Chapter 41 Jacks Point

This table identifies provisions subject to and consequentially affected by appeals:

Provision Subject To Appeal **(identified in red text in the relevant chapter/s)**	**Appellant** Court Number	**Consequentially Affected Provisions** **(identified in red text in the relevant chapter/s)**
Policy 41.2.1.1	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	
Policy 41.2.1.18	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	
Policy 41.2.1.19	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	
~~Policy 41.2.1.20~~	~~Coneburn Preserve Holdings Limited & Others ('Jacks Point')~~ ~~ENV-2018-CHC-137~~ (relief struck out)	
Policy 41.2.1.22	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	
Policy 41.2.1.24	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	
Policy 41.2.1.28	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	
Policy 41.2.1.30	Wild Grass Investments No. 1 Limited & Others ENV-2018-CHC-074	

Rule 41.3.2.1	Alexander Schrantz and Jayne Schrantz ENV-2018-CHC-61	Policy 41.2.1.23, Policy 41.2.1.27
Rule 41.4.1.5	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	
Rule 41.4.1.5(b)	RCL Henley Downs Limited & Others ENV-2018-CHC-102	Rule 41.4.1.6, Rule 41.5.1.3, Rule 27.6.1, Rule 27.5.17
Rule 41.4.1.6	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	
Rule 41.4.2.1	Homestead Bay Trustees Limited ENV-2018-CHC-109 Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137 (relief partially struck out)	Policy 41.2.1.18, Policy 41.2.1.19 Policy 41.2.1.19
~~Rule 41.4.2.2~~	~~Coneburn Preserve Holdings Limited & Others ('Jacks Point')~~ ~~ENV-2018-CHC-137~~ (relief struck out)	
Rule 41.4.3.1	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137 Wild Grass Investments No 1. Limited & Others ENV-2018-CHC-074	
Rule 41.4.4.1	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	
~~Rule 41.4.4.3~~	~~Coneburn Preserve Holdings Limited & Others ('Jacks Point')~~ ~~ENV-2018-CHC-137~~ (relief struck out)	
Rule 41.4.4.4	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137 (further particulars received)	

Rule 41.4.4.5	Remarkables Station Limited and others ENV-2018-CHC-090	
Rule 41.4.4.6	Alexander Schrantz and Jayne Schrantz ENV-2018-CHC-61	
Rule 41.4.4.8	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	
Rule 41.4.4.12	Homestead Bay Trustees Limited ENV-2018-CHC-109	Rule 41.5.4.7, Rule 41.5.4.8
Rule 41.4.4.14	Remarkables Station Limited and others ENV-2018-CHC-090	
Rule 41.4.4.16	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	
Rule 41.4.4.17	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	
Rule 41.4.4.20	Remarkables Station Limited and others ENV-2018-CHC-090	
Rule 41.5.1.1	RCL Henley Downs Limited & Others ENV-2018-CHC-102 Remarkables Station Limited and others ENV-2018-CHC-090 Homestead Bay Trustees Limited ENV-2018-CHC-109 Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137 (further particulars received)	Policy 41.2.1.12

Rule 41.5.1.4	RCL Henley Downs Limited & Others ENV-2018-CHC-102 Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	
Rule 41.5.1.5	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	
Rule 41.5.1.6	RCL Henley Downs Limited & Others ENV-2018-CHC-102 (relief amended)	
Rule 41.5.1.7	RCL Henley Downs Limited & Others ENV-2018-CHC-102 (relief amended)	
Rule 41.5.1.9	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	
Rule 41.5.2.1	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	
Rule 41.5.2.3	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	
Rule 41.5.2.4(b)	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	Policy 41.2.1.19(d)
Rule 41.5.2.5	Homestead Bay Trustees Limited ENV-2018-CHC-109	Policy 41.2.1.18
Rule 41.5.3.2	Wild Grass Investments No. 1 Limited & Others ENV-2018-CHC-074	
Rule 41.4.5.3	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	

Rule 41.5.4.7	Remarkables Station Limited and others ENV-2018-CHC-090 Homestead Bay Trustees Limited ENV-2018-CHC-109	Policy 41.2.1.28 Rule 41.5.4.14
Rule 41.5.4.8	Homestead Bay Trustees Limited ENV-2018-CHC-109	Rule 41.5.4.7, Rule 41.4.4.12
Rule 41.5.5.3	Remarkables Station Limited and others ENV-2018-CHC-090 Homestead Bay Trustees Limited ENV-2018-CHC-109	Policy 41.2.1.3 Policy 41.2.1.3
Rule 41.5.4.1	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	Rule 27.7.5.1(d)
Rule 41.5.4.2	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	
Rule 41.5.4.9	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	Provision 41.3.2.2
Rule 41.5.4.10	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	
Rule 41.5.4.14	Remarkables Station Limited and others ENV-2018-CHC-090	
Rule 41.5.4.15	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	
Rule 41.5.5.10	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	
Rule 41.6.2	Wild Grass Investments No 1. Limited & Others ENV-2018-CHC-074	

41.7 – Jacks Point Structure Plan	RCL Henley Downs Limited & Others ENV-2018-CHC-102 Wei Heng Fong ENV-2018-CHC-116 Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137 Alexander Schrantz and Jayne Schrantz ENV-2018-CHC-61	Rule 27.13.2 Rule 27.13.2 Policy 41.2.1.27, Rule 27.13.2

This table identifies new provisions sought to be added:

Appellant Court Number	**Provision/s Sought to be Added into Chapter 41**
Alexander Schrantz and Jayne Schrantz ENV-2018-CHC-61	Amendments to the Jacks Point policies 41.2.1.23 and 41.2.1.27 and/or inclusion of additional policies in respect of the Peninsula Hill Landscape Protection Area.
RCL Henley Downs Limited & Others ENV-2018-CHC-102	Create a new Activity Area ("Open Space Community and Recreation Activity Area") on Lot 12 DP 364700, as described in RCL's submission.
Remarkables Station Limited and others ENV-2018-CHC-090	Insert new policy as follows: Provide for development within the Homestead Bay area in a way that maintains an open rural for of landscape character and visual amenity as experienced from State Highway 6.
Remarkables Station Limited and others ENV-2018-CHC-090	Insert a new point d. in Rule 41.5.1.2 as follows: d. 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.
Remarkables Station Limited and others ENV-2018-CHC-090	Insert a new Rule in Table 9, 41.5.4, as follows: The maximum height of buildings shall be: Open Space Residential Amenity (OSA) and Open Space Landscape (OSL) limited to one residence within Lot 8 DP 443832: 8m
Homestead Bay Trustees Limited ENV-2018-CHC-109	Insert a new Rule: Foreshore Revegetation 41.5.1.13 - In the R(HB)D and V(HB) Activity Areas, no residential units may be constructed until a revegetation plan (including species lists, planting density, 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 maintenance plan. The goal of the programme shall be to achieve a self-sustaining colony of appropriate indigenous vegetation within ten years. Activity Status = NC
Homestead Bay Trustees Limited ENV-2018-CHC-109	Insert a new Rule: Homestead Bay Access

	41.5.5.5 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. Activity Status = NC
Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	Insert a new Policy seeking to protect the Peninsula Hill outstanding natural landscape from inappropriate subdivision, use or development though avoidance of development within the Landscape Protection Area, enabling of development within the discrete homesites.
Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	Insert provision for mining, utilities, infrastructure and vehicle access related to other activities anticipated by the Zone within the Open Space Golf Activity Area as a permitted activity, by amending Activity Rule 41.4.4.1 or the provisions of Chapter 41 generally.
Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	Insert provision(s) to enable mining of rock and aggregate and/or gravel for use anywhere in the Jacks Point Zone as a restricted discretionary activity in any Open Space Activity area (not just the Open Space Golf Activity Area).
Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	Insert provision for farm buildings, fencing, mining, outdoor recreation activities, utilities, infrastructure, farm access tracks, and vehicle access related to other activities anticipated by the Zone as permitted activities within the Open Space Landscape Activity Area, by amending Activity Rule 41.4.4.5 or the provisions of Chapter 41 generally.
Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	Insert exemption in Activity Rule 41.4.4.6 for buildings ancillary to outdoor recreation activities or buildings ancillary to any utility. Insert provision in Activity Rule 41.4.4.7 for buildings ancillary to outdoor recreation activities as a controlled activity, except where they are located in a Landscape Protection Area.
Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	Insert provision in Activity Rule 41.4.4.10 for any buildings ancillary to the permitted activities set out in Activity Rule 41.4.4.9 (i.e. recreation amenities, playgrounds, landscaping, pedestrian and cycle trails, lighting, stormwater retention, and underground services) as a controlled activity.
Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	Insert provision for visitor accommodation within Homesite Activity Areas 37 - 58 as a restricted discretionary activity.
Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	Insert a new Activity Rule 14.4.4.x (or other such mechanism as considered appropriate) to ensure that the construction of any building on a Homesite, where a requirement to comply with the Preserve Design Guidelines has not been registered on the title for the Homesite, is a restricted discretionary activity.
Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	Insert a new Activity Rule 14.4.4.x in relation to the Homesite Activity Areas to state that the construction of buildings on Homesites 57 and 58 is a restricted discretionary activity.
Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	Insert a new Activity Rule into Table 1 to require that subdivision or building development within the R(HD-SH)-1; R(HD-SH)-2; and R(HD-SH)-3 Activity Areas that occurs prior to the implementation of the State Highway mitigation approved pursuant to Activity Rule 41.4.5.2 is a discretionary activity.
Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	Amend Chapter 41 (which may include amendments to Activity Rule 41.4.3.1 and the Structure Plan) to ensure that the use of Lodge (P) Activity Area 3 is limited only to car parking.

Note: the annotations in this chapter reflect the Council's interpretation of the provisions affected by appeals.

41.1 Zone Purpose

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

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

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

41.2 Objectives and Policies

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

Policies General - Zone Wide

41.2.1.1 Require activities to be located in accordance with the a Structure Plan (41.7) to establish the spatial layout of development within the zone and diversity of living and complementary activities, taking into account:

a. integration of activities;

b. landscape and amenity values;

c. road, open space and trail networks;

d. visibility from State Highway 6 and from Lake Wakatipu.

Rule 41.2.1.1 and relief sought	**Appellant** Court Number	**Consequentially Affected Provisions**

Amend Policy 41.2.1.1 so that it does not require activities to be located in accordance with the structure plan, and appropriately aligns with the discretionary activity status for any breach of the Structure Plan (Rule 41.5.5.1).	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	

41.2.1.2 Provide public access from the State Highway to the lake foreshore and to facilitate increased use and enjoyment of the margin and waters of Lake Wakatipu.

41.2.1.3 Provide safe and efficient road access from State Highway 6.

41.2.1.4
a. Ensure subdivision and development incorporates the design elements shown on the Structure Plan, namely roads, road connections, open space, access connections and trails.
b. Ensure the efficient provision of servicing infrastructure, roading and vehicle access.
c. Ensure efficient provision of sewage disposal, water supply and refuge disposal services which do not adversely affect water quality or other environmental values.

