and within a framework of open space and recreation amenities.

Policies

General - Zone Wide

- 41.2.1.1 Require activities to be located in accordance with the Structure Plan (41.7) to establish the spatial layout of development within the zone and diversity of living and complementary activities, taking into account:
- a. integration of activities;
 - b. landscape and amenity values;
 - c. road, open space and trail networks;
 - d. visibility from State Highway 6 and from Lake Wakatipu.
- 41.2.1.2 Provide public access from the State Highway to the lake foreshore and to facilitate increased use and enjoyment of the margin and waters of Lake Wakatipu.
- 41.2.1.3 Provide safe and efficient road access from State Highway 6.

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- 41.2.1.4 a. Ensure subdivision and development incorporates the design elements shown on the Structure Plan, namely roads, road connections, open space, access connections and trails.
- b. Ensure the efficient provision of servicing infrastructure, roading and vehicle access.
- c. Ensure efficient provision of sewage disposal, water supply and refuse disposal services which do not adversely affect water quality or other environmental values.
- 41.2.1.5 Control the take-off and landing of aircraft within the zone.
- 41.2.1.6 Avoid industrial activities.
- 41.2.1.7 Maintain and protect views into the Jacks Point Zone of a predominantly rural and open character when viewed from the lake, and to maintain and protect views across the site to the mountain peaks beyond the lake when viewed from the State Highway.

Residential

- 41.2.1.8 a. Provide for a diversity of living accommodation, including opportunities for farm and rural living at low densities.
- b. Provide for medium density and small lot housing subject to ensuring the scale and form of built development provides an appropriate standard of residential amenity and design.
- 41.2.1.9 Require that any conventional low density residential development in the Residential Hanley Downs (R(HD)) and Jacks Point (R(JP)) Activity Areas be offset by higher density residential development and common open spaces in order to achieve efficient use of land and infrastructure.
- 41.2.1.10 Maintain or enhance the character and amenity values that exist in the established Jacks Point Residential Activity Areas (R(JP)) as at 31 August 2016, including the high standard of design and landscape elements incorporated into communal open space areas, transport corridors and private lots, and lower average densities compared to the Hanley Downs Residential Activity Areas.
- 41.2.1.11 Enable medium density housing development within the established Jacks Point Residential Activity Areas (R(JP)) subject to the scale and form of built development being appropriate to the character of the Activity Area.
- 41.2.1.12 Recognise the (Hanley Downs) Residential Activity Areas (R(HD)) as being appropriate to accommodate residential development at a greater scale and intensity than elsewhere in the zone.
- 41.2.1.13 Apply residential development controls to protect privacy and amenity, provide access to sunlight, to achieve design cohesion, and to provide appropriate opportunities outdoor living, consistent with the residential density anticipated in that Activity Area.
- 41.2.1.14 Enable commercial activities on primary roads within the Hanley Downs Residential Activity Areas (R(HD)) of a scale limited to servicing the needs of the local community.
- 41.2.1.15 Provide for predominantly low density residential development in the Residential - State Highway Activity Areas ((R(HD-SH) and (R(JP-SH))), and appropriately mitigated through landscaping and the provision of open space.

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- 41.2.1.16 Ensure that residential development in the Jacks Point Zone does not dominate views from the State Highway and that any adverse visual impacts are mitigated through landscaping, building design and provision of open space.

Villages and Education

- 41.2.1.17 a. Enable the Jacks Point Village Activity Area (V(JP)) to develop as the vibrant mixed use hub of the Jacks Point Zone, comprising a range of activities including:
- high and medium density residential housing;
 - a small local shopping centre that services the needs of Jacks Point residents and provides for small scale destination shopping and office space;
 - visitor accommodation;
 - education facilities, community activities, healthcare, and commercial recreation activities;
 - technology and innovation-based business.
- b. Enable the Homestead Bay Village Activity Area (V(HB)) to develop as a secondary commercial and mixed use centre supporting aquatic activities and the needs of residential activity around Homestead Bay.
- 41.2.1.18 Enable commercial and community activities and visitor accommodation in the Jacks Point Village (V(JP)) and Homestead Bay Village (V(HB)) Activity Areas, provided residential amenity, health, and safety are protected or enhanced through:
- compatible hours of operation and noise;
 - a high standard of building design;
 - the location and provision of open space, buffers and setbacks;
 - appropriate landscape mitigation;
 - efficient design of vehicle access and car parking; and
 - an appropriate scale of activity, and form of building development.
- 41.2.1.19 Encourage high quality urban design throughout the Jacks Point Village (V(JP)) and Homestead Bay Village (V(HB)) Activity Areas by:
- requiring all subdivision and development to be in accordance with a Comprehensive Development Plan incorporated in the District Plan ([Schedule 41.9](#)), which shall establish an integrated and coordinated layout of open space; built form; roading patterns; pedestrian, cycle access, and carparking; the land uses enabled within the buildings; streetscape design; design controls in relation to buildings and open space; and an appropriate legal mechanism to ensure their implementation;
 - requiring the street and block layouts and the bulk, location, and design of buildings to minimise the shading of public spaces and to avoid the creation of wind tunnels;
 - encouraging generous ground floor ceiling heights for commercial buildings that are relatively consistent with others in the village; and
 - encouraging the incorporation of parapets, corner features for landmark sites, and other design elements in order to achieve a positive design outcome and providing for

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a 3 storey building height in the Jacks Point Village Activity Area and 2 storey commercial building height in the Homestead Bay Village Activity Area.

~~41.2.1.20 Enable the development of education and associated activities and day care facilities within the Education Activity (E) Area, subject to achieving a high standard of urban design.~~

Open Space

~~41.2.1.21~~ 41.2.1.20 Recognise the important contribution that the open space areas that adjoin the residential and village areas make to the identity, character, amenity, and outlook of the Jacks Point Zone for residents and visitors.

~~41.2.1.22~~ 41.2.1.21 Avoid all buildings in the Open Space Golf (OSG) and Open Space Residential Amenity (OSA) Activity Areas, other than ancillary small scale recreational buildings that are of a design that is sympathetic to the landscape. The "small scale" restriction does not apply to a single clubhouse or golf cart storage facility associated with the existing 18 hole Jacks Point golf course, that are located within the OSG Activity Area where it is not overlaid by the Tablelands Landscape Protection Area.

~~41.2.1.23~~ 41.2.1.22 Provide for farming and associated activities, while ensuring that the scale of building and other development associated with those activities does not result in over-domestication of the landscape.

~~41.2.1.24~~ 41.2.1.23 Enable mining activities within the Open Space Golf (OSG) Activity Area for the development of the Jacks Point Zone provided the adverse environmental effects of the activity are managed.

~~41.2.1.25~~ 41.2.1.24 Provide for local biodiversity through:

- the protection and enhancement of existing ecological values, in a holistic manner;
- reduction in grazing around wetland areas; and
- the provision of links between grey shrublands, wetlands and the lakeshore escarpment, including indigenous vegetation links between Activity Areas where appropriate.

~~41.2.1.26~~ 41.2.1.25 Ensure that development within the ecologically sensitive areas of the zone results in a net environmental gain.

~~41.2.1.27~~ 41.2.1.26 Ensure that subdivision, development and ancillary activities within the Tablelands Landscape Protection Area maintain the character of the landscape.

~~41.2.1.28~~ 41.2.1.27 Ensure substantial native revegetation of the gully within the Open Space Foreshore (OSF) Activity Area within Homestead Bay and the Homesite (HS) Activity Areas.

~~41.2.1.29~~ 41.2.1.28 Ensure that use and development within Homesites HS₃₈ to HS₅₆ and any adjoining area of OSL or OSG, maintains and enhances the indigenous biodiversity, ecological values landscape character, and visual amenity values of these Homesites and this part of the Tablelands Landscape Protection Area through the implementation of a Vegetation Management Strategy.

~~41.2.1.30~~ 41.2.1.29 Encourage native planting of the Open Space Activity Areas (OSF, OSL and OSG).

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[41.2.1.31](#)[41.2.1.30](#) Provide for the development of lakeside activities and low density residential development in the Homestead Bay area, in a manner which complements and enhances amenity values.

[41.2.1.32](#)[41.2.1.31](#) Ensure that use and development within Homesite Activity Areas HS₃₉ and HS₄₀ maintains or enhances the landscape character and visual amenity values of the Tablelands Landscape Protection Area, and protects the values of the Outstanding Natural Landscape, by:

- a. Ensuring building development is not visually prominent when viewed from State Highway 6, other Homesites within the Tablelands Landscape Protection Area, the access road to the Homesites, the Lodge Activity Areas, the Queenstown Trail, and the Jacks Point residential activity areas, recognising that buildings will be visible from these areas;
- b. Ensuring vehicle access harmonises with the landform, including by establishing native tree and shrub planting to mitigate visibility and utilising shared accessways as much practical;
- c. Avoiding light spill beyond the Homesite;
- d. Requiring the planting of predominantly indigenous vegetation species to enhance indigenous biological diversity, and build on existing ecological patterns, including wetland and grey shrubland habitats in accordance with Vegetation Management Strategy; and
- e. Requiring that buildings do not detract from the landscape values of the adjacent Peninsula Hill Outstanding Natural Landscape.

Lodge

[41.2.1.33](#)[41.2.1.32](#) To provide for visitor accommodation and ancillary facilities within the Lodge (L) Activity Areas in a manner that does not adversely affect the open character and amenity of the surrounding Open Space Golf (OSG) Activity Areas.

Homesite 58

[41.2.1.34](#)[41.2.1.33](#) Ensure that use and development within Homesite 58:

- a. Does not detract from the visual amenity and open space values when viewed from the urban areas of Queenstown; is not visible from within residential activity areas of the Jacks Point Zone; and that the visual effects of effects of building development from Lake Wakatipu are restricted to views obtained from a distance of greater than 1.4 km;
- b. Is accessed by the private accessway shown on the Structure Plan (41.7) which is consistent in appearance to a simple farm type accessway, which incorporates native tree and shrub planting that screens it from views beyond Homesite 58;
- c. Avoids light spill beyond Homesite 58; and
- d. Enhances the nature conservation values, landscape values, and biodiversity values of HS58 and the adjoining OSL Activity Area through planting designed to reinforce existing landform and vegetation patterns.

41.3 Other Provisions and Rules

41.3.1 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
34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings	36 Noise
37 Designations	District Plan web mapping application	

41.3.2 Interpreting and Applying the Rules

- 41.3.2.1 Any activity which is not provided for within the list of activities below or which is not provided a specific activity status through any other rule within Rule 41.4 Tables 1 - 5 'Activities located in Jacks Point Zone' shall be a discretionary activity.
- 41.3.2.2 The existence of a farm building either permitted or approved by resource consent under Rule 41.5.4.10 shall not be considered the permitted baseline for residential or other non-farming activity development within the Open Space Activity Areas of the Jacks Point Zone.
- 41.3.2.3 Where provisions refer to the Structure Plan, this shall be taken to mean the Structure Plan contained in Rule 41.7 and Rule 41.4 (Rules – Activities) and Rule 41.5 (Standards for Activities). References to the Structure Plan and to Activity Areas are references to the Jacks Point Zone Structure Plan and the Activity Areas identified on that Structure Plan.
- 41.3.2.4 A permitted activity must comply with all the rules listed in the Activity and Standards tables, and any relevant district wide rules.
- 41.3.2.5 Where an activity does not comply with a Standard in Rule 41.5 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.
- 41.3.2.6 The following abbreviations are used within this Chapter.
- | | | |
|-----------------|------------------|-----------------------------|
| P Permitted | C Controlled | RD Restricted Discretionary |
| D Discretionary | NC Non-Complying | PR Prohibited |
- 41.3.2.7 Rule 33.5.2 does not apply within the Jacks Point Zone.

41.4 Rules – Activities

Table 1	Activities Located in the Jacks Point Zone	Activity Status
41.4.1	Residential Activity (R) Areas and the Rural Living Activity Area	
	Residential Activities Areas (R)	P
41.4.1.1	Residential activities – all Residential Activities Areas unless specified otherwise.	
	Residential State Highway Activity Areas R(SH)	P
41.4.1.2	Residential activities and works for the visual mitigation of the effects of development as viewed from the State Highway	
	Rural Living (RL) Activity Area	C
41.4.1.3	Residential activities. Control is reserved to: <ul style="list-style-type: none"> a. the external appearance of buildings with respect to the effect on visual and landscape values of the area; b. the adequacy of infrastructure and servicing; c. the effects of associated earthworks and landscaping; d. access and parking provision; e. the bulk and location of buildings; f. the effects of exterior lighting. 	
	Residential R(HD) Activity Areas	C
41.4.1.4	Educational and Day Care Facilities. Control is reserved to: <ul style="list-style-type: none"> a. the location and external appearance of buildings; b. setback from roads; c. setback from internal boundaries; d. traffic generation, access and parking; e. provision of outdoor space; f. street scene including landscaping; g. provision for walkways, cycle ways and pedestrian linkages; h. potential noise impacts; i. infrastructure and servicing, including traffic effects. 	

