

**BEFORE THE HEARINGS PANEL
FOR THE PROPOSED QUEENSTOWN LAKES DISTRICT PLAN**

IN THE MATTER of the Resource Management Act
1991

AND

IN THE MATTER of the Queenstown Lakes Proposed
District Plan

AND

IN THE MATTER of Hearing Submissions Seeking
Amendments to the Planning Maps
covering Queenstown and
Queenstown Rural (Excluding
Wakatipu Basin)

**SUMMARY STATEMENT TO PRIMARY EVIDENCE OF NICHOLAS KARL GEDDES ON
BEHALF OF**

**Jardine Family Trust, Remarkables Station Ltd
& Homestead Bay Trustees Ltd**

(Submitter #715)

Dated 7th August 2017

INTRODUCTION

- 1 QLDC Planner Ms Vicki Jones filed rebuttal evidence 11th July 2017 (rebuttal evidence) in relation to submission 715 which clearly and concisely confines outstanding matters. Primarily, I would like to address matters raised in her evidence and where relevant matters raised by other parties. Secondly, I provide a summary of my supplementary evidence on the Dwelling Capacity Model (DCM).

Visibility

- 2 My opinion on matters relating to the management and protection of landscapes (including their character) from adverse effects of subdivision, use and development relies heavily upon the assessment and evidence of Mr Espie. As confirmed in my primary evidence I believe that based upon Mr Espie's assessment and evidence any adverse effects in this regard are acceptable.
- 3 Ms Jones finds the proposed re-zoning inconsistent with the Chapter 6 Objectives 6.3.1, 6.3.2, 6.3.4 and Policy 6.3.1.10. I disagree, and based upon the assessment and evidence of Mr Espie I believe the proposed re-zoning is consistent with these Objectives and Policy.
- 4 Residential areas A to C are not intended to be visible from any visual perspective afforded from the State Highway by virtue of the mounds located some 350 metres from the highway itself.
- 5 I accept that this makes for a larger mound than would be otherwise be required if roof spaces were to be visible. However, given the setback of the mounds from the road coupled with the landscaping as outlined in the evidence of Mr Espie I consider that the recommended mounds in time will appear more natural than any suitably recessive roof space.
- 6 Ms Jones finds the proposed re-zoning inconsistent with policy 6.3.2.4. This policy asks whether subdivision and development constitutes sprawl along roads. I believe urban sprawl as viewed from a road needs to be a sustained view of development and in my experience this typically appears as an elongated pattern which is reasonably well aligned with the road.

- 7 I do not believe the proposed re-zoning offers direct or sustained visual perspective of built form from the road. Therefore, I do not believe residential areas A to C constitute subdivision or development sprawl along a road and the proposed re-zoning is consistent with Policy 6.3.2.4.
- 8 The proposed mounds stand a maximum height of 4.5 metres some 350 metres from the State Highway. I do not consider the proposed height in relation to the roadside boundary is sufficient to compromise the current level of openness experienced from the highway.
- 9 The land visible from the State Highway is currently zoned Rural General where land practices often require large Pinus Radiata wind breaks which I believe could reduce the level of openness across this area and views to Lake Wakatipu to a greater degree than the proposed 4.5m mounds. Therefore, I believe the proposed re-zoning is consistent with Policies 6.3.2.5 and 6.3.4.3 of the PDP.
- 10 In addition, the proposed zoning offers a Highway Landscape Protection Area which seeks to preserve a level of openness through PDP Policy 41.5.3.1:
- “Within the Highway Landscape Protection Area (refer Structure Plan) the planting and/or growing of any tree shall not obscure views from the State Highway to the mountain peaks beyond the zone.”*
- 11 As outlined above, I believe the mounds are visually acceptable. The construction of the mounds and landscaping is required by recommended Policy 41.5.12 prior to the construction of any residential units within Areas A-C and D.
- 12 I believe a discretionary resource consent assessment of the mounds if they are accepted as part of the current process is unnecessary as any future assessment in terms of visual amenity, landscape, scale and nature could only logically confirm the same. The remaining assessment criteria for any earthworks consent application will be achieved through recommended policy 41.9(b) which requires the submission of a construction management plan while all works must be in accordance with QLDC’s Land Development and Subdivision Code of Practice.

- 13 Ms Jones's recommends removing the requirement to plant 80% of the OSR lots in favour of planting the gully area located centrally on the site within the OSF area and she recommends an amended Policy 41.2.1.26:

"41.2.1.26 Ensure substantial native revegetation of the gully within the lake foreshore (OSF) and the ~~open spaces within Homestead Bay and Home site activity areas within the Tablelands Landscape Protection Area~~ and encourage native planting of the open space Activity Areas (OSF, OSL, and OSG) within Homestead Bay."

- 14 I concur with the intention and wording of the policy promoted by Ms Jones above. As such, I have identified a "Foreshore Gully Area" on the structure plan and included the recommended policy in the revised policy set contained in Attachment A.

Acoustic

- 15 Paragraph 3.11 of Ms Jones's evidence reinforces the recommendation made in Scenario B of her primary evidence that the existing OSG activity area is better alignment with the existing NZone operation than the expanded wording of the recommended OSG area.
- 16 I concur with Ms Jones and I have removed reference to the airport activities within policy 41.5.1.10 and amended the structure plan to extend the OSG activity area over the existing NZone operation. These amendments are contained in Attachment A to my evidence.
- 17 Paragraph 3.29 of Ms Jones's primary evidence notes that there is no detailed mapping of the 55dbA contour to the south of the existing airstrip and the evidence of Dr Chiles authors a reluctance to locate residential activities within the 55dbA contour.
- 18 I believe that the mounding around residential activity areas A-C coupled with the accentuated depression these residential areas will be located within may influence noise contours by comparison to any assessment undertaken across the existing topography.
- 19 I recommend a requirement to ascertain the noise contours following the completion of the mounding and prior to subdivision be included as a new policy in the subdivision Chapter as 27.7.14.8. This proposed policy appears in Attachment B and reads:

27.7.14.8: Following the construction of State Highway Earthworks and prior to the subdivision of Residential Activity Areas R(HB) A – C an acoustic assessment (Homestead Bay Noise Contours) shall determine the extent of the 55dBA contour to the south of the existing air strip. Should any residential sites be located between the 55dBA contour and the airstrip the following consent notice shall be registered:

“Any residential building shall be designed to achieve an Indoor Design Sound Level of 40 dB Ldn within any Critical Listening Environment, based on the Homestead Bay Noise Contours. Compliance shall be demonstrated by either installation of mechanical ventilation to achieve the requirements in Table 4 of Chapter 36 or by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open.”

Infrastructure

- 20 Mr Hansen has reviewed Mr Ulrich Glasner’s rebuttal evidence and responds with further information and assessment in his supplementary evidence. Based upon the body of his primary evidence supported by his supplementary evidence I believe that effective and efficient infrastructure can be developed and the proposed re-zoning is consistent with relevant Objectives and Policies of the Operative and Proposed Regional Policy Statement and remains fully consistent with purpose and principles of the RMA.

Natural Hazards

- 21 Ms Jones recommends an amended Rule 41.4.3.2 to account for natural hazards within the OSR activity area. On the basis that residential buildings may precede subdivision and require natural hazard consideration I have adopted Ms Jones’s Rule which appears in the recommended Chapter 41 contained in Attachment A.

Traffic

- 22 Activities permitted under the Operative District Plan within Homestead Bay are anticipated to use Maori Jack Road and its intersection with State Highway 6. These permitted activities equate to approximately 244 dwelling equivalents.

- 23 The evidence of Mr Ferguson on behalf of JPROA confirms concerns in terms of the safety and amenity for the residents at Jacks Point with reference to traffic on Maori Jack Road which is above that anticipated by the Operative District Plan.
- 24 Based upon these concerns and supported by the primary evidence of Mr Bartlett policy 41.5.7.4 that seeks to limit traffic on Maori Jack Road from Homestead Bay to 244 dwelling equivalents:
- “Only 244 residential lots, or non-residential activity that is projected to generate the equivalent traffic volumes, may be built within the Homestead Bay Area of the Jacks Point Zone and utilise Maori Jack Road.”*
- 25 I have not included JPROA in this policy as I do not believe the PDP policies should require approval from third parties. Should an agreement be reached to use Maori Jack Road for any part (or all) of the 541 lots included in the proposed re-zoning I am confident this would help facilitate resource consent approval to breach the standard above.
- 26 Notwithstanding the above, I believe it would be extremely difficult to mitigate the adverse effects upon the residential amenity of Jacks Point residents if Maori Jack Road was intended to service the proposed re-zoning.
- 27 Mr Tony MacColl’s evidence on behalf of NZTA endorses Mr Bartlett’s primary evidence where Mr Bartlett has suggested the development of Homestead Bay is not to increase beyond the current provisions of the Operative District Plan without the prior agreement of NZTA to establish an additional access to the State Highway.
- 28 The evidence of Mr Ferguson on behalf of JPROA confirms no opposition to a further State Highway access point in principal but remains concerned about potential adverse effects on the transportation network within Jacks Point.
- 29 I did not include Mr Bartlett’s recommendation in my recommended policy set contained in my primary evidence as I believe PDP policy 41.5.4.1 will effectively do the same. This policy requires access from the State Highway as a restricted discretionary activity where discretion is confined to ensuring the safe and efficient functioning of the road network where road is defined in the PDP as it appears within part 315 of the Local Government Act 1974

which includes “public highways”. I do not believe resource consent under part 41.5.4.1 could be obtained without the approval of NZTA.

- 30 Mr Bartlett’s summary evidence discusses two scenarios where the second recommends a separate access point onto the State Highway with upgrading to the intersection of Maori Jack Road which I believe satisfies concerns raised by JPROA. Coupled with policy 41.5.4.1 I believe scenario 2 satisfies the concerns raised by NZTA and accompanied by modelling this satisfies concerns raised by Ms Banks on behalf of QLDC.
- 31 Mr Tony MacColl’s evidence on behalf of NZTA raises concerns with the reference to Diagram D in the Standard 41.5.7.4 recommended in my primary evidence. As such, I have removed reference to this access point in the recommended Chapter 41 contained in Attachment A.

Dwelling Capacity Model

- 32 The summary evidence of Ms Kim Banks goes a long way to addressing the concerns raised in my supplementary DCM evidence with two exceptions:

Previous QLDC Reporting

- 33 Paragraph 29 of Ms Banks’s evidence confirms that the strategic chapters of the PDP have been authored in the absence of accurate dwelling capacity estimations yet paragraph 4 of her evidence reinforces that these chapters give effect to Part 2 of the RMA. I have reservations how strategic an urban growth boundary is without a full understanding of the dwelling capacity which it encircles.

Development Zones – Capacity Estimates

- 34 The second table in Appendix 1 of Ms Banks’s evidence details 70% of the capacity to be relied upon in the UGB has been confirmed as realisable through discussions with developers whom own a majority of land within these development zones. This results in only 30% of the dwelling capacity to be relied upon in the UGB has had the “model” applied to it.
- 35 I do not believe this meets the intent of NPS-UDC standards which I believe expect a more robust assessment to confirm actual realisable dwelling capacity.

36 Reliance upon the advice of developers also appears at odds with QLDC reporting on Council's Lead Policy for Special Housing Areas which specifies reservations about the lack of development within the UGB in the last ten years.

Nick Geddes

7th August 2017

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Key:

Recommended changes to Stream 9 right-of-reply chapter are shown in pink underlined text for additions and ~~pink strike through text~~ for deletions

Recommend changes to notified chapter are shown in red underlined text for additions and ~~red strike through text~~ for deletions, Appendix 1 to Right of Reply dated 24 February 2017.

Recommend changes to notified chapter are shown in underlined text for additions and ~~strike through text~~ for deletions, Appendix 1 to s42A report, dated 17 January 2017.

41 Jacks Point Zone

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, ~~an education innovation campus, 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.

Comment [MSOffice1]: Jacks Point Landowners (as defined in paragraph 9.6 of s42A report) (regarding commercially viable and appropriate scale and design)

Comment [MSOffice2]: Sally and Clive Geddes (540), Margaret Joan Williams (605), JPROA (765), Tim and Paula Williams (601), Alexander Schrantz (195), and Scope Resources (342).

41.2 Objectives and Policies

41.2.1 Objective - Development of an integrated community, incorporating residential living activities, including well designed medium density housing opportunities, visitor accommodation, well designed community, and small-scale commercial activities, community activities, within a framework of open space and recreational amenities activities, while protecting the having appropriate regard for outstanding natural landscape, maintaining and enhancing public access, and having regard to visual amenity values of the open space areas, servicing, and public access issues.

Comment [MSOffice3]: RCL (632), Jacks Point Landowners, Margaret Joan Williams (605), Tim and Paula Williams (601).

Comment [MSOffice4]: Jacks Point Landowners, Sally and Clive Geddes (540), Tim and Paula Williams (601), Alexander Schrantz (195), Scope Resources (342), JPROA (765), Margaret Joan Williams (605).

Comment [MSOffice5]: Jacks Point Landowners, Sally and Clive Geddes (540), Tim and Paula Williams (601), Alexander Schrantz (195), and Scope Resources (342), Margaret Joan Williams (605).

Comment [MSOffice6]: Jacks Point Landowners, Sally and Clive Geddes (540), Tim and Paula Williams (601), Alexander Schrantz (195), Scope Resources (342), JPROA (765), Margaret Joan Williams (605).

Policies

41.2.1.1 Require building and activities to be located in accordance with Use a the Structure Plan (41.7) to establish the spatial layout of development within the zone and diversity of living and complementary activities in order to ensure that the following matters are taken into account:

- Integration of activities and servicing;
- The recognition and protection of Landscape and amenity values;
- Road, open space and trail networks;

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- Visibility from ~~public places beyond the Jacks Point Zone State Highway 6 and Lake Wakatipu.~~
- 41.2.1.2 Ensure subdivision and development incorporates the ~~roads, road connections, open space, access connections and trails design elements~~ shown on the Structure Plan, namely ~~roads, road connections, open space, access connections and trails.~~
- 41.2.1.3 Maintain and protect views into the site when viewed from the lake, and to maintain and protect views across the site to the mountain peaks beyond when viewed from ~~public places beyond the Jacks Point Zone the State Highway.~~
- 41.2.1.4 Ensure that residential development is not readily visible from the State Highway
- 41.2.1.5 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.
- 41.2.1.6 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.
- 41.2.1.7 Ensure that development within the ecologically sensitive areas of the zone results in a net environmental gain.
- 41.2.1.8 Control the take-off and landing of aircraft within the zone.
- 41.2.1.9 Ensure that subdivision, development and ancillary activities within the Tablelands Landscape Protection Area maintain or enhance the character of the landscape.
- 41.2.1.10 Provide for farming and associated activities in the appropriate areas, while ensuring that development associated with those activities does not result in over domestication of the landscape and that residential amenity is not adversely affected.
- 41.2.1.11 Avoid all buildings in the Open Space Golf and Open Space Residential Amenity Activity Areas other than recreational buildings which are ancillary to an outdoor recreation activity that is occurring on the site and are of a low scale and design that is sympathetic to the landscape.
- 41.2.1.12 Enable mining activities in the Open Space Golf Activity Area only where the material extracted is to be used within the Jacks Point which contribute to the development of the Zone and only where the provided environmental effects are appropriately managed.
- 41.2.1.13 Provide a diversity of residential opportunities and housing typologies to suit a broad range of the community, including higher density housing in the villages, medium and low density housing in the residential areas, and living accommodation, including opportunities for farm and rural living at very low densities. density rural living within the Homesites and Rural Living Activity Area.
- 41.2.1.14 Recognise the Residential (Hanley Downs) Activity Area, and the Village Activity Area as being appropriate to accommodate residential development at a greater scale and intensity than elsewhere in the zone.

Comment [MSOffice7]: Jacks Point Landowners, Sally and Clive Geddes (540), Tim and Paula Williams (601), Alexander Schrantz (195), and Scope Resources (342), Margaret Joan Williams (605).

Comment [MSOffice8]: Reverted back to the notified version as no scope to amend.

Comment [MSOffice9]: Change in sentence order. Non substantive change.

Comment [MSOffice10]: Reverted back to the notified version as no scope to amend.

Comment [MSOffice11]: Non substantive for legibility only

Comment [MSOffice12]: Jacks Point Landowners, Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), and Tim and Paula Williams (601), Margaret Joan Williams (605), JPROA (765).

Comment [MSOffice13]: Jacks Point Landowners, Sally and Clive Geddes (540), Tim and Paula Williams (601), Margaret Joan Williams (605), JPROA (765).

Comment [MSOffice14]: Jacks Point Landowners, Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), and Tim and Paula Williams (601), Margaret Joan Williams (605), JPROA (765).

Comment [MSOffice15]:

Comment [MSOffice16]: RCL (632), Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), and Tim and Paula Williams (601), Margaret Joan Williams (605).

Comment [MSOffice17]: Jacks Point Landowners, Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), JPROA (765).

Comment [MSOffice18]: Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), and Tim and Paula Williams (601), Margaret Joan Williams (605).