41.2.1.5 Control the take-off and landing of aircraft within the zone.

41.2.1.6 Avoid industrial activities.

41.2.1.7 Maintain and protect views into the Jacks Point Zone of a predominantly rural and open character when viewed from the lake, and to maintain and protect views across the site to the mountain peaks beyond the lake when viewed from the State Highway.

Residential

41.2.1.8
a. Provide for a diversity of living accommodation, including opportunities for farm and rural living at low densities.
b. Provide for medium density and small lot housing subject to ensuring the scale and form of built development provides an appropriate standard of residential amenity and design.

41.2.1.9 Require that any conventional low density residential development in the Residential Hanley Downs (R(HD)) and Jacks Point (R(JP)) Activity Areas be offset by higher density residential development and common open spaces in order to achieve efficient use of land and infrastructure.

41.2.1.10 Maintain or enhance the character and amenity values that exist in the established Jacks Point Residential Activity Areas (R(JP)) as at 31 August 2016, including the high standard of design and landscape elements incorporated into communal open space areas, transport corridors and private lots, and lower average densities compared to the Hanley Downs Residential Activity Areas.

41.2.1.11 Enable medium density housing development within the established Jacks Point Residential Activity Areas (R(JP)) subject to the scale and form of built development being appropriate to the character of the Activity

Area.

41.2.1.12 Recognise the (Hanley Downs) Residential Activity Areas (R(HD)) as being appropriate to accommodate residential development at a greater scale and intensity than elsewhere in the zone.

41.2.1.13 Apply residential development controls to protect privacy and amenity, provide access to sunlight, to achieve design cohesion, and to provide appropriate opportunities outdoor living, consistent with the residential density anticipated in that Activity Area.

41.2.1.14 Enable commercial activities on primary roads within the Hanley Downs Residential Activity Areas (R(HD)) of a scale limited to servicing the needs of the local community.

41.2.1.15 Provide for predominantly low density residential development in the Residential - State Highway Activity Areas ((R(HD-SH) and (R(JP-SH)), and appropriately mitigated through landscaping and the provision of open space.

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

Villages and Education

41.2.1.17

a. Enable the Jacks Point Village Activity Area (V(JP)) to develop as the vibrant mixed use hub of the Jacks Point Zone, comprising a range of activities including:

   i. high and medium density residential housing;

   ii. a small local shopping centre that services the needs of Jacks Point residents and provides for small scale destination shopping and office space;

   iii. visitor accommodation;

   iv. education facilities, community activities, healthcare, and commercial recreation activities;

   v. technology and innovation-based business.

b. Enable the Homestead Bay Village Activity Area (V(HB) to develop as a secondary commercial and mixed use centre supporting aquatic activities and the needs of residential activity around Homestead Bay.

41.2.1.18 Enable commercial and community activities and visitor accommodation in the Jacks Point Village (V(JP) and Homestead Bay Village (V(HB)) Activity Areas, provided residential amenity, health, and safety are protected or enhanced through:

a. compatible hours of operation and noise;

b. a high standard of building design;

c. the location and provision of open space, buffers and setbacks;

d. appropriate landscape mitigation;

e. efficient design of vehicle access and car parking; and

f. an appropriate scale of activity, and form of building development.

Rule 41.2.1.18 and relief sought	**Appellant** Court Number	**Consequentially Affected Provisions**
Amend Policy 41.2.1.18 (and/or the provisions of Chapter 41) to enable commercial, community and visitor accommodation activities in the residential activity areas provided that residential amenity and health and safety is protected or enhanced.	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	

41.2.1.19 Encourage high quality urban design throughout the Jacks Point Village (V(JP) and Homestead Bay Village (V(HB)) Activity Areas by:

a. requiring all subdivision and development to be in accordance with a Comprehensive Development Plan incorporated in the District Plan, which shall establish an integrated and coordinated layout of open space; built form; roading patterns; pedestrian, cycle access, and carparking; the landuses enabled within the buildings; streetscape design; design controls in relation to buildings and open space; and an appropriate legal mechanism to ensure their implementation;

b. 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;

c. encouraging generous ground floor ceiling heights for commercial buildings that are relatively consistent with others in the village; and

d. encouraging the incorporation of parapets, corner features for landmark sites, and other design elements

e. in order to achieve a positive design outcome and providing for a 3 storey building height in the Jacks Point Village Activity Area and 2 storey commercial building height in the Homestead Bay Village Activity Area.

Rule 41.2.1.19 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Policy 41.2.1.19 (along with any other consequential amendments to related provisions in Chapter 41) to: • Remove the expectation that any Comprehensive Development Plan prepared for the Villages shall be incorporated into the District Plan, and are instead provided for via the resource consent process; • Remove the expectation that any Comprehensive Development Plan prepared for the Villages shall consider land uses within buildings; and design controls in relation to open space.	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	

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

Rule 41.2.1.20 and relief sought	Appellant Court Number	Consequentially Affected Provisions
~~Delete Policy 41.2.1.20~~	~~Coneburn Preserve Holdings Limited & Others ('Jacks Point')~~ ~~ENV-2018-CHC-137~~ (relief struck out)	

Open Space

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

41.2.1.22 Avoid all buildings in the Open Space Golf (OSG) and Open Space Residential Amenity (OSA) Activity Areas other than ancillary small scale recreational buildings on the same site as the activity it is ancillary to, and that are of a design that is sympathetic to the landscape.

Rule 41.2.1.22 and relief sought	**Appellant** Court Number	**Consequentially Affected Provisions**
Amend Policy 41.2.1.22 to delete the word 'avoid' at the commencement of the policy and replace it with a word that more appropriately aligns with the discretionary activity status in related rules in Chapter 41.	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	

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

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

Rule 41.2.1.24 and relief sought	**Appellant** Court Number	**Consequentially Affected Provisions**
Amend Policy 41.2.1.24 such that it enables mining activities which contribute to the development of the Jacks Point Zone throughout the Jacks Point Zone, subject to managing adverse environmental effects.	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	

41.2.1.25 Provide for local biodiversity through:

a. the protection and enhancement of existing ecological values, in a holistic manner;

b. reduction in grazing around wetland areas; and

c. the provision of links between grey shrublands, wetlands and the lakeshore escarpment, including indigenous vegetation links between Activity Areas where appropriate.

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

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

41.2.1.28 Ensure substantial native revegetation of the gully within the lake foreshore and Homesite (HS) Activity Areas which lie within the Tablelands Landscape Protection Area and encourage native planting of the Open Space Activity Areas (OSF, OSL and OSG) within Homestead Bay.

Policy 41.2.1.28 and relief sought	**Appellant** Court Number	**Consequentially Affected Provisions**
Amend Policy 41.2.1.28 so that the focus of gully revegetation within the foreshore is within Homestead Bay (as opposed to the lake foreshore generally). Amend Policy 41.2.1.28 to remove the second component of the policy (that seeks to encourage native planting of the Open Space Activity Areas OSF, OSL and OSG) and create a new standalone policy, and that it is not constrained only to Homestead Bay, but across these Activity Areas generally.	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	

41.2.1.29 Provide for the development of lakeside activities and low density residential development in the Homestead Bay area, in a manner which complements and enhances amenity values.

Lodge

41.2.1.30 To provide for travellers accommodation and ancillary facilities within the Lodge (L) Activity Area in a manner consistent with protecting the open character and amenity of the surrounding Open Space Golf (OSG) Activity Area.

Policy 41.2.1.30 and relief sought	**Appellant** Court Number	**Consequentially Affected Provisions**
Amend Policy 41.2.1.30 to delete reference to protecting the amenity and character of the surrounding open space areas.	Wild Grass Investments No. 1 Limited & Others ENV-2018-CHC-074	

41.3 Other Provisions and Rules

41.3.1 District Wide

Attention is drawn to the following District Wide chapters.

1	Introduction	2	Definitions	3	Strategic Direction
4	Urban Development	5	Tangata Whenua	6	Landscapes and Rural Character
25	Earthworks	26	Historic Heritage	27	Subdivision
28	Natural Hazards	29	Transport	30	Energy and Utilities
31	Signs	32	Protected Trees	33	Indigenous Vegetation
34	Wilding Exotic Trees	35	Temporary Activities and Relocated Buildings	36	Noise
37	Designations		Planning Maps		

41.3.2 Interpreting and Applying the Rules

41.3.2.1 Any activity which is not provided for within the list of activities below or which is not provided a specific activity status through any other rule within Rule 41.4 Tables 1 - 5 'Activities located in Jacks Point Zone' shall be a discretionary activity.

Rule 41.3.2.1 and relief sought	**Appellant** Court Number	**Consequentially Affected Provisions**
A change to the activity status for buildings (other than farm buildings) and activities such as visitor accommodation in the Tablelands OSG to non-complying.	Alexander Schrantz and Jayne Schrantz ENV-2018-CHC-61	Policy 41.2.1.23, Policy 41.2.1.27

41.3.2.2 The existence of a farm building either permitted or approved by resource consent under Rule 41.5.4.9 shall not be considered the permitted baseline for residential or other non- farming activity development within the Open Space Activity Areas of the Jacks Point Zone.

41.3.2.3 Where provisions refer to the Structure Plan, this shall be taken to mean the Structure Plan contained in Rule 41.7 and Rule 41.4 (Rules – Activities) and Rule 41.5 (Standards for Activities). References to the Structure Plan and to Activity Areas are references to the Jacks Point Zone Structure Plan and the Activity Areas identified on that Structure Plan.

41.3.2.4 A permitted activity must comply with all the rules listed in the Activity and Standards tables, and any relevant district wide rules.

41.3.2.5 Where an activity does not comply with a Standard in Rule 41.5 the Activity Status identified by the Non-Compliance Status column shall apply. Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.

41.3.2.5 The following abbreviations are used within this Chapter.

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

41.4 Rules - Activities

Table 1	Activities Located in the Jacks Point Zone	Activity Status
41.4.1	Residential Activity (R)Areas and the Rural Living Activity Area	
	Residential Activities Areas (R) 41.4.1.1 Residential activities – all Residential Activities Areas unless specified otherwise.	P
	Residential State Highway Activity Areas R(SH) 41.4.1.2 Residential activities and works for the visual mitigation of the effects of development as viewed from the State Highway	P
	Rural Living (RL) Activity Area 41.4.1.3 Residential activities. Control is reserved to: a. the external appearance of buildings with respect to the effect on visual and landscape values of the area; b. the adequacy of infrastructure and servicing; c. the effects of associated earthworks and landscaping; d. access and parking provision; e. the bulk and location of buildings; f. the effects of exterior lighting.	C

Table 1	Activities Located in the Jacks Point Zone	Activity Status
	Residential R(HD) Activity Areas 41.4.1.4 Educational and Day Care Facilities. Control is reserved to: a. the location and external appearance of buildings; b. setback from roads; c. setback from internal boundaries; d. traffic generation, access and parking; e. provision of outdoor space; f. street scene including landscaping; g. provision for walkways, cycle ways and pedestrian linkages; h. potential noise impacts; i. infrastructure and servicing, including traffic effects.	C
	Residential Activity Areas R(HD) A – E, R(HD-SH) 1, and R(HD-SH)-3 41.4.1.5 Any residential activity which results in either: a. three or more attached residential units; or b. a density of more than one residential unit per 380 m² of net site area.	RD

Rule 41.4.1.5 and relief sought	**Appellant** Court Number	**Consequentially Affected Provisions**
Amend Rule 41.4.1.5 such that medium density residential activity is provided for as a controlled activity in the Hanley Downs Activity areas (rather than a restricted discretionary activity). In addition, amend this rule such that it refers to both the R(HD-SH) 2 area (currently missing) and to retain reference to the R(HD-SH) 3 area (excluded from the Structure Plan in the Council's decision, but sought to be retained through this appeal).	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	
Amend Rule 41.4.1.5(b) to remove resource consent requirements for individual lots smaller than 380m² and revert to the rules of the notified PDP.	RCL Henley Downs Limited & Others ENV-2018-CHC-102	Rule 41.4.1.6, Rule 41.5.1.3, Rule 27.6.1, Rule 27.5.17

Discretion is restricted to:

a. external appearance;

	b. access and car parking; c. traffic generation effects; d. associated earthworks; e. landscaping; f. effects on adjacent sites that are not part of the medium density residential development being applied for; g. bulk and location; h. legal mechanisms proposed in relation to building bulk and location.	