Table 1	Activities Located in the Jacks Point Zone	Activity Status
	<p>41.4.1.5 Residential Activity Areas R(HD) A – E, R(HD-SH) 1, and R(HD-SH)-3</p> <p>Any residential activity which results in either:</p> <ul style="list-style-type: none"> i. three or more attached residential units; or ii. density of more than one residential unit per 380 m² of net site area. <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. external appearance; b. access and car parking; c. traffic generation effects; d. associated earthworks; e. landscaping; f. effects on adjacent sites that are not part of the medium density residential development being applied for; g. bulk and location; h. legal mechanisms proposed in relation to building bulk and location. <p>Except that this rule shall not apply to residential units located on sites smaller than 380m² created pursuant to subdivision rule 27.7.5.2.</p>	RD
	<p>Residential R(JP) 1 - 3 and R(JP-SH) 4 Activity Areas</p> <p>41.4.1.6 Any residential activity which results in either:</p> <ul style="list-style-type: none"> i. three or more attached residential units; or ii. density of more than one residential unit per 380 m² of net site area. <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. external appearance; b. residential amenity values; c. access and car parking; d. associated earthworks.; e. landscaping; f. effects on adjacent sites that are not part of a medium density residential development subject to the application; 	RD

Table 1	Activities Located in the Jacks Point Zone	Activity Status
	<ul style="list-style-type: none"> g. bulk and location; h. legal mechanisms proposed in relation to building bulk and location. 	
	<p>Residential R(HD)A - D and R(SH-HD)1 - 3 Activity Areas</p> <p>41.4.1.7 Commercial activities and Community activities including the addition, alteration or construction of associated buildings.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. location, scale and external appearance of buildings; b. setback from roads; c. setback from internal boundaries; d. vehicle access, street layout and car parking; e. street scene including landscaping; f. enhancement of ecological and natural values; g. provision for walkways, cycle ways and pedestrian linkages; h. scale of the activity; i. noise; j. hours of operation. <p>Except that this rule shall not apply to:</p> <ul style="list-style-type: none"> a. a single residential unit on any site contained within a separate computer freehold register; b. residential units located on sites smaller than 380 m² created pursuant to subdivision rules 27.5.5 or 27.7.5.2. 	RD
	<p>Residential R(HD)- E Activity Area</p> <p>41.4.1.8 Commercial activities, community activities, and visitor accommodation including the addition, alteration or construction of associated buildings.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. location, scale and external appearance of buildings; b. setback from roads; c. setback from internal boundaries; d. traffic generation; e. vehicle access, street layout and car parking; 	RD

Table 1	Activities Located in the Jacks Point Zone	Activity Status
	<ul style="list-style-type: none"> f. street scene including landscaping; g. enhancement of ecological and natural values; h. provision for walkways, cycle ways and pedestrian linkages; i. scale of the activity; j. noise; k. hours of operation. 	
	<p>All Residential (R) Activity Areas and Rural Living (RL) Activity Area</p> <p>41.4.1.9 Residential Visitor Accommodation and Homestays</p>	P

Table 2	Activities Located in the Jacks Point Zone – Village and Education Activity Areas	Activity Status
41.4.2	Village and Education -V(JPV); and V(HB) and (E) Activity Areas	
	<p>Village Activity V(JPV) and V(HB) Activity Areas</p> <p>41.4.2.1 Any commercial, community, residential, residential visitor accommodation, homestay, or visitor accommodation activity within the Jacks Point (V) or Homestead Bay (HB) Village Activity Areas, including the addition, alteration or construction of associated buildings, provided the application is in accordance with a Comprehensive Development Plan incorporated in the District Plan, which applies to the whole of the relevant Village Activity Area and is sufficiently detailed to enable the matters of control listed below to be fully considered.</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> a. the layout and orientation of built form, open spaces, roading pattern, car parking, and pedestrian and cycle access; b. the bulk, location and external appearance of buildings and associated including the creation of active frontages adjacent to roads and public spaces; c. the density and location of any proposed residential activity; d. the location of any proposed commercial and community activity; e. landscaping; f. streetscape design; g. the formulation of design controls in relation to buildings, open space, and streetscapes and an appropriate legal mechanism to ensure their implementation; 	C

Table 2	Activities Located in the Jacks Point Zone – Village and Education Activity Areas	Activity Status
	<ul style="list-style-type: none"> h. the adequate provision of storage and loading/ servicing areas; i. traffic effects. 	
	<p>Education (E) Activity Area</p> <p>41.4.2.2 — Educational and Day Care Facilities.</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> a. location and external appearance of buildings; b. setback from roads; c. setback from internal boundaries; d. provision of outdoor space; e. street scene including landscaping; f. provision for walkways, cycle ways and pedestrian linkages; g. noise; h,i. infrastructure and servicing, including traffic effects. 	€

Table 3	Activities Located in the Jacks Point Zone – Lodge Activity Area	Activity Status
41.4.3	Lodge (L) Activity Areas – L(1), L(2) and L(P)	
	<p>Lodge Activity Areas (L)(1) and L(2)</p> <p>41.4.3.1 Visitor accommodation activities, restaurants, and conference facilities.</p> <p>Lodge Activity Area (L)(P)</p> <p>41.4.3.2 Parking associated with visitor accommodation activities, restaurants and conference facilities undertaken within L(1) and L(2).</p>	P
	<p>Buildings</p> <p>41.4.3.3 Buildings (including the addition, alteration or construction of buildings).</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the external appearance of buildings with respect to the effect on visual and landscape values of the area; b. infrastructure and servicing; c. associated earthworks and landscaping; d. access and parking; 	RD

Table 3	Activities Located in the Jacks Point Zone – Lodge Activity Area	Activity Status
	<ul style="list-style-type: none"> e. bulk and location; f. exterior lighting. 	
41.4.3.4	<p>Any tennis court (including fencing) located within Lodge Area 2, and any outdoor swimming pool (including fencing) located within any Lodge Area (except spa pools less than 9m² and located within any Lodge Activity Area) provided:</p> <ul style="list-style-type: none"> i. the tennis court surfaces are either dark green or grey in colour; and ii. any tennis court fencing is chain mesh or similar, and grey in colour. <p>Control is reserved to:</p> <ul style="list-style-type: none"> a. associated earthworks and landscaping; b. colour; c. fencing, including any glare resulting from the location and orientation of glass pool fencing. 	C
41.4.3.5	Any tennis court (including fencing) located within Lodge Area 2 and any outdoor swimming pool (including fencing) located within any Lodge Area that does not comply with Rule 41.4.3.4(i) and (ii), with discretion restricted to those matters listed in Rule 41.4.3.4 (a) - (c).	RD
41.4.3.6	Except as provided for in Rules 41.4.3.4 and 41.4.3.5, any outdoor tennis court located within the Lodge Activity Areas.	NC

Table 4	Activities Located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Activity Status
41.4.4	Open Space (OS) and Homesite (HS) Activity Areas	
	Open Space Golf (OSG) Activity Area	
41.4.4.1	Indigenous revegetation and outdoor recreation activities, including the development and operation of golf courses, associated earthworks, green keeping, driving range, administrative offices associated with golf, sales, and commercial instruction.	P
	Open Space Golf (OSG) Activity Area, except within the Lake Shore Landscape Protection Area	
41.4.4.2	Any administrative offices and buildings ancillary to outdoor recreation activities.	C
	Control is reserved to:	

Table 4	Activities Located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Activity Status
	<ul style="list-style-type: none"> a. the external appearance of buildings with respect to the effect on visual and landscape values of the area; b. the adequacy of Infrastructure and servicing; c. the effects of associated earthworks and landscaping; d. access and parking provision; e. the bulk and location of buildings; f. the effects of exterior lighting. 	
	<p>Open Space Golf (OSG) Activity Area</p> <p>41.4.4.3 Any buildings within a Landscape Protection Area, or any buildings other than administrative offices and buildings ancillary to outdoor recreation activity; and any activities other than those specified under Rules 41.4.4.2 and 41.4.4.4.</p>	D
	<p>Open Space Golf (OSG) Activity Area</p> <p>41.4.4.4 The mining of rock and aggregate and/or gravel for use anywhere within the Jacks Point Zone.</p>	D
	<p>Open Space Landscape (OSL) Activity Area</p> <p>41.4.4.5 Pastoral and arable farming, endemic revegetation, and pedestrian and cycle trails.</p>	P
	<p>Open Space Landscape (OSL) (Highway Buffer) Activity Area</p> <p>41.4.4.6 Sheep farming, endemic revegetation, and pedestrian and cycle trails.</p>	P
	<p>Open Space Landscape (OSL) Activity Area</p> <p>41.4.4.7</p> <ul style="list-style-type: none"> a. Any building within a Landscape Protection Area; b. Any building other than a building ancillary to farming activity. 	D
	<p>Any farm building other than within a Landscape Protection Area.</p> <p>41.4.4.8 Control is reserved to:</p> <ul style="list-style-type: none"> a. the external appearance of buildings with respect to the effect on visual and landscape values of the area; b. the adequacy of Infrastructure and servicing; c. the effects of associated earthworks and landscaping; d. access and parking provision; e. the bulk and location of buildings; f. the effects of exterior lighting. 	C

Table 4	Activities Located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Activity Status
	Open Space Residential Amenity (OSA) Activity Area	
41.4.4.9	Recreation amenities, playgrounds, landscaping, pedestrian and cycle trails, lighting, stormwater retention, and underground services.	P
41.4.4.10	<p>Open Space Residential Amenity (OSA) Activity Area</p> <p>Any buildings ancillary to outdoor recreation activity.</p> <p>Control is reserved to:</p> <ol style="list-style-type: none"> the external appearance of buildings with respect to the effect on visual and landscape values of the area; the adequacy of Infrastructure and servicing; the effects of associated earthworks and landscaping; access and parking provision; the bulk and location of buildings; the effects of exterior lighting. 	C
41.4.4.11	<p>Open Space Residential Amenity (OSA) Activity Area</p> <p>Any building other than those ancillary to outdoor recreation activity.</p>	D
41.4.4.12	<p>Open Space – Horticultural (OSH) Activity Area</p> <p>Horticultural activities and accessory buildings and activities, and residential activities.</p>	D
41.4.4.13	<p>Open Space – Residential (OSR) Activity Areas</p> <p>OSR South</p> <p>No more than 39 residential units.</p>	D
41.4.4.14	<p>OSR North</p> <p>No more than 10 residential units.</p>	
41.4.4.15	<p>Open Space Boating Facilities Activity Area OS (BFA)</p> <p>A double boat ramp, jetty, a weather protection feature or breakwater, a boat shed and associated boat/trailer/car parking and public facilities, provided that all facilities are available for public use.</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> effects on natural character; effects on landscape and amenity values; 	RD

Table 4	Activities Located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Activity Status
	<ul style="list-style-type: none"> c. effects on public access to and along the lake margin; d. external appearance, colours and materials; e. location. 	
	<p>Open Space Wetland (OSW) Activity Area</p> <p>41.4.4.16 Structures restricted to those necessary to develop pedestrian access (e.g. boardwalks), fences, or other structures relating to the protection and enhancement of biodiversity and ecological values.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. bulk and location; b. lighting; c. biodiversity values (temporary during construction and long term); d. external appearance (including colour and materials); e. amenity values; f. stormwater disposal; and g. landscaping in relation to any structures. 	RD
	<p>Homesite (HS) Activity Area</p> <p>41.4.4.17 No more than one residential building located within a Homesite (HS) Activity Area.</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> a. the external appearance of buildings with respect to the effect on visual and landscape values of the area; b. infrastructure and servicing; c. associated earthworks and landscaping; d. access and parking; e. bulk and location; f. exterior lighting; g. the protection and enhancement of the wetland areas adjacent to the Homesite (HS) Activity Area; h. the implementation and maintenance of a Vegetation Management Strategy established through Rule 27.7.5.4. <p>Except that this rule shall not apply to residential units located on Homesite Activity Areas HS39, HS40 and HS58 pursuant to Rules 41.4.4.18 and 41.4.4.19.</p>	C

Table 4	Activities Located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Activity Status
	<p>41.4.4.18 No more than one residential unit located within Homesite Activity Area HS₅₈.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. The external appearance of buildings with respect to the effect on visual and landscape values of the area; b. Infrastructure and servicing, including firefighting water supply; c. Associated earthworks and landscaping; d. The visual effects of building and associated lighting and access, including in views from within the Tablelands, residential areas and walkways areas of the Jacks Point Zone; e. Any mitigation and its impact on the character of the landscape; f. Consistency with the Structure Plan for the alignment of vehicle access to the Homesites; g. Light spill beyond the Homesite Activity Area; h. Enhancing nature conservation values, including where appropriate extending into the surrounding OSL Activity Area. 	RD
	<p>41.4.4.19 No more than one residential unit located within Homesite Activity Areas HS₃₉ and HS₄₀.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. The external appearance of buildings with respect to the effect on visual amenity and landscape values of the area; b. Infrastructure and servicing; c. Associated earthworks and landscaping; d. The visual effects of building and associated lighting and access; e. Light spill beyond the homesite activity area; f. Nature conservation values, consistent with any Vegetation Management Strategy; g. implementation and maintenance of any Vegetation Management Strategy established through Rule 27.7.5.4. 	RD
	<p>41.4.4.20 Any tennis court (including fencing) and any outdoor swimming pool (including fencing) located within a Homesite Area (except spa pools less than 9m²) provided:</p> <ul style="list-style-type: none"> i. the tennis court surfaces are either dark green or grey in colour; and 	C