Comment [MSOffice19]: RCL (632)

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41.2.1.15 Enable medium density housing development within the established areas of Jacks Point where the scale and form of built development is appropriate to the character of the Activity Area

41.2.1.16 ~~Enable a dominance of conventional low density residential development in the Residential - State Highway Activity Areas ((R(HD-SH) and (R(JP-SH))), while requiring that any conventional low density residential development in the Residential Activity Areas ((R(HD) and (R(JP))) be offset by higher density residential development and common open spaces in order to achieve efficient use of land and infrastructure, a range of typologies, and greater affordability.~~

Comment [SG20]: Further clarification as to the reasoning behind providing a lower threshold as well as an upper threshold, at the request of the Panel.

41.2.1.17 ~~Enable the development of education, business innovation and associated activities within the Education Innovation Campus and day care facilities within the Education Activity Area and encourage this to be laid out and designed in a manner that integrates with and contributes positively to the adjoining Jacks Point village and Open Space activity areas. , subject to achieving a high standard of urban design.~~

Comment [MSOffice21]: Otago Polytechnic (757), the Ministry of Education (524), Jacks Point Landowners, Sally and Clive Geddes (540), Tim and Paula Williams (601), Margaret Joan Williams (605), JPROA (765).

41.2.1.18 ~~Ensure the visual impacts of subdivision and development within the Residential State Highway and Education Innovation Campus Activity Areas are is~~ appropriately mitigated through landscaping and the provision of open space.

Comment [MSOffice22]: Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), JPROA (765).

~~41.2.1.17 Provide for farming and rural living in the Farm Preserve Activity Area to enable continued rural land management together with providing a greater diversity of lot sizes that retains rural amenity and protects landscape values, while ensuring that:~~

- ~~• within the Farm Preserve 1 Activity Area, subdivision and development incorporates mechanisms for the protection and management of open space and native vegetation.~~
- ~~• within the Farm Preserve 2 Activity Area, buildings are not visible from Lake Wakatipu and State Highway 6.~~

Comment [MSOffice23]: Jacks Point Landowners, Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), JPROA (765).

41.2.1.19 ~~41.2.1.17~~ Enable the Jacks Point Village Activity Area to develop as ~~a the~~ vibrant mixed use hub ~~for of~~ the Jacks Point Zone, comprising a range of activities including high density and medium density residential housing, a ~~small~~ local shopping centre that services the needs of Jacks Point residents and provides a small amount of destination shopping, office space, visitor accommodation, education facilities, community activities, healthcare, commercial recreation activity, and technology and innovation-based business.

Comment [MSOffice24]: Jacks Point Landowners, Sally and Clive Geddes (540), and Tim and Paula Williams (601), Margaret Joan Williams (605).

41.2.1.20 ~~41.2.1.18~~ Enable commercial activities ~~along or near primary roads~~ within the Residential (Hanley Downs) Activity Area, designed to ~~primarily~~ service the needs of the local ~~Hanley Downs residents~~ community, ~~where they can locate along or near primary roads.~~

Comment [MSOffice25]: Improved certainty/ removal of ambiguity.

Comment [MSOffice26]: Jacks Point Landowners, Sally and Clive Geddes (540), and Tim and Paula Williams (601), Margaret Joan Williams (605).

41.2.1.21 ~~41.2.1.19~~ Enable commercial and community activities and visitor accommodation, provided residential amenity, health, and safety are protected or enhanced through:

Comment [MSOffice27]: Improved certainty/ removal of ambiguity.

Comment [MSOffice28]: Jacks Point Landowners, Sally and Clive Geddes (540), and Tim and Paula Williams (601), Margaret Joan Williams (605).

- 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;
- The design of vehicle access and car parking; and
- An appropriate scale of activity and form of building development.

Comment [MSOffice29]: Jacks Point landowners, insofar as this will help to enable the commercial viability of the Jacks Point village

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- 41.2.1.22 ~~41.2.1.20~~ Use residential development controls to protect privacy and amenity, provide access to sunlight, achieve design cohesion and to provide appropriate opportunities for outdoor living.
- 41.2.1.23 ~~41.2.1.21~~ 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.
- 41.2.1.24 ~~41.2.1.22~~ Avoid industrial activities.
- 41.2.1.25 ~~41.2.1.23~~ Provide for the development of lakeside activities in the Homestead Bay area, in a manner which complements and enhances amenity values.
- 41.2.1.26 ~~41.2.1.24~~ Ensure substantial native revegetation of the gully within the lake foreshore (OSF) and open spaces within Homestead Bay and Home site activity areas within the Tablelands Landscape Protection Area and encourage native planting of the open space Activity Areas (OSF, OSL, and OSG) within Homestead Bay.
- 41.2.1.27 ~~41.2.1.25~~ Provide safe and efficient road access from State Highway 6.
- 41.2.1.28 ~~41.2.1.26~~ Ensure provision of integrated servicing infrastructure, including roading and vehicle access.
- 41.2.1.29 ~~41.2.1.27~~ Ensure an adequate level of sewage disposal, water supply and refuse disposal services are provided which do not adversely affect water quality or quantity or other environmental values.
- 41.2.1.30 ~~41.2.1.28~~ Ensure that the visual impacts of development within the Village and Education Activity Areas are avoided or appropriately mitigated through landscaping, building design, and the provision of open space, such that ones' appreciation of the broader landscape is not adversely affected.
- 41.2.1.31 ~~41.2.1.29~~ Encourage high quality urban design throughout the villages by:
- Requiring all subdivision and development to be in accordance with an approved Comprehensive Development Plan, which shall establish the layout of open space, built form, roading patterns, pedestrian and cycle access, and carparking; the landuses enabled with the buildings; the streetscape design; and 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 by providing for a generous 3 storey building height in the Jacks Point village and generous 2 storey commercial development in the Homestead Bay village.
- 41.2.1.32 Recognise the important contribution that the open space areas that adjoin the residential and village areas make to the identity, character, amenity, and outlook for residents and visitors.
- 41.2.1.33 Ensure subdivision and development complies with the Structure Plan in order to achieve a diversity of residential opportunities and a range of complementary activities; recognition of landscape and amenity values; connected roads, open space, and trail networks; and the integration of activities and servicing.

Comment [MSOffice30]: Non substantive for legibility only.

Comment [MSOffice31]: Improved certainty/ removal of ambiguity

Comment [MSOffice32]: Jacks Point Landowners, Sally and Clive Geddes (540), and Tim and Paula Williams (601), Margaret Joan Williams (605).

Comment [MSOffice33]: Jacks Point Landowners, Sally and Clive Geddes (540), and Tim and Paula Williams (601), Margaret Joan Williams (605).

Comment [MSOffice34]: Jacks Point Landowners, Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), JPROA (765).

Comment [MSOffice35]: Jacks Point Landowners, Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), JPROA (765).
To better support rule 41.4.7 regarding the requirement to provide a CPD

Comment [MSOffice36]: Jacks Point Residential No. 2 et al (762), Sally and Clive Geddes (540), Tim and Paula Williams (601), Margaret Joan Williams (605), and Jacks Point Landowners (as encouraging quality development will improve commercial viability and will help to achieve an quality outcome as encouraged through the ODP outline plan approval process).

Comment [MSOffice37]: Jacks Point Landowners, Sally and Clive Geddes (540), Tim and Paula Williams (601), Alexander Schrantz (195), Scope Resources (342), JPROA (765), Margaret Joan Williams (605).

Comment [MSOffice38]: Jacks Point Landowners, Sally and Clive Geddes (540), Tim and Paula Williams (601), Alexander Schrantz (195), Scope Resources (342), JPROA (765), Margaret Joan Williams (605).

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- 41.2.1.34 Avoid subdivision and development of the Peninsula Hill Landscape Protection Area that does not protect, maintain, or enhance the outstanding natural character of the Area, while recognising that arable and pastoral farming of the area may necessitate the development of farm buildings within the Area.
- 41.2.1.35 Ensure that subdivision and development adjacent to the Peninsula Hill Landscape Protection Area will not degrade the landscape quality, character and visual amenity of the Peninsula Hill Landscape Protection Area.
- 41.2.1.36 Maintain or enhance the character and amenity values that exist in the established Jacks Point Residential activity areas as at the date of notification of this District Plan, including the high standard of design and landscape elements incorporated into communal open space areas, transport corridors and private lots.
- 41.2.1.37 Enable the subdivision layouts and building designs within the Hanley Downs and Homestead Bay residential activity areas to differ from the Jacks Point residential areas, providing that the unifying elements of the Structure Plan are adhered to such as the provisions of open space areas.
- 41.2.1.38 Provide for development within the Homestead Bay area in a way that maintains an open rural form of landscape character and visual amenity as experienced from State Highway 6.

Comment [MSOffice39]: Jacks Point Landowners, Sally and Clive Geddes (540), Tim and Paula Williams (601), Alexander Schrantz (195), Scope Resources (342), JPROA (765), Margaret Joan Williams (605).

Comment [MSOffice40]: Placeholder only; subject to those being accepted in the mapping hearing

Comment [MSOffice41]: Jacks Point Landowners, Sally and Clive Geddes (540), Tim and Paula Williams (601), JPROA (765), Margaret Joan Williams (605).

41.3 Other Provisions and Rules

41.3.1 District Wide

Attention is drawn to the following District Wide chapters. All provisions referred to are within Stage 1 of the Proposed District Plan, unless marked as Operative ~~District Plan (ODP)~~.

Comment [SG42]: Drafting only for consistency with the rest of the PDP

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
24 Signs (18 Operative DP)	25 Earthworks (22 Operative DP)	26 Historic Heritage
27 Subdivision	28 Natural Hazards	29 Transport (14 Operative DP)
30 Energy and Utilities and Renewable Energy	31 Hazardous Substances (16 Operative DP)	32 Protected Trees
33 Indigenous Vegetation	34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings
36 Noise	37 Designations	Planning Maps

41.3.2 Clarification

Advice notes

- 41.3.2.1 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.
- 41.3.2.2 Earthworks undertaken for the development of land associated with any subdivision shall be governed by Chapter 27: Subdivision and Development.

Comment [MSOffice43]: Consistency only with other chapters.

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- 41.3.2.3 A permitted activity must comply with all the rules listed in the activity and standards tables, and any relevant district wide rules.
- 41.3.2.4 Where an activity does not comply with a rule or standard 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.
- 41.3.2.5 The following abbreviations are used within this Chapter.

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

General Rules

- 41.3.2.6 The existence of a farm building either permitted or approved by resource consent under rules 41.2.5.21 shall not be considered the permitted baseline for residential or other non-farming activity development within the Rural Zone.
- 41.3.2.7 Where provisions refer to the structure plan, this shall be taken to mean the Structure plan contained in Rule 41.7 and Standard 41.5.1 - Structure Plan

Comment [MSOffice44]: Jacks Point Landowners, Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), and JPROA (765).

Comment [MSOffice45]: Added for improved clarification. No substantive change.

41.4 Rules – Activities

Table 1	Activities Located Within the Jacks Point Zone	Activity Status
41.4.1	Activities that are not listed in this table and comply with all standards	P
41.4.2	<p>Educational and Day Care Facilities</p> <p>Educational and Day Care Facilities within the (E) and R(HD) Activity Areas.</p> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> • Location and external appearance of buildings. • Setback from roads. • Setback from internal boundaries. • Traffic generation, access and parking, <u>including effects on the safety and efficiency of the State Highway 6 road network at any intersections with the Jacks Point Zone.</u> • Outdoor living space. • Street scene including landscaping. • Enhancement of ecological and natural values. • Provision for walkways, cycle ways and pedestrian linkages. • Noise. 	C

Comment [MSOffice46]: Jacks Point Residential No.2 Ltd et al (762). Non substantive and to improve legibility and consistency with other chapters of the PDP.

Comment [MSOffice47]: Jacks Point Residential No. 2 (762), RCL (855), NZTA (719), Scope Resources (342), and the Jardine Family Trust and Remarkables Station Limited (715).

Comment [MSOffice48]: Non substantive - typographical correction only

JACKS POINT ZONE 41

Table 1	Activities Located Within the Jacks Point Zone	Activity Status
	<ul style="list-style-type: none"> Infrastructure and servicing, including traffic effects. 	
41.4.3	<p>Buildings</p> <p>41.4.3.1 Buildings (including the addition, alteration or construction of buildings) located within the Lodge Activity Areas (L).</p> <p>Control is reserved Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> The external appearance of buildings with respect to the effect on visual and landscape values of the area. Infrastructure and servicing. Associated earthworks and landscaping. Access and parking. Bulk and location. Exterior lighting. Any development controls and design guidelines. <p>41.4.3.2 Residential buildings located within the Homesite (HS), Open Space Residential (OSR) and Rural Living (RL) Activity Areas (HS Activity Areas), with Council's control reserved to the matters listed above in Rule 41.4.3.1 (Lodge Area) and, in addition:</p> <ul style="list-style-type: none"> The protection and enhancement of Wetland areas within and adjacent to the site in the Homesite Activity Area. Any effects on the ability to implement and maintain the comprehensive vegetation plan required at the time of subdivision and to protect existing native vegetation in the Rural Living Activity Area The extent of native planting proposed in the OSR Area and the positive effects on nature conservation values as a result of such planting. Natural Hazards in the OSR Activity Area. <p>41.4.3.3 Except in the Lake Shore Landscape Protection Area as provided for in 41.4.34.5 and 41.4.34.8, recreation buildings ancillary to outdoor recreation activity within the Open Space Golf, and Open Space Residential Amenity, and Open Space Landscape Activity Areas, with Council's control reserved to the matters listed in Rule 41.4.3.1 (Lodge) 3.4 (farm buildings).</p> <p>41.4.3.4 Except as provided for in (41.4.3.5 and 41.4.3.64) below, farm buildings located within the FP-1 and FP-2 Open Space Landscape Activity Area.</p> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> The external appearance of buildings with respect to the 	<p>⊖RD</p> <p>C</p> <p>C</p> <p>⊖</p> <p>C</p>

Comment [MSOffice49]: Jacks Point Residential No.2 Ltd et al (762). Non substantive and to improve legibility and consistency with other chapters of the PDP.

Comment [MSOffice50]: QLDC (383)

Comment [MSOffice51]: Sally and Clive Geddes (540), Margaret Joan Williams (605), JPROA (765), Tim and Paula Williams (601), Alexander Schrantz (195), and Scope Resources (342).

Comment [MSOffice52]: Jacks Point Landowners, Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), and JPROA (765), including ROR amendments

Comment [MSOffice53]: Consistency only

Comment [MSOffice54]: Jacks Point Landowners, Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), and JPROA (765), including ROR amendments.

Comment [MSOffice55]: Jacks Point Landowners, Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), and JPROA (765). The provisions have been amended to be consistent with the rural zone and, as such, farm buildings that meet the standard in 41.5.21 are now permitted.

Comment [MSOffice56]: Jacks Point Residential No.2 Ltd et al (762). Non substantive and to improve legibility and consistency with other chapters of the PDP.

JACKS POINT ZONE 41

Table 1	Activities Located Within the Jacks Point Zone	Activity Status
	<p style="text-align: center;">effect on visual and landscape values of the area.</p> <ul style="list-style-type: none"> • Infrastructure and servicing. • Associated earthworks and landscaping. • Access and parking. • Bulk and location. • Exterior lighting. • Visibility of the building from State Highway 6 and Lake Wakatipu. 	RD
	<p>41.4.3.3 Except as provided for in (41.4.3.4) below, any residential unit in the FP 2 Activity Area and any visitor accommodation activity within the FP 1 or FP 2 Activity Areas.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • The matters listed in clause (41.4.3.2) above. • The appropriateness of any mitigation and its impact on the character of the landscape. 	RD
	<p>41.4.3.5 Farm buildings and recreation buildings ancillary to outdoor recreation activity within the Peninsula Hill Landscape Protection Area and Highway Landscape Protection Area.</p>	D
	<p>41.4.3.6 Farm buildings within the Lake Shore Landscape Protection Area of the Open Space Landscape Activity Area.</p>	
	<p>41.4.3.5 <u>41.4.3.7 Any building within the Peninsula Hill Landscape Protection Area other than farm buildings (which are subject instead to Standard 41.5.21), and recreation buildings ancillary to outdoor recreation activity within the Peninsula Hill Landscape Protection Area, Lake Shore Landscape Protection Area or Highway Landscape Protection Area identified on the Structure Plan.</u></p>	NC
	<p>41.4.3.6 <u>Any building other than farm buildings within the Lake Shore Landscape Protection Area other than farm buildings in that part classified as Open Space Landscape Area (which are subject instead to Standard 41.5.21).</u></p>	NC
	<p>41.4.3.7 <u>Any building within the Highway Landscape Protection Area other than farm buildings in that part classified as Open Space Landscape Area (which are subject instead to standard 41.5.21) and recreation buildings ancillary to outdoor recreation activity enabled in that part classified as Open Space Golf Area within the Highway Landscape Protection Area.</u></p>	D
	<p>41.4.3.8 <u>Any building within the Open Space Golf Activity Area outside the Highway and Lakeshore and Peninsula Hill Landscape Protection Areas other than recreation buildings ancillary to outdoor recreation activity within</u></p>	RD

Comment [MSOffice57]: Jacks Point Landowners, Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), and JPROA (765).

Comment [MSOffice58]: The provisions have been amended to be consistent with the rural zone and, as such, farm buildings that meet the standard in 41.5.21 are now permitted and if not, they are restricted discretionary.