Table 1	Activities Located in the Jacks Point Zone	Activity Status
	Residential R(JP) 1 - 3 and R(JP-SH) 4 Activity Areas 41.4.1.6 Any residential activity which results in either: a. three or more attached residential units; or: b. a density of more than one residential unit per 380 m^2 of net site area.	RD

Rule 41.4.1.6 and relief sought	**Appellant** Court Number	**Consequentially Affected Provisions**
Amend Rule 41.4.1.6 such that the restricted discretionary activity status for medium density residential development in the R(JP) 1-3 and R(JP-SH) 4 Activity Areas will not to apply to single residential units on site that has a title, or residential units on sites smaller than 550m2 created pursuant to subdivision.	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	

Discretion is restricted to:

a. external appearance;

b. residential amenity values;

c. access and car parking;

d. associated earthworks.;

e. landscaping;

f. effects on adjacent sites that are not part of a medium density residential development subject to the application;

g. bulk and location;

h. legal mechanisms proposed in relation to building bulk and location.

	Residential R(HD)A - D and R(SH-HD)1 - 3 Activity Areas 41.4.1.7 Commercial activities and Community activities including the addition, alteration or construction of associated buildings. Discretion is restricted to: a. location, scale and external appearance of buildings; b. setback from roads; c. setback from internal boundaries; d. vehicle access, street layout and car parking; e. street scene including landscaping; f. enhancement of ecological and natural values; g. provision for walkways, cycle ways and pedestrian linkages; h. scale of the activity; i. noise; j. hours of operation. Except that this rule shall not apply to: a. a single residential unit on any site contained within a separate computer freehold register; b. residential units located on sites smaller than 380 m² created pursuant to subdivision rules 27.5.5 or 27.7.5.2.	RD

Table 1	Activities Located in the Jacks Point Zone	Activity Status
	Residential R(HD)- E Activity Area 41.4.1.8 Commercial activities, community activities, and visitor accommodation including the addition, alteration or construction of associated buildings. Discretion is restricted to: a. location, scale and external appearance of buildings; b. setback from roads; c. setback from internal boundaries; d. traffic generation; e. vehicle access, street layout and car parking; f. street scene including landscaping; g. enhancement of ecological and natural values; h. provision for walkways, cycle ways and pedestrian linkages; i. scale of the activity; j. noise; k. hours of operation.	RD

Table 2	Activities Located in the Jacks Point Zone – Village and Education Activity Areas	Activity Status
41.4.2	Village and Education (V), V(HB) and (E) Activity Areas	
	Village Activity (V) and V(HB) Areas 41.4.2.1 Any commercial, community, residential or visitor accommodation activity within the Jacks Point (V) or Homestead Bay (HB) Village Activity Areas, including the addition, alteration or construction of associated buildings, provided the application is in accordance with a Comprehensive Development Plan incorporated in the District Plan, which applies to the whole of the relevant Village Activity Area and is sufficiently detailed to enable the matters of control listed below to be fully considered. Control is reserved to: a. the layout and orientation of built form, open spaces, roading pattern, car parking, and pedestrian and cycle access; b. the bulk, location and external appearance of buildings and associated including the creation of active frontages adjacent to roads and public spaces; c. the density and location of any proposed residential activity; d. the location of any proposed commercial and community activity; e. landscaping; f. streetscape design;	C

g. the formulation of design controls in relation to buildings, open space, and streetscapes and an appropriate legal mechanism to ensure their implementation;

h. the adequate provision of storage and loading/ servicing areas;

i. traffic effects.

Rule 41.4.2.1 and relief sought	**Appellant** Court Number	**Consequentially Affected Provisions**
Delete Rule 41.4.2.1	Homestead Bay Trustees Limited ENV-2018-CHC-109	Policy 41.2.1.18, Policy 41.2.1.19
Amend Rule 41.4.2.1 to: • require a Comprehensive Development Plan to be provided as an information requirement to support the establishment of any commercial, community, residential, or visitor accommodation activity in the Jacks Point Village; • provide for the use or development of land in accordance with the Comprehensive Development Plan issued as part of a consent granted under the rule above as a permitted activity; and • restrict development that is not in accordance with that Comprehensive Development Plan (or proposed to occur prior to the approval of the Comprehensive Development Plan).	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137 (relief partially struck out in as much as the relief sought relates to "reclassification of the Education Activity Area into the Jacks Point Village Activity Area")	Policy 41.2.1.19

	Education (E) Activity Area 41.4.2.2 Educational and Day Care Facilities. Control is reserved to: a. location and external appearance of buildings; b. setback from roads; c. setback from internal boundaries; d. outdoor living space; e. street scene including landscaping; f. provision for walkways, cycle ways and pedestrian linkages; g. noise; h. infrastructure and servicing, including traffic effects.	C

Rule 41.4.2.2 and relief sought	Appellant Court Number	Consequentially Affected Provisions
~~Delete Rule 41.4.2.2~~	~~Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137~~ (relief struck out)	

Table 3	Activities Located in the Jacks Point Zone – Lodge Activity Area	Activity Status
41.4.3	Lodge (L) Activity Area	

Rule 41.4.3 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Chapter 41 (which may include amendments to Rule 41.4.3.1 and the Structure Plan) to ensure that the use of Lodge (P) Activity Area is limited only to car parking, as follows: 41.4.3.1 Visitor accommodation activities, restaurants and conferences facilities within L(1) and (L2)	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	

		41.4.3.2 Parking associated with visitor accommodation activities within L(P) Failure to comply with 41.3.4.2 is discretionary.			
	Lodge Activity Area (L) 41.4.3.1 Visitor accommodation activities, restaurants, and conference facilities.				D
		Rule 41.4.3.1 and relief sought	**Appellant** Court Number	**Consequentially Affected Provisions**	
		Amend Rule 41.4.3.1 to make Visitor Accommodation a permitted activity.	Wild Grass Investments No 1. Limited & Others ENV-2018-CHC-074		
	Buildings 41.4.3.2 Buildings (including the addition, alteration or construction of buildings). Discretion is restricted to: a. the external appearance of buildings with respect to the effect on visual and landscape values of the area; b. infrastructure and servicing; c. associated earthworks and landscaping; d. access and parking; e. bulk and location; f. exterior lighting.				RD
	41.4.3.3 Any tennis court (including fencing) located within Lodge Area 2, and any outdoor swimming pool (including fencing) located within any Lodge Area (except spa pools less than 9m² and located within any Lodge Activity Area) provided: i. the tennis court surfaces are either dark green or grey in colour; and ii. any tennis court fencing is chain mesh or similar, and grey in colour. Control is reserved to: a. associated earthworks and landscaping; b. colour; c. fencing, including any glare resulting from the location and orientation of glass pool fencing.				C
	41.4.3.4 Any tennis court (including fencing) located within Lodge Area 2 and any outdoor swimming pool (including fencing) located within any Lodge Area that does not comply with Rule 41.4.3.3(i) and (ii), with discretion restricted to those matters listed in Rule 41.4.3.3 (a) - (c).				RD
	41.4.3.5 Except as provided for in Rules 41.4.3.3 and 41.4.3.4, any outdoor tennis court located within the Lodge Activity Areas.				NC

Table 4	Activities Located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Activity Status
41.4.4	Open Space (OS) and Homesite (HS) Activity Areas	
	Open Space Golf (OSG) Activity Area 41.4.4.1 Indigenous revegetation and outdoor recreation activities, including the development and operation of golf courses, associated earthworks, green keeping, driving range, administrative offices associated with golf, sales, and commercial instruction.	P
	Open Space Golf (OSG) Activity Area, except within the Lake Shore Landscape Protection Area 41.4.4.2 Any administrative offices and buildings ancillary to outdoor recreation activities. Control is reserved to: a. the external appearance of buildings with respect to the effect on visual and landscape values of the area; b. the adequacy of Infrastructure and servicing; c. the effects of associated earthworks and landscaping; d. access and parking provision; e. the bulk and location of buildings; f. the effects of exterior lighting.	C
	Open Space Golf (OSG) Activity Area 41.4.4.3 Any buildings within a Landscape Protection Area, or any buildings other than administrative offices and buildings ancillary to outdoor recreation activity; and any activities other than those specified under Rules 41.4.4.2 and 41.4.4.4.	D

Activity Rule 41.4.4.3 and relief sought	**Appellant** Court Number	**Consequentially Affected Provisions**
~~Amend Rule 41.4.4.3:~~ ~~Any buildings within a Landscape Protection Area, or any buildings other than administrative offices and buildings ancillary to outdoor recreation activity; and any activities other than those specified under Rules 41.4.4.1, 41.4.4.2 and 41.4.4.4~~	~~Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137~~ (relief struck out)	

Open Space Golf (OSG) Activity Area

41.4.4.4 The mining of rock and aggregate and/or gravel for use anywhere within the Jacks Point Zone. D

Activity Rule 41.4.4.4 and relief sought	**Appellant** Court Number	**Consequentially Affected Provisions**
Amend the Activity Status of Rule 41.4.4.4 to Restricted Discretionary.	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137 (further particulars received)	

Open Space Landscape (OSL) Activity Area

41.4.4.5 Pastoral and arable farming, endemic revegetation, and pedestrian and cycle trails. P

Rule 41.4.4.5 and relief sought	**Appellant** Court Number	**Consequentially Affected Provisions**
Amend Rule 41.4.4.5: Pastoral and arable farming, endemic revegetation, and pedestrian and cycle trails. <u>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>	Remarkables Station Limited and others ENV-2018-CHC-090	

Open Space Landscape (OSL) Activity Area

41.4.4.6 Any building within a Landscape Protection Area, or any building other than ancillary to farming activity. D

Rule 41.4.4.6 and relief sought	**Appellant** Court Number	**Consequentially Affected Provisions**
A change to the activity status for buildings (other than farm buildings) and activities such as visitor accommodation in the Peninsula Hill Landscape protection Area	Alexander Schrantz and Jayne Schrantz ENV-2018-CHC-61	