Table 4	Activities Located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Activity Status
	<ul style="list-style-type: none"> ii. any tennis court fencing is chain mesh or similar, and grey in colour. <p>Control is reserved to:</p> <ul style="list-style-type: none"> a. associated earthworks and landscaping; b. colour; c. fencing, including any glare resulting from the location and orientation of glass pool fencing. 	
	41.4.4.21 Any tennis court (including fencing) and any outdoor swimming pool (including fencing) located in a Homesite Area that does not comply with Rule 41.4.4.20(i) and (ii), with discretion restricted to those matters listed in Rule 41.4.4.20 (a) - (c).	RD
	41.4.4.22 Except as provided for in Rules 44.4.4.20 and 44.4.4.21, any outdoor tennis court located within a Homesite Area or the Tablelands Landscape Protection Area.	NC
	Open Space Foreshore (OSF) Activity Area	
	41.4.4.23 The regeneration of native endemic species and retention of open space	P

Table 5	Activities Located in the Jacks Point Zone – Zone Wide Activities	Activity Status
41.4.5	Jacks Point Zone – Zone Wide Rules	
	41.4.5.1 Sale of Liquor Premises licensed for the sale of liquor (including both off-licenses and on- licenses). Discretion is restricted to: <ul style="list-style-type: none"> a. location; b. scale of the activity; c. residential amenity values; d. noise; e. hours of operation; f. car parking and vehicle generation. 	RD
	41.4.5.2 State Highway Mitigation Mitigation works undertaken within the location shown on the Structure Plan. Control is reserved to:	C

Table 5	Activities Located in the Jacks Point Zone – Zone Wide Activities	Activity Status
	<ul style="list-style-type: none"> a. the creation of a comprehensively designed landscape edge to the northern part of the zone within the OSA and R (HD – SH) 1 Activity Areas; b. mitigation of the visual impacts of potential buildings when viewed from State Highway 6 through earth contouring and vegetation (at maturity), within Activity Areas R(HD-SH) – 1 and R(HD-SH)- 2 and RHD-SH) 3; c. maintaining views across the zone to the mountains located against the western shores of Lake Wakatipu; d. appropriate plant species, height at planting and at maturity; and e. provision for on-going maintenance and ownership. 	
41.4.5.3	<p>Aircraft</p> <ul style="list-style-type: none"> a. Emergency landings, rescues, firefighting and activities ancillary to farming activities; b. Informal Airports limited to the use of helicopters. c. The establishment and operation of Airport Activity or Aerodrome other than those allowed by Rules 41.4.5.3(a) and 41.4.5.3(b), including Informal Airports used by fixed wing aircraft. 	<p>P</p> <p>D</p> <p>NC</p>
41.4.5.4	Factory Farming	NC
41.4.5.5	<p>Forestry activity, including plantation forestry within an OSL or ONL.</p> <p>For any Plantation Forestry outside an OSL or ONL the Resource Management (Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017 shall prevail.</p> <p>All forestry activities, excluding harvesting of forestry which existed as at 31 August 2016.</p>	NC
41.4.5.6	<p>Mining Activities</p> <p>With the exception of the mining of rock and/or aggregate and/or gravel provided for by Rule 41.4.4.4.</p>	NC
41.4.5.7	Industrial Activities	NC
41.4.5.8	Landfill	NC
41.4.5.9	Panelbeating, spraypainting, motor vehicle, repair or dismantling fibreglassing, sheet metal work, bottle or scrap storage, motorbody building, fish or meat processing.	PR
41.4.5.10	Any activity requiring an Offensive Trade Licence under the Health Act 1956.	PR

41.5 Rules - Activity Standards

Table 6	Standards for activities located in the Jacks Point Zone - Residential Activity Areas	Non-compliance Status																																				
41.5.1	Residential Activity Area																																					
	<p>Density</p> <p>41.5.1.1 The average density of residential units within each of the Residential Activity Areas shall be as follows:</p> <table border="0"> <tr><td>R(JP) – 1</td><td>13 – 19 per Ha</td></tr> <tr><td>R(JP) – 2A</td><td>14 – 33 per Ha</td></tr> <tr><td>R(JP) – 2B</td><td>14 – 15 per Ha</td></tr> <tr><td>R(JP) – 3</td><td>14 per Ha</td></tr> <tr><td>R(JP-SH) – 1</td><td>10 per Ha</td></tr> <tr><td>R(JP-SH) – 2</td><td>9 per Ha</td></tr> <tr><td>R(JP-SH) – 3</td><td>5 – 27 per Ha</td></tr> <tr><td>R(JP-SH) – 4</td><td>5 – 12 per Ha</td></tr> <tr><td>R(HD-SH) – 1</td><td>12 – 22 per Ha</td></tr> <tr><td>R(HD-SH) – 2</td><td>2 – 10 per Ha</td></tr> <tr><td>R(HD-SH) – 3</td><td>12-22 per Ha</td></tr> <tr><td>R(HD) – A</td><td>17 – 26 per Ha</td></tr> <tr><td>R(HD) – B</td><td>17 – 26 per Ha</td></tr> <tr><td>R(HD) – C</td><td>15 -22 per Ha</td></tr> <tr><td>R(HD) – D</td><td>17 – 26 per Ha</td></tr> <tr><td>R(HD) – E</td><td>25 – 45 per Ha</td></tr> <tr><td>R(HD) – F</td><td>2 – 10 per Ha</td></tr> <tr><td>RL – 1, 2, 3</td><td>2 per Ha</td></tr> </table> <p>Density shall be calculated on the net area of land available for development and excludes land vested or held as reserve, open space, public access routes or roading and excludes sites used for non-residential activities. Within the Residential Areas of Hanley Downs, if part of an Activity Area is to be developed or subdivided, compliance must be achieved within that part and measured cumulatively with any preceding subdivision or development which has occurred with that Activity Area. Within the Jacks Point Residential Activity Areas, density shall be calculated and applied to the net area of land across the whole Activity Area, as defined in 41.5.1.1 above.</p>	R(JP) – 1	13 – 19 per Ha	R(JP) – 2A	14 – 33 per Ha	R(JP) – 2B	14 – 15 per Ha	R(JP) – 3	14 per Ha	R(JP-SH) – 1	10 per Ha	R(JP-SH) – 2	9 per Ha	R(JP-SH) – 3	5 – 27 per Ha	R(JP-SH) – 4	5 – 12 per Ha	R(HD-SH) – 1	12 – 22 per Ha	R(HD-SH) – 2	2 – 10 per Ha	R(HD-SH) – 3	12-22 per Ha	R(HD) – A	17 – 26 per Ha	R(HD) – B	17 – 26 per Ha	R(HD) – C	15 -22 per Ha	R(HD) – D	17 – 26 per Ha	R(HD) – E	25 – 45 per Ha	R(HD) – F	2 – 10 per Ha	RL – 1, 2, 3	2 per Ha	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> residential amenity values; traffic, access, parking; adequacy of infrastructure.
R(JP) – 1	13 – 19 per Ha																																					
R(JP) – 2A	14 – 33 per Ha																																					
R(JP) – 2B	14 – 15 per Ha																																					
R(JP) – 3	14 per Ha																																					
R(JP-SH) – 1	10 per Ha																																					
R(JP-SH) – 2	9 per Ha																																					
R(JP-SH) – 3	5 – 27 per Ha																																					
R(JP-SH) – 4	5 – 12 per Ha																																					
R(HD-SH) – 1	12 – 22 per Ha																																					
R(HD-SH) – 2	2 – 10 per Ha																																					
R(HD-SH) – 3	12-22 per Ha																																					
R(HD) – A	17 – 26 per Ha																																					
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R(HD) – E	25 – 45 per Ha																																					
R(HD) – F	2 – 10 per Ha																																					
RL – 1, 2, 3	2 per Ha																																					
	<p>41.5.1.2 Building Height</p> <p>The maximum height of buildings shall be:</p> <ol style="list-style-type: none"> Residential (R) Activity Areas 8m 	NC																																				

Table 6	Standards for activities located in the Jacks Point Zone - Residential Activity Areas	Non-compliance Status
	<ul style="list-style-type: none"> b. Rural Living Activity Areas 5m c. All other buildings and structures 4m 	
	<p>41.5.1.3 Notwithstanding Rule 41.5.1.2, where</p> <ul style="list-style-type: none"> a. any medium density residential housing development has been consented under Rules 41.4.1.5 or 41.4.1.6; or b. on sites smaller than 380m² created by subdivision; <p>The maximum height of buildings may exceed the maximum height stated in Rule 41.5.1.2, up to a maximum of 3 storeys or 10m (whichever is lesser).</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. visual dominance; b. external appearance; c. the scale and extent of building portions that exceed three stories or 10m.
	<p>41.5.1.4 Recession Planes (applicable to flat sites only)</p> <p>Within the R(HD) and R(HD-SH) Activity Areas: In addition to the maximum height of buildings specified under Rule 41.5.1.2, buildings shall comply with the following recession plane requirements:</p> <ul style="list-style-type: none"> a. No part of any building shall protrude through the following recession lines inclined towards the site at: <ul style="list-style-type: none"> i. Northern Boundary: 55 degrees; ii. Western and Eastern Boundaries: 45 degrees; iii. Southern Boundaries: 35 degrees; Commencing at: <ul style="list-style-type: none"> iv. 3.5m above ground level at any given point along any internal site boundary up to a distance of 12m from a rear internal boundary; and v. 2.5m above ground level at any given point along any internal site boundary within 12m of a rear internal boundary or any internal site boundary of a rear site; <p>Except that within the Residential Hanley Downs (R (HD)) Activity areas, this rule shall not apply to:</p> <ul style="list-style-type: none"> i. Sites smaller than 380m² created by subdivision; ii. A medium density residential development consented under Rule 41.4.1.5; <p>b. In addition to a. above and notwithstanding the height limit of accessory buildings imposed by Rule</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. privacy effects; b. access to sunlight and the impacts of shading; c. effects upon access to views of significance; d. visual dominance and external appearance.

Table 6	Standards for activities located in the Jacks Point Zone - Residential Activity Areas	Non-compliance Status
	<p>41.5.18(i), the maximum height of any part of a building located within 2m of an internal boundary is 4m.</p> <p>c. Application of recession line rules – clarification:</p> <p>i. Gable end roofs may penetrate the building recession plane by no more than one third of the gable height;</p> <p>d. A recession line restriction shall not apply to accessory buildings nor common walls shared at a boundary and parts of buildings that do not extend beyond the length of that wall.</p> <p>Advice Notes: Refer to Definitions for detail of the interpretation of recession planes, rear sites, and flat sites.</p> <p>For corner sites, being sites that have a frontage to more than one road, the shortest internal site boundary shall be considered the rear internal boundary.</p>	
	<p>Window Sill Heights</p> <p>41.5.1.5 Within the R(HD) and the R(HD-SH) Activity Areas, window sill heights above the first storey shall not be set lower than 1.5m above the floor level where the external face of the window is within 4m of an internal site boundary, except where buildings face reserves or where opaque glass is used for windows.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. privacy effects.</p>
	<p>41.5.1.6 Building Coverage</p> <p>a. on any site within the R(JP), R(JP-SH) Activity Areas, buildings shall not exceed a maximum site coverage of 45%; and</p> <p>b. (on any site within the R(HD) and R(HD-SH) Activity Areas, buildings shall not exceed a maximum site coverage of 50%.</p> <p>Except that:</p> <p>Residential activity in the R(JP), R(JP-SH), R(HD), and R(HD-SH) Activity Areas consented under Rule 41.4.6 (medium density residential development) or under Rule 27.7.5.2 or 27.5.5,</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. urban design;</p> <p>b. effects on amenity values for neighbours;</p> <p>c. the character of the Activity Area;</p> <p>d. stormwater management.</p>

Table 6	Standards for activities located in the Jacks Point Zone - Residential Activity Areas	Non-compliance Status
	shall not exceed a maximum site coverage of 60%.	
	<p>41.5.1.7 Building Setbacks (except in the Residential Hanley Downs area)</p> <p>Buildings for all activities, except for buildings located on sites created pursuant to subdivision Rules 27.5.18, shall be subject to the following minimum setback rules:</p> <ul style="list-style-type: none"> a. two setbacks of 4.5m, with all remaining setbacks of 2m; or b. one setback of 6m, one setback of 3.5m and all other setbacks of 2m; <p>Except that:</p> <ul style="list-style-type: none"> i. any residential unit may encroach into a setback by up to 1m for an area no greater than 6m² provided the component of the building infringing the setback has no windows or openings; ii. accessory buildings for residential activities, including garages, may encroach into the setback where they are no more than 3.5m in height and where no windows or openings are orientated toward an internal boundary; iii. no setbacks are required when buildings share a common wall at the boundary. 	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. bulk, height and proximity of the building façade to the boundary; b. the impact on neighbours' amenity values; c. loss of daylight; d. access to sunlight.
	<p>41.5.1.8</p> <ul style="list-style-type: none"> a. In the Residential (Hanley Downs) Activity Areas, buildings for all activities, except for buildings located on sites smaller than 380m² and created pursuant to subdivision Rule 27.7.5.2, shall be subject to the following minimum setback rules: <ul style="list-style-type: none"> i. one internal setback of 3m; ii. a road set back of at least 3m, provided that any garage is set back at least 4.5m from the road boundary; iii. for sites fronting a single road and with a frontage exceeding 12.5m, one internal setback of 1.5m from an internal boundary that intersects with a road boundary; and 	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. bulk, height and proximity of the building façade to the boundary; b. the impact on neighbours' amenity values; c. shading and access to sunlight.