Jacks Point Landowners, Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), and JPROA (765)

JACKS POINT ZONE 41

Table 1	Activities Located Within the Jacks Point Zone	Activity Status
	<p>the Open Space Golf Activity Area outside the Highway Lakeshore Landscape Protection Areas.</p> <p>41.4.3.9 Within the BFA any boat ramp, jetty, breakwater or other buildings and associated parking and boat trailer parking.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • Effects on natural character. • Effects on landscape and amenity values. • Effects on public access to and along the lake margin. • External appearance, colours and materials. • Location. <p>41.4.3.10 Buildings within the Village Activity Areas, provided the application is accompanied by a Comprehensive Development Plan or is in accordance with an approved Comprehensive Development Plan, which is sufficiently detailed to enable the matters of control listed below to be fully considered.</p> <ul style="list-style-type: none"> • Control is reserved to the following: The bulk, location and external appearance of buildings and associated carparking, including the creation of active frontages adjacent to roads and public spaces. • The layout and orientation of streets, lanes, open spaces, and carparking and the provision of cycle and pedestrian links. • Infrastructure and servicing including traffic generation and effects on the state highway arising from the density and mix of uses being proposed. • The adequate provision of storage and loading/ servicing areas. • The density and location of residential activity. • Landscaping. <p>41.4.3.10 Buildings within the Village Activity Area, which are not accompanied by a Comprehensive Development Plan or are in accordance with an approved Comprehensive Development Plan.</p> <p>Discretion is restricted to the matters listed above in Rule 41.4.3.9.</p>	<p style="text-align: center;">G</p> <p style="text-align: center;">RD</p>
41.4.4	<p>Outdoor Swimming Pools and Tennis Courts</p> <p>41.4.4.1 Any tennis court (including fencing) located within the smaller of the two Lodge Areas and any outdoor swimming pool (including fencing) located within the Tablelands Landscape Protection Area (except spa</p>	C

Comment [MSOffice59]: Jacks Point Landowners, Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), and JPROA (765).

Note: Scope to make some buildings non complying stems from the submissions to reinstate the ODP provisions, which include Rule 12.2.3.5(vii) which makes any buildings not in accordance with the Structure Plan non-complying.

Comment [MSOffice60]: Jacks Point Landowners, Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), and JPROA (765).

Comment [MSOffice61]: Jacks Point Residential No.2 Ltd et al (762). Non substantive and to improve legibility and consistency with other chapters of the PDP.

Comment [MSOffice62]: Jacks Point Landowners, Sally and Clive Geddes (540), Tim and Paula Williams (601), Margaret Joan Williams (605) insofar as this rule is intended to retain the design control that exists in the ODP.

Comment [MSOffice63]: Non substantive for legibility only

JACKS POINT ZONE 41

Table 1	Activities Located Within the Jacks Point Zone	Activity Status
	<p style="text-align: center;">pools less than 9m² and located within any Homesite or Lodge Activity Area) provided:</p> <p>a. <u>The tennis court surfaces are either dark green or grey in colour; and</u></p> <p>b. <u>Any tennis court fencing is chain mesh or similar and grey in colour'</u></p> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> • Associated earthworks and landscaping. • Colour. • Fencing, <u>including any glare resulting from the location and orientation of glass pool fencing.</u> • any development controls and design guidelines. <p>41.4.4.2 <u>Any tennis court (including fencing) located within the smaller of the two Lodge Areas and any outdoor swimming pool (including fencing) located within the Tablelands Landscape Protection Area that does not comply with Rule 41.4.4.1(a) and 41.4.4.1 (b) and discretion is restricted to those matters listed in Rule 41.4.4.1.</u></p> <p>41.4.4.3 Except as provided for in <u>(41.4.4.1 and 41.4.4.2)</u>, any outdoor tennis court located within the Tablelands <u>Landscape Protection Area</u> Activity Area.</p>	<p>RD</p> <p>NC</p>
41.4.5	<p>Mining</p> <p>Within any the Open Space Golf or Farm Preserve Activity Areas the mining of rock and aggregate and/or gravel, for use anywhere within the Jacks Point Zone</p> <p>Discretion is restricted to all of the following:</p> <p>Dust.</p> <p>Noise.</p> <p>Traffic.</p> <p>Hours of operation.</p> <p>Effects on landscape and amenity values.</p>	RD
41.4.6	<p>Medium Density Residential Development</p> <p>41.4.6.1 Within the R(HD) A – E, and R(HD-SH)-1, and <u>R(HD-SH)-3</u> Activity Areas, any residential activity which results in either:</p> <p>a. three or more attached residential units; or</p> <p>b. a density of more than one residential unit per 380 m² of net site area.</p>	↔RD

Comment [MSOffice64]: Jacks Point Landowners, Sally and Clive Geddes (540), Margaret Joan Williams (605), JPROA (765), Alexander Schrantz (195), Scope Resources (342), and Tim and Paula Williams (601). These submissions indirectly seek the reinstatement of RD status for tennis courts rather than relaxation of the rules. The recommended provisions strengthen the notified PDP provisions.

Comment [MSOffice65]: Jacks Point Residential No.2 Ltd et al (762). Non substantive and to improve legibility and consistency with other chapters of the PDP.

Comment [MSOffice66]: Jacks Point Landowners, Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), JPROA (765).

Comment [MSOffice67]: Non substantive for legibility only

Comment [MSOffice68]: Jacks Point Landowners, Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), JPROA (765).

Comment [MSOffice69]: Consequential amendment

Comment [MSOffice70]: Non substantive for legibility only

Comment [MSOffice71]: Jacks Point Landowners, Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), and JPROA (765).

JACKS POINT ZONE 41

Table 1	Activities Located Within the Jacks Point Zone	Activity Status
	<p>Control is reserved Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • External appearance. • Access and car parking. • <u>Traffic generation effects, including effects on the safety and efficiency of the State Highway 6 road network at any intersections with the Jacks Point Zone.</u> • Associated earthworks. • Landscaping. • <u>Effects on adjacent sites that are not part of the medium density residential development being applied for.</u> • <u>Bulk and location.</u> • <u>Legal mechanisms proposed in relation to building bulk and location.</u> <p>41.4.6.2 Within the R(JP) 1 - 3 and R(JP-SH) 4 Activity Areas any residential activity which results in either:</p> <ol style="list-style-type: none"> a. three or more attached residential units; <u>or.</u> b. a density of more than one residential unit per 380 m² of net site area. <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • External appearance. • Residential amenity values. • Access and car parking. • Associated earthworks. • Landscaping. • <u>Effects on adjacent sites that are not part of the medium density residential development being applied for.</u> • <u>Bulk and location.</u> • <u>Legal mechanisms proposed in relation to building bulk and location.</u> <p>41.4.6.3 Except that this rule shall not apply to:</p> <ol 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 <u>550380 m²</u> created pursuant to subdivision <u>rules 27.6.1 or 27.7.11.3.</u> 	<p style="text-align: center;">RD</p>

Comment [MSOffice72]: Jacks Point Residential No.2 Ltd et al (762). Non substantive and to improve legibility and consistency with other chapters of the PDP.

Comment [MSOffice73]: Jacks Point Residential No. 2 (762), RCL (855), NZTA (719), Scope Resources (342), and the Jardine Family Trust and Remarkables Station Limited (715).

Comment [MSOffice74]: RCL (632) insofar as this is a consequential amendment to recommending MDR be exempt from internal setbacks and the relaxation of recession plane rules.

Comment [MSOffice75]: Jacks Point Residential No.2 Ltd et al (762). Non substantive and to improve legibility and consistency with other chapters of the PDP.

Comment [MSOffice76]: RCL (632) insofar as this is a consequential amendment to recommending MDR be exempt from internal setbacks and the relaxation of recession plane rules.

Comment [MSOffice77]: RCL (632). Non substantive. This exemption is unnecessary as Rule 41.4.6 would not be triggered for a single dwelling unless it is on a site smaller than 380m² and that scenario is already exempt through 41.4.6.3.b)

Comment [MSOffice78]: RCL (632), Jacks Point Landowners, Sally and Clive Geddes (540), and Tim and Paula Williams (601).

JACKS POINT ZONE 41

Table 1	Activities Located Within the Jacks Point Zone	Activity Status
41.4.7	<p>Commercial Activities, Community Activities and Visitor Accommodation</p> <p>47.4.7.1 Commercial activities and community activities located within the EIC Activity Area, including the addition, alteration or construction of associated buildings.</p> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> • Location, scale and external appearance of buildings. • Setback from roads. • Setback from internal boundaries. • Traffic generation. • Vehicle access, street layout and car parking. • Street scene including landscaping. • Enhancement of ecological and natural values. • Provision for walkways, cycle ways and pedestrian linkages. • Scale of the activity. • Noise. • Hours of operation. • State Highway Mitigation in the locations shown on the Structure Plan. <p>Village Activity Area</p> <p>41.4.7.1 Any commercial, community, residential or visitor accommodation activity within the Jacks Point or Homestead Bay Village Activity Areas, including the addition, alteration or construction of associated buildings, provided the application is accompanied by a Comprehensive Development Plan or is in accordance with an approved Comprehensive Development 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 the following:</p> <ul style="list-style-type: none"> • The layout and orientation of built form, open spaces, roading pattern, car parking, and pedestrian and cycle access. • The bulk, location and external appearance of buildings and associated including the creation of active frontages adjacent to roads and public spaces. • The density and location of any proposed residential activity. • The location of any proposed commercial and community activity. 	<p>G</p> <p>C</p>

Comment [MSOffice79]: Sally and Clive Geddes (540), Scope Resources (342), Tim and Paula Williams (601), and Margaret Joan Williams (605).

JACKS POINT ZONE 41

Table 1	Activities Located Within the Jacks Point Zone	Activity Status
	<ul style="list-style-type: none"> • <u>Landscaping.</u> • <u>Streetscape design.</u> • <u>The formulation of design controls in relation to buildings, open space, and streetscapes and an appropriate legal mechanism to ensure their implementation.</u> • <u>Infrastructure and servicing, including traffic generation and effects on the safety and efficiency of the State Highway 6 road network at any intersections with the Jacks Point Zone.</u> • <u>The adequate provision of storage and loading/ servicing areas.</u> 	
	<p>41.4.7.2 <u>Any commercial, community, or visitor accommodation activity within the within the Jacks Point or Homestead Bay Village Activity Areas, including the addition, alteration or construction of associated buildings, which is undertaken in the absence of a resource consent having been granted under Rule 41.4.7.1 or which is not in accordance with a Comprehensive Development Plan approved as part of a resource consent under Rule 41.4.7.1.</u></p>	RD
	<p>41.4.7.3 <u>The use and development of land within the JP(V) Activity Area having more than one resource consent in effect at any one time in respect to Rule 41.4.7.1</u></p> <p><u>Discretion is restricted to the matters of control listed in 41.4.7.1 but only in relation to those aspects of the Comprehensive Development Plan proposal that differ from that already granted under Rule 41.4.7.1.</u></p>	RD
	<p><u>R(HD) and R(SH-HD) Activity Areas</u></p>	RD
	<p>41.4.7.4 <u>Commercial activities, and community activities and visitor accommodation, located within the R(HD)-A-D and R(SH-HD)1-3 Activity Areas, including the addition, alteration or construction of associated buildings.</u></p> <p><u>Discretion is restricted to all of the following matters listed in clause 41.4.7.1 above.</u></p> <ul style="list-style-type: none"> • <u>Location, scale and external appearance of buildings.</u> • <u>Setback from roads.</u> • <u>Setback from internal boundaries.</u> • <u>Traffic generation, including traffic generation and effects on the safety and efficiency of the State Highway 6 road network at any intersections with the Jacks Point Zone.</u> • <u>Vehicle access, street layout and car parking.</u> • <u>Street scene including landscaping.</u> • <u>Enhancement of ecological and natural values.</u> 	RD

Comment [MSOffice80]: Jacks Point Residential No. 2 (762), RCL (855), NZTA (719), Scope Resources (342), and the Jardine Family Trust and Remarkables Station Limited (715)

Comment [MSOffice81]: SG only - removed res as beyond

Comment [MSOffice88]: Missing from earlier version

Comment [MSOffice82]: Jacks Point Landowners, Sally and Clive Geddes (540), Tim and Paula Williams (601), Margaret Joan Williams (605) insofar as this rule is intended to retain the design control that exists in the ODP through the controlled status of the buildings and the requirement to lodge an Outline Development Plan.

Comment [MSOffice83]: Re-numbered.

Comment [MSOffice84]: Jacks Point Residential No.2 Ltd et al (762). Non substantive and to improve legibility and consistency with other chapters of the PDP.

Comment [MSOffice85]: Jacks Point Residential No. 2 (762), RCL (855), NZTA (719), Scope Resources (342), and the Jardine Family Trust and Remarkables Station Limited (715)

JACKS POINT ZONE 41

Table 1	Activities Located Within the Jacks Point Zone	Activity Status
	<p>including bars, restaurants, theatres, conference, cultural and community facilities and office and administration activities ancillary to the above activities, small-scale commercial activities including technology and innovation-based business, health activities, educational activities, office and administration activities, and indoor and outdoor recreation facilities; and commercial recreation activities.</p>	
41.4.9.4	<p>Education Precinct (E) – The use of this area is restricted to Educational and Day Care Facilities.</p>	
41.4.9.5	<p>Education Innovation Campus (EIC) – The use of this area is restricted to technology-based activities including commercial and medical research, laboratories, training, educational facilities, specialist health care and associated administrative, office, accommodation, retailing and recreation facilities.</p>	
41.4.9.6	<p>Lodge Activity Area (L) – the use of this area is restricted to visitor accommodation activities, restaurants and conference facilities.</p>	
41.4.9.7	<p>Home Site Activity Area (HS) – the use of this area is restricted to residential activities with a maximum of one residential unit per HS Activity Area.</p>	
41.4.9.8	<p>Farm Preserve (FP) – Activities in this area are limited to farming, farm buildings, fencing, trail formation, farm access tracks, recreation, mining, residential and visitor accommodation activities.</p>	
41.4.9.9	<p>Wetland (W) – Structures are 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>	
41.4.9.10	<p>Open Space Golf (OSG) – the use of this area is restricted to indigenous revegetation and outdoor recreation activities, including the development and operation of golf courses, including associated earthworks, green-keeping, driving range, administrative offices associated with golf, mining, sales and commercial instruction.</p>	
41.4.9.11	<p>Open Space Landscape (OSL) – activities in this area are limiting to farming, together with farm buildings, fencing, trail formation, mining, farm access tracks and recreation activities.</p>	
41.4.9.12	<p>Open Space Residential Amenity (OSA) – the use of this area is restricted to recreation amenities, playgrounds, landscaping, pedestrian and cycle trails, lighting, stormwater retention and underground services.</p>	
41.4.9.13	<p>Open Space – Horticultural (OSH) – the use of this area is restricted to horticultural activities and accessory</p>	

Comment [MSOffice92]: Jacks Point Residential No. 2 (762)

Comment [MSOffice93]: RCL (632)

Comment [MSOffice94]: Sally and Clive Geddes (540), Scope Resources (342), Tim and Paula Williams (601), and Margaret Joan Williams (605).

Comment [MSOffice95]: Jacks Point Landowners, Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), and JPROA (765).

Comment [MSOffice96]: Improved clarity only.

Comment [MSOffice97]: Removes inconsistency with Rule 42.4.5. Jacks Point Landowners, Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), and JPROA (765) as mining is at least restricted discretionary in the ODP.

Comment [MSOffice98]: Jacks Point Landowners, Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), and JPROA (765).

Comment [MSOffice99]: Jacks Point Landowners, Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), and JPROA (765).

JACKS POINT ZONE 41

Table 1	Activities Located Within the Jacks Point Zone	Activity Status
	<p style="text-align: center;">buildings and activities, and residential activities.</p> <p>41.4.9.14 Open Space – Foreshore (OSF) – the use of this area is restricted to the regeneration of native endemic species over 80% of the land area, and retention of open space.</p> <p>41.4.9.15 Open Space – Residential (OSR) – the use of this area is restricted to 12 low level, low impact residential units set within a regenerating foreshore environment.</p> <p>41.4.9.16 Farm Buildings and Craft Activity Area (FBA) – the use of this area is limited to the existing residence, farm buildings and buildings and activities associated with craft and farming related activities, retail sales of goods produced or reared on site, a farm stay and a bed and breakfast operation.</p> <p>41.4.9.17 Boating Facilities Activity Area (BFA) – the use of this area is limited to 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>Note: Buildings are also subject to Rule 41.4.3.</p>	
41.4.10	Factory Farming	NC
41.4.11	Forestry Activities All forestry activities, excluding harvesting of existing forestry which existed as at the date of notification of this District Plan (31 August 2016).	NC
41.4.12	<p>State Highway Mitigation</p> <p>The design of the State Highway mitigation within the location shown on the Structure Plan.</p> <p>Control is reserved to the following:</p> <ul style="list-style-type: none"> • The creation of a comprehensively designed landscape edge to the northern part of the zone; • 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; • Maintaining views across the zone to the mountains located against the western shores of Lake Wakatipu; • Appropriate plant species, height at planting and at maturity; and • Provision for on-going maintenance and ownership. 	C
41.4.13	Mining Activities With the exception of the mining of rock and/or aggregate and/or gravel provided for by Rule 41.4.5.	NC
41.4.14	Industrial Activities	NC

Comment [MSOffice100]: Jacks Point Landowners, Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), and JPROA (765).