	41.4.4.7 Any farm building other than within a Landscape Protection Area. Control is reserved to: a. the external appearance of buildings with respect to the effect on visual and landscape values of the area; b. the adequacy of Infrastructure and servicing; c. the effects of associated earthworks and landscaping; d. access and parking provision; e. the bulk and location of buildings; f. the effects of exterior lighting.	C

Table 4	Activities Located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Activity Status
	Open Space Residential Amenity (OSA) Activity Area 41.4.4.8 Any buildings within the Highway Landscape Protection Area. **Activity Rule 41.4.4.8 and relief sought** / **Appellant** Court Number / **Consequentially Affected Provisions** Delete Rule 41.4.4.8. / Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137 /	P
	41.4.4.9 Recreation amenities, playgrounds, landscaping, pedestrian and cycle trails, lighting, stormwater retention, and underground services.	P
	Open Space Residential Amenity (OSA) Activity Area 41.4.4.10 Any buildings ancillary to outdoor recreation activity. Control is reserved to: a. the external appearance of buildings with respect to the effect on visual and landscape values of the area; b. the adequacy of Infrastructure and servicing; c. the effects of associated earthworks and landscaping; d. access and parking provision; e. the bulk and location of buildings; f. the effects of exterior lighting.	C
	Open Space Residential Amenity (OSA) Activity Area 41.4.4.11 Any building other than those ancillary to outdoor recreation activity.	D

	Open Space – Horticultural (OSH) Activity Area 41.4.4.12 Horticultural activities and accessory buildings and activities, and residential activities. **Rule 41.4.4.12 and relief sought** / **Appellant** Court Number / **Consequentially Affected Provisions** Delete Rule 41.4.4.12 / Homestead Bay Trustees Limited ENV-2018-CHC-109 / Rule 41.5.4.7, Rule 41.5.4.8	D
	Open Space – Residential (OSR) Activity Areas 41.4.4.13 OSR South No more than 39 residential units. 41.4.4.14 OSR North No more than 10 residential units. **Rule 41.4.4.14 and relief sought** / **Appellant** Court Number / **Consequentially Affected Provisions** Amend Rule 41.4.4.14: No more than ~~10~~ 12 residential units. / Remarkables Station Limited and others ENV-2018-CHC-090 /	D

Table 4	Activities Located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Activity Status
	Open Space Boating Facilities Activity Area OS (BFA) 41.4.4.15 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. Discretion is restricted to: a. effects on natural character; b. effects on landscape and amenity values; c. effects on public access to and along the lake margin; d. external appearance, colours and materials; e. location.	RD

Open Space Wetland (OSW) Activity Area

41.4.4.16 Structures restricted to those necessary to develop pedestrian access (e.g. boardwalks), fences, or other structures relating to the protection and enhancement of biodiversity and ecological values.

D

Activity Rule 41.4.4.16 and relief sought	**Appellant** Court Number	**Consequentially Affected Provisions**
Amend the Activity Status of Rule to Permitted.	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	

Homesite (HS) Activity Area

41.4.4.17 No more than one residential building located within a Homesite (HS) Activity Area.

C

Activity Rule 41.4.4.17 and relief sought	**Appellant** Court Number	**Consequentially Affected Provisions**
Amend Rule 41.4.4.17 to: • provide for residential activity (including residential units) as a permitted activity within the Homesite Activity Areas at a density of one residential unit per Homesite Activity Area; and • refer to 'residential activity' rather than 'residential building'.	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	

Control is reserved to:

a. the external appearance of buildings with respect to the effect on visual and landscape values of the area;

b. infrastructure and servicing;

c. associated earthworks and landscape;

d. access and parking;

e. bulk and location;

f. exterior lighting;

g. the protection and enhancement of the wetland areas adjacent to the Homesite (HS) Activity Area;

h. the implementation and maintenance of the comprehensive vegetation plan.

	41.4.4.18	Any tennis court (including fencing) and any outdoor swimming pool (including fencing) located within a Homesite Area (except spa pools less than 9m²) provided: i. the tennis court surfaces are either dark green or grey in colour; and ii. any tennis court fencing is chain mesh or similar, and grey in colour. Control is reserved to: a. associated earthworks and landscaping; b. colour; c. fencing, including any glare resulting from the location and orientation of glass pool fencing.	C

Table 4	Activities Located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Activity Status
	41.4.4.19 Any tennis court (including fencing) and any outdoor swimming pool (including fencing) located in a Homesite Area that does not comply with Rule 41.4.4.18(i) and (ii), with discretion restricted to those matters listed in Rule 41.4.4.18 (a) - (c).	RD
	41.4.4.20 Except as provided for in Rules 44.4.4.18 and 44.4.4.19, any outdoor tennis court located within a Homesite Area or the Tablelands Landscape Protection Area.	NC
	Open Space Foreshore (OSF) Activity Area 41.4.4.21 The regeneration of native endemic species and retention of open space	P

Rule 41.4.4.20 and relief sought	**Appellant** Court Number	**Consequentially Affected Provisions**
Amend Rule 41.1.1.20: The regeneration of native endemic species 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.	Remarkables Station Limited and others ENV-2018-CHC-090	

Table 5	Activities Located in the Jacks Point Zone – Zone Wide Activities	Activity Status
41.4.5	Jacks Point Zone – Zone Wide Rules	
	41.4.5.1 Sale of Liquor Premises licensed for the sale of liquor (including both off-licenses and on- licenses). Discretion is restricted to: a. location; b. scale of the activity; c. residential amenity values; d. noise; e. hours of operation; f. car parking and vehicle generation.	RD
	41.4.5.2 State Highway Mitigation Mitigation works undertaken within the location shown on the Structure Plan. Control is reserved to: a. the creation of a comprehensively designed landscape edge to the northern part of the zone within the OSA and R (HD – SH) 1 Activity Areas; b. mitigation of the visual impacts of potential buildings when viewed from State Highway 6 through earth contouring and vegetation (at maturity), within Activity Areas R(HD-SH) – 1 and R(HD-SH)- 2 and RHD-SH) 3; c. maintaining views across the zone to the mountains located against the western shores of Lake Wakatipu; d. appropriate plant species, height at planting and at maturity; and e. provision for on-going maintenance and ownership.	C

Table 5	Activities Located in the Jacks Point Zone – Zone Wide Activities	Activity Status
	41.4.5.3 Informal Airports a. emergency landings, rescues, firefighting and activities ancillary to farming activities; b. informal Airports limited to the use of helicopters.	P D

Activity Rule 41.4.5.3(a) and relief sought	**Appellant** Court Number	**Consequentially Affected Provisions**
Amend Rule 41.4.5.3(a): Informal Airports for emergency landings, rescues, firefighting and activities ancillary to farming activities;	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	

	41.4.5.4	The establishment and operation of Airport Activity or Aerodrome other than those allowed by Rules 41.4.5.3(a) and 41.4.5.3(b), including Informal Airports used by fixed wing aircraft.	NC
	41.4.5.5	Factory Farming	NC
	41.4.5.6	Forestry Activities All forestry activities, excluding harvesting of forestry which existed as at 31 August 2016.	NC
	41.4.5.7	Mining Activities With the exception of the mining of rock and/or aggregate and/or gravel provided for by Rule 41.4.4.4.	NC
	41.4.5.8	Industrial Activities	NC
	41.4.5.9	Landfill	NC
	41.4.5.10	Panelbeating, spraypainting, motor vehicle, repair or dismantling fibreglassing, sheet metal work, bottle or scrap storage, motorbody building, fish or meat processing.	PR
	41.4.5.11	Any activity requiring an Offensive Trade Licence under the Health Act 1956.	PR

41.5 Rules - Activity Standards

Table 6	Standards for activities located in the Jacks Point Zone - Residential Activity Areas	Non-compliance Status
41.5.1	Residential Activity Area	
41.5.1	Density 41.5.1.1 The average density of residential units within each of the Residential Activity Areas shall be as follows: R(JP) – 1 13 – 19 per Ha R(JP) – 2A 14 – 33 per Ha R(JP) – 2B 14 – 15 per Ha R(JP) – 3 14 per Ha R(JP-SH) – 1 10 per Ha R(JP-SH) – 2 9 per Ha R(JP-SH) – 3 5 – 27 per Ha R(JP-SH) – 4 5 – 12 per Ha R(HD-SH) – 1 12 – 22 per Ha R(HD-SH) – 2 2 – 10 per Ha R(HD) – 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 17 – 24 per Ha RL 2 per Ha Density shall be calculated on the net area of land available for development and excludes land vested or held as reserve, open space, public access routes or roading and excludes sites used for non-residential activities. Within the Residential Areas of Hanley Downs, if part of an Activity Area is to be developed or subdivided, compliance must be achieved within that part and measured cumulatively with any preceding subdivision or development which has occurred with that Activity Area. Within the Jacks Point Residential Activity Areas, density shall be calculated and applied to the net area of land across the whole Activity Area, as defined in 41.5.1.1 above.	RD Discretion is restricted to: a. residential amenity values; b. traffic, access, parking; c. adequacy of infrastructure.

Rule 41.5.1.1 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Reinstate density rules in the area labelled in R(HD)-F on the Structure Plan, as notified in the PDP.	RCL Henley Downs Limited & Others ENV-2018-CHC-102	Policy 41.2.1.12
Amend Rule 41.5.1.1: … R(HB)D & E 10 – 15 per Ha. R(HB-SH)A-C 10 – 15 per Ha.	Remarkables Station Limited and others ENV-2018-CHC-090	
Amend Rule 41.5.1.1: … R(HB)D 10 – 15 per hectare	Homestead Bay Trustees Limited ENV-2018-CHC-109	
Amend Rule 41.5.1.1 so that density is calculated by providing for two decimal places: R(JP) – 1 13.83 – 19.74 per Ha R(JP) – 2A 11.04 – 27.02 per Ha R(JP) – 2B 14.25 – 15.07 per Ha R(JP) – 3 14.18 per Ha R(JP-SH) – 1 11.00 per Ha R(JP-SH) – 2 10.20 per Ha R(JP-SH) – 3 11.85 per Ha R(JP-SH) – 4 7.24 – 18.10 per Ha R(HD-SH) – 1 12 - 22 per Ha R(HD-SH) – 2 2 - 10 per Ha R(HD-SH) – 3 12 – 22 per Ha R(HD) - A 17 - 24 per Ha R(HD) – B 17 - 24 per Ha R(HD) - C 15 - 22 per Ha R(HD) - D 17 - 24 per Ha R(HD) - E 24 per Ha R(HD) - FA –17 - 24 per Ha R(HD) – FB 2 per Ha R(HD) – G 2 per Ha	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137 (as per further particulars received)	

Table 6	Standards for activities located in the Jacks Point Zone - Residential Activity Areas	Non-compliance Status