Table 6	Standards for activities located in the Jacks Point Zone - Residential Activity Areas	Non-compliance Status
	<p>iv. all remaining internal setbacks of 1m; and all remaining internal setbacks on rear sites of 1.5m.</p> <p>Except that:</p> <p>i. Accessory buildings for residential activities, including garages, may encroach into any 1m internal setback described in 41.5.1.8(a)(iv) where the buildings are no more than 3.5m in height and where no windows or openings are orientated toward an internal boundary;</p> <p>ii. The eaves of any residential unit may encroach into the setback by no more than 400mm;</p> <p>iii. No setbacks are required when buildings share a common wall at the boundary.</p>	
	<p>Retail Activities</p> <p>41.5.1.9 Retail activities within the R(HD) Activity Areas shall be located within 120 metres of the Primary Road shown on the Structure Plan or within 120 metres of its final formed location.</p>	NC
	<p>41.5.1.10 The total gross floor area of all commercial activities, excluding associated car parking, in the R(HD)A - E Activity Areas shall not exceed 550m² across all Activity Areas.</p>	NC
	<p>State Highway Noise</p> <p>41.5.1.11 Any residential activities located within 80 m of the seal edge of State Highway 6, shall be designed and constructed to meet noise performance standards for noise from traffic on the State Highway that will not exceed 35dBA Leq(24 hour) in bedrooms and 40 dBA (Leq (24 hour) for other habitable rooms in accordance with the satisfactory sound levels recommended by Australian and New Zealand Standard AS/NZ2107:2000 Acoustics Recommended design sound levels and reverberation times for building interiors.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. residents' health and residential amenity.</p>
	<p>Planting – Jacks Point Residential Activity Areas</p> <p>41.5.1.12 On any site within a Residential Jacks Point R (JP) Activity Area at least 75% of all trees and shrubs planted shall be from the species identified on the Jacks Point plant list contained within Part 41.8. Percentages are in terms of overall plant numbers.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. any effects on nature conservation values;</p>

Table 6	Standards for activities located in the Jacks Point Zone - Residential Activity Areas	Non-compliance Status
		b. effects on landscape character and visual amenity.
	<p>41.5.1.13 Residential Visitor Accommodation</p> <p>41.5.1.13.1 Must be limited to one residential unit or residential flat per site not exceeding a cumulative total of 42 nights occupation by paying guests on a site per 12 month period.</p> <p>41.5.1.13.2 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</p> <p>41.5.1.13.3 Must comply with the minimum parking requirements for a residential unit and/or residential flat (whichever is used for the residential visitor accommodation activity) in Chapter 29 Transport.</p> <p>41.5.1.13.4 The Council must be notified in writing prior to the commencement of a Residential Visitor Accommodation activity.</p> <p>41.5.1.13.5 Up to date records of the Residential Visitor Accommodation activity must be kept, including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</p> <p>41.5.1.13.6 Smoke alarms must be provided in accordance with clause 5 of the Residential Tenancies (Smoke Alarms and Insulation) Regulations 2016.</p> <p>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 41.5.1.13.1 to 41.5.1.13.6.</p>	D
	<p>41.5.1.14 Homestay</p> <p>41.5.1.14.1 May occur within either an occupied residential unit or an occupied residential flat on a site, and must not occur within both on a site.</p> <p>41.5.1.14.2 Must not exceed 3 paying guests on a site per night.</p>	D

Table 6	Standards for activities located in the Jacks Point Zone - Residential Activity Areas	Non-compliance Status
	<p>41.5.1.14.3 Must comply with minimum parking requirements of standard 29.8.9 in Chapter 29 Transport.</p> <p>41.5.1.14.4 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</p> <p>41.5.1.14.5 The Council must be notified in writing prior to the commencement of a Homestay activity.</p> <p>41.5.1.14.6 Up to date records of the Homestay activity must be kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</p> <p>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 41.5.1.14.1 to 41.5.1.14.6.</p>	

Table 7	Standards for activities located in the Jacks Point Zone - Village and Education Activity Areas	Non-compliance Status
41.5.2	Village and Education Activity Areas	
41.5.2.1	<p>Scale of Commercial Activity</p> <p>The maximum net floor area for any single commercial activity (as defined in chapter 2) shall be 200m²</p> <p>For the purpose of Rule 41.5.2.1, commercial activities are as defined in Chapter 2, but excludes markets, showrooms, professional, commercial and administrative offices, service stations, and motor vehicle sales.</p>	D
	<p>Building Coverage</p> <p>On any site within the (E) Activity Area, buildings shall not exceed a maximum site coverage of 45%.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. urban design;</p> <p>b. effects on amenity values for neighbours (particularly in adjoining residential activity areas) and the character of the (E) Activity Area;</p> <p>c. stormwater management.</p>

Table 7	Standards for activities located in the Jacks Point Zone – Village and Education Activity Areas	Non-compliance Status
	<p>41.5.2.2 Within the Jacks Point Village JP(V) Activity Area the maximum building coverage, calculated across the total Activity Area, shall not exceed 60% shall be limited to:</p> <p><u>a. a maximum of 45%, calculated across the area of each Medium Density Residential Land Use Area (R-1 to R-7).</u></p> <p><u>b. a maximum of 60%, calculated across the area of each Mixed-Use Land Use Area (M-1 to M-16)</u></p> <p><u>c. a maximum of 60%, calculated across the area of each Visitor Accommodation Land Use Area (V-1 to V-3)</u></p> <p><u>d. a maximum of 45%, calculated across the area of the Community Land Use Area.</u></p> <p><u>Interpretation Note: Refer to Schedule 41.9, Jacks Point Village CDP, for location of each Land Use Area.</u></p> <p>41.5.2.2 —</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. urban design; b. effects on amenity values for neighbours and the character of the Activity Area; c. stormwater management.
	<p>Building coverage in the Homestead Bay Village</p> <p>41.5.2.3 Within the Homestead Bay V(HB) Activity Area, the maximum building coverage, calculated across the total Activity Area, shall not exceed 60%.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. urban design; b. effects on amenity values for neighbours and the character of the Activity Area; c. stormwater management.
	<p>Building Height</p> <p>41.5.2.4 The maximum height of buildings shall be:</p> <ul style="list-style-type: none"> a. Homestead Bay Village (V-HB) Activity Area 10m <u>b. Jacks Point Village (V-JP) Activity Area 12m and comprising no more than 3 storeys</u> <u>b-c. Jacks Point Village (V-JP) CDP Land Use Areas R-6 and R-7 9m</u> c. Education Precinct (E) Activity Area 10m 	<p>NC</p>

Table 7	Standards for activities located in the Jacks Point Zone – Village and Education Activity Areas	Non-compliance Status
	d. all other buildings and structures 4m	
	Residential Units 41.5.2.5 In the V(HB) Activity Area, no residential units may be constructed until 80% of the freehold land within the Open Space Foreshore Activity Area has been planted with native endemic species	NC

Table 8	Standards for activities located in the Jacks Point Zone – Lodge Activity Area	Non-compliance Status
41.5.3	Lodge Activity Areas	
	Building Setback 41.5.3.1 In Lodge Activity Area denoted as L(P) on the Structure Plan, buildings and structures shall be set back a minimum of 10m from the activity area boundary.	RD Discretion is restricted to: a. the outdoor car parking areas with respect to the effects on visual and landscape values; b. the effectiveness of mounding and planting at screening buildings and car parking and the shape and design of earthworks, including their relationship to existing landforms.
	Building Height 41.5.3.2 In the Lodge (L) Activity Areas, the maximum height of any building shall be 5.0m.	RD Discretion is restricted to: a. visual dominance; b. external appearance; c. the scale and extent of the portions that exceed 5m.
	41.5.3.3 In the Lodge (L) Activity Area, the maximum height of any building shall be 7.5m.	NC

Table 9	Standards for activities located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Non-compliance Status
41.5.4	Open Space (OS) and Homesite (HS) Activity Areas	
	41.5.4.1 Boundaries of Open Space Activity Areas	D

Table 9	Standards for activities located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Non-compliance Status																																																																
	<p>The boundaries of Open Space Activity Areas are shown indicatively and may be varied by up to 20m and the exact location and parameters are to be established through the subdivision process. Development prior to such subdivision occurring, which would preclude the creation of these open spaces, shall be contrary to this rule.</p>																																																																	
	<p>Open Space - Subdivision</p> <p>41.5.4.2 Within any open space area created by subdivision, in accordance with (Rules 41.5.4.1 and 27.7.5.1), there shall be no building.</p>	D																																																																
	<p>Building Coverage – Homesite (HS) Activity Area</p> <p>41.5.4.3 Within any Homesite (HS) Activity Area, buildings shall not exceed a total building footprint of 1,000m² within each homesite.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the external appearance of buildings with respect to the effect on visual and landscape values of the area.; b. associated earthworks and landscaping; c. bulk and location; d. visibility of the building from State Highway 6 and Lake Wakatipu. 																																																																
	<p>Building height relative to ground level – Homesite (HS) Activity Area</p> <p>41.5.4.4 The maximum height for any building shall be 5m above the datum level specified for each Homesite, as follows:</p> <table border="0" data-bbox="363 1487 778 1872"> <thead> <tr> <th>Homesite</th> <th>Datum (mas)</th> <th>Homesite</th> <th>Datum (mas)</th> </tr> </thead> <tbody> <tr><td>HS1</td><td>372.0</td><td>HS29</td><td>385.5</td></tr> <tr><td>HS2</td><td>381.0</td><td>HS30</td><td>395.9</td></tr> <tr><td>HS3</td><td>381.0</td><td>HS31</td><td>393.7</td></tr> <tr><td>HS4</td><td>377.0</td><td>HS32</td><td>384.8</td></tr> <tr><td>HS5</td><td>388.0</td><td>HS33</td><td>385.8</td></tr> <tr><td>HS6</td><td>382.0</td><td>HS34</td><td>399.0</td></tr> <tr><td>HS7</td><td>379.0</td><td>HS35</td><td>405.0</td></tr> <tr><td>HS8</td><td>386.5</td><td>HS36</td><td>400.3</td></tr> <tr><td>HS9</td><td>389.0</td><td>HS38</td><td>398.3</td></tr> <tr><td>HS10</td><td>395.0</td><td>HS39</td><td>399.0</td></tr> <tr><td>HS11</td><td>396.0</td><td>HS40</td><td>392.8</td></tr> <tr><td>HS12</td><td>393.0</td><td>HS41</td><td>388.8</td></tr> <tr><td>HS13</td><td>399.0</td><td>HS42</td><td>392.1</td></tr> <tr><td>HS14</td><td>403.0</td><td>HS43</td><td>394.0</td></tr> <tr><td>HS15</td><td>404.0</td><td>HS44</td><td>384.7</td></tr> </tbody> </table>	Homesite	Datum (mas)	Homesite	Datum (mas)	HS1	372.0	HS29	385.5	HS2	381.0	HS30	395.9	HS3	381.0	HS31	393.7	HS4	377.0	HS32	384.8	HS5	388.0	HS33	385.8	HS6	382.0	HS34	399.0	HS7	379.0	HS35	405.0	HS8	386.5	HS36	400.3	HS9	389.0	HS38	398.3	HS10	395.0	HS39	399.0	HS11	396.0	HS40	392.8	HS12	393.0	HS41	388.8	HS13	399.0	HS42	392.1	HS14	403.0	HS43	394.0	HS15	404.0	HS44	384.7	NC
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Table 9	Standards for activities located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Non-compliance Status
	HS16 399.5 HS45 382.1 HS17 394.5 HS46 356.2 HS18 392.5 HS47 376.6 HS19 372.0 HS48 357.0 HS20 377.2 HS49 367.0 HS21 372.5 HS50 364.0 HS22 374.0 HS51 387.0 HS23 371.5 HS52 366.9 HS24 372.4 HS53 381.3 HS25 373.0 HS54 351.6 HS26 378.1 HS55 351.1 HS27 388.0 HS56 352.2 HS28 392.6 HS58 506.0	
	41.5.4.5 Building within any Homesite where a requirement to comply with the Preserve Design Guidelines has not been registered on the title for the Site. Discretion is restricted to the matters of discretion listed in 41.4.4.17.	RD
	41.5.4.6 The formation of any vehicle accessway to Homesite Activity Area HS ₅₈ shall not: <ul style="list-style-type: none"> a. Within Section (S1) exceed 3m in carriageway width and shall not include the passing bays; b. Within Sections (S2) and (S3) exceed 3m in carriageway width, except to provide for passing bays; c. Within all Sections (S1 - S3) be formed in any other surface than a loose gravel finish and shall not include lighting. 	RD Discretion is restricted to: <ul style="list-style-type: none"> a. Visual impacts; b. Landscape character.
	Revegetation – Homesite (HS) Activity Area 41.5.4.7 No buildings shall be erected within a Homesite (HS) Activity Area unless and until an area as specified within this rule has been re-vegetated with native vegetation. The area required to be re-vegetated for the purposes of this rule shall be the greater of 3,000m ² or 20 per cent of the area of the lot or title within which the Homesite (HS) Activity Area is situated, whichever is greater. For the purposes of this rule no account shall be taken of any native vegetation existing at the date of application for subdivision consent to create the lot or title within which the Homesite (HS) Activity Area is located.	D
	41.5.4.8 Within the area of the Site containing Homesite Activity Areas HS ₃₈ to HS ₅₆ , development shall	