Comment [MSOffice101]: Improved for clarification only

Comment [MSOffice102]: Jacks Point Landowners, Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), and JPROA (765).

This rule is from the plan change 44 decision

JACKS POINT ZONE 41

Table 1	Activities Located Within the Jacks Point Zone	Activity Status
41.4.15	Informal Airports	
	41.4.15.1 Informal Airports limited to the use of helicopters.	D
	41.4.15.2 The establishment and operation of all other Airport Activity or Aerodrome, including Informal Airports used by fixed wing aircraft.	NC
41.4.16	Informal Airports for emergency landings, rescues, fire-fighting and activities ancillary to farming activities.	P
41.4.17	Landfill	NC
41.4.18	Panelbeating, spraypainting, motor vehicle, repair of dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building, fish or meat processing, or any activity requiring an Offensive Trade Licence under the Health Act 1956.	PR
41.4.19	Fish or meat processing	PR
41.4.20	Any activity requiring an Offensive Trade Licence under the Health Act 1956.	PR

Comment [MSOffice103]: Non substantive to avoid duplication with Rule 41.4.1 (permitted activities)

Comment [MSOffice104]: Separated out the three activities captured by Rule 41.4.17 into three separate rules. Non substantive change to improve legibility and make consistent with other chapters, such as the Town Centres.

Comment [MSOffice105]: As above

Comment [MSOffice106]: As above

41.5 Rules - Standards

Table 2	Standards for activities located in the Jacks Point Zone	Non-compliance Status
41.5.1	Structure Plan - Activities	D
	<u>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 Table 1 - Activities located within the Jacks Point Zone or Rule 41.5 Table 2 - Standards for Activities:</u>	
	41.5.1.1 <u>Residential Activities Area (R) - Residential activities.</u>	
	41.5.1.2 <u>Residential State Highway R(SH) - Residential activities and the mitigation of development from the State Highway.</u>	
	41.5.1.3 <u>Rural Living (RL) - Residential activities</u>	
	41.5.1.4 <u>Village Area (V) - Residential and visitor accommodation activities including bars, restaurants, theatres, conference, cultural and community facilities and office and administration activities ancillary to the above activities, small-scale commercial activities including technology and innovation-based business, health activities, educational activities, office and administration activities, and indoor and outdoor recreation facilities; and commercial recreation activities.</u>	
	41.5.1.5 <u>Education Precinct (E) - Educational and day care</u>	

Comment [MSOffice107]: Rule has been moved from Table 41.4 and amended. All provisions in Table 2 have been renumbered accordingly

Comment [MSOffice108]: RCL (632)

Comment [MSOffice109]: Sally and Clive Geddes (540), Margaret Joan Williams (605), JPROA (765), Tim and Paula Williams (601), Alexander Schrantz (195), and Scope Resources (342).

Comment [MSOffice110]: Jacks Point Residential No. 2 (762)

Comment [MSOffice111]: RCL (632)

JACKS POINT ZONE 41

Table 2	Standards for activities located in the Jacks Point Zone	Non-compliance Status
	<p><u>facilities.</u></p> <p>41.5.1.6 <u>Lodge Activity Area (L) - Visitor accommodation activities, restaurants, and conference facilities.</u></p> <p>41.5.1.7 <u>Homesite Activity Area (HS) - Residential activities with a maximum of one residential unit per HS Activity Area.</u></p> <p>41.5.1.8 <u>Wetland (W) – 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.</u></p> <p>41.5.1.9 <u>Open Space Golf (OSG) – Indigenous revegetation and outdoor recreation activities, including the development and operation of golf courses, including associated earthworks, green keeping, driving range, administrative offices associated with golf, sales, and commercial instruction.</u></p> <p>41.5.1.10 <u>Open Space Landscape (OSL) – Pastoral and arable farming, endemic revegetation, and pedestrian and cycle trails. There shall be 1 residence accessory to farming activities provided for in the OSL adjacent to State Highway 6 within Lot 8 DP 443832.</u></p> <p>41.5.1.11 <u>Open Space Residential Amenity (OSA) – Recreation amenities, playgrounds, landscaping, pedestrian and cycle trails, lighting, stormwater retention, and underground services.</u></p> <p>41.5.1.12 <u>Open Space – Horticultural (OSH) – Horticultural activities and accessory buildings and activities, and residential activities.</u></p> <p>41.5.1.13 <u>Open Space - Foreshore (OSF) - The regeneration of native endemic species over 80% of the land area, and retention of open space. In the OSH, OSR, FBA and V(HD) Activity Areas, no residential units may be constructed until a revegetation plan, including species lists, planting density, and weed and pest control strategies is approved by Council for the gully area identified on the Structure Plan. This plan shall detail a five year planting programme, and a further five year maintenance plan. The goal of the programme shall be to achieve a self-sustaining colony of appropriate indigenous vegetation within ten years. There may be a walking/cycling track constructed within the gully. The plan shall commence execution within the first available planting season following its approval.</u></p>	

Comment [MSOffice112]: Improved clarity only.

Comment [MSOffice113]: Jacks Point Landowners, Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), and JPROA (765).

JACKS POINT ZONE 41

Table 2	Standards for activities located in the Jacks Point Zone	Non-compliance Status
	<p>41.5.1.14 <u>Open Space - Residential (OSR) - Twelve Forty one residential units set within a regenerating foreshore environment.</u></p> <p>41.5.1.15 <u>Farm Buildings and Craft Activity Area (FBA) – The existing residence, farm buildings and buildings and activities associated with craft and farming related activities, retail sales of goods produced or reared on site, a farm stay and a bed and breakfast operation.</u></p> <p>41.5.1.16 <u>Boating Facilities Activity Area (BFA) - 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.</u></p> <p><u>Note: Buildings are also subject to Rule 41.4.3.</u></p>	
41.5.2	<p>Standards for Building</p> <p><i>Open Space Horticulture:</i></p> <p>41.5.2.1 Within the Open Space - Horticultural (OSH) Activity Area:</p> <ol 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><i>Homesites and Rural Living:</i></p> <p>41.5.2.2 Within any Homesite Activity Area (HS Activity Area), buildings shall not exceed a total building footprint of 1,000m² within that Activity Area.</p> <p>41.5.2.3 <u>Within the Rural Living (RL) Activity Area, all buildings shall be located within an approved building platform.</u></p> <p>For rules 41.5.1.2.1, and 41.5.1.2.2, and 41.5.2.3 discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • The external appearance of buildings with respect to the effect on visual and landscape values of the area. • Associated earthworks and landscaping. • Bulk and location. • Visibility of the building from State Highway 6 and Lake Wakatipu. <p><i>Conservation Dwellings in Farm Preserve 1:</i></p> <p>41.5.1.3 Within the FP-1 Activity Area no residential unit shall be constructed on any site which has not been created in</p>	<p>RD</p> <p>RD</p> <p>RD</p>

Comment [MSOffice114]: The wording of these rules will be reconsidered in the mapping hearing in response to the submission from the Jardine Family Trust (715)

Comment [MSOffice115]: Jacks Point Landowners, Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), and JPROA (765).

Comment [MSOffice116]: Sally and Clive Geddes (540), Margaret Joan Williams (605), JPROA (765), Tim and Paula Williams (601), Alexander Schrantz (195), and Scope Resources (342).

Comment [MSOffice117]: Sally and Clive Geddes (540), Margaret Joan Williams (605), JPROA (765), Tim and Paula Williams (601), Alexander Schrantz (195), and Scope Resources (342).

Comment [MSOffice118]: Jacks Point Residential No.2 Ltd et al (762). Non substantive and to improve legibility and consistency with other chapters of the PDP.

JACKS POINT ZONE 41

Table 2	Standards for activities located in the Jacks Point Zone	Non-compliance Status
	<p>accordance with Subdivision Rule 27.8.9.2 Jacks Point Conservation Lots.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • The creation of open space. • Creation of conservation benefits. • Effects on landscape and amenity values. 	
41.5.3	<p>Vegetation</p> <p>41.5.3.1 Within the Highway Landscape Protection Area (refer Structure Plan) the planting and/or growing of any tree shall not obscure views from the State Highway to the mountain peaks beyond the zone.</p> <p>41.5.3.2 Within the Peninsula Hill Landscape Protection Area (refer Structure Plan) 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> <p>41.5.3.3 Within the Lakeshore Landscape Protection Area (refer Structure Plan) 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> <p>41.5.3.4 Within the Tablelands <u>Landscape Protection Area</u> (refer Structure Plan), there shall be no exotic vegetation planted and/or cultivated, with the exception of:</p> <ol 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"> • less than 0.5 metres in height; and • less than 20 square metres in area; and 	<p>D</p> <p>D</p> <p>D</p> <p>D</p>

Comment [MSOffice119]: Jacks Point Landowners, Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), and JPROA (765).

Comment [MSOffice120]: Jacks Point Landowners, Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), and JPROA (765).

Consistent with reply version of Chapter 21.

Comment [MSOffice121]: Non substantive for legibility only

Comment [MSOffice122]: Note: this has now been added to the Structure Plan, as it was on the legend in the notified version but missing from the actual plan.

JACKS POINT ZONE 41

Table 2	Standards for activities located in the Jacks Point Zone	Non-compliance Status
	<ul style="list-style-type: none"> • within 10 metres of a building; and • intended for domestic consumption. 	
	<p>41.5.3.5 No buildings shall be erected within a Homesite Activity Area (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 3,000m² or 20 per cent of the area of the lot or title within which the Homesite 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 Activity Area is located.</p>	D RD
	<p>41.5.3.6 On any site within a Residential Jacks Point Activity Area there shall be no shrub and tree planting with less than 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>Discretion is restricted <u>to the following</u>:</p> <p>a. any effects on nature conservation values.</p> <p>b. effects on landscape character and visual amenity</p>	RD
	<p>41.5.3.7 Within the OSR Activity Area, at least 50% 20% of any site shall be planted in native vegetation, prior to building.</p> <p>Discretion is restricted to any effects on nature conservation values.</p>	PR
	<p>41.5.3.8 Anywhere within the zone, there shall be no planting and/or growing of the following tree species:</p> <ul style="list-style-type: none"> • European larch (Larix decidua) • Sycamore <p>Also refer to the District Wide Chapter 34 Wilding Exotic Trees.</p>	RD
	<p>41.5.3.9 Except as provided for in (41.5.2.3.6) above, any native <u>revegetation</u> required to be <u>planted undertaken</u> within this Zone shall:</p> <p>a. Include species appropriate to the ecosystems of the area being planted.</p> <p>b. <u>Aim to Be capable of reaching 80% canopy closure for the ecosystem type being planted within five years of implementation.</u></p> <p>c. Have eradicated any invasive plant pests the time of planting. Ensure the ongoing eradication of all plant pests which might compete with the</p>	

Comment [MSOffice123]: Non substantive to improve legibility only

Comment [MSOffice124]: Jacks Point Landowners, Sally and Clive Geddes (540), Tim and Paula Williams (601), and Margaret Joan Williams (605).

Comment [MSOffice125]: Removes duplication with chapter 34 (Wilding Exotic Trees)

JACKS POINT ZONE 41

Table 2	Standards for activities located in the Jacks Point Zone	Non-compliance Status
	<p><u>planting.</u> d. <u>Ensure the planting is appropriately protected from animal pests.</u> e. Be maintained, with any plants that die or are diseased replaced. <u>Maintain the planting on an ongoing basis; replacing dead or diseased plants as necessary to reach compliance with (b) above.</u></p> <p>Discretion is restricted to any effects on nature conservation values.</p>	
41.5.4	<p>Structure Plan</p> <p>41.5.4.1 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> <p>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.</p> <p>b. Public Access Routes and Secondary Roads may be otherwise located and follow different alignments provided that any such alignment enables a similar journey.</p> <p>41.5.4.2 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.</p> <p>41.5.4.3 The boundaries of Open Spaces Areas are shown indicatively with their <u>and may be varied by up to 20m and the exact location and parameters to be established through the subdivision process.</u> Development prior to such subdivision occurring, which would preclude the creation of these open spaces, shall be deemed to be contrary to this rule.</p> <p>41.5.4.4 Within any open space area created by subdivision, in accordance with (Rules 41.5.3.4 and 27.7.11.18-9.4), there shall be no building.</p>	D
41.5.5	<p>Earthworks (excluding earthworks associated with a subdivision and 41.9(a) Homestead Bay – State Highway Earthworks)</p> <p>41.5.5.1 Volume of Earthworks</p> <p>The maximum total volume of earthworks (m³) shall not exceed that specified in the table below.</p> <p>a. The maximum total volume of earthworks shall be calculated per site, within one <u>any</u> consecutive 12 month</p>	RD

Comment [MSOffice126]: RCL (632).

Comment [MSOffice127]: RCL (632)

Comment [SG128]: For improved clarity (that the intention is not that earthworks is only allowed in one single 12 month period and is restricted discretionary thereafter). This was raised as a potential concern by the Panel

JACKS POINT ZONE 41

Table 2	Standards for activities located in the Jacks Point Zone	Non-compliance Status								
	<p>period.</p> <p>b. Volume shall mean the sum of all earth that is moved within a site and includes any combination of cut and fill, removing fill off-site and replacing fill on site – refer Interpretive Diagrams 5 (a), (b) and (c) of the Earthworks Chapter of the Operative District Plan.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 60%;">Activity Area</th> <th style="width: 40%;">Maximum Total Volume</th> </tr> </thead> <tbody> <tr> <td>Residential Activity Areas Village Village Homestead Bay Open Space Horticulture Open Space Residential Open Space Foreshore Farm Buildings and Craft Activity Area Boating Facilities Area</td> <td style="text-align: center;">500 m³</td> </tr> <tr> <td>Open Space Landscape Open Space Residential Amenity Farm Preserve 1 and 2 Homesite Rural Living</td> <td style="text-align: center;">1,000 m³</td> </tr> <tr> <td>Village Village Homestead Bay Open Space Golf Education Education Innovation Campus Lodge</td> <td style="text-align: center;">No maximum</td> </tr> </tbody> </table> <p>41.5.5.2 Height of cut and fill and slope</p> <p>a. OSL, OSG, OSA, FP 1 and 2, HS, E, EIC and L Activity Areas:</p> <p>(i) No road, track or access way shall have an upslope cut or batter greater than 1 metre in height, measured vertically.</p> <p>(ii) All cuts and batters shall be laid back such that their angle from the horizontal is no more than 65 degrees.</p> <p>(iii) The maximum height of any fill shall not exceed 2 metres <u>and, except in relation to road, tracks or accessways which shall comply with 41.5.5-4.2(a)(i) above, the maximum height of any cut shall not exceed 2.4 metres.</u></p> <p>b. All other Activity Areas:</p> <p>(i) The maximum height of any cut shall not exceed 2.4 metres.</p> <p>(ii) The maximum height of any fill shall not exceed 2 metres.</p> <p>(iii) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the</p>	Activity Area	Maximum Total Volume	Residential Activity Areas Village Village Homestead Bay Open Space Horticulture Open Space Residential Open Space Foreshore Farm Buildings and Craft Activity Area Boating Facilities Area	500 m ³	Open Space Landscape Open Space Residential Amenity Farm Preserve 1 and 2 Homesite Rural Living	1,000 m ³	Village Village Homestead Bay Open Space Golf Education Education Innovation Campus Lodge	No maximum	
Activity Area	Maximum Total Volume									
Residential Activity Areas Village Village Homestead Bay Open Space Horticulture Open Space Residential Open Space Foreshore Farm Buildings and Craft Activity Area Boating Facilities Area	500 m ³									
Open Space Landscape Open Space Residential Amenity Farm Preserve 1 and 2 Homesite Rural Living	1,000 m ³									
Village Village Homestead Bay Open Space Golf Education Education Innovation Campus Lodge	No maximum									

Comment [MSOffice129]: Jacks Point Residents No. 2 et al (762)

Comment [MSOffice130]: Added clarity and consistency only

Comment [MSOffice131]: Sally and Clive Geddes (540), Margaret Joan Williams (605), JPROA (765), Tim and Paula Williams (601), Alexander Schrantz (195), and Scope Resources (342).

Comment [MSOffice132]: Jacks Point Residents No. 2 et al (762)

Comment [MSOffice133]: Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605).

Comment [MSOffice134]: Non substantive consequential amendment. Jacks Point Landowners, Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), and JPROA (765).

Comment [MSOffice135]: Sally and Clive Geddes (540), Scope Resources (342), Tim and Paula Williams (601), and Margaret Joan Williams (605).

Comment [MSOffice136]: Wild Grass Partnership (567), Jacks Point Landowners, Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), and JPROA (765).