	Building Height 41.5.1.2 The maximum height of buildings shall be: a. Residential (R) Activity Areas 8m b. Rural Living Activity Areas 5m c. All other buildings and structures 4m	NC
	41.5.1.3 Notwithstanding Rule 41.5.1.2, where a. any medium density residential housing development has been consented under Rules 41.4.1.5 or 41.4.1.6; or b. on sites smaller than 380m² created by subdivision; The maximum height of buildings may exceed the maximum height stated in Rule 41.5.1.2, up to a maximum of 3 storeys or 10m (whichever is lesser).	RD Discretion is restricted to: a. visual dominance; b. external appearance; c. the scale and extent of building portions that exceed three stories or 10m.
	41.5.1.4 Recession Planes Within the R(HD) and R(HD-SH) Activity Areas: In addition to the maximum height of buildings specified under Rule 41.5.1.2, buildings shall comply with the following recession plane requirements: a. No part of any building shall protrude through 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. i. Northern Boundary: 2.5m and 55 degrees; ii. Western and Eastern Boundaries: 2.5m and 45 degrees; iii. Southern Boundaries: 2.5m and 35 degrees; Except that within the Residential Hanley Downs (R (HD)) Activity areas, this rule shall not apply: I. Sites smaller than 380m² created by subdivision; II. A medium density residential development consented under Rule 41.4.1.5; b. Application of recession line rules – clarification: i. Gable end roofs may penetrate the building recession plane by no more than one third of the gable height; c. A recession line restriction shall not apply to accessory buildings nor common walls shared at a boundary and parts of buildings that do not extend beyond the length of that wall. Advice Note: Refer to Definitions for detail of the interpretation of recession planes.	RD Discretion is restricted to: a. privacy effects; b. access to sunlight and the impacts of shading; c. effects upon access to views of significance; d. visual dominance and external appearance.

Rule 41.5.1.4 and relief sought	**Appellant** Court Number	**Consequentially Affected Provisions**

		Delete Rule 41.5.1.4	RCL Henley Downs Limited & Others ENV-2018-CHC-102			
		Amend Rule 41.5.1.4 to • remove the requirement to comply with a 2.5m and 45 degree recession plane from all boundaries of a site; • provide an exemption from this activity standard for dormer windows (in addition to gable end roofs); and • amend the description of exemptions to this activity standard for gable end roofs and dormer windows such that these features are exempt where they are: a. no greater than 1 m in height and width measured parallel to the nearest adjacent boundary; and b. no greater than 1 m in depth measured horizontally at 90 degrees to the nearest adjacent boundary.	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137			

Table 6	Standards for activities located in the Jacks Point Zone - Residential Activity Areas	Non-compliance Status

	41.5.1.5 Building Coverage a. on any site within the R(JP), R(JP-SH) Activity Areas, buildings shall not exceed a maximum site coverage of 45%; and b. (on any site within the R(HD) and R(HD-SH) Activity Areas, buildings shall not exceed a maximum site coverage of 50%. Except that: Residential activity in the R(JP), R(JP-SH), R(HD), and R(HD-SH) Activity Areas consented under Rule 41.4.6 (medium density residential development) or under Rule 27.7.5.2 or 27.5.5, shall not exceed a maximum site coverage of 60%.	RD Discretion is restricted to: a. urban design; b. effects on amenity values for neighbours; c. the character of the Activity Area; d. stormwater management.

Rule 41.5.1.5 and relief sought	**Appellant** Court Number	**Consequentially Affected Provisions**
Amend Rule 41.5.1.5 so that it provides a maximum building coverage of 70% for medium density residential development in the R(HD) and R(HD-SH) Activity Areas consented under either Activity Rule 41.4.1.5 or Rule 27.7.5.2 or 27.5.5.	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	

	Building Setbacks 41.5.1.6 Buildings for all activities, except for buildings located on sites smaller than 380m² and created pursuant to subdivision Rules 27.5.5 and 27.7.5.2, shall be subject to the following minimum setback rules: a. two setbacks of 4.5m, with all remaining setbacks of 2m; or b. one setback of 6m, one setback of 3.5m and all other setbacks of 2m; Except that: i. any residential unit may encroach into a setback by up to 1m for an area no greater than 6m² provided the component of the building infringing the setback has no windows or openings; ii. accessory buildings for residential activities, including garages, may encroach into the setback where they are no more than 3.5m in height and where no windows or openings are orientated toward an internal boundary; iii. no setbacks are required when buildings share a common wall at the boundary.	RD Discretion is restricted to: a. bulk, height and proximity of the building façade to the boundary; b. the impact on neighbours' amenity values; c. loss of daylight; d. access to sunlight.

Rule 41.5.1.6 and relief sought	**Appellant** Court Number	**Consequentially Affected Provisions**
Apply 1m side yard building setbacks on all sites within the Residential (Hanley Downs) Activity Area, the Hanley Downs State Highway Activity Area and the Village Activity Area, with appropriate exemptions for accessory buildings.	RCL Henley Downs Limited & Others ENV-2018-CHC-102 (relief amended)	

	41.5.1.7 a. 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. b. No setbacks are required when buildings share a common wall at the boundary. **Rule 41.5.1.7 and relief sought** / **Appellant** Court Number / **Consequentially Affected Provisions** Apply 1m side yard building setbacks on all sites within the Residential (Hanley Downs) Activity Area, the Hanley Downs State Highway Activity Area and the Village Activity Area, with appropriate exemptions for accessory buildings. / RCL Henley Downs Limited & Others ENV-2018-CHC-102 (relief amended) /	RD Discretion is restricted to: a. bulk, height and proximity of the building façade to the boundary; b. the impact on neighbours' amenity values c. shading and access to sunlight.
	Retail Activities 41.5.1.8 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.	NC
	41.5.1.9 The total gross floor area of all commercial activities, excluding associated car parking, in the R(HD) A Activity Area shall not exceed 550m² across all of that Activity area. **Rule 41.5.1.9 and relief sought** / **Appellant** Court Number / **Consequentially Affected Provisions** Amend Rule 41.5.1.9 so that the 'cap' on total floor space of all commercial activities of 550m² applies across the R(HD) A to E Activity Areas, rather than just in the R(HD) A Activity Area. / Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137 /	NC

Table 6	Standards for activities located in the Jacks Point Zone - Residential Activity Areas	Non-compliance Status
	State Highway Noise 41.5.1.10 Any residential activities located within 80 m of the seal edge of State Highway 6, shall be designed and constructed to meet noise perfor-mance 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.	RD Discretion is restricted to: a. residents' health and residential amenity.
	Planting – Jacks Point Residential Activity Areas 41.5.1.11 On any site within a Residential Jacks Point R (JP) Activity Area at least 75% of all trees and shrubs planted shall be from the species identified on the Jacks Point plant list contained within Part 41.8. Percentages are in terms of overall plant numbers.	RD Discretion is restricted to: a. any effects on nature conservation values; b. effects on landscape character and visual amenity.

Table 7	Standards for activities located in the Jacks Point Zone – Village and Education Activity Areas	Non-compliance Status
41.5.2	Village and Education Activity Areas	
	Scale of Commercial Activity 41.5.2.1 The maximum net floor area for any single commercial activity (as defined in chapter 2) shall be 200m². For the purpose of Rule 41.5.2.1, commercial activities are as defined in Chapter 2, but excludes markets, showrooms, professional, commercial and administrative offices, service stations, and motor vehicle sales. **Rule 41.5.2.1 and relief sought** / **Appellant** Court Number / **Consequentially Affected Provisions** Amend Rule 41.5.2.1 so that: • the cap on the scale of commercial activities only relates to retail activities, but would exclude one supermarket servicing the retail needs of the Jacks Point Residents; • the cap for retail activities is 300m² per tenancy; and • the activity status for a breach of this activity standard is restricted discretionary. Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	D
	Building Coverage 41.5.2.2 On any site within the (E) Activity Area, buildings shall not exceed a maximum site coverage of 45%.	RD Discretion is restricted to: a. urban design; b. effects on amenity values for neighbours (particularly in adjoining residential activity areas) and the character of the (E) Activity Area; c. stormwater management.

<table>
<tr><th>Table 7</th><th>Standards for activities located in the Jacks Point Zone – Village and Education Activity Areas</th><th>Non-compliance Status</th></tr>
<tr><td></td><td>41.5.2.3 Within the Jacks Point Village JP(V) and the Homestead Bay V(HB) Activity Areas maximum building coverage, calculated across the total Activity Area, shall not exceed 60%.
<table>
<tr><th>Rule 41.5.2.3 and relief sought</th><th>Appellant
Court Number</th><th>Consequentially Affected Provisions</th></tr>
<tr><td>Amend Rule 41.5.2.3 to clarify that the maximum building coverage of 60% applies to each of the Village Activity Areas.</td><td>Coneburn Preserve Holdings Limited & Others (‘Jacks Point’) ENV-2018-CHC-137</td><td></td></tr>
</table></td><td>RD
Discretion is restricted to:
a. urban design;
b. effects on amenity values for neighbours and the character of the Activity Area;
c. stormwater management.</td></tr>
<tr><td></td><td>Building Height
41.5.2.4 The maximum height of buildings shall be:
a. Homestead Bay Village (V-HB) Activity Area 10m
b. Jacks Point Village (V-JP) Activity Area 12m and comprising no more than 3 storeys
<table>
<tr><th>Rule 41.5.2.3 and relief sought</th><th>Appellant
Court Number</th><th>Consequentially Affected Provisions</th></tr>
<tr><td>Amend Rule 41.5.2.4(b) to remove the limitation of buildings to comprising no more than 3 storeys.</td><td>Coneburn Preserve Holdings Limited & Others (‘Jacks Point’) ENV-2018-CHC-137</td><td>Policy 41.2.1.19(d)</td></tr>
</table>
a. Education Precinct (E) Activity Area 10m
b. all other buildingsand structures 4m</td><td>NC</td></tr>
</table>

	Residential Units 41.5.2.5 In the V(HB) Activity Area, no residential units may be constructed until 80% of the freehold land within the Open Space Foreshore Activity Area has been planted with native endemic species	NC

Rule 41.5.2.5 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Delete Rule 41.5.2.5	Homestead Bay Trustees Limited ENV-2018-CHC-109	Policy 41.2.1.18

Table 8	Standards for activities located in the Jacks Point Zone – Lodge Activity Area	Non-compliance Status
41.5.3	Lodge Activity Area	
	Building Setback 45.5.3.1 In Lodge Activity Area denoted as L(3) on the Structure Plan, buildings and structures shall be set back a minimum of 10m from the activity area boundary.	RD Discretion is restricted to: a. the outdoor car parking areas with respect to the effects on visual and landscape values; b. the effectiveness of mounding and planting at screening buildings and car parking and the shape and design of earthworks, including their relationship to existing landforms.
	Building Height 45.5.3.2 In the Lodge (L) Activity Area, the maximum height of any building shall be 7.5m.	RD Discretion is restricted to: a. visual dominance; b. external appearance; c. the scale and extent of the portions that exceed 5m.

Rule 41.5.3.2 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Rule 41.5.3.2 to clarify the activity status triggered by building heights in the LAAs.	Wild Grass Investments No 1. Limited & Others ENV-2018-CHC-074	

<table>
<tr><th>Table 9</th><th>Standards for activities located in the Jacks Point Zone – Open Space and Homesite Activity Areas</th><th>Non-compliance Status</th></tr>
<tr><td>41.5.4</td><td>Open Space (OS) and Homesite (HS) Activity Areas</td><td></td></tr>
<tr><td></td><td>Boundaries of Open Space Activity Areas

45.5.4.1 The boundaries of Open Space Activity Areas are shown indicatively and may be varied by up to 20m and the exact location and parameters are to be established through the subdivision process. Development prior to such subdivision occurring, which would preclude the creation of these open spaces, shall be contrary to this rule.
<table>
<tr><th>Rule 41.5.4.1 and relief sought</th><th>Appellant
Court Number</th><th>Consequentially Affected Provisions</th></tr>
<tr><td>Delete Rule 41.5.4.1</td><td>Coneburn Preserve Holdings Limited & Others (‘Jacks Point’)
ENV-2018-CHC-137</td><td>Rule 27.7.5.1(d)</td></tr>
</table></td><td>D</td></tr>
<tr><td></td><td>Open Space - Subdivision

41.5.4.2 Within any open space area created by subdivision, in accordance with (Rules 41.5.4.1 and 27.7.5.1), there shall be no building.
<table>
<tr><th>Rule 41.5.4.2 and relief sought</th><th>Appellant
Court Number</th><th>Consequentially Affected Provisions</th></tr>
<tr><td>Delete Rule 41.5.4.2</td><td>Coneburn Preserve Holdings Limited & Others (‘Jacks Point’)
ENV-2018-CHC-137</td><td></td></tr>
</table></td><td>D</td></tr>
</table>

	Building Coverage – Homesite (HS) Activity Area 41.5.4.3 Within any Homesite (HS) Activity Area, buildings shall not exceed a total building footprint of 1,000m² within each homesite.	RD Discretion is restricted to: a. the external appearance of buildings with respect to the effect on visual and landscape values of the area.; b. associated earthworks and landscaping; c. bulk and location; d. visibility of the building from State Highway 6 and Lake Wakatipu.

Table 9	Standards for activities located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Non-compliance Status
	Building height relative to ground level – Homesite (HS) Activity Area 45.5.4.4 The maximum height for any building shall be 5m above the datum level specified for each Homesite, as follows:	NC

Homesite	Datum (mas)	Homesite	Datum (mas)
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		

	Revegetation – Homesite (HS) Activity Area 41.5.4.5 No buildings shall be erected within a Homesite (HS) Activity Area unless and until an area as specified within this rule has been re-vegetated with native vegetation. The area required to be re-vegetated for the purposes of this rule shall be the greater of 3,000m² or 20 per cent of the area of the lot or title within which the Homesite (HS) Activity Area is situated, whichever is greater. For the purposes of this rule no account shall be taken of any native vegetation existing at the date of application for subdivision consent to create the lot or title within which the Homesite (HS) Activity Area is located.	D

Table 9	Standards for activities located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Non-compliance Status
	Building Height 41.5.4.6 The maximum height of buildings shall be: a. Homesite Activity Area 5 m b. all other buildingsand structures 4 m	NC
	Residential Units 41.5.4.7 In the OSH, OSR, and OS Activity Areas, no residential units may be constructed until 80% of the freehold land within the Open Space Foreshore Activity Area has been planted with native endemic species.	NC

Rule 41.5.4.7 and relief sought	**Appellant** Court Number	**Consequentially Affected Provisions**
Amend Rule 41.5.4.7 ~~In the OSH, OSR and OS Activity Areas, no residential units may be constructed until 80% of the freehold land within the Open Space Foreshore Activity Area has been planted with native endemic species.~~ 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: (a) "Homestead Bay State Highway Earthworks", Job No. 12471, Drawing No. EW 001, Rev. B & dated Feb 17; (b) "Landscape Berm Conceptual Layout", Ref: 1171-L1 & dated April 20, 2017; (c) "Landscape Berm Planting Concept", Ref: 1171-L2 & dated April 20, 2017.	Remarkables Station Limited and others ENV-2018-CHC-090	Policy 41.2.1.28

	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.			
	Delete Rule 41.5.4.7	Homestead Bay Trustees Limited ENV-2018-CHC-109	Rule 41.5.4.14	

Standards for Building

41.5.4.8 Within the Open Space - Horticultural (OSH) Activity Area:

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.

Rule 41.5.4.8 and relief sought	**Appellant** Court Number	**Consequentially Affected Provisions**
Delete Rule 41.5.4.8	Homestead Bay Trustees Limited ENV-2018-CHC-109	Rule 41.5.4.7, Rule 41.4.4.12

RD

Discretion is restricted to:

a. the external appearance of buildings with respect to the effect on visual and landscape values of the area;

b. associated earthworks and landscaping;

c. bulk and location;

d. visibility of the building from State Highway 6 and Lake Wakatipu.

	Farm buildings within the Open Space Landscape (OSL) Protection Activity Area 41.5.4.9 The construction, replacement or extension of a farm building within the Open Space Landscape Activity Area shall meet the following standards: a. the landholding the farm building shall be located within is greater than 100 ha; and b. the density of all buildings on the landholding site, inclusive of the proposed building(s) does not exceed one farm building per 50 hectares on the site; and c. 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 d. 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 e. 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. **Rule 41.5.4.9 and relief sought** / **Appellant** Court Number / **Consequentially Affected Provisions** Delete Rule 41.5.4.9 / Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137 / Provision 41.3.2.2	RD Discretion is restricted to: a. the extent to which the scale and location of the farm building is appropriate in terms of: i. rural amenity values; ii. landscape character; iii. privacy, outlook, and rural amenity from adjoining properties; iv. visibility, including lighting; v. scale; vi. location.

Table 9	Standards for activities located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Non-compliance Status

<table>
<tr><td></td><td>Planting and Cultivation – Landscape Protection and Tablelands Areas

41.5.4.10 Within the Highway Landscape Protection Area (refer Structure Plan 41.7) the planting and/or growing of any tree shall not obscure views from the State Highway to the mountain peaks beyond the zone.

<table><tr><th>Rule 41.5.4.10 and relief sought</th><th>Appellant
Court Number</th><th>Consequentially Affected Provisions</th></tr><tr><td>Delete Rule 41.5.4.10</td><td>Coneburn Preserve Holdings Limited & Others (‘Jacks Point’)
ENV-2018-CHC-137</td><td></td></tr></table></td><td>D</td></tr>
<tr><td></td><td>41.5.4.11 Within the Peninsula Hill Landscape Protection Area (refer Structure Plan 41 7) the planting and/ or cultivation of any tree or shrub shall be indigenous and characteristic of the Peninsula Hill escarpment (i.e. grey shrubland and tussock grassland on exposed sites and beech forest on sheltered sites).</td><td>D</td></tr>
<tr><td></td><td>41.5.4.12 Within the Lakeshore Landscape Protection Area (refer Structure Plan 41.7) the planting and/ or cultivation of any tree or shrub shall be indigenous and characteristic of the Lake Wakatipu foreshore (i.e. broadleaf forest, grey shrubland and tussock grassland plant communities).</td><td>D</td></tr>
<tr><td></td><td>41.5.4.13 Within the Tablelands Area (refer Structure Plan 41.7), there shall be no exotic vegetation planted and/or cultivated, with the exception of:
a. grass species if local and characteristic of the area; and
b. other vegetation if it is:
i. less than 0.5 metres in height; and
ii. less than 20 square metres in area; and within10 metres of a building; and
iii. intended for domestic consumption.</td><td>D</td></tr>
</table>

	41.5.4.14 Within the OSR Activity Area, at least 50% of any site shall be planted in native vegetation, prior to building. **Rule 41.5.4.14 and relief sought** / **Appellant** Court Number / **Consequentially Affected Provisions** Delete Rule 41.5.4.14 / Remarkables Station Limited and others ENV-2018-CHC-090 /	RD Discretion is restricted to any effects on nature conservation values.
	Open Space Wetlands (OSW) Activity Area 41.5.4.15 There shall be no development, landscaping, and/or earthworks within 7 metres of the Wetland Activity area identified on the Structure Plan, except to enable development of pedestrian access (including boardwalks), the erection of fences to control stock or other structures related to the protection of these areas, or to undertake ecological enhancement, including the removal of plant pests. **Rule 41.5.4.15 and relief sought** / **Appellant** Court Number / **Consequentially Affected Provisions** Amend Rule 41.5.4.15 so that it is appropriately located to apply to any land within 7m of an Open Space Wetland Activity Area (for example, under the zone-wide activity standards). / Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137 /	NC
	Fencing 41.5.4.16 There shall be no fences or walls within the boundary of any lot or title within the Tablelands Landscape Protection Area (refer Structure Plan) outside of any Homesite (HS) Activity Area or approved building platform, except for fencing between stock managed areas and areas retired from stock and for the purpose of demarcating private land from land accessible to the public as a result of the creation of public walkways additional to those walkways identified as "Public Access Route" on the Structure Plan. Any such fencing shall be post and wire only.	D

Table 9	Standards for activities located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Non-compliance Status
	Temporary and Permanent Storage of Vehicles 41.5.4.17 Within the Tablelands Landscape Protection Area (refer Structure Plan), but excluding the Homesite (HS) Activity Areas, there shall be no temporary or permanent siting of: a. motor vehicles, trailers, caravans, boats or similar objects; b. storage containers, workshops, offices, sheds, huts or similar structures (other than public toilets and shelter); and c. scaffolding or similar construction materials. Except for temporary filming towers erected during an event and for no more than 7 days either side of an event.	NC

Table 10	Standards for activities located in the Jacks Point Zone – Zone Wide Standards	Non-compliance Status
41.5.5	General Zone Wide Standards	
	Structure Plan 41.5.5.1 Development shall be undertaken in general accordance with the Structure Plan in Part 41.7. For the purposes of interpreting this rule, the following shall apply: a. a variance of up to 120m from the location and alignment shown on the Structure Plan of the Primary Roads, and their intersections with State Highway 6, shall be acceptable; b. Public Access Routes and Secondary Roads may be otherwise located and follow different alignments provided that any such alignment enables a similar journey; c. development shall facilitate a road connection at each Key Road Connection shown on the Structure Plan to enable vehicular access to roads which connect with the Primary Roads, provided that a variance of up to 50m from the location of the connection shown on the Structure Plan shall be acceptable.	D
	Setbacks from the zone boundary 41.5.5.2 Buildings or structures shall be set back a minimum of 20m from the zone boundary, except this rule shall not apply to the Boating Facilities (BFA) Activity Area.	RD Discretion is restricted to: a. bulk, height and proximity of the building facade to the boundary; b. the impact on neighbours amenity values; c. shading and access to sunlight.

Table 10	Standards for activities located in the Jacks Point Zone – Zone Wide Standards	Non-compliance Status
	Access to the State Highway 41.5.5.3 Access from State Highway 6 shall be only at the intersections at Maori Jack Road, and Woolshed Road and in a third location as approved by RM160562, as shown on the Structure Plan. **Rule 41.5.5.3 and relief sought** / **Appellant** Court Number / **Consequentially Affected Provisions** Amend Rule 41.5.5.3: Access from State Highway 6 shall be only at the intersections at Maori Jack Road, and Woolshed Road, and Homestead Bay Access and in a third location as approved by RM160562, as shown on the Structure Plan. — Remarkables Station Limited and others ENV-2018-CHC-090 — Policy 41.2.1.3 Amend Rule 41.5.5.3: Access from State Highway 6 shall be only at the intersections at Maori Jack Road, and Woolshed Road, Homestead Bay Access and in a third location as approved by RM160562, as shown on the Structure Plan. — Homestead Bay Trustees Limited ENV-2018-CHC-109 — Policy 41.2.1.3	RD Discretion is restricted to: a. the safe and efficient functioning of the road network.
	41.5.5.4 The scale of use of the Woolshed Road access shall not increase until an amended design for that road's intersection with State Highway 6 has been upgraded, completed and available for use, except as provided for through the approval of a Traffic Management Plan by the NZ Transport Agency (refer Advisory Note below). Advice Notes: a. a 'Traffic Management Plan' is required to be submitted to the NZ Transport Agency from any person/s using Woolshed Road in relation to construction within the Jacks Point Resort Zone; b. the upgrade of the intersection of Woolshed Road and State Highway 6 will require approval from the NZ Transport Agency.	RD Discretion is restricted to: a. the safe and efficient functioning of the road network.
	Building Colours 41.5.5.5 Any building shall result in: a. at least 70% of the total painted or galvanised external surface of buildings (excluding roofs and windows) with a reflectance value of between 0 and 35%; b. roof colours with a light reflectance value of 20% or less, and in the range of browns, greys and black.	D
	Glare 41.5.5.6 All fixed lighting shall be directed away from adjacent roads and properties.	NC

	41.5.5.7 No activity shall result in a greater than 3.0 lux spill, horizontal and vertical, of light onto any property located outside of the Zone, measured at any point inside the boundary of the adjoining property.	NC
	Outside storage and non-residential activities 41.5.5.8 In relation to non-residential activities, no goods, materials or equipment shall be stored outside a building, except for vehicles associated with the activity parked on the site overnight.	NC
	41.5.5.9 All manufacturing, altering, repairing, dismantling or processing of any materials, goods or articles shall be carried out within a building except in relation to farming. Except within the Village Activity Areas, where outside storage and activities are permitted.	NC

Table 10	Standards for activities located in the Jacks Point Zone – Zone Wide Standards	Non-compliance Status
	Servicing 41.5.5.10 All dwellings shall connect to reticulated infrastructure for the provision of a water supply, wastewater disposal, power and telecommunications. 41.5.5.11 All services, with the exception of stormwater systems, shall be reticulated underground.	NC

Rule 41.5.5.10 and relief sought	**Appellant** Court Number	**Consequentially Affected Provisions**
Amend Rule 41.5.5.10 such that dwellings located in the Homesite Activity Areas are not required to comply with this standard.	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	

41.6 Rules - Non-Notification of Applications

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

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

a. Rule 41.4.1.8 Commercial activities, community and visitor accommodation.

b. Rule 41.4.5.1 Sale of Liquor.

c. Rule 41.5.1.6 Setbacks from Roads and Internal Boundaries.

d. Rules 41.5.5.3 and 41.5.5.4 Access to the State Highway.

41.6.2.1 Rules 41.4.3.2 and 41.4.3.3 Buildings and tennis courts (including the addition to or construction of buildings) within the Lodge (L) Activity Areas.

Rule 41.6.2 and relief sought	**Appellant** Court Number	**Consequentially Affected Provisions**
Amend Rule 41.6.2 to enable resource consents within the LAA to be non-notified	Wild Grass Investments No 1. Limited & Others ENV-2018-CHC-074	

41.7 Jacks Point Structure Plan

Jacks Point Resort Zone Structure Plan

LEGEND

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

OVERLAYS

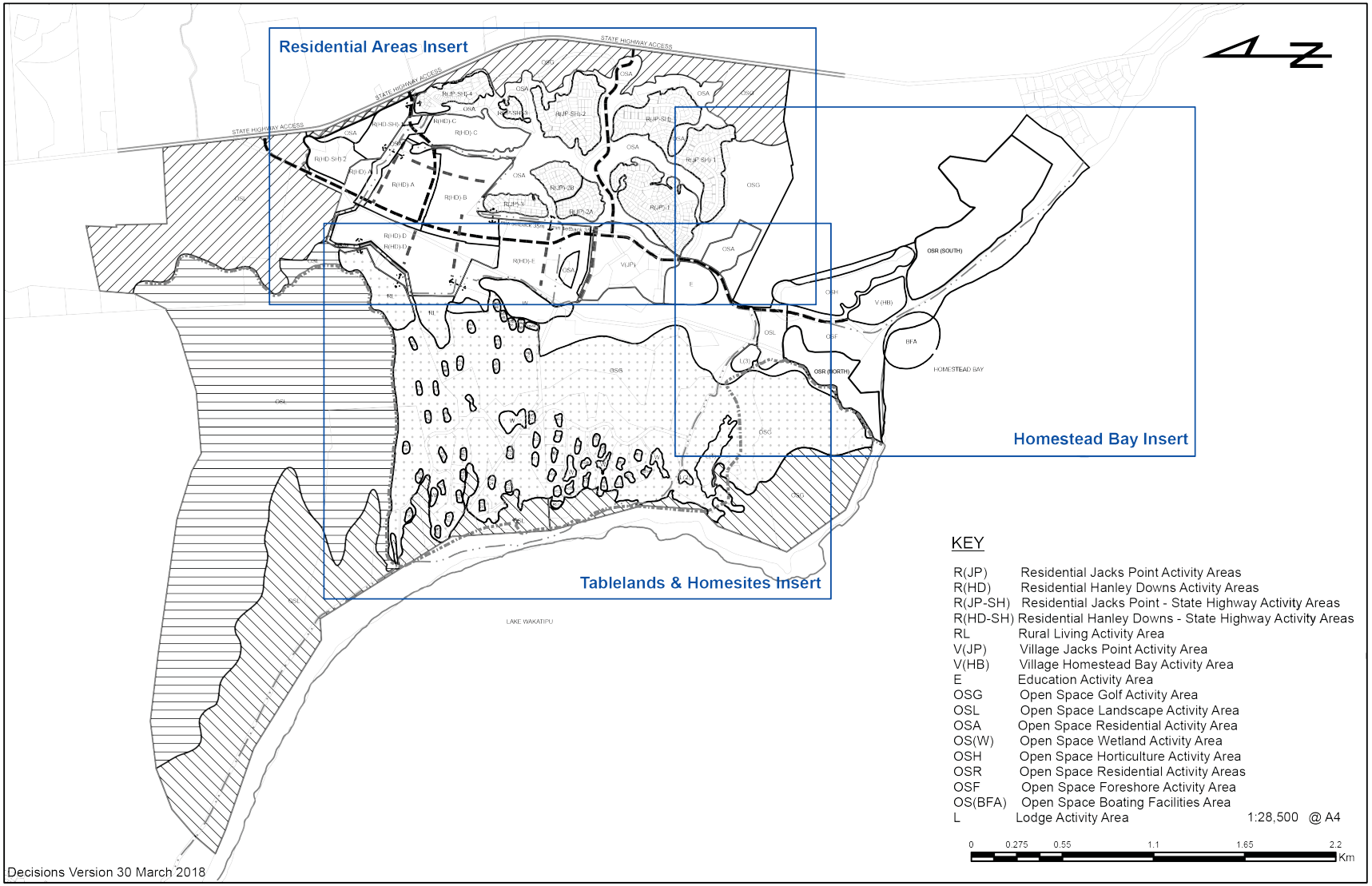
- Highway Landscape Protection Area
- Peninsula Hill Landscape Protection Area
- Lake Shore Landscape Protection Area
- Tablelands Landscape Protection Area

KEY

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

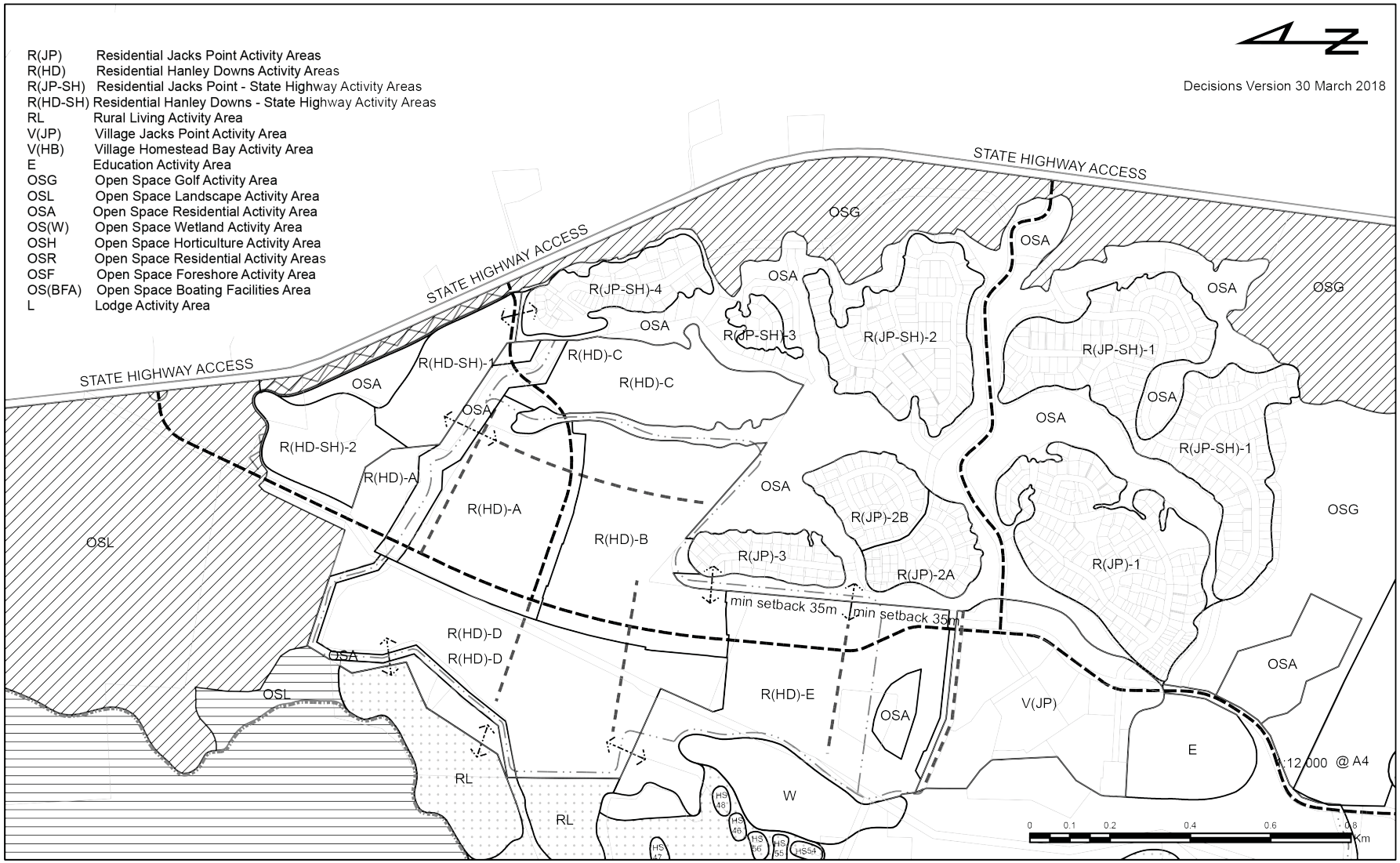
Decisions Version 30 March 2018

Jacks Point Resort Zone Structure Plan



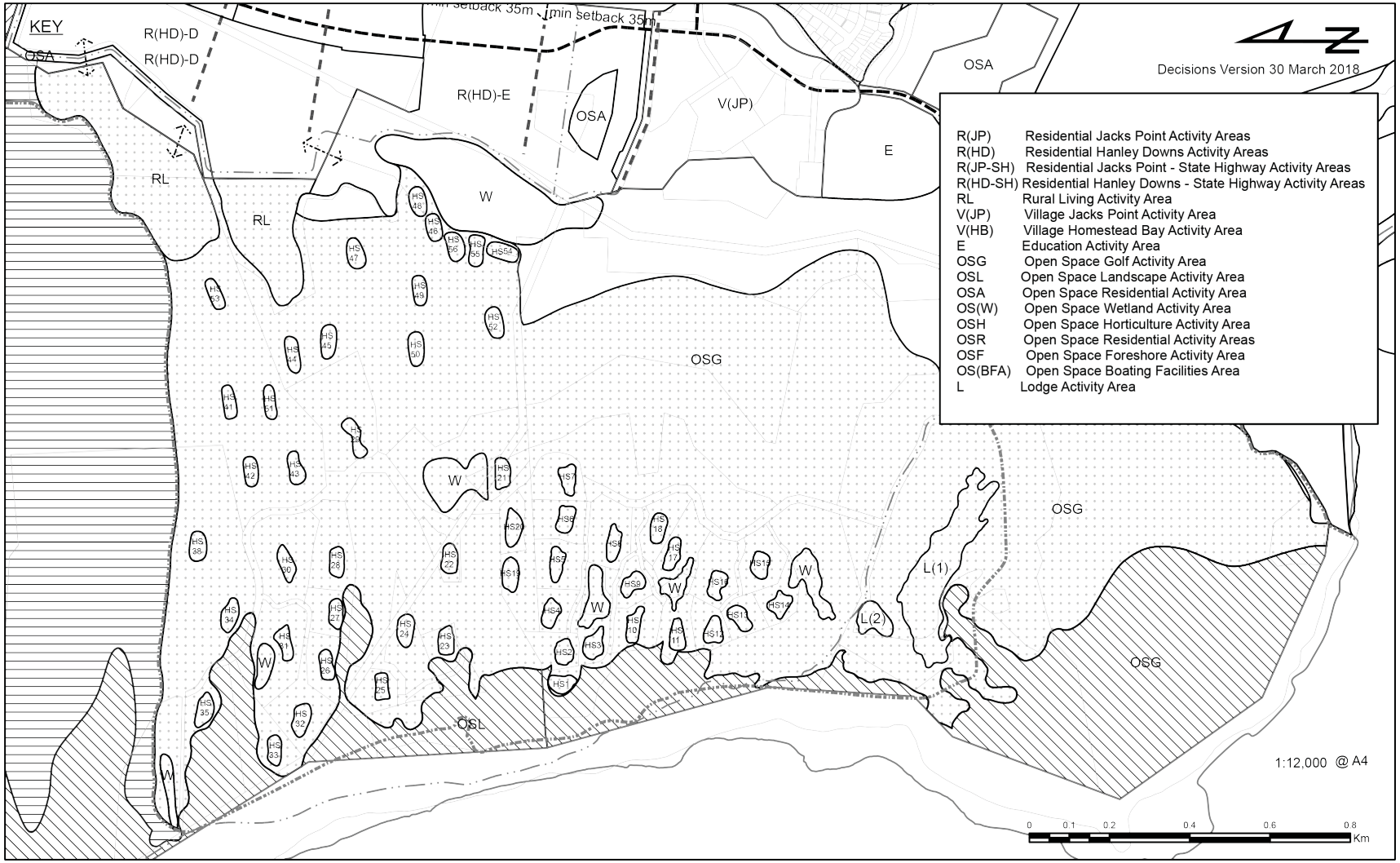
Jacks Point Resort Zone Structure Plan

Residential Areas Insert



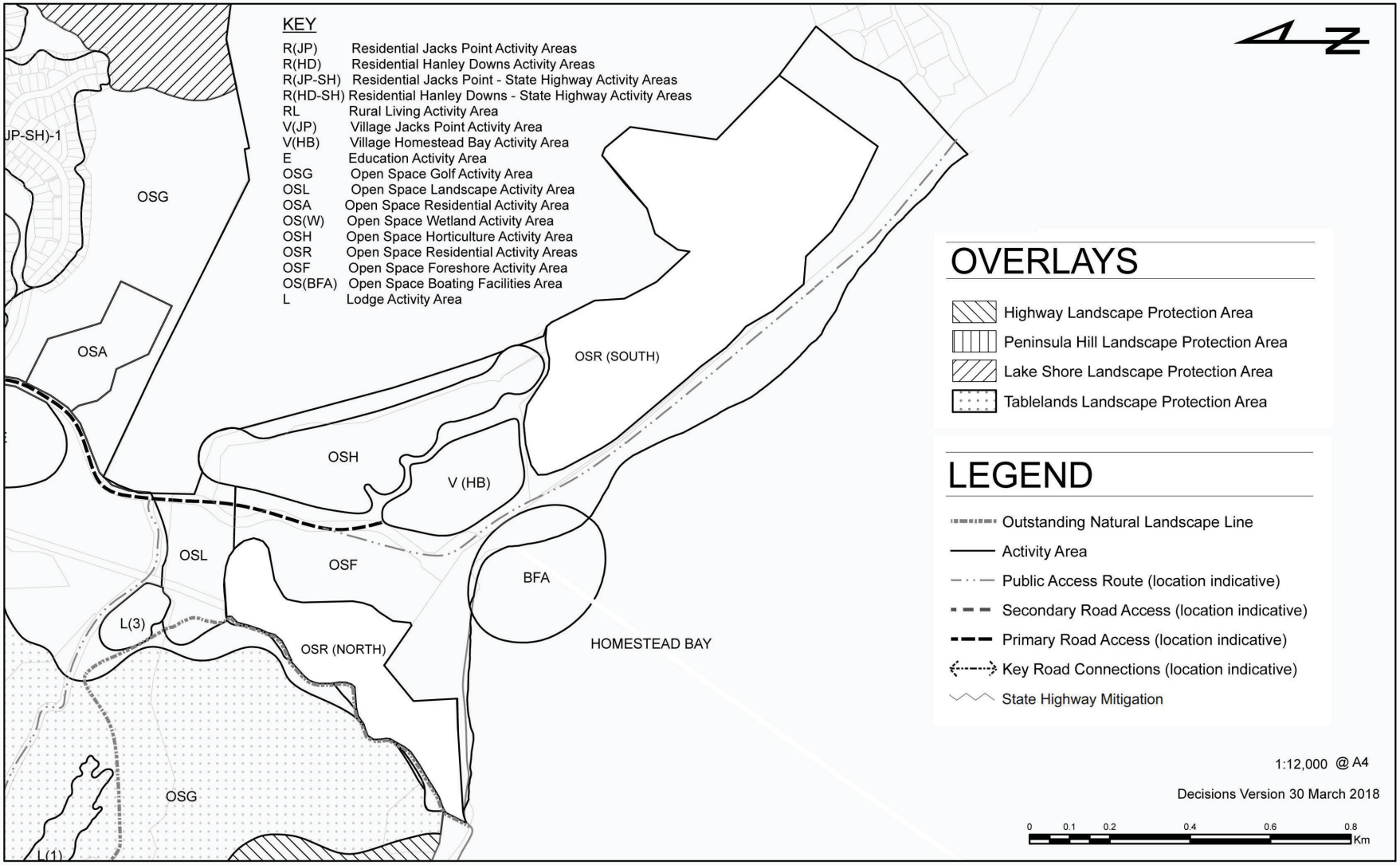
Jacks Point Resort Zone Structure Plan

Tablelands & Homesites Insert



Jacks Point Resort Zone Structure Plan

Homestead Bay Insert



Section 41.7 and relief sought	**Appellant** Court Number	**Consequentially Affected Provisions**
Deletion of the additional house sites introduced into the Tablelands to return to the density provided for in the Operative Plan	Alexander Schrantz and Jayne Schrantz ENV-2018-CHC-61	Policy 41.2.1.27, Rule 27.13.2
Amend the OSA configuration of the elevated land toward the southern end of R(HD)-E, by reverting to the configuration in the structure Plan notified in the PDP	RCL Henley Downs Limited & Others ENV-2018-CHC-102	Rule 27.13.2
Amend the Structure Plan to remove the 18 new Homesites in the Tablelands Area	Wei Heng Fong ENV-2018-CHC-116	
Amend L(3) on the Structure Plan to L(P).	Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	Rule 27.13.2

41.8 Jacks Point Plant List

Trees

Botanical Name	Common Name	Sun	Mid Sun	Shade	Moist	Dry	Sheltered	Exposed
Aristotelia serrata	Wineberry	x	x		x	x		x
Carpodetus serratus	Putaputaweta / marbleleaf	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 fuchsia		x		x		x	
Elaeocarpus hookerianus	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	
elicytus 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 eugenioides	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 crassifolius	Lancewood	x	x		x	x		x
Sophora microphylla	Kowhai	x	x		x	x	x	

Shrubs

Botanical Name	Common Name	Sun	Mid Sun	Shade	Moist	Dry	Sheltered	Exposed
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 Coprosma	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 longifolium	Inaka	x	x			x		x
Dracophyllum uniflorum	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
Myrsine divaricata	Weeping mapou	x	x		x	x		x
Olearia arborescens	Southern Tree Daisy	x	x		x	x		x
Olearia avicenniifolia	Tree Daisy	x				x		x
Olearia bullata		x			x	x		x
Olearia cymbifolia		x	x		x	x		x
Olearia fragrantissima		x				x	x	
Olearia hectori		x			x	x		x
Olearia lineata	Tree Daisy	x	x		x	x		x
Olearia nummulariafolia	Tree Daisy	x				x		x
Olearia odorata	Tree Daisy	x			x		x	
Ozothamnus sp.	Cottonwood	x			x	x		x
Pimelea aridula	NZ daphne	x			x	x		x
Pseudopanax colensoi var. ternatus	Mountain three finger		x	x	x	x		x

Grasses

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