Table 9	Standards for activities located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Non-compliance Status
	provide for implementation of the Vegetation Management Strategy established through Rule 27.7.5.4, prior to the occupation of any residential unit.	NC
	<p>Building Height</p> <p>41.5.4.9 The maximum height of buildings shall be:</p> <ul style="list-style-type: none"> a. Homesite Activity Area 5 m b. all other buildings and structures 4 m 	NC
	<p>Residential Units</p> <p>41.5.4.10 In the OSH, OSR, and OS Activity Areas, no residential units may be constructed until 80% of the freehold land within the Open Space Foreshore Activity Area has been planted with native endemic species.</p>	NC
	<p>Standards for Building</p> <p>41.5.4.11 Within the Open Space - Horticultural (OSH) Activity Area:</p> <ul style="list-style-type: none"> a. there shall be no more than 15 building platforms; b. those 15 building platforms referred to in (a) above are confined to 3 or 4 clusters; and c. no building is to be erected prior to the horticultural activity being planted. 	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the external appearance of buildings with respect to the effect on visual and landscape values of the area; b. associated earthworks and landscaping; c. bulk and location; d. visibility of the building from State Highway 6 and Lake Wakatipu.
	<p>Farm buildings within the Open Space Landscape (OSL) Activity Area and not within a Landscape Protection Area</p> <p>41.5.4.12 The construction, replacement or extension of a farm building within the Open Space Landscape Activity Area shall meet the following standards:</p> <ul style="list-style-type: none"> a. the landholding the farm building shall be located within is greater than 100 ha; and b. the density of all buildings on the landholding site, inclusive of the proposed building(s) does not exceed one farm building per 50 hectares on the site; and 	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the extent to which the scale and location of the farm building is appropriate in terms of: <ul style="list-style-type: none"> i. rural amenity values; ii. landscape character; iii. privacy, outlook, and rural amenity from adjoining properties;

Table 9	Standards for activities located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Non-compliance Status
	<ul style="list-style-type: none"> c. the farm building shall be less than 5m in height and the ground floor area shall be no greater than 300m²; and d. farm buildings shall not protrude onto a skyline or above a terrace edge when viewed from adjoining sites, or formed roads within 2km of the location of the proposed building. 	<ul style="list-style-type: none"> iv. visibility, including lighting; v. scale; vi. location.
	<p>Planting and Cultivation – Landscape Protection and Tablelands Areas</p> <p>41.5.4.13 Within the Highway Landscape Protection Area (refer Structure Plan 41.7) the planting and/or growing of any tree shall not obscure views from the State Highway to the mountain peaks beyond the zone.</p>	D
	<p>41.5.4.14 Within the Peninsula Hill Landscape Protection Area (refer Structure Plan 41.7) the planting and/or cultivation of any tree or shrub shall be indigenous and characteristic of the Peninsula Hill escarpment (i.e. grey shrubland and tussock grassland on exposed sites and beech forest on sheltered sites).</p>	D
	<p>41.5.4.15 Within the Lakeshore Landscape Protection Area (refer Structure Plan 41.7) the planting and/or cultivation of any tree or shrub shall be indigenous and characteristic of the Lake Wakatipu foreshore (i.e. broadleaf forest, grey shrubland and tussock grassland plant communities).</p>	D
	<p>41.5.4.16 Within the Tablelands Area (refer Structure Plan 41.7), there shall be no exotic vegetation planted and/or cultivated, with the exception of:</p> <ul style="list-style-type: none"> a. grass species if local and characteristic of the area; and b. other vegetation if it is: <ul style="list-style-type: none"> i. less than 0.5 metres in height; and ii. less than 20 square metres in area; and within 10 metres of a building; and iii. intended for domestic consumption. 	D

Table 9	Standards for activities located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Non-compliance Status
	41.5.4.17 Within the OSR Activity Area, at least 50% of any site shall be planted in native vegetation, prior to building.	RD Discretion is restricted to any effects on nature conservation values.
	Open Space Wetlands (OSW) Activity Area 41.5.4.18 There shall be no development or landscaping, within 7 metres of any wetland located within a Wetland Activity area identified on the Structure Plan, except to enable development of pedestrian access (including boardwalks), the erection of fences to control stock or other structures related to the protection of these areas, or to undertake ecological enhancement, including the removal of plant pests.	NC
	Fencing 41.5.4.19 There shall be no fences or walls within the boundary of any lot or title within the Tablelands Landscape Protection Area (refer Structure Plan) outside of any Homesite (HS) Activity Area or approved building platform, except for fencing between stock managed areas and areas retired from stock and for the purpose of demarcating private land from land accessible to the public as a result of the creation of public walkways additional to those walkways identified as “Public Access Route” on the Structure Plan. Any such fencing shall be post and wire only.	D
	Temporary and Permanent Storage of Vehicles 41.5.4.20 Within the Tablelands Landscape Protection Area (refer Structure Plan), but excluding the Homesite (HS) Activity Areas, there shall be no temporary or permanent siting of: a. motor vehicles, trailers, caravans, boats or similar objects; b. storage containers, workshops, offices, sheds, huts or similar structures (other than public toilets and shelter); and c. scaffolding or similar construction materials.	NC

Table 9	Standards for activities located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Non-compliance Status
	Except for temporary filming towers erected during an event and for no more than 7 days either side of an event.	

Table 10	Standards for activities located in the Jacks Point Zone – Zone Wide Standards	Non-compliance Status
41.5.5	General Zone Wide Standards	
	Structure Plan	D
	<p>41.5.5.1 Development shall be undertaken in general accordance with the Structure Plan in Part 41.7. For the purposes of interpreting this rule, the following shall apply:</p> <ul style="list-style-type: none"> a. a variance of up to 120m from the location and alignment shown on the Structure Plan of the Primary Roads, and their intersections with State Highway 6, shall be acceptable; b. Public Access Routes and Secondary Roads, except as provided for in d. below, may be otherwise located and follow different alignments provided that any such alignment enables a similar journey; c. development shall facilitate a road connection at each Key Road Connection shown on the Structure Plan to enable vehicular access to roads which connect with the Primary Roads, provided that a variance of up to 50m from the location of the connection shown on the Structure Plan shall be acceptable; d. The following variances in the alignment of the secondary road access to Homesite HS58 shall be acceptable: <ul style="list-style-type: none"> i. Section 1 (S1) shall be aligned along the existing farm track with no variance allowed; ii. Section 2 (S2) shall be aligned within 5m of the identified access; iii. Section 3 (S3) shall be aligned within 20m of the identified access. 	
	Setbacks from the zone boundary	RD

	<p>41.5.5.2 Buildings or structures shall be set back a minimum of 20m from the zone boundary, except this rule shall not apply to the Boating Facilities (BFA) Activity Area.</p>	<p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. bulk, height and proximity of the building facade to the boundary; b. the impact on neighbours amenity values; c. shading and access to sunlight.
	<p>Access to the State Highway</p> <p>41.5.5.3 Access from State Highway 6 shall be only at the intersections at Maori Jack Road, and Woolshed Road and in a third location as approved by RM160562, as shown on the Structure Plan.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the safe and efficient functioning of the road network.
	<p>41.5.5.4 The scale of use of the Woolshed Road access shall not increase until an amended design for that road's intersection with State Highway 6 has been upgraded, completed and available for use, except as provided for through the approval of a Traffic Management Plan by the NZ Transport Agency (refer Advisory Note below).</p> <p>Advice Notes:</p> <ul style="list-style-type: none"> a. a 'Traffic Management Plan' is required to be submitted to the NZ Transport Agency from any person/s using Woolshed Road in relation to construction within the Jacks Point Resort Zone; b. the upgrade of the intersection of Woolshed Road and State Highway 6 will require approval from the NZ Transport Agency. 	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the safe and efficient functioning of the road network.
	<p>Building Colours</p> <p>41.5.5.5 Any building shall result in:</p> <ul style="list-style-type: none"> a. at least 70% of the total painted or galvanised external surface of buildings (excluding roofs and windows) with a reflectance value of between 0 and 35% ; b. roof colours with a light reflectance value of 20% or less, and in the range of browns, greys and black; c. All external surfaces within Homesites HS38 - HS58, shall have a reflectance value of 	<p>D</p>

	between 0 and 30% and also be in the range of browns, greys, and green	
	Glare 41.5.5.6 All fixed lighting shall be directed away from adjacent roads and properties.	NC
	41.5.5.7 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
	Outside storage and non-residential activities 41.5.5.8 In relation to non-residential activities, no goods, materials or equipment shall be stored outside a building, except for vehicles associated with the activity parked on the site overnight.	NC
	41.5.5.9 All manufacturing, altering, repairing, dismantling or processing of any materials, goods or articles shall be carried out within a building except in relation to farming. Except within the Village Activity Areas, where outside storage and activities are permitted.	NC
	Servicing 41.5.5.10 All dwellings shall connect to reticulated infrastructure for the provision of a water supply, wastewater disposal, power and telecommunications. (Except this Standard shall not apply within any Homesite Activity Area) 41.5.5.11 All services, with the exception of stormwater systems, shall be reticulated underground.	NC

41.6 Rules - Non-Notification of Applications

41.6.1 Any application for resource consent for a controlled activity shall not require the written approval of other persons and shall not be notified.

41.6.2 Any application for the following activities shall not require the written approval of other persons and shall not be notified.

- a. Rules 41.4.3.3 and 41.4.3.5 Buildings and tennis courts (including the addition to or construction of buildings) within the Lodge (L) Activity Areas.

PART 6

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41.6.3 Any application for resource consent for the following restricted discretionary activities shall be considered without public notification but notice shall be served on those persons considered to be adversely affected if written approval has not been obtained.

- a. Rule 41.4.1.8 Commercial activities, community and visitor accommodation.
- b. Rule 41.4.5.1 Sale of Liquor.
- c. Rule 41.5.1.7 Setbacks from Roads and Internal Boundaries.
- d. Rules 41.5.5.3 and 41.5.5.4 Access to the State Highway.

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41.7 **Structure Plan** Refer to Consent Order: <https://www.qldc.govt.nz/media/ijqeizuk/2020-05-21-consent-order-topic-22-jacks-point.pdf>