JACKS POINT ZONE 41

Table 2	Standards for activities located in the Jacks Point Zone	Non-compliance Status
	<p style="text-align: center;">toe of the fill from the site boundary (see Interpretative Diagram 6 of the Earthworks Chapter of the Operative District Plan), except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5 metre in height.</p> <p>41.5.5.3 Fill</p> <p>a. All fill for residential building platforms and associated retaining walls is to be in accordance with the requirements of NZS 4404:2010 and/or NZS 4431:1989 as appropriate.</p> <p>41.5.5.4 Environmental Protection Measures</p> <p>a. Any person carrying out earthworks shall implement sediment and erosion control measures to avoid sediment effects beyond the boundary of the site.</p> <p>b. Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site.</p> <p>c. Areas of exposed soil are to be vegetated / re-vegetated within 12 months from the completion of works.</p> <p>41.5.5.5 Water bodies</p> <p>a. Earthworks within 7m of the bed of any water body shall not exceed 20m³ in total volume, <u>except any man made water body (e.g. Lake Tewa) within one any consecutive 12 month period.</u></p> <p>b. Any material associated with earthworks activity shall not be positioned within 7m of the bed of any water body or where it may dam, divert or contaminate water.</p> <p>c. Earthworks shall not:</p> <ul style="list-style-type: none"> • cause artificial drainage of any groundwater aquifer; • cause temporary ponding of any surface water. <p>41.5.5.6 Cultural heritage and archaeological sites</p> <p>a. Earthworks shall not modify, damage or destroy any waahi tapu, waahi taonga or identified feature in Chapter 26, or any archaeological site.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • The nature and scale of the earthworks • Environmental protection measures • Remedial works and revegetation • The effects on landscape and visual amenity values 	

Comment [MSOffice137]: Jacks Point Residents No. 2 et al (762)

Comment [SG138]: For improved clarity (that the intention is not that earthworks is only allowed in one single 12 month period and is restricted discretionary thereafter). This was raised as a potential concern by the Panel

Comment [MSOffice139]: Jacks Point Residential No.2 Ltd et al (762). Non substantive and to improve legibility and consistency with other chapters of the PDP.

JACKS POINT ZONE 41

Table 2	Standards for activities located in the Jacks Point Zone	Non-compliance Status
	<ul style="list-style-type: none"> The effects on land stability and flooding The effects on water bodies The effects on cultural and archaeological sites Noise 	
41.5.6	<p>Setbacks from roads and internal boundaries, <u>zone boundaries, and activity area boundaries</u></p> <p>41.5.6.1 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>41.5.6.2 Buildings for all activities, except for buildings <u>in the Village Activity Area or</u> located on sites smaller than 550 <u>380m²</u> and created pursuant to subdivision Rules 27.6.1 <u>and 27.7.11.3</u>, shall be subject to the following <u>minimum internal</u> setback rules:</p> <ol style="list-style-type: none"> Two setbacks of 4.5m, with all remaining setbacks of 2m; or One setback of 6m, one setback of 3.5m and all other setbacks of 2m; <u>except that</u> <u>In the Residential (Hanley Downs) Activity Areas, there shall be one internal setback of 4.5m with all remaining internal setbacks of 2m and a road set back of at least 3m, provided that any garage is set back at least 4.5m from the road boundary.</u> <p>41.5.6.3 Except that:</p> <ol style="list-style-type: none"> Any building 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; 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, <u>except that garages may not encroach into the road setback in the Residential (Hanley Downs) Activity Area;</u> No setbacks are required when buildings share a common wall at the boundary. <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> Bulk, height and proximity of the building façade to the boundary. The impact on neighbours' amenity values. <u>Loss of daylight.</u> 	RD

Comment [MSOffice140]: Non substantive and only to improve legibility in that notified Rule 41.5.5.1 relates to a setback from the zone boundary

Comment [MSOffice141]: Reflects recommended new rule 41.5.5.5 for improved legibility. Wild Grass Partnership (567).

Comment [MSOffice142]: RCL (632)

Comment [MSOffice143]: RCL (632) Jacks Point Landowners, Sally and Clive Geddes (540), Tim and Paula Williams (601), Margaret Joan Williams (605).

Comment [MSOffice144]: Non substantive change

Comment [MSOffice145]: Jacks Point Landowners. Amended for improved clarity and to be consistent with the Jacks Point guidelines.

Comment [MSOffice146]: Non substantive change - combining rules 41.5.6.2 and 41.5.6.5 to avoid conflicting rules which has arisen by having relaxed the minimum road setback from 4.5 m to 3.0 m

Comment [MSOffice147]: RCL (632)

Comment [MSOffice148]: Consequential amendment of combining rules 41.5.6.2 and 41.5.6.5 for improved clarity.

Comment [MSOffice149]: Jacks Point Residential No.2 Ltd et al (762). Non substantive and to improve legibility and consistency with other chapters of the PDP.

JACKS POINT ZONE 41

Table 2	Standards for activities located in the Jacks Point Zone	Non-compliance Status
	<ul style="list-style-type: none"> • <u>Access to sunlight.</u> <p>41.5.6.4 <u>In the all Residential (Hanley Downs) Activity Areas:</u></p> <ol style="list-style-type: none"> a. <u>For commercial activities, community activities and visitor accommodation, buildings shall be set back at least 3 m from any road boundary.</u> b. <u>For all other activities, except for residential activities on sites smaller than 550380m² and created by subdivision pursuant to Rule 27.7.11.3, buildings shall be set back at least 3 m 4.5m from any road boundary, provided that any garage is set back at least 4.5 m from any road boundary.</u> <p><u>Discretion is restricted to all of the following:</u></p> <ul style="list-style-type: none"> • <u>Bulk, height.</u> • <u>Proximity on residential amenity values.</u> • <u>Loss of daylight.</u> • <u>Access to sunlight.</u> <p>41.5.6.5 <u>In the most eastern of the three areas of Lodge Activity Area denoted as L(3) on the Structure Plan, buildings and structures shall be set back a minimum of 10 m from the activity area boundary.</u></p> <p><u>Discretion is restricted to the following:</u></p> <ul style="list-style-type: none"> • <u>The external appearance of buildings and outdoor car parking areas with respect to the effects on visual and landscape values</u> • <u>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.</u> 	
41.5.7	<p>Access to the State Highway</p> <p>41.5.7.1 Access from State Highway 6 shall be only at the intersections at Maori Jack Road, <u>and Woolshed Road, Airport Access, Homestead Bay Access and in a third location as approved by RM160562, as shown on the Structure Plan.</u></p> <p>41.5.7.2 <u>No more than 500 residential units may be built within the R(HD) and R(SH-HD) Activity Areas without the Woolshed Road intersection being completed and available for use.</u></p> <p>41.5.7.3 <u>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</u></p>	RD

Comment [MSOffice150]: Consequential amendment of combining rules 41.5.6.2 and 41.5.6.5 for improved clarity.

Comment [MSOffice151]: RCL (632) Jacks Point Landowners, Sally and Clive Geddes (540), Tim and Paula Williams (601), Margaret Joan Williams (605).

Comment [MSOffice152]: RCL (632)

Comment [MSOffice153]: Jacks Point Residential No.2 Ltd et al (762). Non substantive and to improve legibility and consistency with other chapters of the PDP.

Comment [MSOffice154]: Non substantive change of combining rules 41.5.6.2 and 41.5.6.5 for improved clarity.

Comment [MSOffice155]: Non substantive for added clarity only

Comment [MSOffice156]: Wild Grass Partnership (567).

Comment [MSOffice157]: Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), and Margaret Joan Williams (605), Wild Grass Partnership (567). Matters of discretion were inadvertently omitted in the S42A version.

Comment [MSOffice158]: RCL (855)

JACKS POINT ZONE 41

Table 2	Standards for activities located in the Jacks Point Zone	Non-compliance Status										
	<p style="text-align: center;"><u>(refer Advisory Note below)</u></p> <p>Discretion is restricted to the safe and efficient functioning of the road network.</p> <p><u>Advice Notes:</u></p> <p>i. <u>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.</u></p> <p>ii. <u>The upgrade of the intersection of Woolshed Road and State Highway 6 will require approval from the NZ Transport Agency.</u></p> <p>41.5.7.4 As shown on the Structure Plan: The Airport Access onto the State Highway shall not exceed a New Zealand Transport Agency Diagram D – Special Use Access.</p>											
41.5.8	<p>Fencing</p> <p>41.5.8.1 There shall be no fences or walls within the boundary of any lot or title within the Tablelands <u>Landscape Protection Area</u> (refer Structure Plan) outside of any Homesite Activity Area (HS Activity Area) <u>or approved building platform</u>, 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.</p> <p>41.5.8.2 In the R(HD) and R(HD-SH) Activity Areas, except for sites smaller than 550 <u>380</u>m² and created by subdivision, <u>solid fences located within a setback from a road shall be no higher than 1.5m in height, except that a fence of up to 1.8m in height may be erected within the road setback for a maximum of 1/2 of the length of the road boundary of the site and shall exceed no more than 50% of the frontage of the property.</u></p> <p><u>Advice Note: The remaining length of frontage may be fenced using a visually transparent/ permeable material or planted if desired.</u></p>	D										
41.5.9	<p>Density</p> <p>41.5.9.1 The average density of residential units within each of the Residential Activity Areas shall be as follows:</p> <table style="margin-left: 40px;"> <tr> <td>R(JP) – 1</td> <td>13.08 <u>13.08</u> – 18.67 <u>18.67</u> per Ha</td> </tr> <tr> <td>R(JP) – 2A</td> <td>13.62 <u>13.62</u> - 33.33 <u>33.33</u> per Ha</td> </tr> <tr> <td>R(JP) – 2B</td> <td>14.04 <u>14.04</u> - 14.85 <u>14.85</u> per Ha</td> </tr> <tr> <td>R(JP) – 3</td> <td>14.18 <u>14.18</u> per Ha</td> </tr> <tr> <td>R(JP-SH) – 1</td> <td>40 <u>40</u> 9.64 <u>9.64</u> per Ha</td> </tr> </table>	R(JP) – 1	13.08 <u>13.08</u> – 18.67 <u>18.67</u> per Ha	R(JP) – 2A	13.62 <u>13.62</u> - 33.33 <u>33.33</u> per Ha	R(JP) – 2B	14.04 <u>14.04</u> - 14.85 <u>14.85</u> per Ha	R(JP) – 3	14.18 <u>14.18</u> per Ha	R(JP-SH) – 1	40 <u>40</u> 9.64 <u>9.64</u> per Ha	RD
R(JP) – 1	13.08 <u>13.08</u> – 18.67 <u>18.67</u> per Ha											
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R(JP) – 3	14.18 <u>14.18</u> per Ha											
R(JP-SH) – 1	40 <u>40</u> 9.64 <u>9.64</u> per Ha											

Comment [MSOffice159]: Jacks Point Residential No. 2 (762)

Comment [MSOffice160]: Non substantive for legibility only

Comment [MSOffice161]: Sally and Clive Geddes (540), Margaret Joan Williams (605), JPROA (765), Tim and Paula Williams (601), Alexander Schrantz (195), and Scope Resources (342). Related to adding the RL Activity Area.

Comment [MSOffice162]: RCL (632) Jacks Point Landowners, Sally and Clive Geddes (540), Tim and Paula Williams (601), Margaret Joan Williams (605).

Comment [MSOffice163]: RCL (632)

Comment [MSOffice164]: RCL (632)

JACKS POINT ZONE 41

Table 2	Standards for activities located in the Jacks Point Zone	Non-compliance Status
	<p>R(JP-SH) – 2 9 8.85 per Ha R(JP-SH) – 3 5 4.85 - 26.61 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) - 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 -15 per Ha R(HD) – G 2 - 10 per Ha</p> <p><u>R(HB)D & E 10-15 per Ha</u></p> <p><u>R(HB-SH) A – C 10-15 per Ha</u></p> <p><u>RL 2 per Ha</u></p> <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. <u>Within the Residential Areas of Henley 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 41.5.98.1 above.</u></p> <p>41.5.9.2 Except that this rule shall not apply to:</p> <p> a. A single residential unit on any site contained within a separate certificate of title.</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • Residential amenity values. • Traffic, access, parking. • Adequacy of infrastructure. 	
41.5.10	<p>Scale of Commercial Activity</p> <p>41.5.10.1 The maximum net floor area (as defined) for any single commercial activity (as defined in chapter 2) shall be 200m², except that this does not apply within the EIC Activity Area.</p> <p>41.5.9.2 The maximum net floor area for any single retail activity within the EIC Activity Area shall be 200m².</p> <p>41.5.10.2 The total floor space gross floor area of all commercial activities, excluding associated car parking, in the R(HD) A to E Activity Areas shall not exceed 550m² across all areas.</p>	<p>D</p> <p>D</p> <p>NC</p> <p>D</p>

Comment [MSOffice165]: Jacks Point Residents No. 2 et al (856)

Comment [MSOffice166]: Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), and Margaret Joan Williams (605).

Comment [MSOffice167]: Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), and Margaret Joan Williams (605).

Comment [MSOffice168]: Jacks Point Residents No. 2 et al (856). NB - it may be that for both the Hanley Downs and Jacks Point residential areas can be subject to this last sentence and the preceding one removed. It needs to be clear the average is calculated for each AA (1, 2, etc.) and not for all R(JP) areas collectively.

Comment [MSOffice169]: QLDC (383)

Comment [MSOffice170]: Jacks Point Residential No.2 Ltd et al (762). Non substantive and to improve legibility and consistency with other chapters of the PDP.

Comment [MSOffice171]: Non substantive; for added clarity only

Comment [MSOffice172]: Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), and Margaret Joan Williams (605). The Jacks Point Landowners submissions also relevant insofar as the recommendation not to create the EIC will assist the commercial viability of the Jacks Point village

Comment [MSOffice173]: Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), and Margaret Joan Williams (605). The Jacks Point Landowners submissions also relevant insofar as the recommendation not to create the EIC will assist the commercial viability of the Jacks Point village

Comment [MSOffice174]: Improved legibility only.

Comment [MSOffice175]: Non substantive; for added clarity only

Comment [MSOffice176]: Non substantive, for improved legibility only. Jacks Point Landowners (regarding making the Jacks Point village commercially viable).

JACKS POINT ZONE 41

Table 2	Standards for activities located in the Jacks Point Zone	Non-compliance Status
	<p>41.5.10.3 <u>The total gross area of land that can be developed for commercial activities within the V (JP) Activity Area shall not exceed 9.9-2.12 hectares.</u></p> <p>41.5.10.4 <u>The total gross area of land that can be developed for floor space of all commercial activities within the V (HB) Activity Area shall not exceed 2.1 hectares 28,000m².</u></p> <p><u>For the purpose of rules 41.5.10.3 and 41.5.10.4, commercial activities are as defined in Chapter 2 but excludes markets, showrooms, professional, commercial and administrative offices, service stations, and motor vehicle sales. Advice note: the definition includes the car parking associated with the commercial activity.</u></p>	D
41.5.11	<p>Building Colours</p> <p>Any building shall result in:</p> <p>41.5.11.1 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%</p> <p>41.5.11.2 Roof colours with a light reflectance value of 20% or less, and in the range of browns, greys and black</p>	D
41.5.12	<p>In the OSH, OSR, FBA and V(HB) 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> <p><u>41.5.12.1 No residential units shall be constructed within R(HB) D & R(HB-SH) A – C Activity Areas until Highway Mitigation Works are completed in accordance with:</u></p> <ul style="list-style-type: none"> • <u>“Homestead Bay State Highway Earthworks”, Job No. 12471, Drawing No. EW_001, Rev. B & dated Feb 17;</u> • <u>“Landscape Berm Conceptual Layout”, Ref: 1171-L1 & dated April 20, 2017;</u> • <u>“Landscape Berm Planting Concept”, Ref: 1171-L2 & dated April 20, 2017.</u> <p><u>41.5.12.2 Only 244 residential lots, or non-residential activity that is projected to generate the equivalent traffic volumes, may be built within the Homestead Bay Area of the Jacks Point Zone and utilise Maori Jack Road.</u></p>	NC

Comment [MSOffice177]: For consistency with the way the limit is expressed in rule 41.5.9.3 above. Scope derives from the 21,500m² allowable coverage area in the ODP

JACKS POINT ZONE 41

Table 2	Standards for activities located in the Jacks Point Zone	Non-compliance Status
41.5.13	<p>Building Height</p> <p>41.5.13.1 In the Lodge (L) Activity Area, the maximum height of any building shall be 5m.</p> <p>Council's discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> • Visual dominance. • External Appearance. • The scale and extent of the portions that exceed 5m. <p>41.5.13.2 The maximum height of buildings shall be:</p> <p>a. Homestead Bay Village (V-HB) Activity Areas and comprising no more than 2 storeys, where the ground floor is proposed for commercial activity 10 m</p> <p>b. Jacks Point Village (V-JP) Activity Area and comprising no more than 3 storeys, where the ground floor is proposed for commercial activity 12 m</p> <p>c. Farm buildings 40 8m</p> <p>d. Residential (R) Activity Areas 8m</p> <p>e. Farm Buildings and Craft (FBA) Activity Area 8m</p> <p>f. Farm Preserve (FP-1) and (FP-2) Activity Areas 8m</p> <p>g. Education Precinct (E) and Education Innovation Campus (EIC) Activity Areas 10m</p> <p>h. Open Space Golf (OSG) and Open Space landscape (OSL) Activity Areas, other than farm buildings 8 4m</p> <p>i. Lodge (L) Activity Areas 7.5m</p> <p>j. Homesite and Rural Living Activity Areas 5m</p> <p>k. All other buildings and structures (excluding temporary filming towers erected during an event and for no more than 7 days either side of an event) 4m</p> <p><u>l. Open Space Residential Amenity (OSA) and Open Space Landscape (OSL) limited to one residence within Lot 8 DP 443832</u> 8m</p> <p>t.m. <u>Homestead Bay R(HB-SH) A – C: The maximum height of any building shall not exceed the Registered Level directly above that point. For the purposes of this rule "Registered Level" (RL) means the height above sea level as specified on the Structure Plan 41.10.</u></p> <p>41.5.13.3 The maximum height for any building shall be</p>	<p>RD</p> <p>NC</p> <p>NC</p> <p>NC</p>

Comment [MSOffice178]: Jacks Point Residential No.2 Ltd et al (762). Non substantive and to improve legibility and consistency with other chapters of the PDP.