Commented [CF1]: Insert new Structure Plan

Jacks Point Resort Zone Structure Plan

LEGEND

- Outstanding Natural Landscape Line
- Activity Area
- - - - Public Access Route (location indicative)
- - - - Secondary Road Access (location indicative)
- - - - Primary Road Access (location indicative)
- ↔----- Key Road Connections (location indicative)
- ~~~~ State Highway Mitigation

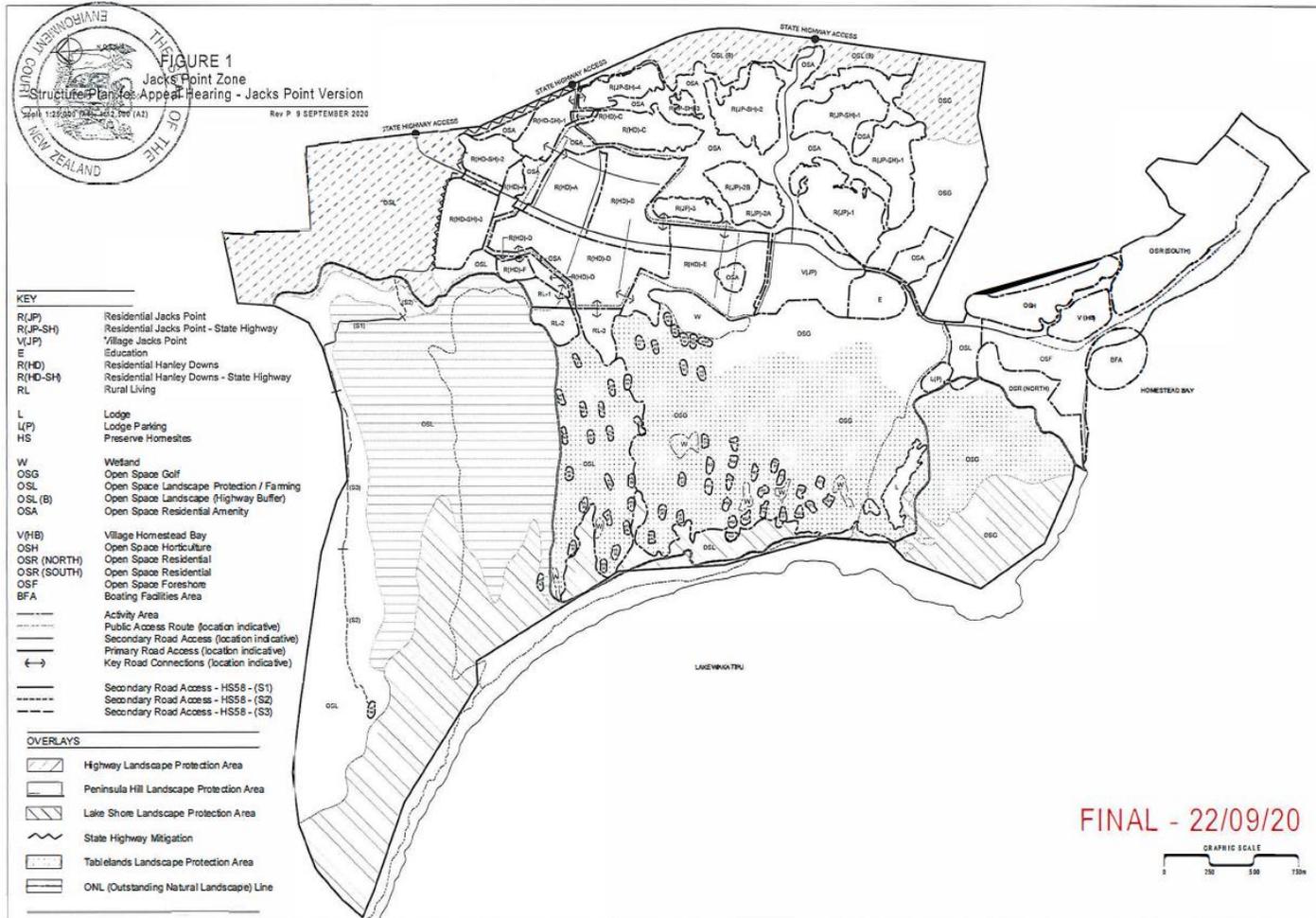
OVERLAYS

-  Highway Landscape Protection Area
-  Peninsula Hill Landscape Protection Area
-  Lake Shore Landscape Protection Area
-  Tablelands Landscape Protection Area

KEY

- R(JP) Residential Jacks Point Activity Areas
- R(HD) Residential Hanley Downs Activity Areas
- R(JP-SH) Residential Jacks Point - State Highway Activity Areas
- R(HD-SH) Residential Hanley Downs - State Highway Activity Areas
- RL Rural Living Activity Area
- V(JP) Village Jacks Point Activity Area
- V(HB) Village Homestead Bay Activity Area
- E Education Activity Area
- OSG Open Space Golf Activity Area
- OSL Open Space Landscape Activity Area
- OSA Open Space Residential Activity Area
- OS(W) Open Space Wetland Activity Area
- OSH Open Space Horticulture Activity Area
- OSR Open Space Residential Activity Areas
- OSF Open Space Foreshore Activity Area
- OS(BFA) Open Space Boating Facilities Area
- L Lodge Activity Area

Decisions Version 30 March 2018



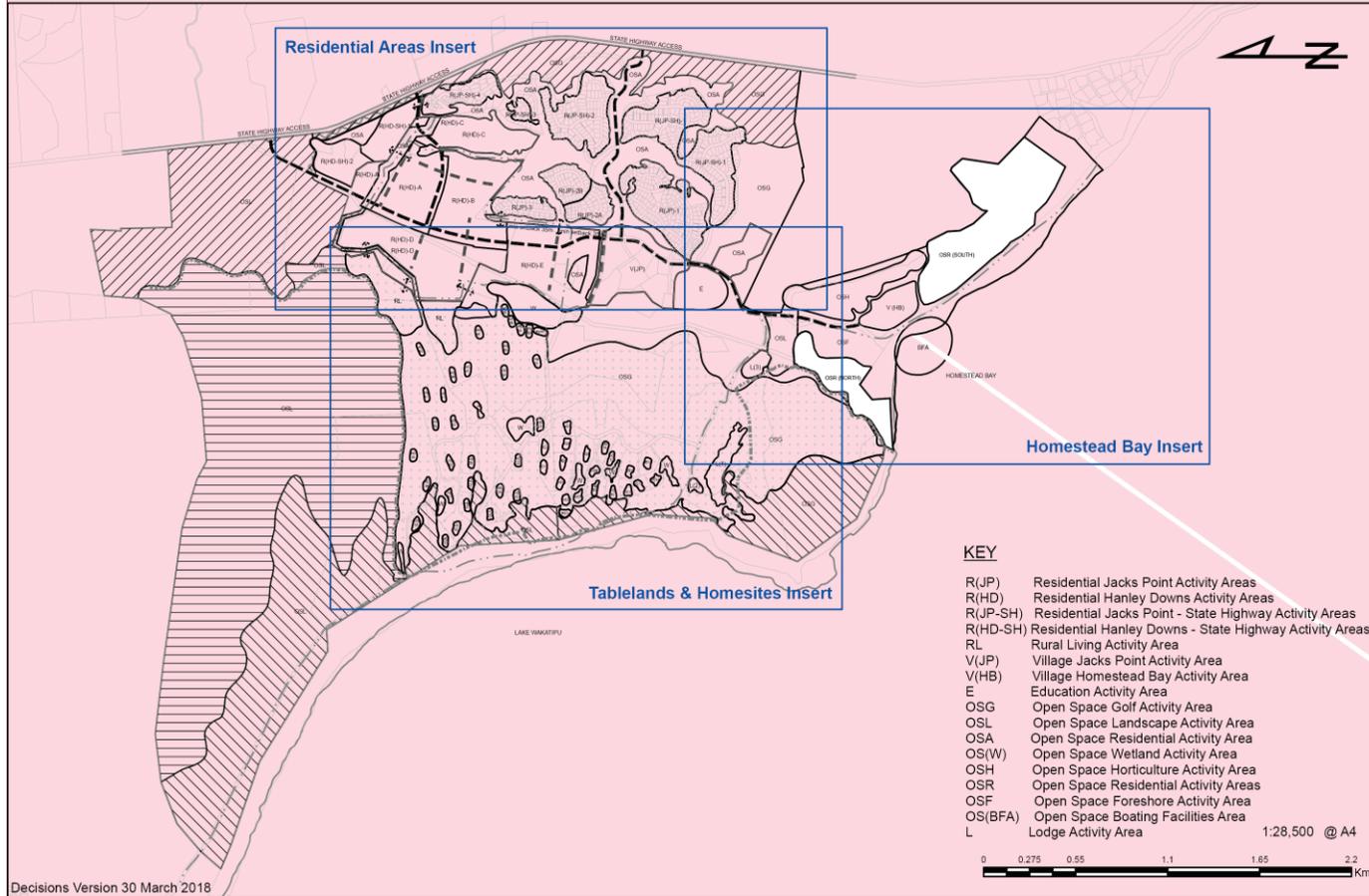
PART 6

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[Insert new structure plans](#)

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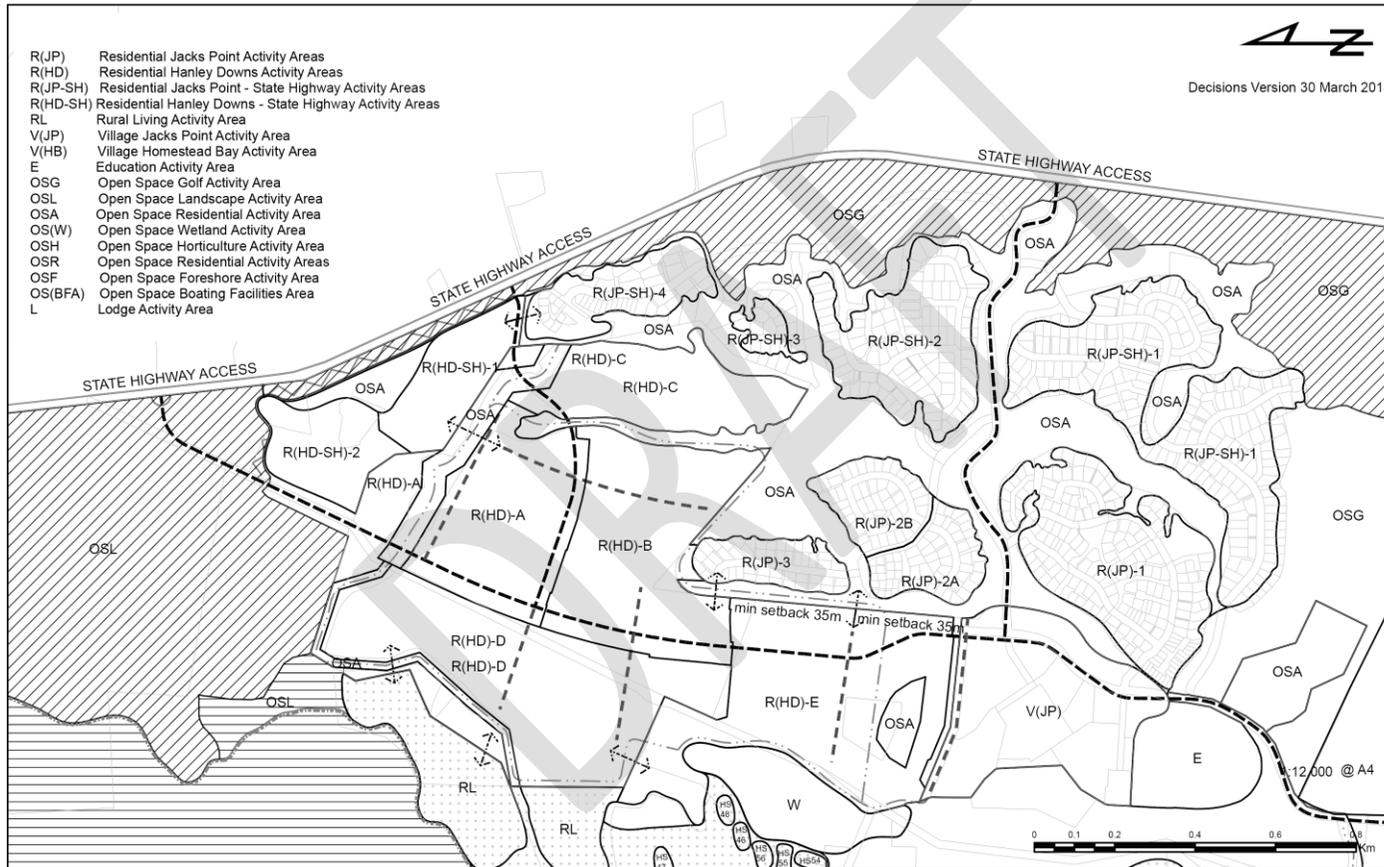
Jacks Point Resort Zone Structure Plan



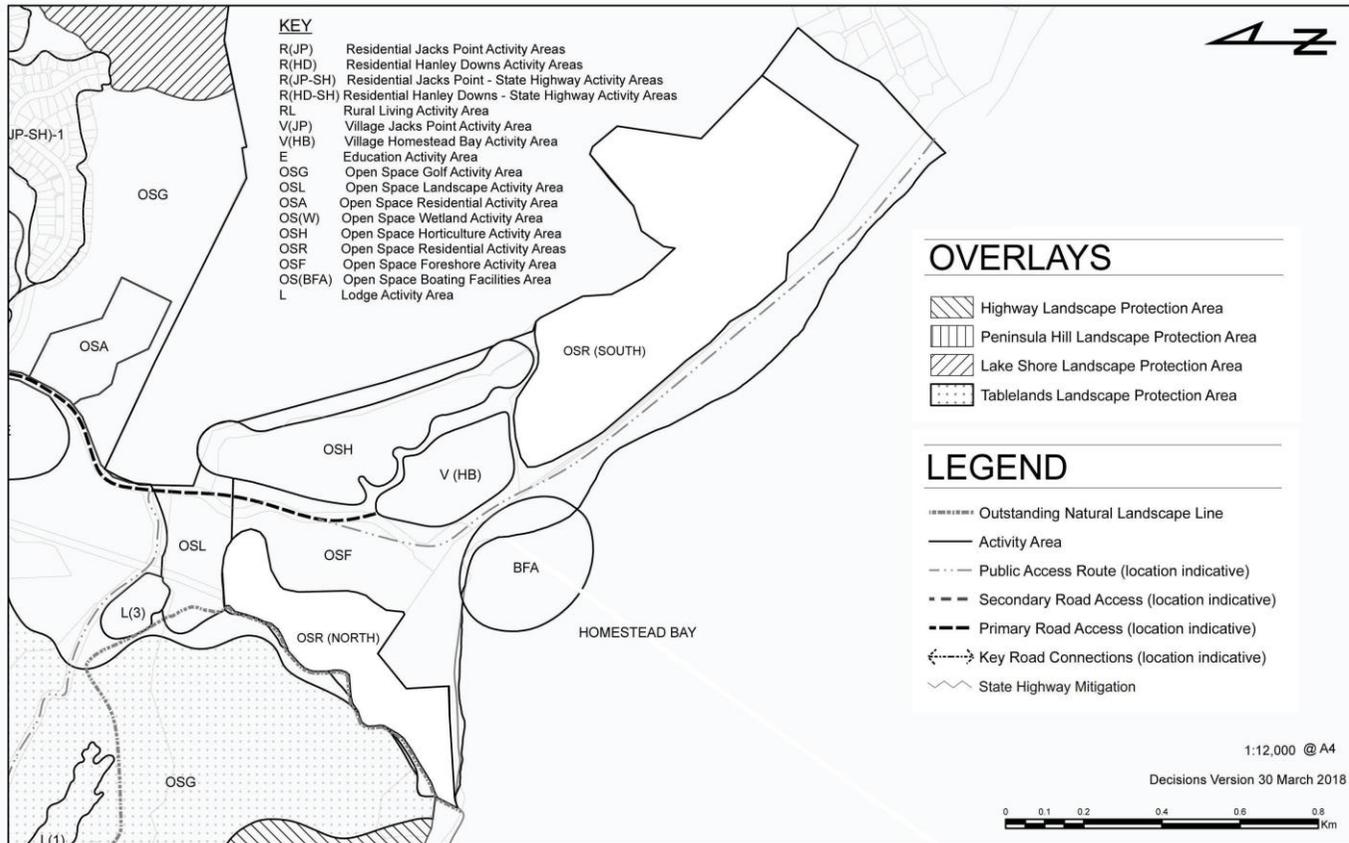
Commented [CF2]: Drafting note: this sequence of plans requires updating to reflect previous consent orders and the s293 application

JACKS POINT 41

Jacks Point Resort Zone Structure Plan Residential Areas Insert



Jacks Point Resort Zone Structure Plan
Homestead Bay Insert



41.8 Jacks Point Plant List

Trees

Botanical Name	Common Name	Sun	Mid Sun	Shade	Moist	Dry	Sheltered	Exposed
<i>Aristotelia serrata</i>	Wineberry	x	x		x	x		x
<i>Carpodetus serratus</i>	Putaputaweta / marbleleaf	x	x		x		x	
<i>Coprosma linariifolia</i>	Mikimiki	x	x		x	x		x
<i>Cordyline australis</i>	Ti kouka / cabbage tree	x	x		x	x		x
<i>Fuchsia excorticata</i>	Kotukutuku / tree fuchsia		x		x		x	
<i>Elaeocarpus hookerianus</i>	Pokaka		x		x		x	
<i>Griselinia littoralis</i>	Kapuka / broadleaf	x	x		x	x		x
<i>Hoheria lyallii</i>	Mountain ribbonwood	x			x			x
<i>Melicactus lanceolatus</i>	Mahoe wao	x	x		x		x	
<i>Melicactus ramiflorus</i>	Mahoe / whiteywood	x	x		x	x		x
<i>Metrosideros umbellata</i>	Southern rata	x	x		x	x		x
<i>Myrsine australis</i>	Mapou	x	x	x	x	x		x
<i>Nothofagus fusca</i>	Red beech	x	x		x	x	x	
<i>Nothofagus solandri</i> var. <i>cliffortioides</i>	Mountain beech	x	x		x	x	x	
<i>Pennantia corymbosa</i>	Kaikomako	x	x		x	x		x
<i>Pittosporum eugenioides</i>	Tarata / lemonwood	x	x		x	x		x
<i>Pittosporum tenuifolium</i>	Kohuhu	x	x		x	x		x
<i>Podocarpus hallii</i>	Hall's Totara	x	x		x	x		x
<i>Prumnopitys taxifolia</i>	Matai		x	x	x	x	x	
<i>Pseudopanax crassifolius</i>	Lancewood	x	x		x	x		x
<i>Sophora microphylla</i>	Kowhai	x	x		x	x	x	

Shrubs

Botanical Name	Common Name	Sun	Mid Sun	Shade	Moist	Dry	Sheltered	Exposed
<i>Aristotelia fruticosa</i>	Mountain wineberry	x			x			x
<i>Carmichaelia petriei</i>	NZ broom	x	x	x	x			x
<i>Coprosma crassifolia</i>	NZ Coprosma	x	x		x	x		x
<i>Coprosma lucida</i>	Shining Karamu		x	x	x	x		x
<i>Coprosma propinqua</i>	Mingimingi	x			x	x		x
<i>Coprosma rugosa</i>	Needle-leaved Mt Coprosma	x	x		x	x		x
<i>Corokia cotoneaster</i>	Korokia	x	x		x	x		x
<i>Cyathodes juniperina</i>	Mingimingi	x	x			x		x
<i>Discaria toumatou</i>	Matagouri	x			x	x		x
<i>Dracophyllum longifolium</i>	Inaka	x	x			x		x
<i>Dracophyllum uniflorum</i>	Turpentine shrub	x	x		x			x
<i>Gaultheria antipoda</i>	Tall snowberry	x		x	x	x	x	
<i>Hebe cupressoides</i>	Cypress Hebe	x				x		x
<i>Hebe odora</i>		x			x			x

PART 6

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Botanical Name	Common Name	Sun	Mid Sun	Shade	Moist	Dry	Sheltered	Exposed
<i>Hebe rakaiensis</i>		x			x	x		x
<i>Hebe salicifolia</i>	South Island Koromiko	x			x			x
<i>Hebe subalpina</i>		x			x	x		x
<i>Leptospermum scoparium</i>	Manuka	x	x		x	x		x
<i>Melicytus alpinus</i>	Porcupine shrub	x	x		x	x		x
<i>Myrsine divaricata</i>	Weeping mapou	x	x		x	x		x
<i>Olearia arborescens</i>	Southern Tree Daisy	x	x		x	x		x
<i>Olearia avicenniifolia</i>	Tree Daisy	x				x		x
<i>Olearia bullata</i>		x			x	x		x
<i>Olearia cymbifolia</i>		x	x		x	x		x
<i>Olearia fragrantissima</i>		x				x	x	
<i>Olearia hectori</i>		x			x	x		x
<i>Olearia lineata</i>	Tree Daisy	x	x		x	x		x
<i>Olearia nummulariaefolia</i>	Tree Daisy	x				x		x
<i>Olearia odorata</i>	Tree Daisy	x			x		x	
<i>Ozothamnus sp.</i>	Cottonwood	x			x	x		x
<i>Pimelea aridula</i>	NZ daphne	x			x	x		x
<i>Pseudopanax colensoi</i> var. <i>ternatus</i>	Mountain three finger		x	x	x	x		x

Grasses

Botanical Name	Common Name	Sun	Mid Sun	Shade	Moist	Dry	Sheltered	Exposed
<i>Aciphylla aurea</i>	Golden speargrass	x				x		x
<i>Aciphylla glaucescens</i>	Blue speargrass	x				x		x
<i>Astelia fragrans</i>	Bush lily		x	x	x		x	
<i>Astelia nervosa</i>	Mountain Astelia		x	x	x	x		x
<i>Carex coriacea</i>	NZ swamp sedge	x			x			x
<i>Carex maorica</i>	Carex	x	x		x			x
<i>Carex secta</i>	Purei	x	x		x			x
<i>Chionochloa conspicua</i>	Bush tussock	x	x		x	x		x
<i>Chionochloa rigida</i>	Narrow-leaved snow tussock	x			x	x		x
<i>Chionochloa rubra</i>	Red Tussock	x			x	x		x
<i>Cortaderia richardii</i>	South Island Toeotoe	x			x	x		x
<i>Festuca novae zelandiae</i>	Hard tussock	x				x		x
<i>Juncus distegus</i>	Wiwi		x		x			x
<i>Juncus gregiflorus</i>	NZ soft rush		x		x			x
<i>Juncus sarophorus</i>	Wiwi	x	x		x			x
<i>Phormium cookianum</i>	Mountain flax	x			x	x		x
<i>Phormium tenax</i>	Harakeke/swamp flax	x			x	x		x
<i>Poa cita</i>	Silver tussock	x			x	x		x
<i>Schefflera digitata</i>	Seven finger	x	x		x	x	x	
<i>Schoenus pauciflorus</i>	Bog rush	x			x		x	
<i>Typha orientalis</i>	Raupo / bullrush	x			x			x

41.9 Jacks Point Village Activity Area – Comprehensive Development Plan

DRAFT

Appendix 2

Jacks Point Structure Plan

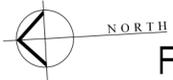
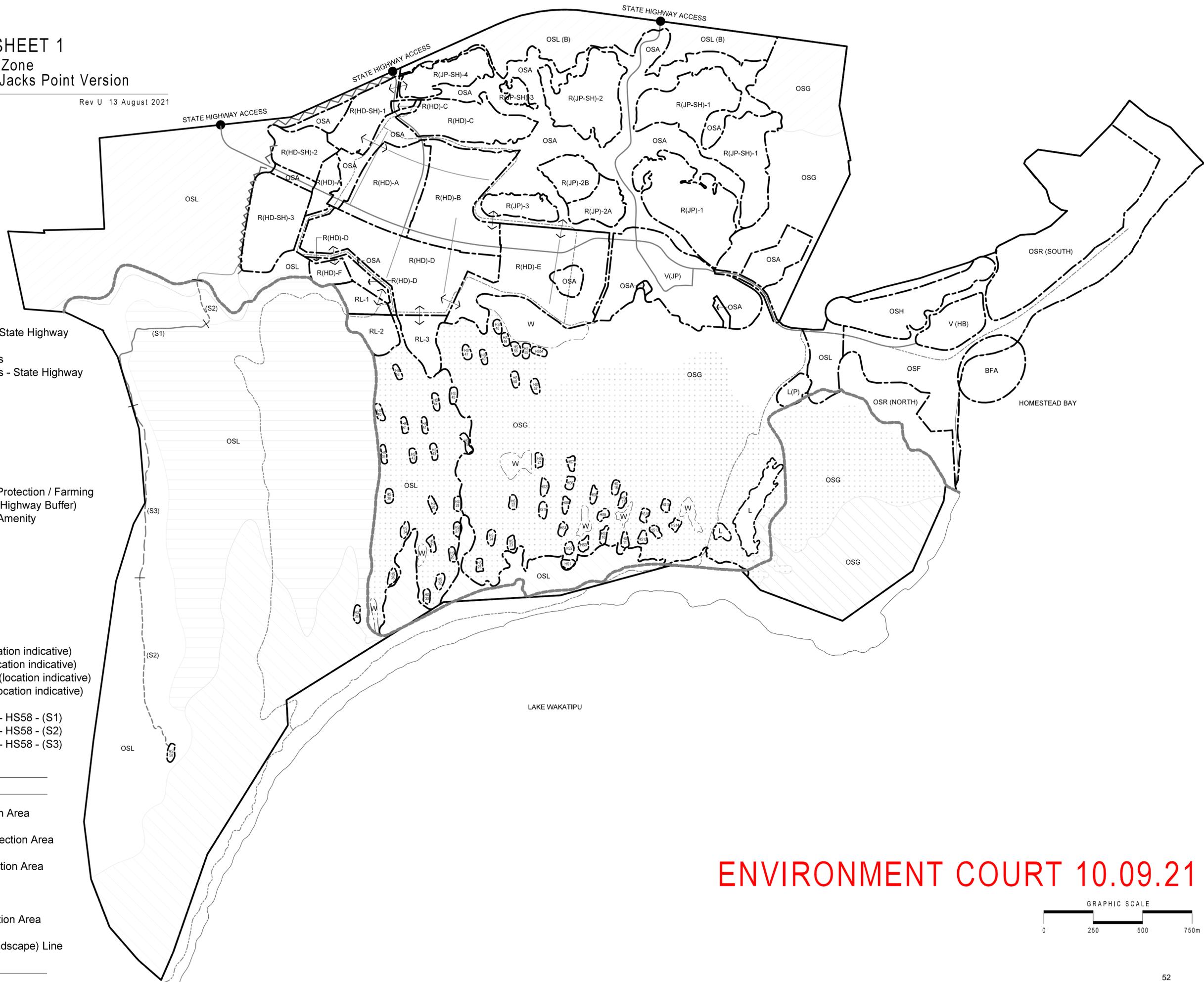


FIGURE 1 - SHEET 1

Jacks Point Zone Structure Plan for S293 - Jacks Point Version

scale 1:25,000 (A4), 1:12,500 (A2)

Rev U 13 August 2021



KEY

- R(JP) Residential Jacks Point
- R(JP-SH) Residential Jacks Point - State Highway
- V(JP) Village Jacks Point
- R(HD) Residential Hanley Downs
- R(HD-SH) Residential Hanley Downs - State Highway
- RL Rural Living

- L Lodge
- L(P) Lodge Parking
- HS Preserve Homesites

- W Wetland
- OSG Open Space Golf
- OSL Open Space Landscape Protection / Farming
- OSL (B) Open Space Landscape (Highway Buffer)
- OSA Open Space Residential Amenity

- V(HB) Village Homestead Bay
- OSH Open Space Horticulture
- OSR (NORTH) Open Space Residential
- OSR (SOUTH) Open Space Residential
- OSF Open Space Foreshore
- BFA Boating Facilities Area

- Activity Area
- - - Public Access Route (location indicative)
- Primary Road Access (location indicative)
- - - Secondary Road Access (location indicative)
- ↔ Key Road Connections (location indicative)

- Secondary Road Access - HS58 - (S1)
- - - Secondary Road Access - HS58 - (S2)
- - - Secondary Road Access - HS58 - (S3)

OVERLAYS

- Highway Landscape Protection Area
- Peninsula Hill Landscape Protection Area
- Lake Shore Landscape Protection Area
- State Highway Mitigation
- Tablelands Landscape Protection Area
- ONL (Outstanding Natural Landscape) Line

ENVIRONMENT COURT 10.09.21



Appendix 3

Comprehensive Development Plan

JACKS POINT VILLAGE COMPREHENSIVE DEVELOPMENT PLAN

FINAL 11 July 2022

PART 1 REGULATORY PLANS

- a) Plan 1 – Land use Areas
- b) Plan 2 – Roading Network and Hierarchy
- c) Plan 3 – Community Amenities, Pedestrian and Cycle Network

PART 2 DESIGN CONTROLS

1 Village-Wide Controls

Design Control	Regulatory Plan
<p>1.1 Pedestrian Links</p> <p>1.1.1 Pedestrian links shall be located in accordance with the Community Amenities, Pedestrian and Cycle Network plan and shall facilitate connections to the wider existing trail networks and any public access routes shown on the Structure Plan.</p> <p>Variations to the network connections as shown will be in accordance with the Community Amenities, Pedestrian and Cycle Network Plan providing they meet the intended outcome by continuing to connect key nodes.</p> <p>1.1.2 Pedestrian / Public Access shall be provided to Lake Tewa within Land Use Areas M6A, M4, M15. A continuous pedestrian link shall be provided along the lake front, where no less than 50% of this shall provide unimpeded access to Lake Tewa.</p> <p>1.1.3 Minimum formed width for Pedestrian Links shall be 1.50m</p> <p>1.1.4 There shall be no occupation of buildings within any land use area containing any part of the pedestrian network until that part of the network has been formed and legal access for the Jacks Point Community or the public has been established.</p>	<p>Plan 3 – Community Amenities, Pedestrian and Cycle Network</p>
<p>1.2 Cycle Trails</p> <p>1.2.1 Cycle trails shall be located in accordance with the Community Amenities, Pedestrian and Cycle Network plan and facilitate connections to the wider existing trail network and any public access routes shown on the Structure Plan.</p> <p>Variations to the network connections as shown will be in accordance with the Community Amenities, Pedestrian and Cycle Network Plan providing they meet the intended outcome by continuing to connect key nodes.</p> <p>1.2.2 Minimum formed width for Cycle trails shall be:</p> <ul style="list-style-type: none"> a. Cycle Trail: 2.00m 	<p>Plan 3 – Community Amenities, Pedestrian and Cycle Network</p>

- b. Shared (Pedestrian and Cycle): 2.50m

1.2.3 There shall be no occupation of buildings within any land use area containing any part of the cycle network until that part of the network has been formed and legal access for the Jacks Point Community or the public has been established.

1.3 Delivery of Community Amenities

1.3.1 There shall be no occupation of buildings within the following Land Use Areas until the relevant amenities have been established and any related land transferred into community ownership:

- 1. Land Use Areas M-6A.

Amenities to be established: Village Square

- 2. Land Use Area M-12

Amenities to be established: Village Wetland

- 3. Land Use Areas M-13, M-14

Amenities to be established: Village Green, and Waterfront Boardwalk

- 4. Land Use Area M-4

Amenities to be established: Waterfront boardwalk

Information Requirement:

Landscape Plan/s shall accompany any application for resource consent to provide for the particular amenities to be established above.

1.1 Design of Primary Roads

1.1.1. The design of Primary Roads shall meet the following design parameters:

- a. Cycle lanes are separated from the Vehicle movement corridor.
- b. The design speed shall be between 20 – 30km.
- c. Electric Vehicle Charging shall be provided for along the primary road frontage.