Comment [MSOffice179]: Jacks Point landowners in that this restriction will help assist with the commercial viability of the Jacks Point Village. Also, a separate rule is required as the two villages now have a different height limit

Comment [MSOffice180]: Jacks Point Residential No.2 Ltd et al (762), Jacks Point Landowners.

Comment [MSOffice181]: Jacks Point Residential No.2 Ltd et al (762)

Comment [MSOffice182]: Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), and the Jacks Point Landowners

Comment [MSOffice183]: Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), and the Jacks Point Landowners.

Comment [MSOffice184]: Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), and the Jacks Point Landowners.

Comment [MSOffice185]: Sally and Clive Geddes (540), Margaret Joan Williams (605), JPROA (765), Tim and Paula Williams (601), Alexander Schrantz (195), and Scope Resources (342).

Comment [MSOffice186]: Removes duplication with chapter 35 (temporary activities) and potential inconsistency in interpretation.

JACKS POINT ZONE 41

Table 2	Standards for activities located in the Jacks Point Zone	Non-compliance Status																																																																												
	<p>measured from ground level, measured at any point, to the highest part of the building immediately above that point, except in the Homesite Activity Areas (HS Activity Areas), where the maximum height shall be 5m above the datum level specified for each Homesite, as follows:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Homesite</th> <th style="width: 20%;">Datum (masl)</th> <th style="width: 15%;">Homesite</th> <th style="width: 20%;">Datum (masl)</th> </tr> </thead> <tbody> <tr><td>HS1</td><td>372.0</td><td>HS19</td><td>372.0</td></tr> <tr><td>HS2</td><td>381.0</td><td>HS20</td><td>377.2</td></tr> <tr><td>HS3</td><td>381.0</td><td>HS21</td><td>372.5</td></tr> <tr><td>HS4</td><td>377.0</td><td>HS22</td><td>374.0</td></tr> <tr><td>HS5</td><td>388.0</td><td>HS23</td><td>371.5</td></tr> <tr><td>HS6</td><td>382.0</td><td>HS24</td><td>372.4</td></tr> <tr><td>HS7</td><td>379.0</td><td>HS25</td><td>373.0</td></tr> <tr><td>HS8</td><td>386.5</td><td>HS26</td><td>378.1</td></tr> <tr><td>HS9</td><td>389.0</td><td>HS27</td><td>388.0</td></tr> <tr><td>HS10</td><td>395.0</td><td>HS28</td><td>392.6</td></tr> <tr><td>HS11</td><td>396.0</td><td>HS29</td><td>385.5</td></tr> <tr><td>HS12</td><td>393.0</td><td>HS30</td><td>395.9</td></tr> <tr><td>HS13</td><td>399.0</td><td>HS31</td><td>393.7</td></tr> <tr><td>HS14</td><td>403.0</td><td>HS32</td><td>384.8</td></tr> <tr><td>HS15</td><td>404.0</td><td>HS33</td><td>385.8</td></tr> <tr><td>HS16</td><td>399.5</td><td>HS34</td><td>399.0</td></tr> <tr><td>HS17</td><td>394.5</td><td>HS35</td><td>405.0</td></tr> <tr><td>HS18</td><td>392.5</td><td>HS36</td><td>400.3</td></tr> </tbody> </table> <p>41.5.13.4 Within the R(HD) and R(HD-SH) Activity Areas:</p> <p>a. In addition to the maximum height of buildings above, within all R(HD) Activity Areas, except for:</p> <ul style="list-style-type: none"> • Sites smaller than 550 380m² created by subdivision; • A medium density residential development consented under Rule 41.4.6; <p><u>On flat sites</u>, no part of any building shall protrude through a the following recession lines inclined towards the site at an angle of 45° and commencing at 2.5m above ground level at any given point along any internal site boundary:</p> <p>(i) Northern Boundary: 2.5m and 55 degrees.</p> <p>(ii) Western and Eastern Boundaries: 2.5m and 45 degrees.</p> <p>(iii) Southern Boundaries: 2.5m and 35 degrees.</p> <p><u>Except that:</u></p> <p>(iv) Gable end roofs may penetrate the building recession plane by no more than one third of the gable height.</p> <p>b. A gable or dormer may encroach beyond the recession lines where it is:</p> <ul style="list-style-type: none"> • no greater than 1m in height and width measured parallel to the nearest adjacent boundary • no greater than 1m in depth measured horizontally at 	Homesite	Datum (masl)	Homesite	Datum (masl)	HS1	372.0	HS19	372.0	HS2	381.0	HS20	377.2	HS3	381.0	HS21	372.5	HS4	377.0	HS22	374.0	HS5	388.0	HS23	371.5	HS6	382.0	HS24	372.4	HS7	379.0	HS25	373.0	HS8	386.5	HS26	378.1	HS9	389.0	HS27	388.0	HS10	395.0	HS28	392.6	HS11	396.0	HS29	385.5	HS12	393.0	HS30	395.9	HS13	399.0	HS31	393.7	HS14	403.0	HS32	384.8	HS15	404.0	HS33	385.8	HS16	399.5	HS34	399.0	HS17	394.5	HS35	405.0	HS18	392.5	HS36	400.3	<p>NC</p> <p>NC RD</p>
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Comment [MSOffice192]: RCL (632)

Comment [MSOffice187]: RCL (632) Jacks Point Landowners, Sally and Clive Geddes (540), Tim and Paula Williams (601), Margaret Joan Williams (605).

JACKS POINT ZONE 41

Table 2	Standards for activities located in the Jacks Point Zone	Non-compliance Status
	<p style="text-align: center;">90 degrees to the nearest adjacent boundary.</p> <p>(v) A recession line restriction shall not apply to accessory buildings or common walls shared at a boundary and parts of buildings that do not extend beyond the length of that wall.</p> <p><u>Advice Note: Refer to Definitions for detail of the interpretation of recession planes.</u></p> <p><u>Discretion is restricted to the following:</u></p> <ul style="list-style-type: none"> • <u>Privacy effects.</u> • <u>Access to sunlight and the impacts of shading.</u> • <u>Effects upon access to views of significance.</u> • <u>Visual dominance and external appearance.</u> <p>41.5.13.5 For:</p> <p>a. Any non-residential activity consented under Rule 41.4.9.</p> <p>a. Any medium density residential housing development consented under Rule 41.4.6.</p> <p>b. Sites smaller than 550 380m² created by subdivision.</p> <p>the maximum height of buildings may exceed the maximum height stated in (a) above, up to a maximum of 3 storeys or 10m (whichever is lesser).</p> <p>Notwithstanding the height limit in Clause (a) above, for any commercial activity located within the EIC Activity Area, consented under Rule 41.4.7, the maximum height of any building shall be 15m.</p>	
41.5.14	<p>Glare</p> <p>41.5.14.1 All fixed lighting shall be directed away from adjacent roads and properties.</p> <p>41.5.14.2 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.</p>	NC
41.5.15	<p>Servicing</p> <p>41.5.15.1 All dwellings shall connect to reticulated infrastructure for the provision of a water supply, wastewater disposal, power and telecommunications. Except this rule does not apply to dwellings located within Activity Areas FP-1 and FP-2.</p> <p>41.5.15.2 All services, with the exception of stormwater systems, shall be reticulated underground.</p>	NC NC
41.5.16	<p>Building Coverage</p> <p>41.5.16.1 On any site within the R(JP), R(JP-SH) and E Activity Areas, buildings shall not exceed a</p>	RD

Comment [MSOffice188]: RCL (631) and also for consistency with similar rules elsewhere in the PDP

Comment [MSOffice189]: Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), and the Jacks Point Landowners.

Comment [MSOffice190]: RCL (632)

Comment [MSOffice191]: Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), and the Jacks Point Landowners (insofar as this will assist the commercial viability of the Jacks Point village).

Comment [MSOffice193]: Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), and the Jacks Point Landowners.

JACKS POINT ZONE 41

Table 2	Standards for activities located in the Jacks Point Zone	Non-compliance Status
	Discretion is restricted to the matters listed in <u>Rule (41.5.165-1)-above.</u>	
41.5.17	<p>Outside storage and non-residential activities</p> <p>41.5.17.1 <u>In relation to non-residential activities,</u> no goods, materials or equipment shall be stored outside a building, except for vehicles associated with the activity parked on the site overnight.</p> <p>41.5.17.2 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.</p> <p>Except within the Village Activity Areas, where outside storage and activities are permitted.</p>	NC
41.5.18	<p>Location of Retail Activities</p> <p>41.5.18.1 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
41.5.19	<p>Temporary and Permanent Storage of Vehicles</p> <p>Within the Tablelands <u>Landscape Protection Area</u> (refer Structure Plan), but excluding the Homesite and Lodge Activity Areas (HS) and (L) Activity Areas, there shall be no temporary or permanent siting of:</p> <ul style="list-style-type: none"> • Motor vehicles, trailers, caravans, boats or similar objects; • Storage containers, workshops, offices, sheds, huts or similar structures (other than public toilets and shelter); and • Scaffolding or similar construction materials; <p>Except for temporary filming towers erected during an event and for no more than 7 days either side of an event.</p>	NC
41.5.20	<p>Wetlands</p> <p>There shall be no development, landscaping, and/or earthworks within 7 metres of any Wetland area identified on the Structure Plan, <u>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.</u></p>	NC
41.5.21	<p><u>Farm buildings within the Open Space Landscape Activity Area</u></p> <p><u>The construction, replacement or extension of a farm building within the Open Space Landscape Activity Area where the following standards are not met:</u></p> <p>41.5.21.1 <u>The landholding the farm building shall be located within is greater than 100 ha; and</u></p> <p>41.5.21.2 <u>The density of all buildings on the landholding site,</u></p>	RD

Comment [MSOffice199]: Non substantive and consequent change resulting from re-numbering

Comment [MSOffice200]: Consistent with other chapters of the District Plan this rule is aimed at ensuring avoiding adverse effects of non-residential activities and in particular, home occupations

Comment [MSOffice201]: Non substantive for legibility only

Comment [MSOffice202]: Jacks Point Residential No.2 et al (762)

Comment [SG203]: Sally and Clive Geddes (540), Margaret Joan Williams (605), JPROA (765), Tim and Paula Williams (601), Alexander Schrantz (195), and Scope Resources (342).

JACKS POINT ZONE 41

Table 2	Standards for activities located in the Jacks Point Zone	Non-compliance Status
	<p><u>inclusive of the proposed building(s) does not exceed one farm building per 50 hectares on the site; and</u></p> <p>41.5.21.3 <u>If located within the Peninsula Hill Landscape Protection Area or the Lakeshore Landscape Protection Area, the farm building shall be less than 4m in height and the ground floor area shall be no greater than 100m²; and</u></p> <p>41.5.21.4 <u>If located elsewhere, the farm building shall be less than 5m in height and the ground floor area shall be no greater than 300m²; and</u></p> <p>41.5.21.5 <u>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.</u></p> <p><u>Discretion is restricted to the extent to which the scale and location of the farm building is appropriate in terms of:</u></p> <ul style="list-style-type: none"> • <u>Rural amenity values.</u> • <u>Landscape character.</u> • <u>Privacy, outlook, and rural amenity from adjoining properties.</u> • <u>Visibility, including lighting.</u> • <u>Scale.</u> • <u>Location.</u> 	
41.5.22	<p><u>State Highway Noise</u></p> <p><u>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.</u></p> <p><u>Discretion is restricted to health and residential amenity</u></p>	RD

Comment [SG204]: As recommended in the chapter 36 - Noise reply, this has been relocated to Jacks Point zone chapter for consistency and structural reasons, as the other residential chapters will contain noise rules associated with SH setbacks. This is outlined in Mr Ferguson's evidence dated 3 February 2017.

Comment [SG205]: Non substantive for legibility only

41.6 Non-Notification of Applications

41.6.1 Any application for resource consent for controlled activities shall not require the written consent of other persons and shall not be notified or limited-notified.

41.6.2 Any application for resource consent for the following restricted discretionary activities shall be considered without public notification

JACKS POINT ZONE 41

but notice shall be served on those persons considered to be adversely affected if the written approval has not been obtained:

- 41.6.2.1 ~~Rule 41.4.3.3 Residential Units in the FP 2 Activity Area and Visitor Accommodation within FP 1 and FP 2 Activity Areas~~
- 41.6.2.2 Rule 41.4.7 Commercial activities, community and visitor accommodation
- 41.6.2.3 Rule 41.4.8 Sale of Liquor
- 41.6.2.4 Rule 41.5.56 Setbacks from Roads and Internal Boundaries
- 41.6.2.5 Rule 41.5.67 Access to the State Highway, only in respect of the New Zealand Transport Agency
- 41.6.2.6 ~~Rule 41.4.3.1 Buildings (including the addition, alteration or construction of buildings) located within the Lodge Activity Areas (L).~~

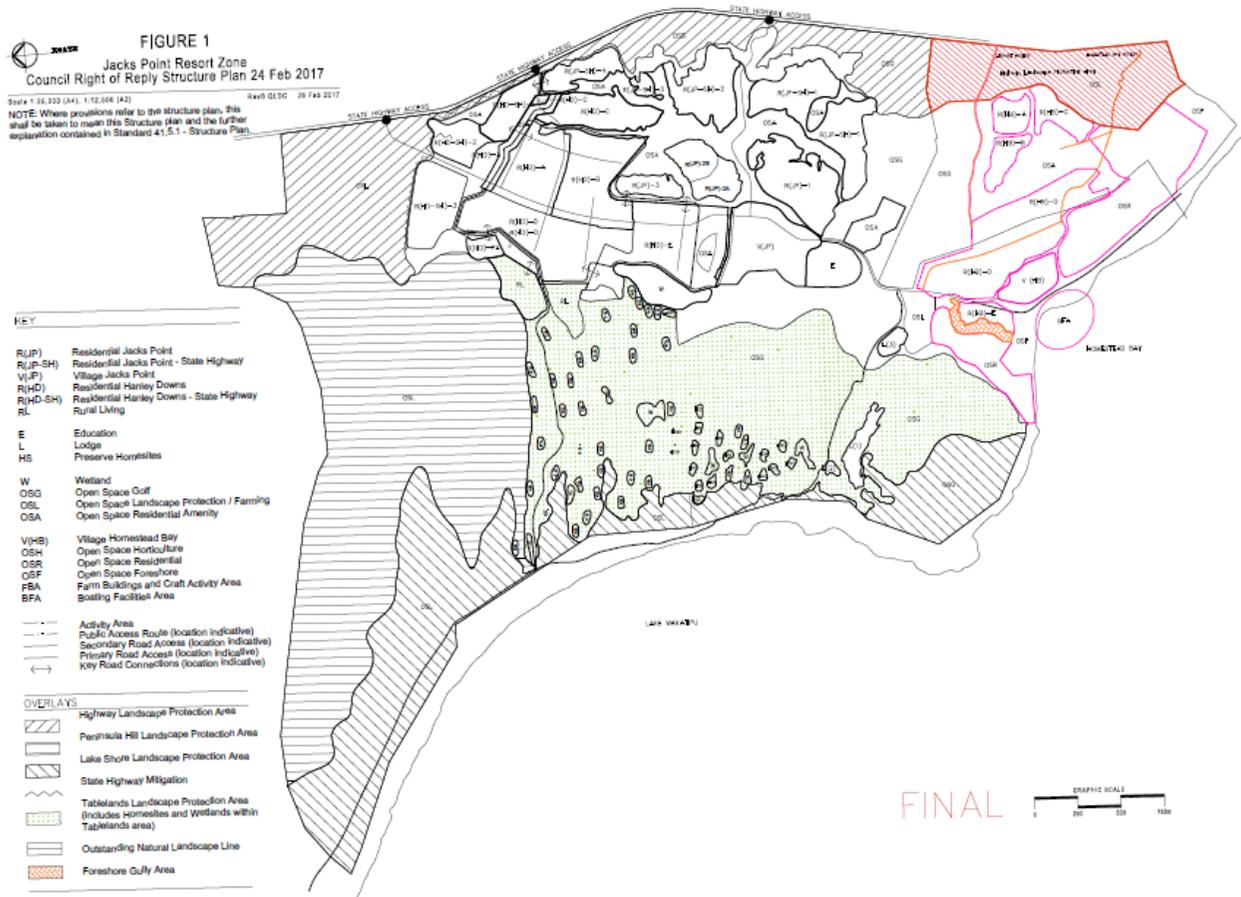
Comment [MSOffice206]: Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), and the Jacks Point Landowners.

Comment [MSOffice207]: Consequential amendment of removing FP-1 and FP-2

Comment [MSOffice208]: Considered *ultra vires* for reasons outlined in the Council's legal submissions for Business Hearing Stream 8 dated 13 December 2016.

Comment [MSOffice209]: Wildgrass Partnership (567), Sally and Clive Geddes (540), Alexander Schrantz (195), Scope Resources (342), Tim and Paula Williams (601), Margaret Joan Williams (605), and the Jacks Point Landowners (insofar as this will assist the commercial viability of the Jacks Point village).

41.7 Structure Plan



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41.8 Jacks Point Plant List

TREES

Botanical Name	Common Name	Su n	Mid Su n	Shad e	Mois t	Dr y	Sheltere d	Expose d
Aristotelia serrata	Wineberry	x	x		x	x		x
Carpodetus serratus	Putaputaweta /	x	x		x		x	
Coprosma linariifolia	Mikimiki	x	x		x	x		x
Cordyline australis	Ti kouka / cabbage tree	x	x		x	x		x
Fuchsia excorticata	Kotukutuku / tree		x		x		x	
Elaeocarpus	Pokaka		x		x		x	
Griselinia littoralis	Kapuka / broadleaf	x	x		x	x		x
Hoheria lyallii	Mountain ribbonwood	x			x			x
Melicytus lanceolatus	Mahoe wao	x	x		x		x	
Melicytus ramiflorus	Mahoe / whiteywood	x	x		x	x		x
Metrosideros umbellata	Southern rata	x	x		x	x		x
Myrsine australis	Mapou	x	x	x	x	x		x
Nothofagus fusca	Red beech	x	x		x	x	x	
Nothofagus solandri var. cliffortioides	Mountain beech	x	x		x	x	x	
Pennantia corymbosa	Kaikomako	x	x		x	x		x
Pittosporum	Tarata / lemonwood	x	x		x	x		x
Pittosporum tenuifolium	Kohuhu	x	x		x	x		x
Podocarpus hallii	Hall's Totara	x	x		x	x		x
Prumnopitys taxifolia	Matai		x	x	x	x	x	
Pseudopanax	Lancewood	x	x		x	x		x
Sophora microphylla	Kowhai	x	x		x	x	x	

Comment [SG210]: Heading of table repeated on each page, for readability purposes.

SHRUBS

Aristotelia fruticosa	Mountain wineberry	x			x			x
Carmichaelia petriei	NZ broom	x	x	x	x			x
Coprosma crassifolia	NZ Coprosma	x	x		x	x		x
Coprosma lucida	Shining Karamu		x	x	x	x		x
Coprosma propinqua	Mingimingi	x			x	x		x
Coprosma rugosa	Needle-leaved Mt	x	x		x	x		x
Corokia cotoneaster	Korokia	x	x		x	x		x
Cyathodes juniperina	Mingimingi	x	x			x		x
Discaria toumatou	Matagouri	x			x	x		x
Dracophyllum	Inaka	x	x			x		x
Dracophyllum	Turpentine shrub	x	x		x			x
Gaultheria antipoda	Tall snowberry	x		x	x	x	x	
Hebe cupressoides	Cypress Hebe	x				x		x
Hebe odora		x			x			x
Hebe rakaiensis		x			x	x		x
Hebe salicifolia	South Island Koromiko	x			x			x
Hebe subalpina		x			x	x		x
Leptospermum scoparium	Manuka	x	x		x	x		x
Melicytus alpinus	Porcupine shrub	x	x		x	x		x

JACKS POINT ZONE 41

TREES

Botanical Name	Common Name	Sun	Mid Sun	Shade	Moist	Dry	Sheltered	Exposed
<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 nummulariafolia</i>	Tree Daisy	x				x		x
<i>Olearia odorata</i>	Tree Daisy	x			x		x	
<i>Ozothamnus</i> sp.	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

Comment [SG210]: Heading of table repeated on each page, for readability purposes.

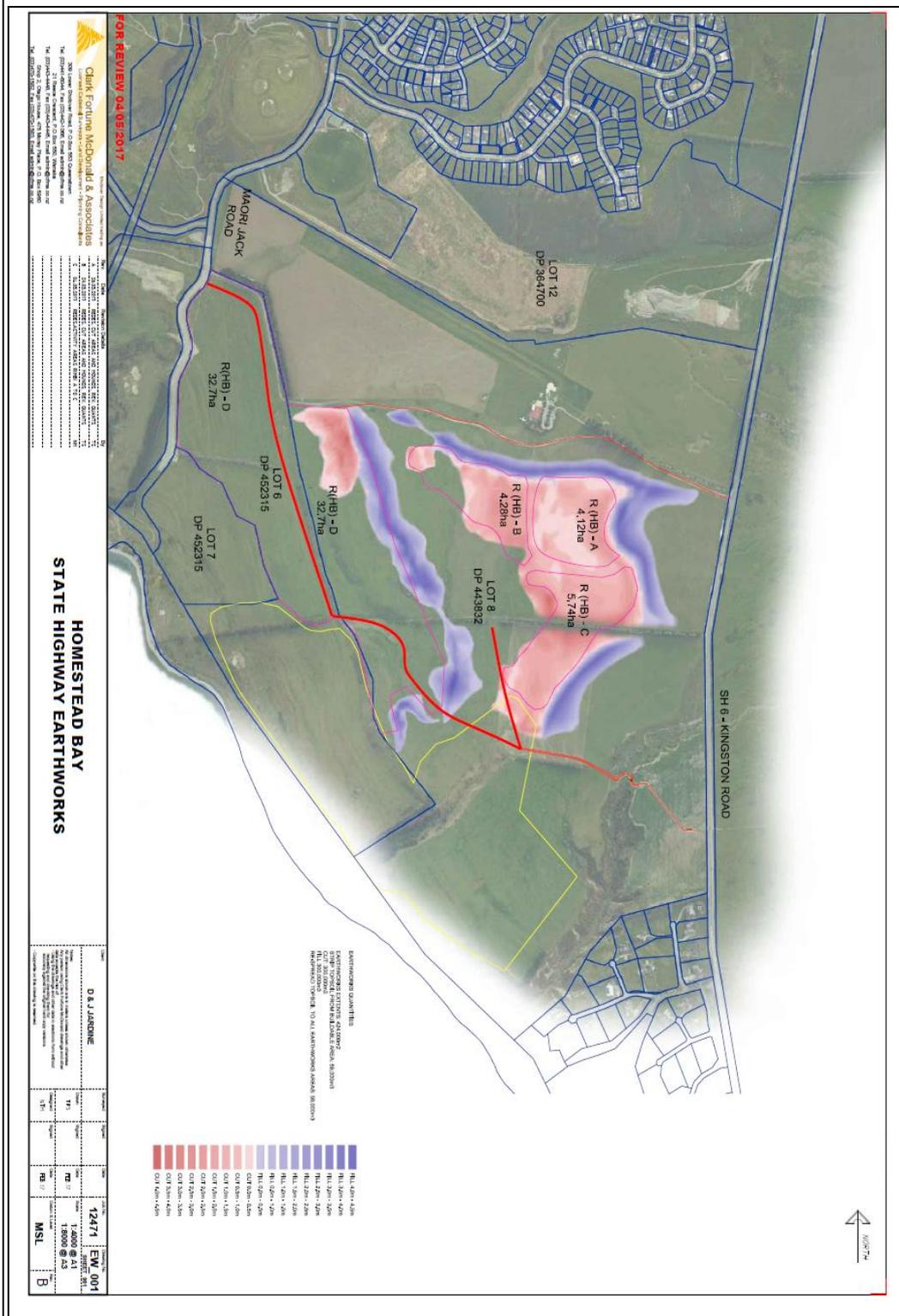
GRASSES

<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	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</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

JACKS POINT ZONE 41

41.9(a) Homestead Bay State Highway Earthworks

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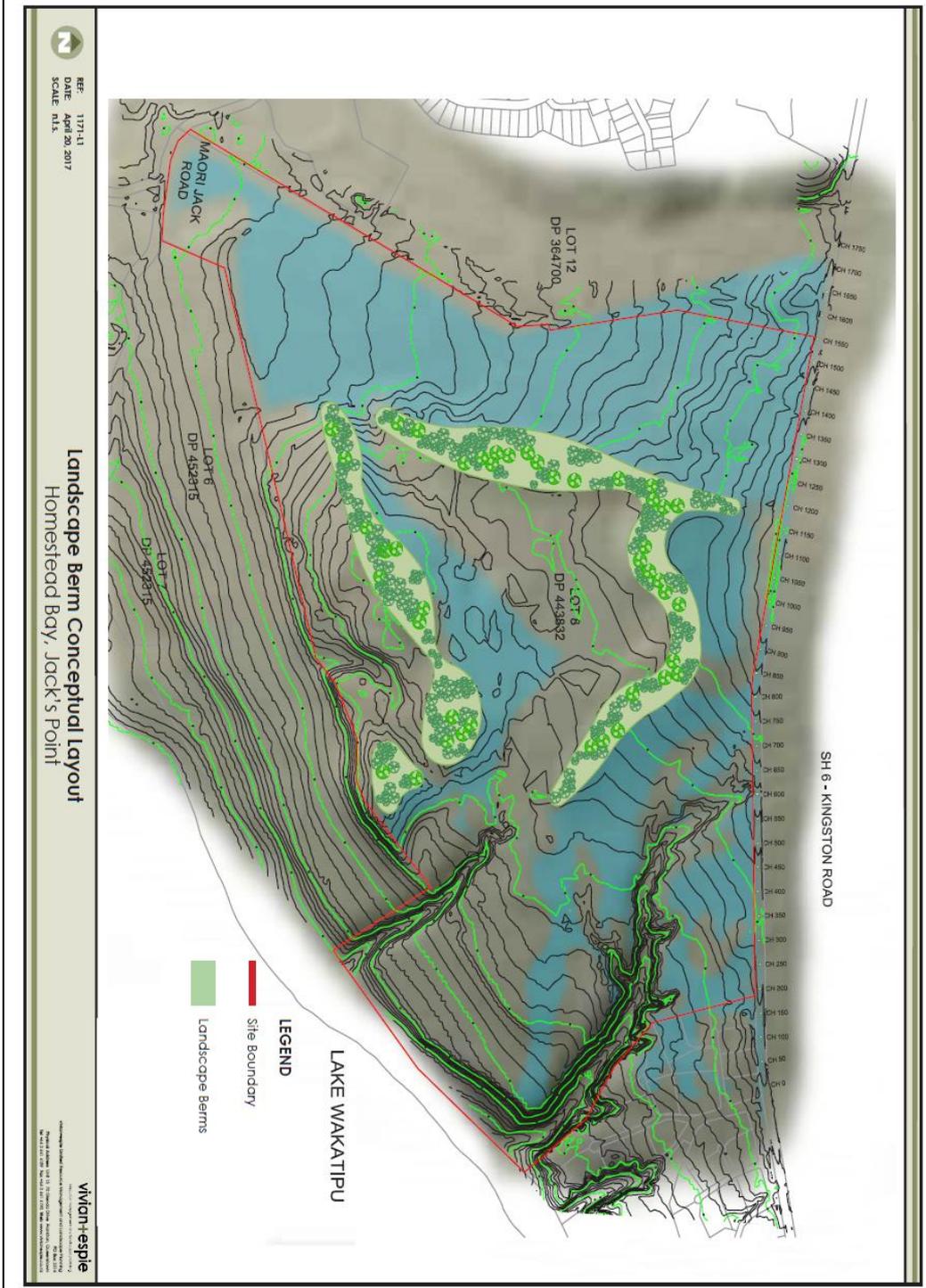
41.9(b) *Prior to the construction of Homestead Bay State Highway Earthworks the following shall be completed:*

- (i) The owner of the land being developed shall provide a letter to the Principal Resource Management Engineer at Council advising who their representative is for the design and execution of the engineering works and construction works required in association with the State Highway Earthworks (Homestead Bay) and shall confirm that these representatives will be responsible for all aspects of the works covered under Sections 1.7 & 1.8 of QLDC's Land Development and Subdivision Code of Practice, in relation to this development.

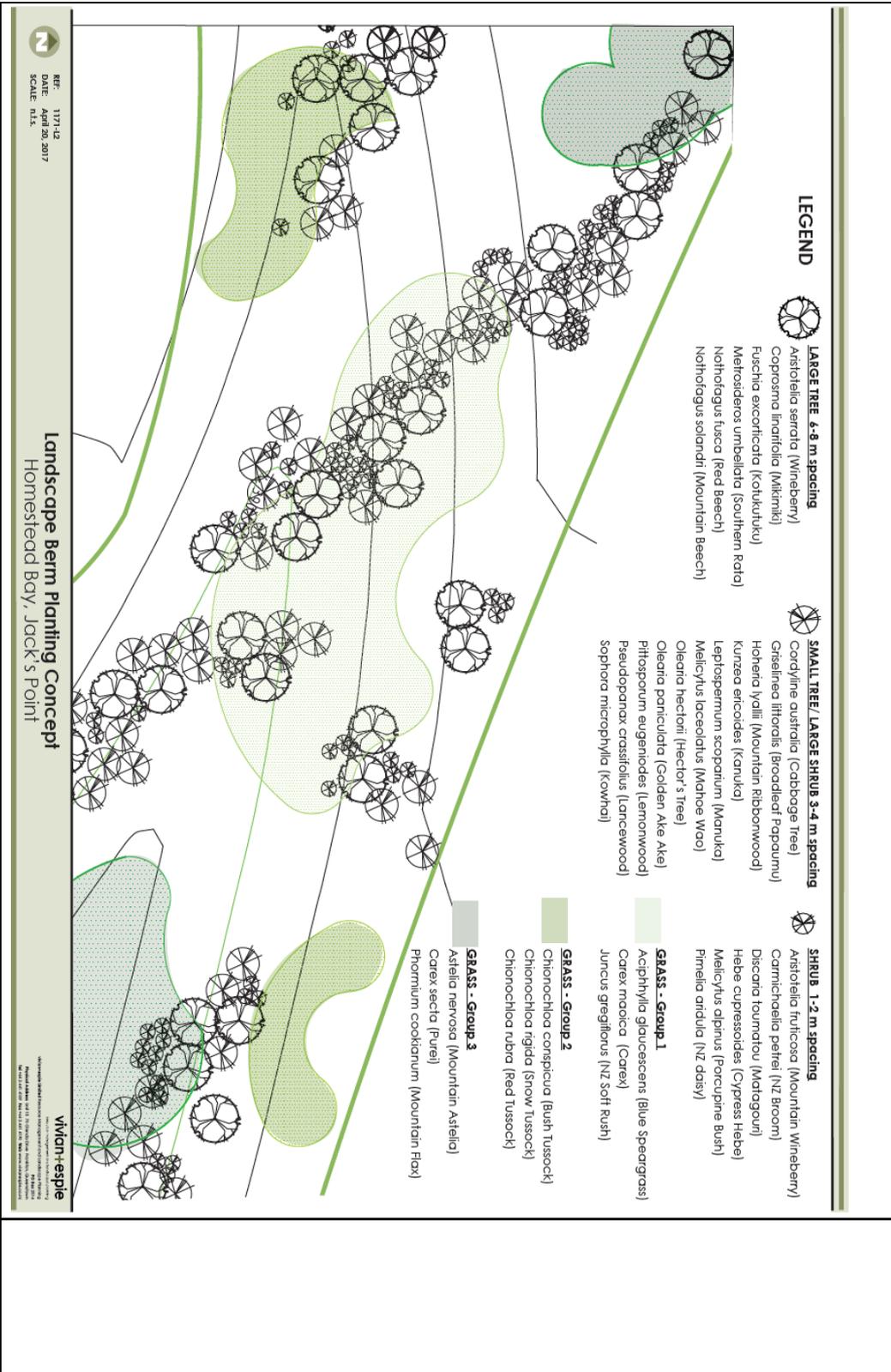
- (ii) Prior to commencing State Highway Earthworks (Homestead Bay), the owner of the land shall submit to the Principal Resource Management Engineer at Council for review and approval an earthworks site management plan. The earthworks site management plan shall identify the location and layout of the proposed silt and storm water mitigation measures. These measures shall be implemented prior to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.

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41.9(c) Homestead Bay State Highway Landscaping



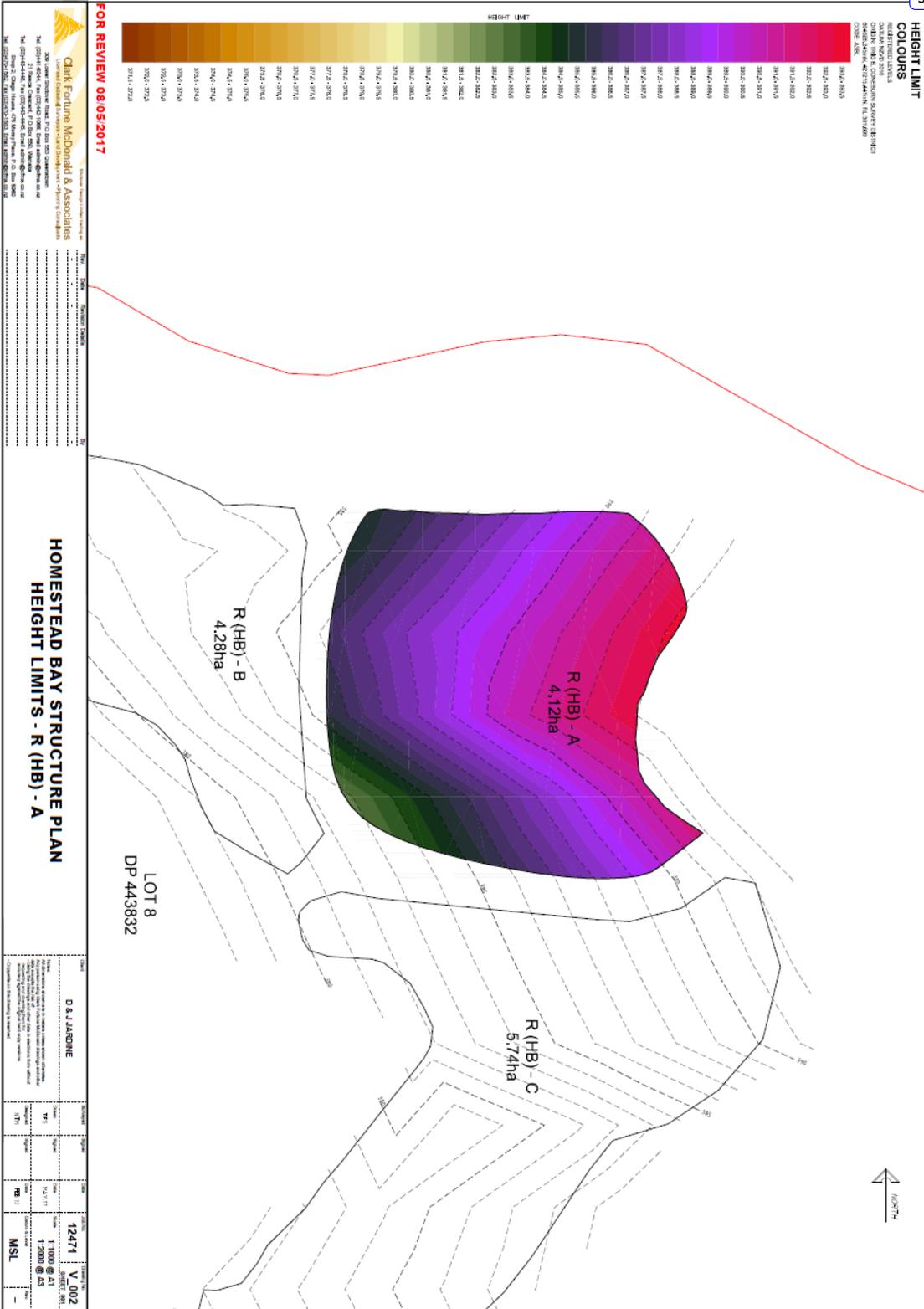
JACKS POINT ZONE 41



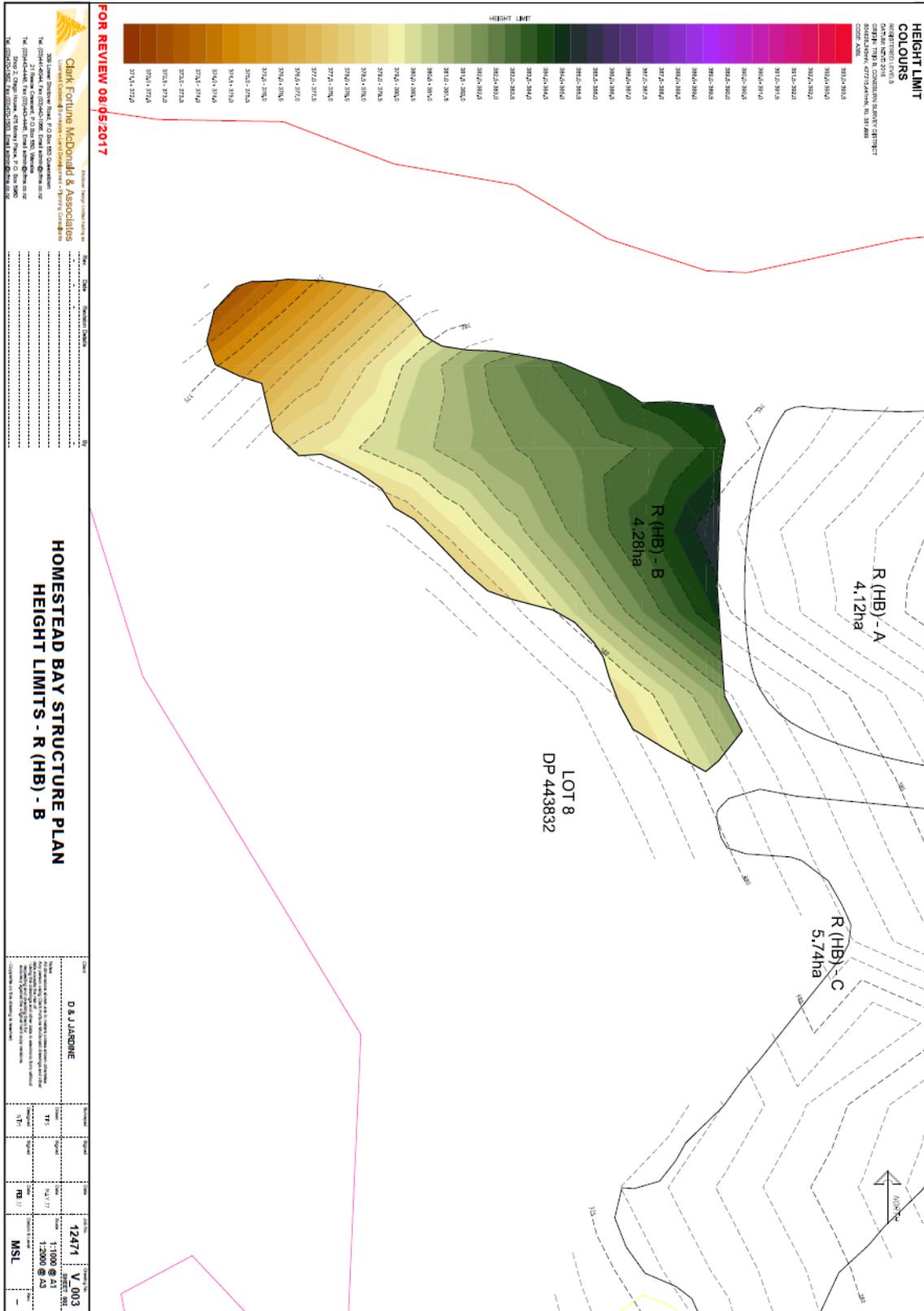
JACKS POINT ZONE 41

41.10 HOMESTEAD BAY R(HB-SH) A - C, HEIGHT LIMITS

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JACKS POINT ZONE 41



JACKS POINT ZONE 41



Attachment A

A Summary of recommended Chapter 41 provisions (pink) is provided for assistance prior to the recommend Chapter 41 in full.

41.2 Objectives and Policies

41.2.1.26 ~~41.2.1.24~~ Ensure substantial native revegetation of the gully within the lake foreshore (OSF) and open spaces within Homestead Bay and Home site activity areas within the Tablelands Landscape Protection Area and encourage native planting of the open space Activity Areas (OSF, OSL, and OSG) within Homestead Bay.

41.2.1.38 Provide for development within the Homestead Bay area in a way that maintains an open rural form of landscape character and visual amenity as experienced from State Highway 6.

Table 1	Activities Located Within the Jacks Point Zone	Activity Status
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41.4.3	Buildings	
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41.4.3.2	<p><u>Residential buildings located within the Homesite (HS), Open Space Residential (OSR) and Rural Living (RL) Activity Areas (HS Activity Areas), with Council's control reserved to the matters listed above in Rule 41.4.3.1 (Lodge Area) and, in addition:</u></p> <ul style="list-style-type: none"> <u>The protection and enhancement of Wetland areas within and adjacent to the site in the Homesite Activity Area.</u> <u>Any effects on the ability to implement and maintain the comprehensive vegetation plan required at the time of subdivision and to protect existing native vegetation in the Rural Living Activity Area]</u> <u>The extent of native planting proposed in the OSR Area and the positive effects on nature conservation values as a result of such planting.</u> <u>Natural Hazards in the OSR Activity Area.</u> 	C
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41.5.1	<u>Structure Plan - Activities</u>	D
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- 41.5.1.10 Open Space Landscape (OSL) – Pastoral and arable farming, endemic revegetation, and pedestrian and cycle trails. There shall be 1 residence accessory to farming activities provided for in the OSL adjacent to State Highway 6 within Lot 8 DP 443832.
- 41.5.1.12 Open Space – Horticultural (OSH) – Horticultural activities and accessory buildings and activities, and residential activities.
- 41.5.1.13 Open Space - Foreshore (OSF) - ~~The regeneration of native endemic species over 80% of the land area, and retention of open space.~~ In the OSH, OSR, FBA and V(HD) Activity Areas, no residential units may be constructed until a revegetation plan, including species lists, planting density, and weed and pest control strategies is approved by Council for the gully area identified on the Structure Plan. This plan shall detail a five year planting programme, and a further five year maintenance plan. The goal of the programme shall be to achieve a self-sustaining colony of appropriate indigenous vegetation within ten years. There may be a walking/cycling track constructed within the gully. The plan shall commence execution within the first available planting season following its approval.
- 41.5.1.14 Open Space - Residential (OSR) - ~~Twelve~~ Forty one residential units set within a regenerating foreshore environment.
- 41.5.1.15 Farm Buildings and Craft Activity Area (FBA) – ~~The existing residence, farm buildings and buildings and activities associated with craft and farming related activities, retail sales of goods produced or reared on site, a farm stay and a bed and breakfast operation.~~

41.5.3	Vegetation	
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41.5.3.7 ~~Within the OSR Activity Area, at least 50% 20% of any site shall be planted in native vegetation, prior to building.~~

~~Discretion is restricted to any effects on nature conservation values.~~

41.5.5	Earthworks (excluding earthworks associated with a subdivision and 41.9(a) Homestead Bay – State Highway Earthworks)	RD
41.5.7	Access to the State Highway	RD

41.5.7.1 Access from State Highway 6 shall be only at the intersections at Maori Jack Road, ~~and Woolshed Road, Airport Access, Homestead Bay Access~~ and in a third location as approved by RM160562, as shown on the Structure Plan.

41.5.7.4 ~~As shown on the Structure Plan: The Airport Access onto the State Highway shall not exceed a New Zealand Transport Agency Diagram D—Special Use Access.~~

41.5.9	Density 41.5.9.1 The average density of residential units within each of the Residential Activity Areas shall be as follows:	RD
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~~R(HB)D & E 10-15 per Ha~~

~~R(HB-SH) A – C 10-15 per Ha~~

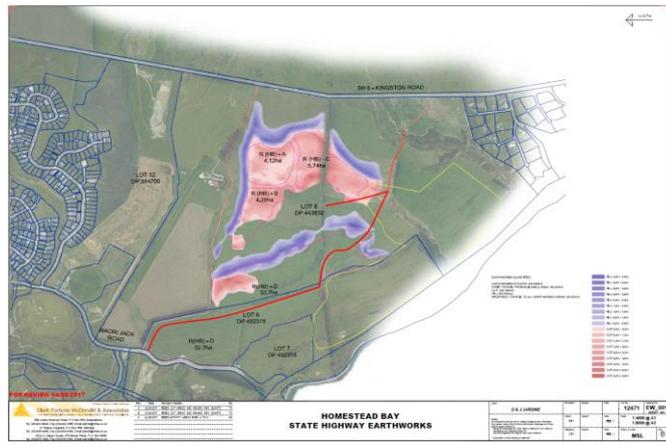
41.5.12	Residential Units In the OSH, OSR, FBA and V(HB) Activity Areas, no residential units may be constructed until 80% of the freehold land within the Open Space Foreshore Activity Area has been planted with native endemic species. <u>41.5.12.1 No residential units shall be constructed within R(HB) D & R(HB-SH) A – C Activity Areas until Highway Mitigation Works are completed in accordance with:</u> <ul style="list-style-type: none"> • <u>"Homestead Bay State Highway Earthworks", Job No. 12471, Drawing No. EW_001, Rev. B & dated Feb 17;</u> • <u>"Landscape Berm Conceptual Layout", Ref. 1171-L1 & dated April 20, 2017;</u> • <u>"Landscape Berm Planting Concept", Ref. 1171-L2 & dated April 20, 2017.</u> <u>41.5.12.2 Only 244 residential lots, or non-residential activity that is projected to generate the equivalent traffic volumes, may be built within the Homestead Bay Area of the Jacks Point Zone and utilise Maori Jack Road.</u>	NC
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41.5.13	Building Height	
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~~e. Farm Buildings and Craft (FBA) Activity Area—8m~~

- I. Open Space Residential Amenity (OSA) and Open Space Landscape (OSL) limited to one residence within Lot 8 DP 443832 8m
- m. Homestead Bay R(HB-SH) A – C: The maximum height of any building shall not exceed the Registered Level directly above that point. For the purposes of this rule "Registered Level" (RL) means the height above sea level as specified on the Structure Plan 41.10.

41.9(a) Homestead Bay State Highway Earthworks



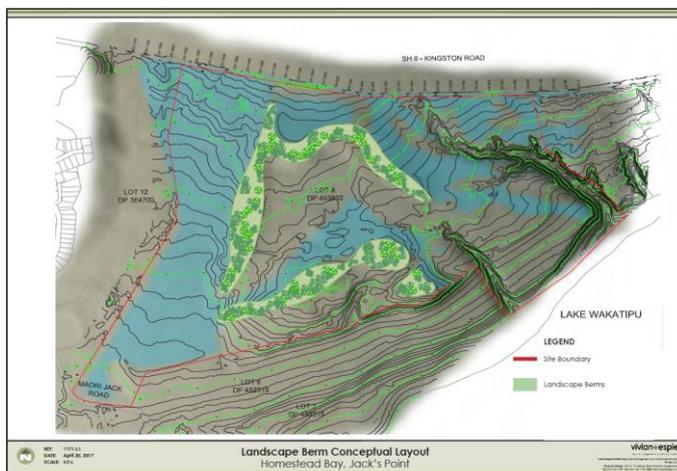
41.9(b)

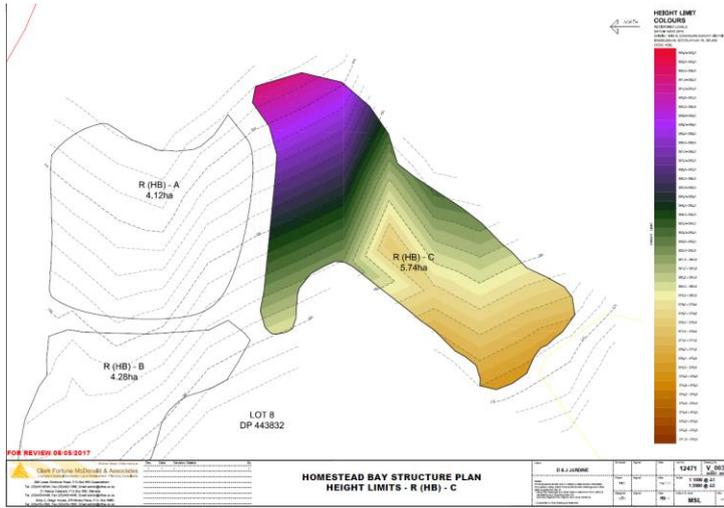
Prior to the construction of Homestead Bay State Highway Earthworks the following shall be completed:

- (i) The owner of the land being developed shall provide a letter to the Principal Resource Management Engineer at Council advising who their representative is for the design and execution of the engineering works and construction works required in association with the State Highway Earthworks (Homestead Bay) and shall confirm that these representatives will be responsible for all aspects of the works covered under Sections 1.7 & 1.8 of QLDC's Land Development and Subdivision Code of Practice, in relation to this development.

- (ii) Prior to commencing State Highway Earthworks (Homestead Bay), the owner of the land shall submit to the Principal Resource Management Engineer at Council for review and approval an earthworks site management plan. The earthworks site management plan shall identify the location and layout of the proposed silt and storm water mitigation measures. These measures shall be implemented prior to the commencement of any earthworks on site and shall remain in place for the duration of the project, until all exposed areas of earth are permanently stabilised.

41.9(c) Homestead Bay State Highway Landscaping





Attachment B

Recommended amendments to Chapter 27 right-of-reply version

27.7.14 Objective - Jacks Point Zone - Subdivision shall have regard to identified location specific opportunities and constraints.

27.7.14.8 Following the construction of State Highway Earthworks and prior to the subdivision of Residential Activity Areas R(HB) A – C an acoustic assessment (Homestead Bay Noise Contours) shall determine the extent of the 55dBA contour to the south of the existing air strip. Should any residential sites be located between the 55dBA contour and the airstrip the following consent notice shall be registered:

“Any residential building shall be designed to achieve an Indoor Design Sound Level of 40 dB Ldn within any Critical Listening Environment, based on the Homestead Bay Noise Contours. Compliance shall be demonstrated by either installation of mechanical ventilation to achieve the requirements in Table 4 of Chapter 36 or by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open.”