- d. Legal Width shall be between 15.00 – 20.00m
- e. Movement Corridor Widths shall be at least: 7.00m minimum (3.50m lane either side)
- f. Footpath Widths shall be at least 1.50m

1.4 Car Parking: Either side of road corridor, interchangeable

1.2 Design of Secondary Streets

1.2.1. The design of Secondary Roads shall meet the following design parameters:

- a. Cycle lanes may be shared within the road corridor or separated where spatially possible.
- b. Legal Width shall be 15.00m
- c. Movement Corridor Widths shall be between 5.60m to 7.00m.
- d. Footpath Widths shall be a minimum of 1.50m

1.5 Car Parking: Either side of road corridor

1.3 Design of Shared Streets

1.3.1. The design of Shared Streets shall meet the following design parameters:

- a. Legal Width shall be between 7.50m to 10.00m

**Plan 3 –
Community
Amenities,
Pedestrian and
Cycle Network**

**Plan 2 - Road
Network and
Hierarchy**

**Plan 2 - Road
Network and
Hierarchy**

**Plan 2 - Road
Network and
Hierarchy**

- b. Movement Corridor Widths shall be between 3.50m (one way) to 5.60m (two way)
- c. Footpath Widths shall be the remainder of legal corridor width and can include landscaping.

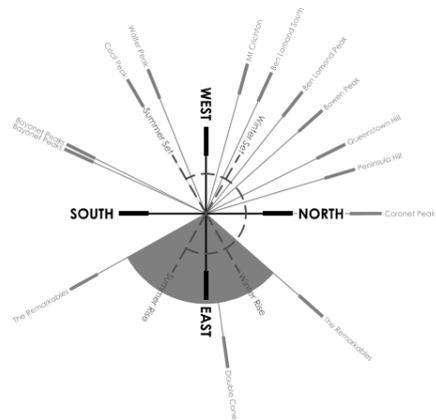
1.6 Car Parking: No requirement.

2 Medium Density Residential Land Use Area

Design Control	Regulatory Plan
<p>2.1 Residential Density</p> <p>2.1.1. Residential units shall contain an average net area of no greater than 350m² per residential unit.</p> <p>Advice Note:</p> <p>Average net area means the net area of a site divided by the total number of residential units located on the site.</p>	<p>Plan 1 - Land Use Areas</p>

3 Mixed Use Land Use Area

Design Control	Regulatory Plan
<p>3.1 Local Shopping Centre</p> <p>3.1.1. Within the Local Shopping Area Overlay (Land use areas M5, M7, M8), activities at ground floor level are restricted to:</p> <ul style="list-style-type: none"> a) Retailing b) Commercial activities, excluding service stations and motor vehicle sales c) Non-habitable uses associated with any visitor accommodation activity 	<p>Plan 1 - Land Use Areas</p>
<p>3.2 Minimum Ground Floor Height</p> <p>3.2.1. Ground floor retail within the Mixed Use Land use area shall have a minimum finished floor to ceiling height of 3.50m for no less than 7.00m from that building's street frontage.</p>	<p>Plan 1 - Land Use Areas</p>
<p>3.3 Non-Accessory Parking</p> <p>3.3.1. Activities within Mixed Use Land Use Areas M-5, M-8 shall provide for non-accessory parking within the general locations shown on the Parking Overlay.</p> <p>Advice Note:</p> <p>Non-Accessory parking is subject to the rules within Chapter 29 Transport, including standards in relation to the surface of parking areas, lighting, and provision for bike parking.</p>	<p>Plan 1 - Land Use Areas</p> <p>Plan 2 - Road Network and Hierarchy</p>



TO PRESERVE AND LODGE SITE

TO HOMESTEAD BAY



KEY:

(V) Activity Area - CDP Area

Local Shopping Area Overlay

Land use Activities enabled	Land use Areas				
	M-1 to M-16 Mixed Use	VA-1 to VA-3 Visitor Accommodation	R-1 to R-7 Medium Density Residential	C Community	PR Public Realm
Commercial Activity	☑				
Visitor Accommodation Activity	☑	☑			
Residential Activity	☑	☑	☑		
Community Activity	☑			☑	
Non-accessory Parking	☑				
Use ancillary to use provided for in adjacent Mixed Use, Visitor Accommodation, and Community Land use areas					☑

SCALE: 1:2000 (A1); 1:4000 (A3)



CONSULTANTS:

NOTES:

All boundaries and areas are subject to final survey.

REVISION:

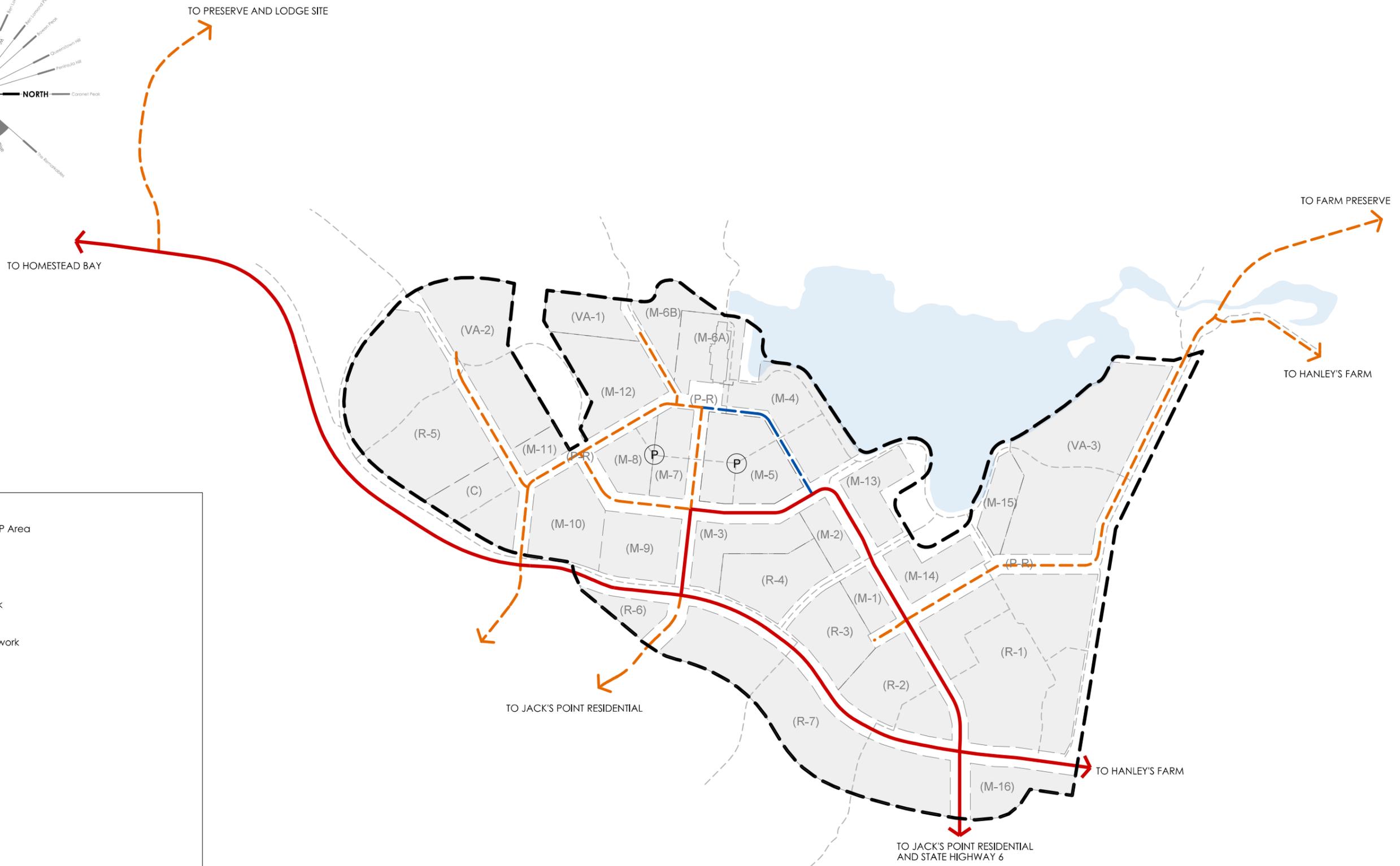
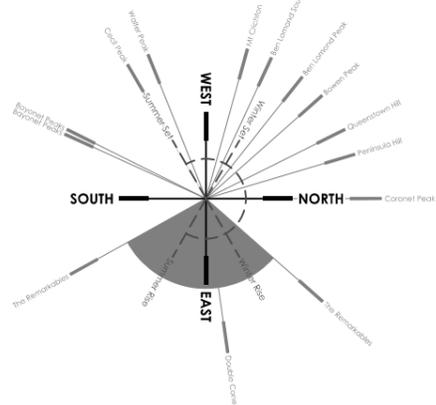
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K	Updates following QLDC and JPROA Discussions	24.03.22	TG	-	-
L	Text Removal (High)	22.06.22	TG	-	-

JACKS POINT VILLAGE - CDP

REGULATORY PLAN

PLAN 1 - LANDUSE AREAS

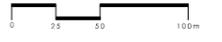
PLAN STATUS: **EC** JOB CODE: **JP_20_10** DRAWING NO: **CDP-017.01** REV: **L**



KEY:

- (V) Activity Area - CDP Area
- Land Use Areas
- Primary Road Network
- Secondary Road Network
- Shared Street
- Parking Overlays

SCALE: 1:2000 (A1); 1:4000 (A3)



CONSULTANTS:

NOTES:
All boundaries and areas are subject to final survey.

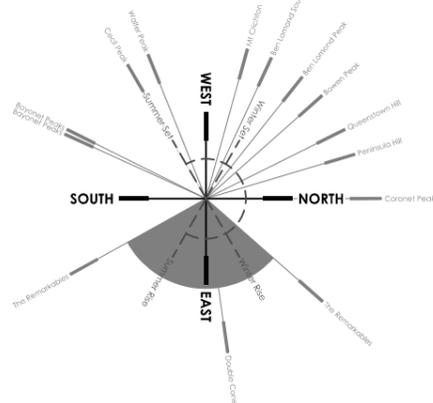
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K	Updates following QLDC and JPROA Discussions	24.03.22	TG	-	-
L	Text Removal (High)	22.06.22	TG	-	-

JACKS POINT VILLAGE - CDP REGULATORY PLAN

PLAN 2 - ROAD NETWORK AND HIERARCHY

PLAN STATUS: **EC** JOB CODE: **JP_20_10** DRAWING NO: **CDP-017.02** REV: **L**



CONNECTION TO EXISTING TRAIL NETWORK

CONNECTION TO EXISTING TRAIL NETWORK

COMMUTER TRAIL CONNECTION TO FRANKTON (ACTIVE TRANSPORT NETWORK)

Homestead Bay Road

LAKE TEWA

CONNECTION TO HANLEYS FARM RESIDENTIAL PEDESTRIAN NETWORK

JACKS POINT RESIDENTIAL NEIGHBOURHOOD CONNECTION

KEY:

- (V) Activity Area - CDP Area
- Land Use Areas
- Road Network
- Pedestrian Network
- Cycle Network
- Community Amenity - Areas
 - ① Village Square
 - ② Village Wetland
 - ③ Village Green
- Community Amenity - Waterfront
 - ④ Lake Tewa Waterfront

NOTES:

All boundaries and areas are subject to final survey.

REVISION:

NO	DESCRIPTION	DATE	DRAWN	REVIEWED	APPROVED
J	For Information Only	08.09.21	TG	-	-
K	Updates following QLDC and JPROA Discussions	24.03.22	TG	-	-
L	Text Removal (High)	22.06.22	TG	-	-

JACKS POINT VILLAGE - CDP
 REGULATORY PLAN - PLAN 3
 COMMUNITY AMENITIES, PEDESTRIAN AND CYCLE NETWORK

PLAN STATUS: **EC** JOB CODE: **JP_20_10** DRAWING NO: **CDP-017.03** REV: **L**

SCALE: 1:2000 (A1); 1:4000 (A3)



CONSULTANTS: