

Annexure C - Copy of the Relevant Part of the Decisions

QUEENSTOWN LAKES DISTRICT COUNCIL
Hearing of Submissions on the Proposed District Plan

Report 12

**Report and Recommendations of Independent Commissioners
Regarding Chapter 41 – Jacks Point**

**Commissioners
Denis Nugent (Chair)
Robert Nixon
Calum MacLeod**

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1. PRELIMINARY MATTERS

1.1 Terminology in this Report

1. Throughout this report, we use the following abbreviations:

Act	Resource Management Act 1991 as it was prior to the enactment of the Resource Legislation Amendment Act 2017 unless otherwise stated
Clause 16(2)	Clause 16(2) of the First Schedule to the Act
Council	Queenstown Lakes District Council
EIC	Education Innovation Campus
EiC	Evidence in Chief
LPA	Landscape Protection Area
MDR	Medium Density Residential
NZTA	New Zealand Transport Agency
ODP	the Operative District Plan for the Queenstown Lakes District as at the date of these recommendations
ONL	Outstanding Natural Landscape(s)
PDP	Stage 1 of the Proposed District Plan for Queenstown Lakes District as publicly notified on 26 August 2015
RMA	Resource Management Act 1991 as it was prior to the enactment of the Resource Legislation Amendment Act 2017, unless otherwise stated
Stage 2 Variations	the variations, including changes to the existing text of the PDP, notified by the Council on 23 November 2017
UGB	Urban Growth Boundary
Variation 2	the variations, including Stage 2 of the District Plan review, notified by the Council on 23 November 2017

2. We were aware of the potentially large number of acronyms that could be used as part of these recommendations. A number of these have been adopted for the sake of brevity as listed above, and also for the names of some groups of submitters. However in other cases we have retained the full name to avoid confusion (e.g. 'activity area', 'Jacks Point Entities', etc).

3. The following submissions arise reasonably frequently and primarily concern parties associated with the further development of the Jacks Point Zone:
 - a. "RCL" – RCL Queenstown Proprietary Ltd, RCL Henley Downs Limited, RCL Jacks Point Limited¹;
 - b. Jardine Family Trust and Remarkables Station Limited²;
 - c. Jacks Point Entities – Jacks Point Residential No.2 Ltd, Jacks Point Village Holdings Ltd, Jacks Point Developments Limited, Jacks Point Land Limited, Jacks Point Land No. 2 Limited, Jacks Point Management Limited, Henley Downs Land Holdings Ltd, Henley Downs Farm Holdings Ltd, Coneburn Preserve Holdings Limited, Willow Pond Farm Limited (Jacks Point Residential No.2 et al)³; and
 - d. JPROA – Jacks Point Residents & Owners Association Inc.⁴
 - e. JPL – 'Jacks Point Landowners' comprise a group of original submitters who lodged the same or similar submissions and sought identical relief. (we do not include the specific submission names or numbers again in these recommendations). That group comprises the following:
 - i. Joanna & Simon Taverner⁵;
 - ii. Amy Bayliss⁶;
 - iii. Duncan Ashford & Sheena Ashford-Tait⁷;
 - iv. Maria & Matthew Thomson⁸;
 - v. Karen Page⁹;
 - vi. J M Smith, Bravo Trustee Company Limited & S A Freeman¹⁰;
 - vii. Neville Andrews¹¹;
 - viii. Tony & Bev Moran¹², Christine Cunningham¹³;
 - ix. Scott Sanders¹⁴;
 - x. Russel Tilsley & Joanne Ruthven¹⁵;
 - xi. Harris-Wingrove Trust¹⁶; and
 - xii. Westenberg Family Trust¹⁷.
 - f. JPR – 'Jacks Point Residents' are listed in the footnote¹⁸ below. JPR further submitted in general support of the original submissions lodged by the following:

¹ Submissions 632, 855 and FS1303

² Submission 715 and FS1090

³ Submissions 762, 856 and FS1275

⁴ Submission 765 and FS1277

⁵ Submission 131

⁶ Submission 246

⁷ Submission 259

⁸ Submission 284

⁹ Submission 316

¹⁰ Submission 547

¹¹ Submission 576

¹² Submission 582

¹³ Submission 645

¹⁴ Submission 647

¹⁵ Submission 735

¹⁶ Submission 802

¹⁷ Submission 787

¹⁸ Greig Garthwaite (FS1073), Ben and Catherine Hudson (FS1103), Lingasen and Janet Moodley (FS1114), Stephen and Karen Pearson (FS1116), BSTGT Limited (FS1122), Murray and Jennifer Butler (FS1192), Grant and Cathy Boyd (FS1218), David Martin and Margaret Poppleton (FS1225), James and Elisabeth Ford (FS1227), Kristi and Jonathan Howley (FS1237), Mark and Katherine Davies (FS1247), Sonia Voldseth & Grant McDonald (FS1250), Joanna and Simon Taverner (FS1293), Thomas Ibbotson (FS1299),

- xiii. Joanna & Simon Taverner¹⁹;
- xiv. Alexander Schrantz²⁰;
- xv. Clive and Sally Geddes²¹;
- xvi. Tim & Paula Williams²²;
- xvii. Margaret Joan Williams²³; and
- xviii. Christine Cunningham²⁴.

4. For brevity, we do not include the specific submitter names or numbers again in these recommendations:

5. JPR also further submitted in general opposition to the following submissions:
- a. RCL Queenstown Pty Ltd, RCL Henley Downs Ltd, RCL Jacks Point Ltd (RCL)²⁵;
 - b. Jardines Family Trust and Remarkables Station Limited²⁶;
 - c. Jacks Point Residential No.2 Ltd, Jacks Point Village Holdings Ltd, Jacks Point Developments Limited, Jacks Point Land Limited, Jacks Point Land No. 2 Limited, Jacks Point Management Limited, Henley Downs Land Holdings Ltd, Henley Downs Farm Holdings Ltd, Coneburn Preserve Holdings Limited, Willow Pond Farm Limited (Jacks Point Residential No.2 et al)²⁷; and
 - d. Jacks Point Residents & Owners Association Inc. (JPROA)²⁸.

6. JPRG – “Jacks Point Residents Group”²⁹ include a number of pro forma submitters who further submitted in general opposition to the following submissions:
- a. RCL³⁰;
 - b. Jardines Family Trust and Remarkables Station Limited³¹;
 - c. Jacks Point Entities³²; and
 - d. JPROA³³.

7. Jacks Point Entities³⁴ further submitted in general opposition to the following original submissions:
- a. Joanna & Simon Taverner³⁵;
 - b. James & Elisabeth Ford³⁶;

John and Mary Catherine Holland (FS1321).

¹⁹ Submission 131

²⁰ Submission 195

²¹ Submission 540

²² Submission 601

²³ Submission 605

²⁴ Submission 645

²⁵ Submission 632

²⁶ Submission 715

²⁷ Submission 762

²⁸ Submission 765

²⁹ Bravo Trustee Company (FS1219), Tim & Paula Williams (FS1252), Harris-Wingrove Trust (FS1316).

³⁰ Submissions 632 and 855

³¹ Submission 715

³² Submissions 762 and 856

³³ Submission 765

³⁴ FS1275

³⁵ Submission 131

³⁶ Submission 185

- c. Alexander Schrantz³⁷;
- d. Julie & William Jamieson³⁸;
- e. Amy Bayliss³⁹;
- f. Duncan Ashford & Sheena Ashford-Tait⁴⁰ (259);
- g. Maria & Matthew Thomson⁴¹ (284);
- h. Karen Page⁴² (316);
- i. Scope Resources and Southern Beaver Ltd⁴³ (342);
- j. Clive and Sally Geddes⁴⁴ (540);
- k. J M Smith, Bravo Trustee Company Limited & S A Freeman⁴⁵ (547);
- l. Neville Andrews⁴⁶ (576);
- m. Tony & Bev Moran⁴⁷ (582);
- n. Tim & Paula Williams⁴⁸ (601);
- o. Alpine Trust⁴⁹ (603);
- p. Margaret Joan Williams⁵⁰ (605);
- q. RCL Queenstown Pty Ltd, RCL Henley Downs Ltd, RCL Jacks Point Ltd (RCL)⁵¹;
- r. Christine Cunningham⁵²;
- s. Scott Sanders⁵³;
- t. Russell Tilsley & Joanne Ruthven⁵⁴;
- u. Fiordland Tablelands⁵⁵;
- v. Westenberg Family Trust⁵⁶;
- w. Vivo Capital Limited⁵⁷; and
- x. Harris-Wingrove Trust⁵⁸.

8. Jacks Point Entities⁵⁹ further submitted generally in support of Wild Grass Partnership, Wild Grass Investments No 1 Limited & Horizons Investment Trust⁶⁰.

37	Submission 195
38	Submission 207
39	Submission 246
40	Submission 259
41	Submission 284
42	Submission 316
43	Submission 342
44	Submission 540
45	Submission 547
46	Submission 576
47	Submission 582
48	Submission 601
49	Submission 603
50	Submission 605
51	Submissions 632 and 855
52	Submission 645
53	Submission 647
54	Submission 735
55	Submission 770
56	Submission 787
57	Submission 789
58	Submission 802
59	FS1275
60	Submission 567

9. Reference should be made to Appendix 2 which sets out the Hearings Panel's recommendations on individual submission points.

1.2 Hearing Arrangements

10. The hearings on Chapter 41 were held on 14 – 17 February 2017 inclusive in Queenstown.

Council

- Sarah Scott (Counsel)
- Victoria (Vicki) Jones
- Dr Marion Read
- David Compton – Moen
- Timothy Heath
- Samuel Corbett

Jacks Point Entities and JPROA

- Marie Baker – Galloway (Counsel)
- Christopher (Chris) Ferguson
- John Darby
- Yvonne Pflüger
- Duane Te Paa
- Michael Copeland
- Mike Coburn
- Richard Thomson
- Ken Gousmett
- David Rider

RCL

- T. Hovell (Counsel)
- David Wightman
- Daniel (Dan) Wells
- Benjamin (Ben) Espie
- Jeremy Trevathan
- Gary Dent
- Peter White

Scope Resources Ltd and Southern Beaver Limited⁶¹/Jardine Family Trust and Remarkables Station Ltd

- Nicholas Geddes

Jardine Family Trust and Remarkables Station Ltd

- Phil Page (Counsel)
- Nicholas Geddes

New Zealand Transport Agency⁶²

- Anthony MacColl

⁶¹ Submissions 342,715

⁶² Submission 719

Other submitters (residents of Jacks Point)

- Richard Brabant⁶³
- Timothy Williams⁶⁴
- Neville Andrews⁶⁵
- Alexander Schrantz⁶⁶
- Joanna Taverner⁶⁷
- Clive Geddes⁶⁸

2. THE STRUCTURE (FORMAT) OF CHAPTER 41

11. During the course of hearings on this chapter, it became increasingly apparent that the structure of the policies and rules was difficult to navigate. Jacks Point is a single zone, but includes 19 *activity areas*, three overlays in the form of Landscape Protection Areas (LPA's), plus a 'Tablelands' overlay. As notified, there were in excess of 100 rules (excluding exceptions) and 27 policies.
12. It is apparent that the activity areas fall into broad categories, which we have identified as residential, village/education, lodge, and open space. In addition there are policies and rules which have general application across the Jacks Point Zone as a whole.
13. Under the current rules format in Chapter 41, it is often necessary to trawl through a large number of unrelated rules to locate a rule which is particular to the relevant location/activity area within this very large zone. We have accordingly recommended that the rules format be amended to follow that elsewhere in the PDP, with the *activity areas* retaining that description, but being treated as zones. We have concluded that the BFA (Boating Facilities Area) should logically be grouped under the Open Space group of activity areas, but without consequent changes to the policy or rule framework as a consequence. Our conclusions are based on the predominantly open space and rural character anticipated through the implementation of this activity area which is located at Homestead Bay.
14. Policies will be grouped under:
 - a. General Zone Wide
 - b. Residential
 - c. Village/Education
 - d. Lodge
 - e. Open space

⁶³ Further Submission 1283

⁶⁴ Submission 601

⁶⁵ Submission 576

⁶⁶ Submission 195

⁶⁷ Submission 131

⁶⁸ Submission 540

15. Activity status, and the activity standards, are recommended to be grouped under the same categories.

16. The attention of readers of these recommendations is drawn to the fact that the text changes accompanying these recommendations will follow this amended format. In the text, reference to the provisions in Chapter 41 as notified in the PDP will be described as (e.g. “notified Rule X”).

2.1 The format of these recommendations

17. We have adopted broadly the same structure in the text of these recommendations as that contained in the Officer’s Section 42A Report prepared by Ms Vicki Jones. This has the advantage of enabling readers of these recommendations to be able to follow a format consistent with that in the earlier officer’s report, with which submitters will be familiar. It also has the advantage of grouping ‘like submissions’ together. As a consequence of this, we have also adopted the approach contained in the Section 42A Report of making reference to whole submissions in the text of the recommendations, rather than individual submission points. The recommendations on individual submission points are set out in Appendix 2 to these recommendations.

18. There are a large number of submissions and further submissions which seek identical or very similar relief. To avoid unnecessary duplication, and lengthening the text of the recommendations even further, we have adopted the approach in the officer’s report of grouping like submissions, and referring to them under an abbreviated title (for example, “JPR” for like submitters grouped under Jacks Point Residents).

2.2 Earthworks provisions in Chapter 41

19. Chapter 41 as notified contained rules under Table 2, Clause 41.5.4, regulating earthworks within the Jacks Point Zone. These provisions have now been superseded by the notification of Variation 2, which incorporates a new Chapter 25 that addresses earthworks on a district wide basis. Any submissions made on earthworks under Chapter 41 are deemed to be submissions on Chapter 25, and will be heard with all other submissions on that chapter. We make no further comment on them.

2.3 Map Scale (Structure Plan)

20. Later in paragraph 11.42 of these recommendations, we express some frustration with the scale of the Structure Plan, and the ability to show in sufficient detail features such as activity area boundaries across an area as large as Jacks Point on one plan. This was particularly apparent with the identification of small activity areas such as Homesites. As part of our recommendations we have concluded that to enable boundaries and other features to be identified at a readable scale, a series of insert structure plans be added to the Chapter. As part of doing that, it has, however, come to our attention that there are significant discrepancies between the original boundaries of some activity areas (pods) which have subsequently been subdivided and new cadastral boundaries established. For example, the activity area boundary shown for a number of the Jacks Point Residential Activity Areas bisect many properties, and in one case a single residential allotment is split into three zoned components. In other words, there is very poor alignment between the boundary of these activity areas and what now physically exists on the ground in terms of existing properties. This has the potential to create significant difficulties in administering rules in circumstances where there is a split zoning.

21. Accordingly, we strongly recommend that the Council review the situation and take the necessary steps to regularise the boundaries between the 'conceptual' activity pods which predated subdivision, and the current cadastral boundaries. No scope has been provided by the submissions to enable us to make such changes. In any event, we suspect that the task may not be as simple as just realigning the relevant Activity Area boundaries to match cadastral boundaries.

2.4 Jacks Point Extension

22. As part of the hearings under Stream 13, Group 1D, Queenstown Urban (Jacks Point Extension) recommendations have been made by the Hearings Panel on that matter which have resulted in some changes to a policy and rules as they affect the Jacks Point Zone, specifically the Activity Areas at Homestead Bay. For reasons of clarity and efficiency, these amendments have been included in the text changes accompanying these recommendations on Chapter 41. However reference should be made to the separate recommendations on the Jacks Point Extension as to the basis for these amendments⁶⁹.

23. The provisions in Chapter 41 which are affected by the recommendations on the Jacks Point Extension are as follows:
- a. the deletion of the Open Space Farm Buildings and Craft Activity Area, and its incorporation primarily into an extended Open Space Residential Activity area having two separate northern and southern components;
 - b. amendments to renumbered Policy 41.2.1.28;
 - c. specifying the maximum number of residential units under renumbered rule 41.4.4.13 allowed as a discretionary activity in the Open Space Residential (North and South) Activity Areas in Homestead Bay;
 - d. amendment to renumbered rule 41.4.4.21 relating to vegetation within the Open Space Foreshore Activity Area.
 - e. minor amendments to the boundaries of activity areas in Homestead Bay and to the Urban Growth Boundary.

3. SUMMARY OF MAIN CONCLUSIONS.

3.1 Structure Plan

24. Having considered the various issues raised in submissions, it is recommended that the Structure Plan be amended to show the following key changes to the PDP as notified:
- a. remove the Farm Preserve 1 (FP-1) Activity Area and replace it with the Open Space Golf (OSG) Activity Area, identify 'the Tablelands Landscape Protection Area', and enable 16 additional 'homesites' under the Homesite (HS) Activity Area and remove one that has been relocated;
 - b. remove the Farm Preserve 2 (FP-2) Activity Area and replace with the Open Space Landscape (OSL) and Open Space Foreshore (OSF) Activity Areas;
 - c. the removal of FP-1 and FP-2 have required changes to Chapter 27 to remove reference to those areas which has the effect of making subdivision in the OSL and OSG Activity Areas a discretionary activity;
 - d. the OSL classification over part of Jacks Point Hill revert back to OSG;
 - e. remove the Education and Innovation Campus (EIC) Activity Area at the northern end of the Jacks Point Zone, and replace it with the OSL Activity Area and the Highway LPA overlay;

⁶⁹ See Recommendation Report 17-8, Part I

- f. extend the Lodge Activity Area by adding a small additional area;
- g. make a minor amendment to the western boundary of the Jacks Point Residential Activity Area (R (JP-2A)) to that which is shown in the Operative District Plan (ODP), such that it does not extend as far west to the frontage of Homestead Road;
- h. add another primary access road and connection to the State Highway from the Hanley Downs portion of the Zone in the location approved through RM160562;
- i. replace the indicative 'open space' area shown on the Structure Plan which runs through some of the Hanley Downs Residential Activity Area (R(HD)) adjacent to a waterway, with the Open Space Area (OSA) Activity Area; and
- j. replace the Hanley Downs Residential Activity Area (R(HD-G)) with a low density Rural Living Activity Area(R(L)), and a small number of additional homesites (Homesite (HS) Activity Area) and replace that part of the R(HD-F) Activity Area that is within the ONL with the OSL Activity Area.

3.2 Jacks Point Zone - Objective, Policies and Rules

25. Having considered the various issues raised in submissions, it is recommended that the following key changes be made to the notified Jacks Point provisions:
- a. rationalise and strengthen the objective and policies;
 - b. remove all references to the FP-1, FP-2, and EIC Activity Areas;
 - c. in relation to the Jacks Point residential (R(JP)) and Hanley Downs residential (R(HD)) Activity Areas, amend the notified medium density residential (MDR) development Rule 41.4.6 (renumbered 41.4.1.5- 41.4.1.6) to apply to densities greater than one unit per 380m², and add additional matters of discretion; provide a maximum allowable coverage in MDR to 60% in all residential areas (renumbered rule 41.5.1.5); make MDR a restricted discretionary activity in the R(HD) area (rather than controlled); apply a maximum coverage rule to all sites, including smaller sites; and relax the recession plane, road setback, and front yard fencing rules relating to the R(HD) area;
 - d. in relation to the Jacks Point Village (V(JP)) and Homestead Bay Village ((V(HB)) Activity Areas, provide a policy basis for the comprehensive development of these villages; increase the permitted building height in the Jacks Point Village to 12m (but no more than 3 storeys – renumbered Rule 41.5.2.4); restrict commercial buildings in the Village Homestead Bay (V(HB)) Activity Area to no more than 10m (renumbered Rule 41.5.2.4); make all buildings a controlled activity; include a requirement for a Comprehensive Development Plan; and add a limit on the total retail and commercial gross floor area (GFA) allowable within the two village areas (renumbered Rule 41.5.2.1);
 - e. in relation to the Homesite (HS) Activity Area, classify all residential buildings (one per homesite) as a controlled activity (renumbered Rule 41.4.4.17), and make provision for tennis courts and swimming pools (Rules 41.4.4.18 and 41.4.4.19);
 - f. in relation to buildings in the Open Space Landscape Activity Area (OSL), retain discretionary activity status (renumbered Rule 41.4.4.6), except farm buildings (restricted discretionary activity – renumbered Rule 41.4.4.7);
 - g. In relation to the OSA Activity Area (OSA), change the status of buildings ancillary to outdoor recreation from permitted to controlled (renumbered rule 41.4.4.10);
 - h. in relation to the Open Space Golf (OSG) Activity Area (except within LPA's) change the status of buildings ancillary to recreation from permitted to controlled (renumbered Rule 41.4.4.2); and retain the discretionary activity status for all other buildings (renumbered Rule 41.4.4.3);
 - i. in relation to mining, strengthen the rules such that it is only anticipated in the OSG Activity Area as a discretionary activity (renumbered Rule 41.4.4.4) and a noncomplying activity elsewhere (renumbered Rule 41.4.5.7); and

- j. in relation to infrastructure, amend notified Rule 41.5.6 (renumbered 41.5.5.3 and 41.5.5.4) to acknowledge that there will be three points into the zone from the State Highway and that any more than this will require a restricted discretionary activity consent; and remove the trigger rule requiring the Woolshed Road intersection to be upgraded.

4. STATUTORY CONSIDERATIONS – SECTION 32AA

- 26. We have considered the submissions in relation to this chapter consistent with the approach outlined in the Hearing Panel’s Introduction Report⁷⁰. In this instance, there are no objectives or policies in the RPS or Proposed RPS directly relevant to our consideration. The objectives⁷¹ and policies⁷² in Chapter 3, to the extent they give effect to Part 2 of the Act, the RPS and the Proposed RPS, set the higher order which this chapter gives effect to.
- 27. Consistent with the approach outlined in Report 1 and the approach taken by the Hearings Panel (differently constituted) who heard submissions on Chapters 3, 4 and 6 of the PDP⁷³, our assessment in terms of section 32 and 32AA of the Act is incorporated into our discussion of the various provisions.
- 28. Section 32AA RMA requires that a further evaluation is required under the Act, but under subsection (1) (a) this further evaluation:

“is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed...”
- 29. Under subsection (3) “the proposal” is Chapter 41 as notified. Evaluation of Chapter 41 is required to be undertaken in accordance with sections 32(1) to (4) and at a level of detail that corresponds to the scale and significance of the changes, and either published in an evaluation report, or referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation has been undertaken. It is notable that the basic framework for the development of the Jacks Point Zone as a whole, and the future scale of development within it, was not fundamentally challenged through the submissions and hearings process. Rather, the changes were in the nature of refinements (albeit many) to the regulatory framework.
- 30. The primary changes sought through submissions, and addressed originally in the Council section 32A assessment, were as follows. They are noted because they have the actual or potential effect of restricting or constraining the extent of development permitted and hence the environmental, economic, social, and cultural effects that could be anticipated from the implementation of Chapter 41 as amended by these recommendations. Our evaluation is made in accordance with S32AA (1) (d) (ii).
 - a. *Differentiation between the Jacks Point and Hanley Downs components of the Jacks Point Zone at a policy and rules level, and the removal of requirements with respect to design guidelines and their replacement with bulk and location standards.* We have substantially adopted the provisions of Chapter 41 as notified, without substantial changes.
 - b. *whether reference to landscape and amenity should be an integral part of the Objective for the Jacks Point Zone.* We have reinserted the provisions of the ODP into the objective

⁷⁰ Recommendation Report 1

⁷¹ Strategic Objective 32.2.2.1

⁷² Strategic Policy 3.3.16

⁷³ Refer Hearings Panel Recommendation Report 3 on Chapters 3,4 and 6, paragraphs 29 - 39

of Chapter 41 as noted above. This recognises the outstanding environmental qualities of the areas within and adjoining the Jacks Point Zone, and is not considered to have any adverse effects on economic development or employment.

- c. *the lack of a policy framework for the Village and Lodge Activity Areas.* Policies for these have now been added in recognition of the omission of any policy basis for these activity areas which existed when the PDP was notified. Their addition is necessary to provide a coherent framework for implementing the objective and rules relevant to these activity areas.
- d. *the extent to which there should be restrictions on the extent of commercial development.* We have supported the provisions as notified, and provided more liberal provision with respect to building height, and residential activity.
- e. the replacement of the Farm Preserve (FP) Activity Areas, their replacement with additional homesites, and the number and activity status of development within those homesites. It should be noted at this point that each homesite forms part of the Homesite (HS) Activity Area. Each of these small activity areas is surrounded by the Open Space Golf (OSG) Activity Area, with the exception of a small number on the boundary of, or within, the Open Space Landscape (OSL) Activity area which are discussed later in these recommendations.

The situation here is very unusual, in that the proponent of the FP activity areas no longer wishes to pursue them. It is difficult to directly compare the level of development that would have been permitted under the FP activity areas and the home sites that were proposed to replace them. We have concluded that some of the home sites are not appropriate on the grounds that insufficient information was available to determine their effects on landscape values.

- f. the proposed development of the OSCA area in Jacks Point to permit the establishment of an education facility. This was proposal put forward by RCL which was not part of the plan as notified. *We consider there was inadequate evidence to show that such a proposal was practicable, and its potential visual impacts on the adjoining Jacks Point Residential Activity Areas.*
- g. *the status of buildings and planting within the Open Space Activity Areas, particularly within the 'overlays' of Landscape Protection Areas.* Our conclusions with respect to these areas were that there was a need to simplify some of the provisions relating to planting but to retain the currently restrictive regime on the establishment of farm and other buildings within Landscape Protection Areas.
- h. *the extent to which rules should be liberalised for residential development within the Hanley Downs component of the Jacks Point Zone, with respect to matters such as activity status, building setbacks, recession planes and fencing; and the alternative use of covenants on subdivision.* Our conclusions were generally that the regime proposed under the PDP as notified should be retained, but with some liberalisation of rules relating to the comprehensive development medium density residential housing on small sites.
- i. the appropriate use of the EIC (Education Innovation Campus) Activity Area. *As with the FP Activity Areas, the situation here was unusual as the proponent of this activity area sought that it be amended to allow residential development. We consider that such an amendment would be entirely appropriate but was unfortunately out of scope.*

- 31. With one exception, we have not changed the objective for the Jacks Point Zone, except to replace the word'development' of an integrated community..... with the word 'establishment'. This is to ensure that it reads as an outcome (objective) rather than a means of achieving an outcome (policy). This is important in terms of section 32(1)(a) and (b) in that

the objective has remained otherwise unchanged, and the focus of the evaluation is confined to whether the policies and rules achieve the objective.

32. In terms of section 32(1), we have concluded that the provisions of Chapter 41 as proposed to be amended by our recommendations are the most appropriate way to achieve the purpose of the act and the objective for the Jacks Point Zone. We feel it is necessary to qualify this by saying that it is the most appropriate way within the limited scope of submissions that have been made on the chapter. The amendments made will have little impact on the nature and scale of what will be a very substantial urban area within the Queenstown Lakes District, and confined to the details of how this is implemented. With respect to section 32(2), to the extent that it is possible to determine, we do not consider that the amendments made will have any effect on economic growth or employment.

5. BACKGROUND

5.1 Chapter 41 and Plan Change 44 (PC44)

33. On 27 March 2013, Plan Change 44 to the ODP was publicly notified. This plan change sought to rezone approximately 520 ha of land at the northern end of the Jacks Point Zone, now described as 'Hanley Downs'. Submissions on this plan change were heard, and subsequent appeals resolved, and Plan Change 44 became operative on 7 November 2017. In their decision on PC44, the Panel of Hearings Commissioners appointed to determine the plan change, recommended that certain key elements of it – including an 'Education Activity Area (EIC)' at the northern end of the zone, and two Farm Preserve Activity Areas – be declined. As notified through the PPC, these features were *included* in Chapter 41, apparently because the notification of the PPC took place prior to the release of decisions on PC44.

5.2 The Jacks Point Zone and the Structure Plan

34. The Structure Plan is an integral part of the policy and rules framework for Chapter 41, and identifies the location of all of the various Activity Areas within the Zone. In order to understand our recommendations, reference should be made to the Structure Plan as this is critical to understanding and interpretation.
35. It is recommended that a significant number of changes be made to the provisions in Chapter 41 of the PDP in order to meet the purpose of the Act and to support Council's Strategic Directions as included in Chapter 3 of the PDP. The provisions as recommended to be amended in this evidence are considered to be effective and efficient and an appropriate means of achieving the purpose of the RMA.
36. The recommended revised Structure Plan set out below shows the various parts of the Jacks Point Zone at a very broad scale; these are referred to throughout this evidence as the Jacks Point, Hanley Downs, and Homestead Bay 'components' of the Jacks Point Zone. These are referred to frequently in submissions and in these recommendations.
37. Matters relating to extensions sought to the southern part of the Jacks Point Zone and beyond were addressed by a separate hearings panel through Stream 13 to the District Plan hearings (Group 1D Queenstown Urban – Jacks Point Zone Extension). This hearing primarily dealt with mapping changes to the Homestead Bay component of the Jacks Point Zone, but recommendations made by that Hearings Panel have also resulted in text changes to notified Policy 41.2.1.26 (now recommended to be renumbered 41.2.1.4(b)). These hearings have also recommended the deletion of the former FBA (Farm Buildings and Craft) Activity Area and its replacement with the OSR (Open Space Residential) Activity Area and an extension to that

developing a regulatory framework for the various activity areas and protected areas within the 'Coneburn Land' – the Jacks Point Zone.

40. The Stakeholders Deed was developed to address issues that arose during the Variation 16 hearing, the parties to which are Jacks Point Limited, Henley Downs Holdings Limited, the Jardine Group and the Council.
41. The Deed binds the successors in title to the parties, who cannot dispose of the land without advising the purchaser of the Deed. Any agreement for sale and purchase must include a clause requiring the purchaser to deliver a signed Deed of Covenant to the vendor, binding the purchaser to meet the vendor's obligations under the Deed. This includes a requirement for compliance with development controls which must be subject to covenants on the title of land acquired within the Zone.
42. The Development Controls are required to address the following matters:
 - a. urban design settlement principles;
 - b. infrastructure controls, including roading (soft engineering design principles) and wastewater (on site decentralized wastewater management);
 - c. site development and landscape controls, including maintaining natural drainage patterns, and with specific controls including over plant species; and
 - d. building controls, with all buildings to be subject to a Design Review Board approval process.
43. Amending the development controls can only occur with the unanimous agreement of the parties, and provide the basis for Design Guidelines for within the zone. Public access routes as shown on the Structure Plan attached to the Deed must be implemented in respect of each party's land, prior to any residential or commercial activities being carried out and Jacks Point, Henley Downs and Jardine are also obliged to make a contribution to Community Housing.
44. The following statement is included in the ODP under the "Explanation and Principal Reasons for Adoption" for the Jacks Point Zone:

The Stakeholders Deed embodies the agreement reached between the primary landowners of the Coneburn Land and the Council, ensuring that the land within the Zone will be developed in a coordinated and harmonious manner and that the environmental and community outcomes envisaged by the Deed will be achieved.

45. The Deed effectively provides separate non-statutory regulation over development parallel to the regulatory framework under the District Plan. The content and implications of this Deed, and its relationship to the outcomes expected under the policies and rules, form a significant basis for a number of the submissions assessed with these recommendations.

6. THE HEARING PANELS APPROACH TO THE ASSESSMENT OF SUBMISSIONS

46. The Section 42A Report noted that a total of 331 original submission points from 37 submitters were received on the Chapter 41, and 2030 further submission points were received from 36 further submitters.
47. The summary of the submissions received on the notified Chapter 41 and our recommendations as to whether these submissions should be rejected, accepted, or accepted in part is attached at Appendix 2.

48. As noted above, we have assessed the submissions under topic headings contained in the officer's report as part of our recommendations in this evidence:
- a. Issue 1 – Separation of the resort zones;
 - b. Issue 2 – Separation of Jacks Point, Homestead Bay and Hanley Downs;
 - c. Issue 3 - The appropriateness of the proposed Jacks Point zone purpose, objective, and policies;
 - d. Issue 4 – Provision for non-residential (education, commercial and health) activities;
 - e. Issue 5 – Infrastructure, servicing and roading;
 - f. Issue 6 - Effects on landscape, visual amenity, and open space values;
 - g. Issue 7 - Rules relating to the Residential Activity Areas; and
 - h. Issue 8 – Miscellaneous.
49. For brevity, we do not include the specific submitter names or numbers again in these recommendations.

6.1 Scope Issues

50. A number of points from the submission by Jardine Family Trust and Remarkables Station Limited⁷⁴ were intrinsically linked to the extension of the Jacks Point Zone sought by the submitter and these were allocated to the hearing stream for mapping.⁷⁵
51. We have therefore made no recommendations in respect to those submissions. However, the submission points that have implications for the wider chapter have been addressed under Part 9 and Part 11 of these recommendations. Amendments made to the policies and rules through the recommendations of that hearing panel have been incorporated into the text changes under these recommendations for convenience and completeness.
52. Karen Hansen⁷⁶ opposed notified Standard 41.5.6, stating that Maori Jack Road is a private road and requested that it vest into Council ownership in its current state and form prior to residential development and subdivision occurring within Hanley Downs or Woolshed Bay. In response, we are obliged to note that the issue of vesting of assets sits outside the District Plan and being beyond the scope of the District Plan, no recommendation has been made on it.
53. JPL, Sally and Clive Geddes⁷⁷, Margaret Joan Williams⁷⁸, and Tim and Paula Williams⁷⁹ sought that the ODP objective and policies be reinstated, either for the whole zone or the Jacks Point portion of the zone. We note that the very broad ambit of these submissions provides significant scope for amendments to Chapter 41 of the PDP, at least in terms of amendments that fall within what is provided for under the ODP. This will become apparent in a number of our subsequent recommendations.

6.2 Response to Memorandum of Counsel filed by Jacks Point entities dated 15 December 2016

54. A memorandum was filed on behalf of Jacks Point Entities⁸⁰ dated 15 December 2016. This outlined various changes that the submitter proposed to the notified Structure Plan and

⁷⁴ Submission 715

⁷⁵ See the Memorandum of Counsel on behalf of the Queenstown Lakes District Council regarding Transfer of Submission Points to Rezoning Hearing, dated 22 December 2016.

⁷⁶ Submission 203

⁷⁷ Submission 540

⁷⁸ Submission 605

⁷⁹ Submission 601

⁸⁰ Submissions 762, 856 and FS1275

provisions in what we understood was an effort to narrow the issues and address the concerns of other submitters. It raised significant difficulties however, in determining whether the proposals now put forward by JPE were within scope. While undoubtedly an attempt to be helpful, at times we considered that the approach taken by this submitter could be described as something of a ‘moving feast’.

55. The “draft changes” proposed by the Jacks Point Entities (JPE) were described in the evidence of Mr Ferguson⁸¹. These changes were significant, and although not sought by the submitter through submissions or further submissions, were mainly (but not entirely) within the scope of those submissions seeking reversion to the provisions of the ODP. The amendments sought by JPE applied to the following activity areas in Chapter 41 and the Jacks Point Zone Structure Plan:
- a. Change the EIC Activity Area (located at the northern end of the Hanley Downs component of the Zone) to a new Education/ Residential (Hanley Downs) Activity Area. This was intended to narrow the range of original uses proposed, but continue to enable education and residential activity up to a density of 22 dwellings per hectare in accordance with a spatial layout plan and with an overall building coverage of 30%. At the hearing, JPE sought to further confine activities within this activity area to residential development.
 - b. To absorb the Education (E) Activity Area into the Jacks Point Village (V(JP)) Activity Area;
 - c. To replace the FP1 and FP2 Activity Areas with the OSG and OSL Activity Area and 22 homesites, collectively forming part of an extended Homesite (HS) Activity Area which already contains a number of existing homesites further to the west under the ODP within the Tablelands.

7. ISSUE 1 – SEPARATION OF THE RESORT ZONES

56. JPL⁸² supported the creation of separate zones for the resorts (Jacks Point Zone, Millbrook and Waterfall Park) on the basis that they were different in character and did not share sufficient common attributes.
57. We agree with the submissions of JPL and JPR. Not only is Jacks Point very much larger than the other two developments, it is also evolving as a substantial urban settlement in its own right, containing a range of quite different ‘Activity Areas’ that otherwise could reasonably be considered as zones in their own right. The scale of development within Jacks Point and the greater diversity of urban and rural activities distinguishes this area and justifies its reclassification as a separate Zone in Part 6 of the PDP. Mr Ferguson’s evidence for Jacks Point Entities addressed in some detail reasons for supporting a single zone Jacks Point, and that it is in a stand-alone chapter under the PDP, but did not appear to go on to address whether it should be removed from the broad heading of a ‘Resort Zone’. Notwithstanding, for the reasons set out above, we recommend that Jacks Point Zone be classified as a Special Zone within Part 6 of the PDP, and that the submissions of JPL and JPR be accepted and those of Jacks Point Entities be rejected.

⁸¹ C Ferguson, EiC, paragraphs 4.20 – 4.21

⁸² Supported by JPR, opposed by FS1275

8. ISSUE 2 – SEPARATION OF JACKS POINT, HOMESTEAD BAY AND HANLEY DOWNS

58. Clive & Sally Geddes⁸³, Margaret Joan Williams⁸⁴, and Tim & Paula Williams⁸⁵ sought the reinstatement of the ODP Jacks Point provisions, or for the zone to be amended to separate Jacks Point and Hanley Downs into different zones. These submissions were supported by JPR, Christine and Neville Cunningham⁸⁶, JPROA⁸⁷, MJ and RB Williams and Richard Brabant⁸⁸, and opposed by Jardine Family Trust and Remarkables Station Limited⁸⁹ and Jacks Point Entities⁹⁰.
59. The Section 42A Report noted that together, Jacks Point Entities, the Jardine Family Trust and Remarkables Station Limited own or control much of the Jacks Point and Homestead Bay land, and both are in support of retaining the area as a single zone. Giving evidence on behalf of RCL, Mr Wells was largely neutral on the issue of the need for a separate zone, but did not see it is necessary to separate Hanley Downs from Jacks Point⁹¹.
60. JPL, James & Elisabeth Ford⁹², Julie & William Jamieson⁹³, Tim & Paula Williams⁹⁴, Alpine Trust⁹⁵, and Westenberg Family Trust⁹⁶ sought to retain the ODP plan provisions for the Jacks Point portion of the Zone, but to individually distinguish Jacks Point, Hanley Downs and Homestead Bay with separate policy and rules frameworks. The submitters also sought to retain open space for landscape, visual amenity, urban design and character reasons. The submitters considered the proposed rules were not prescriptive enough to ensure the high quality landscape, visual amenity and urban design outcomes that are currently consistent with the JPZ. This relief was supported by the JPR, Christine and Neville Cunningham⁹⁷, JPROA⁹⁸, MJ and RB Williams and Richard Brabant⁹⁹, and Peter & Carol Haythornthwaite¹⁰⁰ and was opposed by Jacks Point Entities¹⁰¹ and opposed in part by Jardine Family Trust and Remarkables Station Limited¹⁰².
61. In the following Part 8 of these recommendations, we discuss amendments to various policies, some of which have application to the three broad components of the Jacks Point Zone, being Jacks Point, Hanley Downs, and Homestead Bay. We agree with the above submitters that it would be appropriate to add a policy which recognises the particular characteristics associated with the future development of Homestead Bay.

⁸³ Submission 540

⁸⁴ Submission 605

⁸⁵ Submission 601

⁸⁶ FS1108

⁸⁷ FS1277

⁸⁸ FS1283

⁸⁹ FS1090

⁹⁰ FS1275

⁹¹ D Wells, EIC, paragraph 57

⁹² Submission 185

⁹³ Submission 207

⁹⁴ Submission 601

⁹⁵ Submission 603

⁹⁶ Submission 787

⁹⁷ FS1108

⁹⁸ FS1277

⁹⁹ FS1283

¹⁰⁰ FS1096

¹⁰¹ FS1275

¹⁰² FS1090

62. The Jacks Point area (i.e. Hanley Downs, Jacks Point, and Homestead Bay) has been included in a single Jacks Point Resort Zone with a single common objective and policies since 2003. Plan Change 44 with respect to Hanley Downs also ultimately retained a single zone and Structure Plan. Within the zone itself, the Structure Plan as notified with the PDP contained Activity Areas which reflected specific differences between the Homestead Bay, Jacks Point, and Hanley Downs components of the Zone. Ms Jones noted that no appeals arising from decisions on PC 44 requested that Hanley Downs be split out from the rest of the Jacks Point Resort Zone.
63. We consider that an analogy could be drawn with urban Queenstown as a whole, within which there are constituent separate zones under both the ODP and the PDP. The Jacks Point Zone can be compared to urban Queenstown as if it were a single zone, and its constituent zones were classified as 'Activity Areas'. These activity areas in Jacks Point are the equivalent of zones in urban Queenstown, and will probably be reclassified as zones when development approaches an advanced stage and the boundaries of the activity areas are finally fixed upon subdivision.
64. It became apparent from the content of the submissions and the evidence before us that expectations about the nature of development within the Jacks Point Zone had clearly diverged over time, which was the basis of submissions particularly, but not solely, from existing Jacks Point residents.
65. Although the Jacks Point Entities control 563 ha within the Zone, much of this land falls within areas identified for 'preservation' as open space, such as land occupied by the Jacks Point Golf Course, but with some opportunity for individual house sites of a broadly rural residential nature, and some land around the margins of the Hanley Downs landholding of RCL.
66. By far the greatest remaining area within the Jacks Point Zone remaining for residential development is that held by RCL, being the Hanley Downs component towards the northern end of the zone. As will be apparent from the discussion in these recommendations, the design philosophy of RCL is significantly different to that that has evolved within the existing Jacks Point development. Mr David Wightman, the CEO of the RCL Group, offered this rather stinging rebuke of the design philosophy around the existing Jacks Point Residential Activity areas:

A key part of the future success of Hanley's Farm will be to offer well priced land with a minimum of encumbrances such as covenants, Body Corporate fees and overly complicated and opaque design review panels that can leave aspiring homeowners defeated and considerably out-of-pocket¹⁰³.

67. By contrast, a number of Jacks Point residents were clearly dismayed at what they saw as development within the balance of the Jacks Point Zone which would be different (i.e. to a 'lower standard') to that which they had anticipated, and were also critical of Jacks Point Entities, and JPROA, for what was seen as a dilution of the original design philosophy. With respect to the development of Hanley Downs, Mr Brabant stated that¹⁰⁴:

By reference to the Hanley Downs consent granted in June 2016, the approved outline plan showing the form of the residential subdivision, the roading and reserve layout and the Building

¹⁰³ R Brabant, EiC, paragraph 34, D Wightman, EiC, page 2

¹⁰⁴ R Brabant, EiC, paragraph 34

Design Guidelines indicates that the first stage approved design and residential housing outcomes do not recognise the detail of the Jacks Point Development Controls and Design Guidelines. The design and layout of the residential subdivision follows a conventional urban residential form and is in contrastis (sic) the form of residential settlement approved and implemented on the Jacks Point land.

68. Concerns about how the proposed further development of the Jacks Point land would occur also arose in the context of the Open Space Activity Areas. This was exemplified by the submission of Alexander and Jane Schrantz. We consider that the expanding complexity of the statutory and non-statutory provisions which apply to the Jacks Point Zone are a matter of concern. We wonder how many of the existing residents could reasonably have been aware of the implications of Chapter 41 as notified with the PDP, particularly given that as a result of unfortunate timing, it included some provisions that been rejected by the experienced Hearings Commissioners appointed to consider Plan Change 44.
69. That the existing Jacks Point Activity Areas and the development of the residential Activity Areas within Hanley Downs have a different basis to them – and their associated regulatory framework – did not appear to be in dispute insofar as RCL¹⁰⁵ and a group of Jacks Point residents were concerned. We observe that this group of residents viewed the ‘quality’ of the evolving Hanley Downs development with some distaste, which strongly influenced their view that their community should be differentiated, in a completely separate zone, from Hanley Downs. However, even this is further complicated by RCL’s ownership of land adjacent to Jacks Point Rise which they wish to develop for educational, commercial and recreational purposes. The Jacks Point and Hanley Downs components do not lend themselves readily to simple physical separation.
70. JPROA and Jacks Point Entities appear to hold a position on future development which falls somewhat uncomfortably between these two groups.
71. Quite extensive “evidence” ¹⁰⁶ was presented by Mr Richard Brabant on this matter. He was concerned that the now well-established Jacks Point settlement should be clearly distinguished from the subsequent development now getting underway at Hanley Downs, which he saw as conventional residential development. He contended that Jacks Point had a much stronger affinity in character to the Millbrook Resort and emphasised the importance of the open space areas (OSA and OSG Activity Areas as notified) which effectively separated the ‘pods’ of residential development within Jacks Point. He emphasised the original intention of Jacks Point developers that no more than 5% of the Zone was intended to be developed for urban purposes.
72. Mr Brabant sought to persuade us that the existing Jacks Point development should be treated as ‘rural’ in character and in zoning terms, differentiated from Hanley Downs on that basis. While we were satisfied that the policy and rules framework should recognise a degree of differentiation between Jacks Point and Hanley Downs, we did not agree that it should be split off into a separate zone, and certainly not on the basis that it be treated as a rural area. While the Jacks Point Residential Activity Areas take the form of separate ‘pods’ surrounded by zoned open space, the pods themselves did not seem to us to be rural in character at all. It appeared to us that the primary difference appeared to be real or perceived differences in the ‘quality’

¹⁰⁵ D Wells, EiC, paragraph 56

¹⁰⁶ R Brabant, EiC, paragraph 4

of development between more 'upmarket' Jacks Point, and the more traditional residential development (including higher density development) anticipated in the Hanley Downs Residential Activity Areas.

73. With respect to the concerns expressed by Mr Brabant in terms of site coverage over the zone as a whole, Ms Jones undertook a detailed analysis¹⁰⁷ in which she calculated that full development under the PDP would ultimately result in building coverage of 5.23% over the whole zone. Obviously, there are a number of assumptions related to matters such as building coverage, but we are satisfied that this would make only a marginal difference to her results. We consider that the ultimate development within the zone as a whole will be very close to the 5% coverage figure, which although not specified as a 'rule', would be very close to that originally anticipated.
74. In terms of the Urban Growth Boundary, we can see merit in excluding areas within the ONL – and for that matter, the Open Space Golf (OSG) Activity Area. We go on to discuss this matter separately in paragraph 11.39 of these recommendations. However, it seems to us that Jacks Point and Hanley Downs are both residential areas, but of different character, with the residential character of the former appearing quite obvious from our site visit. We consider that to split the two into separate zones would be inimical to the objective and policy provision within the zone of having integrated development. While we readily accept differences in character between different activity areas within the zone as a whole, we consider that it is appropriate for the zone to remain as one, at least in the medium term. Mr Brabant's submissions also covered other points which we address later in these recommendations.
75. We were conscious, however, that the Jacks Point 'Zone' is developing quite rapidly and will become very large compared to a typical zone under the District Plan – potentially with over 5000 residential units. Indeed, some of the Residential Activity Areas will ultimately contain hundreds of dwellings in their own right and could even be regarded as potential future zones. In the meantime, the development of this large area is still in its very early stages. We consider that to avoid disjointed and disconnected development, an unfortunate characteristic of land elsewhere which has been developed in different ownership, the current approach within the District Plan of a single zone and structure plan would best achieve integrated and quality development, and for that matter the purpose of the Act.
76. Accordingly, we recommend that the submissions of Clive & Sally Geddes¹⁰⁸, Margaret Joan Williams¹⁰⁹, and Tim & Paula Williams¹¹⁰ seeking separate zoning for Jacks Point and Hanley Downs, and the supporting submissions by JPR, Christine and Neville Cunningham¹¹¹, JPROA¹¹², MJ and RB Williams and Richard Brabant¹¹³ be rejected; and submissions in opposition by the Jardine Family Trust, Remarkables Station Limited¹¹⁴, and Jacks Point Entities¹¹⁵ be accepted. Matters relating to differentiating between the policies and rules between Hanley Downs and

¹⁰⁷ V Jones, Reply Statement, paragraph 2.13

¹⁰⁸ Submission 540

¹⁰⁹ Submission 605

¹¹⁰ Submission 601

¹¹¹ FS1108

¹¹² FS1277

¹¹³ FS1283

¹¹⁴ FS1090

¹¹⁵ FS1275

Jacks Point, through the retention of the ODP rules for Jacks Point, are addressed in Part 12 of these recommendations.

9. ISSUE 3 – THE JACKS POINT ZONE PURPOSE, OBJECTIVE, AND POLICIES

9.1 Zone purpose

77. Twenty-six submissions were summarised by the Council as pertaining to the ‘zone purpose’, although 24 of these question whether the range of housing proposed was sympathetic with the environment, and that other users would be able to take advantage of services owned by Jacks Point residents. The first of these issues is linked to whether the existing Jacks Point residential development should be separated in planning terms from the balance of the area yet to be developed. The second raises issues of responsibility for maintaining roading and services, which is outside the scope of the District Plan, and certainly through regulatory means.

78. RCL¹¹⁶ requested that the ‘Zone Purpose’ (41.1) be deleted on the basis that it had little statutory weight. Ms Jones contended that the introductory zone purpose was a consistent provision across plan chapters and was “*particularly helpful for a lay person or new person to the District, to get an overall understanding of what is anticipated for the zone*”¹¹⁷. While we agree that this introductory provision does not carry the same statutory weight as a rule, objective or policy, we consider that Ms Jones is correct in pointing out that it ‘sets the scene’ for each plan chapter and benefits plan users. We consider some weight has to be attached to the fact that a Zone Purpose is consistent with the introduction to other plan chapters.

79. Accordingly we recommend that this submission requesting the removal of the zone purpose be rejected.

9.2 Zone Objective and Policies

9.3 The Objective

80. Ms Jones pointed out that the objectives for the JPZ in the ODP and PDP are respectively as follows:

ODP - Objective 3 - Jacks Point Resort Zone

To enable development of an integrated community, incorporating residential activities, visitor accommodation, small-scale commercial activities and outdoor recreation - with appropriate regard for landscape and visual amenity values, servicing and public access issues.

PDP - 41.2.1 Objective

Development of an integrated community, incorporating residential living, visitor accommodation, community, and small-scale commercial activities within a framework of open space and recreation amenities.

81. Dr Read observed that the most significant alteration to the objective notified in the PDP was the removal of the words ‘*with appropriate regard for landscape and visual amenity values*’. Given the landscape context in which the Jacks Point Zone is located, we agree with Dr Read that the removal of reference to landscape values in the objective was inappropriate. Ms Jones was of the opinion that the notified objective was not the most appropriate way of

¹¹⁶ Submission 632

¹¹⁷ Section 42A Report, paragraph 12.1

achieving the district-wide Objectives 3.2.5.1, 6.3.1, 6.3.2, or 6.3.3 regarding the management and protection of landscapes and Outstanding Natural Landscapes, or the purpose of the RMA.

82. The Structure Plan and many of its associated rules sit within district wide objectives relating to enabling urban development while protecting landscape values. We note that the physical context for development within the Jacks Point Zone is significantly influenced by surrounding areas of outstanding natural landscapes (ONL), and even within the zone, areas of open space recognised as having high standards of visual amenity. For these reasons, we agree with Dr Read that landscape values should remain a component of the wording of the overarching objective for the Zone as is currently the case under Objective 3 of the ODP. This also accords with the relief sought by a number of submitters seeking retention of the provisions of the ODP within the Jacks Point Zone¹¹⁸. Accordingly, it is recommended that the objective reinstate wording requiring recognition of these landscape and visual amenity values.
83. During the course of proceedings, a number of suggestions and proposals were made about the wording of this overarching objective relating to Jacks Point. Many of these were anxious to ensure that there was differentiation at a *policy* level between the existing Jacks Point development and future development at Hanley Downs. One of the difficulties which became apparent was that amending the already rather long objective easily led to it becoming overlong and cumbersome. We concluded that it would be preferable to split the objective into two components, but there was insufficient scope to enable this to occur. We concluded that the objective as notified with the PDP should be retained, as sought through many of the submissions. The only exception was to replace the word “development” at the beginning of the objective with the word “establishment” so that Objective 41.2.1 reads as an objective and not a policy. Our recommended wording is as follows:
- 41.2.1 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.*
84. The Ministry of Education¹¹⁹ supported the notified objective. To the extent that it has been modified as described above, but contains the same primary content as when it was notified, the Ministry’s submission is accepted in part.

9.4 Policies

85. In considering the submissions and evidence, it became apparent that the policy framework (41.2.1.1 – 41.2.1.27) has evolved to the point where the numerous policies are laid out in a rather random manner, and that a significant degree of duplication was evident. By the time we had received the Council’s reply, the number of proposed policies had increased from 27 as notified, to 37, further strengthening the case for rationalising them, and removing duplication.
86. Consistent with the reformatting of Chapter 41 discussed earlier in paragraphs 1.2 – 1.3 of these recommendations, we concluded that there would be significant benefit in restructuring and simplifying the policy framework by topic area, in the order of General – Zone Wide, Residential, Village and Education, and Open Space respectively. We return to this matter in

¹¹⁸ Submissions 540, 601, 605

¹¹⁹ Submission 524

our discussion below with respect to individual submissions. The notified policy number, and its replacement policy number is set out below:

Notified policy number	New policy number
41.2.1.1	42.2.1.1
41.2.1.2	41.2.1.4(a)
41.2.1.3	41.2.1.7
41.2.1.4	41.2.1.16
41.2.1.5	41.2.1.2
41.2.1.6	41.2.1.25
41.2.1.7	41.2.1.26
41.2.1.8	41.2.1.5
41.2.1.9	41.2.1.27
41.2.1.10	41.2.1.23
41.2.1.11	41.2.1.24
41.2.1.12	41.2.1.8 (a)
41.2.1.13	41.2.1.12
41.2.1.14	41.2.1.11
41.2.1.15	41.2.1.20
41.2.1.16	41.2.1.15
41.2.1.17	deleted, replaced with new policy for Jacks Point Village
41.2.1.18	41.2.1.14
41.2.1.19	41.2.1.18
41.2.1.20	41.2.1.13
41.2.1.21	41.2.1.8 (b)
41.2.1.22	41.2.1.6
41.2.1.23	41.2.1.29
41.2.1.24	41.2.1.28
41.2.1.25	41.2.1.3
41.2.1.26	incorporated in Policy 41.2.1.4(b)
41.2.1.27	incorporated in Policy 41.2.1.4(c)
41.2.1.9	new policy – residential densities
41.2.1.10	new policy – residential character, Jacks Point Residential Activity Areas
41.2.1.17e)	new additional component of Policy 41.2.1.17 relating to technology and innovation-based business
41.2.1.19	new policy – urban design, Village Activity Areas
41.2.1.21	new policy – contribution of open space activity areas to the identity, character, and amenity of the Jacks Point Zone
41.2.1.22	new policy – building development in the OSD and OSA Activity Areas
41.2.1.30	new policy – Lodge Activity Area

9.5 The Village Activity Area

87. It became apparent that there was no specific policy basis for the Village Activity Areas, notwithstanding the fact that there was a group of rules (41.4.2) and standards (41.5.2) which were specific to that activity area. Notified Policy 41.2.1.19 only indirectly addressed the matter through its provisions enabling “commercial and community activities and visitor accommodation” without being specific as to location; while notified Policy 41.2.1.18 addressed commercial activity within the Residential (Hanley Downs) Activity Area.

88. We consider it is appropriate to make provision for a policy specific to the Village Activity Areas at Jacks Point and Homestead Bay, because failure to do so would leave the rules unsupported. For this reason we recommend that a new policy be added, as part of a group of policies relating to commercial development within the Jacks Point Zone as a whole. Notified Policy 41.2.1.17 has been rendered redundant as a result of submissions, the memorandum from Jacks Point Entities, and our recommendations that the Farm Preserve Areas be deleted from the Structure Plan. This provides an opportunity to incorporate a new Policy 41.2.1.17(1) addressing the Jacks Point Village Activity Area, and a new Policy 41.2.1.17(2) addressing the Homestead Bay Village. We have endeavoured to recommend policy wording that falls within the ambit of the applicable rules for this activity area. Our recommended wording for this policy is as follows:

(1) 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:

- a. high and medium density residential housing*
- b. a small local shopping centre that services the needs of Jacks Point residents and provides for small-scale destination shopping and office space;*
- c. visitor accommodation;*
- d. education facilities, community activities, healthcare, and commercial recreation activity;*
- e. technology and innovation based business.*

(2) 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.

89. Subclause (e) is a new component of this proposed policy to address provision for such activities within the Education Activity Area adjacent to the village.

90. Notified Policy 41.2.1.1 required activities to be located in accordance with the Structure Plan. It is proposed to amend the wording under the notified policy from *“Use a Structure Plan to establish the spatial layout of development”* to read *“Require activities to be located in accordance with the Structure Plan (41.7) to establish the spatial layout of development.....”*

91. This amendment is recommended as it is considered to provide greater clarity and certainty, without changing its content or direction. The numbering of the policy is recommended to remain unchanged.

92. In Part 9 of these recommendations, we discuss some of the issues related to rules to govern development within the Village Activity Area. In addition to addressing the nature of activities which are appropriate within the Village Activity Areas, it is clear through some of the submissions¹²⁰ – and entirely reasonably so – that an important issue is the quality of how these village centres develop, given their pivotal positions in the Jacks Point Community as a whole, and their visibility from surrounding areas, an issue that was also raised through the evidence of Ms Jones and Mr Ferguson. For this reason, we recommend that the following new policy (to be numbered 41.2.1.19) be added reading as follows:

¹²⁰ Submissions 540, 601, 605, and 762

- 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 a coordinated layout of open space; built form; roading patterns; pedestrian, cycle access and car parking; the land uses enabled within 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 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 story commercial building height in the Homestead Bay Village Activity Area.*

93. The Jardine Family Trust and Remarkables Station Limited¹²¹ sought that notified Policy 41.2.1.4 (which seeks to ensure residential development is not readily visible from the State Highway) be deleted. Ms Jones assumed that the basis of the submission was to ensure the policy was consistent with their request to rezone land closer to the State Highway for residential purposes, which was subsequently heard by a separate Hearings Panel.

94. Dr Read expressed concerns¹²² about the visibility of parts of Jacks Point Village from the State Highway, and suggested the following *additional* policy to address the issue:

Ensure the visual impacts of subdivision and development within the village and other non—residential activity areas are appropriately mitigated through landscaping, building design and the provision of open space.

95. From viewing the Jacks Point Zone from State Highway 6, it was apparent to us that development within the Jacks Point Zone – while not obtrusively visible – was visible from a number of points along the extensive common frontage between the zone and the highway. In the case of the currently developed Jacks Point Residential Activity Areas, notably in the vicinity of the intersection with Maori Jack Road, the hummocky landscape provides a degree of screening. This ceases to be the case further north adjacent to Hanley Downs, even with landscaping and setbacks. Consequently, the current wording of the policy, if not misleading, was at least arguably inaccurate.

96. As part of the restructuring of the objective and policies, notified Policy 41.2.1.4 has now been renumbered as 41.2.1.16 along with other ‘residential’ policies. Also having regard to the content of the submission, and to achieve better alignment with the rules, it was necessary to acknowledge that some development was visible from the State Highway. We considered that in light of this reality, it would be appropriate to ensure that development within the zone

¹²¹ Submission 715

¹²² Evidence of Dr Marion Read, paragraph 19.18

does not *dominate* views from the State Highway – or another words, that the distant landscape of high mountains on the western side of the lake remains the primary focus of views from the road. On this basis, we recommend that the wording of renumbered Policy 41.2.1.16 be changed so that it reads:

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

97. Accordingly, we recommend that the submissions by Jardine Family Trust and Remarkables Station Limited be accepted in part.
98. Policy 41.2.1.10 as notified (which related to providing for farming and associated activities in appropriate areas) was qualified by wording that these activities be provided for “*while ensuring that development associated with those activities does not result in over-domestication of the landscape*”. Jardine Family Trust and Remarkables Station Limited¹²³ sought that this proviso be deleted.
99. Mr Page, Counsel for the submitters, tabled an amendment at the hearing seeking that their submission be confined to the highway frontage of land being sought for a southwards extension of the Jacks Point Zone¹²⁴. This matter has been dealt with separately by the Stream 13 Hearing Panel.
100. Meanwhile, Ms Jones and Dr Read recommended retention of this policy on the basis that farming activities can have an adverse effect on landscape character. We agree with this observation to the extent that a complete deletion of the policy as sought by the submitters is not an appropriate response. However, during the course of the hearings it became apparent that the policy wording was somewhat misdirected, with concerns raised through submissions at the potential scale of buildings associated with farming activity, and possibly issues of application of the ‘permitted baseline’ if a liberal rules framework for such buildings would enable other forms of inappropriate building developments unrelated to farming. Perhaps more importantly, the submitters have raised a valid concern in that the policy is somewhat too sweeping in that it seeks to capture the effects of “development” associated with farming generally, when it is building activity that can have adverse effects. Consequently, we consider that the policy requires appropriate qualification, rather than full deletion or full retention.
101. We consider this policy to be associated with the Open Space Activity Areas, and it has accordingly been grouped with open space policies and renumbered 41.2.1.23. We recommend that the policy be reworded to read as follows:

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.

102. On this basis we recommend that the submissions of Jardine Family Trust and Remarkables Station Limited be accepted in part, as the amended wording has a more precise focus rather

¹²³ Submission 715

¹²⁴ Tabled submissions of P. Page, paragraph 6

than applying indiscriminately to farming in general. Issues concerning the frontage of the submitters land to the State Highway are outside the ambit of these recommendations.

103. JPROA¹²⁵ and Margaret Joan Williams¹²⁶ sought amendments to prevent commercial/ intensive farming and factory farming within the Jacks Point Zone –with the exception of low intensity grazing, haymaking, and other non-intensive farming. JPROA’s submission was limited to the Jacks Point open spaces managed by the JPROA, whereas Ms Williams’ submission was wider. As notified, farming was only provided for in the OSL, OSH, and FBA Activity Areas. Ms Jones advised that commercial farming and intensive farming are not defined in the PDP. Neither of these submissions make specific reference to policies, but appear to be general with respect to farming.
104. Factory Farming was a non-complying activity anywhere in the zone under notified Rule 41.4.6.10 (now recommended to be renumbered 41.4.5.5). Notified Rule 41.4.9 identified that any activity not specifically identified or provided for in the zone or in the rules defaulted to being discretionary in status, hence requiring resource consent (although this was inconsistent with notified Rule 41.4.1). Pastoral and arable farming were permitted only in the OSL Activity Area and not in the OSA or OSG Activity Areas.
105. Policy 4.2.1.10 was the only one which related to farming, and was discussed in paragraphs 8.23 to 8.26 above. We are satisfied that the concerns of the submitters have already been largely addressed through the current policy and rule framework, and that this part of their submission should be accepted in part.
106. JPL, Sally and Clive Geddes¹²⁷, Margaret Joan Williams¹²⁸, and Tim and Paula Williams¹²⁹ sought that the ODP objective and policies be reinstated, either for the whole zone or the Jacks Point portion of the zone. They also sought that the village area be developed in a ‘commercially viable’ manner. Given amendments made elsewhere in these recommendations as a whole, which reinstate some provisions of the ODP and not others, it is appropriate that the relief sought through this part of the submissions be accepted in part.
107. As raised through submissions and addressed in the evidence of Ms Jones, there was scope under submissions to provide greater policy focus with respect to two issues. The first of these was a need to recognise the contribution that the open space activity areas make to the identity, character, and amenity of the Jacks Point Zone for both residents and visitors. This is reflected in the fact that the majority of the zone is in fact contained within open space activity areas, rather than set aside for urban development.
108. The second issue concerns the stringent controls through the rules over built development in the open space activity areas, particularly within the Open Space Golf (OSG) and Open Space Residential Amenity (OSA) Activity Areas. The importance of both issues was clearly reflected in submissions¹³⁰, and again we considered that this was an example where the policy framework did not provide explicit support for the rules.

¹²⁵ Submission 765

¹²⁶ Submission 605

¹²⁷ Submission 540

¹²⁸ Submission 605

¹²⁹ Submission 601

¹³⁰ Submissions 195, 342, 540, 601, and 605

109. Accordingly we recommend that two policies to be numbered 41.2.1.21 and 41.2.1.22 respectively be added, reading as follows:

41.2.1.21 Recognise the important contribution that open space areas that adjoin the residential and village activity 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.

110. Wild Grass Partnership¹³¹ supported replacing the existing policies in the Jacks Point Zone with the proposed JPZ policies that are relevant to the Lodge Activity Area (L). We noted that as part of providing a better structure to the rather random suite of policies as notified, there was no policy actually specific to the Lodge Activity Area, although others had indirect application. This would be an unsatisfactory situation in the event of a resource consent application affecting land in the Lodge Activity Area, as only limited guidance to decision-makers would be provided. To overcome this omission, we recommend that a policy be added to this chapter, to be numbered 41.2.1.30, reading as follows:

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.

111. We are of the view that it is both possible and necessary to add such policy provision, provided it closely aligns with the rules in the plan relating to the Lodge Activity Area¹³². Given this amendment, and the various amendments made to the policies generally, we recommend that this submission be accepted.

112. RCL¹³³ sought to add reference to Jacks Point Village into Objective 41.2.1. This was generally opposed by JPR, JPROA¹³⁴, Jacks Point Entities¹³⁵, and MJ and RB Williams and Richard Brabant¹³⁶.

113. The content of the Objective 41.2.1 has been addressed above in paragraphs 8.4 to 8.7. We concluded that in order to avoid the objective becoming overly cumbersome and lengthy – a risk which already existed with a number of suggested amendments – it was desirable to retain its current wording, and provide detail through the policy framework.

114. Medium density and small lot housing is provided for *generally* in the Jacks Point zone as a whole under notified Policy 41.2.1.21. However higher density residential development is also provided for under the rules framework in the Village Activity Areas, and is subject to more liberal rules, particularly with regard to height. For these reasons, we consider that the relief sought is appropriate with respect to the Jacks Point Village Activity Area. We have grouped

¹³¹ Submission 567

¹³² Rule 41.4.3

¹³³ Submission 632

¹³⁴ FS1277

¹³⁵ FS1275

¹³⁶ FS1283

policies relating to the Village Activity Areas together as part of the restructuring of the policies. To provide specific recognition for high density *residential* development within the Village Activity Areas, we have sought to achieve this through incorporating this within new Policy 41.2.1.17, which now provides among other things for “*high and medium density residential housing*” in the Village Activity Area. On this basis, we recommend that this part of the RCL submission be accepted.

115. Notified Policies 41.2.12 and 41.2.21 both dealt with residential development densities across the zone as a whole, and we consider these should be logically grouped together at the beginning of the residential objectives and policies. No wording changes are considered necessary to these two policies, which we have now renumbered 41.2.1.8 (a) and 41.2.1.8 (b) respectively.

116. RCL also sought that notified Policy 41.2.1.13 be amended to recognise higher density development being appropriate within the Hanley Downs (R(HD)) Activity Areas. This seems to be adequately recognised under that policy as notified, as it stated:

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

117. As discussed later in Part 12 of these recommendations, the related issue of the rules framework for the Jacks Point and Hanley Downs Residential Activity Areas respectively, also arose as a significant issue during the hearings, more particularly with respect to the residential development of Hanley Downs. As part of the restructuring of the policy format, we recommend that Policy 4.2.1.13 be renumbered as Policy 41.2.1.12 and that it retain its current wording.

118. As part of the discussion on rules, there was general agreement that despite the higher residential density proposed in Hanley Downs Activity areas, a high standard of amenity should still be achieved, but recognising the reality that higher density development would not produce outcomes comparable to the low density suburban development. As an example, high density development would result in lower levels of outdoor space and sunlight admission, compared to low density suburban development. This is recognised in the wording of renumbered policy 41.2.1.13.

119. On the basis of these amendments, we recommend that this part of the submission of RCL be accepted.

120. However this still left one issue of concern, or at least uncertainty in our minds, with respect to density issues in the residential activity areas. The various ‘pods’ within the activity areas contain rules which provide for a range of densities – indeed a very wide range – which did not seem to be adequately explained at a policy level. Density controls frequently take the form of minimum (and occasionally maximum) lot sizes. It was apparent through submissions that the issue of density was often perceived to be directly linked with amenity. Higher densities were perceived to be inimical to the quality of residential development that has so far involved in parts of the Jacks Point Residential Activity Areas. In particular, there was a perception that these activity areas should be differentiated from those forming part of the Hanley Downs Residential Activity Areas. The range of densities provided for within the different activity areas are intended to allow for a range of densities to evolve, thus providing a mix of traditional and medium density housing options. We are conscious that one of the costs of restricting medium density housing development in favour of traditional suburban development is that

it makes less efficient use of a limited land resource. Hence we consider that a 'balance' is required. We acknowledge that Hanley Downs will evolve in a somewhat different (more liberal) manner than the existing Jacks Point community, and that a degree of differentiation should be appropriately reflected at a policy level. We make the observation in passing that one penalty of the density rules is yet further complication within Chapter 41 in the form of a proliferation of residential activity areas – although any simplification or alternative means of controlling density was beyond the scope of matters we could consider.

121. Notwithstanding this, it was apparent to us that there was insufficient policy support for the residential density rules which were a central component of the rules structure for residential activity areas. This matter was addressed in her right of reply by Ms Jones. Given the lack of explicit policy support, we recommend that two new policies be added, one relating to residential densities generally, and the other to those residential activity areas within the existing Jacks Point community.

122. The first of these would be new policy numbered 41.2.1.9, reading as follows:

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.

123. The second policy numbered 41.2.1.10 is specific to the established Jacks Point Residential Activity Areas. The rules for the Jacks Point and Hanley Downs residential activity areas are generally similar, with the exception that there is greater flexibility with respect to setbacks and coverage requirements in the latter. However we also note that the density outcomes for the two groups of activity areas are quite different. The average of the density ranges between the Jacks Point and Hanley Downs residential activity areas (excluding those adjacent to the State Highway) are 13.6 units/hectare for Jacks Point and 23 units/hectare for Hanley Downs. When this significant difference in density is taken into account, combined with the separation of the Jacks Point residential activities into 'pods' surrounded by the Open Space Residential Amenity Activity Area, this contrast in amenity outcomes becomes readily apparent. It is recommended that new Policy 41.2.1.10 read as follows:

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.

124. The NZ Transport Agency¹³⁷ sought that Policy 41.2.1.25 (relating to providing safe and efficient access from the State Highway) be retained as proposed. Again, as part of rationalising the policy framework by grouping related policies together, Policy 41.2.1.25 has been renumbered 41.2.1.3, being part of the general zone wide policies. The submission of NZTA is recommended to be accepted.

125. Notified Policy 41.2.1.2 related to road, open space, access and trail connections. We recommend this be retained among the group of zone wide policies with its current wording

¹³⁷ Submission 719

and renumbered 42.2.1.4. However we also consider this policy has a logical relationship with notified Policies 41.2.1.26 and 41.2.1.27 as discussed below.

126. Clive and Sally Geddes¹³⁸, Margaret Joan Williams¹³⁹, and Jardine Family Trust¹⁴⁰ sought the deletion of Policy 41.2.1.26, or the amendment of the provisions so integrated infrastructure could be developed, if appropriate. These submissions were supported by MJ and RB Williams and Richard Brabant¹⁴¹, Christine and Neville Cunningham¹⁴² and the Residents of Jacks Point, and opposed by Jardine Family Trust and Remarkables Station Limited¹⁴³ and Jacks Point Entities¹⁴⁴. The submitters were concerned that the policy required integrated provision by service providers, and specifically that the Hanley Downs developers would use the existing privately-owned Jacks Point systems, which, they contended, would be inappropriate.
127. There was no evidence of concern about integrated development as a worthy concept, but rather its potential implications for service providers. Ms Jones observed that Policy 41.2.1.26, as notified, could be readily interpreted to mean that the establishment of new standalone schemes by a particular developer would not be ‘integrated’, and therefore contrary to this policy. We also noted that services within the existing Jacks Point development were privately owned. She added it would

....not be necessary or appropriate for the servicing infrastructure (which I take to refer to the ‘three waters’) to be integrated across the zone given that the Jacks Point portion is serviced by privately owned providers (and owners within that area are obliged to connect to that scheme through covenants on their titles¹⁴⁵) while at least the first stage of the Hanley Downs portion of the zone (RM160562) is proposed to connect to the Council’s water and wastewater systems¹⁴⁶.

128. Given the way that development in the area has evolved, we concur with Ms Jones’ observations. We consider the issue of key importance is that development in the broader sense within the Jacks Point Zone be integrated – not necessarily that integration extend to particular service providers. She also added – and we agree – that in terms of ‘integration’, it is particularly important that roading is well integrated and well-connected across the zone and with the State Highway, as discussed above with respect to renumbered Policy 41.2.1.3. The issue of ‘connections’ within the Jacks Point Zone is currently covered under notified Policy 41.2.1.2 and recommended Policy 41.2.1.4(a).
129. Notified policies 41.2.1.26 and 41.2.1.27 also have zone wide application and should logically be grouped with notified Policy 41.2.1.2, as all three relate closely to the integrated development of the zone as a whole.

¹³⁸ Submission 540

¹³⁹ Submission 605

¹⁴⁰ Submission 715

¹⁴¹ FS1283

¹⁴² FS1108

¹⁴³ FS1090

¹⁴⁴ FS1275

¹⁴⁵ Clause 10.4(b) of the Constitution of Jacks Point Residents & Owners Association Incorporated obliges JPROA members to use whichever utilities supplier has been nominated for their precinct

¹⁴⁶ Section 42A Report, paragraph 12.21

130. In terms of providing servicing for roading, water supply, stormwater disposal and effluent disposal, we consider that it is important that the provision of infrastructure and services be *efficient*, and be established and operate in a manner that do not have an adverse effect on the environment, particularly water quality. This also recognises the submitters' concerns about the economic viability of providing services. We recommend that the two notified Policies 41.2.1.26 and 41.2.1.27 be renumbered, and grouped with renumbered Policy 41.2.1.4 (a) and read as follows:

- 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 efficient provision of servicing infrastructure, roading and vehicle access.*
- (c) *ensure efficient provision of sewage disposal, water supply and refuse disposal services which do not adversely affect water quality or other environmental values.*

9.6 Other amendments to policies

131. Notified Policy 41.2.1.3 had two components, these being views "*into the site*" when seen from Lake Wakatipu, and secondly views *across the site* towards the mountains on the western side of the lake. The current wording of the policy has elements of ambiguity. The lakeside ridge between Jacks Point Hill and Peninsula Hill does not physically allow views "*into*" the site in terms of where virtually all urban development is intended to take place. The intention (and certainly the reality) is that as seen from the lake, *urban* development should not be visible. The term "*site*" is ambiguous in the context of this large area, and we recommend that it be changed to "*zone*" in order to reflect the intent of the policy. We also recommend that this policy be grouped with the general zone wide policies and renumbered as Policy 41.2.1.7. The amended wording of this policy is as follows:

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 zone to the mountain peaks beyond the lake when viewed from the State Highway.

132. Notified Policies 41.2.1.4 and 41.2.1.3 are related, but the latter is specific to residential development rather than the zone as a whole, and seeks that "*residential development is not readily visible from the State Highway*". Accordingly, we have grouped notified Policy 41.2.1.4 with the residential policies, and renumbered it Policy 41.2.1.16.
133. Notified Policy 41.2.1.15 concerned the development of education, business innovation and associated activities in the Education Innovation Campus Activity Area (EIC) notified with Chapter 41. An EIC activity area is no longer being pursued by the landowner, and the activities have instead been provided for in the Education (E) Activity Area adjacent to Jacks Point Village. Additional provision has been made for day care facilities in this Activity Area.
134. We have grouped and renumbered Policy 41.2.1.15 with the related policies on villages and education within the Jacks Point Zone, and renumbered it as Policy 41.2.1.20. This policy now simply replaces the words "*..... within the Education Innovation Campus.....*" with the words "*.....within the Education Activity (E) Area*" and the removal of the words "business innovation", as this is to be provided for in the adjoining Village Activity Area.

135. We consider that scope is available to delete the EIC activity area in terms of submissions seeking reversion to the provisions of the ODP, including the structure plan therein, while Scope Resources and Southern Beaver Ltd opposed land intensification within Hanley Downs¹⁴⁷. There is no scope however, to substitute residential zoning for the EIC activity area.
136. Notified Policy 41.2.1.16 made reference to the visual impacts of subdivision and development within the EIC and the Residential State Highway (R(SH)) Activity Areas. With the demise of the EIC, this policy has now been confined to the(R(SH)) Activity Areas. The relevant renumbered policy is 41.2.1.15.
137. Notified Policy 41.2.1.17 referred to the two Farm Preserve (FP) Activity Areas which like the EIC, are no longer being pursued by the landowner and have been replaced by OSL and OSG Activity Areas as discussed in detail later in these recommendations. We concur with the views in Ms Jones Section 42A Report which expresses concerns about the intensity of development that would be possible under the FP activity areas and their effects on landscape values¹⁴⁸. However, we accept that some residential development is appropriate, notwithstanding submissions that seek reversion to the provisions of the ODP. This policy would be rendered redundant as a consequence of our recommendations to remove the FP activity areas. This redundant policy is now recommended to be replaced by a new Policy 41.2.1.17 on a separate matter, this being the Jacks Point Village Activity Area.
138. Notified Policy 41.2.1.18 related to the limited provision made for commercial activities within the Residential Hanley Downs (R (HD)) activity areas. Following the hearing of evidence on commercial activities within the Jacks Point Zone and addressed in Part 9 of these recommendations, we recommend the wording of this policy (now numbered 41.2.1.14) be amended by replacing the words “... *Designed to primarily service needs of the local community.....*” with the words “.....*of a scale limited to servicing the needs of the local community.....*”. This is considered to more accurately reflect the intent of the PDP as reflected through the rules, notably renumbered Rules 41.5.1.8 and 41.5.1.9.
139. Notified Policy 41.2.1.20 referred to residential development and amenity controls and we have grouped this policy with other residential policies and renumbered it as Policy 41.2.1.13. We recommend this be amended to make it clear that the degree of amenity associated with privacy and outdoor living is qualified by the anticipated density, and accordingly aligns with the rules framework. An example of this is the rules relating to recession planes and the level of sunlight admission that can be expected, on lots of less than 380m², or approved as medium density housing developments¹⁴⁹.
140. There is no policy *specific* to homesites in the PDP as notified, except to the extent that notified Policy 41.2.1.12 refers to “..... *opportunities for farm and rural living at low densities*”. Homesites are provided for under both the ODP and the PDP, and the number of these is to be increased under the PDP as a result of recommendations in Part 11 of this Report. These recommendations include the development of a low density Rural Living (R(L)) Activity Area adjacent to the western edge of Hanley Downs, and further homesites, all of which are located in the Homesite (HS) Activity Area. Provision for these low density housing alternatives is proposed to be made under renumbered (but otherwise unchanged) Policy 41.2.1.8, with the

¹⁴⁷ Submission 601, clause 5.2 and Submission 342

¹⁴⁸ S42A Report, paragraphs 15.21 and 15.28.

¹⁴⁹ Rule 41.5.1.4

latter referring to “low-density rural living”, a term which we consider is arguably sufficiently broad as to include homesites.

141. Notified Policy 41.2.1.24 (recommended to be renumbered 41.2.1.28) is now grouped as part of the suite of policies under ‘Open Space’ and includes reference to the ‘Tablelands’. We recommend that the words ‘Landscape Protection Area’ be added after ‘Tablelands’ to accurately reflect the application of the rules.

142. In paragraph 7.4 above, we noted that a number of submissions had sought differentiation between parts of the broader Jacks Point Zone, including Homestead Bay, and we agreed that this component of the zone had distinguishing characteristics from ‘original’ residential development in the neighbouring Jacks Point subdivision. We recommend that this be dealt with by a new policy, recommended to be numbered 41.2.1.29, which reads as follows:

“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.”

143. Other amendments to the policies which include activity area descriptions and abbreviations are (apart from grouping under like topics and renumbering), of a minor grammatical nature, and some remain completely unchanged. These amendments are recommended to be made pursuant to Clause 16(2).

144. Apart from the policies discussed above, although renumbered, the wording of notified Policies 41.2.1.5 – 41.2.1.9, 41.2.1.14, 42.2.1.19, 41.2.1.22, and 41.2.1.23 remain unchanged, except for changes to policy numbering as set out above in paragraph 8.10.

10. ISSUE 4 – PROVISION FOR NON-RESIDENTIAL (EDUCATION, COMMERCIAL AND HEALTH) ACTIVITIES

145. This part of our recommendations addresses submissions relating to non-residential activities within the Jacks Point Zone, with particular reference to the Activity Areas introduced in the PDP as notified, or carried over from the ODP. These include the ‘EIC’ and ‘E’ Activity Areas, and the Village (Jacks Point and Homestead Bay) Activity Areas. Also assessed are non-residential Activity Areas requested via submission (i.e. the Woolshed Road Village and Open Space Commercial Recreation Activity Areas), and finally provision for non-residential activity to occur in the Hanley Downs residential areas.

146. Both the Jacks Point Village (V(JP)) and adjoining Education (E) Activity Areas are located within the Jacks Point portion of the Zone, whereas the Village Homestead Bay (V(HB)) Activity Area is located within the Homestead Bay component of the zone, under separate ownership. None of these areas have yet been developed.

147. A number of submissions raised issues relevant to non-residential activities generally without being specific to any particular activity area.

148. Otago Polytechnic¹⁵⁰ sought provision for education facilities at Jacks Point. This was opposed on the basis that an education precinct should be located only in the Hanley Downs area. JPL opposed the Structure Plan as it related to the Jacks Point portion of the zone, except that they

¹⁵⁰ Submission 757, opposed by FS1283

sought that the village area be developed in a manner that was ‘commercially viable’. This was supported by the JPR, Christine and Neville Cunningham¹⁵¹, and Peter & Carol Haythornthwaite¹⁵², and opposed by Jacks Point Entities¹⁵³. Similarly, Sally and Clive Geddes¹⁵⁴, Margaret Joan Williams¹⁵⁵, and Tim and Paula Williams¹⁵⁶ opposed the PDP Structure Plan in its entirety.

10.1 The Jacks Point Village Activity Area

149. Ms Jones explained that the Jacks Point Village would be approximately 3.6 hectares larger than the equivalent activity area identified in the ODP, increasing from 15.07 ha to 18.7 hectares. Those submissions that sought reinstatement of the open spaces identified on the structure plan in the ODP provide limited scope to consider the appropriateness of this expansion compared to what is now proposed in terms of boundaries in the PDP.
150. From a landscape and visual amenity perspective, Dr Read¹⁵⁷ considered that the extension to the Jacks Point Village Activity Area would be inconsequential from a landscape and visual amenity perspective and reflected what was anticipated for this area.
151. On the other hand, Mr Heath¹⁵⁸ expressed concern about the size of the Jacks Point Village Activity area even in the ODP, and certainly in terms of the expanded area in the PDP. He illustrated this by placing an overlay of the Jacks Point Village (JP(V)) Activity Area over the Queenstown Town Centre, showing that the Jacks Point Village was in fact *larger*. He indicated that even allowing for car parking and circulation, he expected the extent of land required for retail activities in Jacks Point Village would not exceed 2.1 ha. One relevant factor in this respect is the proximity of large-scale retailing already developed or in the process of being developed in the nearby Remarkables Park and 5 Mile locations. That said however, we noted that the JP(V) also provided for a range of other non-retail activities including MDR housing and visitor accommodation, as well as community and health care facilities. Nevertheless, and also taking into account the implications of the large Education (E) Activity Area adjoining the JP(V), there was good cause to believe that the zoned size of that activity area was far in excess of foreseeable commercial needs. However, there was no scope to reduce the size of the JP(V) Activity Area below 15.07 ha.
152. We recommend that the submission of JPL and the further submissions in support be accepted in part, and that the submissions of Sally and Clive Geddes, Margaret Joan Williams and Tim and Paula Williams be rejected in so far as they may have application to the JP(V).
153. Jacks Point Entities¹⁵⁹ sought to add reference to the Jacks Point Village Activity Area in notified Standard 41.5.12 and that height in the Jacks Point village be increased from 10m to 12m.
154. We agree that it would be appropriate to increase the maximum height limit from 10m to 12m in the Jacks Point Village Activity Area on the basis that this would provide greater design

151 FS1108

152 FS1096

153 FS1275

154 Submission 540

155 Submission 605

156 Submission 601

157 Dr M Read, EiC, paragraph 5.2

158 T Heath, EiC, paragraphs 5.13-5.23

159 Submission 762, supported by FS1277, opposed by FS1316

flexibility, and, given the ultimate scale of development in the Jacks Point Zone, it would also provide for the village to have a greater physical 'presence' as a focal point. On balance, we agree with Ms Jones' recommendation that buildings be limited to no more than three storeys within that increased height limit on the basis that this would encourage a more suitable roofline than would otherwise be the case, and that four-storey development is unlikely in a location such as this.

155. Accordingly, the submission and further submissions in support are recommended to be accepted in part, and the further submission in opposition rejected. Re-drafted Rule 41.5.2.4b identifies Jacks Point Village and provides for a 12m building height.
156. In the Homestead Bay Village Activity Area building height was limited to 10m under notified Rule 41.5.12.2a. Ms Jones proposed that as a consequential amendment, relying on submissions from the Jacks Point Landowners seeking to ensure the 'commercial viability' of the Jacks Point Village, that buildings in Homestead Bay Village Activity Area (with a commercial ground floor) be restricted to 2 storeys. However, we are not satisfied that the JPL submissions extend to the Homestead Bay Village Activity Area, and even if they did, we do not think this is sufficiently associated with 'viability'. Accordingly, we conclude that there is no scope to amend Rule 41.5.12.2a.
157. Under Rule 41.5.15.3 as notified in the PDP, building coverage was limited to 60% of *each site* within the Jacks Point Village Activity Area. Under the ODP, 60% building coverage was calculated over the whole activity area. We agree with Ms Jones that more efficient use of land would be achieved by reverting to the rule as applied in the ODP, as applying the coverage limit to each site provides a perverse incentive for dispersed commercial development and wasteful use of land. A zone-wide coverage threshold of 60% would not guarantee, but would at least encourage, provision of shared parking areas, laneways, streets, and open spaces with up to 100% of individual sites being covered by buildings.
158. Even taking into account the very generous extent of land available for the projected level of commercial development in the Activity Area, the coverage rule as notified would encourage isolated site development unrelated to neighbouring sites, result in inferior urban design outcomes, and a density of dispersed development which would not be amenable to pedestrian movement. The need for an amendment was also supported by Mr Ferguson on behalf of the Jacks Point Entities¹⁶⁰. Accordingly, we recommend that the site coverage threshold of 60% (under renumbered Rule 41.5.2.3) be applied across the whole of the Jacks Point Village JP(V) Activity Area. This amendment is within the scope of submissions seeking reversion to the provisions of the ODP¹⁶¹.
159. With respect to the extent of commercial floor-space within the JP(V) Activity Area, we heard from two economists, Mr Heath for the Council, and Mr Copeland for Jacks Point Entities. Rule 41.5.9 in the PDP provided a retail 'cap' for any individual retail activity of only 200m². There was no 'cap' on the total retail floor space within the JP(V) Activity Area as a whole.
160. In his evidence, Mr Heath was uncomfortable with the extent of commercial development that could occur in the JP(V) Activity Area. In terms of scope to impose an overall cap, Ms Jones informed us that there was only limited scope provided under the submissions, but she cited

¹⁶⁰ C Ferguson, EiC, paragraph 11.10.

¹⁶¹ Submission 601, clause 5.2

“those submissions that seek greater height in the Jacks Point Village; those submissions and further submissions which oppose increasing the size of the Jacks Point Village (over open space areas) and those by the Jacks Point Landowners, which seek that the provisions of the ODP be reinstated; and those by the Jacks Point Landowners that changes be made to support the village area to develop in a commercially viable manner that supports the community it services at an appropriate scale and design”¹⁶².

161. Within the limited scope available, Ms Jones, relying on the advice of Mr Heath, recommended that the amount of land that can include *commercial* activity within the Jacks Point Village be capped at 9.9 ha (being 2/3 of the building coverage allowed in the ODP Village area) and that the amount of *commercial* activity allowed within the Homestead Bay Village area be capped at 28,300m² (being 2/3 of the building coverage allowed in the ODP village area)¹⁶³.

162. There was considerable debate among the two economists which was, to some extent, complicated by the inclusion in the PDP of the Education and Innovation (EIC) Activity Area at the northern end of Hanley Downs, which Jacks Point Entities had advised they were no longer pursuing¹⁶⁴. A further complicating factor was the proposal by Jacks Point Entities to merge the adjoining JP(V) and (E) Activity Areas¹⁶⁵. There was however agreement among all of the witnesses that it was now desirable for a single Village Centre to be established, the only disagreement being over whether the JP(V) and (E) Activity Areas should be combined.

163. Mr Heath was of the opinion that the JP(V) Activity Area should be reduced to the 15.09 ha provided for under the ODP. Even then, he was of the opinion that that an ‘at capacity’ demand for retail floor space would amount to only 2.12 ha including car parking. Mr Ferguson stated in evidence that under the PDP as notified, there was a potential for 370,400m² gross floor space, whereas in a consolidated JP(V) Activity Area this had reduced to 268,000m² gross floor space. In response to the Council’s concerns about combining the JP(V) and (E) Activity Areas, Mr Copeland stated:

The ODP had 28.95 ha of commercial land in Henley Downs and Jacks Point Villages. The proposal now advanced is a reduction of that from 26.80ha consolidated into one village with a large component of that to be used for education.¹⁶⁶

164. Mr Copeland’s figure of 26.80 ha represents the land area for the village that would result from combining the JP(V) and (E) Activity Areas. Mr Copeland was of the view that the 200m² cap for individual commercial activities, the relative remoteness and eventual population capacity of Jacks Point, and the well-established nature of other centres such as Remarkables Park, meant that there would be little effect on other centres, or the retail hierarchy in the wider Queenstown area. Mr Ferguson also noted that there had been no submissions in opposition from other commercial centres in the Queenstown area to the extent of retail possible under the PDP as notified. On that point, we observe that whether this was the result of conscious consideration, or simply unawareness of the floor-space potential, cannot be determined.

165. It was apparent to us that *both* the extent of the JP(V) Activity Area, and the commercial floor-space that could be provided within it, were excessive by a very large margin, and if combined

¹⁶² Section 42A Report, paragraph 13.21

¹⁶³ Section 42A Report, paragraph 13.20

¹⁶⁴ C. Ferguson, paragraph 4.21(c)

¹⁶⁵ C. Ferguson Paragraph 4.21(c)

¹⁶⁶ M. Copeland, paragraph 76

with the Education Activity Area almost embarrassingly so. Such a large area would *in theory* enable development similar to that at Frankton Flats including big box retailing. We did not find the suggestion that a minor reduction in the land area available for retail activities from 28.95ha to 26.80ha was in any way persuasive as a ‘moderating’ factor. We also note that the PDP includes a somewhat paradoxical combination of a very large land area enabling commercial development on one hand, with a very small individual retail floor space limit on the other. Exceeding the 200m² floor-space limit would require consent as a discretionary activity, an outcome we consider will be likely in the future, not for a ‘big box’ retail activity but for a larger supermarket and other possible retail activities serving the Jacks Point catchment. There was some discussion about allowing a more realistic floor-space limit of 300m², but there appeared to be no scope to enable this.

166. However, we accept Mr Copeland’s assertion that in the foreseeable future at least, large-scale commercial development at Jacks Point is unlikely for the reasons cited in his evidence. We also acknowledge that the JP(V) Activity Area provides for tourist accommodation and residential activity which could ‘soak up’ some of the land resource and the activity area.
167. Despite the element of disagreement between the experts, it was revealing that Jacks Point Entities’ witnesses were of the view that while the retail caps proposed by the Council were arguably unnecessary, they were “*unlikely to pose a problem*”¹⁶⁷.
168. Along with the need to review the operation of rules relating to the design of development within the JP(V) Activity Area, a review by Council of retail floor-space limits would also be appropriate when a better understanding of the requirements of development in this currently completely undeveloped activity area become clearer. The plan provisions contained in the PDP are woefully inadequate and lack any form of supporting analysis with respect to the extent of land which would realistically be required either in terms of land area or floorspace for commercial activities. As a stopgap measure, Ms Jones suggested a 9.9 ha limit, based on two thirds of the permitted floorspace in the activity area under the ODP, however there was no apparent scope for making such a change, which in any event was likely to be ineffective as it was still (wildly) in excess of the land area which would be required.

10.2 The notified Education (E) Activity area

169. Under the ODP, the area proposed to be developed as a new Education (E) Activity Area in the PDP was previously identified as an Open Space Activity Area (Golf Course, Open Space and Recreational Facilities – (G/F) Activity Area). It is immediately south of the Village Jacks Point (V(JP)) shown in both the ODP and the PDP, although we note that the Structure Plans in the ODP are very nebulous and make it difficult to identify activity areas.
170. The establishment of the proposed Education (E) Activity Area was supported by the Jacks Point Entities¹⁶⁸ who also sought that provision be made within the Education (E) Activity Area to allow healthcare activities. This Activity Area adjoins the Jacks Point Village (V – JP) Activity Area to the south. The Education (E) Activity Area was generally opposed by JPL, Sally and Clive Geddes¹⁶⁹, Margaret Joan Williams¹⁷⁰, Tim and Paula Williams¹⁷¹, and JPROA¹⁷², on the

¹⁶⁷ C Ferguson, EiC, paragraph 11.13

¹⁶⁸ Submission 762

¹⁶⁹ Submission 540

¹⁷⁰ Submission 605

¹⁷¹ Submission 601

¹⁷² Submission 765

basis that it would represent a change in classification from an Open Space Activity Area to an 'urban' activity area. These submitters sought to retain the site as open space, as is the case under the Structure Plan in the ODP.

171. The PDP's notified definition of 'education activity' and 'day care facility' (both of which are 'enabled' as controlled uses in Education Activity Area are as follows:

Education activity - Means the use of land and buildings for the primary purpose of regular instruction or training including early childhood education, primary, intermediate and secondary schools, tertiary education. It also includes ancillary administrative, cultural, recreational, health, social and medical services (including dental clinics and sick bays) and commercial facilities.

Day Care Facility - Means land and/or buildings used for the care during the day of elderly persons with disabilities and/or children, other than those residing on the site.

Notified Rule 41.5.15.1, imposed a maximum building coverage in the Activity Area of 45%.

172. We agree with the observations of Ms Jones when she stated that:

I support the inclusion of an Education Activity Area in the location as notified as an appropriate method of implementing the (reply) Strategic Directions objectives 3.2.1.5, 3.2.2.1, 3.2.3.1, and 3.2.5.3 and Jacks Point Objective 41.2.1 (as recommended to be amended by this report). It will contribute toward the objectives and policies through complementing the village; provide for education facilities for the projected Jacks Point population (of around 3,250 usually resident households),¹⁷³ thereby minimising vehicle movements beyond the zone.....

and;

While the 5 ha area proposed is reasonably large and more than would be required for a primary school, for instance (noting that Queenstown Primary school is approximately 3.7 ha in area), it will enable a range of education activities to co-locate on the site in due course.¹⁷⁴

173. With regard to the latter, we were made aware that there is some interest in the medium term in providing for another private school serving the rapidly growing permanent population of the Queenstown area. While it is recognised that the Ministry of Education can designate sites of their choice for state schools, the identification of the Education Activity Area in close proximity to the village would reinforce the village and its environs as the central and convenient focal point for the Jacks Point Zone as a whole.

174. Mr Brabant, one of the submitters in opposition, stated that:

In the absence of the Minister having identified the need for land to be set aside for educational purposes, and because the Minister will normally use the designation process, the request for additional provision for educational facilities is opportunistic and speculative¹⁷⁵.

¹⁷³ Refer to Mr Timothy Heath's evidence dated 17 January 2017 at paragraph 5.13

¹⁷⁴ Refer Section 42A Report, paragraph 13.62

¹⁷⁵ Evidence of R Brabant, paragraph 63

175. We disagree. Mr Brabant is quite correct that the Minister of Education can designate a site which may or may not be within the area identified for such a purpose in the Structure Plan. However, we are not aware of any physical or infrastructural limitations applying to the proposed Education (E) Activity Area such as those applying to the proposed OSCAR Activity Area sought by RCL, and discussed elsewhere in these recommendations. We consider it is not only prudent, but appropriate for an area to be identified for future education purposes given that the Jacks Point Zone will ultimately include over 5200 dwelling units, which will certainly be sufficient to justify a primary school – indeed well before this threshold is reached. The Education Activity (E) Area is recognised at a policy level through renumbered Policy 41.2.1.20.
176. Related to this issue was whether the JP(V) and (E) Activity Areas should be combined as sought by Jacks Point Entities. Mr Ferguson contended that a ‘consolidation’ of the village would still provide the opportunity for the development of education activities, and that concerns about the combined size of the two activity areas (26.8 ha) could be resolved through the imposition of an overall retail cap. Jacks Point Entities also sought provision for healthcare facilities within the Education (E) Activity Area.
177. While we support the intention to consolidate provision for education activities adjacent to the village in a central location, rather than the notified proposal for the EIC Activity Area, we are not convinced that amalgamation of the JP(V) and (E) Activity Areas would be an appropriate outcome. Quite apart from the quantum of land available for various activities, including commercial, within the village, having a very large area set aside for village activities could result in inefficient and dispersed development, even allowing for land required for a potential primary school or campus style health facility.
178. The issue of the combination of the two activity areas and the provision for healthcare facilities within the Education Activity Area were considered by us to be related, and went to the heart of how this very large combined area would eventually evolve. Mr Ferguson said:
- By consolidating the areas of commercial, community and visitor activity into the area of the Village (including E), there are the benefits of enhancing this area as a vibrant mixed use hub for the community, and in doing so, it will diminish the extent of overall land available for this purpose from the notified provisions, which are not opposed by landowners in other commercial centres.¹⁷⁶*
179. However, Mr Heath commented that this vibrancy and success:
- “..... could come at the expense of Jacks Point Village. The Zone Purpose (41.1) envisages sustainable village areas having longevity in their quality and built form. Any loss of the sustainability and longevity due to development elsewhere in Jacks Point represents an undermining of the Village, its development potential, and the potential economic and social well-being the village could afford the community”.*
180. We prefer the evidence of Mr Heath. However, in addition to this, we are concerned that such a large area, and the potential scale of the development within it that would be possible, could have a considerably wider affect than on the two activity areas themselves. At the time of the hearing there was no plan in place indicating how this area is expected to develop in terms of

¹⁷⁶ C Ferguson, EiC, paragraph 11.15

the configuration of activities therein, access arrangements, landscaping and other matters. It was very much a blank sheet of paper *insofar as the PDP* was concerned.

181. However, Mr Ferguson drew our attention to a structure plan for the development of the village which had been approved by resource consent and subsequently updated¹⁷⁷. Both Ms Jones and Mr Ferguson supported the inclusion of a Comprehensive Development Plan (CDP) for the Village¹⁷⁸, with a requirement that this be incorporated by way of a controlled activity application, followed by discretionary activity applications for any subsequent modifications to this plan.
182. We entertain considerable doubts about the *vires* of such a process, particularly as it purports to determine the status of a land-use activity based on the outcome of a resource consent process. We consider the preferable outcome by far would be the incorporation of a comprehensive development plan for the Jacks Point Village Activity Area into the PDP as an appendix to this chapter. However there is no plan agreed at this point for incorporation into the PDP.
183. We observe that under notified Rule 41.4.9.3 of the PDP, the activities within the 'Village Area' are "*.....restricted to residential and visitor accommodation activities including bars, restaurants, theatres, conference, cultural and community facilities and office and administration activities ancillary to the above activities, small – scale commercial activities, health activities, educational activities, office and administration activities, and indoor and outdoor recreation facilities*". The potentially confusing activity column suggests that development within the activity area is discretionary (unrestricted) but in fact is permitted by virtue of the application of Rule 41.4.9. As noted previously in these recommendations, there is scope within submissions to revert to the provisions of the ODP, including with respect to this activity area¹⁷⁹.
184. Under the ODP, the above activities are a *controlled activity* in the Village Activity Areas, subject to the approval of an Outline Development Plan¹⁸⁰. On this basis we consider there is scope to provide for development within the Jacks Point Village Activity Areas as a controlled activity, subject to it being in accordance with a Comprehensive Development Plan which has been incorporated into the District Plan. That is the only way we consider such a plan may be approved¹⁸¹.
185. Our recommendations and proposed matters of control are set out under renumbered Rule 41.4.2.1.
186. Jacks Point Entities¹⁸² sought that Rule 41.4.9.4 (Education Activity Area) also provide for healthcare facilities.
187. We agree with Ms Jones' conclusions regarding provision for healthcare activities, and that it would be preferable that they be located within the Jacks Point Village Activity Area as this would at least potentially contribute to the diversity and vitality of activities within the village,

¹⁷⁷ RM090127

¹⁷⁸ C Ferguson, EiC, paragraph 11.21, and V Jones, Reply Statement, paragraph 6.2 (c)

¹⁷⁹ Submissions 540,601

¹⁸⁰ ODP Rule 12.2.3.2xii and Rule 12.2.5.1viii.

¹⁸¹ See the Hearing Panel's discussion on this topic in Report 1 – Section 1.9

¹⁸² Submission 762

and that outcome would be better achieved through having healthcare facilities located in the village than separately with education activities which require large areas of open space.

188. We recommend that the submission of the Jacks Point Entities supporting the Education Activity (E) Area be accepted, but that the submission requesting provision for healthcare facilities in that area be rejected. We also recommend that the JP(V) and (E) Activity Areas remain as separately identified activity areas. This is an issue that may be further revisited when the nature of development in these two adjoining activity areas is better understood. We also recommend that the submissions in opposition to the Education Activity (E) Area be rejected.

10.3 The Homestead Bay Village Activity Area (V(HB))

189. Jardine Family Trust and Remarkables Station Limited¹⁸³ sought the deletion of notified Rule 41.5.15.4, which limited building coverage within the Village (Homestead Bay) Activity Area to 21,500m².

190. With respect to the Village Homestead Bay (V(HB)) Activity Area, we received little evidence apart from that in Ms Jones' report. Counsel for Jardine Family Trust and Remarkables Station Ltd both supported Ms Jones' proposal for a 60% site coverage allowance across the activity area. Mr Geddes' planning evidence did not touch on the issue of floor space limitations, but Mr Page's legal submissions on behalf of these submitters commented that they still sought the deletion of Rule (incorrectly identified as Policy) 41.5.15.4 in the PDP, which allowed building coverage of 21,500m² in the (V(HB)) Activity Area. He submitted that the numerical limit on commercial activity was "*..... a topic traditionally best left to developers prepared to put their capital at risk*".¹⁸⁴

191. We consider this statement ignores the provisions in Chapter 3 of the PDP. No expert evidence was presented on the subject of the extent of retail development appropriate in Homestead Bay by Jardine Family Trust and Remarkables Station Ltd. This is another undeveloped area about which there is little known in terms of actual demand for commercial activities. The Homestead Bay Village Activity Area occupies 6.24ha, and building coverage is limited to 21,500m², which equates to building coverage of approximately 35%. Ms Jones commented that this appeared low for a (commercial) village development, based on Mr Compton-Moen's expectation of 60-70% building coverage across such an Activity Area being typical in terms of urban design parameters.

192. Having regard to the evidence of Mr Heath, we accept that it would be appropriate to provide for a 60% coverage rule across the Village Activity Areas. This also has the benefit of applying consistent rules over both the Jacks Point and Homestead Bay Villages, albeit that both are very generous and would be more than sufficient to facilitate a realistic level of development either of these villages. We also recommend that a breach of the site coverage rule in V(HB) should have restricted discretionary activity status, consistent with the status of the equivalent rule that applies to the Jacks Point Village V(JP) Activity Area (renumbered Rule 41.5.2.3).

193. The Homestead Bay component of the Jacks Point Zone will remain a contiguous area and within the catchment of the JP(V) Activity Area. Ms Jones' recommended that commercial activity within the (V(HB)) Activity Area be capped at 2.1ha (being 2/3 of the building coverage

¹⁸³ Submission 715

¹⁸⁴ Submissions of P Page, page 3

allowed in the ODP village area) consistent with her recommendation on the JP(V) Activity Area. While we agree that the quantum of land available for commercial development at Homestead Bay is greatly in excess of what would realistically be required, there is no scope to make this change recommended by Ms Jones. Another possible alternative would be to limit building coverage to 21,500 m² as provided for under the ODP.¹⁸⁵ However this would be inconsistent with the 60% site coverage limitation.

Provision for non-residential activity within the Residential (Hanley Downs) Activity Areas.

194. RCL¹⁸⁶ sought the deletion of the text restricting activities in the R(HD) Activity Areas to residential activities on the basis that Rule 41.4.9. could confuse the administration of the PDP. As notified, this rule stated that “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 41.5 Table 2 – Standards for Activities” is a discretionary activity
195. The submission did not appear to specifically seek a wider range of non-residential activities within the R(HD) Activity Areas, which under Rules 41.4.7.2, includes commercial activities, community activities and visitor accommodation as restricted discretionary activities. Rather it would appear that this submission is intended to be helpful in removing a potential anomaly in the drafting of the rules.
196. Ms Jones recommended that the rule be re-drafted as follows to provide greater clarity:
- 41.4.9: Any activity which is not provided for within the list of activities below or which is not provided a specific activity status through any other rule within Rule 41.4 Table 1- Activities located within the Jacks Point Zone.
197. As part of considering this submission, it came to our attention that another notified rule, Rule 41.4.1, duplicates and to some extent contradicts Rule 41.4.9 and thereby creates the potential for confusion. Rule 41.4.1 provides that activities not listed in the table and which comply with all standards are permitted. We have accordingly concluded that it is preferable to incorporate an overarching rule under as a General Rule under 41.3.2 ‘Clarification’ reading as follows:

“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’ or Table 6 – 10 – ‘Standards for Activities’ shall be a discretionary activity”.

10.4 Submission seeking ‘Village Woolshed Road’ (residential and village centre)

198. Vivo Capital Ltd¹⁸⁷ sought a change to the Structure Plan (and consequential amendments) to create a village centre area at the northern end of the zone to enable the more efficient use of land and better distribution of centres within the zone.
199. Based on the map provided with Vivo Capital’s submission, the total area of land that the submitter requested be reclassified was approximately 65ha. On behalf of Jacks Point Entities, Ms Baker–Galloway sought that the submission be struck out under Section 41C(7) of the Act on the basis that the submitter had not lodged any evidence, had not appeared in support of

¹⁸⁵ ODP Rule 12.2.5.2(iii).

¹⁸⁶ Submission 632

¹⁸⁷ Submission 789, opposed by FS1275, FS1277, FS1283, FS1303

their submission, and that it was potentially frivolous. A formal memorandum requesting that the submission be struck out was served on the Hearings Panel 6 March 2017. We were not prepared to go so far as to entertain this course of action, nor was it considered justified, as was set out in the decision of the Chair on 27 March 2017.

200. While the submission was clear as to the location and broad parameters of the relief sought, no evidence was presented to the hearing as to a policy, activity or rules framework that would determine such matters as amenity and landscaping, floor-space, layout, and urban design, nor any assessment of factors such as transport parking and servicing. No section 32 analysis accompanied the request either. The area sought for commercial zoning was not entirely clear, but the land area subject to the request was very substantial, and the rezoning sought could hardly be regarded as a refinement or minor amendment to the structure plan and the overall zone.
201. From a landscape perspective, the opinion of Dr Read¹⁸⁸ was that the development of this land would not have a significant adverse effect notwithstanding its current classification within the. OSL Activity Area, which in this particular location appears to be an interim classification of convenience. She added that it would not necessarily detract significantly from views to Bayonet Peaks or Peninsula Hill. It is an area that would appear to have considerable potential for accommodating future residential growth.
202. The evidence of Mr Heath was that given the extent of provision for commercial development in the Jacks Point Village Activity Area, and for that matter the Remarkables Park area to the north, there was no justification for commercial development on the site. Ms Jones added that access arrangements addressed through these hearings would appear to place any commercial area sought by the submitter 'out on a limb' and bereft of any passing traffic.
203. Taking these factors into account, and the complete lack of any evidential support for the proposals in the submission at the hearing, we conclude that there is no support for the rezoning sought and recommend that the submission be rejected.

10.5 Submission seeking Open Space Community and Recreation (OSCR) activity area

204. RCL¹⁸⁹ sought an amendment to the Structure Plan to show a new 'Open Space Community and Recreation Activity Area (OSCR)'. RCL were the owner of the land subject to this request, being Lot 12 DP 364700 (41.6 ha) currently used for grazing purposes. The site concerned was categorised as OSL Activity Area under the PDP as notified, and is located on Maori Jacks Road between Jacks Point Rise, and the adjoining Council reserve to the south. The submission also sought consequential amendments and additions to the rules to enable a narrowed range of community and recreation activities, including buildings as a restricted discretionary activity, limited to 10% of the site, up to 10m in height, and with no setback required from the boundary.
205. The land contains disposal beds for effluent from the Jacks Point Residential Activity Areas, approved by the Otago Regional Council. At the hearing, it was explained on behalf of the submitter that their purpose in seeking the change in activity area status was to make

¹⁸⁸ Dr M Read, EiC, paragraph 12.11

¹⁸⁹ Submission 632, opposed by FS1096, FS1108, FS1219, FS1252, FS1283, FS1275, FS1277, FS1316

provision for a possible school site. Relevantly, 'community activity' and 'recreational activity' are defined in Chapter 2 of the PDP¹⁹⁰ as follows:

Community activity - Means the use of land and buildings for the primary purpose of health, welfare, care, safety, education, culture and/or spiritual wellbeing. Excludes recreational activities. A community activity includes day care facilities, education activities, hospitals, doctors' surgeries and other health professionals, churches, halls, libraries, community centres, police purposes, fire stations, courthouses, probation and detention centres, government and local government offices.

Recreational Activity - Means the use of land and/or buildings for the primary purpose of recreation and/or entertainment. Excludes any recreational activity within the meaning of residential activity.

206. On behalf of RCL, Mr Wells indicated that there could be some interest in the development of the site for a private school, and claimed that the alternative of a site in the village would be impractical on the grounds of land costs. He explained that the submitter had now modified their submission to narrow the activities being sought to educational purposes. He also argued that under the current zoning there were no restrictions on site coverage, and buildings up to 4m in height could be erected as a controlled activity¹⁹¹. He acknowledged that there were some limitations on the site in the form of easements in favour of JPROA for wastewater disposal, although he again qualified this by asserting that RCL had agreements in place to enable these to be relocated.

207. With respect to this point, in his summary of evidence, Mr Coburn stated:

*In response to the evidence of Mr Wells for RCL, I note that at para 104 he states that RCL has agreements in place which allow easements and infrastructure over the RCL proposed OSCR zoning. I confirm that there are no such agreements, and if there were, that JPROA would expect to be heavily involved in such negotiation and would not be supportive of this.*¹⁹²

208. As the proposed site is in relatively close proximity to the Skydive Queenstown operation to the south, RCL called evidence from Mr Jeremy Trevathan, an acoustic consultant, in terms of the potential effects of aircraft noise on a noise sensitive school activity. Mr Trevathan concluded that provided school buildings were designed to be insulated against aircraft noise in a manner that would be achieved under WHO/AS/NZS2107/Ministry of Education guidelines, the site would be suitable for use as a school. He also considered that noise levels in outdoor play areas would be acceptable.

209. Evidence was also called from Mr Gary Dent with respect to engineering issues associated with potential flood management. His evidence explained that the site was potentially affected by a flood event in two outwash streams from the western face of the Remarkables. He outlined two possible flood mitigation options that would divert any potential flood flow to avoid any part of the site used for building, or the construction of a new flood channel.

¹⁹⁰ As recommended by the Stream 10 Hearing Panel

¹⁹¹ D Wells, EiC, paragraph 103

¹⁹² M Coburn, Summary of Evidence, paragraph 5

210. Mr Peter White presented brief engineering evidence and confirmed that it would be possible to provide water supply and wastewater reticulation. He stated he had not taken account of the existing wastewater disposal fields in his assessment, and was relying on the evidence of Mr Wells that development can either be built outside of these disposal fields, or that they can be relocated¹⁹³.
211. Evidence from Mr Coburn on behalf of JPROA expressed opposition to the proposal and stated that residents had purchased their land on the understanding it would remain as open space. He added that the subsurface drip lines for irrigation were very shallow and occupied a large part of the site.
212. Significantly, Mr Gousmett's evidence for JPROA noted that under ORC consent 2009.312, Condition 8 restricted the use of the land, and precluded its use for:
- a. roading, whether sealed or unsealed;
 - b. as a hardstanding area
 - c. for *erecting* buildings or any non—effluent system structures;
 - d. for activities that require intensively managed grass surfaces (e.g. grass tennis court or bowling greens or golf tees and greens); and
 - e. for the grazing of stock, excluding sheep.
213. Furthermore, it was apparent from Appendix A to Mr Gousmett's evidence that these disposal fields covered a very large part of Lot 12 DP 364700.
214. For RCL, Mr Ben Espie conceded that residents on the southern side of Jacks Point Rise and in Soudley Court would overlook any potential school buildings in their southern view¹⁹⁴, although in the case of the latter he considered this could be eventually screened by vegetation, and in neither case would views be 'blocked'. He said that schools typically had large areas of open space and tree plantings which he contended would be consistent with the establishment of recreational activities and buildings on the site. He noted that RCL was now proposing that a maximum building height of 7m be provided for, a maximum building coverage of 5000 m², and building design which integrated with the character of Jacks Point. He maintained that the visual outcomes would be similar to that anticipated with the development of recreational facilities under the existing OSL activity area classification.
215. Ms Joanna Taverner¹⁹⁵ submitted in opposition to the proposed activity area classification sought by RCL. She is resident at 79 Jacks Point Rise, overlooking the site. She advised that although based in Queenstown with a firm of landscape architects, she was appearing as an affected party, not as an expert witness.
216. Ms Taverner noted that although the scope of the RCL submission had narrowed, it still sought provision for both educational and commercial recreation activities, and pointed out that "commercial" recreation had a quite different meaning to "outdoor" recreation as provided for under the ODP. She was concerned that the development scenarios described by RCL may upon construction be quite different in terms of the siting of buildings. In her view what was being proposed was well beyond the nature and scale of development that was ever anticipated under any masterplan for the area.

¹⁹³ P White, EiC, paragraph 13.

¹⁹⁴ B Espie, EiC at paragraph 5.9

¹⁹⁵ FS1293

217. For the Council, Dr Read compared what would be permitted under the submitter's proposed OSCR Activity Area with that enabled under the ODP. She considered that from State Highway 6, while part of the development might be visible, if properly mitigated it would not have significant adverse effect on views from the highway. However, she considered that it would adversely affect the quality of views both anticipated and experienced by local residents within the R(JP)-1 and R(JP-SH)1) Activity Areas.
218. We could see some merit in Mr Espie's contention that a school site by its nature would contain a significant proportion of open space, and that a landscaping scheme in conjunction with control over building design could result in a reasonably high standard of amenity. We also accept that it may be possible to provide services to the site and that flood management measures could be effective.
219. Nevertheless, we still entertain concerns about the proposed concept of the OSCR Activity Area proposed by RCL. Firstly, while RCL had amended their original proposal by suggesting that height be restricted to 7m, there would be a significant difference between the impact of a permitted building of 4m in height and one of 7m in height. We also have doubts that – from a permitted baseline perspective – any recreational building, whether or not subject to coverage limits, would be of up to 5000m² in size. As pointed out by Ms Taverner, it would be difficult for nearby residents to comprehend the potential scale and appearance of the development in the absence of any visual simulations or poles marking the location of buildings, as would typically occur as part of a resource consent application.
220. Secondly, as this is a review of the District Plan, in these recommendations we need to be reasonably confident that the land can be used for the purpose for which it is zoned – or in this case, the activity area within which it is located. It *might* be that development may be able to avoid the wastewater disposal fields, or even that they could be relocated, although there was no indication of where or how this might be achieved. There are also potential issues with the need for an amended or new consent from the Otago Regional Council, and the likelihood that the site would require assessment as a *HAIL* site. But at this time, we have no certainty on those matters, or whether the issues with JPROA can be resolved. Even if we were satisfied on the merits, on the information currently available to us the classification of the site under an activity area providing for a school is, at the very least, premature.
221. Our third concern is that notwithstanding that well-designed school buildings and a landscaped site could result in a reasonably high standard of amenity, we consider that a development on the scale proposed would not have been contemplated by affected residents in the vicinity. In coming to this conclusion, we have taken into account our earlier observation that it is unlikely that a recreational activity on the site would result in building scale of comparable to that proposed for a school. With respect to the possibility of commercial recreation activities, these would be outside the scope of what was anticipated under the PDP for this activity area compared to outdoor recreation. We note that buildings of more than 4m in height would be a non-complying activity under the PDP, and believe it is stretching credulity to believe that a very large building such as a gymnasium would be constructed within the 4m height limit applicable for recreational buildings.
222. Finally, Mr Wells contended that cost factors would inhibit the establishment of a school within the Jacks Point Village ((V(JP)) Activity Area. However, in addition to the Village Activity Area, there is also the adjoining Education (E) Activity Area, and these two adjoining activity areas amount to nearly 27 ha. Given that a typical primary school is in the range of 3 – 5 ha,

there is ample opportunity between these two areas for the ‘market to work’. Quite apart from this, in the case of any state school or state integrated school, the Minister of Education can and will exercise powers of designation based on a range of factors concerning site suitability.

223. In our assessment, these uncertainties, and the potential adverse visual effects arising from development which was clearly not anticipated by adjoining landowners, have led us to conclude that the proposed rezoning and its associated suite of rule changes should not proceed. Accordingly, we recommend that this submission by RCL seeking the establishment of an OSCR Activity Area be rejected, and the submissions in opposition be accepted.

10.6 The notified Education Innovation Campus (EIC) Activity Area

224. The proposed EIC was a 13 ha area of land at the northern end of the Jacks Point Zone which was notified with the PDP. It originally formed part of Plan Change 44 when it was notified, but in the Commissioners’ decision on submissions to that plan change, it was rejected. However, before that decision was issued, the PDP was notified and included the EIC.

225. Scope Resources Ltd & Southern Beaver Ltd¹⁹⁶ sought that the Structure Plan be amended to delete the EIC Activity Area. In a general sense, the submissions by Tim and Paula Williams¹⁹⁷, Margaret Joan Williams¹⁹⁸, and Sally and Clive Geddes¹⁹⁹ also sought that the area occupied by the EIC be returned to an Open Space Activity Area classification.

226. A very wide mix of commercial and accommodation uses would be permitted within the EIC Activity Area including an unlimited amount of small to medium format retail, with buildings up to 15m in height and site coverage up to 70%, albeit with controlled activity status with respect to design elements.

227. In its memorandum filed on 15 December 2016, Jacks Point Entities advised that they no longer wished to pursue the EIC, and sought its replacement by a Residential/Education Activity Area, to be classified Residential Henley Downs – State Highway (R (HD – SH) 3). At the hearings, the ‘education’ component was also withdrawn. The replacement activity area sought is broadly similar to the other Hanley Downs residential activity areas (owned by RCL), providing for a mix of low and MDR housing. We consider it would be entirely logical for the area occupied by the EIC to form part of the Residential Hanley Downs – State Highway (R(HD – SH)3) Activity Area. The fundamental difficulty with this, is that such an amendment appears to be clearly out of scope in terms of the submissions before us. Certainly, the EIC activity area makes only very limited provision for residential development.

228. Accordingly, we recommend that the EIC activity area be deleted from the Structure Plan as notified, along with the removal of the associated rules, and that the area be classified as Open Space Landscape (OSL) Activity Area, and the submission in opposition allowed. We make no further recommendation at this stage, except the observation that this land, and potentially land further to the north, appear to be suitable for eventual residential development.

¹⁹⁶ Submission 342 opposed by FS1275

¹⁹⁷ Submission 601

¹⁹⁸ Submission 605

¹⁹⁹ Submission 540

11. ISSUE 5 – INFRASTRUCTURE, SERVICING AND ROADING

229. Ten submissions²⁰⁰ sought that Council address the financial burden of Jacks Point residents providing funding for infrastructure for the Hanley Downs and Homestead Bay access and the trail networks. This was supported by JPR, and four other further submitters²⁰¹ and opposed by Jacks Point Entities²⁰².
230. Financing arrangements for the provision of infrastructure and recreation facilities in terms of Council funding is a matter outside the scope of the District Plan, and is instead a matter to be resolved through the Council's Annual Plan process. For this reason, we recommend that the submissions be rejected.
231. RCL²⁰³, opposed by various submitters including NZTA²⁰⁴, sought that notified Rules 41.5.3, 41.5.6, 41.7 (the Structure Plan), and Rule 27.8.9 (subdivision) be amended to enable access to State Highway access via Lot 3 DP 475609 (as shown on the plan below). Access through this new entrance point has been sought in addition to, or instead of, the Woolshed Road intersection that was agreed to under Plan Change 44 and as shown in the Structure Plan notified with the PDP. RCL also sought that the rules provide sufficient flexibility to enable the final location of the access point to be moved 120m in either direction; and that resource consents that utilise an access in this location be processed with the same activity status as development that is accessed via Woolshed Road.
232. The PDP as notified contained two rules in Chapter 41 relating to access to the State Highway, Rules 41.5.6.1 and 41.5.6.2. The first rule restricted access to the Jacks Point Zone to Maori Jack Road and Woolshed Road. The second required that no more than 500 residential units be built within the Residential Hanley Downs Activity Areas without an upgraded Woolshed Road intersection being completed and available for use.
233. With respect to access from State Highway 6, the PDP as notified, and these rules specifically, have been overtaken by events.

²⁰⁰ Submissions 131, 246, 259, 284, 316, 547, 576, 582, 645 and 647

²⁰¹ FS1277, FS1283, FS1108, FS1096

²⁰² FS1275

²⁰³ Submission 855

²⁰⁴ 719.



Source: Submission 855

234. This new access onto the State Highway and the design of the intersection and collector road serving the subdivision being developed by RCL has now been approved via RM160562 and NZTA has provided its 'affected party approval' for the proposed access onto the State Highway with a new intersection designed to its satisfaction. This consent was granted in the context of the 109 new residential lots consented by RM160562 forming the first stage of the Hanley Downs residential component of the Jacks Point Zone. At the time of the hearing, the development of this new access point was imminent, and development of the subdivision was well underway.
235. The position now is that the Jacks Point Zone is served through the existing access point through Maori Jacks Road; and will be soon by the new access point approved under RM160562, leaving only the northernmost Woolshed Road connection to the State Highway to be eventually developed to an upgraded design.
236. Woolshed Road is a historic unsealed 'farm' road which connects with the State Highway at an oblique angle and would be completely unsuitable and unsafe in its current form as a third access point to the Jacks Point Zone. However, in response to a question from the Panel, Mr MacColl, on behalf of NZTA, confirmed that works required to upgrade the intersection would require consent from NZTA (and would partly take place on NZTA land) so there was no prospect of permitted development taking place with the current unsatisfactory intersection.
237. We recommend that the access point consented through RM160562 be incorporated into the Structure Plan. It is further recommended that Rules 41.5.6.1 and 41.5.6.2 be re-drafted

basically as proposed by Ms Jones, but with some amendments to provide greater certainty. These rules will regulate and confirm those points from which access into the Jacks Point Zone is available from State Highway 6; and the circumstances under which access to the Zone is available from Woolshed Road.

238. It is recommended that these two rules (renumbered 41.5.5.3 and 41.5.5.4) read as follows:

41.5.5.3 Access from State Highway 6 shall only be 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 for Jacks Point.

41.5.5.4 No additional allotments in the Jacks Point Zone created after 30 June 2017 shall have access to the Jacks Point Zone through the intersection with Woolshed Road until an amended design for that road intersection with State Highway 6 has been designed, upgraded, completed and available for use to the satisfaction of the NZTA, except as provided for through the approval of a Traffic Management Plan by the New Zealand Transport Agency (refer Advisory Note below).

239. It is proposed that non-compliance with the rules be a restricted discretionary activity, and that discretion be restricted to the safe and efficient functioning of State Highway 6 and the road network. The advice notes following these rules would read as follows:

Advice Notes:

a. A Traffic Management Plan is required to be submitted to the New Zealand 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 New Zealand Transport Agency.

240. NZTA originally sought that a threshold of 300 residential units, or no more than 2400 vehicle movements per day, be used as a 'trigger point' for upgrading the Woolshed Road/State Highway 6 intersection. Ms Jones had recommended that the words "*.....the scale of use of the Woolshed Road access shall not increase....*" as a trigger point. There is no ideal trigger point that provides complete certainty for the operation of this rule, but we have chosen wording for Rule 41.5.5.4 which is linked to any additional allotments being created which are reliant on access to Woolshed Road beyond a specific date of 30 June 2016. This is considered to be entirely realistic given the availability of the new access point to the RCL subdivision approved under RM 160562. Our proposed wording is very similar to that proposed by Ms Jones, which Mr MacColl considered was appropriate to meet NZTA's concerns²⁰⁵.

241. Ms Jones report made reference to a request by NZTA that existing crossing points CP60, CP62 and CP63 be permanently and physically closed when the Woolshed Road intersection upgrade is completed. The closure of licenced crossing points falls entirely within the powers of the NZTA, and we do not consider it is necessary to make reference to it in the rules under Chapter 41.

²⁰⁵ A MacColl, EiC, paragraph 28 (last paragraph, p7)

242. We recommend that the submission of RCL be accepted. Conversely, we recommend that the submissions of NZTA and the further submitters in opposition be rejected, albeit that this is unlikely to be of any concern to these submitters given the changed circumstances since the PDP was notified and submissions lodged.

243. In the meantime, Woolshed Road and its connection with State Highway 6 should continue to be shown on the Structure Plan, as a third access point to the Jacks Point Zone.

244. Scope Resources Ltd & Southern Beaver Ltd²⁰⁶ sought that Rule 41.5.6.2 be amended to read:

In advance of 224 (c) being issued for any residential development in the R(HD) Residential Activity Areas a roundabout intersection constructed to New Zealand Transport Agency standards and available for public use should be constructed at Woolshed Road. This roundabout should enable access for land to the east.

245. Scope Resources Ltd and Southern Beaver Ltd own land on the opposite side of State Highway 6 to the Jacks Point Zone, with an access 230m to the north of the Woolshed Road intersection. The site is used for industrial activities, and the submitters are concerned about traffic effects on these activities potentially arising from the use of Woolshed Road. We note that the owners of that land have sought, through the PDP submission process, and industrial zoning for their land. While the original proposal involved an entry to that land directly opposite Woolshed Road, the modified proposal which the Stream 13 Hearing Panel is recommending be accepted, has deleted that access point to SH6.

246. Mr Nicholas Geddes presented planning evidence on behalf of the submitters, and stated that the submitter would be satisfied with a condition such as that originally suggested by Ms Jones, which is very similar to that outlined in our recommendations for Rule 41.5.5.4 above²⁰⁷.

247. The Jardine Family Trust and Remarkables Station Limited²⁰⁸ sought deletion of notified Rule 41.5.6.1 or that it specifically provide for new accesses to be created within Lot 8 DP 443832. This submission was in relation to a request that the Jacks Point Zone be extended to the south. As the Stream 13 Hearing Panel, which heard that request, is recommending rejection of the zoning request, we recommend rejection of this submission.

248. NZTA²⁰⁹ sought that notified Rule 41.6.2, exempting the NZTA from the non-notification rule, be retained. As notified Rule 41.6.2 read as follows:

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 the written approval has not been obtained:

...

41.6.2.5 Access to the State Highway, only in respect of the New Zealand Transport Agency"

²⁰⁶ Submission 342

²⁰⁷ N Geddes, EiC, paragraph 22

²⁰⁸ Submission 715

²⁰⁹ Submission 719

249. We were informed²¹⁰ that a rule of this nature was *ultra vires* and it was recommended it be amended in the same manner proposed for the hearing on the Queenstown Town Centre chapter. This would have the effect of enabling NZTA to be considered affected where appropriate, but would avoid problems with *vires*. Mr MacColl on behalf of NZTA accepted Ms Jones recommendation. We recommend that Rule 41.6.2.5, now renumbered as 41.6.2.4, be amended by the deletion of the words “*only in respect of the New Zealand Transport Agency*” and that this part of the NZTA submission be rejected.

11.1 The management of traffic effects resulting from the expanded village areas, the education area, and the EIC area.

250. In her report, Ms Jones raised the issue of the potential effects of development on intersections with State Highway 6 that would result from the scale of potential activities that could arise within the Village (V(JP)) and Education (E) activity areas. She went on to suggest that:

*The uncertainty of what and how much activity will realistically occur in these areas makes it difficult to accurately predict traffic generation. Therefore, I favour policy and rules in the PDP which, together, acknowledge that traffic generation and the consequent effects of that may constrain the extent and/ or type of development that is able to occur within these activity areas and that Council may impose conditions on consent in order to ensure such effects are able to be managed (or decline building development where necessary).*²¹¹

251. Ms Jones subsequently recommended that assessment matters for traffic impacts be added to rules relating to education and day care facilities, the Village Activity Area, and the Residential (Hanley Downs) Activity Areas.
252. In considering this matter, we entertain considerable doubts as to whether such assessment would actually be necessary. It would be difficult to determine what conditions if any should be imposed on development which is anticipated by the zoning. The location of and design of access points to State Highway 6 has now been well established as discussed above (with Maori Jack Road and a new access point under RM160562). The conditions under which a future third access point through Woolshed Road have also been addressed. Given limitations on the scale of commercial development, and that the extent of future residential units is also well understood, we consider that such conditions are not necessary and therefore do not recommend the changes proposed by Ms Jones.

12. ISSUE 6 – EFFECTS ON LANDSCAPE, VISUAL AMENITY, AND OPEN SPACE VALUES

253. JPROA²¹² sought to retain the open space activity areas in accordance with the Structure Plan.
254. Clive & Sally Geddes²¹³ and Margaret Joan Williams²¹⁴ sought to amend the Jacks Point Residential neighbourhood and Open Space annotations on the proposed Structure Plan so that the landscape and amenity values and the planned outcomes in the ODP version could continue to be achieved. That was supported by JPR, Christine and Neville Cunningham²¹⁵,

²¹⁰ Council legal submissions, right of reply for Hearing Stream 8, 13 December 2016, paragraphs 3.9 – 3.12

²¹¹ Section 42A Report, paragraph 14.15

²¹² Submission 765, supported by JPR, opposed by JPRG, FS1346, FS1108, FS1283

²¹³ Submission 540

²¹⁴ Submission 605

²¹⁵ FS1108

JPROA²¹⁶ and MJ and RB Williams and Richard Brabant²¹⁷, and opposed by Jacks Point Entities²¹⁸.

255. In the ODP, there are three structure plans affecting the Jacks Point Zone, one relating to the 'original' Jacks Point development, one to Hanley Downs, and one to Homestead Bay (refer plan in paragraph 4.4 of these recommendations). Within the Jacks Point component, there was a Golf Course and Open Space (G) Activity Area which included and surrounded a number of Tablelands Homesites, Wetlands, and two Lodge Activity areas. This Open Space(G) Activity Area also extended along the State Highway 6 frontage and much of the western part of the Jacks Point component of the overall Jacks Point Zone. Adjacent to, and between the 'pods' of the Jacks Point Residential Activity Areas, provision was made for a Golf Course, Open Space and Recreational Facilities (G/F) Activity Area.
256. In the case of the Hanley Downs component of the Jacks Point Zone as notified, there was a northwards extension of the Golf Course and Open Space (G) Activity Area, while a very large area was taken up by an Open Space (O/S) Activity Area which includes the southern face of Peninsula Hill. Large parts of these activity areas were overlain by 'landscape protection areas' (LPA's) identified on the Structure Plan. Both of these activity areas also contain small pods classified as homesites or wetland. The residential 'pods' in Hanley Downs were separated by an Open Space and Passive Recreation (O/P) Activity Area. We are not surprised that under the PDP, some rationalisation of three separate components of the Jacks Point Zone Structure Plan has taken place whereby they have been combined, and the areas set aside for golf, open space, and recreation have also been simplified.
257. As a first overarching point, we consider the current provisions in the ODP (notably the activity areas in the Structure Plan) are uncoordinated and incoherent. Furthermore, the differentiation between some activity areas appears to be based on boundaries which are largely unrelated to topography or other features.
258. Earlier in these recommendations we made reference to Plan Change 44, upon which decisions were issued following the notification of the PDP. As notified, the PDP included two new activity areas, classified as Farm/Preserve ((FP)1) and ((FP)2), carried over from Plan Change 44, whereas in the Commissioners' decisions on Plan Change 44, those proposed activity areas were rejected.
259. As was the case with the EIC Activity Area discussed earlier in these recommendations, the Memorandum of Counsel on behalf of the Jacks Point Entities stated that they no longer wished to pursue the two Farm Preserve Activity Areas²¹⁹. The Farm Preserve Activity Areas provided for a range of activities including "..... *residential and visitor accommodation activities*".²²⁰ Farm buildings and residential buildings were listed as controlled and restricted discretionary activities respectively²²¹. There were, however, no restrictions on the density of such development.

²¹⁶ FS1277

²¹⁷ FS1283

²¹⁸ FS1275

²¹⁹ C Ferguson, EiC, paragraph 11.7.

²²⁰ PDP, Rule 41.4.9.8

²²¹ Ibid Rules 41.4.3.2 and 41.4.3.3

260. Accordingly, and recognising that their removal to a large extent satisfies submissions in opposition, it is not necessary for us to discuss these activity areas any further, except to note that it was agreed that they would be replaced by the Open Space Landscape Protection/Farming (OSL) and Open Space Golf (OSG) Activity Areas. Given the absence of any specified limits on the density of development in the Farm Preserve Activity Areas, we considered that the replacement of these activity areas with open space activity areas, and a specified number of homesites (Homesite (HS) Activity Area) was within scope as falling between submissions seeking reversion to the provisions of the ODP and the plan provisions as notified. We note that Ms Jones' section 32AA report made reference to up to 60 dwellings being possible under the FP1, FP2 and R(HD)G Activity Areas originally proposed²²². The Golf Course, Open Space and Recreational Facilities (G/F) Activity Area and the Open Space and Passive Recreation (O/P) Activity Area in the ODP have been replaced by the Open Space Residential Amenity (OSA) Activity Area under the PDP.
261. Accordingly, it is recommended that those parts of the submissions by JPROA and JPR be rejected (albeit that they are now overtaken by events), and the further submissions in opposition be accepted. The submissions by Clive & Sally Geddes and Margaret Joan Williams and the further submissions in support are recommended to be accepted, and that of JPROA and the further submissions in opposition rejected.
262. Dr Read's evidence discussed the change from O/P and part of the G/F Activity Areas in the ODP, to the OSA Activity Area in the PDP. She concluded that the provisions would have a similar level of effect on the environment and she supported the change in activity area classification. We agree with her conclusions and support her contention that it is appropriate and positive that the rules provide for facilities such as playgrounds, toilets, etc. as permitted activities.
263. RCL²²³ sought changes to the Structure Plan and notified Rule 41.5.3.3, and its relationship to an 'indicative' open space following the line of a watercourse through Hanley Downs as shown on the Structure Plan.
264. The submission from RCL requested that Rule 41.5.3.3 be deleted, as the open space 'areas' had been more accurately determined as shown in their submission, thus making the rule unnecessary. Unlike the Jacks Point Residential Activity Areas, those in Hanley Downs are not in the form of pods separated by open space, but rather directly adjoin each other in order to achieve greater efficiency in land use. The difficulty in identifying an open space area following a small watercourse, well ahead of the subdivision stage, is how to identify it on the structure plan with sufficient certainty as to location and width.

12.1 The OSA Activity Area through Hanley Downs

265. The indicative OSA activity area was shown as extending along the watercourse which bisects the R(HD)-A, R(HD)-C, and R(HD)-D Activity Areas towards the northern end of the Jacks Point Zone. Rather than rely on a somewhat ambiguous 'indicative' plan provision, we agree with Ms Jones that the wording of the rule and the Structure Plan be amended to make it clear that the boundaries of the Open Space activity areas can be moved by +/- 20 m). This is recommended to be incorporated into renumbered Rule 41.5.4.1, and the corridor is recommended to retain an OSA activity area classification. While less than ideal, given the

²²² Ms Jones s32AA, p2.

²²³ Submission 632, opposed by JPR, FS1277, FS1283

scale of the Structure Plan, and to allow sufficient flexibility for future subdivision (which fixes boundaries precisely) this amended rule is considered a pragmatic approach which offers greater certainty than the current provisions in the PDP. We recommend that this part of the submission of RCL be accepted in part by making the amendments outlined above.

12.2 The Open Space Activity Areas and Homesites

266. There were a group of submissions concerning activities and building scale in the Open Space Activity Areas, including the proposed additional Homesites 37 – 58, and the appropriate scale of farm buildings. Given the contiguous nature of this area, and the internal ‘pods’ containing the homesites, it is logical that these matters be assessed together.
267. JPL and the Westenberg Family Trust²²⁴ sought that Rule 41.4.9 (Structure Plan) retain the protection of the golf course and open space area from residential or commercial subdivision and development by reinstating the descriptions of the Golf Course and Open Space (G) and Golf Course, Open Space and Recreational Facilities (G/F) Activity Areas of the ODP in the PDP.
268. JPROA²²⁵ supported the identification of landscape protection areas with high levels of control in relation to views from the State Highway and Lake Wakatipu, and the intended uses and management of open space areas.
269. Four submissions²²⁶ sought the reinstatement of the ODP provisions/ Structure Plan in relation to the Open Space provisions to ensure the outcomes as sought by the ODP were realised. These were supported by the JPR and opposed by the Jacks Point Entities²²⁷.
270. Alexander Schrantz²²⁸ sought that the LPA’s in the ODP Open Space and Landscape Protection Activity Areas not be changed and sought removal of the Farm Preserve (FP) Activity Areas.
271. The JPROA and Westenberg Family Trust²²⁹ sought that Rule 41.4.9 retain the protection of the farm preserve area from residential or commercial subdivision and development. This was supported by the JPR, Christine and Neville Cunningham²³⁰, and Peter & Carol Haythornthwaite²³¹ and opposed by the Jacks Point Entities²³².
272. Fiordland Tablelands Limited²³³ (“FTL”) sought that no decision be made in regards to FP-1 until the boundaries had been clarified. This submission related to an area owned by FTL adjacent to Homesite 29, and the submitter’s concern that its lot had been partially reclassified as Farm Preserve (FP)1. However, at the hearing Jacks Point Entities no longer supported the FP areas, as advised in the Memorandum from their Counsel on 15 December 2016. At the hearing, our attention was drawn to an email from Clive Geddes (Director of FTL) dated 20 January 2017, advising that they were withdrawing the FTL submission.

²²⁴ Submission 787, supported by JPR, FS1108, FS1096, opposed by FS1275

²²⁵ Submission 765, supported by JPR, opposed by JPRG, FS1108, FS1346, FS1283

²²⁶ Submissions 540,601, 605 and 765

²²⁷ FS1275

²²⁸ Submission 195, supported by JPR, FS1108, FS1116, FS1128. FS1283, opposed by FS1275, FS1277

²²⁹ Submission 787

²³⁰ FS1108

²³¹ FS1096

²³² FS1275

²³³ Submission 770, opposed by FS1275

273. Although the Farm Preserve (FP1) and (FP2) Activity Areas are no longer being supported by the Jacks Point Entities, some explanation is necessary as they have influenced subsequent proposals affecting the area covered by these activity areas. Activity Area FP1 was a smaller area of land located on the northern slopes of the ridge between Jacks Point Hill and Peninsula Hill and overlooking Hanley Downs. Activity Area FP2 was a much larger area at the northern end of the Jacks Point Zone mainly occupying the southern slopes of Peninsula Hill between the proposed Hanley Downs subdivision and the edge of Lake Wakatipu. The majority of this is classified as outstanding natural landscape (ONL), except for a largely flat area at the western end adjacent to State Highway 6.
274. In response to submissions, Jacks Point Entities stated they would support replacing Farm Preserve Activity Area (FP1) with an Open Space Golf (OSG) Activity Area, and FP2 with an Open Space Landscape (OSL) Activity Area. At the hearing they also put forward an alternative proposal for the establishment of a further 20 “homesites” (classified Homesite (HS) Activity Area) within the wider OSG activity area – similar in concept to the 36 homesites already provided for under the ODP on the upper and western slopes of the ridge between Jacks Point Hill and Peninsula Hill. A number of dwellings had already been established on these existing homesites at the time of our site visit. Effectively, the proposal put forward at the hearing amounted to the physical identification of a specified number of identified homesites instead of the Farm Preserve Activity Areas which provided for the establishment of farm buildings and residential dwellings (with no specified upper limit on numbers).
275. These existing and proposed homesites would collectively form part of an extended group of homesites within the Homesite (HS) Activity ‘Area’. However part of the ONL also extends into the OSG Activity Area, which included (fully or in part) Homesites 36, 37, 39 and 40. Dwellings on these homesites were a controlled activity under the ODP but proposed to be a permitted activity under the PDP.
276. We observe at this stage our understanding that the preparation of Chapter 41 was in large part undertaken by Jacks Point Entities at the request of the Council. Whatever the merits of this, given JPE’s role in the establishment of the community at Jacks Point, the planning framework has been constantly evolving in a manner that makes it quite difficult to comprehend, particularly for lay submitters. It is challenging to determine and compare the environmental effects of successive scenarios for managing land within the zone under the operative plan, under Plan Change 44, as notified in the PDP, as promoted through submissions, and then through evidence at the hearing.
277. The basis for selecting these 20 additional homesites (HS₃₇ – HS₅₆) was the Jacks Point Entities’ identification of sites within the wider landscape where they contended that any future dwellings would be at least partially screened, or able to be absorbed, into the wider landscape.
278. Discussions subsequently took place during the hearing between Dr Read and the landscape architect engaged by Jacks Point Entities (Ms Pflüger) whereby with some further changes and amendments to the siting of some of these homesites, it was agreed between them that the additional homesites, concentrated near the lower slopes of the ridge, particularly adjacent to and north of the ‘Wetland Activity Area’ would be acceptable in landscape terms.
279. Within the homesites, Jacks Point Entities proposed one residential unit per homesite, but also sought to enable visitor accommodation, an activity not provided for under the ODP. Other

proposed controls included a height limit of 5m above existing ground level (based on site-specific data and limits on earthworks and fencing); a building footprint of no more than 1000 m²; and for native revegetation of 3000 m² or 20% of the area of each home site²³⁴. Dwellings and visitor accommodation would be a permitted activity, but subject to covenants and the application of the design panel requirements applicable in the Jacks Point Residential Activity Areas.

280. In response to this, Ms Jones was of the view, *“that these areas are too sensitive and the risks too great to rely wholly on the land covenants to ensure appropriate design and landscape treatment”*²³⁵. Returning to the matter of activity status, she recommended that in response to the submissions of the Jacks Point Landowners, Sally and Clive Geddes²³⁶, Margaret Joan Williams²³⁷, and Tim and Paula Williams²³⁸, that controlled activity status for building within the homesites should be maintained as in the ODP.
281. In addition to these 20 new homesites, Jacks Point Entities also proposed two additional and rather isolated homesites within the former FP2 Activity Area, now proposed to be classified as OSL. These two homesites (HS₅₇ and HS₅₈) were situated within an area identified as part of an Outstanding Natural Landscape (ONL). This is the most undeveloped part of the Jacks Point Zone, located in its far north-western corner. The basis for the selection of these two homesites was explained by Ms Pflüger, who stated that they were located within two ‘folds’ in the southern slopes of Peninsula Hill, such that they would not be visible from the urban area of Jacks Point, or from Lake Wakatipu, except from distant perspectives.
282. Ms Pflüger emphasised that the basis of site identification was the Coneburn Study 2015, a refined version of the earlier Coneburn study undertaken in 2002 which had identified the capacity of land within the Jacks Point Zone to absorb change.
283. We heard from Mr Alexander Schrantz, who purchased HS35 in 2012. He claimed that the current extension to provide for additional homesites was contrary to earlier undertakings and criticised the Jacks Point Entities approach that further homesites could be justified on the basis of a subsequent ‘refinement’ of the Coneburn study. He also noted that the Commissioner Panel which had heard submissions on PC44 had also rejected further housing on the ‘Tablelands’.
284. Specifically, he stated that HS37, 38, 39 and 57 were located on the existing Preserve and lots 34 and 36 were subject to a Council covenant disallowing further subdivision²³⁹. He was particularly aggrieved by Jacks Point Entities’ proposal to provide for visitor accommodation as a permitted activity on the homesites.
285. We are of the view that there was some force in Mr Schrantz’s concerns. We consider that the proposal to establish proposed homesites 57 and 58 within an area classified as ONL to be inappropriate and inconsistent with the Strategic Objectives and Policies in Chapters 3 and 6. Furthermore, we are concerned with a number of other homesites within or straddling the border of the ONL between the OSD and OSL activity areas, particularly Homesites 36, 37, 39

²³⁴ C Ferguson, EiC, paragraph 4.36

²³⁵ Section 42A Report, paragraph 15.39

²³⁶ Submission 540

²³⁷ Submission 605

²³⁸ Submission 601

²³⁹ A Schrantz, EiC, paragraph 4.4

and 40. Homesite 36 existed under the ODP, but appears to have been moved further north to a position on or near the boundary of the ONL. Given the landscape classification of the land surrounding HS57 and HS58, and the potential visual sensitivity of other homesites adjacent to the boundary of the ONL, we are conscious of the fact that we did not have photographic simulations or detailed assessments of each of the sites concerned, which would certainly be required in the case of a resource consent application in such a sensitive landscape.

286. We are satisfied that the reclassification of FP1 and FP2 as a mixture of OSD and OSL Activity Areas is appropriate. We are aware that discussions between Dr Read and Ms Pflüger at the time of the hearings had apparently concluded that the selected house sites (except HS57 and HS58) were acceptable in landscape terms. While we agree that a number of the other homesites located in ‘hollows’ in the Tablelands Landscape Protection Area west of Hanley Downs would be acceptable, we are not satisfied that there was sufficient evidence to justify the proposed (re) location of HS36, or the location of Homesites 37, 39, and 40, and particularly Homesites 57 and 58. We also note that Dr Read and Ms Pflüger did not have the benefit of assessing the location of the additional homesites within the context of the recommended objectives and policies in Chapters 3 and 6. In our view, the location of Homesites 37, 39, 40, 57 and 58 would be inconsistent with those objectives and policies. We observe that considerably more evidence in the form of a landscape assessment would be required if these ‘frontier ONL’ sites were to be established.
287. For the purpose of providing for further assessment of dwellings or visitor accommodation on proposed HS57 and H58, Jacks Point Entities proposed that the erection of a dwelling on these sites be a discretionary activity – which could if necessary be declined. Given the practical difficulties with such an approach in an activity area providing specifically for a dwelling, Mr Ferguson ultimately proposed that visitor accommodation be a restricted discretionary activity on HS37 – 56, and residential dwellings a restricted discretionary activity on HS57 and HS58.
288. We experienced considerable difficulty during our site visit in locating HS57 and particularly HS58. Given these are located within the ONL (outstanding natural landscape), we consider there is a greater burden of evidence required of Jacks Point Entities to support a case that these are appropriate locations. Under the scenario of a resource consent application, this would include a detailed site assessment, visual perspectives, and information on the extent to which alternative sitings had been considered. There was no information to establish where access to the sites would be provided from, except that in the case of Homesite 58 that this would be a lengthy vehicle track from the northern end of Hanley Downs following the ‘fold’ in the landscape on the southern side of Peninsula Hill.
289. We also concur with the submission of Mr Schrantz with respect to providing for visitor accommodation within homesites. There was no provision for visitor accommodation under the ODP within homesites²⁴⁰, and Ms Jones pointed out that the definition of visitor accommodation in the PDP includes motels and hotels. We consider this significantly increases the potential to maximise building scale, would provide a pretext for expanded or similar developments, and also has the potential to generate significantly more intensive activity than a single homesite. It also renders the term ‘homesites’ rather misleading. Accordingly, we recommend that provision for visitor accommodation within homesites be rejected.

²⁴⁰ Rule 12.2.3.2vii (d)

290. We are aware that it is undesirable to simply defer matters arising through a plan review to a subsequent resource consent process, but given the sensitivity of this landscape, and the lack of any detailed analysis, we have concluded that homesites 36, 37, 39, 40, 57, and 58 should not be included and should not be classified as being part of the Homesite (HS) Activity Area in the PDP. We acknowledge that in this case we are dealing with a plan review, such that 'precedent' is not strictly an issue. We are, however, concerned that if homesites are identified on this basis as being satisfactory within ONL's, this could potentially compromise the future administration of the PDP.
291. We briefly digress to note that the incorporation of this area within the proposed Urban Growth boundary for the Queenstown urban area is also inappropriate, but following further enquiries we find there is no scope to address this matter. We recommend the Council institute a variation to adjust the UGBs so they only enclose the urban portions of the Jacks Point Zone. In our view the area of outstanding natural landscape should be outside the UGB.
292. With respect to the other proposed homesites, while these are also in a sensitive environment, their siting is such that they are within the capacity of the Tablelands Landscape Protection Area to absorb this additional development. They are also located in such a position as to complement the approved homesites on the top of the ridge line.
293. Turning to the status of dwellings within homesites, Mr Ferguson proposed that a residential unit on a homesite be a permitted activity, provided the building platform did not exceed 1000 m² in area, whereas the Council favoured controlled activity status. Given the generous size of the building footprint, and the sensitivity of the surrounding Open Space Golf (OSG) Activity Area, we favour controlled activity status as is currently the case under the ODP241. We consider this to be quite distinguishable from the proposal to remove controlled activity status for dwellings in the Jacks Point Residential Activity Areas, which are essentially urban residential areas in character.
294. This brings us to the issue of plan quality. We found that the plans identifying the homesites, owing to their scale, to be woefully inadequate. We have concluded that it is necessary to produce an additional insert plan to accompany the structure plan, showing the homesites (collectively the Homesites (HS) Activity Area) at a larger scale.
295. Based on the above recommendations, we recommend that the submissions of JPL and the Westenberg Family Trust²⁴² and the submissions in support by JPR, Christine and Neville Cunningham²⁴³, and Peter & Carol Haythornthwaite²⁴⁴ seeking the protection of the golf course and open space area from residential or commercial subdivision and development be accepted in part to the extent of the recommended removal of the Farm Preserve (FP) Activity Areas, and that of the Jacks Point Entities²⁴⁵ also accepted in part to the extent that the homesites (with the exception of six) be recommended for approval.

241 Rule 12.2.3.2,vii (d) Buildings
 242 Submission 787
 243 FS1108
 244 FS1096
 245 FS1275

296. It is recommended that the submission of JPROA²⁴⁶ supporting the identification of landscape protection areas with high levels of control in relation to views from the State Highway and Lake Wakatipu, and supported by JPR be accepted, and those in opposition by Christine and Neville Cunningham, Vivo Capital Limited, Jacks Point Residents Group and MJ and RB Williams and Richard Brabant be rejected.
297. It is recommended that the submission by JPROA supporting the intended uses and management of the open space areas, supported by the JPR and opposed by Christine and Neville Cunningham²⁴⁷, Vivo Capital Limited²⁴⁸, JPRG and MJ and RB Williams and Richard Brabant²⁴⁹ be accepted in part. These recommendations are on the basis of the recommended removal of the Farm Preserve (FP) Activity Areas, and that of the Jacks Point Entities²⁵⁰ also be accepted in part to the extent that the homesites (with the exception of six) be recommended for approval.
298. It is recommended that the submissions by Clive and Sally Geddes²⁵¹, Margaret Joan Williams²⁵², JPROA²⁵³ and Tim & Paula Williams²⁵⁴ which sought the reinstatement of the ODP provisions/ Structure Plan be accepted in part, along with the further submission in support by supported by the JPR. It is recommended that the further submission in opposition by the Jacks Point Entities²⁵⁵ be rejected. These recommendations are on the basis that the Open Space Golf (OSG) and the Open Space Landscape (OSL) Activity Areas are recommended for adoption in substitution of the FP1 and FP2 Activity Areas notified with the PDP.
299. It is recommended that the submission by Alexander Schrantz²⁵⁶ which sought that the ODP Open Space and Landscape Protection Areas not be changed, and the removal of the Farm Preserve Activity Areas, supported by Christine and Neville Cunningham²⁵⁷, Stephen and Karen Pearson²⁵⁸, Wei Heng Fong²⁵⁹, JPROA²⁶⁰, MJ and RB Williams and Richard Brabant²⁶¹, JPR be accepted in part and the further submission in opposition by the Jacks Point Entities²⁶² be rejected.
300. We recommend that the submissions of A and J Schrantz be accepted and the Jacks Point Entities be accepted in part to the extent that Homesites 38 and 41 – 56 are recommended to be approved, and relocated Homesite 36 and proposed Homesites 37, 39, 40, 57 and 58 are rejected.

246	Submission 765
247	FS1108
248	FS1346
249	FS1283
250	FS1275
251	Submission 540
252	Submission 605
253	Submission 765
254	Submission 601
255	FS1275
256	Submission 195
257	FS1108
258	FS1116
259	FS1128
260	FS1277
261	FS1283
262	FS1275

12.3 The Proposed Hanley Downs Residential R(HD)–F and R(HD)–G Activity Areas

301. The Residential Hanley Downs (R(HD)–F) and (R(HD)–G) Activity Areas, adjacent to the eastern edge of the Farm Preserve (FP) Activity Areas FP1 and FP2, were notified in the PDP as low-density residential areas forming a ‘transition’ between the Hanley Downs Residential Activity Areas to the east, and FP1 to the west. We are recommending FP1 and FP2 be predominantly replaced by an Open Space Golf (OSG) Activity Area with respect to the former, and Open Space Landscape (OSL) Activity Area with respect to the latter, containing internal ‘pods’ containing homesites 38 and 41-56, and classified as components of the Homesite (HS) Activity Area, as discussed above in our recommendations.
302. Submissions on these activity areas fell under the general ambit of those submissions seeking reversion to the provisions under the ODP. The submissions of Clive & Sally Geddes²⁶³ and Margaret Joan Williams²⁶⁴ sought to amend *‘the Jacks Point Residential neighbourhood and Open Space annotations on the proposed Structure Plan so that the landscape and amenity values and the planned outcomes in the ODP version can continue to be achieved’* and were supported in further submissions by JPR, Christine and Neville Cunningham²⁶⁵, JPROA²⁶⁶ and MJ and RB Williams and Richard Brabant²⁶⁷.
303. Initially, the officer’s report recommended that the proposed residential ‘capacity’ of these transitional areas be reduced in the case of R(HD)–G from 20 to dwellings to 8²⁶⁸. Ms Pflüger (Jacks Point Entities) drew attention to the presence of hummocks and rock outcrops in the area which provided for the visual absorption of house sites, and also proposed that R(HD)–F be split into two parts²⁶⁹. During the course of the hearings, and following further discussions on site, a significant measure of agreement was reached between Dr Read for the Council and Ms Pflüger as to an acceptable framework for development in this area.
304. At the northern end, it was suggested that a small portion of the R(HD)–F Activity Area comprising approximately 2.26 ha, be reclassified as R(HD)–FA, allowing a similar density of development to the adjacent Hanley Downs residential activity area which was part of Activity Area R(HD)–D. This would allow for residential densities in the range of 17 to 26 dwellings per hectare. This was considered by the landscape architects to be appropriate given that this area was very similar in nature to the proposed Hanley Downs residential area, rather than the more sensitive landscapes on the lower slopes of the Tablelands Landscape Protection Area. While we agree this would be an entirely sensible outcome, we can find no scope within submissions that would provide for such an amendment to the Structure Plan. Instead, we consider that our scope is limited to including it in the Rural Living (RL) Activity Area, noting that a subsequent variation to the PDP would be appropriate to enable more intensive development.
305. We questioned why there was any point maintaining a separate activity area classification for the balance land and the R(HD)–G Activity Area, and Ms Jones recommended they be combined as a “Rural Living (RL)” Activity Area. Accordingly, the larger 6.77 ha residual portion of the

²⁶³ Submission 540

²⁶⁴ Submission 605

²⁶⁵ FS1108

²⁶⁶ FS1277

²⁶⁷ FS1283

²⁶⁸ S42A, paragraph 15.16

²⁶⁹ Y Pflüger paragraph 48

R(HD) – F Activity Area was recommended to be combined with the R(HD)-G Activity Area (4.65 ha), and developed with average lot sizes of approximately 4000 – 5000 m². This would provide about 20 house sites. Both Mr Ferguson and Ms Jones agreed that the appropriate density standard should be two dwellings per hectare, as recommended under renumbered Rule 41.5.1.1. We were persuaded of the merits of this following our site visit, as the area concerned is located on a hillside overlooking the valley below, and is accordingly distinctly different in character. However it appeared to us to be more suitable for low density ‘rural residential’ than was the case with the visually more sensitive Open Space Golf (OSG) Activity Area above and higher to the west, containing homesites. The configuration of these new Activity Areas are shown on the Structure Plan as amended by our recommendations.

306. Mr Ferguson sought that dwellings within this new activity area be permitted subject to compliance with the design panel regime applying in the Jacks Point Residential Activity Areas. Ms Pflüger argued that development on these gentle slopes would be unlikely to have an adverse visual effect given that the foreground will comprise the low to medium density Hanley Downs Residential Activity Areas. She recommended that a building site should be identified at the time of subdivision as a controlled activity to ensure that account is taken of the location of dwellings.
307. Ms Jones recommended controlled activity status. We prefer the opinion of Ms Jones, particularly given that this is a more sensitive location²⁷⁰ which is physically quite separated from the existing Jacks Point residential area, and is partly elevated above the residential area to the east, and adjoins the Open Space Golf (OSG) activity area above.

12.4 The open space areas (OSG and OSL) and the landscape protection areas (LPAs)

308. Within these activity areas there are three LPA’s and under the PDP (notified Rule 41.4.3.4) buildings within these areas are listed as a discretionary activity. The LPA’s are as follows:
- a. *The Lake Shore LPA* comprises an area of the Jacks Point Zone which is to remain rural in character, and which is visible from the surface of Lake Wakatipu;
 - b. *The Peninsula Hill LPA* comprises the area at the northern end of the zone protecting the southern slopes of Peninsula Hill, which is to remain rural in character and;
 - c. *The Highway LPA* which comprises a non-continuous strip of land of varying width adjacent to the western side of State Highway 6.
 - d. There is also an additional ‘overlay’ in the form of the Tablelands Landscape Protection area which occupies the crest of the broad ridge between Jack’s Point Hill and Peninsula Hill. This LPA is however, linked to only two rules, one being renumbered Rule 41.5.4.13 (planting) and the other Rule 41.5.4.17 (fencing). It is also linked to Policy 41.2.1.27 as renumbered.
309. Under Rule 41.4.3.4 of the PDP as notified, any building within the three LPA’s has the status of a discretionary activity. Outside of these landscape protection areas, farm buildings are controlled in the Open Space Landscape (OSL) Activity Area, while buildings for outdoor recreation are a controlled activity in the Open Space Amenity (OSA) Activity Area. Other buildings in the OSA, OSL, and OSG Activity Areas are a Discretionary Activity. Given the different configuration of the activity areas in the ODP, compared to those notified with the PDP and as now proposed through recommendations to remove the Farm Preserve Activity

²⁷⁰ Also refer to evidence of John Te Paa, paragraph 10

Areas, it is challenging to determine the evolving status of activities under the disparate and multi-layered rules framework.

310. As noted earlier, a number of Jacks Point residents and submitters sought that the provisions in the PDP revert to those previously contained within the ODP. Given these submissions, we have concluded that there is only limited scope to make any changes to the activity status of buildings in the three open space activity areas (i.e., other than those in Homestead Bay).
311. Returning to the rules, JPL and Westenberg Family Trust²⁷¹ also sought that Standard 41.5.12 retains the operative maximum building height of 4m in the G and G/F Activity Areas including land owned by JPROA. In the ODP 'buildings' are a controlled activity²⁷² with non-residential farm buildings being permitted up to a height of 10m²⁷³.
312. We are satisfied that the reformatting of the rules to follow the pattern elsewhere in the PDP, in this case by each group of activity areas, will assist in significantly improving understanding of the rules.
313. The most challenging issue facing us was the management of buildings within the Open Space Landscape and the Open Space Golf Activity Areas, particularly within the Peninsula Hill and Lake Shore LPA's. These have very sensitive environments within which the erection of structures could result in significant adverse visual effects, both on the wider environment and potentially on residents in parts of the Jacks Point Zone.
314. We were somewhat sceptical of the need for any significant building infrastructure for future farming activities, given certain kinds of farming are precluded under the rules. In addition, with the urbanisation of large parts of the zone, there would be limited scope in future for undertaking large-scale or intensive pastoral farming activity which would justify the need for substantial buildings.
315. For these reasons, we consider that the height of farm buildings (outside the LPA's), being set at a level of 10m²⁷⁴ in the PDP to be excessive. A building of this height could equate to a three-storey residential building, and would be potentially visible from a wide area. We are also conscious of the need to implement the strategic objectives in Chapter 3 of the PDP relating to landscape (3.2.1.8, 3.2.5.1, 3.2.5.2) and the accompanying strategic policies (3.3.2.3). A reduced height of 4m has been sought in submissions²⁷⁵, which we consider would be appropriate for the likely scale of any new farm buildings that might be needed in the future in the Jacks Point Zone. Accordingly, we recommend that the height of all buildings in the OSA, OSG and OSL Activity Areas be limited to a maximum height of 4m as specified in renumbered Rule 41.5.4.6. This is already the height limitation applicable within the OSA and OSG Activity Areas for other buildings, and for non-farm buildings in the OSL Activity Area. If it transpires that buildings of greater height are required, a resource consent process would be appropriate to determine whether that greater height was appropriate, having regard to the context of the site concerned, and any necessary mitigation measures.

²⁷¹ Submission 787, supported by JPR, FS1108, FS1096, opposed by FS1275

²⁷² Rule 12.2.3.2vii

²⁷³ Rule 12.2.5.2ii (c) (ii)

²⁷⁴ Rule 41.5.12.2b

²⁷⁵ Submission 787 Clause 4.9 (c)

316. In response to the submissions from other persons²⁷⁶, we consider it appropriate to strengthen the rules relating to farm buildings in certain parts of the Open Space Activity Areas. There is little scope in the submissions we have reviewed to alter the activity status of farm buildings. Having regard to these factors, and to the amendments to the maximum height allowed for under the rules, we recommend that the submission points be accepted in part.
317. Some background is necessary with respect to the framework under the PDP as notified. The plan provisions are made extremely complex by the interlocking relationship between Open Space Activity Areas, and the Landscape Protection Areas which provide an additional overlay.
318. In the Peninsula Hill, Lakeshore, and Highway Landscape Protection Areas, all buildings are a discretionary activity²⁷⁷, and these cover a very large part of the Open Space Landscape Activity Area. Farm buildings are a controlled activity under the FP1 and FP2 Activity Areas²⁷⁸, now recommended to be reclassified as the Open Space Landscape Activity Area.
319. In the Open Space Residential Activity Area (which generally surrounds the ‘pods’ of residential activity in the Jacks Point residential activity areas), there is provision for ‘recreational amenities’, but not explicitly for buildings, which are otherwise a discretionary activity²⁷⁹. We have however accepted that buildings ancillary to recreation can be reasonably interpreted to be anticipated as a permitted activity in this activity area.
320. Within the Open Space Landscape Activity Area, farm buildings are permitted except within the Landscape Protection Area overlays, which cover almost the entirety of this Activity Area, and where they revert to discretionary activity status. All other buildings are a discretionary activity²⁸⁰.
321. Within the Open Space Golf Activity Area, no building is a permitted except (rather strangely) ‘administrative offices’. All other buildings are a discretionary activity²⁸¹. As notified, the PDP has classified land adjacent to the frontage of State Highway 6 as part of the Open Space Golf Activity Area, which seems somewhat incongruous, given that its primary purpose is to act as a visual buffer between the highway and residential development. However there are no submissions which appear to seek that this be changed.
322. As noted previously, a number of submitters have sought the substitution of the provisions of the ODP in place of those in the PDP. Under the ODP, farm buildings are a controlled activity in the Jacks Point Zone²⁸².
323. In summary we recommend the following with respect to buildings in Open Space Activity Areas:

²⁷⁶ Submissions 195, 540, 605, 342, 601 and those lodged by JPL

²⁷⁷ PDP, Rule 41.4.3.4

²⁷⁸ PDP, Rule 41.4.3.2

²⁷⁹ PDP, Rule 41.4.9.12

²⁸⁰ PDP, Rule 41.4.9.11

²⁸¹ PDP, Rule 41.4.9.10

²⁸² ODP Rule 12.2.3.2vii c.

- a. Provide more explicit policy support recognising the value the open space activity areas provide for the identity, character and amenity of the Jacks Point Zone, and the stringent rules framework within the OSG and OSA Activity Areas (as discussed under Part 8 of these recommendations);
 - b. Within the LPA's in Open Space Activity Areas, all buildings should remain fully discretionary as provided for under renumbered Rules 41.4.4.3, 41.4.4.6 and 41.4.4.8;
 - c. Outside the LPA's, the status of farm buildings within the Open Space Landscape (OSL) Activity Area is to remain a controlled activity, and all other buildings a discretionary activity (renumbered Rules 41.4.4.6 and 41.4.4.7);
 - d. In the Open Space Amenity (OSA) Activity Area, all buildings other than those ancillary to outdoor recreation activity, or within a landscape protection area, shall be a discretionary activity (renumbered Rules 41.4.4.10 and 41.4.4.11);
 - e. The Tablelands Landscape Protection Area should be reinstated on the Structure Plan, albeit subject only to two rules. These rules apply to tennis courts and swimming pools within the Lodge Activity Area and are set out under renumbered Rules 41.4.3.3 and 41.4.3.4.
 - f. That buildings in the OSG and OSL Activity Areas be limited to 4m in height as sought through the Jacks Point Landowners' submissions, as set out in renumbered Rule 41.5.4.6.
324. Under the ODP, Jacks Point Hill was included within the OSG Activity Area and the Open Space (OS) Activity area. Under the PDP as notified, it has been incorporated into the Open Space Landscape (OSL) Activity Area. Jacks Point Hill separates the Tablelands Landscape Protection Area from Homestead Bay, and surrounds a small site identified as the Lodge Activity Area. At first glance, classification as OSL would appear to be a logical outcome given the hill is a prominent feature and an ONL. However, as pointed out in Ms Jones' report, the OSG Activity Area rules limit farming and farm buildings to discretionary activity status, These restrictions sit more comfortably with the landscape character of the hill, upon which development would potentially have a significant visual and environmental impact. Despite its obvious 'recreational title', its incorporation into the OSG activity area is consistent with the protection of its natural and landscape values.
325. We are satisfied that changing Jacks Hill back to an OSG Activity Area classification is within the scope of submissions²⁸³. This requires an amendment to the Structure Plan.

12.5 The Wetland Activity Area

326. Jacks Point Entities²⁸⁴ sought to amend notified Rule 41.5.19 which stipulates that there shall be no development, landscaping and/or earthworks within 7m of any wetland area identified on the structure plan. The submitter sought exceptions for landscaping, development for pedestrian access, fencing for the control of stock movement, or structures to ensure protection of the Wetland Activity Area.
327. We agree with the proposed exceptions, as such activities would be consistent with a discrete and highly restricted activity area such as this one. We also accept, however, Ms Jones' view (supported by Dr Read) that landscaping be restricted to the purpose of ecological restoration or the removal of plant pests, and otherwise remain non-complying. These amendments are contained under renumbered Rule 41.5.4.16 accompanying these recommendations. We

²⁸³ Submissions 765, 540, 605 and 601

²⁸⁴ Submission 762, supported by FS1277, opposed by FS1316

recommend the submission and further submission in support be accepted in part, and the further submission in opposition be rejected.

328. As part of simplifying the structure of the activity areas, the policies and rules, we recommend that the activity area be renamed 'Open Space – Wetland' and its provisions grouped with the other open space activity areas. This reclassification itself has no effect on the rules applicable in this activity area and can be treated as a minor amendment under Clause 16(2) of the First Schedule.

12.6 The Lodge Activity Area (LAA)

329. The LAA comprises two irregularly shaped 'pods' on the eastern side of Jacks Point Hill, one larger pod surrounded by land currently within the OSL Activity Area under the PDP, and a smaller pod on the boundary of the OSG Activity Area. Wild Grass Partnership, Wild Grass Investments No 1 Limited & Horizons Investment Trust²⁸⁵ were generally supportive of the provisions as notified in the PDP, but sought further amendments (including to activity status) as follows:

- a. The addition of two further LAA 'pods' to the west of the existing LAA, of 1.09 and 0.49 ha respectively;
- b. An additional 'pod' to the east of the existing LAA of 1.80 ha to accommodate a car parking area;
- c. That the activity status for sale of liquor in the Lodge Activity Area be changed from restricted discretionary to controlled activity status;
- d. That notified Rule 41.4.9.6 be amended to include residential activities and 'meeting facilities';
- e. General support for the height of buildings in the Lodge Activity Area, supported by Jacks Point Entities²⁸⁶ and, in relation to the Lodge Activity Area under notified Rule 41.4.9 (Structure Plan), by MJ Williams and Richard Brabant²⁸⁷.
- f. The deletion of notified earthworks rules 41.5.4.1 and 41.5.4.2 as they relate to the Lodge Activity Area and seek the reinstatement of operative Rule 12.2.3.3 in the ODP, supported by Jacks Point Entities²⁸⁸.

330. Mr Scott Freeman presented evidence on behalf of the submitters. We note that at this stage, no development has yet been undertaken within the LAA.

331. Turning firstly to the proposed extension of the Lodge Activity Area in terms of further LAA 'pods', Dr Read's evidence for the Council supported the expansion of the LAA with respect to the proposed eastern 1.8 ha pod for the stated purpose of car parking. This was subject to all buildings being restricted discretionary in status with a building setback of 10m from the boundaries of the LAA to provide for suitable mitigation. Mr Freeman considered this would be acceptable, and that the setback area could be productively used for landscaping.

332. Dr Read did not support the other two proposed pods on the western side of the Lodge Activity Area on the basis that these were within the ONL, and the development on them would result in adverse effects associated with excavation, built form, and a loss of indigenous vegetation. Added to this would be potential for cumulative adverse effects. Mr Freeman accepted this

²⁸⁵ Submission 567

²⁸⁶ FS1275

²⁸⁷ FS1283

²⁸⁸ FS1275

conclusion²⁸⁹ and indicated that any further proposals to establish the proposed pods, if any, would be pursued by way of resource consent. Mr Freeman briefly gave evidence relating to earthworks within the activity area, which was also addressed in Ms Jones report. As noted in the introduction to these recommendations, matters relating to earthworks will now be addressed under Stage 2 of the review of the PDP, and submissions relating to earthworks in the Jacks Point Zone will be dealt with under hearings on new Chapter 25 notified as part of Variation 2.

333. Turning next to the activity status for buildings within the LAA, as noted above, Rule 41.4.3.1 in the PDP changed the activity status of buildings in the LAA from restricted discretionary to controlled. Ms Jones' report, based on the recommendation of Dr Read²⁹⁰, recommended that restricted discretionary activity status be reinstated. Mr Freeman stated that this would be acceptable²⁹¹, subject to any approval of resource consents for buildings in the LAA being undertaken on a non-notified basis and without affected party's approvals being required, as under the ODP. We recommend that the activity status of tennis courts and outdoor swimming pools within the LAA remain controlled, but default to restricted discretionary activity status depending on whether the colour of the tennis court surface complies with Rule 41.4.3.3, and the type of fencing used. As set out under renumbered Rules 41.4.3.3 – 41.4.3.4, we recommend that applications be processed on a non-notified basis without the need for written approvals from other parties (Rule 41.6.2.5). Our conclusions are based on the need to avoid surfaces or structures which could have an adverse visual impact, and at the same time recognising that landscape assessments for localised development of this nature can be adequately controlled through internal council processes and professional advisors.
334. However there is an additional complication with respect to tennis courts and swimming pools. Rule 41.4.4.1 refers to a 'tennis court' within the smaller of the two Lodge Areas and "*any outdoor swimming pool located within the Tablelands (except spa pools less than 9 m² and located within any Homesite or Lodge activity Area)*". It is apparent that notified Rules 41.4.4.1 and 41.4.4.2 seek that tennis courts and swimming pools require consent within the Tablelands Landscape Protection Area. Such facilities would logically be associated with dwellings, which in turn means they may be contemplated within the homesites, all of which are within the Tablelands Landscape Protection Area. Again, this illustrates the convoluted nature of the rules particularly related to landscape. However, in the absence of submissions seeking otherwise, as a consequential amendment to restructuring the rules into topic areas, we recommend that these rules be incorporated under the Open Space Activity Area rules, as renumbered Rules 44.4.4.18 – 41.4.4.19.
335. QLDC²⁹² (383) sought the removal of references to development controls and design guidelines in the PDP. In the case of the Lodge Activity Area, Rule 41.4.3.1 set out matters of control (now discretion) which included consideration of any "design guidelines". We were advised by Ms Jones that the design guidelines within the LAA were non-statutory. Consistent with her recommendations on design guidelines generally, Ms Jones recommended removing the reference to the design guidelines in Rule 41.4.3.1, noting the retention of restricted discretionary activity status for all buildings (with the exception of tennis courts in the smaller LAA) as recommended in the officer's report and accepted by Mr Freeman. This provides

²⁸⁹ S Freeman, EiC, paragraph 13

²⁹⁰ Dr M Read, EiC, paragraph 14.5

²⁹¹ S Freeman, EiC, paragraph 15

²⁹² Submission 383

opportunity for design matters to be assessed, and we recommend that Ms Jones' proposals and the submission on this particular point be accepted.

336. Ms Jones added that as pools and tennis courts were a restricted discretionary activity in the ODP, several submissions²⁹³ provided scope to amend the controlled activity rule.
337. With regard to the submission that the sale of liquor in the LAA should be made a controlled activity, this was opposed by Ms Jones on the basis that there were no rules governing hours of operation, and controlled activity status would undermine the Council's ability to impose hours beyond those stipulated in the Sale and Supply of Alcohol Act 2012. She also stated that the sale of liquor was a restricted discretionary activity in other areas (including the Village Activity Area), and it would be inappropriate to give the sale of liquor a more liberal activity status than in areas where licensed premises would be expected to locate. This was accepted by Mr Freeman, and this part of the submission is recommended to be rejected.
338. Turning to that part of the submission relating to meeting facilities and residential development, Ms Jones opined that these fell within the definition of visitor accommodation so would not require consent. She opposed provision for residential activities on the basis that this would undermine the primary purpose of the Lodge Activity Area in providing specifically for visitor accommodation and was concerned at uncertainties with respect to landscape impacts, expected density outcomes, and land required for curtilage and access. Mr Freeman accepted her conclusions, and commented that any residential development could be pursued through a resource consent process. As no changes are being made to the LAA provisions with respect to meeting facilities in residential accommodation, we recommend that the submission with respect to these matters be rejected.
339. There are two final points. Firstly, we note that there was no policy in the PDP as notified directly relating to the LAA. We have addressed this matter earlier in paragraphs 8.35 and 8.36 where the basis for adding such a policy as discussed. This policy is numbered 41.2.1.30 under our recommendations. Secondly, as a result of these recommendations the Lodge Activity Area now contains three components which we consider requiring labelling on the structure plan as L1 to L3, with the latter referring to the small area set aside for car parking as discussed in paragraph 11.81 above.

12.7 The Homestead Bay Activity Areas

340. Homestead Bay is the third and southernmost of the three major components of the Jacks Point Zone, as distinct from the activity areas associated with the Jacks Point and Hanley Downs activity areas. At the time of the hearing it was undeveloped. It comprises a roughly crescent shaped area of land south of Jacks Point Hill and adjacent to the bay of the same name on Lake Wakatipu. Proposals to extend this component of the wider Jacks Point development have been addressed separately in the Hearing Stream 13.
341. As notified, there were six activity areas, these being:
- Open Space Horticultural (OSH) restricted to horticultural activities, accessory buildings and 'residential activities';
 - Open Space Foreshore (OSF) restricted to open space and regeneration of indigenous vegetation;
 - Open Space Residential (OSR) restricted to 12 'low-level low-impact' residential units

²⁹³ Submissions from JPL, plus Submissions 540, 605 and 601

- within a regenerating foreshore environment;
 - Farm Buildings and Craft Activity Area (FBA) limited to an existing residence, farm buildings, activities associated with craft and farming activities, farm stay and bed and breakfast operation, and retail sales of goods produced on site;
 - Boating Facilities Activity Area (BFA) limited to a double boat ramp, jetty, a weather protection feature/breakwater, a boat shed and associated boat/ trailer/car parking area and public facilities.
 - Village Homestead Bay V(HB) Activity Area.
342. We have recommended that with the exception of the Village Homestead Bay (V(HB) Activity Area, all of the other activity areas in Homestead Bay be reclassified as part of the Open Space Activity Areas, and incorporated with the policies and rules applicable to same. This is for the purpose of simplifying the plan format, not the content or impact of the provisions themselves. As noted previously in Part 4 of these recommendations, the Farm Buildings and Craft Activity Area (FBA) has been recommended for reclassification to the Open Space Residential (OSR) Activity Area under recommendations from separate hearings on mapping changes, and the boundary of other activity areas and Homestead Bay have also been amended as part of those hearings.
343. The Jardine Family Trust and Remarkables Station Limited²⁹⁴ sought that the Farm Buildings and Craft Activity Area (FBA) be replaced with the Open Space Foreshore (OSF) Activity Area, and the Open Space Residential (OSR) Activity Area. The submitters also sought the deletion of notified PDP Rule 41.5.2.7, which required that within the OSR Activity Area, at least 50% of any site shall be planted in native vegetation, prior to building. Both these matters have been dealt with through the Hearing Stream on mapping issues.
344. Mr Nicholas Geddes presented evidence on behalf of the submitters and began by explaining that Homestead Bay Trustees Limited have purchased part of the land (containing the OSH, OSR, and V(HB) Activity Areas), and therefore have an interest in Submission 715. He added that a significant part of the submissions were now being dealt with through the Hearing Stream on mapping issues.
345. In his legal submissions on behalf of the submitters, Mr Phil Page stated that while not opposed to Homestead Bay having a separate zoning, the Jardine's recorded position was that they favoured a single zone (we noted their submissions seeking to extend Homestead Bay adopted a structure plan 'model' similar to that for the Jacks Point Zone). Mr Page went so far as to invite us to issue a separate recommendation, as his clients were anxious not to be involved in any subsequent appeals that might arise involving Jacks Point or Hanley Downs.
346. Accordingly, Mr Geddes' evidence was confined to only two matters, the first concerning the wording of Policy 41.2.1.26 concerning the provision of infrastructure. He expressed the view that the developer of the Homestead Bay activity areas may well prefer to provide their own serviced infrastructure independently of the system used to serve Jacks Point, and sought that the policy provide for ensuring *adequate* provision of servicing infrastructure, rather than *integrated* servicing infrastructure.
347. We agree that this amendment would be acceptable, on the basis that it is the efficiency of service provision and its effect on the environment which is the critical factors, rather than a

²⁹⁴ Submission 715

necessity to rely on an adjoining system (most likely that of JPROA). Accordingly, in Part 8 of these recommendations, we recommended that renumbered Policies 41.2.1.4 (b) and (c) be amended to ensure efficient provision of infrastructure for sewage disposal, water supply and refuse disposal. We note, however, that integration remains a key consideration with respect to the internal roading network.

348. The second matter concerned the coverage restrictions under notified Rule 41.5.15.4²⁹⁵ for the V(HB) Activity Area. This has been dealt with separately under paragraphs 9.43 – 9.47 above.
349. Given the very strong overlap between submissions on the development of activity areas within the Homestead Bay Area of the Jacks Point Zone, and those relating to submissions by the same submitters seeking to extend the zoning, and dealt with in separate hearings, we are limited in the options available to us with respect to matters subject to Chapter 41.
350. As part of our recommended restructuring and simplification of the policy and rules format, the various activity areas have for the purposes of these recommendations been grouped under the Open Space group of policies and rules respectively, with the exception of the Homestead Bay Village Activity Area, which remains grouped with the Jacks Point Village and Education Activity areas.

12.8 Public access

351. Alexander Schrantz²⁹⁶ opposed the ‘public access’ shown in the location on the notified PDP Structure Plan, which ran along the northerly boundary of his property, and sought that public access through ‘The Preserve’ via ‘Stragglers Loop’ be retained.
352. Ms Jones responded by saying that without detailed graphical information as to the location of the access shown on the PDP Structure Plan relative to Mr Schrantz’s property, she was unable to assess the effects of public access on the submitters amenity and privacy. At the hearing, Mr Schrantz stated that the current proposal (the Structure Plan) sought to relocate the proposed ‘Stragglers Loop Trail’ across Peninsula Hill from the existing Lakeside Trail to a location close to the boundary of his property (Homesite 35) rather than in its original position.
353. In support of this, he provided a copy of the “Jacks Point Trails Map” which showed in yellow the proposed ‘Stragglers Loop Trail’ which was planned to pass eastwards from the existing shoreline trail between two glacial ridges on the southern side of Peninsula Hill, before turning south towards Lake Tewa. This was a considerable distance north, and out of sight, of his property. This trail was also shown on the Jacks Point Structure Plan, but an additional trail parallel to Stragglers Loop was shown running north of Homesites 35, and 37 – 40, although this is difficult to discern given the scale of the Structure Plan and the closely parallel activity area boundary line, and the boundary of the ONL.
354. Although the Schrantz submission was opposed by Jacks Point Entities, their notice of further submission sheds little light on the matter, and this issue was not addressed in their subsequent evidence at the hearing. The difficulty this creates for us is that the trail itself is not connected to any rules on the plan, and is indicative – or even aspirational. Enquiries to the Council also failed to reveal any clear indication of the status that this ‘trail’ might have.

²⁹⁵ Submission points 715.8 and 715.19

²⁹⁶ Submission 195, supported by JPR, FS1283, FS1128, opposed by FS1275, FS1277

Given this, our recommendation is that any indication of a trail in this location be removed from the Structure Plan, and the submission be accepted.

12.9 Planting/vegetation provisions

355. Within the general scope of submissions²⁹⁷ relating to planting requirements, Ms Jones and Dr Read raised issues with the wording of notified Rules 41.5.2.6 and 41.5.2.9 as notified in the PDP.
356. Rule 41.5.2 'Vegetation' and its nine constituent sub-clauses contained a range of quite complex rules relating to the planting of vegetation, the protection of views, species, planting height and the planting regime required in particular parts of the Jacks Point Zone. Rules 41.5.2.6 and 41.5.2.9 were related to each other, although the former only concerned Residential Jacks Point Activity Areas, while the latter applied to the Jacks Point Zone as a whole. Rule 41.5.2.6 as notified read as follows:

41.5.2.6 Rule

On any site within a Residential Jacks Point Activity Area there shall be no shrub and tree planting with less than 75% of the species identified on the Jacks Point plant list contained within Part 41.8. Percentages are in terms of overall plant numbers. Discretion is restricted to any effects on nature conservation values.

357. In her evidence, Dr Read recommended that Rule 41.5.2.6 be amended on the basis that it had lost some meaning compared to comparable provisions in the ODP, and was confusing²⁹⁸. She also recommended the addition of a further assessment matter reading "*effects on landscape character and visual amenity*". In terms of scope to make such a change, Ms Jones explained that the basis of Dr Read's proposed amendments derived from the design guidelines included as a result of removing the controlled building rule in the ODP, which enabled consideration of the guidelines. We note that the somewhat cumbersome wording of the rule should be amended to improve clarity. Accordingly, we recommend that renumbered Rule 41.5.1.11 be amended to read:

41.5.1.11 On any site within a Residential Jacks Point Activity Area, at least 75% of all trees and shrubs planted shall be of the species identified on the Jacks Point plant list contained within Part 41.8. Percentages are in terms of overall plant numbers.

Non-compliance requires consent as a restricted discretionary activity.

Discretion is restricted to:

- a. any effects on nature conservation values; and*
- b. effects on landscape character and visual amenity.*

358. RCL²⁹⁹ sought that notified Rule 41.5.2.9 be deleted on the basis that it was impractical to administer. This rule referred to native vegetation required to be planted 'within this Zone' and as such appeared to apply to the entire Jacks Point Zone. Dr Read stated that:

I am unclear as to the purpose of the standard, except that it appears to be proposed to

²⁹⁷ Submissions 632,715

²⁹⁸ At paragraphs 19.25-19.32

²⁹⁹ Submission 632

manage revegetation within the zone as, for example, as required as part of the development of the home sites.³⁰⁰

359. However, she saw some continued utility in the rule, but instead sought that it be amended to apply to *revegetation* instead of all vegetation, along with a range of amendments as follows:

41.5.2.9 *Except as provided for in (41.5.2.6) above, any native revegetation required to be ~~planted~~ undertaken within this Zone shall:*

- a. *Include species appropriate to the ecosystems of the area being planted.*
- b. *Aim to Be capable of reaching 80% canopy closure for the ecosystem type being planted within five years of implementation.*
- c. *~~Have eradicated any invasive plant pests the time of planting.~~ Ensure the ongoing eradication of all plant pests which might compete with the planting*
- d. *Ensure the planting is appropriately protected from animal pests*
- e. *~~Be maintained, with any plants that die or are diseased replaced.~~ Maintain the planting on an ongoing basis replacing dead or diseased plants as necessary to reach compliance with (b) above.*

Discretion is restricted to any effects on nature conservation values.

360. We also had some difficulties with this rule, even as redrafted in the form suggested by Dr Read. Firstly, because as a rule, parts of it at least are likely *ultra vires* on the grounds of being too imprecise – for example a rule purporting to ‘require’ an applicant to ‘aim’ for 80% canopy cover. Other aspects of the rule, while laudable in intent, appear to intrude into matters of very detailed management and practice – for example the eradication of plant pests and the protection of plants from animal ‘pests’. In practical terms, could the Council realistically take enforcement action if a plant appeared to have been subject to damage from an animal pest? We also saw some significance in Dr Read’s concession that the purpose of the rule was unclear.

361. Mr Wells, on behalf of RCL, was concerned about the practicality and potential costs of the rule, and in particular the requirement for 80% canopy cover. We conclude that the rule would be difficult to administer, and recommend that this part of the submission by RCL should be accepted and the rule deleted.

12.10 Glare and the night sky

362. Rule 41.5.13 ‘Glare’ notified in the PDP required fixed lighting to be directed away from roads and properties and not exceed 3.0 lux spill (horizontal or vertical) within any adjoining property in another activity area. QLDC³⁰¹ (383) sought to amend notified Rule 41.5.13.1 by adding the words ‘and the night sky’ to limit in an effort to restrict light spill into the night sky.

363. Ms Jones noted that paragraph 3.6 of the Council’s legal submissions for the Council as part of its Right of Reply for Hearing Stream 8 – Business (13 December 2016), had concluded that such a rule was *ultra vires*. We agree that by adding the wording sought, it would not be possible to measure compliance, and light spill can only be addressed in a legally certain manner by measuring lux spill within an adjoining property, and controlling the direction of

³⁰⁰ Evidence of M Read, paragraph 19.30

³⁰¹ Submission 383, supported by FS1275, FS1277

lighting. We recommend that the submissions and the further submissions in support be rejected.

12.11 Mining

364. Five submissions³⁰² generally sought the reinstatement of the ODP open space provisions and/or Structure Plan with respect to mining activities.

365. The ODP enabled mining only within the OSG Activity Area, within which the existing quarry is located, as a restricted discretionary activity. The PDP provided for mining in *any* Open Space Activity Area and Farm Preserve Activity Area under notified Rule 41.4.5 as a restricted discretionary activity, provided the material was used within the Jacks Point Zone. However, there was an anomaly in the rules, as mining was provided for as a fully discretionary activity under notified Rule 41.4.9.11 within the Open Space Landscape (OSL) Activity Area.

366. We accept that it is both necessary and efficient to provide for quarrying within the Jacks Point Zone given the scale of development required. We also agree that the extraction of this material should be limited to use within the Jacks Point Zone itself, thus limiting the potential scale of mining activities and associated adverse effects to those strictly necessary for the purpose of internal development. Quarrying activities can have significant adverse effects on amenity and landscape values which requires it to be both restricted in terms of location and managed in terms of its effects.

367. We agree with the submitters that it would be inappropriate to signify that mining is broadly appropriate (as a restricted discretionary activity) throughout the entire Open Space Activity areas. Having regard to these factors, we recommend that mining be classified as a restricted discretionary activity and confined to the OSG Activity Area only (renumbered Rule 41.4.4.4), and as non-complying elsewhere in the Jacks Point Zone under renumbered Rule 41.4.5.7. This is based on our understanding that the source of quarry materials is located within the OSG Activity Area. Consequentially, we recommend that notified Policy 41.2.1.11 (renumbered 41.2.1.24) be amended to make it clear that mining is to be enabled (subject to management of adverse effects) within the Open Space Golf Activity Area, but not elsewhere in the Jacks Point Zone.

368. As a final matter, notified Rule 41.4.19.4 states that:

Open space – Foreshore (OSF) – the use of this area is restricted to the regeneration of native endemic species over 80% of the land area, and retention of open space.

369. The difficulty with this rule, which applies within the Homestead Bay component of the Jacks Point Zone, is that as drafted it is essentially meaningless, and it is not necessary to provide for regeneration of native endemic species or for the retention of open space as a permitted activity. These are 'activities' which are permitted in the absence of a rule specifying to the contrary. Although there are no submissions on the rule, we have concluded that on the basis that it has no effect, it can be deleted.

³⁰² Submissions 195, 540, 605, 765 and 601

13. ISSUE 7 – RULES RELATING TO THE RESIDENTIAL ACTIVITY AREAS

13.1 The application of the PDP provisions to the Jacks Point component of the Jacks Point Zone

370. JPL submitted that the amended rules in the PDP would undermine the established character and quality of the Jacks Point component within the wider Jacks Point Zone, and maintained that development should instead continue to be subject to the same rules as in the ODP. However, as distinct from the submission as a whole, the submitters supported permitted activity status for buildings in the R(JP) Activity Areas, and as a separate matter, enabling the viable development of the Jacks Point village. The Jacks Point ‘component’ refers to that area shown in Chapter 12 of the ODP, Figure 1 “Jacks Point Zone – Jacks Point” on page 12 – 26 of the ODP.
371. Three submissions³⁰³ requested, in the alternative, that the ODP provisions for the whole Jacks Point Zone be reinstated. It was readily apparent to us that the intention of the submitters was to clearly differentiate between ‘Jacks Point’ and the Hanley Downs components of the Zone within the PDP, through formally acknowledging at a policy and rules level, the more stringent requirements within the former.
372. Before addressing the submissions, it is necessary to identify the main differences between the rules in the ODP and PDP, as they apply to the Jacks Point portion of the zone, which as noted above, is clearly the main focus of the submissions from JPL and others.
373. In summary, in regard to activity areas (other than the Open Space Activity Areas), the notified PDP:
- a. no longer included a requirement to obtain resource consent for an outline development plan and no longer required the design guidelines to be approved by Council (as occurred under the operative outline development plan Rule (12.2.3.2(xi)) in the ODP;
 - b. no longer required development to comply with design guidelines as in the ODP, but the guidelines were still applicable outside the PDP via private covenants and a requirement for house designs to be approved by the Design Review Board (DRB) within the Jacks Point Residential Activity Areas;
 - c. introduced new notified Rules 41.4.1.5, 41.4.1.6, 41.5.1.3, 41.5.1.4 and 41.5.1.15 enabling the development of three or more units on sites of less than 550m², or of a density greater than one residential unit per 380m² subject to more lenient height and coverage rules. In the case of lots less than 550m², buildings would also be exempt from internal setback rules on the basis that issues of layout and built form would instead be comprehensively determined through a controlled or restricted discretionary activity resource consent, and through legal mechanisms recorded on titles;
 - d. dwellings in the R(JP) area would be permitted (rather than controlled) other than in the R(JP1 - 3) and R(JP SH-4) Activity Areas, where the construction of 3 or more dwellings or multiple dwellings with a density of less than 380m² was a restricted discretionary activity. Alternatively, land use consent would not be required for these developments if they had already been approved on sites less than 550m² through a controlled or restricted discretionary activity subdivision consent;
 - e. in lieu of a controlled activity consent no longer being required for most individual dwellings in the R(JP) Activity Areas, dwellings were subject to specified rules relating to building setbacks, building height, planting, building coverage, and colour/ glare except

³⁰³ Submissions 540, 601 and 605

that:

- i. dwellings to be erected on lots smaller than 550m² would not be subject to these standards or would be subject to more lenient standards in relation to height and coverage. The basis of these provisions was that small lot developments would have already been required to go through a restricted discretionary activity subdivision process that was intended (although not *required*) to result in restrictive covenants being imposed to control built form to ensure a good urban design outcome, even though the development may not comply with traditional bulk and location standards; and;
- ii. MDR development (i.e. three or more units or a density more than one unit/380m²) or the dwelling would be on a site approved via subdivision consent, the maximum height permitted under the PDP was 10m instead of 8m, and the maximum building coverage was permitted to be 55%, instead of 45% for more low-density type housing.

374. In his evidence for Jacks Point Entities and JPROA, Mr Ferguson noted that the use of the 'Outline Development Plan' technique had been the subject of concern by the Environment Court³⁰⁴. This was the approach used in the ODP with respect to the regulation of development in the Jacks Point Zone.
375. Ms Jones noted that the standards included in the PDP regarding setbacks, height, planting, coverage, and colours were similar to those in the Jacks Point Residential Design Guidelines 2009, although the residential guidelines also included more detailed standards regarding roof pitch, upper floors, built form, materials, continuous building length, garage doors, and boundary treatments (hedges and fences).
376. Mr Compton-Moen concluded that, as the standards were broadly similar to those in the Guidelines, it was not necessary to duplicate the extra level of detailed design control. The Council was satisfied with the DRB's 'track record' in administering the guidelines consistently, and that to achieve quality urban design outcomes it was not necessary to make any additions to the PDP standards beyond matters relating to setbacks, height, planting, coverage, and colours.
377. We note that the Structure Plan in the PDP replaces the G and G/F Activity Areas in the ODP with proposed OSL, OSA, OSG, E, and FP-1 areas. The Highway and Lakeshore LPA's were recommended to be retained, but with minor amendments to the rules and changes to the boundary around Maori Jack Road. We were advised that the boundary of R(JP-2)(2A/ 2B) had changed slightly; the boundary of R(JP-1) had changed to include Lot 400 DP 378578 (being a lot approved for 7 dwellings);³⁰⁵ the boundary of JP(SH-4) had increased slightly, and the boundary of JP(V) had changed to align with the northern cadastral boundary and the lakeshore edge.
378. Most fundamentally, the key differences between the ODP and PDP provisions, as they affected the Jacks Point portion of the JPZ (open space areas aside), were a change from discretionary controls with respect to design and density (which did not set quantifiable limits), with *specified standards*, typical of 'traditional' bulk and location standards found in district

³⁰⁴ C Ferguson, EiC, paragraph 4.28

³⁰⁵ *Coneburn Planning Ltd v Queenstown Lakes District Council* [2014] NZEnvC 267

plans generally for residential development. In terms of residential densities, two points can be noted.

379. Firstly, there is a significant difference between the densities permitted in the Residential Jacks Point Activity Areas, and the Residential Hanley Downs Activity Areas, as will be apparent by reference to renumbered Rule 41.5.1.1.
380. Secondly, and perhaps more importantly, Ms Jones undertook a detailed analysis of the potential density achievable under the ODP rules compared to the PDP for the Residential Jacks Point Activity Areas³⁰⁶. This revealed that there could be a potential increase from 850 to 882 dwellings, noting that seven of these resulted from the approval by the Environment Court of a seven-lot residential development in the R (JP) – 1 Activity Area³⁰⁷. These estimates were very similar to those arrived at by Mr Ferguson³⁰⁸. Given this, we are satisfied that such a modest increase would have little impact on the existing character of the Residential Jacks Point Activity Areas, and that they would remain distinct in character from those in Hanley Downs where permitted density levels are proposed to be significantly higher, and where there is significantly less open space, especially when account is taken of the Open Space Residential Amenity Activity Area surrounding each of the ‘pods’ in the Residential Jacks Point Activity Area.

13.2 Permitted status of residential dwellings in the PDP - design control

381. Several submissions³⁰⁹ supported the provisions in the PDP such that dwellings in the existing neighbourhoods would not require consent for design review purposes.
382. We are satisfied that it is not necessary to require controlled activity consents for dwellings in the Hanley Downs and Jacks Point residential areas for normal ‘suburban’ density development.
383. In 2012 a Monitoring Report for the Resort Special Zones was prepared by the Council. It undertook a desktop analysis of resource consent applications processed between 2006 and 2011. We acknowledge Ms Jones’ comment that while the report has become somewhat dated, it did reveal that of the 131 consents processed during that time, only one was notified. 44% of these consents were for new dwellings, 34% for subdivisions, and 21% were for other activities.³¹⁰ The monitoring report was unable to definitively conclude what the role the Jacks Point Design Review Board process had played in terms of the efficiency and effectiveness of achieving good built outcomes.
384. It was apparent from the Council’s experience cited above, that very few applications were declined, which is a reasonable indicator that a parallel rule may not be necessary. In addition, in terms of our duties under section 32AA of the Act, it is difficult to justify provisions which duplicate other rules and processes, as these increase costs without any compensating benefits in terms of efficiency and effectiveness. Thirdly, the PDP introduces bulk and location standards which have been well tested in suburban environments throughout New Zealand, and provide an adequate ‘safety net’ having regard to scale and siting arrangements. Finally,

³⁰⁶ Section 42A Report, paragraph 16.18

³⁰⁷ Ibid

³⁰⁸ C Ferguson, EiC, paragraph 4.43

³⁰⁹ Submissions by JPL, submissions 601 and 765

³¹⁰ Section 42A Report, paragraph 5.19(b)

the independent assessment processes under the Residential Guidelines appear to be achieving high quality outcomes without the need for additional design controls.

385. We do accept, however, that in the case of MDR housing, while it is desirable to allow a greater degree of latitude to provide design flexibility, there is a need to ensure a multi-unit development is considered comprehensively. We accept that it is appropriate for developments of this nature to be subject to restricted discretionary activity consent pursuant to renumbered Rules 41.4.1.5 and 41.4.1.6, or through the subdivision consent process.
386. Separately, we also consider that it is appropriate for buildings in sensitive environments, such as within the Homesite (HS) Activity Areas surrounded by the Open Space Golf (OSG) Activity Area, the proposed Jacks Point Village, and for buildings in the OSL and OSG Activity Areas to be subject to at least controlled activity status to ensure a satisfactory design outcome. This is reflected in our recommendations for the status of buildings in these zones, in response to submissions.

13.3 The boundaries of the Hanley Downs and Jacks Point Residential Activity Areas in the PDP Structure Plan

387. Several submissions³¹¹ sought that the Structure Plan in the ODP be retained in the PDP, or retained in regard to the Jacks Point component of the Jacks Point Zone³¹². Ms Jones' Section 42A Report explained that the main differences between the ODP and PDP structure plans were in relation to Areas R(JP-2) and R(JP-1).
388. Ms Jones said that changes from the Open Space Activity Area to a Residential Activity Area in the PDP Structure Plan reflected the results of approved resource consents. As noted earlier in paragraph 12.10, this would only result in an estimated increase in residential yield within the R(JP) areas from a maximum of 850 dwellings (as enabled by Rule 12.2.5.1(vii) of the ODP, which allowed a maximum gross density of 12 dwellings/ ha), to a maximum of 882 dwellings within the R(JP) areas. Ms Jones also stated that this additional density is significantly influenced by the inclusion of a 7 lot residential development approved in R(JP)-1 by the Environment Court³¹³ and the expectation that a large un-subdivided lot in R(JP)-1 would be developed.
389. We consider that except at a very localised level (as discussed in the following paragraphs) the limited extent of the additional land released for residential use, and the number of additional dwellings against the quantum provided for in the R(JP) Activity Areas as a whole, is such that any increase in density would have a minimal overall effect on the character of the R(JP) Activity Areas.
390. Dr Read opposed the easterly extension of the R(JP-2A) Activity Area up to the frontage to Woolshed Road, contending that this would compromise the amenity of residents currently on the edge of that residential area, opposite which is the eastern edge of the R(HD)-E Activity Area which will contain a greater proportion of MDR housing.
391. We note that while the extension of the R(JP-2A) Activity Area to the Woolshed Road frontage would enable an additional 0.8 ha of land to be developed for housing, given that a setback from Woolshed Road is provided for all of the other Residential Jacks Point (R(JP)) Activity

³¹¹ Submissions by JPL, Submissions 601 and 765

³¹² Operative District Plan, Figure 1, page 12.26

³¹³ *Coneburn Planning Ltd v Queenstown Lakes District Council* [2014] NZEnvC 267

Areas, and recognising the higher density of the R(HD)-E Activity Area opposite this Activity Area, on balance we consider the building setback in the ODP should be carried over and retained in the PDP. Clarity is not at all assisted by the completely inadequate map scale on the Structure Plan notified with Chapter 41, but we understand from the evidence of Dr Read³¹⁴ that this amenity strip between the R(JP)-2 and R(HD)-E Activity Areas is a minimum of 35 m wide. To provide adequate clarity, we recommend that as part of a larger scale plan of this area being provided (which is necessary for other reasons as well), that this enlarged part of the Structure Plan be labelled as showing a 35 m separation between the two activity areas..[Map change]

392. We recommend that the boundaries for the R(JP) Activity Areas in the PDP shown on the Structure Plan be retained except for the proposed extension of the R(JP)2 area to the Woolshed Road frontage. We also recommend that the submissions be accepted in part, but only to the extent that the extension of the R(JP-2A) Activity Area (discussed above) be rejected.
393. RCL³¹⁵ also sought an extension to the R (HD)–B Activity Area where it adjoined the northern extremity of the R (JP)–3 Activity Area. This comprised a small triangular area of 4772m² north of Cunningham Drive fronting the alignment of Woolshed Road, which was part of the OSA Activity Area.
394. Mr Espie provided a landscape assessment of the effects of residential development on this small triangle, which could accommodate a maximum of approximately eight residential units, although he considered that 3 to 4 units was probably more likely. He noted that a 25 to 40 m wide strip of the OSA Activity Area would be maintained between the ‘triangle’ and the Cunningham Drive properties within the R(HD)B Activity Area.
395. We are satisfied that the incorporation of this triangle within the R(HD)B Activity Area would be appropriate as a logical adjustment to the boundaries of the activity areas, and would have only a minor effect on the outlook of nearby residents in Cunningham Drive. We note that this request has to be seen in the context of significant future residential development both to the west and north, but a buffer of open space would remain to provide relief. We recommend that the relief sought by RCL be accepted.
396. Three submissions³¹⁶ requested the ODP Structure Plan be reinstated over the whole zone (as one alternative relief). We note that this relief (in order to make sense) would also need to involve the reinstatement of the ODP rules relevant to the activity areas identified on the Structure Plan under the ODP.
397. A distinct difference between the ODP and the PDP is that the Hanley Downs (R(HD)) Residential Activity Areas in the notified PDP were no longer configured in residential ‘pods’ separated by open space corridors, as had been retained for the Residential Jacks Point (R(JP)) Activity Areas. The concept was not entirely discarded in the Hanley Downs (R(HD)) residential areas, for example between the R(HD)C and the R(HD)A and B Activity areas, and along the line of the waterway towards the northern end of the zone. Nevertheless, in simple terms, Hanley Downs was proposed to be a (more) conventional suburban subdivision, but also with

³¹⁴ M Read EiC paragraph 7.2

³¹⁵ Submission 632

³¹⁶ Submissions 240, 601 and 605

provision for more higher density development – compared to what was anticipated in the (R(JP)) Activity Areas.

398. Ms Jones advised that the size of the Hanley Downs residential area had increased significantly in the PDP by approximately 74ha (from 60.70 ha to 134.80 ha), but qualified this by saying that this included land that would be taken up by reserves and roads. She added that the picture was also complicated by a range of densities from high density residential in the Hanley Downs Village in the ODP (which allowed ‘unlimited’ density) to conventional low density residential.
399. She added that the boundaries of the Hanley Downs residential areas (i.e. including all R(HD) and R(HD-SH) Activity Areas) and the densities enabled therein, were generally consistent with the Council’s decision on Plan Change 44 (dated 10 March 2016).
400. We are satisfied that the range of residential densities provided for in the Hanley Downs component of the Jacks Point Zone are an appropriate reflection of the need to provide both housing choice and sufficient housing for growth in the wider Queenstown area in an efficient manner. The Hanley Downs area is one of a limited number of opportunities in the wider Queenstown area where there is a substantial extent of undeveloped land to provide such housing, albeit in a way which achieves a distinctly different character from the existing Jacks Point component of the Zone.
401. We recommend that the submissions of Tim and Paula Williams, Margaret Joan Williams, and Sally and Clive Geddes with respect to the reinstatement of the ODP Structure Plan over the whole zone (as one alternative relief) be accepted in part. This recommendation is made on the basis that any amendments to the Structure Plan and its associated policies and rules to fully or partly reinstate the provisions in the ODP through these recommendations partly give effect to the relief sought.

13.4 Provision for medium density development (MDR)

402. We agree with Ms Jones that these rules are highly complex, providing for exemptions and/ or different rules on the basis that matters of external appearance, access, carparking, and landscaping through notified Rule 41.4.6 which made MDR development either a controlled (Residential Hanley Downs) or restricted discretionary activity (Residential Jacks Point). These rules are also interwoven with the subdivision provisions in Chapter 27. Mr Compton-Moen supported in principle the contention that for residential development at higher densities, bulk and location issues can be better determined on a case by case basis. Ms Jones recommended that:
- a. the objective be amended to specify well designed MDR opportunities as a key outcome;
 - b. the rules be simplified such that any exemptions from the ‘standard’ rules apply to sites of less than 380m², instead of less than 550m² as notified in the PDP. This was justified on the basis of being consistent with the threshold in the reply version of Chapter 7 (for the PDP low density residential zone), as supported by Mr Compton-Moen’s evidence, and was considered far less complicated;
 - c. ‘small lot’ and MDR development as outlined above be exempted from the internal setback rules and the recession plane rules. This would mean that buildings on lots less than 380m² (or at a density greater than 1 unit per 380m²) would not need to comply with the internal setback requirements (renumbered Rule 41.5.1.6). Development on lots greater than this size would still need to comply with these standards, which Ms Jones argued would satisfy in part the relief sought by RCL, while

ensuring that design matters were instead addressed comprehensively through the subdivision or MDR consent stage;

- d. notified Rule 41.4.6 (renumbered Rule 41.4.1.5) be amended to make MDR a restricted discretionary (rather than a controlled) activity in Hanley Downs, consistent with the renumbered rule for the R(JP) Activity Area (41.4.1.6);
- e. notified Rule 41.4.6 (renumbered Rule 41.4.1.5) be amended by adding discretion over bulk and location, and effects on adjacent sites that were not part of the MDR development subject to the application, and to include the requirement to ensure legal mechanisms. It was argued that without this qualification, the Council would have no control over such matters and there could be some quite serious adverse effects on neighbours (such as a 10m high building on the boundary of a low-density property);
- f. a lesser (55% rather than 70%) building coverage be applied to 'small lot' and MDR development; and
- g. the reply version subdivision Rules 27.5.15, 27.6.1, and 27.7.11.3 be amended by adding a further matter of discretion and policies in order to acknowledge that sites under 380m² in size were anticipated in Hanley Downs and that the establishment of legal mechanisms which establish the bulk, location and design of built form would be fundamental to obtaining approval for smaller sites in both the Hanley Downs and Jacks Point residential areas.

403. With respect to the matter of scope, Ms Jones stated that:

I have relied on the submissions of RCL (632), which seeks that notified rule 27.7.15 applies to sites 380m² or smaller rather than those between 380m² and 550m² to remove the 550m² threshold and on the submissions by the Jacks Point Landowners, Sally and Clive Geddes (540), Margaret Joan Williams (605), and Tim and Paula Williams (601) to apply it consistently throughout both chapters 41 and 27. The scope to do so stems from those submitters' concerns about the different built outcomes enabled under the PDP vs. under the ODP and their (and others') support for enabling dwellings as a permitted (as opposed to controlled) activity. Requiring all sites over 380m²/ densities under 380m² to comply with a set of relatively consistent performance standards and dealing with more dense housing through a more rigorous (but more costly and arguably less certain) restricted discretionary consenting process is considered to better meet the submitters' concerns than the notified version³¹⁷.

404. Issues relating to density in the Hanley Downs Residential Activity Areas, and related bulk and location standards were the subject of considerable evidence, and brought into stark relief the contrasting design philosophy being pursued by RCL in Hanley Downs, compared to the much more 'regulated' approach hitherto applied to the Jacks Point Residential Activity Areas, albeit that the latter has in the past been achieved through a requirement for design assessments rather than specified activity standards.

405. Because the various standards are interlinked with each other in terms of their practical application, our assessment follows the summary set out below of the competing positions taken by RCL and the Council (paragraphs 12.37 – 12.65 below).

³¹⁷ V. Jones, EiC, paragraph 16.32

13.5 Density

406. RCL³¹⁸ lodged detailed submissions on the rules applicable to the Residential Hanley Downs ((R(HD)) Activity Areas. We were conscious of the importance of the RCL Holdings in this area, which have the potential to contribute up to 1750 dwelling units to the residential needs of the wider Queenstown area. This was provided for under notified Rule 41.5.8.1 'Density' which specified a range of average densities for each of the Residential Activity Areas within the Jacks Point Zone.
407. Mr Wells presented comprehensive and detailed evidence on the rules applicable to Hanley Downs. He expressed the view that *"for the most part the rules seem effective and efficient"*³¹⁹, albeit that we were somewhat surprised at this, given the extensive amendments that were requested to these rules in the RCL submission.
408. Notified Rule 41.4.6 'Medium Density Residential Development' provided that development involving three or more units, or development at a density of more than one residential unit per 380m² of net site area be treated as MDR development and subject to restricted discretionary activity status. RCL sought that the rule be applied to developments of *two* or more residential units on the basis that it was unlikely that any such development would not have a density greater than one residential unit per 380m². Mr Compton-Moen, an urban design consultant appearing for the Council, supported the 380m² minimum area but added that:
- I consider that having a single threshold point for all types of development is a much clearer and logical determination than whether the development is two, three or more units.*³²⁰
409. This suggests to us that the rule should merely refer to a 380 m² lot area threshold. In response to a question from the Panel, and from the contents of his evidence, we understood Mr Wells to be generally satisfied with the 'area wide' densities permitted under notified Rule 41.5.8.1. Indeed, it appeared to us that his primary concern was how the densities allowed for in the Hanley Downs Residential Activity Areas could be achieved through the rules framework.
410. We also note that Mr Ferguson's evidence on behalf of the Jacks Point Entities, but specifically JPROA, expressed concerns ".....with the impact of visitor accommodation and community activities and of the very high levels of residential density proposed within the Hanley Downs residential activity areas"³²¹.
411. This was the subject of strong criticism from Mr David Wightman, the CEO of the RCL Group. He understood that there was a binding and reciprocal agreement between the parties not to object to or contest the outcome of PC44³²². Mr Ferguson did not specifically comment on the bulk and location standards discussed below, but sought the imposition of a limit on densities to 24 dwellings per hectare in the Hanley Downs Residential Activity Areas.

³¹⁸ Submission 632

³¹⁹ D Wells, EiC, paragraph 71

³²⁰ D Compton-Moen, EiC, paragraph 6.7

³²¹ C Ferguson, EiC, paragraph 14.9

³²² D Wightman, EiC, page 1, third paragraph

13.6 Building setbacks

412. RCL³²³ sought to amend the notified street setback rule (41.5.5.4.b), which was confined to the Hanley Downs Residential Activity Area, from 4.5m to 3m. RCL also sought that the internal setbacks (notified Rule 41.5.5.2) in the Hanley Downs Residential Activity Areas and in both Village Activity Area(s) be reduced to 1m.
413. There was no setback requirement in the Jacks Point Residential Activity Area, although residential design guidelines that apply there required a 2m road setback.
414. Mr Compton-Moen's opinion was that notified Rule 41.5.5.4.b) be amended to reduce the road setback for buildings from 4.5m to 3m, but that garages be setback at least 4.5m. This was seen as justified as it would discourage garage doors from dominating the streetscape; facilitate more efficient use of land; encourage a more active interface between the dwelling and the street; and be consistent with 'Crime Prevention Through Environmental Design' (CPTED) principles.
415. Building setbacks (notified Rules 41.5.5.1 – 41.5.5.4) provided that in the Hanley Downs Residential Activity Areas, for sites of more than 550m², there should be two setbacks of 4.5m, with all remaining setbacks being 2m; or alternatively one setback of 6m, one of 3.5m and others of 2m. Exceptions were provided for, which included a reduced setback if there were no windows in a wall where there would otherwise be an infringement; excluding accessory buildings of less than 3.5m in height on an internal boundary; or where buildings shared a common wall and a boundary.
416. Mr Wells stated that:
- With relatively higher densities I believe substantial road setbacks are important – in Hanley's Farm RCL have applied setbacks of at least 4.5 m for buildings and 5.5 m for garages.*³²⁴
417. He was, however, concerned with the application of the road setback rules as they applied to corner sites, and was of the view that they should only be required on the frontage containing the vehicle access. Mr Compton-Moen was concerned that a reduction in the street setback could result in insufficient space for on-site parking, and recommended that if the setback were to be reduced, any garage door facing the street must be required to be a minimum of 4.5m back from the front boundary.
418. With respect to internal boundary setbacks, Mr Wells considered it was increasingly difficult to justify side yard setbacks as the spaces between the building and the boundary were not useful and would be better allocated elsewhere, particularly in the rear yard. In his view, the side yard requirements could be deleted and dealt with as a matter of discretion at the time of subdivision. Mr Compton Moen appeared to be silent on the matter of internal setbacks.

13.7 Building height (recession planes)

419. In the PDP, rules on recession planes were grouped with those on building height. There was no issue between the RCL and the Council with respect to building height. However, there was a difference between the parties with respect to recession planes.

³²³ Submission 632, opposed by FS1219, FS1252, FS1316, FS1277, FS1275, FS1283

³²⁴ D Wells, EIC, paragraph 87

420. RCL³²⁵ sought the deletion or amendment of notified Rule 41.5.12 (recession planes).
421. The recession plane rule only applied to the Hanley Downs Residential Activity Area. There was no recession plane rule in the Jacks Point Residential Activity Area rules or the Jacks Point Residential Guidelines 2009.
422. Rule 41.5.12.4 as notified provided that in the Hanley Downs Residential Activity Areas, no building should protrude through a recession plane inclined toward the site of an angle of 45° commencing 2.5m above ground level. There were some specific minor exceptions, but a significant factor was that as notified, the rule did *not* apply on sites smaller than 550m² created by subdivision or to a MDR development consented under Rule 41.4.6.
423. Mr Wells was of the opinion that while the rule admittedly only applied on sites of 550 m² or larger, he maintained it resulted in it being near impossible to build a two-storey building on a small site. He was also critical of the drafting of the rule and what would be meant by the terms “northern, western, boundaries”. He considered that the rules should be deleted and conditions imposed through consent notices on subdivision, which he contended had been an effective approach recently in Hanley Downs resource consents.
424. Mr Compton-Moen accepted that recession planes could be an impediment for building form and design, particularly for MDR two and three storey developments. However, he had concerns with liberalising or removing the rules, as this could adversely affect sunlight admission to a neighbouring site that was not part of a MDR development. He contended that recession planes remain important on sites of between 380m² and 550m². Ms Jones was of the view that the rule was in fact somewhat too restrictive, and suggested that it would be preferable to adopt the more refined recession plane recommended by the Council in its reply to submissions on Chapter 8 of the PDP.

13.8 Building coverage

425. In the PDP as notified, Rule 41.5.15.1 provided that in the Jacks Point Residential Activity Areas buildings should not exceed a site coverage of 45%, while Rule 41.5.15.2 provided that in the Hanley Downs Residential Activity Areas, building coverage should not exceed a site coverage of 50%. However, in the R(JP) Activity Areas this increased to 55% where 3 or more dwellings were proposed, or density was greater than 380m²; and in the R(HD) Activity Areas, the maximum coverage could be increased to 70% where the density was greater than one unit per 380m². Non-compliance with the standards would result in an activity defaulting to restricted discretionary in status. In its evidence, the Council proposed to reduce the permissible coverage to 55% where the density was less than 380 m².
426. Three submissions³²⁶ sought the reinstatement of the ODP provisions and raised concerns that the proposed provisions, and the lack of design guidelines for the Hanley Downs Residential areas, would result in poor design outcomes within Hanley Downs residential areas.
427. Mr Compton-Moen’s evidence was that building coverage was a key determinant of residential character and amenity, and needed to apply to residential development whatever its density. He considered that covenants failed to provide certainty, and noted that 45% site coverage was consistent with staff recommendations on Chapter 8 relating to MDR development and in

³²⁵ Submission 632, opposed by FS1219, FS1252, FS1316, FS1277, FS1275, FS1283

³²⁶ Submissions 540, 601 and 605

the approved Jacks Point Residential Guidelines 2009. He maintained that 55% site coverage at a density of greater than one unit per 380 m² would be appropriate.

428. Mr Wells was critical of Mr Compton–Moen’s argument that increasing the allowable site coverage would decrease the amount of private open space. He stated that;

Rather I believe the size and treatment of private open space should be a choice for individual homeowners – many of whom may be unconcerned about such matters given their personal circumstances and the proximity to public open space in Hanley Downs (a point I believe that was supported by Council in removing the minimum outdoor space requirements from other zones of the notified plan).³²⁷

429. Mr Wells added that reducing site coverage would make it more likely that two-storey development would be required on small lots, which he said, added (approximately) 15% to the cost of building. He said that small lots with high site coverage would facilitate the provision of affordable housing and efficient land use³²⁸.

430. Mr Compton–Moen stated that most MDR developments typically have a maximum site coverage of 60%, typically resulting in developments with 45 – 55% site coverage.³²⁹ He also raised the issue of managing additional stormwater discharges as a consequence of higher site coverage from buildings, but we heard no evidence on this matter. We doubt whether the quantum of additional hard surfacing (including roof surfaces) between the Council scenario and that of RCL, would be of sufficient magnitude to be a determinative issue in itself.

13.9 Fencing

431. RCL³³⁰ sought to delete notified Rule 41.5.7. Rule 41.5.7.2 provided that in the Hanley Downs Residential Activity Areas, (with the exception of sites smaller than 550m² created by subdivision), fences located within a setback from a road should be no higher than 1.2m, except that a fence of up to 1.8m in height could be erected within the road setback for a maximum of one half the length of the road frontage.

432. Ms Jones noted that the purpose of this rule was to prevent the erection of high blank solid fences which justified the rule, as addressed in Mr Compton-Moen’s evidence.³³¹ She also considered that reliance on covenants did not provide the necessary certainty in ensuring a high standard of amenity. She recommended that notified Rule 41.5.7.2 be amended to ensure an appropriate fence height while enabling privacy for outdoor living space.

433. Mr Wells argued that it would be preferable for this matter to be a matter of control or discretion at the time of subdivision. The basis for his opinion was that there was need for a balance between privacy and an attractive street presence on corner sites. He added that the issue was fairly minor from the perspective of RCL, as it employed non-statutory measures with respect to fencing. The officer’s report recommended that the rule be amended to a height of no more than 1.5m, and not exceed more than 50% of the site road frontage.

³²⁷ D Wells, EiC, paragraph 77

³²⁸ D Wells, EiC, paragraph 80

³²⁹ D Compton Moen, EiC, paragraph 6.19

³³⁰ Submission 632, opposed by FS1219, FS1252, FS1316, FS1277, FS1275, FS1283

³³¹ D Compton-Moen, EiC, Paragraphs 6.14,6.15

434. Mr Compton–Moen said that the notified rule could result in a poor design outcomes because there were no restrictions on the material used to construct a fence, unlike the Jacks Point Residential Activity Areas. He preferred that there be *no* provision for front yard fencing, except perhaps on north facing private living areas where a rule would provide for the living space to be 50% visually transparent with a maximum height of 1.5m. Ms Jones proposed a rule that was something of a compromise between these two positions.

13.10 Overall assessment density of and related bulk and location requirements

435. Clearly there was a distinctly contrasting approach to the philosophy of how residential land development should be managed in Hanley Downs between Mr Wells for RCL and Mr Compton-Moen for the Council. Mr Compton-Moen said that:

The 550 m² threshold is still a relatively low density (large site) and I do not consider this to be medium density or where bulk and location rules should be removed. Sites between 380 – 550 m² can and should still have typical residential controls (side yards and recession planes) applied without adversely affecting the design of a dwelling. In my opinion it is not until sites are below 300 m² that terrace housing, duplexes and other higher density type typologies become feasible, and where side yard requirements and shade planes may become an issue.³³²

436. Mr Wells consistently emphasised the word ‘efficiency’ in his evidence, along with the need to provide for housing choice and affordable housing. We agree that these are relevant and important matters.

437. The concern we have with the RCL case is that it implies that the amenity issues at stake are solely a matter between developers and the Council. This is reinforced by the strong emphasis placed on removing most of the land use rules concerned, and instead addressing design issues through the subdivision consent process under Chapter 27. However, given that development of the very large Hanley Downs Residential Activity Areas will proceed through a staged subdivision process, there is at least the potential issue of effects on third parties. For example, a property owner already established and living on a site within Hanley Downs could well be confronted with a proposed development immediately adjoining them, which in the case put before us by RCL, may not have any setback, recession plane or coverage controls.

438. Mr Wells also invited us to endorse an approach whereby many of the land use rules would be replaced, at least in part, by a process of imposing conditions on subdivision and the use of covenants. We are concerned about that approach on a number of levels: firstly, the extent to which conditions would be consistent and provide certainty; the fact that covenants can be relatively easily removed; and that developers and users of the PDP would have no real guidance as to the nature of development and ultimately, the outcomes that could be expected. We also reiterate our earlier concerns about third-party rights.

439. The debate before us could be distilled down to three levels. First of these is the appropriate regulatory framework on sites of more than 550 m²; sites of less than 380 m²; and more contentiously, sites of between 380 m² and 550 m².

440. With respect to sites of more than 550 m², we agree with Mr Compton-Moen that this is characteristic of typical or standard suburban development, where there would be a reasonable expectation that there would be restricted coverage, building setbacks and access

³³² evidence of David Compton Moen, paragraph 6.5

to sunlight. In his complaint that recession plane rules apply on sites of 550m² or larger, Mr Wells asserted that:

*Even if some shadowing or overlooking issues still arise, I think this needs to be accepted as a consequence of higher density housing.*³³³

441. To the extent that the Hanley Downs Residential Activity areas will contain a *component* of MDR housing, mixed with standard suburban housing, this statement has some validity, but in the context of properties of more than 550m² we think this is a somewhat cavalier approach. While it may make two-storey houses on narrow sites subject to potential consent requirements, we consider this may well be justified in circumstances where an established neighbour may be adversely affected.
442. Turning then to developments on sites of less than 380 m², or even developments on sites of less than 550 m² approved under a subdivision consent, there seems to be general acceptance that a consent process is appropriate in those circumstances rather than compliance with specified bulk and location standards. The only issue arising is whether site coverage on MDR developments should be restricted to 55%, instead of the 70% provided for in the PDP as notified, which is discussed below.
443. One point made in Mr Wells evidence³³⁴ is that the 550 m² site standard, at least in the context of setback requirements, is ‘arbitrary’. However, we note it is inevitable that there will be particular developments which might be ‘just over’ or ‘just under’ a specified threshold which might be argued to be illogical, and as he put it, ‘arbitrary’. That is an inevitable consequence of providing legal certainty within a rules framework, and arguments about arbitrary standards can apply at whatever threshold level might be set. The alternative is to make all development subject to the kind of rules framework applicable to developments under 380m² – that is, a resource consent in all cases.
444. Turning first to the issue of setbacks, we conclude that these are a fundamental determinant of amenity. In circumstances where a multi-unit development was being undertaken, or the developer owned the adjoining land, if consent was required for a recession plane intrusion, ‘neighbours approvals’ do not really loom as a significant problem. Ultimately, it would be over to a purchaser to make a decision over whether sunlight admission in such a development was adequate. This would not necessarily be the case however if an existing neighbour was adversely affected through a land use application for a building or buildings. Consequently, we recommend that the recession plane requirement continue to apply on lots of between 380m² and 550m² in size. The rule would not apply on lots of less than 380m² where the matter can be considered through the subdivision consent process.
445. Also with respect to setbacks, we conclude – and Mr Wells conceded – that street setback is an important contributor to amenity, particularly as viewed from the street. For that reason, we recommend that a front yard street setback be required on all sites over 380m². It also accepts Mr Compton-Moen’s contention that to avoid parking issues and to improve visual amenity from the street, a garage needs to be set back 4.5m from the street frontage. On a corner site, the other front yard setback could be reduced to 2m, as to require a full set back on both street frontages would be onerous, and potentially compromise design options.

³³³ Evidence of Dan Wells, paragraph 82

³³⁴ Ibid, paragraph 90

446. With regard to internal setbacks, the justification for setbacks on sites of between 380m² and 550 m² is a more finely balanced issue, given there is a recession plane control. However, in the final analysis, we are persuaded by the evidence of Mr Compton–Moen that internal setbacks provide an opportunity for the establishment of more satisfactory outdoor living spaces, even if these are modest and where their use may be subject to seasonal considerations. Setbacks are now addressed under renumbered Rule 41.5.1.6, where we recommend that on sites of more than 380m², a flexible regime be provided allowing two setbacks of 4.5m with all remaining setbacks of 2m; or one setback of 6m, one setback of 3.5 m, and for other setbacks of 2m. In addition to this there are a range of exceptions relating to whether there are windows within the setbacks, for accessory buildings, and for buildings sharing a common wall.
447. We share some of Mr Well’s concerns about the drafting of the recession plane rule, which is less precise than similar rules accompanied by diagrams, found in other district plans. The matter of recession planes has also been separately addressed by the Stream 10 Hearings Panel on district wide basis, where it has been recommended that a variation be considered to overcome the deficiencies of the current definition
448. of recession planes and its accompanying diagrams. Returning to the issue of Jacks Point Zone however, we do not agree with Mr Well’s view that recession planes, particularly on larger sites, can be dispensed with, as on these properties there is a reasonable expectation that there will be greater sunlight admission (particularly for outdoor living spaces) than there would be in MDR developments.
449. We recommend that the submission of RCL be rejected and the further submissions in opposition accepted. The amended wording of the recession plane rule we recommend is contained in renumbered Rule 41.5.1.4.
450. With respect to site coverage, we consider that while design flexibility would be better facilitated if there were no specified coverage threshold required on lots of between 380m² and 550m², this needs to be balanced with related rules on setbacks and recession planes. In addition, lot sizes of this nature are, in contemporary terms, not particularly large having regard to density. Having regard to potential effects on third parties, requiring resource consent for comprehensively designed developments of this density as a restricted discretionary activity is not considered to be an unduly onerous burden for developers.
451. Within MDR developments, notified Rule 41.5.15.2 specified a site coverage standard of 70% for such developments. Given that MDR developments are subject to assessment as a restricted discretionary activity, on balance we conclude that a large reduction to 55% as recommended by Ms Jones is not necessary, and recommend the adoption of a 60% site coverage threshold level under renumbered Rule 41.5.1.5. We note that this equates to the maximum coverage level allowed in the Village Jacks Point ((V(JP)) Activity Area.
452. Finally, in terms of the rule relating to fencing (notified Rule 41.5.7), we note Mr Wells’ comment that RCL (as indeed do many developers) impose separate non– statutory obligations on purchasers relating to fences with new subdivisions. Given this reality, we entertain doubts about the value of a *rule*, all the more so given that the rule would only apply in the Hanley Downs Residential Activity Areas. In the Jacks Point Residential Activity Areas this is left to the developer to control. We also consider that it unduly restricts the choice available to residents in terms of the management of their external space and privacy.

453. Having considered this particular matter, we recommend that the submission of RCL be accepted, and that of the submitters in opposition rejected.

454. We recommend that the submissions of RCL be accepted in part, to the extent of the limited amendments we have recommended above.

13.11 Calculation of Residential density and overall residential and visitor accommodation yield

455. Mr Ferguson's evidence provided a useful background to how density has been, and should be, calculated in the Jacks Point Zone. He explained that the ODP requires that the average density of residential development fall within a range of 10 – 12 dwellings per hectare to be achieved across the whole of the Jacks Point Residential Activity area (i.e. in gross terms). The density provisions were based on the application of Outline Development Plan provisions in concert with a Density Master Plan. He went on to explain that the density table within the PDP was designed to use the more widely accepted *net* density standard calculated for each neighbourhood or 'pod'. An average density for each residential activity area has now been incorporated into the PDP under Rule 41.5.8.1. Any breach of these density standards would result in development within that Residential Activity Area reverting to restricted discretionary in status.

456. QLDC³³⁵ sought that the intent of notified Rule 41.5.8.2 be clarified. This rule stipulated that the density requirements under Rule 41.5.8.1 did not apply to any single residential unit on a site contained in a separate certificate of title.

457. Several submissions³³⁶ expressed concern about the apparent significant increase in density enabled in the Jacks Point residential activity areas of the PDP, compared to the ODP. These concerns have been addressed in part earlier in these recommendations under paragraphs 12.1 to 12.10.

458. Jacks Point Entities³³⁷ also sought to amend the average density of residential units in Residential Activity Areas in order to correct errors in the notified version of Density Rule 41.5.8.1.

459. Ms Jones' evidence provided a table comparing the respective maximum residential unit yield enabled in the various residential activity areas in the ODP and PDP, along with an estimate of the number of residential and visitor accommodation units that might be developed in the mixed-use villages and EIC and in the FP-1 and FP2 areas as originally notified. She estimated that a maximum of 5,277 residential unit equivalents were enabled by the PDP in the Jacks Point Zone as a whole, comprising 3,426 units in the residential areas, 36 residential units in the Homesites, 27 residential units in Homestead Bay residential areas, 17 residential units and 17 visitor accommodation units in the Farm Preserve areas, and 1,788 residential or visitor accommodation units in the villages and EIC areas. She qualified this by noting that the mix of development, such as visitor accommodation or residential, could vary significantly within Jacks Point Village.

³³⁵ Submission 383, supported by FS1275

³³⁶ Submissions by JPL and Submissions 601 and 765

³³⁷ Submission 856

460. From Ms Jones' analysis, she concluded that the apparently large differences in densities permitted in the Jacks Point Residential Activity Areas under the PDP compared with the ODP, were largely explained by the change from gross density to net density. Minor increases in the size of three of the residential activity areas also slightly contributed. As noted earlier, this was illustrated by the very small increase in total yield under the PDP as set out earlier in paragraph 12.10. She advised, the densities in the notified PDP were consistent with those approved under the Density Master Plan (RM160426).
461. Even for the Hanley Downs area, she explained that the densities expected are consistent with those contained in Plan Change 44, and no appeals on that plan change pertained to the issue of density.
462. By changing from an Activity Area-wide density provision of 10 - 12 dwellings per gross hectare in the ODP, greater certainty would be provided that a component of higher density would be achieved under the PDP, where a developer would be required to deliver a specified minimum yield (e.g. of at least 25/ha in R(HD-E)), thereby facilitating an element of higher density development and potentially greater affordability.
463. We broadly support the view that restricted discretionary activity subdivision and resource consent requirements for higher density and multi-unit development, in combination with minimum yield requirements for specified residential activity areas, provide an acceptable balance between the protection of amenity, and the provision of an adequate supply of housing units, and potentially housing affordability. We are also satisfied that the matters raised in submissions by various residents of the Jacks Point Residential Activity Areas have been addressed, and that upon closer analysis the rules will not allow a significant increase in density in these activity areas. Furthermore, a distinct difference between the intensity and nature of residential development between these areas and those residential activity areas in Hanley Downs will be maintained.
464. It is recommended that the submissions of Jacks Point Entities be accepted, and those of JPL, JPROA, and Tim & Paula Williams be rejected.
465. Rule 41.5.8.2 as notified provided an exception from the Activity Area density standards for single residential units on sites in a separate certificate of title. In response to QLDC's submission, Ms Jones explained that notified Rule 41.5.8.1 (renumbered 41.5.1.1) related to average density within each Residential Activity Area, and not to site density. On that basis notified Rule 41.5.8.2 was no longer relevant. We accept her recommendation that it be deleted. On this basis, the submission of QLDC and the submission in support by Jacks Point Entities are accepted in part.
466. A few minor matters came to our notice, which require correction. We have made these amendments as being in accordance with the requirements of Clause 16(2) of the First Schedule to the Act. These are as follows:
- a. Renumbered introductory Rule 41.4.1.1 relates to the permitted activity status of residential activities in the Residential Activity Areas. We have made a wording correction to make it clear that these rules provide that residential activities are permitted activities in all residential activity areas, unless specified otherwise.
 - b. Renumbered Rule 41.4.1.4e is a matter of discretion with respect to Education and Day Care facilities in the Residential Hanley Downs Activity Areas. The matter of discretion referred to consideration of 'outdoor living space' and has now been amended to say 'outdoor space'. This reflects the fact that these facilities do not have 'living' spaces in

the same context as residential units.

- c. Renumbered Rule 41.5.1.6 concerns building setbacks, and contains subclauses (i) and (ii). The first subclause states that *any* building may encroach into a setback, while the second provides that accessory buildings can encroach into the setback. We believe it is apparent that the first exception was only intended to apply to residential units, otherwise subclause (ii) is rendered redundant. It is commonplace for district plans to provide setback exceptions for residential units, but more generous setbacks for accessory buildings.
- d. Rule 41.5.2.1 specifies a maximum net floor area for a single commercial activity of 200 m² and includes an advice note that this excludes car parking. As there is a definition of net floor area in Part 2 of the PDP which specifically excludes car parking, the advice note is unnecessary.

14. ISSUE 8 – MISCELLANEOUS MATTERS

14.1 General support

- 467. Kain Fround³³⁸ generally supported the Jacks Point Zone provisions. Given that various amendments have been made to the objective, policies and rules applicable within the Jacks Point Zone in response to other submissions, we recommend that this submission be accepted in part.

14.2 Providing for a range of housing

- 468. JPL and Westenberg Family Trust³³⁹ (787) consider that the proposed provisions did not achieve the goal of providing a range of housing.

- 469. In the course of the hearing, we noted that a range of housing types, including medium to high density, traditional low density suburban housing, and a more limited number of low density rural residential and rural lifestyle housing sites, would be provided for under the policies and rules resulting from these recommendations. On that basis, we are satisfied that housing choice is provided for in the Jacks Point Zone, and recommend that these submissions be rejected.

- 470. Karen Page³⁴⁰ submitted that residential flats were not anticipated in Jacks Point and proposed that these should be excluded under the rules. Ms Jones contended that she found no evidence to support the submitter’s claim that flats have been excluded by covenants on titles. As to excluding flats, we consider that such a restriction would be inappropriate and amount to a form of ‘social engineering’ which would unreasonably constrain housing choice. While such a restriction may be perceived to serve a purpose of promoting greater exclusivity and status, it would not serve a legitimate resource management purpose. It is recommended that the submission point be rejected.

14.3 Non-notification rules

- 471. Jacks Point Entities³⁴¹ sought changes to the notification rule contained in the PDP (notified Rule 41.6.1) so that it stated ‘*notice may be served*’ instead of ‘*shall*’. Rule 41.6 as notified in the PDP was titled “Non—Notification of Applications”, and Rule 41.6.1 stated:

³³⁸ Submission 19

³³⁹ Submission 787, supported by FS1096, FS1108 and JPR, opposed by FS1219, FS1275, FS1277

³⁴⁰ Submission 316, opposed by FS1219

³⁴¹ Submission 762, supported by FS1277, opposed by FS1316

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

472. We were informed by Ms Jones that the various chapters in the PDP as notified variously use the words “shall” and “will”, and that the use of the word “may” was inconsistent with the wording used in other chapters of the PDP³⁴². She recommended retaining Rule 41.6 as notified for consistency purposes, and because she stated that the rule simply reflects the requirements of the Act. We agree with her and recommend the submission be rejected.

14.4 Design guidelines

473. QLDC³⁴³ sought to delete reference to design guidelines in the chapter. Karen Page³⁴⁴ sought to ensure Council approval for any changes to the design guidelines.

474. Design guidelines (non statutory) were referenced in the PDP under the introductory ‘Zone Purpose’ (41.1), and in relation to the Lodge Activity Area. As the reference in the Zone Purpose was to non-statutory guidelines and served a useful function, we agree with Ms Jones that reference to them should be retained.

475. In relation to the Lodge Activity Area, we have addressed this matter earlier under paragraphs 11.79–11.88. There we recommended that the reference to the design guidelines be removed on the basis that they are non-statutory in nature, and do not contribute to the effectiveness of the particular rule.

14.5 Drafting Issues

476. Three submissions³⁴⁵ sought to change the wording in the text relating to restricted discretionary activities from ‘to all of the following’ to ‘discretion is restricted to’. This was supported by FS1277 and opposed by FS1316.

477. We noted with other chapters, including the Business chapters (Hearing Stream 8) that the wording suggested by the submitter is in fact more appropriate and should be adopted consistently throughout the PDP. Accordingly we recommend that the submissions be accepted and the further submission in opposition rejected.

14.6 Effects on Residents and Neighbouring Properties

478. Several submissions³⁴⁶ sought a new rule that specifically referred to an assessment of effects on neighbouring properties of resource consent applications (an Assessment of Environmental Effects – AEE) being required, so that their views could be considered. This was supported by Jacks Point Residents, FS1108 and FS1096, and opposed by FS1275 and FS1219.xxx

479. While we can understand the sentiments behind this submission, the requirements for notification, and the content to be addressed in applications, are specifically spelt out in the Resource Management Act (those for an AEE are contained in Clause 2, Schedule 4 of the RMA). For this reason, we do not consider it appropriate to ‘qualify’ the provisions of the Act which already provide for effects on neighbours to be considered as part of the wider

³⁴² E.g. Rule 13.6.3 of the Wanaka Town Centre reply chapter

³⁴³ Submission 383, opposed by FS1275, FS1277

³⁴⁴ Submission 361

³⁴⁵ Submissions 567, 632 and 762

³⁴⁶ Submissions 185, 207, 603, 787 and JPL

environment, under both the notification and decision-making processes. Consequently, we consider that the amendments sought are not necessary and that the submissions be rejected, and the further submissions in opposition accepted.

14.7 Minor amendments to the Structure Plan

480. Jacks Point Entities³⁴⁷ sought minor amendments to the Structure Plan boundaries of the Jacks Point Village (JP) and R(JP-2A) Activity Areas.

481. We assume that the changes to the R(JP-2A) Activity Area relates to a 0.84 ha extension to that activity area referred to in Mr Ferguson's evidence³⁴⁸. Given the scale of the Structure Plan map, it is difficult to determine how this can best be illustrated.

482. We were uncertain what the 'minor change' to the Jacks Point Village (JP) Activity Area entailed, as the evidence before us related to the extension of this activity area to include the Education (E) Activity area, which is a much more substantial extension.

483. We recommend that the submission and further submission in support be accepted in part to the extent of the amendments made throughout this decision with respect to residential activity areas.

15. OVERALL RECOMMENDATIONS

484. For the reasons set out above, we recommend that:

- a. the Council adopt Chapter 41 in the form attached in Appendix 1, including the revised Structure Plan; and
- b. the Council accept, accept in part or reject the submissions and further submissions as set out in Appendix 2.

For the Hearing Panel



Denis Nugent, Chair

Date: 4 April 2018

³⁴⁷ Submission 762, supported by FS1277, opposed by FS1316, FS1346

³⁴⁸ C Ferguson, EiC, paragraphs 9.9 and 13.1

Appendix 1: Recommended Chapter 41

41 JACKS POINT



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:
- integration of activities;
 - landscape and amenity values;
 - road, open space and trail networks;
 - visibility from State Highway 6 and from Lake Wakatipu.
- 41.2.1.2** Provide public access from the State Highway to the lake foreshore and to facilitate increased use and enjoyment of the margin and waters of Lake Wakatipu.
- 41.2.1.3** Provide safe and efficient road access from State Highway 6.

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

Residential

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

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

Villages and Education

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

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

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

Open Space

- 41.2.1.21** 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.
- 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.
- 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.
- 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.

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	<i>Earthworks</i>	26	Historic Heritage	27	Subdivision
28	Natural Hazards	29	<i>Transport</i>	30	Energy and Utilities
31	<i>Signs</i>	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.
- 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)	P
	41.4.1.1 Residential activities – all Residential Activities Areas unless specified otherwise.	
	Residential State Highway Activity Areas R(SH)	P
	41.4.1.2 Residential activities and works for the visual mitigation of the effects of development as viewed from the State Highway	
	Rural Living (RL) Activity Area	C
	41.4.1.3 Residential activities. Control is reserved to: 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.	

Table 1	Activities Located in the Jacks Point Zone	Activity Status
	<p>Residential R(HD) Activity Areas</p> <p>41.4.1.4 Educational and Day Care Facilities.</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> a. the location and external appearance of buildings; b. setback from roads; c. setback from internal boundaries; d. traffic generation, access and parking; e. provision of outdoor space; f. street scene including landscaping; g. provision for walkways, cycle ways and pedestrian linkages; h. potential noise impacts; i. infrastructure and servicing, including traffic effects. 	C
	<p>Residential Activity Areas R(HD) A – E, R(HD-SH) 1, and R(HD-SH)-3</p> <p>41.4.1.5 Any residential activity which results in either:</p> <ul style="list-style-type: none"> a. three or more attached residential units; or b. a density of more than one residential unit per 380 m² of net site area. <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. external appearance; b. access and car parking; c. traffic generation effects; d. associated earthworks; e. landscaping; f. effects on adjacent sites that are not part of the medium density residential development being applied for; g. bulk and location; h. legal mechanisms proposed in relation to building bulk and location. 	RD

Table 1	Activities Located in the Jacks Point Zone	Activity Status
	<p>Residential R(JP) 1 - 3 and R(JP-SH) 4 Activity Areas</p> <p>41.4.1.6 Any residential activity which results in either:</p> <ul style="list-style-type: none"> a. three or more attached residential units; or b. a density of more than one residential unit per 380 m² of net site area. <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. external appearance; b. residential amenity values; c. access and car parking; d. associated earthworks.; e. landscaping; f. effects on adjacent sites that are not part of a medium density residential development subject to the application; g. bulk and location; h. legal mechanisms proposed in relation to building bulk and location. 	RD
	<p>Residential R(HD)A - D and R(SH-HD)1 - 3 Activity Areas</p> <p>41.4.1.7 Commercial activities and Community activities including the addition, alteration or construction of associated buildings.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. location, scale and external appearance of buildings; b. setback from roads; c. setback from internal boundaries; d. vehicle access, street layout and car parking; e. street scene including landscaping; f. enhancement of ecological and natural values; g. provision for walkways, cycle ways and pedestrian linkages; h. scale of the activity; i. noise; j. hours of operation. <p>Except that this rule shall not apply to:</p> <ul style="list-style-type: none"> a. a single residential unit on any site contained within a separate computer freehold register; b. residential units located on sites smaller than 380 m² created pursuant to subdivision rules 27.5.5 or 27.7.5.2. 	RD

Table 1	Activities Located in the Jacks Point Zone	Activity Status
	<p>Residential R(HD)- E Activity Area</p> <p>41.4.1.8 Commercial activities, community activities, and visitor accommodation including the addition, alteration or construction of associated buildings.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. location, scale and external appearance of buildings; b. setback from roads; c. setback from internal boundaries; d. traffic generation; e. vehicle access, street layout and car parking; 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	
	<p>Village Activity (V) and V(HB) Areas</p> <p>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.</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> a. the layout and orientation of built form, open spaces, roading pattern, car parking, and pedestrian and cycle access; b. the bulk, location and external appearance of buildings and associated including the creation of active frontages adjacent to roads and public spaces; c. the density and location of any proposed residential activity; d. the location of any proposed commercial and community activity; e. landscaping; f. streetscape design; g. the formulation of design controls in relation to buildings, open space, and streetscapes and an appropriate legal mechanism to ensure their implementation; h. the adequate provision of storage and loading/ servicing areas; i. traffic effects. 	C
	<p>Education (E) Activity Area</p> <p>41.4.2.2 Educational and Day Care Facilities.</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> a. location and external appearance of buildings; b. setback from roads; c. setback from internal boundaries; d. 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

Table 3	Activities Located in the Jacks Point Zone – Lodge Activity Area	Activity Status
41.4.3	Lodge (L) Activity Area	
	Lodge Activity Area (L)	
	41.4.3.1 Visitor accommodation activities, restaurants, and conference facilities.	D
	<p>Buildings</p> <p>41.4.3.2 Buildings (including the addition, alteration or construction of buildings). Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the external appearance of buildings with respect to the effect on visual and landscape values of the area; b. infrastructure and servicing; c. associated earthworks and landscaping; d. access and parking; e. bulk and location; f. exterior lighting. 	RD
	<p>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:</p> <ul style="list-style-type: none"> i. the tennis court surfaces are either dark green or grey in colour; and ii. any tennis court fencing is chain mesh or similar, and grey in colour. <p>Control is reserved to:</p> <ul style="list-style-type: none"> a. associated earthworks and landscaping; b. colour; c. fencing, including any glare resulting from the location and orientation of glass pool fencing. 	C
	41.4.3.4 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	
	<p>Open Space Golf (OSG) Activity Area</p> <p>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>	P
	<p>Open Space Golf (OSG) Activity Area, except within the Lake Shore Landscape Protection Area</p> <p>41.4.4.2 Any administrative offices and buildings ancillary to outdoor recreation activities.</p> <p>Control is reserved to:</p> <ol style="list-style-type: none"> a. the external appearance of buildings with respect to the effect on visual and landscape values of the area; b. the adequacy of Infrastructure and servicing; c. the effects of associated earthworks and landscaping; d. access and parking provision; e. the bulk and location of buildings; f. the effects of exterior lighting. 	C
	<p>Open Space Golf (OSG) Activity Area</p> <p>41.4.4.3 Any buildings within a Landscape Protection Area, or any buildings other than administrative offices and buildings ancillary to outdoor recreation activity; and any activities other than those specified under Rules 41.4.4.2 and 41.4.4.4.</p>	D
	<p>Open Space Golf (OSG) Activity Area</p> <p>41.4.4.4 The mining of rock and aggregate and/or gravel for use anywhere within the Jacks Point Zone.</p>	D
	<p>Open Space Landscape (OSL) Activity Area</p> <p>41.4.4.5 Pastoral and arable farming, endemic revegetation, and pedestrian and cycle trails.</p>	P
	<p>Open Space Landscape (OSL) Activity Area</p> <p>41.4.4.6 Any building within a Landscape Protection Area, or any building other than ancillary to farming activity.</p>	D
	<p>41.4.4.7 Any farm building other than within a Landscape Protection Area.</p> <p>Control is reserved to:</p> <ol style="list-style-type: none"> a. the external appearance of buildings with respect to the effect on visual and landscape values of the area; b. the adequacy of Infrastructure and servicing; c. the effects of associated earthworks and landscaping; d. access and parking provision; e. the bulk and location of buildings; f. the effects of exterior lighting. 	C

Table 4	Activities Located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Activity Status
	<p>Open Space Residential Amenity (OSA) Activity Area</p> <p>41.4.4.8 Any buildings within the Highway Landscape Protection Area.</p>	P
	<p>41.4.4.9 Recreation amenities, playgrounds, landscaping, pedestrian and cycle trails, lighting, stormwater retention, and underground services.</p>	P
	<p>Open Space Residential Amenity (OSA) Activity Area</p> <p>41.4.4.10 Any buildings ancillary to outdoor recreation activity.</p> <p>Control is reserved to:</p> <ol style="list-style-type: none"> a. the external appearance of buildings with respect to the effect on visual and landscape values of the area; b. the adequacy of Infrastructure and servicing; c. the effects of associated earthworks and landscaping; d. access and parking provision; e. the bulk and location of buildings; f. the effects of exterior lighting. 	C
	<p>Open Space Residential Amenity (OSA) Activity Area</p> <p>41.4.4.11 Any building other than those ancillary to outdoor recreation activity.</p>	D
	<p>Open Space – Horticultural (OSH) Activity Area</p> <p>41.4.4.12 Horticultural activities and accessory buildings and activities, and residential activities.</p>	D
	<p>Open Space – Residential (OSR) Activity Areas</p> <p>41.4.4.13 OSR South No more than 39 residential units.</p> <p>41.4.4.14 OSR North No more than 10 residential units.</p>	D

Table 4	Activities Located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Activity Status
	<p>Open Space Boating Facilities Activity Area OS (BFA)</p> <p>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.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> 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
	<p>Open Space Wetland (OSW) Activity Area</p> <p>41.4.4.16 Structures restricted to those necessary to develop pedestrian access (e.g. boardwalks), fences, or other structures relating to the protection and enhancement of biodiversity and ecological values.</p>	D
	<p>Homesite (HS) Activity Area</p> <p>41.4.4.17 No more than one residential building located within a Homesite (HS) Activity Area.</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> a. the external appearance of buildings with respect to the effect on visual and landscape values of the area; b. infrastructure and servicing; c. associated earthworks and 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. 	C
	<p>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:</p> <ul style="list-style-type: none"> i. the tennis court surfaces are either dark green or grey in colour; and ii. any tennis court fencing is chain mesh or similar, and grey in colour. <p>Control is reserved to:</p> <ul style="list-style-type: none"> a. associated earthworks and landscaping; b. colour; c. fencing, including any glare resulting from the location and orientation of glass pool fencing. 	C

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
	<p>Open Space Foreshore (OSF) Activity Area</p> <p>41.4.4.20 The regeneration of native endemic species and retention of open space</p>	P

Table 5	Activities Located in the Jacks Point Zone – Zone Wide Activities	Activity Status
41.4.5	Jacks Point Zone – Zone Wide Rules	
	<p>41.4.5.1 Sale of Liquor</p> <p>Premises licensed for the sale of liquor (including both off-licenses and on- licenses).</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. location; b. scale of the activity; c. residential amenity values; d. noise; e. hours of operation; f. car parking and vehicle generation. 	RD
	<p>41.4.5.2 State Highway Mitigation</p> <p>Mitigation works undertaken within the location shown on the Structure Plan.</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> a. the creation of a comprehensively designed landscape edge to the northern part of the zone within the OSA and R (HD – SH) 1 Activity Areas; b. mitigation of the visual impacts of potential buildings when viewed from State Highway 6 through earth contouring and vegetation (at maturity), within Activity Areas R(HD-SH) – 1 and R(HD-SH)- 2 and RHD-SH) 3; c. maintaining views across the zone to the mountains located against the western shores of Lake Wakatipu; d. appropriate plant species, height at planting and at maturity; and e. provision for on-going maintenance and ownership. 	C
	<p>41.4.5.3 Informal Airports</p> <ul style="list-style-type: none"> a. emergency landings, rescues, firefighting and activities ancillary to farming activities; b. informal Airports limited to the use of helicopters. 	P D
	<p>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.</p>	NC
	<p>41.4.5.5 Factory Farming</p>	NC
	<p>41.4.5.6 Forestry Activities</p> <p>All forestry activities, excluding harvesting of forestry which existed as at 31 August 2016.</p>	NC
	<p>41.4.5.7 Mining Activities</p> <p>With the exception of the mining of rock and/or aggregate and/or gravel provided for by Rule 41.4.4.4.</p>	NC
	<p>41.4.5.8 Industrial Activities</p>	NC

Table 5	Activities Located in the Jacks Point Zone – Zone Wide Activities	Activity Status
	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	<p>Density</p> <p>41.5.1.1 The average density of residential units within each of the Residential Activity Areas shall be as follows:</p> <table border="0"> <tr><td>R(JP) – 1</td><td>13 – 19 per Ha</td></tr> <tr><td>R(JP) – 2A</td><td>14 – 33 per Ha</td></tr> <tr><td>R(JP) – 2B</td><td>14 – 15 per Ha</td></tr> <tr><td>R(JP) – 3</td><td>14 per Ha</td></tr> <tr><td>R(JP-SH) – 1</td><td>10 per Ha</td></tr> <tr><td>R(JP-SH) – 2</td><td>9 per Ha</td></tr> <tr><td>R(JP-SH) – 3</td><td>5 – 27 per Ha</td></tr> <tr><td>R(JP-SH) – 4</td><td>5 – 12 per Ha</td></tr> <tr><td>R(HD-SH) – 1</td><td>12 – 22 per Ha</td></tr> <tr><td>R(HD-SH) – 2</td><td>2 – 10 per Ha</td></tr> <tr><td>R(HD) – A</td><td>17 – 26 per Ha</td></tr> <tr><td>R(HD) – B</td><td>17 – 26 per Ha</td></tr> <tr><td>R(HD) – C</td><td>15 -22 per Ha</td></tr> <tr><td>R(HD) – D</td><td>17 – 26 per Ha</td></tr> <tr><td>R(HD) – E</td><td>25 – 45 per Ha</td></tr> <tr><td>R(HD) – F</td><td>17 – 24 per Ha</td></tr> <tr><td>RL</td><td>2 per Ha</td></tr> </table> <p>Density shall be calculated on the net area of land available for development and excludes land vested or held as reserve, open space, public access routes or roading and excludes sites used for non-residential activities. Within the Residential Areas of Hanley Downs, if part of an Activity Area is to be developed or subdivided, compliance must be achieved within that part and measured cumulatively with any preceding subdivision or development which has occurred with that Activity Area. Within the Jacks Point Residential Activity Areas, density shall be calculated and applied to the net area of land across the whole Activity Area, as defined in 41.5.1.1 above.</p>	R(JP) – 1	13 – 19 per Ha	R(JP) – 2A	14 – 33 per Ha	R(JP) – 2B	14 – 15 per Ha	R(JP) – 3	14 per Ha	R(JP-SH) – 1	10 per Ha	R(JP-SH) – 2	9 per Ha	R(JP-SH) – 3	5 – 27 per Ha	R(JP-SH) – 4	5 – 12 per Ha	R(HD-SH) – 1	12 – 22 per Ha	R(HD-SH) – 2	2 – 10 per Ha	R(HD) – 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	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> residential amenity values; traffic, access, parking; adequacy of infrastructure.
R(JP) – 1	13 – 19 per Ha																																			
R(JP) – 2A	14 – 33 per Ha																																			
R(JP) – 2B	14 – 15 per Ha																																			
R(JP) – 3	14 per Ha																																			
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R(JP-SH) – 3	5 – 27 per Ha																																			
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R(HD-SH) – 2	2 – 10 per Ha																																			
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R(HD) – E	25 – 45 per Ha																																			
R(HD) – F	17 – 24 per Ha																																			
RL	2 per Ha																																			

Table 6	Standards for activities located in the Jacks Point Zone - Residential Activity Areas	Non-compliance Status
	<p>Building Height</p> <p>41.5.1.2 The maximum height of buildings shall be:</p> <ul style="list-style-type: none"> a. Residential (R) Activity Areas 8m b. Rural Living Activity Areas 5m c. All other buildings and structures 4m 	NC
	<p>41.5.1.3 Notwithstanding Rule 41.5.1.2, where</p> <ul style="list-style-type: none"> a. any medium density residential housing development has been consented under Rules 41.4.1.5 or 41.4.1.6; or b. on sites smaller than 380m² created by subdivision; <p>The maximum height of buildings may exceed the maximum height stated in Rule 41.5.1.2, up to a maximum of 3 storeys or 10m (whichever is lesser).</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. visual dominance; b. external appearance; c. the scale and extent of building portions that exceed three stories or 10m.
	<p>41.5.1.4 Recession Planes</p> <p>Within the R(HD) and R(HD-SH) Activity Areas:</p> <p>In addition to the maximum height of buildings specified under Rule 41.5.1.2, buildings shall comply with the following recession plane requirements:</p> <ul style="list-style-type: none"> a. No part of any building shall protrude through the following recession lines inclined towards the site at an angle of 45° and commencing at 2.5m above ground level at any given point along any internal site boundary. <ul style="list-style-type: none"> 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; <p>Except that within the Residential Hanley Downs (R (HD)) Activity areas, this rule shall not apply:</p> <ul style="list-style-type: none"> I. Sites smaller than 380m² created by subdivision; II. A medium density residential development consented under Rule 41.4.1.5; b. Application of recession line rules – clarification: <ul style="list-style-type: none"> 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. <p>Advice Note: Refer to Definitions for detail of the interpretation of recession planes.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. privacy effects; b. access to sunlight and the impacts of shading; c. effects upon access to views of significance; d. visual dominance and external appearance.

Table 6	Standards for activities located in the Jacks Point Zone - Residential Activity Areas	Non-compliance Status
	<p>41.5.1.5 Building Coverage</p> <p>a. on any site within the R(JP), R(JP-SH) Activity Areas, buildings shall not exceed a maximum site coverage of 45%; and</p> <p>b. (on any site within the R(HD) and R(HD-SH) Activity Areas, buildings shall not exceed a maximum site coverage of 50%.</p> <p>Except that:</p> <p>Residential activity in the R(JP), R(JP-SH), R(HD), and R(HD-SH) Activity Areas consented under Rule 41.4.6 (medium density residential development) or under Rule 27.7.5.2 or 27.5.5, shall not exceed a maximum site coverage of 60%.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. urban design;</p> <p>b. effects on amenity values for neighbours;</p> <p>c. the character of the Activity Area;</p> <p>d. stormwater management.</p>
	<p>Building Setbacks</p> <p>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:</p> <p>a. two setbacks of 4.5m, with all remaining setbacks of 2m; or</p> <p>b. one setback of 6m, one setback of 3.5m and all other setbacks of 2m;</p> <p>Except that:</p> <p>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;</p> <p>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;</p> <p>iii. no setbacks are required when buildings share a common wall at the boundary.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. bulk, height and proximity of the building façade to the boundary;</p> <p>b. the impact on neighbours' amenity values;</p> <p>c. loss of daylight;</p> <p>d. access to sunlight.</p>
	<p>41.5.1.7</p> <p>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.</p> <p>b. No setbacks are required when buildings share a common wall at the boundary.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. bulk, height and proximity of the building façade to the boundary;</p> <p>b. the impact on neighbours' amenity values;</p> <p>c. shading and access to sunlight.</p>
	<p>Retail Activities</p> <p>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.</p>	<p>NC</p>
	<p>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.</p>	<p>NC</p>

Table 6	Standards for activities located in the Jacks Point Zone - Residential Activity Areas	Non-compliance Status
	<p>State Highway Noise</p> <p>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 performance standards for noise from traffic on the State Highway that will not exceed 35dBA Leq(24 hour) in bedrooms and 40 dBA (Leq (24 hour) for other habitable rooms in accordance with the satisfactory sound levels recommended by Australian and New Zealand Standard AS/NZ2107:2000 Acoustics Recommended design sound levels and reverberation times for building interiors.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. residents' health and residential amenity.</p>
	<p>Planting – Jacks Point Residential Activity Areas</p> <p>41.5.1.11 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.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. any effects on nature conservation values;</p> <p>b. effects on landscape character and visual amenity.</p>

Table 7	Standards for activities located in the Jacks Point Zone – Village and Education Activity Areas	Non-compliance Status
41.5.2	Village and Education Activity Areas	
	<p>Scale of Commercial Activity</p> <p>41.5.2.1 The maximum net floor area for any single commercial activity (as defined in chapter 2) shall be 200m².</p> <p>For the purpose of Rule 41.5.2.1, commercial activities are as defined in Chapter 2, but excludes markets, showrooms, professional, commercial and administrative offices, service stations, and motor vehicle sales.</p>	D
	<p>Building Coverage</p> <p>41.5.2.2 On any site within the (E) Activity Area, buildings shall not exceed a maximum site coverage of 45%.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. urban design;</p> <p>b. effects on amenity values for neighbours (particularly in adjoining residential activity areas) and the character of the (E) Activity Area;</p> <p>b. stormwater management.</p>

Table 7	Standards for activities located in the Jacks Point Zone – Village and Education Activity Areas	Non-compliance Status
	<p>41.5.2.3 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%.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. urban design; b. effects on amenity values for neighbours and the character of the Activity Area; c. stormwater management.
	<p>Building Height</p> <p>41.5.2.4 The maximum height of buildings shall be:</p> <ul style="list-style-type: none"> a. Homestead Bay Village (V-HB) Activity Area 10m b. Jacks Point Village (V-JP) Activity Area 12m and comprising no more than 3 storeys c. Education Precinct (E) Activity Area 10m d. all other buildings and structures 4m 	<p>NC</p>
	<p>Residential Units</p> <p>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</p>	<p>NC</p>

Table 8	Standards for activities located in the Jacks Point Zone – Lodge Activity Area	Non-compliance Status
41.5.3	Lodge Activity Area	
	<p>Building Setback</p> <p>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.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> 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.
	<p>Building Height</p> <p>45.5.3.2 In the Lodge (L) Activity Area, the maximum height of any building shall be 7.5m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. visual dominance; b. external appearance; c. the scale and extent of the portions that exceed 5m.

Table 9	Standards for activities located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Non-compliance Status
41.5.4	Open Space (OS) and Homesite (HS) Activity Areas	
	<p>Boundaries of Open Space Activity Areas</p> <p>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.</p>	D
	<p>Open Space - Subdivision</p> <p>41.5.4.2 Within any open space area created by subdivision, in accordance with (Rules 41.5.4.1 and 27.7.5.1), there shall be no building.</p>	D
	<p>Building Coverage – Homesite (HS) Activity Area</p> <p>41.5.4.3 Within any Homesite (HS) Activity Area, buildings shall not exceed a total building footprint of 1,000m² within each homesite.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the external appearance of buildings with respect to the effect on visual and landscape values of the area; b. associated earthworks and landscaping; c. bulk and location; d. visibility of the building from State Highway 6 and Lake Wakatipu.

Table 9	Standards for activities located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Non-compliance Status																																																																												
	<p>Building height relative to ground level – Homesite (HS) Activity Area</p> <p>45.5.4.4 The maximum height for any building shall be 5m above the datum level specified for each Homesite, as follows:</p> <table border="1" data-bbox="443 341 1317 1082"> <thead> <tr> <th>Homesite</th> <th>Datum (mas)</th> <th>Homesite</th> <th>Datum (mas)</th> </tr> </thead> <tbody> <tr><td>HS1</td><td>372.0</td><td>HS19</td><td>372.0</td></tr> <tr><td>HS2</td><td>381.0</td><td>HS20</td><td>377.2</td></tr> <tr><td>HS3</td><td>381.0</td><td>HS21</td><td>372.5</td></tr> <tr><td>HS4</td><td>377.0</td><td>HS22</td><td>374.0</td></tr> <tr><td>HS5</td><td>388.0</td><td>HS23</td><td>371.5</td></tr> <tr><td>HS6</td><td>382.0</td><td>HS24</td><td>372.4</td></tr> <tr><td>HS7</td><td>379.0</td><td>HS25</td><td>373.0</td></tr> <tr><td>HS8</td><td>386.5</td><td>HS26</td><td>378.1</td></tr> <tr><td>HS9</td><td>389.0</td><td>HS27</td><td>388.0</td></tr> <tr><td>HS10</td><td>395.0</td><td>HS28</td><td>392.6</td></tr> <tr><td>HS11</td><td>396.0</td><td>HS29</td><td>385.5</td></tr> <tr><td>HS12</td><td>393.0</td><td>HS30</td><td>395.9</td></tr> <tr><td>HS13</td><td>399.0</td><td>HS31</td><td>393.7</td></tr> <tr><td>HS14</td><td>403.0</td><td>HS32</td><td>384.8</td></tr> <tr><td>HS15</td><td>404.0</td><td>HS33</td><td>385.8</td></tr> <tr><td>HS16</td><td>399.5</td><td>HS34</td><td>399.0</td></tr> <tr><td>HS17</td><td>394.5</td><td>HS35</td><td>405.0</td></tr> <tr><td>HS18</td><td>392.5</td><td></td><td></td></tr> </tbody> </table>	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			NC
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	<p>Revegetation – Homesite (HS) Activity Area</p> <p>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.</p>	D																																																																												

Table 9	Standards for activities located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Non-compliance Status
	<p>Building Height</p> <p>41.5.4.6 The maximum height of buildings shall be:</p> <ul style="list-style-type: none"> a. Homesite Activity Area 5 m b. all other buildings and structures 4 m 	NC
	<p>Residential Units</p> <p>41.5.4.7 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.</p>	NC
	<p>Standards for Building</p> <p>41.5.4.8 Within the Open Space - Horticultural (OSH) Activity Area:</p> <ul style="list-style-type: none"> a. there shall be no more than 15 building platforms; b. those 15 building platforms referred to in (a) above are confined to 3 or 4 clusters; and c. no building is to be erected prior to the horticultural activity being planted. 	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the external appearance of buildings with respect to the effect on visual and landscape values of the area; b. associated earthworks and landscaping;c. bulk and location; d. visibility of the building from State Highway 6 and Lake Wakatipu.
	<p>Farm buildings within the Open Space Landscape (OSL) Protection Activity Area</p> <p>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:</p> <ul style="list-style-type: none"> a. the landholding the farm building shall be located within is greater than 100 ha; and b. the density of all buildings on the landholding site, inclusive of the proposed building(s) does not exceed one farm building per 50 hectares on the site; and 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. 	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the extent to which the scale and location of the farm building is appropriate in terms of: <ul style="list-style-type: none"> i. rural amenity values; ii. landscape character; iii. privacy, outlook, and rural amenity from adjoining properties; 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
	<p>Planting and Cultivation – Landscape Protection and Tablelands Areas</p> <p>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.</p>	D
	<p>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).</p>	D
	<p>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).</p>	D
	<p>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:</p> <ul style="list-style-type: none"> a. grass species if local and characteristic of the area; and b. other vegetation if it is: <ul style="list-style-type: none"> i. less than 0.5 metres in height; and ii. less than 20 square metres in area; and within 10 metres of a building; and iii. intended for domestic consumption. 	D
	<p>41.5.4.14 Within the OSR Activity Area, at least 50% of any site shall be planted in native vegetation, prior to building.</p>	RD Discretion is restricted to any effects on nature conservation values.
	<p>Open Space Wetlands (OSW) Activity Area</p> <p>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.</p>	NC
	<p>Fencing</p> <p>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.</p>	D

Table 9	Standards for activities located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Non-compliance Status
	<p>Temporary and Permanent Storage of Vehicles</p> <p>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:</p> <ol style="list-style-type: none"> motor vehicles, trailers, caravans, boats or similar objects; storage containers, workshops, offices, sheds, huts or similar structures (other than public toilets and shelter); and scaffolding or similar construction materials. <p>Except for temporary filming towers erected during an event and for no more than 7 days either side of an event.</p>	NC

Table 10	Standards for activities located in the Jacks Point Zone – Zone Wide Standards	Non-compliance Status
41.5.5	General Zone Wide Standards	
	<p>Structure Plan</p> <p>41.5.5.1 Development shall be undertaken in general accordance with the Structure Plan in Part 41.7. For the purposes of interpreting this rule, the following shall apply:</p> <ol style="list-style-type: none"> 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; Public Access Routes and Secondary Roads may be otherwise located and follow different alignments provided that any such alignment enables a similar journey; 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
	<p>Setbacks from the zone boundary</p> <p>41.5.5.2 Buildings or structures shall be set back a minimum of 20m from the zone boundary, except this rule shall not apply to the Boating Facilities (BFA) Activity Area.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> bulk, height and proximity of the building facade to the boundary; the impact on neighbours amenity values; shading and access to sunlight.

Table 10	Standards for activities located in the Jacks Point Zone – Zone Wide Standards	Non-compliance Status
	<p>Access to the State Highway</p> <p>41.5.5.3 Access from State Highway 6 shall be only at the intersections at Maori Jack Road, and Woolshed Road and in a third location as approved by RM160562, as shown on the Structure Plan.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. the safe and efficient functioning of the road network.</p>
	<p>41.5.5.4 The scale of use of the Woolshed Road access shall not increase until an amended design for that road’s intersection with State Highway 6 has been upgraded, completed and available for use, except as provided for through the approval of a Traffic Management Plan by the NZ Transport Agency (refer Advisory Note below).</p> <p>Advice Notes:</p> <p>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;</p> <p>b. the upgrade of the intersection of Woolshed Road and State Highway 6 will require approval from the NZ Transport Agency.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. the safe and efficient functioning of the road network.</p>
	<p>Building Colours</p> <p>41.5.5.5 Any building shall result in:</p> <p>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% ;</p> <p>b. roof colours with a light reflectance value of 20% or less, and in the range of browns, greys and black.</p>	<p>D</p>
	<p>Glare</p> <p>41.5.5.6 All fixed lighting shall be directed away from adjacent roads and properties.</p>	<p>NC</p>
	<p>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.</p>	<p>NC</p>
	<p>Outside storage and non-residential activities</p> <p>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.</p>	<p>NC</p>
	<p>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.</p> <p>Except within the Village Activity Areas, where outside storage and activities are permitted.</p>	<p>NC</p>

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

41.6

Rules - Non-Notification of Applications

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

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

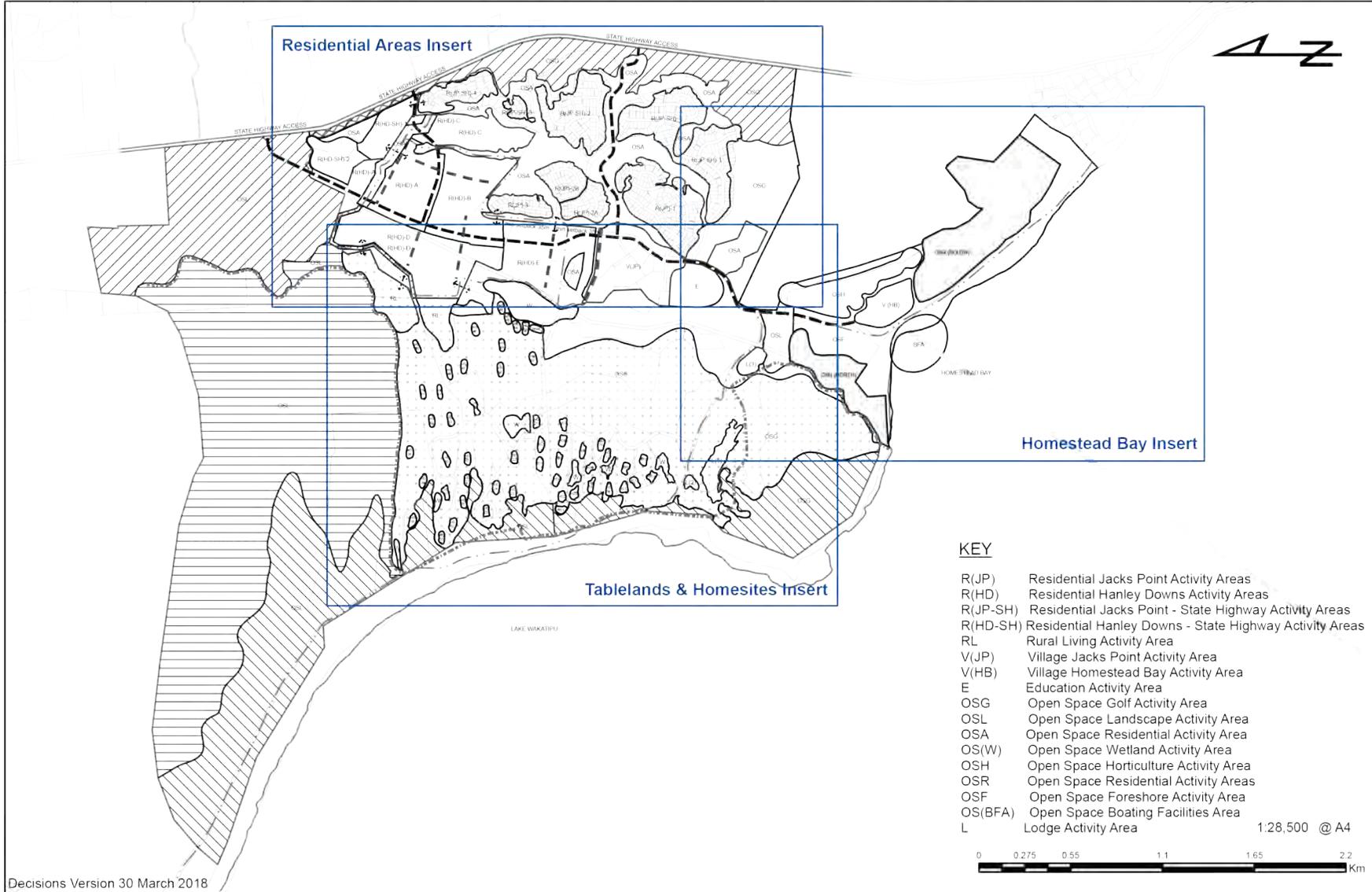
-  Highway Landscape Protection Area
-  Peninsula Hill Landscape Protection Area
-  Lake Shore Landscape Protection Area
-  Tablelands Landscape Protection Area

KEY

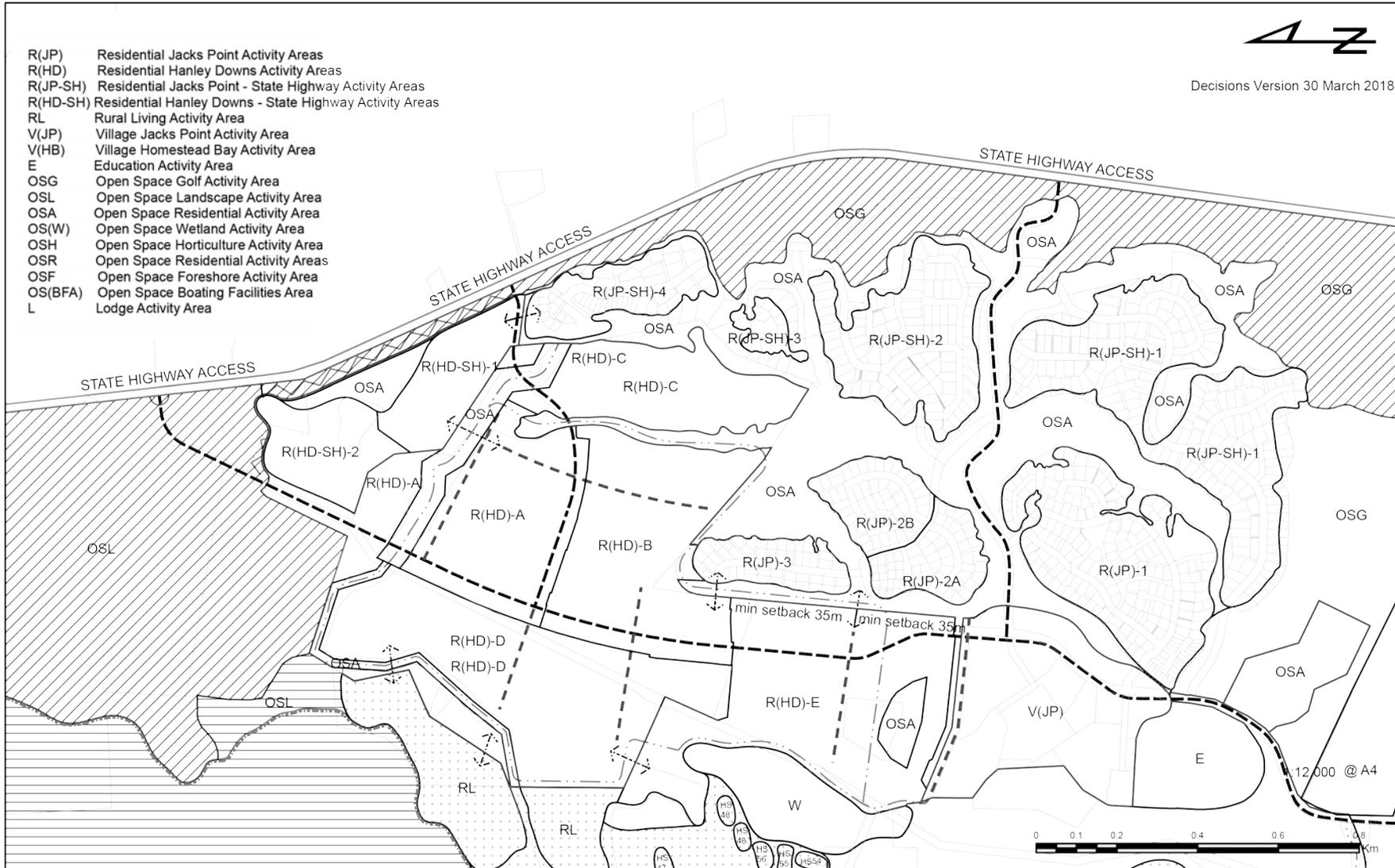
- R(JP) Residential Jacks Point Activity Areas
- R(HD) Residential Hanley Downs Activity Areas
- R(JP-SH) Residential Jacks Point - State Highway Activity Areas
- R(HD-SH) Residential Hanley Downs - State Highway Activity Areas
- RL Rural Living Activity Area
- V(JP) Village Jacks Point Activity Area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

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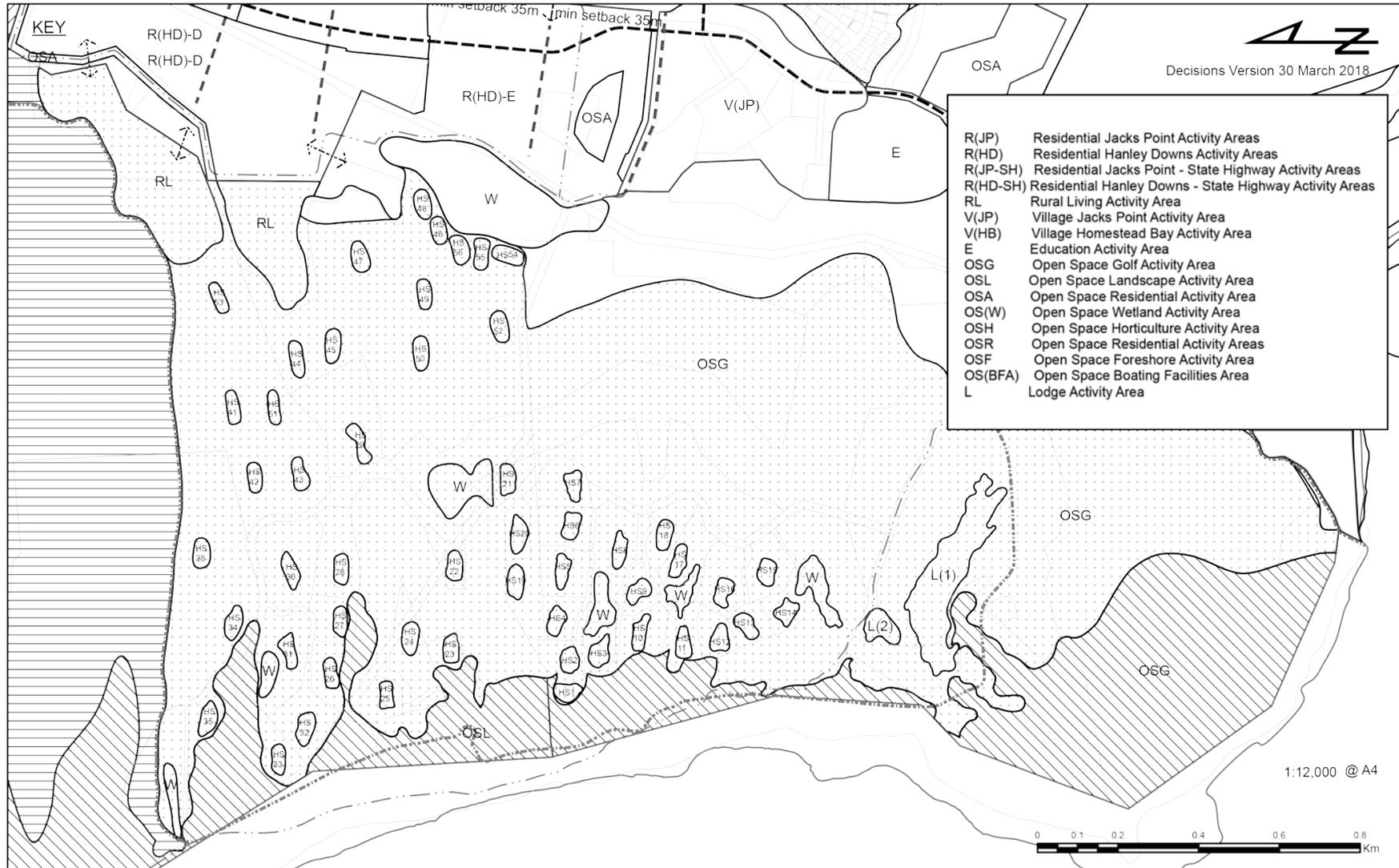
Jacks Point Resort Zone Structure Plan



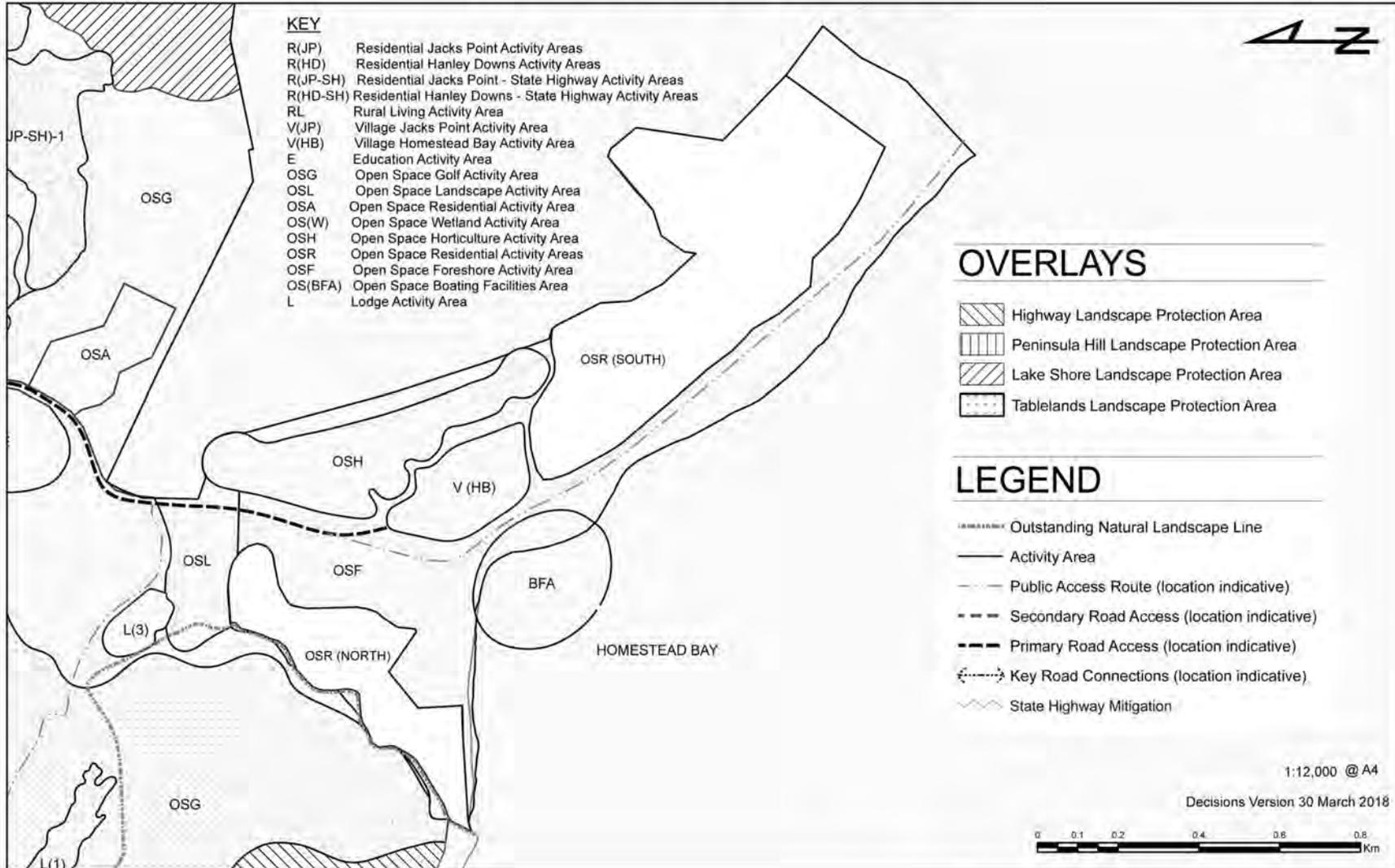
Jacks Point Resort Zone Structure Plan Residential Areas Insert



Jacks Point Resort Zone Structure Plan Tablelands & Homesites Insert



Jacks Point Resort Zone Structure Plan Homestead Bay Insert



41.8

Jacks Point Plant List

Trees

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

Shrubs

Botanical Name	Common Name	Sun	Mid Sun	Shade	Moist	Dry	Sheltered	Exposed
<i>Aristotelia fruticosa</i>	Mountain wineberry	x			x			x
<i>Carmichaelia petriei</i>	NZ broom	x	x	x	x			x
<i>Coprosma crassifolia</i>	NZ Coprosma	x	x		x	x		x
<i>Coprosma lucida</i>	Shining Karamu		x	x	x	x		x
<i>Coprosma propinqua</i>	Mingimingi	x			x	x		x
<i>Coprosma rugosa</i>	Needle-leaved Mt Coprosma	x	x		x	x		x
<i>Corokia cotoneaster</i>	Korokia	x	x		x	x		x
<i>Cyathodes juniperina</i>	Mingimingi	x	x			x		x
<i>Discaria toumatou</i>	Matagouri	x			x	x		x
<i>Dracophyllum longifolium</i>	Inaka	x	x			x		x
<i>Dracophyllum uniflorum</i>	Turpentine shrub	x	x		x			x
<i>Gaultheria antipoda</i>	Tall snowberry	x		x	x	x	x	
<i>Hebe cupressoides</i>	Cypress Hebe	x				x		x
<i>Hebe odora</i>		x			x			x
<i>Hebe rakaiensis</i>		x			x	x		x
<i>Hebe salicifolia</i>	South Island Koromiko	x			x			x
<i>Hebe subalpina</i>		x			x	x		x
<i>Leptospermum scoparium</i>	Manuka	x	x		x	x		x
<i>Melicytus alpinus</i>	Porcupine shrub	x	x		x	x		x
<i>Myrsine divaricata</i>	Weeping mapou	x	x		x	x		x
<i>Olearia arborescens</i>	Southern Tree Daisy	x	x		x	x		x
<i>Olearia avicenniifolia</i>	Tree Daisy	x				x		x
<i>Olearia bullata</i>		x			x	x		x
<i>Olearia cymbifolia</i>		x	x		x	x		x
<i>Olearia fragrantissima</i>		x				x	x	
<i>Olearia hectori</i>		x			x	x		x
<i>Olearia lineata</i>	Tree Daisy	x	x		x	x		x
<i>Olearia nummulariafolia</i>	Tree Daisy	x				x		x
<i>Olearia odorata</i>	Tree Daisy	x			x		x	
<i>Ozothamnus sp.</i>	Cottonwood	x			x	x		x
<i>Pimelea aridula</i>	NZ daphne	x			x	x		x
<i>Pseudopanax colensoi</i> var. <i>ternatus</i>	Mountain three finger		x	x	x	x		x

Grasses

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

Appendix 2: Recommendations on Submissions and Further Submissions

Part A: Submissions

Submission Number	Submitter	Commissioners' Recommendation	Reference in Report
19.19	Kain Fround	Accept in Part	14.1
131.1	Joanna & Simon Taverner	Accept in Part	8
131.1	Joanna & Simon Taverner	Accept	10.1
131.11	Joanna & Simon Taverner	Accept	13.1 and 13.2
131.12	Joanna & Simon Taverner	Reject	11
131.13	Joanna & Simon Taverner	Reject	14.6
131.14	Joanna & Simon Taverner	Reject	14.6
131.15	Joanna & Simon Taverner	Accept in Part	7,8
131.16	Joanna & Simon Taverner	Accept in Part	13.1,13.2
131.2	Joanna & Simon Taverner	Accept in Part	9.2-9.4
131.3	Joanna & Simon Taverner	Accept in Part	13.1 – 13.3
131.4	Joanna & Simon Taverner	Accept in Part	12.1-12.4
131.5	Joanna & Simon Taverner	Accept in Part	12.2,12.4
131.6	Joanna & Simon Taverner	Accept in Part	12.1-12.4
131.7	Joanna & Simon Taverner	Accept in Part	13
131.8	Joanna & Simon Taverner	Accept	7
131.9	Joanna & Simon Taverner	Accept in Part	13.1,13.2
185.1	James & Elisabeth Ford	Accept in Part	9
185.2	James & Elisabeth Ford	Reject	14.6
195.1	Alexander Schrantz	Accept in Part	12.2-12.4
203.1	Karen Hansen	Reject	6.1
207.1	Julie & William Jamieson	Accept in Part	8
207.2	Julie & William Jamieson	Reject	14.6
246.1	Amy Bayliss	Reject	8
246.1	Amy Bayliss	Accept	10.1
246.11	Amy Bayliss	Accept	13.1, 13.2 and 14.2
246.12	Amy Bayliss	Reject	11
246.13	Amy Bayliss	Reject	14.6
246.14	Amy Bayliss	Reject	14.6
246.15	Amy Bayliss	Accept in Part	9
246.16	Amy Bayliss	Accept in Part	13
246.2	Amy Bayliss	Accept in Part	9.2-9.4
246.3	Amy Bayliss	Accept in Part	13.1 – 13.3
246.4	Amy Bayliss	Accept in Part	12.1-12.4
246.5	Amy Bayliss	Accept in Part	12.2,12.4
246.6	Amy Bayliss	Accept	12.1-12.4
246.7	Amy Bayliss	Accept in Part	13
246.8	Amy Bayliss	Accept in Part	7
246.9	Amy Bayliss	Accept in Part	13.1,13.2
259.1	Duncan & Sheena Ashford & Ashford-Tait	Reject	8
259.1	Duncan & Sheena Ashford & Ashford-Tait	Accept	10.1

Submission Number	Submitter	Commissioners' Recommendation	Reference in Report
259.11	Duncan & Sheena Ashford & Ashford-Tait	Accept in Part	13.1, 13.2 and 14.2
259.12	Duncan & Sheena Ashford & Ashford-Tait	Reject	11
259.13	Duncan & Sheena Ashford & Ashford-Tait	Reject	14.6
259.14	Duncan & Sheena Ashford & Ashford-Tait	Reject	14.6
259.15	Duncan & Sheena Ashford & Ashford-Tait	Accept in Part	8
259.16	Duncan & Sheena Ashford & Ashford-Tait	Accept in Part	10,13
259.2	Duncan & Sheena Ashford & Ashford-Tait	Accept in Part	9.2-9.4
259.3	Duncan & Sheena Ashford & Ashford-Tait	Accept in Part	13.1 – 13.3
259.4	Duncan & Sheena Ashford & Ashford-Tait	Accept in Part	12.1-12.4
259.5	Duncan & Sheena Ashford & Ashford-Tait	Accept in Part	12.2,12.4
259.6	Duncan & Sheena Ashford & Ashford-Tait	Accept	12.1-12.4
259.7	Duncan & Sheena Ashford & Ashford-Tait	Accept in Part	13
259.8	Duncan & Sheena Ashford & Ashford-Tait	Accept	7
259.9	Duncan & Sheena Ashford & Ashford-Tait	Accept in Part	13.1,13.2
284.1	Maria & Matthew Thomson	Reject	7
284.1	Maria & Matthew Thomson	Accept	10.1
284.11	Maria & Matthew Thomson	Accept in Part	13.1, 13.2 and 14.2
284.12	Maria & Matthew Thomson	Reject	11
284.13	Maria & Matthew Thomson	Reject	14.6
284.14	Maria & Matthew Thomson	Reject	14.6
284.15	Maria & Matthew Thomson	Accept in Part	7
284.16	Maria & Matthew Thomson	Accept in Part	13
284.2	Maria & Matthew Thomson	Accept in Part	9.2-9.4
284.3	Maria & Matthew Thomson	Accept in Part	13.1 – 13.3
284.4	Maria & Matthew Thomson	Accept in Part	12.1-12.4
284.5	Maria & Matthew Thomson	Accept in Part	12.2,12.4
284.6	Maria & Matthew Thomson	Accept	12.1-12.4
284.7	Maria & Matthew Thomson	Accept in Part	13
284.8	Maria & Matthew Thomson	Accept	7
284.9	Maria & Matthew Thomson	Accept in Part	13.1,13.2
316.1	Karen Page	Reject	13.1 and 13.2
316.1	Karen Page	Accept in Part	13.1,13.2
316.11	Karen Page	Accept	10.1

Submission Number	Submitter	Commissioners' Recommendation	Reference in Report
316.12	Karen Page	Accept in Part	13.1, 13.2 and 14.2
316.13	Karen Page	Reject	11
316.14	Karen Page	Reject	14.6
316.15	Karen Page	Reject	14.6
316.16	Karen Page	Accept in Part	7
316.17	Karen Page	Accept in Part	10,13
316.2	Karen Page	Reject	7
316.3	Karen Page	Accept in Part	9.2-9.4
316.4	Karen Page	Accept in Part	13.1 – 13.3
316.5	Karen Page	Accept in Part	12.1-12.4
316.6	Karen Page	Accept in Part	12.2,12.4
316.7	Karen Page	Accept	12.1-12.4
316.8	Karen Page	Accept in Part	13
316.9	Karen Page	Accept	7
342.1	Scope Resources Ltd & Southern Beaver Ltd	Accept in Part	10,12,13
342.2	Scope Resources Ltd & Southern Beaver Ltd	Accept in Part	6.1,6.2,12.2
342.3	Scope Resources Ltd & Southern Beaver Ltd	Reject	11
383.73	Queenstown Lakes District Council	Accept in Part	13.1,13.2
383.74	Queenstown Lakes District Council	Accept in Part	13.1
383.75	Queenstown Lakes District Council	Accept in Part	13.1,13.2
383.76	Queenstown Lakes District Council	Accept	13.5
383.77	Queenstown Lakes District Council	Reject	12.1
524.5	Ministry of Education	Accept in Part	10
524.51	Ministry of Education	Accept in Part	9.2-9.4
524.52	Ministry of Education	Accept in Part	9.2-9.4)
540.1	Clive and Sally Geddes	Accept in Part	8
540.2	Clive and Sally Geddes	Accept in Part	12,13
540.3	Clive and Sally Geddes	Reject	9.4
540.4	Clive and Sally Geddes	Accept in Part	8
547.1	J M Smith, Bravo Trustee Company	Accept in Part	8,13.1
547.1	J M Smith, Bravo Trustee Company	Accept	7,13.1 and 13.2
547.2	J M Smith, Bravo Trustee Company	Accept in Part	13
547.3	J M Smith, Bravo Trustee Company	Accept	13.1,13.2 and 14.2
547.4	J M Smith, Bravo Trustee Company	Reject	8,13.1and 13.2
547.5	J M Smith, Bravo Trustee Company	Accept in Part	9.2-9.4
547.6	J M Smith, Bravo Trustee Company	Accept in Part	10,13
547.7	J M Smith, Bravo Trustee Company	Accept in Part	12.1-12.4
547.8	J M Smith, Bravo Trustee Company	Accept in Part	10,12,13
547.9	J M Smith, Bravo Trustee Company Limited & S A Freeman	Reject	11.1
567.1	Wild Grass Partnership, Wild Grass Investments No 1 Limited & Horizons Investment Trust	Accept in Part	12.6

Submission Number	Submitter	Commissioners' Recommendation	Reference in Report
567.11	Wild Grass Partnership, Wild Grass Investments No 1 Limited & Horizons Investment Trust	Reject	12.6
567.2	Wild Grass Partnership, Wild Grass Investments No 1 Limited & Horizons Investment Trust	Accept in Part	12.6
567.2	Wild Grass Partnership, Wild Grass Investments No 1 Limited & Horizons Investment Trust	Accept	12.6
567.3	Wild Grass Partnership, Wild Grass Investments No 1 Limited & Horizons	Reject	12.6
567.4	Wild Grass Partnership, Wild Grass Investments No 1 Limited & Horizons Investment Trust	Accept in Part	9.2-9.4
567.5	Wild Grass Partnership, Wild Grass Investments No 1 Limited & Horizons Investment Trust	Accept in Part	9.2-9.4
567.6	Wild Grass Partnership, Wild Grass Investments No 1 Limited & Horizons Investment Trust	Reject	12.6
567.7	Wild Grass Partnership, Wild Grass Investments No 1 Limited & Horizons Investment Trust	Accept in Part	12.6
567.8	Wild Grass Partnership, Wild Grass Investments No 1 Limited & Horizons Investment Trust	Accept	12.6
567.9	Wild Grass Partnership, Wild Grass Investments No 1 Limited & Horizons Investment Trust	Accept in Part	12.6
576.1	Neville Andrews	Reject	8
576.1	Neville Andrews	Accept	10.1
576.11	Neville Andrews	Accept in Part	13.1, 13.2 and 14.2
576.12	Neville Andrews	Reject	11
576.13	Neville Andrews	Reject	14.6
576.14	Neville Andrews	Reject	14.6
576.15	Neville Andrews	Accept in Part	8
576.16	Neville Andrews	Accept in Part	13
576.2	Neville Andrews	Accept in Part	9.4-9.4
576.3	Neville Andrews	Accept in Part	13.1 – 13.3
576.4	Neville Andrews	Accept in Part	12.1-12.4
576.5	Neville Andrews	Accept in Part	12.2,12.4
576.6	Neville Andrews	Accept	12.1-12.4
576.7	Neville Andrews	Accept in Part	13
576.8	Neville Andrews	Accept	7
576.9	Neville Andrews	Accept in Part	13.1,13.2
582.1	Tony & Bev Moran	Reject	8
582.1	Tony & Bev Moran	Accept	10.1

Submission Number	Submitter	Commissioners' Recommendation	Reference in Report
582.11	Tony & Bev Moran	Accept in Part	13.1, 13.2 and 14.2
582.12	Tony & Bev Moran	Reject	11
582.13	Tony & Bev Moran	Reject	13
582.14	Tony & Bev Moran	Reject	14.6
582.15	Tony & Bev Moran	Accept in Part	7,8.
582.16	Tony & Bev Moran	Accept in Part	13
582.2	Tony & Bev Moran	Accept in Part	9.2-9.4
582.3	Tony & Bev Moran	Accept in Part	13.1 – 13.3
582.4	Tony & Bev Moran	Accept in Part	12.1-12.4
582.5	Tony & Bev Moran	Accept in Part	12.2,12.4
582.6	Tony & Bev Moran	Accept	12.1-12.4
582.7	Tony & Bev Moran	Accept in Part	13
582.8	Tony & Bev Moran	Accept	7
582.9	Tony & Bev Moran	Accept in Part	13.1,13.2
601.1	Tim & Paula Williams	Accept in Part	13.1,13.2
601.2	Tim & Paula Williams	Accept in Part	9.2-9.4
601.3	Tim & Paula Williams	Accept in Part	13
601.4	Tim & Paula Williams	Accept in Part	13
601.5	Tim & Paula Williams	Accept in Part	13.1 – 13.3
601.6	Tim & Paula Williams	Accept in Part	6.2, 8,12.2
603.1	Alpine Trust	Accept in Part	8
603.2	Alpine Trust	Reject	14.6
605.1	Margaret Joan Williams	Accept in Part	8
605.2	Margaret Joans Williams	Accept in Part	8
605.3	Margaret Joans Williams	Reject	9.4
632.69	RCL Queenstown Pty Ltd, RCL Henley Downs Ltd, RCL Jacks	Reject	9.1
632.7	RCL Queenstown Pty Ltd, RCL Henley Downs Ltd, RCL Jacks	Accept	9.4,13.4 and 13.5
632.71	RCL Queenstown Pty Ltd, RCL Henley Downs Ltd, RCL Jacks	Reject	10.5
632.72	RCL Queenstown Pty Ltd, RCL Henley Downs Ltd, RCL Jacks	Accept in Part	13.5
632.73	RCL Queenstown Pty Ltd, RCL Henley Downs Ltd, RCL Jacks	Reject	10.5
632.74	RCL Queenstown Pty Ltd, RCL Henley Downs Ltd, RCL Jacks	Reject	10.5
632.75	RCL Queenstown Pty Ltd, RCL Henley Downs Ltd, RCL Jacks	Accept	10.5
632.76	RCL Queenstown Pty Ltd, RCL Henley Downs Ltd, RCL Jacks	Accept in Part	12.1
632.79	RCL Queenstown Pty Ltd, RCL Henley Downs Ltd, RCL Jacks	Reject	10.5
632.8	RCL Queenstown Pty Ltd, RCL Henley Downs Ltd, RCL Jacks	Accept in Part	13.5,13.6
632.81	RCL Queenstown Pty Ltd, RCL Henley Downs Ltd, RCL Jacks	Accept in Part	13.6

Submission Number	Submitter	Commissioners' Recommendation	Reference in Report
632.82	RCL Queenstown Pty Ltd, RCL Henley Downs Ltd, RCL Jacks	Accept in Part	13.9
632.83	RCL Queenstown Pty Ltd, RCL Henley Downs Ltd, RCL Jacks	Reject	10.5
632.84	RCL Queenstown Pty Ltd, RCL Henley Downs Ltd, RCL Jacks	Reject	10.5
632.85	RCL Queenstown Pty Ltd, RCL Henley Downs Ltd, RCL Jacks	Accept in Part	13.4-13.7
632.86	RCL Queenstown Pty Ltd, RCL Henley Downs Ltd, RCL Jacks	Accept in Part	10.6,13
632.87	RCL Queenstown Pty Ltd, RCL Henley Downs Ltd, RCL Jacks	Reject	10.5
632.88	RCL Queenstown Pty Ltd, RCL Henley Downs Ltd, RCL Jacks	Accept in Part	10.5
632.89	RCL Queenstown Pty Ltd, RCL Henley Downs Ltd, RCL Jacks	Accept in Part	9,13
645.1	Christine Cunningham	Reject	8
645.1	Christine Cunningham	Accept	10.1
645.11	Christine Cunningham	Accept in Part	13.1, 13.2 and 14.2
645.12	Christine Cunningham	Reject	11
645.13	Christine Cunningham	Reject	14.6
645.14	Christine Cunningham	Reject	14.6
645.15	Christine Cunningham	Accept in Part	8
645.16	Christine Cunningham	Accept in Part	10,13
645.2	Christine Cunningham	Accept in Part	9.2-9.4
645.3	Christine Cunningham	Accept in Part	13.1 – 13.3
645.4	Christine Cunningham	Accept in Part	12.1-12.4
645.5	Christine Cunningham	Accept in Part	12.2,12.4
645.6	Christine Cunningham	Accept	12.2-12.4
645.7	Christine Cunningham	Accept in Part	13
645.8	Christine Cunningham	Accept	7
645.9	Christine Cunningham	Accept in Part	13.1,13.2
647.1	Scott Sanders	Reject	8
647.1	Scott Sanders	Accept	10.1
647.11	Scott Sanders	Accept in Part	13.1, 13.2 and 14.2
647.12	Scott Sanders	Reject	11
647.13	Scott Sanders	Reject	14.6
647.14	Scott Sanders	Reject	14.6
647.15	Scott Sanders	Accept in Part	8
647.16	Scott Sanders	Accept in Part	13
647.2	Scott Sanders	Accept in Part	9.2-9.4
647.3	Scott Sanders	Accept in Part	13.1 – 13.3
647.4	Scott Sanders	Accept in Part	12.1-12.4
647.5	Scott Sanders	Accept in Part	12.2,12.4
647.6	Scott Sanders	Accept	12.2,12.4
647.7	Scott Sanders	Accept in Part	13

Submission Number	Submitter	Commissioners' Recommendation	Reference in Report
647.8	Scott Sanders	Accept	7
647.9	Scott Sanders	Accept in Part	13.1,13.2
715.19	Jardine Family Trust and Remarkables Station Limited	Accept	10.3
715.5	Jardine Family Trust and Remarkables Station Limited	Reject	9.4
715.6	Jardine Family Trust and Remarkables Station Limited	Reject	9.4
715.8	Jardine Family Trust and Remarkables Station Limited	Accept in Part	9.4
719.159	NZ Transport Agency	Accept	9.4
719.16	NZ Transport Agency	Accept in Part	11
719.161	NZ Transport Agency	Accept in Part	11
735.1	Russell Tilsley & Joanne Ruthven	Reject	8
735.1	Russell Tilsley & Joanne Ruthven	Accept	10.1
735.11	Russell Tilsley & Joanne Ruthven	Accept in Part	13.1, 13.2 and 14.2
735.12	Russell Tilsley & Joanne Ruthven	Reject	11
735.13	Russell Tilsley & Joanne Ruthven	Reject	14.6
735.14	Russell Tilsley & Joanne Ruthven	Reject	14.6
735.15	Russell Tilsley & Joanne Ruthven	Accept in Part	7,8
735.16	Russell Tilsley & Joanne Ruthven	Accept in Part	10,13
735.2	Russell Tilsley & Joanne Ruthven	Accept in Part	9.2-9.4
735.3	Russell Tilsley & Joanne Ruthven	Accept in Part	13.1 – 13.3
735.4	Russell Tilsley & Joanne Ruthven	Accept in Part	12.1-12.4
735.5	Russell Tilsley & Joanne Ruthven	Accept in Part	12.2,12.4
735.6	Russell Tilsley & Joanne Ruthven	Accept	12.2,12.4
735.7	Russell Tilsley & Joanne Ruthven	Accept in Part	13
735.8	Russell Tilsley & Joanne Ruthven	Accept	7
735.9	Russell Tilsley & Joanne Ruthven	Accept in Part	13.1,13.2
757.1	Otago Polytechnic	Accept in Part	9.4,10.2
762.1	Jacks Point Residential No.2 Ltd, Jacks Point Village Holdings Ltd, Jacks Point Developments Limited, Jacks Point Land Limited, Jacks Point Land No. 2 Limited, Jacks Point Management Limited, Henley	Accept	14.5
762.11	Jacks Point Residential No.2 Ltd, Jacks Point Village Holdings Ltd, Jacks Point Developments Limited, Jacks Point Land Limited, Jacks Point Land No. 2 Limited, Jacks Point Management Limited, Henley	Reject	10.2
762.14	Jacks Point Residential No.2 Ltd, Jacks Point Village Holdings Ltd, Jacks Point Developments Limited, Jacks Point Land Limited, Jacks Point	Accept in Part	11

Submission Number	Submitter	Commissioners' Recommendation	Reference in Report
	Land No. 2 Limited, Jacks Point Management Limited, Henley		
762.15	Jacks Point Residential No.2 Ltd, Jacks Point Village Holdings Ltd, Jacks Point Developments Limited, Jacks Point Land Limited, Jacks Point Land No. 2 Limited, Jacks Point Management Limited, Henley	Accept	10.1-10.3
762.16	Jacks Point Residential No.2 Ltd, Jacks Point Village Holdings Ltd, Jacks Point Developments Limited, Jacks Point Land Limited, Jacks Point Land No. 2 Limited, Jacks Point Management Limited, Henley	Accept in Part	12.5
762.17	Jacks Point Residential No.2 Ltd, Jacks Point Village Holdings Ltd, Jacks Point Developments Limited, Jacks Point Land Limited, Jacks Point Land No. 2 Limited, Jacks Point Management Limited, Henley	Reject	14.3
762.18	Jacks Point Residential No.2 Ltd, Jacks Point Village Holdings Ltd, Jacks Point Developments Limited, Jacks Point Land Limited, Jacks Point Land No. 2 Limited, Jacks Point Management Limited, Henley	Accept in part	12,13
762.19	Jacks Point Residential No.2 Ltd, Jacks Point Village Holdings Ltd, Jacks Point Developments Limited, Jacks Point Land Limited, Jacks Point Land No. 2 Limited, Jacks Point Management Limited, Henley	Accept in Part	11
762.2	Jacks Point Residential No.2 Ltd, Jacks Point Village Holdings Ltd, Jacks Point Developments Limited, Jacks Point Land Limited, Jacks Point Land No. 2 Limited, Jacks Point Management Limited, Henley	Accept in Part	11
765.1	Jacks Point Residents & Owners Association Inc.	Accept	13.1,13.2
765.1	Jacks Point Residents & Owners Association Inc.	Accept	12.2,12.4
765.11	Jacks Point Residents & Owners Association Inc.	Accept	12, 13
765.12	Jacks Point Residents & Owners Association Inc.	Accept in Part	12.4
765.13	Jacks Point Residents & Owners Association Inc.	Accept in Part	12.1-12.4
765.14	Jacks Point Residents & Owners Association Inc.	Accept	9.4

Submission Number	Submitter	Commissioners' Recommendation	Reference in Report
765.15	Jacks Point Residents & Owners Association Inc.	Accept in Part	12
765.16	Jacks Point Residents & Owners	Accept in Part	13.1,13.2
765.2	Jacks Point Residents & Owners	Accept in Part	9
765.3	Jacks Point Residents & Owners Association Inc.	Accept in Part	8,12
765.4	Jacks Point Residents & Owners Association Inc.	Accept in Part	12.1-12.4
765.5	Jacks Point Residents & Owners Association Inc.	Accept in Part	12
765.6	Jacks Point Residents & Owners Association Inc.	Accept in Part	8,9
765.7	Jacks Point Residents & Owners Association Inc.	Accept	12.1-12.4
765.8	Jacks Point Residents & Owners Association Inc.	Accept	12.2,12.4
765.9	Jacks Point Residents & Owners Association Inc.	Accept	12.2,12.4
787.1	Westenberg Family Trust	Reject	8
787.1	Westenberg Family Trust	Accept	10.1
787.11	Westenberg Family Trust	Accept in Part	13.1, 13.2 and 14.2
787.12	Westenberg Family Trust	Reject	11
787.13	Westenberg Family Trust	Reject	14.6
787.14	Westenberg Family Trust	Reject	14.6
787.15	Westenberg Family Trust	Accept in Part	7
787.16	Westenberg Family Trust	Accept in Part	10,13
787.2	Westenberg Family Trust	Accept in Part	9.2-9.4
787.3	Westenberg Family Trust	Accept in Part	13.1 – 13.3
787.4	Westenberg Family Trust	Accept in Part	12.1-12.4
787.5	Westenberg Family Trust	Accept in Part	12.2,12.4
787.6	Westenberg Family Trust	Accept	12.2,12.4
787.7	Westenberg Family Trust	Accept in Part	13
787.8	Westenberg Family Trust	Accept	7
787.9	Westenberg Family Trust	Accept in Part	13.1,13.2
789.1	Vivo Capital Limited	Reject	10.4
789.2	Vivo Capital Limited	Reject	10.4
789.3	Vivo Capital Limited	Reject	10.4
789.4	Vivo Capital Limited	Reject	9.2-9.4,10.4
789.5	Vivo Capital Limited	Reject	10.4
789.6	Vivo Capital Limited	Reject	10.4
789.7	Vivo Capital Limited	Reject	10.4
802.1	Harris-Wingrove T rust	Reject	8
802.1	Harris-Wingrove Trust	Accept	10.1
802.11	Harris-Wingrove T rust	Accept in Part	13.1, 13.2 and 14.2
802.12	Harris-Wingrove Trust	Reject	11
802.13	Harris-Wingrove Trust	Reject	14.6

Submission Number	Submitter	Commissioners' Recommendation	Reference in Report
802.14	Harris-Wingrove Trust	Reject	14.6
802.15	Harris-Wingrove Trust	Accept in Part	8
802.16	Harris-Wingrove Trust	Accept in Part	10,13
802.2	Harris-Wingrove Trust	Accept in Part	9.2-9.4
802.3	Harris-Wingrove Trust	Accept in Part	13.1 – 13.3
802.4	Harris-Wingrove Trust	Accept in Part	12.1-12.4
802.5	Harris-Wingrove Trust	Accept in Part	12.2,12.4
802.6	Harris-Wingrove Trust	Accept	12.2,12.4
802.7	Harris-Wingrove Trust	Accept in Part	133
802.8	Harris-Wingrove Trust	Accept	7
802.9	Harris-Wingrove Trust	Accept in Part	13.1,13.2
855.1	RCL Queenstown Pty Ltd, RCL Henley Down Ltd, RCL Jacks Point Ltd (RCL)	Accept	11
856.1	Jacks Point Residential No.2 Ltd, Jacks Point Village Holdings Ltd, Jacks Point Developments Limited, Jacks Point Land Limited, Jacks Point Land No. 2 Limited, Jacks Point Management Limited, Henley	Accept	13.5

Part B: Further Submissions

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1061.23	715.8	Otago Foundation Trust Board	Accept in Part	9.4
FS1069.1	855.1	The Triumph Trust	Accept	11
FS1073.1	131.1	Greig Garthwaite	Accept in Part	8
FS1073.10	131.1	Greig Garthwaite	Accept	10.1
FS1073.11	131.11	Greig Garthwaite	Accept	13.1 and 13.2
FS1073.12	131.12	Greig Garthwaite	Reject	11
FS1073.13	131.13	Greig Garthwaite	Reject	14.6
FS1073.14	131.14	Greig Garthwaite	Reject	14.6
FS1073.15	131.15	Greig Garthwaite	Accept in Part	7,8
FS1073.16	131.16	Greig Garthwaite	Accept in Part	13.1,13.2
FS1073.17	195.1	Greig Garthwaite	Accept in Part	12.2-12.4
FS1073.19	540.1	Greig Garthwaite	Accept in Part	8
FS1073.2	131.2	Greig Garthwaite	Accept in Part	9.2-9.4
FS1073.20	540.2	Greig Garthwaite	Accept in Part	12,13)
FS1073.21	540.3	Greig Garthwaite	Reject	9.4
FS1073.22	540.4	Greig Garthwaite	Accept in Part	8
FS1073.25	601.1	Greig Garthwaite	Accept in Part	13.1,13.2
FS1073.26	601.2	Greig Garthwaite	Accept in Part	9.2-9.4
FS1073.27	601.3	Greig Garthwaite	Accept in Part	13
FS1073.28	601.4	Greig Garthwaite	Accept in Part	13

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1073.29	601.5	Greig Garthwaite	Accept in Part	13.1 – 13.3
FS1073.3	131.3	Greig Garthwaite	Accept in Part	13.1 – 13.3
FS1073.30	601.6	Greig Garthwaite	Accept in Part	6.2, 8,12.2
FS1073.32	605.1	Greig Garthwaite	Accept in Part	8
FS1073.33	605.2	Greig Garthwaite	Accept in Part	8
FS1073.34	605.3	Greig Garthwaite	Reject	9.4
FS1073.36	765.1	Greig Garthwaite	Accept	13.1,13.2
FS1073.37	765.2	Greig Garthwaite	Accept in Part	9
FS1073.38	765.3	Greig Garthwaite	Accept in Part	8,12
FS1073.39	765.4	Greig Garthwaite	Accept in Part	12.1-12.4
FS1073.4	131.4	Greig Garthwaite	Accept in Part	12.1-12.4
FS1073.40	765.5	Greig Garthwaite	Accept in Part	12
FS1073.41	765.6	Greig Garthwaite	Accept in Part	8,9
FS1073.42	765.7	Greig Garthwaite	Accept	12.1-12.4
FS1073.43	765.8	Greig Garthwaite	Accept	12.2,12.4
FS1073.44	765.9	Greig Garthwaite	Accept	12.2,12.4
FS1073.45	765.1	Greig Garthwaite	Accept	12.2,12.4
FS1073.46	765.11	Greig Garthwaite	Accept	12, 13
FS1073.47	765.12	Greig Garthwaite	Accept	12.4
FS1073.48	765.13	Greig Garthwaite	Accept	12.1-12.4
FS1073.49	765.14	Greig Garthwaite	Accept	9.4
FS1073.5	131.5	Greig Garthwaite	Accept in Part	12.2,12.4
FS1073.50	765.15	Greig Garthwaite	Accept in Part	12
FS1073.51	765.16	Greig Garthwaite	Accept in Part	13.1,13.2
FS1073.52	632.71	Greig Garthwaite	Accept	10.5
FS1073.53	632.74	Greig Garthwaite	Accept	10.5
FS1073.54	632.84	Greig Garthwaite	Accept	10.5
FS1073.55	632.87	Greig Garthwaite	Accept	10.5)
FS1073.6	131.6	Greig Garthwaite	Accept in Part	12.1-12.4
FS1073.61	715.5	Greig Garthwaite	Accept	9.4
FS1073.62	715.6	Greig Garthwaite	Accept	9.4
FS1073.64	715.8	Greig Garthwaite	Accept in Part	9.4
FS1073.7	131.7	Greig Garthwaite	Accept in Part	13
FS1073.75	715.19	Greig Garthwaite	Reject	10.3
FS1073.8	131.8	Greig Garthwaite	Accept	7
FS1073.9	131.9	Greig Garthwaite	Accept in Part	13.1,13.2
FS1090.10	601.1	Jardine Family Trust and Remarkables Station Limited	Reject	13.1,13.2
FS1090.11	601.2	Jardine Family Trust and Remarkables Station Limited	Accept in Part	9.2-9.4
FS1090.12	601.3	Jardine Family Trust and Remarkables Station Limited	Reject	13
FS1090.13	601.4	Jardine Family Trust and Remarkables Station Limited	Reject	13
FS1090.14	601.5	Jardine Family Trust and Remarkables Station Limited	Reject	13.1 – 13.3

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1090.15	605.1	Jardine Family Trust and Remarkables Station Limited	Accept in Part	8
FS1090.16	645.1	Jardine Family Trust and Remarkables Station Limited	Reject	8
FS1090.17	645.2	Jardine Family Trust and Remarkables Station Limited	Accept in Part	9.2-9.4
FS1090.18	645.3	Jardine Family Trust and Remarkables Station Limited	Accept in Part	13.1 – 13.3
FS1090.19	540.1	Jardine Family Trust and Remarkables Station Limited	Reject	8
FS1090.20	131.1	Jardine Family Trust and Remarkables Station Limited	Accept in Part	8
FS1090.21	316.2	Jardine Family Trust and Remarkables Station Limited	Reject	7
FS1090.22	246.1	Jardine Family Trust and Remarkables Station Limited	Reject	8
FS1090.23	259.1	Jardine Family Trust and Remarkables Station Limited	Accept	8
FS1090.24	284.1	Jardine Family Trust and Remarkables Station Limited	Accept	7
FS1090.25	582.1	Jardine Family Trust and Remarkables Station Limited	Reject	8
FS1090.26	647.1	Jardine Family Trust and Remarkables Station Limited	Reject	8)
FS1090.27	735.1	Jardine Family Trust and Remarkables Station Limited	Reject	8
FS1090.28	802.1	Jardine Family Trust and Remarkables Station Limited	Reject	8
FS1090.29	131.2	Jardine Family Trust and Remarkables Station Limited	Accept in Part	9.2-9.4
FS1090.30	131.3	Jardine Family Trust and Remarkables Station Limited	Accept in Part	13.1 – 13.3
FS1090.31	131.16	Jardine Family Trust and Remarkables Station Limited	Accept in Part	13.1,13.2
FS1090.32	316.3	Jardine Family Trust and Remarkables Station Limited	Accept in Part	9.2-9.4
FS1090.33	316.4	Jardine Family Trust and Remarkables Station Limited	Accept in Part	13.1 – 13.3
FS1090.34	316.8	Jardine Family Trust and Remarkables Station Limited	Accept in Part	13
FS1090.35	316.17	Jardine Family Trust and Remarkables Station Limited	Accept in Part	10,13
FS1090.36	185.1	Jardine Family Trust and Remarkables Station Limited	Accept in Part	9
FS1090.37	207.1	Jardine Family Trust and Remarkables Station Limited	Accept in Part	8
FS1090.38	246.2	Jardine Family Trust and Remarkables Station Limited	Accept in Part	9.2-9.4

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1090.39	246.3	Jardine Family Trust and Remarkables Station Limited	Accept in Part	13.1 – 13.3
FS1090.40	246.7	Jardine Family Trust and Remarkables Station Limited	Accept in Part	13
FS1090.41	246.16	Jardine Family Trust and Remarkables Station Limited	Accept in Part	13
FS1090.42	259.2	Jardine Family Trust and Remarkables Station Limited	Accept in Part	9.2-9.4
FS1090.43	259.3	Jardine Family Trust and Remarkables Station Limited	Accept in Part	13.1 – 13.3
FS1090.44	259.7	Jardine Family Trust and Remarkables Station Limited	Accept in Part	13
FS1090.45	259.16	Jardine Family Trust and Remarkables Station Limited	Accept in Part	10,13
FS1090.46	284.2	Jardine Family Trust and Remarkables Station Limited	Accept in Part	9.2-9.4
FS1090.47	284.3	Jardine Family Trust and Remarkables Station Limited	Accept in Part	13.1 – 13.3
FS1090.48	284.7	Jardine Family Trust and Remarkables Station Limited	Accept in Part	13
FS1090.49	284.16	Jardine Family Trust and Remarkables Station Limited	Accept in Part	13
FS1090.50	582.2	Jardine Family Trust and Remarkables Station Limited	Accept in Part	9.2-9.4
FS1090.51	582.3	Jardine Family Trust and Remarkables Station Limited	Accept in Part	13.1 – 13.3
FS1090.52	582.7	Jardine Family Trust and Remarkables Station Limited	Accept in Part	13
FS1090.53	582.16	Jardine Family Trust and Remarkables Station Limited	Accept in Part	13
FS1090.54	603.1	Jardine Family Trust and Remarkables Station Limited	Accept in Part	8
FS1090.55	647.2	Jardine Family Trust and Remarkables Station Limited	Accept in Part	9.2-9.4
FS1090.56	647.3	Jardine Family Trust and Remarkables Station Limited	Accept in Part	13.1 – 13.3
FS1090.57	647.7	Jardine Family Trust and Remarkables Station Limited	Accept in Part	13
FS1090.58	647.16	Jardine Family Trust and Remarkables Station Limited	Accept in Part	13
FS1090.59	735.2	Jardine Family Trust and Remarkables Station Limited	Accept in Part	9.2-9.4
FS1090.60	735.3	Jardine Family Trust and Remarkables Station Limited	Accept in Part	13.1 – 13.3
FS1090.61	735.7	Jardine Family Trust and Remarkables Station Limited	Accept in Part	13
FS1090.62	735.16	Jardine Family Trust and Remarkables Station Limited	Accept in Part	10,13

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1090.63	802.2	Jardine Family Trust and Remarkables Station Limited	Accept in Part	9.2-9.4
FS1090.64	802.3	Jardine Family Trust and Remarkables Station Limited	Accept in Part	13.1 – 13.3
FS1090.65	802.7	Jardine Family Trust and Remarkables Station Limited	Accept in Part	13
FS1090.66	802.16	Jardine Family Trust and Remarkables Station Limited	Accept in Part	10,13
FS1090.7	547.4	Jardine Family Trust and Remarkables Station Limited	Reject	8,13.1and 13.2
FS1090.8	576.1	Jardine Family Trust and Remarkables Station Limited	Reject	8
FS1090.9	576.16	Jardine Family Trust and Remarkables Station Limited	Accept in Part	13
FS1092.32	855.1	NZ Transport Agency	Reject	11
FS1096.1	131.1	Peter & Carol Haythornthwaite	Accept in Part	8
FS1096.10	131.1	Peter & Carol Haythornthwaite	Accept	10.1
FS1096.11	131.11	Peter & Carol Haythornthwaite	Accept	13.1 and 13.2
FS1096.12	131.12	Peter & Carol Haythornthwaite	Reject	11
FS1096.13	131.13	Peter & Carol Haythornthwaite	Reject	14.6
FS1096.14	131.14	Peter & Carol Haythornthwaite	Reject	14.6
FS1096.15	131.15	Peter & Carol Haythornthwaite	Accept in Part	7,8
FS1096.16	131.16	Peter & Carol Haythornthwaite	Accept in Part	13.1,13.2
FS1096.17	632.71	Peter & Carol Haythornthwaite	Accept	10.5
FS1096.18	632.74	Peter & Carol Haythornthwaite	Accept	10.5
FS1096.19	632.84	Peter & Carol Haythornthwaite	Accept	10.5
FS1096.2	131.2	Peter & Carol Haythornthwaite	Accept in Part	9.2-9.4
FS1096.20	632.87	Peter & Carol Haythornthwaite	Accept	10.5)
FS1096.26	715.5	Peter & Carol Haythornthwaite	Accept	9.4
FS1096.27	715.6	Peter & Carol Haythornthwaite	Accept	9.4
FS1096.29	715.8	Peter & Carol Haythornthwaite	Accept in Part	9.4

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1096.3	131.3	Peter & Carol Haythornthwaite	Accept in Part	13.1 – 13.3
FS1096.4	131.4	Peter & Carol Haythornthwaite	Accept in Part	12.1-12.4
FS1096.40	715.19	Peter & Carol Haythornthwaite	Reject	10.3
FS1096.5	131.5	Peter & Carol Haythornthwaite	Accept in Part	12.2,12.4
FS1096.6	131.6	Peter & Carol Haythornthwaite	Accept in Part	12.1-12.4
FS1096.7	131.7	Peter & Carol Haythornthwaite	Accept in Part	13
FS1096.8	131.8	Peter & Carol Haythornthwaite	Accept	7
FS1096.9	131.9	Peter & Carol Haythornthwaite	Accept in Part	13.1,13.2
FS1103.1	131.1	Ben and Catherine Hudson	Accept in Part	8
FS1103.10	131.1	Ben and Catherine Hudson	Accept	10.1
FS1103.11	131.11	Ben and Catherine Hudson	Accept	13.1 and 13.2
FS1103.12	131.12	Ben and Catherine Hudson	Reject	11
FS1103.13	131.13	Ben and Catherine Hudson	Reject	14.6
FS1103.14	131.14	Ben and Catherine Hudson	Reject	14.6
FS1103.15	131.15	Ben and Catherine Hudson	Accept in Part	7,8
FS1103.16	131.16	Ben and Catherine Hudson	Accept in Part	13.1,13.2
FS1103.17	195.1	Ben and Catherine Hudson	Accept in Part	12.2-12.4
FS1103.19	540.1	Ben and Catherine Hudson	Accept in Part	8
FS1103.2	131.2	Ben and Catherine Hudson	Accept in Part	9.2-9.4
FS1103.20	540.2	Ben and Catherine Hudson	Accept in Part	12,13
FS1103.21	540.3	Ben and Catherine Hudson	Reject	9.4
FS1103.22	540.4	Ben and Catherine Hudson	Accept in Part	8
FS1103.25	601.1	Ben and Catherine Hudson	Accept in Part	13.1,13.2
FS1103.26	601.2	Ben and Catherine Hudson	Accept in Part	9.2-9.4
FS1103.27	601.3	Ben and Catherine Hudson	Accept in Part	13
FS1103.28	601.4	Ben and Catherine Hudson	Accept in Part	13
FS1103.29	601.5	Ben and Catherine Hudson	Accept in Part	13.1 – 13.3
FS1103.3	131.3	Ben and Catherine Hudson	Accept in Part	13.1 – 13.3
FS1103.30	601.6	Ben and Catherine Hudson	Accept in Part	6.2, 8,12.2
FS1103.32	605.1	Ben and Catherine Hudson	Accept in Part	8
FS1103.33	605.2	Ben and Catherine Hudson	Accept in Part	8
FS1103.34	605.3	Ben and Catherine Hudson	Reject	9.4
FS1103.36	765.1	Ben and Catherine Hudson	Accept	13.1,13.2
FS1103.37	765.2	Ben and Catherine Hudson	Accept in Part	9
FS1103.38	765.3	Ben and Catherine Hudson	Accept in Part	8,12
FS1103.39	765.4	Ben and Catherine Hudson	Accept in Part	12.1-12.4
FS1103.4	131.4	Ben and Catherine Hudson	Accept in Part	12.1-12.4
FS1103.40	765.5	Ben and Catherine Hudson	Accept in Part	12

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1103.41	765.6	Ben and Catherine Hudson	Accept in Part	8,9
FS1103.42	765.7	Ben and Catherine Hudson	Accept	12.1-12.4
FS1103.43	765.8	Ben and Catherine Hudson	Accept	12.2,12.4
FS1103.44	765.9	Ben and Catherine Hudson	Accept	12.2,12.4
FS1103.45	765.1	Ben and Catherine Hudson	Accept	12.2,12.4
FS1103.46	765.11	Ben and Catherine Hudson	Accept	12, 13
FS1103.47	765.12	Ben and Catherine Hudson	Accept	12.4
FS1103.48	765.13	Ben and Catherine Hudson	Accept	12.1-12.4
FS1103.49	765.14	Ben and Catherine Hudson	Accept	9.4
FS1103.5	131.5	Ben and Catherine Hudson	Accept in Part	12.2,12.4
FS1103.50	765.15	Ben and Catherine Hudson	Accept in Part	12
FS1103.51	765.16	Ben and Catherine Hudson	Accept in Part	13.1,13.2
FS1103.52	632.71	Ben and Catherine Hudson	Accept	10.5
FS1103.53	632.74	Ben and Catherine Hudson	Accept	10.5
FS1103.54	632.84	Ben and Catherine Hudson	Accept	10.5
FS1103.55	632.87	Ben and Catherine Hudson	Accept	10.5)
FS1103.6	131.6	Ben and Catherine Hudson	Accept in Part	12.1-12.4
FS1103.61	715.5	Ben and Catherine Hudson	Accept	9.4
FS1103.62	715.6	Ben and Catherine Hudson	Accept	9.4
FS1103.64	715.8	Ben and Catherine Hudson	Accept in Part	9.4
FS1103.7	131.7	Ben and Catherine Hudson	Accept in Part	13
FS1103.75	715.19	Ben and Catherine Hudson	Reject	10.3
FS1103.8	131.8	Ben and Catherine Hudson	Accept	7
FS1103.9	131.9	Ben and Catherine Hudson	Accept in Part	13.1,13.2
FS1108.1	131.1	Christine and Neville Cunningham	Accept in Part	8
FS1108.10	131.1	Christine and Neville Cunningham	Accept	10.1
FS1108.11	131.11	Christine and Neville Cunningham	Accept	13.1 and 13.2
FS1108.12	131.12	Christine and Neville Cunningham	Reject	11
FS1108.13	131.13	Christine and Neville Cunningham	Reject	14.6
FS1108.14	131.14	Christine and Neville Cunningham	Reject	14.6
FS1108.15	131.15	Christine and Neville Cunningham	Accept in Part	7,8.
FS1108.16	131.16	Christine and Neville Cunningham	Accept in Part	13.1,13.2
FS1108.17	195.1	Christine and Neville Cunningham	Accept in Part	12.2-12.4
FS1108.19	540.1	Christine and Neville Cunningham	Accept in Part	8
FS1108.2	131.2	Christine and Neville Cunningham	Accept in Part	9.2-9.4

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1108.20	540.2	Christine and Neville Cunningham	Accept in Part	12,13
FS1108.21	540.3	Christine and Neville Cunningham	Reject	9.4
FS1108.22	540.4	Christine and Neville Cunningham	Accept in Part	8
FS1108.25	601.1	Christine and Neville Cunningham	Accept in Part	13.1,13.2
FS1108.26	601.2	Christine and Neville Cunningham	Accept in Part	9.2-9.4
FS1108.27	601.3	Christine and Neville Cunningham	Accept in Part	13
FS1108.28	601.4	Christine and Neville Cunningham	Accept in Part	13
FS1108.29	601.5	Christine and Neville Cunningham	Accept in Part	13.1 – 13.3
FS1108.3	131.3	Christine and Neville Cunningham	Accept in Part	13.1 – 13.3
FS1108.30	601.6	Christine and Neville Cunningham	Accept in Part	6.2, 8,12.2
FS1108.32	605.1	Christine and Neville Cunningham	Accept in Part	8
FS1108.33	605.2	Christine and Neville Cunningham	Accept in Part	8
FS1108.34	605.3	Christine and Neville Cunningham	Reject	9.4
FS1108.36	645.1	Christine and Neville Cunningham	Reject	8
FS1108.37	645.2	Christine and Neville Cunningham	Accept in Part	9.2-9.4
FS1108.38	645.3	Christine and Neville Cunningham	Accept in Part	13.1 – 13.3
FS1108.39	645.4	Christine and Neville Cunningham	Accept in Part	12.1-12.4
FS1108.4	131.4	Christine and Neville Cunningham	Accept in Part	12.1-12.4
FS1108.40	645.5	Christine and Neville Cunningham	Accept in Part	12.2,12.4
FS1108.41	645.6	Christine and Neville Cunningham	Accept	12.2-12.4
FS1108.42	645.7	Christine and Neville Cunningham	Accept in Part	13
FS1108.43	645.8	Christine and Neville Cunningham	Accept	7
FS1108.44	645.9	Christine and Neville Cunningham	Accept in Part	13.1,13.2
FS1108.45	645.1	Christine and Neville Cunningham	Accept	10.1

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1108.46	645.11	Christine and Neville Cunningham	Accept	13.1, 13.2 and 14.2
FS1108.47	645.12	Christine and Neville Cunningham	Reject	11
FS1108.48	645.13	Christine and Neville Cunningham	Reject	14.6
FS1108.49	645.14	Christine and Neville Cunningham	Reject	14.6
FS1108.5	131.5	Christine and Neville Cunningham	Accept in Part	12.2,12.4
FS1108.50	645.15	Christine and Neville Cunningham	Accept in Part	8
FS1108.51	645.16	Christine and Neville Cunningham	Accept in Part	10,13
FS1108.52	632.71	Christine and Neville Cunningham	Accept	10.5
FS1108.53	632.74	Christine and Neville Cunningham	Accept	10.5
FS1108.54	632.84	Christine and Neville Cunningham	Accept	10.5
FS1108.55	632.87	Christine and Neville Cunningham	Accept	10.5
FS1108.6	131.6	Christine and Neville Cunningham	Accept in Part	12.1-12.4
FS1108.61	715.5	Christine and Neville Cunningham	Accept	9.4
FS1108.62	715.6	Christine and Neville Cunningham	Accept	9.4
FS1108.64	715.8	Christine and Neville Cunningham	Accept in Part	9.4
FS1108.7	131.7	Christine and Neville Cunningham	Accept in Part	13
FS1108.75	715.19	Christine and Neville Cunningham	Reject	10.3
FS1108.77	765.1	Christine and Neville Cunningham	Reject	13.1,13.2
FS1108.78	765.2	Christine and Neville Cunningham	Reject	9
FS1108.79	765.3	Christine and Neville Cunningham	Reject	8,12
FS1108.8	131.8	Christine and Neville Cunningham	Accept	7
FS1108.80	765.4	Christine and Neville Cunningham	Reject	12.1-12.4
FS1108.81	765.5	Christine and Neville Cunningham	Reject	12
FS1108.82	765.6	Christine and Neville Cunningham	Accept in Part	8,9

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1108.83	765.7	Christine and Neville Cunningham	Reject	12.1-12.4
FS1108.84	765.8	Christine and Neville Cunningham	Reject	12.2,12.4
FS1108.85	765.9	Christine and Neville Cunningham	Reject	12.2,12.4
FS1108.86	765.1	Christine and Neville Cunningham	Reject	12.2,12.4
FS1108.87	765.11	Christine and Neville Cunningham	Reject	12, 13
FS1108.88	765.12	Christine and Neville Cunningham	Reject	12.4
FS1108.89	765.13	Christine and Neville Cunningham	Reject	12.1-12.4
FS1108.9	131.9	Christine and Neville Cunningham	Accept in Part	13.1,13.2
FS1108.90	765.14	Christine and Neville Cunningham	Reject	9.4
FS1108.91	765.15	Christine and Neville Cunningham	Reject	12
FS1108.92	765.16	Christine and Neville Cunningham	Reject	13.1,13.2
FS1114.1	131.1	Lingasen and Janet Moodley	Accept in Part	8
FS1114.10	131.1	Lingasen and Janet Moodley	Accept	10.1
FS1114.11	131.11	Lingasen and Janet Moodley	Accept	13.1 and 13.2
FS1114.12	131.12	Lingasen and Janet Moodley	Reject	11
FS1114.13	131.13	Lingasen and Janet Moodley	Reject	14.6
FS1114.14	131.14	Lingasen and Janet Moodley	Reject	14.6
FS1114.15	131.15	Lingasen and Janet Moodley	Accept in Part	7,8
FS1114.16	131.16	Lingasen and Janet Moodley	Accept in Part	13.1,13.2
FS1114.17	195.1	Lingasen and Janet Moodley	Accept in Part	12.2-12.4
FS1114.19	540.1	Lingasen and Janet Moodley	Accept in Part	8
FS1114.2	131.2	Lingasen and Janet Moodley	Accept in Part	9.2-9.4
FS1114.20	540.2	Lingasen and Janet Moodley	Accept in Part	12,13
FS1114.21	540.3	Lingasen and Janet Moodley	Reject	9.4
FS1114.22	540.4	Lingasen and Janet Moodley	Accept in Part	8
FS1114.25	601.1	Lingasen and Janet Moodley	Accept in Part	13.1,13.2
FS1114.26	601.2	Lingasen and Janet Moodley	Accept in Part	9.2-9.4
FS1114.27	601.3	Lingasen and Janet Moodley	Accept in Part	13
FS1114.28	601.4	Lingasen and Janet Moodley	Accept in Part	13
FS1114.29	601.5	Lingasen and Janet Moodley	Accept in Part	13.1 – 13.3
FS1114.3	131.3	Lingasen and Janet Moodley	Accept in Part	13.1 – 13.3
FS1114.30	601.6	Lingasen and Janet Moodley	Accept in Part	6.2, 8,12.2
FS1114.32	605.1	Lingasen and Janet Moodley	Accept in Part	8
FS1114.33	605.2	Lingasen and Janet Moodley	Accept in Part	8
FS1114.34	605.3	Lingasen and Janet Moodley	Reject	9.4

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FS1114.36	765.1	Lingasen and Janet Moodley	Accept	13.1,13.2
FS1114.37	765.2	Lingasen and Janet Moodley	Accept in Part	9
FS1114.38	765.3	Lingasen and Janet Moodley	Accept in Part	8,12
FS1114.39	765.4	Lingasen and Janet Moodley	Accept in Part	12.1-12.4
FS1114.4	131.4	Lingasen and Janet Moodley	Accept in Part	12.1-12.4
FS1114.40	765.5	Lingasen and Janet Moodley	Accept in Part	12
FS1114.41	765.6	Lingasen and Janet Moodley	Accept in Part	8,9
FS1114.42	765.7	Lingasen and Janet Moodley	Accept	12.1-12.4
FS1114.43	765.8	Lingasen and Janet Moodley	Accept	12.2,12.4
FS1114.44	765.9	Lingasen and Janet Moodley	Accept	12.2,12.4
FS1114.45	765.1	Lingasen and Janet Moodley	Accept	12.2,12.4
FS1114.46	765.11	Lingasen and Janet Moodley	Accept	12, 13
FS1114.47	765.12	Lingasen and Janet Moodley	Accept	12.4
FS1114.48	765.13	Lingasen and Janet Moodley	Accept	12.1-12.4
FS1114.49	765.14	Lingasen and Janet Moodley	Accept	9.4
FS1114.5	131.5	Lingasen and Janet Moodley	Accept in Part	12.2,12.4
FS1114.50	765.15	Lingasen and Janet Moodley	Accept in Part	12
FS1114.51	765.16	Lingasen and Janet Moodley	Accept in Part	13.1,13.2
FS1114.52	632.71	Lingasen and Janet Moodley	Accept	10.5
FS1114.53	632.74	Lingasen and Janet Moodley	Accept	10.5
FS1114.54	632.84	Lingasen and Janet Moodley	Accept	10.5
FS1114.55	632.87	Lingasen and Janet Moodley	Accept	10.5
FS1114.6	131.6	Lingasen and Janet Moodley	Accept in Part	12.1-12.4
FS1114.61	715.5	Lingasen and Janet Moodley	Accept	9.4
FS1114.62	715.6	Lingasen and Janet Moodley	Accept	9.4
FS1114.64	715.8	Lingasen and Janet Moodley	Accept in Part	9.4
FS1114.7	131.7	Lingasen and Janet Moodley	Accept in Part	13
FS1114.75	715.19	Lingasen and Janet Moodley	Reject	10.3
FS1114.8	131.8	Lingasen and Janet Moodley	Accept	7
FS1114.9	131.9	Lingasen and Janet Moodley	Accept in Part	13.1,13.2
FS1116.1	131.1	Stephen and Karen Pearson	Accept in Part	8
FS1116.10	131.1	Stephen and Karen Pearson	Accept	10.1
FS1116.11	131.11	Stephen and Karen Pearson	Accept	13.1 and 13.2
FS1116.12	131.12	Stephen and Karen Pearson	Reject	11
FS1116.13	131.13	Stephen and Karen Pearson	Reject	14.6
FS1116.14	131.14	Stephen and Karen Pearson	Reject	14.6
FS1116.15	131.15	Stephen and Karen Pearson	Accept in Part	7,8
FS1116.16	131.16	Stephen and Karen Pearson	Accept in Part	13.1,13.2
FS1116.17	195.1	Stephen and Karen Pearson	Accept in Part	12.2-12.4
FS1116.19	540.1	Stephen and Karen Pearson	Accept in Part	8
FS1116.2	131.2	Stephen and Karen Pearson	Accept in Part	9.2-9.4
FS1116.20	540.2	Stephen and Karen Pearson	Accept in Part	12,13
FS1116.21	540.3	Stephen and Karen Pearson	Reject	9.4
FS1116.22	540.4	Stephen and Karen Pearson	Accept in Part	8
FS1116.25	601.1	Stephen and Karen Pearson	Accept in Part	13.1,13.2
FS1116.26	601.2	Stephen and Karen Pearson	Accept in Part	9.2-9.4

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1116.27	601.3	Stephen and Karen Pearson	Accept in Part	13
FS1116.28	601.4	Stephen and Karen Pearson	Accept in Part	13
FS1116.29	601.5	Stephen and Karen Pearson	Accept in Part	13.1 – 13.3
FS1116.3	131.3	Stephen and Karen Pearson	Accept in Part	13.1 – 13.3
FS1116.30	601.6	Stephen and Karen Pearson	Accept in Part	6.2, 8,12.2
FS1116.32	605.1	Stephen and Karen Pearson	Accept in Part	8
FS1116.33	605.2	Stephen and Karen Pearson	Accept in Part	8
FS1116.34	605.3	Stephen and Karen Pearson	Reject	9.4
FS1116.36	765.1	Stephen and Karen Pearson	Accept	13.1,13.2
FS1116.37	765.2	Stephen and Karen Pearson	Accept in Part	9
FS1116.38	765.3	Stephen and Karen Pearson	Accept in Part	8,12
FS1116.39	765.4	Stephen and Karen Pearson	Accept in Part	12.1-12.4
FS1116.4	131.4	Stephen and Karen Pearson	Accept in Part	12.1-12.4
FS1116.40	765.5	Stephen and Karen Pearson	Accept in Part	12
FS1116.41	765.6	Stephen and Karen Pearson	Accept in Part	8,9
FS1116.42	765.7	Stephen and Karen Pearson	Accept	12.1-12.4
FS1116.43	765.8	Stephen and Karen Pearson	Accept	12.2,12.4
FS1116.44	765.9	Stephen and Karen Pearson	Accept	12.2,12.4
FS1116.45	765.1	Stephen and Karen Pearson	Accept	12.2,12.4
FS1116.46	765.11	Stephen and Karen Pearson	Accept	12, 13
FS1116.47	765.12	Stephen and Karen Pearson	Accept	12.4
FS1116.48	765.13	Stephen and Karen Pearson	Accept	12.1-12.4
FS1116.49	765.14	Stephen and Karen Pearson	Accept	9.4
FS1116.5	131.5	Stephen and Karen Pearson	Accept in Part	12.2,12.4
FS1116.50	765.15	Stephen and Karen Pearson	Accept in Part	12
FS1116.51	765.16	Stephen and Karen Pearson	Accept in Part	13.1,13.2
FS1116.52	632.71	Stephen and Karen Pearson	Accept	10.5
FS1116.53	632.74	Stephen and Karen Pearson	Accept	10.5)
FS1116.54	632.84	Stephen and Karen Pearson	Accept	10.5
FS1116.55	632.87	Stephen and Karen Pearson	Accept	10.5
FS1116.6	131.6	Stephen and Karen Pearson	Accept in Part	12.1-12.4
FS1116.61	715.5	Stephen and Karen Pearson	Accept	9.4
FS1116.62	715.6	Stephen and Karen Pearson	Accept	9.4
FS1116.64	715.8	Stephen and Karen Pearson	Accept in Part	9.4
FS1116.7	131.7	Stephen and Karen Pearson	Accept in Part	13
FS1116.75	715.19	Stephen and Karen Pearson	Reject	10.3
FS1116.8	131.8	Stephen and Karen Pearson	Accept	7
FS1116.9	131.9	Stephen and Karen Pearson	Accept in Part	13.1,13.2
FS1122.10	131.7	BSTGT Limited	Accept in Part	13
FS1122.11	131.8	BSTGT Limited	Accept	7
FS1122.12	131.9	BSTGT Limited	Accept in Part	13.1,13.2
FS1122.13	131.1	BSTGT Limited	Accept	10.1
FS1122.14	131.11	BSTGT Limited	Accept	13.1 and 13.2
FS1122.15	131.12	BSTGT Limited	Reject	11
FS1122.16	131.13	BSTGT Limited	Reject	14.6
FS1122.17	131.14	BSTGT Limited	Reject	14.6

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FS1122.18	131.15	BSTGT Limited	Accept in Part	7,8
FS1122.19	131.16	BSTGT Limited	Accept in Part	13.1,13.2
FS1122.21	765.1	BSTGT Limited	Accept	13.1,13.2
FS1122.22	765.2	BSTGT Limited	Accept in Part	9
FS1122.23	765.3	BSTGT Limited	Accept in Part	8,12
FS1122.24	765.4	BSTGT Limited	Accept in Part	12.1-12.4
FS1122.25	765.5	BSTGT Limited	Accept in Part	12
FS1122.26	765.6	BSTGT Limited	Accept in Part	8,9
FS1122.27	765.7	BSTGT Limited	Accept	12.1-12.4
FS1122.28	765.8	BSTGT Limited	Accept	12.2,12.4
FS1122.29	765.9	BSTGT Limited	Accept	12.2,12.4
FS1122.30	765.1	BSTGT Limited	Accept	12.2,12.4
FS1122.31	765.11	BSTGT Limited	Accept	12, 13
FS1122.32	765.12	BSTGT Limited	Accept	12.4
FS1122.33	765.13	BSTGT Limited	Accept	12.1-12.4
FS1122.34	765.14	BSTGT Limited	Accept	9.4
FS1122.35	765.15	BSTGT Limited	Accept in Part	12
FS1122.36	765.16	BSTGT Limited	Accept in Part	13.1,13.2
FS1122.37	632.71	BSTGT Limited	Accept	10.5
FS1122.38	632.74	BSTGT Limited	Accept	10.5
FS1122.39	632.84	BSTGT Limited	Accept	10.5.
FS1122.4	131.1	BSTGT Limited	Accept in Part	8
FS1122.40	632.87	BSTGT Limited	Accept	10.5
FS1122.5	131.2	BSTGT Limited	Accept in Part	9.2-9.4
FS1122.6	131.3	BSTGT Limited	Accept in Part	13.1 – 13.3
FS1122.7	131.4	BSTGT Limited	Accept in Part	12.1-12.4
FS1122.8	131.5	BSTGT Limited	Accept in Part	12.2,12.4
FS1122.9	131.6	BSTGT Limited	Accept in Part	12.1-12.4
FS1128.1	195.1	Wei Heng Fong	Accept in Part	12.2-12.4
FS1145.19	715.19	John Martin Management Company Limited	Accept	10.3
FS1145.5	715.5	John Martin Management Company Limited	Reject	9.4
FS1145.6	715.6	John Martin Management Company Limited	Reject	9.4
FS1145.8	715.8	John Martin Management Company Limited	Accept in Part	9.4
FS1192.1	131.1	Murray and Jennifer Butler	Accept in Part	8
FS1192.10	131.1	Murray and Jennifer Butler	Accept	10.1
FS1192.100	601.1	Murray and Jennifer Butler	Accept in Part	13.1,13.2
FS1192.101	601.2	Murray and Jennifer Butler	Accept in Part	9.2-9.4
FS1192.102	601.3	Murray and Jennifer Butler	Accept in Part	13
FS1192.103	601.4	Murray and Jennifer Butler	Accept in Part	13
FS1192.104	601.5	Murray and Jennifer Butler	Accept in Part	13.1 – 13.3
FS1192.105	601.6	Murray and Jennifer Butler	Accept in Part	6.2, 8,12.2
FS1192.107	605.1	Murray and Jennifer Butler	Accept in Part	8
FS1192.108	605.2	Murray and Jennifer Butler	Accept in Part	8

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1192.109	605.3	Murray and Jennifer Butler	Reject	9.4
FS1192.11	131.11	Murray and Jennifer Butler	Accept	13.1 and 13.2
FS1192.111	765.1	Murray and Jennifer Butler	Accept	13.1,13.2
FS1192.112	765.2	Murray and Jennifer Butler	Accept in Part	9
FS1192.113	765.3	Murray and Jennifer Butler	Accept in Part	8,12
FS1192.114	765.4	Murray and Jennifer Butler	Accept in Part	12.1-12.4
FS1192.115	765.5	Murray and Jennifer Butler	Accept in Part	12
FS1192.116	765.6	Murray and Jennifer Butler	Accept in Part	8,9
FS1192.117	765.7	Murray and Jennifer Butler	Accept	12.1-12.4
FS1192.118	765.8	Murray and Jennifer Butler	Accept	12.2,12.4
FS1192.119	765.9	Murray and Jennifer Butler	Accept	12.2,12.4
FS1192.12	131.12	Murray and Jennifer Butler	Reject	11
FS1192.120	765.1	Murray and Jennifer Butler	Accept	12.2,12.4
FS1192.121	765.11	Murray and Jennifer Butler	Accept	12, 13
FS1192.122	765.12	Murray and Jennifer Butler	Accept	12.4
FS1192.123	765.13	Murray and Jennifer Butler	Accept	12.1-12.4
FS1192.124	765.14	Murray and Jennifer Butler	Accept	9.4
FS1192.125	765.15	Murray and Jennifer Butler	Accept in Part	12
FS1192.126	765.16	Murray and Jennifer Butler	Accept in Part	13.1,13.2
FS1192.127	632.71	Murray and Jennifer Butler	Accept	10.5
FS1192.128	632.74	Murray and Jennifer Butler	Accept	10.5
FS1192.129	632.84	Murray and Jennifer Butler	Accept	10.5
FS1192.13	131.13	Murray and Jennifer Butler	Reject	14.6
FS1192.130	632.87	Murray and Jennifer Butler	Accept	10.5
FS1192.136	715.5	Murray and Jennifer Butler	Accept	9.4
FS1192.137	715.6	Murray and Jennifer Butler	Accept	9.4
FS1192.139	715.8	Murray and Jennifer Butler	Accept in Part	9.4
FS1192.14	131.14	Murray and Jennifer Butler	Reject	14.6
FS1192.15	131.15	Murray and Jennifer Butler	Accept in Part	7,8.
FS1192.150	715.19	Murray and Jennifer Butler	Reject	10.3
FS1192.16	131.16	Murray and Jennifer Butler	Accept in Part	13.1,13.2
FS1192.17	195.1	Murray and Jennifer Butler	Accept in Part	12.2-12.4
FS1192.19	540.1	Murray and Jennifer Butler	Accept in Part	8
FS1192.2	131.2	Murray and Jennifer Butler	Accept in Part	9.2-9.4
FS1192.20	540.2	Murray and Jennifer Butler	Accept in Part	12,13
FS1192.21	540.3	Murray and Jennifer Butler	Reject	9.4
FS1192.22	540.4	Murray and Jennifer Butler	Accept in Part	8
FS1192.25	601.1	Murray and Jennifer Butler	Accept in Part	13.1,13.2
FS1192.26	601.2	Murray and Jennifer Butler	Accept in Part	9.2-9.4
FS1192.27	601.3	Murray and Jennifer Butler	Accept in Part	13
FS1192.28	601.4	Murray and Jennifer Butler	Accept in Part	13
FS1192.29	601.5	Murray and Jennifer Butler	Accept in Part	13.1 – 13.3
FS1192.3	131.3	Murray and Jennifer Butler	Accept in Part	13.1 – 13.3
FS1192.30	601.6	Murray and Jennifer Butler	Accept in Part	6.2, 8,12.2
FS1192.32	605.1	Murray and Jennifer Butler	Accept in Part	8
FS1192.33	605.2	Murray and Jennifer Butler	Accept in Part	8

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1192.34	605.3	Murray and Jennifer Butler	Reject	9.4
FS1192.36	765.1	Murray and Jennifer Butler	Accept	13.1,13.2
FS1192.37	765.2	Murray and Jennifer Butler	Accept in Part	9
FS1192.38	765.3	Murray and Jennifer Butler	Accept in Part	8,12
FS1192.39	765.4	Murray and Jennifer Butler	Accept in Part	12.1-12.4)
FS1192.4	131.4	Murray and Jennifer Butler	Accept in Part	12.1-12.4
FS1192.40	765.5	Murray and Jennifer Butler	Accept in Part	12
FS1192.41	765.6	Murray and Jennifer Butler	Accept in Part	8,9
FS1192.42	765.7	Murray and Jennifer Butler	Accept	12.1-12.4
FS1192.43	765.8	Murray and Jennifer Butler	Accept	12.2,12.4
FS1192.44	765.9	Murray and Jennifer Butler	Accept	12.2,12.4
FS1192.45	765.1	Murray and Jennifer Butler	Accept	12.2,12.4
FS1192.46	765.11	Murray and Jennifer Butler	Accept	12, 13
FS1192.47	765.12	Murray and Jennifer Butler	Accept	12.4
FS1192.48	765.13	Murray and Jennifer Butler	Accept	12.1-12.4
FS1192.49	765.14	Murray and Jennifer Butler	Accept	9.4
FS1192.5	131.5	Murray and Jennifer Butler	Accept in Part	12.2,12.4
FS1192.50	765.15	Murray and Jennifer Butler	Accept in Part	12
FS1192.51	765.16	Murray and Jennifer Butler	Accept in Part	13.1,13.2
FS1192.52	632.71	Murray and Jennifer Butler	Accept	10.5
FS1192.53	632.74	Murray and Jennifer Butler	Accept	10.5)
FS1192.54	632.84	Murray and Jennifer Butler	Accept	10.5
FS1192.55	632.87	Murray and Jennifer Butler	Accept	10.5
FS1192.6	131.6	Murray and Jennifer Butler	Accept in Part	12.1-12.4
FS1192.61	715.5	Murray and Jennifer Butler	Accept	9.4
FS1192.62	715.6	Murray and Jennifer Butler	Accept	9.4
FS1192.64	715.8	Murray and Jennifer Butler	Accept in Part	9.4
FS1192.7	131.7	Murray and Jennifer Butler	Accept in Part	13
FS1192.75	715.19	Murray and Jennifer Butler	Reject	10.3
FS1192.76	131.1	Murray and Jennifer Butler	Accept in Part	8
FS1192.77	131.2	Murray and Jennifer Butler	Accept in Part	9.2-9.4
FS1192.78	131.3	Murray and Jennifer Butler	Accept in Part	13.1 – 13.3
FS1192.79	131.4	Murray and Jennifer Butler	Accept in Part	12.1-12.4
FS1192.8	131.8	Murray and Jennifer Butler	Accept	7
FS1192.80	131.5	Murray and Jennifer Butler	Accept in Part	12.2,12.4
FS1192.81	131.6	Murray and Jennifer Butler	Accept in Part	12.1-12.4F
FS1192.82	131.7	Murray and Jennifer Butler	Accept in Part	13
FS1192.83	131.8	Murray and Jennifer Butler	Accept	7
FS1192.84	131.9	Murray and Jennifer Butler	Accept in Part	13.1,13.2
FS1192.85	131.1	Murray and Jennifer Butler	Accept	10.1
FS1192.86	131.11	Murray and Jennifer Butler	Accept	13.1 and 13.2
FS1192.87	131.12	Murray and Jennifer Butler	Reject	11
FS1192.88	131.13	Murray and Jennifer Butler	Reject	14.6
FS1192.89	131.14	Murray and Jennifer Butler	Reject	14.6
FS1192.9	131.9	Murray and Jennifer Butler	Accept in Part	13.1,13.2
FS1192.90	131.15	Murray and Jennifer Butler	Accept in Part	7,8

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FS1192.91	131.16	Murray and Jennifer Butler	Accept in Part	13.1,13.2
FS1192.92	195.1	Murray and Jennifer Butler	Accept in Part	12.2-12.4
FS1192.94	540.1	Murray and Jennifer Butler	Accept in Part	8
FS1192.95	540.2	Murray and Jennifer Butler	Accept in Part	12,13
FS1192.96	540.3	Murray and Jennifer Butler	Reject	9.4
FS1192.97	540.4	Murray and Jennifer Butler	Accept in Part	8
FS1218.1	131.1	Grant and Cathy Boyd	Accept in Part	8
FS1218.10	131.1	Grant and Cathy Boyd	Accept	10.1
FS1218.11	131.11	Grant and Cathy Boyd	Accept	13.1 and 13.2
FS1218.12	131.12	Grant and Cathy Boyd	Reject	11
FS1218.13	131.13	Grant and Cathy Boyd	Reject	14.6
FS1218.14	131.14	Grant and Cathy Boyd	Reject	14.6
FS1218.15	131.15	Grant and Cathy Boyd	Accept in Part	7,8
FS1218.16	131.16	Grant and Cathy Boyd	Accept in Part	13.1,13.2
FS1218.17	195.1	Grant and Cathy Boyd	Accept in Part	12.2-12.4
FS1218.19	540.1	Grant and Cathy Boyd	Accept in Part	8
FS1218.2	131.2	Grant and Cathy Boyd	Accept in Part	9.2-9.4
FS1218.20	540.2	Grant and Cathy Boyd	Accept in Part	12,13
FS1218.21	540.3	Grant and Cathy Boyd	Reject	9.4
FS1218.22	540.4	Grant and Cathy Boyd	Accept in Part	8
FS1218.25	601.1	Grant and Cathy Boyd	Accept in Part	13.1,13.2
FS1218.26	601.2	Grant and Cathy Boyd	Accept in Part	9.2-9.4
FS1218.27	601.3	Grant and Cathy Boyd	Accept in Part	13
FS1218.28	601.4	Grant and Cathy Boyd	Accept in Part	13
FS1218.29	601.5	Grant and Cathy Boyd	Accept in Part	13.1 – 13.3
FS1218.3	131.3	Grant and Cathy Boyd	Accept in Part	13.1 – 13.3
FS1218.30	601.6	Grant and Cathy Boyd	Accept in Part	6.2, 8,12.2
FS1218.32	605.1	Grant and Cathy Boyd	Accept in Part	8
FS1218.33	605.2	Grant and Cathy Boyd	Accept in Part	8
FS1218.34	605.3	Grant and Cathy Boyd	Reject	9.4
FS1218.36	765.1	Grant and Cathy Boyd	Accept	13.1,13.2
FS1218.37	765.2	Grant and Cathy Boyd	Accept in Part	9
FS1218.38	765.3	Grant and Cathy Boyd	Accept in Part	8,12
FS1218.39	765.4	Grant and Cathy Boyd	Accept in Part	12.1-12.4
FS1218.4	131.4	Grant and Cathy Boyd	Accept in Part	12.1-12.4
FS1218.40	765.5	Grant and Cathy Boyd	Accept in Part	12
FS1218.41	765.6	Grant and Cathy Boyd	Accept in Part	8,9
FS1218.42	765.7	Grant and Cathy Boyd	Accept	12.1-12.4
FS1218.43	765.8	Grant and Cathy Boyd	Accept	12.2,12.4
FS1218.44	765.9	Grant and Cathy Boyd	Accept	12.2,12.4
FS1218.45	765.1	Grant and Cathy Boyd	Accept	12.2,12.4
FS1218.46	765.11	Grant and Cathy Boyd	Accept	12, 13
FS1218.47	765.12	Grant and Cathy Boyd	Accept	12.4
FS1218.48	765.13	Grant and Cathy Boyd	Accept	12.1-12.4
FS1218.49	765.14	Grant and Cathy Boyd	Accept	9.4
FS1218.5	131.5	Grant and Cathy Boyd	Accept in Part	12.2,12.4

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1218.50	765.15	Grant and Cathy Boyd	Accept in Part	12
FS1218.51	765.16	Grant and Cathy Boyd	Accept in Part	13.1,13.2
FS1218.52	632.71	Grant and Cathy Boyd	Accept	10.5
FS1218.53	632.74	Grant and Cathy Boyd	Accept	10.5
FS1218.54	632.84	Grant and Cathy Boyd	Accept	10.5
FS1218.55	632.87	Grant and Cathy Boyd	Accept	10.5
FS1218.6	131.6	Grant and Cathy Boyd	Accept in Part	12.1-12.4
FS1218.61	715.5	Grant and Cathy Boyd	Accept	9.4
FS1218.62	715.6	Grant and Cathy Boyd	Accept	9.4
FS1218.64	715.8	Grant and Cathy Boyd	Accept in Part	9.4
FS1218.7	131.7	Grant and Cathy Boyd	Accept in Part	13
FS1218.75	715.19	Grant and Cathy Boyd	Reject	10.3
FS1218.8	131.8	Grant and Cathy Boyd	Accept	7
FS1218.9	131.9	Grant and Cathy Boyd	Accept in Part	13.1,13.2
FS1219.100	715.8	Bravo Trustee Company	Accept in Part	9.4
FS1219.111	715.19	Bravo Trustee Company	Reject	10.3
FS1219.121	765.1	Bravo Trustee Company	Reject	13.1,13.2
FS1219.122	765.2	Bravo Trustee Company	Reject	9
FS1219.123	765.3	Bravo Trustee Company	Reject	8,12
FS1219.124	765.4	Bravo Trustee Company	Reject	12.1-12.4)
FS1219.125	765.5	Bravo Trustee Company	Reject	12
FS1219.126	765.6	Bravo Trustee Company	Reject	8,9
FS1219.127	765.7	Bravo Trustee Company	Reject	12.1-12.4
FS1219.128	765.8	Bravo Trustee Company	Reject	12.2,12.4
FS1219.129	765.9	Bravo Trustee Company	Reject	12.2,12.4
FS1219.130	765.1	Bravo Trustee Company	Reject	12.2,12.4
FS1219.131	765.11	Bravo Trustee Company	Reject	12, 13
FS1219.132	765.12	Bravo Trustee Company	Reject	12.4
FS1219.133	765.13	Bravo Trustee Company	Reject	12.1-12.4
FS1219.134	765.14	Bravo Trustee Company	Reject	9.4
FS1219.135	765.15	Bravo Trustee Company	Reject	12
FS1219.136	765.16	Bravo Trustee Company	Reject	13.1,13.2
FS1219.137	855.1	Bravo Trustee Company	Reject	11
FS1219.138	856.1	Bravo Trustee Company	Reject	13.5
FS1219.139	316.1	Bravo Trustee Company	Accept	13.1 and 13.2
FS1219.140	316.2	Bravo Trustee Company	Accept in Part	7
FS1219.141	316.3	Bravo Trustee Company	Reject	9.2-9.4
FS1219.142	316.4	Bravo Trustee Company	Reject	13.1 – 13.3
FS1219.143	316.5	Bravo Trustee Company	Reject	12.1-12.4
FS1219.144	316.6	Bravo Trustee Company	Reject	12.2,12.4
FS1219.145	316.7	Bravo Trustee Company	Reject	12.1-12.4
FS1219.146	316.8	Bravo Trustee Company	Reject	13
FS1219.147	316.9	Bravo Trustee Company	Reject	7
FS1219.148	316.1	Bravo Trustee Company	Reject	13.1,13.2
FS1219.149	316.11	Bravo Trustee Company	Reject	10.1

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1219.150	316.12	Bravo Trustee Company	Accept in Part	13.1, 13.2 and 14.2
FS1219.151	316.13	Bravo Trustee Company	Accept in Part	11
FS1219.152	316.14	Bravo Trustee Company	Accept	14.6
FS1219.153	316.15	Bravo Trustee Company	Accept	14.6
FS1219.154	316.16	Bravo Trustee Company	Reject	7
FS1219.155	316.17	Bravo Trustee Company	Reject	10,13
FS1219.70	632.69	Bravo Trustee Company	Accept	9.1
FS1219.71	632.7	Bravo Trustee Company	Reject	9.4,13.4 and 13.5
FS1219.72	632.71	Bravo Trustee Company	Accept	10.5
FS1219.73	632.72	Bravo Trustee Company	Reject	13.5
FS1219.74	632.73	Bravo Trustee Company	Accept	10.5
FS1219.75	632.74	Bravo Trustee Company	Accept	10.5
FS1219.76	632.75	Bravo Trustee Company	Reject	10.5
FS1219.77	632.76	Bravo Trustee Company	Reject	12.1
FS1219.80	632.79	Bravo Trustee Company	Accept	10.5
FS1219.81	632.8	Bravo Trustee Company	Reject	13.5,13.6
FS1219.82	632.81	Bravo Trustee Company	Reject	13.6
FS1219.83	632.82	Bravo Trustee Company	Reject	13.9
FS1219.84	632.83	Bravo Trustee Company	Accept	10.5
FS1219.85	632.84	Bravo Trustee Company	Accept	10.5
FS1219.86	632.85	Bravo Trustee Company	Reject	13.4-13.7
FS1219.87	632.86	Bravo Trustee Company	Accept	10.6,13
FS1219.88	632.87	Bravo Trustee Company	Accept	10.5
FS1219.89	632.88	Bravo Trustee Company	Reject	10.5
FS1219.90	632.89	Bravo Trustee Company	Reject	9,13
FS1219.97	715.5	Bravo Trustee Company	Accept	9.4
FS1219.98	715.6	Bravo Trustee Company	Accept	9.4
FS1225.1	131.1	David Martin and Margaret Poppleton	Accept in Part	8
FS1225.10	131.1	David Martin and Margaret Poppleton	Accept	10.1
FS1225.11	131.11	David Martin and Margaret Poppleton	Accept	13.1 and 13.2
FS1225.12	131.12	David Martin and Margaret Poppleton	Reject	11
FS1225.13	131.13	David Martin and Margaret Poppleton	Reject	14.6
FS1225.14	131.14	David Martin and Margaret Poppleton	Reject	14.6
FS1225.15	131.15	David Martin and Margaret Poppleton	Accept in Part	7,8
FS1225.16	131.16	David Martin and Margaret Poppleton	Accept in Part	13.1,13.2
FS1225.17	195.1	David Martin and Margaret Poppleton	Accept in Part	12.2-12.4

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1225.19	540.1	David Martin and Margaret Poppleton	Accept in Part	8
FS1225.2	131.2	David Martin and Margaret Poppleton	Accept in Part	9.2-9.4
FS1225.20	540.2	David Martin and Margaret Poppleton	Accept in Part	12,13
FS1225.21	540.3	David Martin and Margaret Poppleton	Reject	9.4
FS1225.22	540.4	David Martin and Margaret Poppleton	Accept in Part	8
FS1225.25	601.1	David Martin and Margaret Poppleton	Accept in Part	13.1,13.2
FS1225.26	601.2	David Martin and Margaret Poppleton	Accept in Part	9.2-9.4
FS1225.27	601.3	David Martin and Margaret Poppleton	Accept in Part	13
FS1225.28	601.4	David Martin and Margaret Poppleton	Accept in Part	13
FS1225.29	601.5	David Martin and Margaret Poppleton	Accept in Part	13.1 – 13.3
FS1225.3	131.3	David Martin and Margaret Poppleton	Accept in Part	13.1 – 13.3
FS1225.30	601.6	David Martin and Margaret Poppleton	Accept in Part	6.2, 8,12.2
FS1225.32	605.1	David Martin and Margaret Poppleton	Accept in Part	8
FS1225.33	605.2	David Martin and Margaret Poppleton	Accept in Part	8
FS1225.34	605.3	David Martin and Margaret Poppleton	Reject	9.4
FS1225.36	765.1	David Martin and Margaret Poppleton	Accept	13.1,13.2
FS1225.37	765.2	David Martin and Margaret Poppleton	Accept in Part	9
FS1225.38	765.3	David Martin and Margaret Poppleton	Accept in Part	8,12
FS1225.39	765.4	David Martin and Margaret Poppleton	Accept in Part	12.1-12.4
FS1225.4	131.4	David Martin and Margaret Poppleton	Accept in Part	12.1-12.4
FS1225.40	765.5	David Martin and Margaret Poppleton	Accept in Part	12
FS1225.41	765.6	David Martin and Margaret Poppleton	Accept in Part	8,9
FS1225.42	765.7	David Martin and Margaret Poppleton	Accept	12.1-12.4
FS1225.43	765.8	David Martin and Margaret Poppleton	Accept	12.2,12.4

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1225.44	765.9	David Martin and Margaret Poppleton	Accept	12.2,12.4
FS1225.45	765.1	David Martin and Margaret Poppleton	Accept	12.2,12.4
FS1225.46	765.11	David Martin and Margaret Poppleton	Accept	12, 13
FS1225.47	765.12	David Martin and Margaret Poppleton	Accept	12.4
FS1225.48	765.13	David Martin and Margaret Poppleton	Accept	12.1-12.4
FS1225.49	765.14	David Martin and Margaret Poppleton	Accept	9.4
FS1225.5	131.5	David Martin and Margaret Poppleton	Accept in Part	12.2,12.4
FS1225.50	765.15	David Martin and Margaret Poppleton	Accept in Part	12
FS1225.51	765.16	David Martin and Margaret Poppleton	Accept in Part	13.1,13.2
FS1225.52	632.71	David Martin and Margaret Poppleton	Accept	10.5
FS1225.53	632.74	David Martin and Margaret Poppleton	Accept	10.5
FS1225.54	632.84	David Martin and Margaret Poppleton	Accept	10.5
FS1225.55	632.87	David Martin and Margaret Poppleton	Accept	10.5
FS1225.6	131.6	David Martin and Margaret Poppleton	Accept in Part	12.1-12.4
FS1225.61	715.5	David Martin and Margaret Poppleton	Accept	9.4
FS1225.62	715.6	David Martin and Margaret Poppleton	Accept	9.4
FS1225.64	715.8	David Martin and Margaret Poppleton	Accept in Part	9.4
FS1225.7	131.7	David Martin and Margaret Poppleton	Accept in Part	13
FS1225.75	715.19	David Martin and Margaret Poppleton	Reject	10.3
FS1225.8	131.8	David Martin and Margaret Poppleton	Accept	7
FS1225.9	131.9	David Martin and Margaret Poppleton	Accept in Part	13.1,13.2
FS1227.1	131.1	James and Elisabeth Ford	Accept in Part	8
FS1227.10	131.1	James and Elisabeth Ford	Accept	10.1
FS1227.11	131.11	James and Elisabeth Ford	Accept	13.1 and 13.2
FS1227.12	131.12	James and Elisabeth Ford	Reject	11

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1227.13	131.13	James and Elisabeth Ford	Reject	14.6
FS1227.14	131.14	James and Elisabeth Ford	Reject	14.6
FS1227.15	131.15	James and Elisabeth Ford	Accept in Part	7,8.
FS1227.16	131.16	James and Elisabeth Ford	Accept in Part	13.1,13.2
FS1227.17	195.1	James and Elisabeth Ford	Accept in Part	12.2-12.4
FS1227.19	540.1	James and Elisabeth Ford	Accept in Part	8
FS1227.2	131.2	James and Elisabeth Ford	Accept in Part	9.2-9.4
FS1227.20	540.2	James and Elisabeth Ford	Accept in Part	12,13
FS1227.21	540.3	James and Elisabeth Ford	Reject	9.4
FS1227.22	540.4	James and Elisabeth Ford	Accept in Part	8
FS1227.25	601.1	James and Elisabeth Ford	Accept in Part	13.1,13.2
FS1227.26	601.2	James and Elisabeth Ford	Accept in Part	9.2-9.4
FS1227.27	601.3	James and Elisabeth Ford	Accept in Part	13
FS1227.28	601.4	James and Elisabeth Ford	Accept in Part	13
FS1227.29	601.5	James and Elisabeth Ford	Accept in Part	13.1 – 13.3
FS1227.3	131.3	James and Elisabeth Ford	Accept in Part	13.1 – 13.3
FS1227.30	601.6	James and Elisabeth Ford	Accept in Part	6.2, 8,12.2
FS1227.32	605.1	James and Elisabeth Ford	Accept in Part	8
FS1227.33	605.2	James and Elisabeth Ford	Accept in Part	8
FS1227.34	605.3	James and Elisabeth Ford	Reject	9.4
FS1227.36	765.1	James and Elisabeth Ford	Accept	13.1,13.2
FS1227.37	765.2	James and Elisabeth Ford	Accept in Part	9
FS1227.38	765.3	James and Elisabeth Ford	Accept in Part	8,12
FS1227.39	765.4	James and Elisabeth Ford	Accept in Part	12.1-12.4
FS1227.4	131.4	James and Elisabeth Ford	Accept in Part	12.1-12.4
FS1227.40	765.5	James and Elisabeth Ford	Accept in Part	12
FS1227.41	765.6	James and Elisabeth Ford	Accept in Part	8,9
FS1227.42	765.7	James and Elisabeth Ford	Accept	12.1-12.4
FS1227.43	765.8	James and Elisabeth Ford	Accept	12.2,12.4
FS1227.44	765.9	James and Elisabeth Ford	Accept	12.2,12.4
FS1227.45	765.1	James and Elisabeth Ford	Accept	12.2,12.4
FS1227.46	765.11	James and Elisabeth Ford	Accept	12,13
FS1227.47	765.12	James and Elisabeth Ford	Accept	12.4
FS1227.48	765.13	James and Elisabeth Ford	Accept	12.1-12.4
FS1227.49	765.14	James and Elisabeth Ford	Accept	9.4
FS1227.5	131.5	James and Elisabeth Ford	Accept in Part	12.2,12.4
FS1227.50	765.15	James and Elisabeth Ford	Accept in Part	12
FS1227.51	765.16	James and Elisabeth Ford	Accept in Part	13.1,13.2
FS1227.52	632.71	James and Elisabeth Ford	Accept	10.5
FS1227.53	632.74	James and Elisabeth Ford	Accept	10.5
FS1227.54	632.84	James and Elisabeth Ford	Accept	10.5
FS1227.55	632.87	James and Elisabeth Ford	Accept	10.5
FS1227.6	131.6	James and Elisabeth Ford	Accept in Part	12.1-12.4
FS1227.61	715.5	James and Elisabeth Ford	Accept	9.4
FS1227.62	715.6	James and Elisabeth Ford	Accept	9.4
FS1227.64	715.8	James and Elisabeth Ford	Accept In Part	9.4
FS1227.7	131.7	James and Elisabeth Ford	Accept in Part	13

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1227.75	715.19	James and Elisabeth Ford	Reject	10.3
FS1227.8	131.8	James and Elisabeth Ford	Accept	7
FS1227.9	131.9	James and Elisabeth Ford	Accept in Part	13.1,13.2
FS1237.1	131.1	Kristi and Jonathan Howley	Accept in Part	8
FS1237.10	131.1	Kristi and Jonathan Howley	Accept	10.1
FS1237.11	131.11	Kristi and Jonathan Howley	Accept	13.1 and 13.2
FS1237.12	131.12	Kristi and Jonathan Howley	Reject	11
FS1237.13	131.13	Kristi and Jonathan Howley	Reject	14.6
FS1237.14	131.14	Kristi and Jonathan Howley	Reject	14.6
FS1237.15	131.15	Kristi and Jonathan Howley	Accept in Part	7,8
FS1237.16	131.16	Kristi and Jonathan Howley	Accept in Part	13.1,13.2
FS1237.17	195.1	Kristi and Jonathan Howley	Accept in Part	12.2-12.4
FS1237.19	540.1	Kristi and Jonathan Howley	Accept in Part	8
FS1237.2	131.2	Kristi and Jonathan Howley	Accept in Part	9.2-9.4
FS1237.20	540.2	Kristi and Jonathan Howley	Accept in Part	12,13
FS1237.21	540.3	Kristi and Jonathan Howley	Reject	9.4
FS1237.22	540.4	Kristi and Jonathan Howley	Accept in Part	8
FS1237.25	601.1	Kristi and Jonathan Howley	Accept in Part	13.1,13.2
FS1237.26	601.2	Kristi and Jonathan Howley	Accept in Part	9.2-9.4
FS1237.27	601.3	Kristi and Jonathan Howley	Accept in Part	13
FS1237.28	601.4	Kristi and Jonathan Howley	Accept in Part	13
FS1237.29	601.5	Kristi and Jonathan Howley	Accept in Part	13.1 – 13.3
FS1237.3	131.3	Kristi and Jonathan Howley	Accept in Part	13.1 – 13.3
FS1237.30	601.6	Kristi and Jonathan Howley	Accept in Part	6.2, 8,12.2
FS1237.32	605.1	Kristi and Jonathan Howley	Accept in Part	8
FS1237.33	605.2	Kristi and Jonathan Howley	Accept in Part	8
FS1237.34	605.3	Kristi and Jonathan Howley	Reject	9.4
FS1237.36	765.1	Kristi and Jonathan Howley	Accept	13.1,13.2
FS1237.37	765.2	Kristi and Jonathan Howley	Accept in Part	9
FS1237.38	765.3	Kristi and Jonathan Howley	Accept in Part	8,12
FS1237.39	765.4	Kristi and Jonathan Howley	Accept in Part	12.1-12.4
FS1237.4	131.4	Kristi and Jonathan Howley	Accept in Part	12.1-12.4
FS1237.40	765.5	Kristi and Jonathan Howley	Accept in Part	12
FS1237.41	765.6	Kristi and Jonathan Howley	Accept in Part	8,9
FS1237.42	765.7	Kristi and Jonathan Howley	Accept	12.1-12.4
FS1237.43	765.8	Kristi and Jonathan Howley	Accept	12.2,12.4
FS1237.44	765.9	Kristi and Jonathan Howley	Accept	12.2,12.4
FS1237.45	765.1	Kristi and Jonathan Howley	Accept	12.2,12.4
FS1237.46	765.11	Kristi and Jonathan Howley	Accept	12,13
FS1237.47	765.12	Kristi and Jonathan Howley	Accept	12.4
FS1237.48	765.13	Kristi and Jonathan Howley	Accept	12.1-12.4
FS1237.49	765.14	Kristi and Jonathan Howley	Accept	9.4
FS1237.5	131.5	Kristi and Jonathan Howley	Accept in Part	12.2,12.4
FS1237.50	765.15	Kristi and Jonathan Howley	Accept in Part	12
FS1237.51	765.16	Kristi and Jonathan Howley	Accept in Part	13.1,13.2
FS1237.52	632.71	Kristi and Jonathan Howley	Accept	10.5

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1237.53	632.74	Kristi and Jonathan Howley	Accept	10.5
FS1237.54	632.84	Kristi and Jonathan Howley	Accept	10.5
FS1237.55	632.87	Kristi and Jonathan Howley	Accept	10.5
FS1237.6	131.6	Kristi and Jonathan Howley	Accept in Part	12.1-12.4
FS1237.61	715.5	Kristi and Jonathan Howley	Accept	9.4
FS1237.62	715.6	Kristi and Jonathan Howley	Accept	9.4
FS1237.64	715.8	Kristi and Jonathan Howley	Accept in Part	9.4
FS1237.7	131.7	Kristi and Jonathan Howley	Accept in Part	13
FS1237.75	715.19	Kristi and Jonathan Howley	Reject	10.3
FS1237.8	131.8	Kristi and Jonathan Howley	Accept	7
FS1237.9	131.9	Kristi and Jonathan Howley	Accept in Part	13.1,13.2
FS1247.1	131.1	Mark and Katherine Davies	Accept in Part	8
FS1247.10	131.1	Mark and Katherine Davies	Accept	10.1
FS1247.11	131.11	Mark and Katherine Davies	Accept	13.1 and 13.2
FS1247.12	131.12	Mark and Katherine Davies	Reject	11
FS1247.13	131.13	Mark and Katherine Davies	Reject	14.6
FS1247.14	131.14	Mark and Katherine Davies	Reject	14.6
FS1247.15	131.15	Mark and Katherine Davies	Accept in Part	7,8
FS1247.16	131.16	Mark and Katherine Davies	Accept in Part	13.1,13.2
FS1247.17	195.1	Mark and Katherine Davies	Accept in Part	12.2-12.4
FS1247.19	540.1	Mark and Katherine Davies	Accept in Part	8
FS1247.2	131.2	Mark and Katherine Davies	Accept in Part	9.2-9.4
FS1247.20	540.2	Mark and Katherine Davies	Accept in Part	12,13
FS1247.21	540.3	Mark and Katherine Davies	Reject	9.4
FS1247.22	540.4	Mark and Katherine Davies	Accept in Part	8
FS1247.25	601.1	Mark and Katherine Davies	Accept in Part	13.1,13.2
FS1247.26	601.2	Mark and Katherine Davies	Accept in Part	9.2-9.4
FS1247.27	601.3	Mark and Katherine Davies	Accept in Part	13
FS1247.28	601.4	Mark and Katherine Davies	Accept in Part	13
FS1247.29	601.5	Mark and Katherine Davies	Accept in Part	13.1 – 13.3
FS1247.3	131.3	Mark and Katherine Davies	Accept in Part	13.1 – 13.3
FS1247.30	601.6	Mark and Katherine Davies	Accept in Part	6.2, 8,12.2
FS1247.32	605.1	Mark and Katherine Davies	Accept in Part	8
FS1247.33	605.2	Mark and Katherine Davies	Accept in Part	8
FS1247.34	605.3	Mark and Katherine Davies	Reject	9.4
FS1247.36	765.1	Mark and Katherine Davies	Accept	13.1,13.2
FS1247.37	765.2	Mark and Katherine Davies	Accept in Part	9
FS1247.38	765.3	Mark and Katherine Davies	Accept in Part	8,12
FS1247.39	765.4	Mark and Katherine Davies	Accept in Part	12.1-12.4)
FS1247.4	131.4	Mark and Katherine Davies	Accept in Part	12.1-12.4
FS1247.40	765.5	Mark and Katherine Davies	Accept in Part	12
FS1247.41	765.6	Mark and Katherine Davies	Accept in Part	8,9
FS1247.42	765.7	Mark and Katherine Davies	Accept	12.1-12.4
FS1247.43	765.8	Mark and Katherine Davies	Accept	12.2,12.4
FS1247.44	765.9	Mark and Katherine Davies	Accept	12.2,12.4
FS1247.45	765.1	Mark and Katherine Davies	Accept	12.2,12.4

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1247.46	765.11	Mark and Katherine Davies	Accept	12,13
FS1247.47	765.12	Mark and Katherine Davies	Accept	12.4
FS1247.48	765.13	Mark and Katherine Davies	Accept	12.1-12.4
FS1247.49	765.14	Mark and Katherine Davies	Accept	9.4
FS1247.5	131.5	Mark and Katherine Davies	Accept in Part	12.2,12.4
FS1247.50	765.15	Mark and Katherine Davies	Accept in Part	12
FS1247.51	765.16	Mark and Katherine Davies	Accept in Part	13.1,13.2
FS1247.52	632.71	Mark and Katherine Davies	Accept	10.5)
FS1247.53	632.74	Mark and Katherine Davies	Accept	10.5
FS1247.54	632.84	Mark and Katherine Davies	Accept	10.5
FS1247.55	632.87	Mark and Katherine Davies	Accept	10.5
FS1247.6	131.6	Mark and Katherine Davies	Accept in Part	12.1-12.4
FS1247.61	715.5	Mark and Katherine Davies	Accept	9.4
FS1247.62	715.6	Mark and Katherine Davies	Accept	9.4
FS1247.64	715.8	Mark and Katherine Davies	Accept in Part	9.4
FS1247.7	131.7	Mark and Katherine Davies	Accept in Part	13
FS1247.75	715.19	Mark and Katherine Davies	Reject	10.3
FS1247.8	131.8	Mark and Katherine Davies	Accept	7
FS1247.9	131.9	Mark and Katherine Davies	Accept in Part	13.1,13.2
FS1250.1	131.1	Sonia and Grant Voldseth and McDonald	Accept in Part	8
FS1250.10	131.1	Sonia and Grant Voldseth and McDonald	Accept	10.1
FS1250.11	131.11	Sonia and Grant Voldseth and McDonald	Accept	13.1 and 13.2
FS1250.12	131.12	Sonia and Grant Voldseth and McDonald	Reject	11
FS1250.13	131.13	Sonia and Grant Voldseth and McDonald	Reject	14.6
FS1250.14	131.14	Sonia and Grant Voldseth and McDonald	Reject	14.6
FS1250.15	131.15	Sonia and Grant Voldseth and McDonald	Accept in Part	7,8
FS1250.16	131.16	Sonia and Grant Voldseth and McDonald	Accept in Part	13.1,13.2
FS1250.17	195.1	Sonia and Grant Voldseth and McDonald	Accept in Part	12.2-12.4
FS1250.19	540.1	Sonia and Grant Voldseth and McDonald	Accept in Part	8
FS1250.2	131.2	Sonia and Grant Voldseth and McDonald	Accept in Part	9.2-9.4
FS1250.20	540.2	Sonia and Grant Voldseth and McDonald	Accept in Part	12,13
FS1250.21	540.3	Sonia and Grant Voldseth and McDonald	Reject	9.4
FS1250.22	540.4	Sonia and Grant Voldseth and McDonald	Accept in Part	8

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1250.25	601.1	Sonia and Grant Voldseth and McDonald	Accept in Part	13.1,13.2
FS1250.26	601.2	Sonia and Grant Voldseth and McDonald	Accept in Part	9.2-9.4
FS1250.27	601.3	Sonia and Grant Voldseth and McDonald	Accept in Part	13
FS1250.28	601.4	Sonia and Grant Voldseth and McDonald	Accept in Part	13
FS1250.29	601.5	Sonia and Grant Voldseth and McDonald	Accept in Part	13.1 – 13.3
FS1250.3	131.3	Sonia and Grant Voldseth and McDonald	Accept in Part	13.1 – 13.3
FS1250.30	601.6	Sonia and Grant Voldseth and McDonald	Accept in Part	6.2, 8,12.2
FS1250.32	605.1	Sonia and Grant Voldseth and McDonald	Accept in Part	8
FS1250.33	605.2	Sonia and Grant Voldseth and McDonald	Accept in Part	8
FS1250.34	605.3	Sonia and Grant Voldseth and McDonald	Reject	9.4
FS1250.36	765.1	Sonia and Grant Voldseth and McDonald	Accept	13.1,13.2
FS1250.37	765.2	Sonia and Grant Voldseth and McDonald	Accept in Part	9
FS1250.38	765.3	Sonia and Grant Voldseth and McDonald	Accept in Part	8,12
FS1250.39	765.4	Sonia and Grant Voldseth and McDonald	Accept in Part	12.1-12.4
FS1250.4	131.4	Sonia and Grant Voldseth and McDonald	Accept in Part	12.1-12.4
FS1250.40	765.5	Sonia and Grant Voldseth and McDonald	Accept in Part	12)
FS1250.41	765.6	Sonia and Grant Voldseth and McDonald	Accept in Part	8,9
FS1250.42	765.7	Sonia and Grant Voldseth and McDonald	Accept	12.1-12.4
FS1250.43	765.8	Sonia and Grant Voldseth and McDonald	Accept	12.2,12.4
FS1250.44	765.9	Sonia and Grant Voldseth and McDonald	Accept	12.2,12.4
FS1250.45	765.1	Sonia and Grant Voldseth and McDonald	Accept	12.2,12.4
FS1250.46	765.11	Sonia and Grant Voldseth and McDonald	Accept	12,13
FS1250.47	765.12	Sonia and Grant Voldseth and McDonald	Accept	12.4
FS1250.48	765.13	Sonia and Grant Voldseth and McDonald	Accept	12.1-12.4

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1250.49	765.14	Sonia and Grant Voldseth and McDonald	Accept	9.4
FS1250.5	131.5	Sonia and Grant Voldseth and McDonald	Accept in Part	12.2,12.4
FS1250.50	765.15	Sonia and Grant Voldseth and McDonald	Accept in Part	12
FS1250.51	765.16	Sonia and Grant Voldseth and McDonald	Accept in Part	13.1,13.2
FS1250.52	632.71	Sonia and Grant Voldseth and McDonald	Accept	10.5
FS1250.53	632.74	Sonia and Grant Voldseth and McDonald	Accept	10.5
FS1250.54	632.84	Sonia and Grant Voldseth and McDonald	Accept	10.5
FS1250.55	632.87	Sonia and Grant Voldseth and McDonald	Accept	10.5
FS1250.6	131.6	Sonia and Grant Voldseth and McDonald	Accept in Part	12.1-12.4
FS1250.61	715.5	Sonia and Grant Voldseth and McDonald	Accept	9.4
FS1250.62	715.6	Sonia and Grant Voldseth and McDonald	Accept	9.4
FS1250.64	715.8	Sonia and Grant Voldseth and McDonald	Accept in Part	9.4
FS1250.7	131.7	Sonia and Grant Voldseth and McDonald	Accept in Part	13
FS1250.75	715.19	Sonia and Grant Voldseth and McDonald	Reject	10.3
FS1250.8	131.8	Sonia and Grant Voldseth and McDonald	Accept	7
FS1250.9	131.9	Sonia and Grant Voldseth and McDonald	Accept in Part	13.1,13.2
FS1252.100	715.8	Tim & Paula Williams	Accept in Part	9.4
FS1252.111	715.19	Tim & Paula Williams	Reject	10.3
FS1252.121	765.1	Tim & Paula Williams	Reject	13.1,13.2
FS1252.122	765.2	Tim & Paula Williams	Reject	9
FS1252.123	765.3	Tim & Paula Williams	Reject	8,12
FS1252.124	765.4	Tim & Paula Williams	Reject	12.1-12.4)
FS1252.125	765.5	Tim & Paula Williams	Reject	12)
FS1252.126	765.6	Tim & Paula Williams	Reject	8,9
FS1252.127	765.7	Tim & Paula Williams	Reject	12.1-12.4
FS1252.128	765.8	Tim & Paula Williams	Reject	12.2,12.4
FS1252.129	765.9	Tim & Paula Williams	Reject	12.2,12.4
FS1252.130	765.1	Tim & Paula Williams	Reject	12.2,12.4
FS1252.131	765.11	Tim & Paula Williams	Reject	12,13
FS1252.132	765.12	Tim & Paula Williams	Reject	12.4
FS1252.133	765.13	Tim & Paula Williams	Reject	12.1-12.4

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1252.134	765.14	Tim & Paula Williams	Reject	9.4
FS1252.135	765.15	Tim & Paula Williams	Reject	12
FS1252.136	765.16	Tim & Paula Williams	Reject	13.1,13.2
FS1252.137	855.1	Tim & Paula Williams	Reject	11
FS1252.138	856.1	Tim & Paula Williams	Reject	13.5
FS1252.70	632.69	Tim & Paula Williams	Accept	9.1
FS1252.71	632.7	Tim & Paula Williams	Reject	9.4,13.4 and 13.5
FS1252.72	632.71	Tim & Paula Williams	Accept	10.5
FS1252.73	632.72	Tim & Paula Williams	Reject	13.5
FS1252.74	632.73	Tim & Paula Williams	Accept	10.5
FS1252.75	632.74	Tim & Paula Williams	Accept	10.5
FS1252.76	632.75	Tim & Paula Williams	Reject	10.5
FS1252.77	632.76	Tim & Paula Williams	Reject	12.1
FS1252.80	632.79	Tim & Paula Williams	Accept	10.5
FS1252.81	632.8	Tim & Paula Williams	Reject	13.5,13.6
FS1252.82	632.81	Tim & Paula Williams	Reject	13.6
FS1252.83	632.82	Tim & Paula Williams	Reject	13.9
FS1252.84	632.83	Tim & Paula Williams	Accept	10.5
FS1252.85	632.84	Tim & Paula Williams	Accept	10.5.
FS1252.86	632.85	Tim & Paula Williams	Reject	13.4-13.7
FS1252.87	632.86	Tim & Paula Williams	Accept	10.6,13
FS1252.88	632.87	Tim & Paula Williams	Accept	10.5)
FS1252.90	632.89	Tim & Paula Williams	Reject	9,13
FS1252.97	715.5	Tim & Paula Williams	Accept	9.4
FS1252.98	715.6	Tim & Paula Williams	Accept	9.4
FS1257.1	342.1	RCL Queenstown PTY Limited	Reject	10,12,13
FS1257.2	342.2	RCL Queenstown PTY Limited	Reject	6.1,6.2,12.2
FS1257.3	342.3	RCL Queenstown PTY Limited	Accept	11
FS1275.1	131.1	"Jacks Point" (Submitter number 762 and 856)	Reject	8
FS1275.10	131.1	"Jacks Point" (Submitter number 762 and 856)	Reject	10.1
FS1275.102	547.1	"Jacks Point" (Submitter number 762 and 856)	Reject	7,13.1.and 13.2
FS1275.103	547.2	"Jacks Point" (Submitter number 762 and 856)	Reject	13
FS1275.104	547.3	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1,13.2 and 14.2
FS1275.105	547.4	"Jacks Point" (Submitter number 762 and 856)	Accept	8,13.1and 13.2
FS1275.106	547.5	"Jacks Point" (Submitter number 762 and 856)	Reject	9.2-9.4
FS1275.107	547.6	"Jacks Point" (Submitter number 762 and 856)	Reject	10,13
FS1275.108	547.7	"Jacks Point" (Submitter number 762 and 856)	Reject	12.1-12.4

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FS1275.109	547.8	"Jacks Point" (Submitter number 762 and 856)	Reject	10,12,13
FS1275.11	131.11	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1 and 13.2
FS1275.110	547.9	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	11.1
FS1275.111	547.1	"Jacks Point" (Submitter number 762 and 856)	Reject	7,13.1 and 13.2
FS1275.113	567.2	"Jacks Point" (Submitter number 762 and 856)	Accept	12.6
FS1275.114	567.3	"Jacks Point" (Submitter number 762 and 856)	Reject	12.6
FS1275.116	567.4	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	9.2-9.4
FS1275.117	567.5	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	9.2-9.4
FS1275.118	567.6	"Jacks Point" (Submitter number 762 and 856)	Reject	12.6
FS1275.119	567.7	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	12.6
FS1275.12	131.12	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	11
FS1275.120	567.8	"Jacks Point" (Submitter number 762 and 856)	Accept	12.6
FS1275.121	567.9	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	12.6
FS1275.122	567.1	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	12.6
FS1275.123	567.11	"Jacks Point" (Submitter number 762 and 856)	Reject	12.6
FS1275.125	567.2	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	12.6
FS1275.127	576.1	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	8
FS1275.128	576.2	"Jacks Point" (Submitter number 762 and 856)	Reject	9.2-9.4
FS1275.129	576.3	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1 – 13.3
FS1275.13	131.13	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	14.6
FS1275.130	576.4	"Jacks Point" (Submitter number 762 and 856)	Reject	12.1-12.4
FS1275.131	576.5	"Jacks Point" (Submitter number 762 and 856)	Reject	12.2,12.4
FS1275.132	576.6	"Jacks Point" (Submitter number 762 and 856)	Reject	12.1-12.4
FS1275.133	576.7	"Jacks Point" (Submitter number 762 and 856)	Reject	13

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FS1275.134	576.8	"Jacks Point" (Submitter number 762 and 856)	Reject	7
FS1275.135	576.9	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1,13.2
FS1275.136	576.1	"Jacks Point" (Submitter number 762 and 856)	Reject	10.1
FS1275.137	576.11	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1, 13.2 and 14.2
FS1275.138	576.12	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	11
FS1275.139	576.13	"Jacks Point" (Submitter number 762 and 856)	Accept	14.6
FS1275.14	131.14	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	14.6
FS1275.140	576.14	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	14.6
FS1275.141	576.15	"Jacks Point" (Submitter number 762 and 856)	Reject	8
FS1275.142	576.16	"Jacks Point" (Submitter number 762 and 856)	Reject	13
FS1275.144	582.1	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	8
FS1275.145	582.2	"Jacks Point" (Submitter number 762 and 856)	Reject	9.2-9.4
FS1275.146	582.3	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1 – 13.3
FS1275.147	582.4	"Jacks Point" (Submitter number 762 and 856)	Reject	12.1-12.4
FS1275.148	582.5	"Jacks Point" (Submitter number 762 and 856)	Reject	12.2,12.4
FS1275.149	582.6	"Jacks Point" (Submitter number 762 and 856)	Reject	12.1-12.4
FS1275.15	131.15	"Jacks Point" (Submitter number 762 and 856)	Reject	7,8
FS1275.150	582.7	"Jacks Point" (Submitter number 762 and 856)	Reject	13
FS1275.151	582.8	"Jacks Point" (Submitter number 762 and 856)	Reject	7
FS1275.152	582.9	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1,13.2
FS1275.153	582.1	"Jacks Point" (Submitter number 762 and 856)	Reject	10.1
FS1275.154	582.11	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1, 13.2 and 14.2
FS1275.155	582.12	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	11
FS1275.156	582.13	"Jacks Point" (Submitter number 762 and 856)	Accept	13

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1275.157	582.14	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	14.6
FS1275.158	582.15	"Jacks Point" (Submitter number 762 and 856)	Reject	7,8.
FS1275.159	582.16	"Jacks Point" (Submitter number 762 and 856)	Reject	13
FS1275.16	131.16	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1,13.2
FS1275.161	601.1	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1,13.2
FS1275.162	601.2	"Jacks Point" (Submitter number 762 and 856)	Reject	9.2-9.4
FS1275.163	601.3	"Jacks Point" (Submitter number 762 and 856)	Reject	13
FS1275.164	601.4	"Jacks Point" (Submitter number 762 and 856)	Reject	13
FS1275.165	601.5	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1 – 13.3
FS1275.166	601.6	"Jacks Point" (Submitter number 762 and 856)	Reject	6.2, 8,12.2
FS1275.168	603.1	"Jacks Point" (Submitter number 762 and 856)	Reject	8
FS1275.169	603.2	"Jacks Point" (Submitter number 762 and 856)	Accept	14.6
FS1275.171	605.1	"Jacks Point" (Submitter number 762 and 856)	Reject	8
FS1275.172	605.2	"Jacks Point" (Submitter number 762 and 856)	Reject	8
FS1275.173	605.3	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	9.4
FS1275.2	131.2	"Jacks Point" (Submitter number 762 and 856)	Reject	9.2-9.4
FS1275.22	185.1	"Jacks Point" (Submitter number 762 and 856)	Reject	9
FS1275.23	185.2	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	14.6
FS1275.24	195.1	"Jacks Point" (Submitter number 762 and 856)	Reject	12.2-12.4
FS1275.243	632.69	"Jacks Point" (Submitter number 762 and 856)	Accept	9.1
FS1275.244	632.7	"Jacks Point" (Submitter number 762 and 856)	Reject	9.4,13.4 and 13.5
FS1275.245	632.71	"Jacks Point" (Submitter number 762 and 856)	Accept	10.5)
FS1275.246	632.72	"Jacks Point" (Submitter number 762 and 856)	Reject	13.5
FS1275.247	632.73	"Jacks Point" (Submitter number 762 and 856)	Accept	10.5

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1275.248	632.74	"Jacks Point" (Submitter number 762 and 856)	Accept	10.5
FS1275.249	632.75	"Jacks Point" (Submitter number 762 and 856)	Reject	10.5
FS1275.250	632.76	"Jacks Point" (Submitter number 762 and 856)	Reject	12.1
FS1275.253	632.79	"Jacks Point" (Submitter number 762 and 856)	Accept	10.5
FS1275.254	632.8	"Jacks Point" (Submitter number 762 and 856)	Reject	13.5,13.6
FS1275.255	632.81	"Jacks Point" (Submitter number 762 and 856)	Reject	13.6
FS1275.256	632.82	"Jacks Point" (Submitter number 762 and 856)	Reject	13.9
FS1275.257	632.83	"Jacks Point" (Submitter number 762 and 856)	Accept	10.5
FS1275.258	632.84	"Jacks Point" (Submitter number 762 and 856)	Accept	10.5
FS1275.259	632.85	"Jacks Point" (Submitter number 762 and 856)	Reject	13.4-13.7
FS1275.260	632.86	"Jacks Point" (Submitter number 762 and 856)	Accept	10.6,13
FS1275.261	632.87	"Jacks Point" (Submitter number 762 and 856)	Accept	10.5
FS1275.262	632.89	"Jacks Point" (Submitter number 762 and 856)	Reject	9,13
FS1275.264	632.88	"Jacks Point" (Submitter number 762 and 856)	Reject	10.5
FS1275.266	645.1	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	8
FS1275.267	645.2	"Jacks Point" (Submitter number 762 and 856)	Reject	9.2-9.4
FS1275.268	645.3	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1 – 13.3
FS1275.269	645.4	"Jacks Point" (Submitter number 762 and 856)	Reject	12.1-12.4
FS1275.27	207.1	"Jacks Point" (Submitter number 762 and 856)	Reject	8
FS1275.270	645.5	"Jacks Point" (Submitter number 762 and 856)	Reject	12.2,12.4
FS1275.271	645.6	"Jacks Point" (Submitter number 762 and 856)	Reject	12.2-12.4
FS1275.272	645.7	"Jacks Point" (Submitter number 762 and 856)	Reject	13
FS1275.273	645.8	"Jacks Point" (Submitter number 762 and 856)	Reject	7
FS1275.274	645.9	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1,13.2

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1275.275	645.1	"Jacks Point" (Submitter number 762 and 856)	Reject	10.1
FS1275.276	645.11	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1, 13.2 and 14.2
FS1275.277	645.12	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	11
FS1275.278	645.13	"Jacks Point" (Submitter number 762 and 856)	Accept	14.6
FS1275.279	645.14	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	14.6
FS1275.28	207.2	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	14.6
FS1275.280	645.15	"Jacks Point" (Submitter number 762 and 856)	Reject	8
FS1275.281	645.16	"Jacks Point" (Submitter number 762 and 856)	Reject	10,13
FS1275.283	647.1	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	8
FS1275.284	647.2	"Jacks Point" (Submitter number 762 and 856)	Reject	9.2-9.4
FS1275.285	647.3	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1 – 13.3
FS1275.286	647.4	"Jacks Point" (Submitter number 762 and 856)	Reject	12.1-12.4
FS1275.287	647.5	"Jacks Point" (Submitter number 762 and 856)	Reject	12.2,12.4
FS1275.288	647.6	"Jacks Point" (Submitter number 762 and 856)	Reject	12.2,12.4
FS1275.289	647.7	"Jacks Point" (Submitter number 762 and 856)	Reject	13
FS1275.29	246.1	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	8
FS1275.290	647.8	"Jacks Point" (Submitter number 762 and 856)	Reject	7
FS1275.291	647.9	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1,13.2
FS1275.292	647.1	"Jacks Point" (Submitter number 762 and 856)	Reject	10.1
FS1275.293	647.11	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1, 13.2 and 14.2
FS1275.294	647.12	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	11
FS1275.295	647.13	"Jacks Point" (Submitter number 762 and 856)	Accept	14.6
FS1275.296	647.14	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	14.6
FS1275.297	647.15	"Jacks Point" (Submitter number 762 and 856)	Reject	8

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1275.298	647.16	"Jacks Point" (Submitter number 762 and 856)	Reject	13
FS1275.3	131.3	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1 – 13.3
FS1275.30	246.2	"Jacks Point" (Submitter number 762 and 856)	Reject	9.2-9.4
FS1275.300	735.1	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	8
FS1275.301	735.2	"Jacks Point" (Submitter number 762 and 856)	Reject	9.2-9.4
FS1275.302	735.3	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1 – 13.3
FS1275.303	735.4	"Jacks Point" (Submitter number 762 and 856)	Reject	12.1-12.4
FS1275.304	735.5	"Jacks Point" (Submitter number 762 and 856)	Reject	12.2,12.4
FS1275.305	735.6	"Jacks Point" (Submitter number 762 and 856)	Reject	12.2,12.4
FS1275.306	735.7	"Jacks Point" (Submitter number 762 and 856)	Reject	13
FS1275.307	735.8	"Jacks Point" (Submitter number 762 and 856)	Reject	7
FS1275.308	735.9	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1,13.2
FS1275.309	735.1	"Jacks Point" (Submitter number 762 and 856)	Reject	10.1
FS1275.31	246.3	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1 – 13.3
FS1275.310	735.11	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1, 13.2 and 14.2
FS1275.311	735.12	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	11
FS1275.312	735.13	"Jacks Point" (Submitter number 762 and 856)	Accept	14.6
FS1275.313	735.14	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	14.6
FS1275.314	735.15	"Jacks Point" (Submitter number 762 and 856)	Reject	7,8
FS1275.315	735.16	"Jacks Point" (Submitter number 762 and 856)	Reject	10,13
FS1275.319	787.1	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	8
FS1275.32	246.4	"Jacks Point" (Submitter number 762 and 856)	Reject	12.1-12.4
FS1275.320	787.2	"Jacks Point" (Submitter number 762 and 856)	Reject	9.2-9.4
FS1275.321	787.3	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1 – 13.3

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FS1275.322	787.4	"Jacks Point" (Submitter number 762 and 856)	Reject	12.1-12.4
FS1275.323	787.5	"Jacks Point" (Submitter number 762 and 856)	Reject	12.2,12.4
FS1275.324	787.6	"Jacks Point" (Submitter number 762 and 856)	Reject	12.2,12.4
FS1275.325	787.7	"Jacks Point" (Submitter number 762 and 856)	Reject	13
FS1275.326	787.8	"Jacks Point" (Submitter number 762 and 856)	Reject	7
FS1275.327	787.9	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1,13.2
FS1275.328	787.1	"Jacks Point" (Submitter number 762 and 856)	Reject	10.1
FS1275.329	787.11	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1, 13.2 and 14.2
FS1275.33	246.5	"Jacks Point" (Submitter number 762 and 856)	Reject	12.2,12.4
FS1275.330	787.12	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	11
FS1275.331	787.13	"Jacks Point" (Submitter number 762 and 856)	Accept	14.6
FS1275.332	787.14	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	14.6
FS1275.333	787.15	"Jacks Point" (Submitter number 762 and 856)	Reject	7
FS1275.334	787.16	"Jacks Point" (Submitter number 762 and 856)	Reject	10,13
FS1275.336	789.1	"Jacks Point" (Submitter number 762 and 856)	Accept	10.4
FS1275.337	789.2	"Jacks Point" (Submitter number 762 and 856)	Accept	10.4
FS1275.338	789.3	"Jacks Point" (Submitter number 762 and 856)	Accept	10.4
FS1275.339	789.4	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	9.2-9.4,10.4
FS1275.34	246.6	"Jacks Point" (Submitter number 762 and 856)	Reject	12.1-12.4
FS1275.340	789.5	"Jacks Point" (Submitter number 762 and 856)	Accept	10.4
FS1275.341	789.6	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	10,13
FS1275.342	789.7	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	10.4
FS1275.344	802.1	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	8
FS1275.345	802.2	"Jacks Point" (Submitter number 762 and 856)	Reject	9.2-9.4

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FS1275.346	802.3	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1 – 13.3
FS1275.347	802.4	"Jacks Point" (Submitter number 762 and 856)	Reject	12.1-12.4
FS1275.348	802.5	"Jacks Point" (Submitter number 762 and 856)	Reject	12.2,12.4
FS1275.349	802.6	"Jacks Point" (Submitter number 762 and 856)	Reject	12.2,12.4
FS1275.35	246.7	"Jacks Point" (Submitter number 762 and 856)	Reject	13
FS1275.350	802.7	"Jacks Point" (Submitter number 762 and 856)	Reject	13
FS1275.351	802.8	"Jacks Point" (Submitter number 762 and 856)	Reject	7
FS1275.352	802.9	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1,13.2
FS1275.353	802.1	"Jacks Point" (Submitter number 762 and 856)	Reject	10.1
FS1275.354	802.11	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1, 13.2 and 14.2
FS1275.355	802.12	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	11
FS1275.356	802.13	"Jacks Point" (Submitter number 762 and 856)	Accept	14.6
FS1275.357	802.14	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	14.6
FS1275.358	802.15	"Jacks Point" (Submitter number 762 and 856)	Reject	8
FS1275.359	802.16	"Jacks Point" (Submitter number 762 and 856)	Reject	10,13
FS1275.36	246.8	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	7
FS1275.360	855.1	"Jacks Point" (Submitter number 762 and 856)	Reject	11
FS1275.37	246.9	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1,13.2
FS1275.38	246.1	"Jacks Point" (Submitter number 762 and 856)	Reject	10.1
FS1275.39	246.11	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1, 13.2 and 14.2
FS1275.4	131.4	"Jacks Point" (Submitter number 762 and 856)	Reject	12.1-12.4
FS1275.40	246.12	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	11
FS1275.41	246.13	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	14.6
FS1275.42	246.14	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	14.6

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FS1275.43	246.15	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	9
FS1275.44	246.16	"Jacks Point" (Submitter number 762 and 856)	Reject	13
FS1275.46	259.1	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	8
FS1275.47	259.2	"Jacks Point" (Submitter number 762 and 856)	Reject	9.2-9.4
FS1275.48	259.3	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1 – 13.3
FS1275.49	259.4	"Jacks Point" (Submitter number 762 and 856)	Reject	12.1-12.4
FS1275.5	131.5	"Jacks Point" (Submitter number 762 and 856)	Reject	12.2,12.4
FS1275.50	259.5	"Jacks Point" (Submitter number 762 and 856)	Reject	12.2,12.4
FS1275.51	259.6	"Jacks Point" (Submitter number 762 and 856)	Reject	12.1-12.4F
FS1275.52	259.7	"Jacks Point" (Submitter number 762 and 856)	Reject	13
FS1275.53	259.8	"Jacks Point" (Submitter number 762 and 856)	Reject	7
FS1275.54	259.9	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1,13.2
FS1275.55	259.1	"Jacks Point" (Submitter number 762 and 856)	Reject	10.1
FS1275.56	259.11	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1, 13.2 and 14.2
FS1275.57	259.12	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	11
FS1275.58	259.13	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	14.6
FS1275.59	259.14	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	14.6
FS1275.6	131.6	"Jacks Point" (Submitter number 762 and 856)	Reject	12.1-12.4
FS1275.60	259.15	"Jacks Point" (Submitter number 762 and 856)	Reject	8
FS1275.61	259.16	"Jacks Point" (Submitter number 762 and 856)	Reject	10,13
FS1275.63	284.1	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	7
FS1275.64	284.2	"Jacks Point" (Submitter number 762 and 856)	Reject	9.2-9.4
FS1275.65	284.3	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1 – 13.3
FS1275.66	284.4	"Jacks Point" (Submitter number 762 and 856)	Reject	12.1-12.4

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1275.67	284.5	"Jacks Point" (Submitter number 762 and 856)	Reject	12.2,12.4
FS1275.68	284.6	"Jacks Point" (Submitter number 762 and 856)	Reject	12.1-12.4
FS1275.69	284.7	"Jacks Point" (Submitter number 762 and 856)	Reject	13
FS1275.7	131.7	"Jacks Point" (Submitter number 762 and 856)	Reject	13
FS1275.70	284.8	"Jacks Point" (Submitter number 762 and 856)	Reject	7
FS1275.71	284.9	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1,13.2
FS1275.72	284.1	"Jacks Point" (Submitter number 762 and 856)	Reject	10.1
FS1275.73	284.11	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	13.1, 13.2 and 14.2
FS1275.74	284.12	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	11
FS1275.75	284.13	"Jacks Point" (Submitter number 762 and 856)	Accept	14.6
FS1275.76	284.14	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	14.6
FS1275.77	284.15	"Jacks Point" (Submitter number 762 and 856)	Reject	7
FS1275.78	284.16	"Jacks Point" (Submitter number 762 and 856)	Reject	13
FS1275.79	316.2	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	7
FS1275.8	131.8	"Jacks Point" (Submitter number 762 and 856)	Reject	7
FS1275.80	316.3	"Jacks Point" (Submitter number 762 and 856)	Reject	9.2-9.4
FS1275.81	316.4	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1 – 13.3
FS1275.82	316.5	"Jacks Point" (Submitter number 762 and 856)	Reject	12.1-12.4
FS1275.83	316.6	"Jacks Point" (Submitter number 762 and 856)	Reject	12.2,12.4
FS1275.85	342.1	"Jacks Point" (Submitter number 762 and 856)	Reject	10,12,13
FS1275.86	342.2	"Jacks Point" (Submitter number 762 and 856)	Reject	6.1,6.2,12.2
FS1275.87	342.3	"Jacks Point" (Submitter number 762 and 856)	Accept	11
FS1275.9	131.9	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1,13.2
FS1275.91	383.73	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1,13.2

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1275.92	383.74	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1
FS1275.93	383.75	"Jacks Point" (Submitter number 762 and 856)	Reject	13.1,13.2
FS1275.94	383.76	"Jacks Point" (Submitter number 762 and 856)	Accept	13.5
FS1275.95	383.77	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	12.1
FS1275.96	540.1	"Jacks Point" (Submitter number 762 and 856)	Reject	8
FS1275.97	540.2	"Jacks Point" (Submitter number 762 and 856)	Reject	12,13
FS1275.98	540.3	"Jacks Point" (Submitter number 762 and 856)	Accept in Part	9.4
FS1275.99	540.4	"Jacks Point" (Submitter number 762 and 856)	Reject	8
FS1277.100	715.5	Jacks Point Residents and Owners Association	Reject	9.4
FS1277.101	715.6	Jacks Point Residents and Owners Association	Reject	9.4
FS1277.103	715.8	Jacks Point Residents and Owners	Accept in Part	9.4
FS1277.114	715.19	Jacks Point Residents and Owners Association	Accept	10.3
FS1277.116	789.1	Jacks Point Residents and Owners	Accept	10.4
FS1277.117	789.2	Jacks Point Residents and Owners	Accept	10.4
FS1277.118	789.3	Jacks Point Residents and Owners	Accept	10.4
FS1277.119	789.4	Jacks Point Residents and Owners Association	Accept in Part	9.2-9.4,10.4
FS1277.120	789.5	Jacks Point Residents and Owners Association	Accept	10.4
FS1277.121	789.6	Jacks Point Residents and Owners Association	Accept in Part	10,13
FS1277.122	789.7	Jacks Point Residents and Owners Association	Accept	10.4
FS1277.123	855.1	Jacks Point Residents and Owners Association	Reject	11
FS1277.126	383.73	Jacks Point Residents and Owners Association	Reject	13.1,13.2
FS1277.127	383.74	Jacks Point Residents and Owners Association	Reject	13.1
FS1277.128	383.75	Jacks Point Residents and Owners Association	Reject	13.1,13.2
FS1277.129	383.77	Jacks Point Residents and Owners	Accept in Part	12.1

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1277.130	540.1	Jacks Point Residents and Owners Association	Accept in Part	8
FS1277.131	540.2	Jacks Point Residents and Owners Association	Accept in Part	12,13
FS1277.132	540.3	Jacks Point Residents and Owners Association	Reject	9.4
FS1277.133	540.4	Jacks Point Residents and Owners	Accept in Part	8
FS1277.136	547.1	Jacks Point Residents and Owners	Accept	7,13.1 and 13.2
FS1277.137	547.2	Jacks Point Residents and Owners Association	Accept in Part	13
FS1277.138	547.3	Jacks Point Residents and Owners	Accept in Part	13.1,13.2 and 14.2
FS1277.139	547.4	Jacks Point Residents and Owners	Reject	8,13.1and 13.2
FS1277.140	547.5	Jacks Point Residents and Owners Association	Accept in Part	9.2-9.4
FS1277.141	547.6	Jacks Point Residents and Owners Association	Accept in Part	10,13
FS1277.142	547.7	Jacks Point Residents and Owners Association	Accept in Part	12.1-12.4
FS1277.143	547.8	Jacks Point Residents and Owners Association	Accept in Part	10.12,13
FS1277.144	547.9	Jacks Point Residents and Owners	Reject	11.1
FS1277.145	547.1	Jacks Point Residents and Owners	Accept	7,13.1and 13.2
FS1277.146	195.1	Jacks Point Residents and Owners Association	Accept in Part	12.2-`12.4
FS1277.156	762.1	Jacks Point Residents and Owners Association	Accept	14.5
FS1277.157	762.11	Jacks Point Residents and Owners Association	Reject	10.2
FS1277.160	762.14	Jacks Point Residents and Owners	Accept in Part	11
FS1277.161	762.15	Jacks Point Residents and Owners	Accept	10.1-10.3
FS1277.162	762.16	Jacks Point Residents and Owners Association	Accept in Part	12.5
FS1277.163	762.17	Jacks Point Residents and Owners Association	Reject	14.3
FS1277.164	762.18	Jacks Point Residents and Owners	Accept in Part	12, 13
FS1277.165	762.19	Jacks Point Residents and Owners Association	Accept in Part	11
FS1277.166	762.2	Jacks Point Residents and Owners Association	Accept in Part	11

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FS1277.167	856.1	Jacks Point Residents and Owners Association	Accept	13.5
FS1277.73	632.69	Jacks Point Residents and Owners Association	Accept	9.1
FS1277.74	632.7	Jacks Point Residents and Owners Association	Reject	9.4,13.4 and 13.5
FS1277.75	632.71	Jacks Point Residents and Owners Association	Accept	10.5
FS1277.76	632.72	Jacks Point Residents and Owners Association	Reject	13.5
FS1277.77	632.73	Jacks Point Residents and Owners Association	Accept	10.5
FS1277.78	632.74	Jacks Point Residents and Owners Association	Accept	10.5
FS1277.79	632.75	Jacks Point Residents and Owners Association	Reject	10.5
FS1277.80	632.76	Jacks Point Residents and Owners Association	Reject	12.1
FS1277.83	632.79	Jacks Point Residents and Owners Association	Accept	10.5
FS1277.84	632.8	Jacks Point Residents and Owners Association	Reject	13.5,13.6
FS1277.85	632.81	Jacks Point Residents and Owners Association	Reject	13.6
FS1277.86	632.82	Jacks Point Residents and Owners Association	Reject	13.9
FS1277.87	632.83	Jacks Point Residents and Owners Association	Accept	10.5
FS1277.88	632.84	Jacks Point Residents and Owners Association	Accept	10.5
FS1277.89	632.85	Jacks Point Residents and Owners Association	Reject	13.4-13.7
FS1277.90	632.86	Jacks Point Residents and Owners	Accept	10.6,13
FS1277.91	632.87	Jacks Point Residents and Owners Association	Accept	10.5
FS1277.92	632.88	Jacks Point Residents and Owners Association	Reject	10.5
FS1277.93	632.89	Jacks Point Residents and Owners Association	Reject	9,13
FS1280.1	203.1	RCL Queenstown PTY Limited	Accept	6.1
FS1283.1	603.1	MJ and RB Williams and Brabant	Accept in Part	8
FS1283.10	316.1	MJ and RB Williams and Brabant	Accept in Part	13.1,13.2
FS1283.102	195.1	MJ and RB Williams and Brabant	Accept in Part	12.2-12.4

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1283.104	856.1	MJ and RB Williams and Brabant	Reject	13.5
FS1283.11	316.13	MJ and RB Williams and Brabant	Reject	11
FS1283.112	757.1	MJ and RB Williams and Brabant	Reject	9.4,10.2
FS1283.114	855.1	MJ and RB Williams and Brabant	Reject	11
FS1283.12	316.17	MJ and RB Williams and Brabant	Accept in Part	10,13
FS1283.13	547.2	MJ and RB Williams and Brabant	Accept in Part	13
FS1283.14	547.4	MJ and RB Williams and Brabant	Reject	8,13.1and 13.2
FS1283.15	547.5	MJ and RB Williams and Brabant	Accept in Part	9.2-9.4
FS1283.16	547.6	MJ and RB Williams and Brabant	Accept in Part	10,13
FS1283.17	547.7	MJ and RB Williams and Brabant	Accept in Part	12.1-12.4
FS1283.18	547.8	MJ and RB Williams and Brabant	Accept in Part	10,12,13
FS1283.183	632.69	MJ and RB Williams and Brabant	Accept	9.1
FS1283.184	632.7	MJ and RB Williams and Brabant	Reject	9.4,13.4 and 13.5
FS1283.185	632.71	MJ and RB Williams and Brabant	Accept	10.5
FS1283.186	632.72	MJ and RB Williams and Brabant	Reject	13.5
FS1283.187	632.73	MJ and RB Williams and Brabant	Accept	10.5
FS1283.188	632.74	MJ and RB Williams and Brabant	Accept	10.5
FS1283.189	632.75	MJ and RB Williams and Brabant	Reject	10.5
FS1283.19	547.9	MJ and RB Williams and Brabant	Reject	11.1
FS1283.190	632.76	MJ and RB Williams and Brabant	Reject	12.1
FS1283.193	632.79	MJ and RB Williams and Brabant	Accept	10.5
FS1283.194	632.8	MJ and RB Williams and Brabant	Reject	13.5,13.6
FS1283.195	632.81	MJ and RB Williams and Brabant	Reject	13.6
FS1283.196	632.82	MJ and RB Williams and Brabant	Reject	13.9

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FS1283.197	632.83	MJ and RB Williams and Brabant	Accept	10.5
FS1283.198	632.84	MJ and RB Williams and Brabant	Accept	10.5
FS1283.199	632.85	MJ and RB Williams and Brabant	Reject	13.4-13.7
FS1283.2	185.1	MJ and RB Williams and Brabant	Accept in Part	9
FS1283.20	567.2	MJ and RB Williams and Brabant	Accept	12.6
FS1283.200	632.86	MJ and RB Williams and Brabant	Accept	10.6,13
FS1283.201	632.87	MJ and RB Williams and Brabant	Accept	10.5
FS1283.202	632.88	MJ and RB Williams and Brabant	Reject	10.5
FS1283.203	632.89	MJ and RB Williams and Brabant	Reject	9,13
FS1283.205	789.1	MJ and RB Williams and Brabant	Accept	10.4
FS1283.206	789.2	MJ and RB Williams and Brabant	Accept	10.4
FS1283.207	789.3	MJ and RB Williams and Brabant	Accept	10.4
FS1283.208	789.4	MJ and RB Williams and Brabant	Accept	9.2-9.4,10.4
FS1283.209	789.5	MJ and RB Williams and Brabant	Accept	10.4
FS1283.21	567.3	MJ and RB Williams and Brabant	Reject	12.6
FS1283.210	789.6	MJ and RB Williams and Brabant	Accept	10,13
FS1283.211	789.7	MJ and RB Williams and Brabant	Accept	10.4
FS1283.216	715.5	MJ and RB Williams and Brabant	Accept	9.4
FS1283.217	715.6	MJ and RB Williams and Brabant	Accept	9.4
FS1283.219	715.8	MJ and RB Williams and Brabant	Accept in Part	9.4
FS1283.22	601.1	MJ and RB Williams and Brabant	Accept in Part	13.1,13.2
FS1283.23	601.2	MJ and RB Williams and Brabant	Accept in Part	9.2-9.4
FS1283.230	715.19	MJ and RB Williams and Brabant	Reject	10.3
FS1283.231	765.1	MJ and RB Williams and Brabant	Accept	13.1,13.2

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1283.232	765.2	MJ and RB Williams and Brabant	Accept in Part	9
FS1283.233	765.3	MJ and RB Williams and Brabant	Accept in Part	8,12
FS1283.234	765.4	MJ and RB Williams and Brabant	Reject	12.1-12.4
FS1283.235	765.5	MJ and RB Williams and Brabant	Reject	12)
FS1283.236	765.6	MJ and RB Williams and Brabant	Reject	8,9
FS1283.237	765.7	MJ and RB Williams and Brabant	Reject	12.1-12.4
FS1283.238	765.8	MJ and RB Williams and Brabant	Reject	12.2,12.4
FS1283.239	765.9	MJ and RB Williams and Brabant	Reject	12.2,12.4
FS1283.24	601.3	MJ and RB Williams and Brabant	Accept in Part	13
FS1283.240	765.1	MJ and RB Williams and Brabant	Reject	12.2,12.4
FS1283.241	765.11	MJ and RB Williams and Brabant	Reject	12,13
FS1283.242	765.12	MJ and RB Williams and Brabant	Reject	12.4
FS1283.243	765.13	MJ and RB Williams and Brabant	Reject	12.1-12.4
FS1283.244	765.14	MJ and RB Williams and Brabant	Reject	9.4
FS1283.245	765.15	MJ and RB Williams and Brabant	Reject	12
FS1283.246	765.16	MJ and RB Williams and Brabant	Reject	13.1,13.2
FS1283.25	601.4	MJ and RB Williams and Brabant	Accept in Part	13
FS1283.26	601.5	MJ and RB Williams and Brabant	Accept in Part	13.1 – 13.3
FS1283.27	601.6	MJ and RB Williams and Brabant	Accept in Part	6.2, 8,12.2
FS1283.28	735.1	MJ and RB Williams and Brabant	Reject	8
FS1283.29	735.2	MJ and RB Williams and Brabant	Accept in Part	9.2-9.4
FS1283.3	207.1	MJ and RB Williams and Brabant	Accept in Part	8
FS1283.30	735.3	MJ and RB Williams and Brabant	Accept in Part	13.1 – 13.3
FS1283.31	735.7	MJ and RB Williams and Brabant	Accept in Part	13

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FS1283.32	735.9	MJ and RB Williams and Brabant	Accept in Part	13.1,13.2
FS1283.33	735.12	MJ and RB Williams and Brabant	Reject	11
FS1283.34	735.16	MJ and RB Williams and Brabant	Accept in Part	10,13
FS1283.35	259.1	MJ and RB Williams and Brabant	Accept	8
FS1283.36	259.2	MJ and RB Williams and Brabant	Accept in Part	9.2-9.4
FS1283.37	259.3	MJ and RB Williams and Brabant	Accept in Part	13.1 – 13.3
FS1283.38	259.7	MJ and RB Williams and Brabant	Accept in Part	13
FS1283.39	259.9	MJ and RB Williams and Brabant	Accept in Part	13.1,13.2
FS1283.4	540.1	MJ and RB Williams and Brabant	Accept in Part	8
FS1283.40	259.12	MJ and RB Williams and Brabant	Reject	11
FS1283.41	259.16	MJ and RB Williams and Brabant	Accept in Part	10,13
FS1283.42	246.1	MJ and RB Williams and Brabant	Reject	8
FS1283.43	246.2	MJ and RB Williams and Brabant	Accept in Part	9.2-9.4
FS1283.44	246.3	MJ and RB Williams and Brabant	Accept in Part	13.1 – 13.3
FS1283.45	246.7	MJ and RB Williams and Brabant	Accept in Part	13
FS1283.46	246.9	MJ and RB Williams and Brabant	Accept in Part	13.1,13.2
FS1283.47	246.12	MJ and RB Williams and Brabant	Reject	11
FS1283.48	246.16	MJ and RB Williams and Brabant	Accept in Part	13
FS1283.49	645.1	MJ and RB Williams and Brabant	Reject	8
FS1283.5	540.4	MJ and RB Williams and Brabant	Accept in Part	8
FS1283.50	645.2	MJ and RB Williams and Brabant	Accept in Part	9.2-9.4
FS1283.51	645.3	MJ and RB Williams and Brabant	Accept in Part	13.1 – 13.3
FS1283.52	645.7	MJ and RB Williams and Brabant	Accept in Part	13
FS1283.53	645.9	MJ and RB Williams and Brabant	Accept in Part	13.1,13.2

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FS1283.54	645.12	MJ and RB Williams and Brabant	Reject	11
FS1283.55	645.16	MJ and RB Williams and Brabant	Accept in Part	13
FS1283.56	802.1	MJ and RB Williams and Brabant	Reject	8
FS1283.57	802.2	MJ and RB Williams and Brabant	Accept in Part	9.2-9.4
FS1283.58	802.3	MJ and RB Williams and Brabant	Accept in Part	13.1 – 13.3
FS1283.59	802.7	MJ and RB Williams and Brabant	Accept in Part	13
FS1283.6	316.2	MJ and RB Williams and Brabant	Reject	7
FS1283.60	802.9	MJ and RB Williams and Brabant	Accept in Part	13.1,13.2
FS1283.61	802.12	MJ and RB Williams and Brabant	Reject	11
FS1283.62	802.16	MJ and RB Williams and Brabant	Accept in Part	10,13
FS1283.63	582.1	MJ and RB Williams and Brabant	Reject	8
FS1283.64	582.2	MJ and RB Williams and Brabant	Accept in Part	9.2-9.4
FS1283.65	582.3	MJ and RB Williams and Brabant	Accept in Part	13.1 – 13.3
FS1283.66	582.7	MJ and RB Williams and Brabant	Accept in Part	13
FS1283.67	582.9	MJ and RB Williams and Brabant	Accept in Part	13.1,13.2
FS1283.68	582.12	MJ and RB Williams and Brabant	Reject	11
FS1283.69	582.16	MJ and RB Williams and Brabant	Accept in Part	13
FS1283.7	316.3	MJ and RB Williams and Brabant	Accept in Part	9.2-9.4
FS1283.70	647.1	MJ and RB Williams and Brabant	Reject	8
FS1283.71	647.2	MJ and RB Williams and Brabant	Accept in Part	9.2-9.4
FS1283.72	647.3	MJ and RB Williams and Brabant	Accept in Part	13.1 – 13.3
FS1283.73	647.7	MJ and RB Williams and Brabant	Accept in Part	13
FS1283.74	647.9	MJ and RB Williams and Brabant	Accept in Part	13.1,13.2
FS1283.75	647.12	MJ and RB Williams and Brabant	Reject	11

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FS1283.76	647.16	MJ and RB Williams and Brabant	Accept in Part	13
FS1283.77	131.1	MJ and RB Williams and Brabant	Accept in Part	8
FS1283.78	131.2	MJ and RB Williams and Brabant	Accept in Part	9.2-9.4
FS1283.79	131.3	MJ and RB Williams and Brabant	Accept in Part	13.1 – 13.3
FS1283.8	316.4	MJ and RB Williams and Brabant	Accept in Part	13.1 – 13.3
FS1283.80	131.7	MJ and RB Williams and Brabant	Accept in Part	13
FS1283.81	131.9	MJ and RB Williams and Brabant	Accept in Part	13.1,13.2
FS1283.82	131.12	MJ and RB Williams and Brabant	Reject	11
FS1283.83	131.16	MJ and RB Williams and Brabant	Accept in Part	13.1,13.2
FS1283.84	284.1	MJ and RB Williams and Brabant	Accept	7
FS1283.85	284.2	MJ and RB Williams and Brabant	Accept in Part	9.2-9.4
FS1283.86	284.3	MJ and RB Williams and Brabant	Accept in Part	13.1 – 13.3
FS1283.87	284.7	MJ and RB Williams and Brabant	Accept in Part	13
FS1283.88	284.9	MJ and RB Williams and Brabant	Accept in Part	13.1,13.2
FS1283.89	284.12	MJ and RB Williams and Brabant	Reject	11
FS1283.9	316.8	MJ and RB Williams and Brabant	Accept in Part	13
FS1283.90	284.16	MJ and RB Williams and Brabant	Accept in Part	13
FS1283.91	787.1	MJ and RB Williams and Brabant	Reject	8
FS1283.92	787.2	MJ and RB Williams and Brabant	Accept in Part	9.2-9.4
FS1283.93	787.3	MJ and RB Williams and Brabant	Accept in Part	13.1 – 13.3
FS1283.94	787.7	MJ and RB Williams and Brabant	Accept in Part	13
FS1283.95	787.9	MJ and RB Williams and Brabant	Accept in Part	13.1,13.2
FS1283.96	787.12	MJ and RB Williams and Brabant	Reject	11
FS1283.97	787.16	MJ and RB Williams and Brabant	Accept in Part	10,13

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FS1284.18	715.19	Lakeside Estate Homeowners Association Incorporated	Reject	10.3
FS1284.4	715.5	Lakeside Estate Homeowners Association Incorporated	Accept	9.4
FS1284.5	715.6	Lakeside Estate Homeowners Association Incorporated	Accept	9.4
FS1284.7	715.8	Lakeside Estate Homeowners Association Incorporated	Accept in Part	9.4
FS1293.1	131.1	Joanna and Simon Taverner	Accept in Part	8
FS1293.10	131.1	Joanna and Simon Taverner	Accept	10.1
FS1293.11	131.11	Joanna and Simon Taverner	Accept	13.1 and 13.2
FS1293.12	131.12	Joanna and Simon Taverner	Reject	11
FS1293.13	131.13	Joanna and Simon Taverner	Reject	14.6
FS1293.14	131.14	Joanna and Simon Taverner	Reject	14.6
FS1293.15	131.15	Joanna and Simon Taverner	Accept in Part	7,8.
FS1293.16	131.16	Joanna and Simon Taverner	Accept in Part	13.1,13.2
FS1293.17	195.1	Joanna and Simon Taverner	Accept in Part	12.2-12.4
FS1293.19	540.1	Joanna and Simon Taverner	Accept in Part	8
FS1293.2	131.2	Joanna and Simon Taverner	Accept in Part	9.2-9.4
FS1293.20	540.2	Joanna and Simon Taverner	Accept in Part	12,13
FS1293.21	540.3	Joanna and Simon Taverner	Reject	9.4
FS1293.22	540.4	Joanna and Simon Taverner	Accept in Part	8
FS1293.25	601.1	Joanna and Simon Taverner	Accept in Part	13.1,13.2
FS1293.26	601.2	Joanna and Simon Taverner	Accept in Part	9.2-9.4
FS1293.27	601.3	Joanna and Simon Taverner	Accept in Part	13
FS1293.28	601.4	Joanna and Simon Taverner	Accept in Part	13
FS1293.29	601.5	Joanna and Simon Taverner	Accept in Part	13.1 – 13.3
FS1293.3	131.3	Joanna and Simon Taverner	Accept in Part	13.1 – 13.3
FS1293.30	601.6	Joanna and Simon Taverner	Accept in Part	6.2, 8,12.2
FS1293.32	605.1	Joanna and Simon Taverner	Accept in Part	8
FS1293.33	605.2	Joanna and Simon Taverner	Accept in Part	8
FS1293.34	605.3	Joanna and Simon Taverner	Reject	9.4
FS1293.36	765.1	Joanna and Simon Taverner	Accept	13.1,13.2
FS1293.37	765.2	Joanna and Simon Taverner	Accept in Part	9
FS1293.38	765.3	Joanna and Simon Taverner	Accept in Part	8,12
FS1293.39	765.4	Joanna and Simon Taverner	Accept in Part	12.1-12.4
FS1293.4	131.4	Joanna and Simon Taverner	Accept in Part	12.1-12.4
FS1293.40	765.5	Joanna and Simon Taverner	Accept in Part	12
FS1293.41	765.6	Joanna and Simon Taverner	Accept in Part	8,9
FS1293.42	765.7	Joanna and Simon Taverner	Accept	12.1-12.4
FS1293.43	765.8	Joanna and Simon Taverner	Accept	12.2,12.4
FS1293.44	765.9	Joanna and Simon Taverner	Accept	12.2,12.4
FS1293.45	765.1	Joanna and Simon Taverner	Accept	12.2,12.4
FS1293.46	765.11	Joanna and Simon Taverner	Accept	12,13
FS1293.47	765.12	Joanna and Simon Taverner	Accept	12.4
FS1293.48	765.13	Joanna and Simon Taverner	Accept	12.1-12.4

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1293.49	765.14	Joanna and Simon Taverner	Accept	9.4
FS1293.5	131.5	Joanna and Simon Taverner	Accept in Part	12.2,12.4
FS1293.50	765.15	Joanna and Simon Taverner	Accept in Part	12
FS1293.51	765.16	Joanna and Simon Taverner	Accept in Part	13.1,13.2
FS1293.52	632.71	Joanna and Simon Taverner	Accept	10.5
FS1293.53	632.74	Joanna and Simon Taverner	Accept	10.5
FS1293.54	632.84	Joanna and Simon Taverner	Accept	10.5
FS1293.55	632.87	Joanna and Simon Taverner	Accept	10.5
FS1293.6	131.6	Joanna and Simon Taverner	Accept in Part	12.1-12.4
FS1293.61	715.5	Joanna and Simon Taverner	Accept	9.4
FS1293.62	715.6	Joanna and Simon Taverner	Accept	9.4
FS1293.64	715.8	Joanna and Simon Taverner	Accept in Part	9.4
FS1293.7	131.7	Joanna and Simon Taverner	Accept in Part	13
FS1293.75	715.19	Joanna and Simon Taverner	Reject	10.3
FS1293.8	131.8	Joanna and Simon Taverner	Accept	7
FS1293.9	131.9	Joanna and Simon Taverner	Accept in Part	13.1,13.2
FS1299.1	131.1	Thomas Ibbotson	Accept in Part	8
FS1299.10	131.1	Thomas Ibbotson	Accept	10.1
FS1299.11	131.11	Thomas Ibbotson	Accept	13.1 and 13.2
FS1299.12	131.12	Thomas Ibbotson	Reject	11
FS1299.13	131.13	Thomas Ibbotson	Reject	14.6
FS1299.14	131.14	Thomas Ibbotson	Reject	14.6
FS1299.15	131.15	Thomas Ibbotson	Accept in Part	7,8
FS1299.16	131.16	Thomas Ibbotson	Accept in Part	13.1,13.2
FS1299.17	195.1	Thomas Ibbotson	Accept in Part	12.2-12.4
FS1299.19	540.1	Thomas Ibbotson	Accept in Part	8
FS1299.2	131.2	Thomas Ibbotson	Accept in Part	9.2-9.4
FS1299.20	540.2	Thomas Ibbotson	Accept in Part	12,13
FS1299.21	540.3	Thomas Ibbotson	Reject	9.4
FS1299.22	540.4	Thomas Ibbotson	Accept in Part	8
FS1299.25	601.1	Thomas Ibbotson	Accept in Part	13.1,13.2
FS1299.26	601.2	Thomas Ibbotson	Accept in Part	9.2-9.4
FS1299.27	601.3	Thomas Ibbotson	Accept in Part	13
FS1299.28	601.4	Thomas Ibbotson	Accept in Part	13
FS1299.29	601.5	Thomas Ibbotson	Accept in Part	13.1 – 13.3
FS1299.3	131.3	Thomas Ibbotson	Accept in Part	13.1 – 13.3
FS1299.30	601.6	Thomas Ibbotson	Accept in Part	6.2, 8,12.2
FS1299.32	605.1	Thomas Ibbotson	Accept in Part	8
FS1299.33	605.2	Thomas Ibbotson	Accept in Part	8
FS1299.34	605.3	Thomas Ibbotson	Reject	9.4
FS1299.36	765.1	Thomas Ibbotson	Accept	13.1,13.2
FS1299.37	765.2	Thomas Ibbotson	Accept in Part	9
FS1299.38	765.3	Thomas Ibbotson	Accept in Part	8,12
FS1299.39	765.4	Thomas Ibbotson	Accept in Part	12.1-12.4
FS1299.4	131.4	Thomas Ibbotson	Accept in Part	12.1-12.4
FS1299.40	765.5	Thomas Ibbotson	Accept in Part	12

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1299.41	765.6	Thomas Ibbotson	Accept in Part	8,9
FS1299.42	765.7	Thomas Ibbotson	Accept	12.1-12.4
FS1299.43	765.8	Thomas Ibbotson	Accept	12.2,12.4
FS1299.44	765.9	Thomas Ibbotson	Accept	12.2,12.4
FS1299.45	765.1	Thomas Ibbotson	Accept	12.2,12.4
FS1299.46	765.11	Thomas Ibbotson	Accept	12,13
FS1299.47	765.12	Thomas Ibbotson	Accept	12.4
FS1299.48	765.13	Thomas Ibbotson	Accept	12.1-12.4
FS1299.49	765.14	Thomas Ibbotson	Accept	9.4
FS1299.5	131.5	Thomas Ibbotson	Accept in Part	12.2,12.4
FS1299.50	765.15	Thomas Ibbotson	Accept in Part	12
FS1299.51	765.16	Thomas Ibbotson	Accept in Part	13.1,13.2
FS1299.52	632.71	Thomas Ibbotson	Accept	10.5
FS1299.53	632.74	Thomas Ibbotson	Accept	10.5
FS1299.54	632.84	Thomas Ibbotson	Accept	10.5
FS1299.55	632.87	Thomas Ibbotson	Accept	10.5
FS1299.6	131.6	Thomas Ibbotson	Accept in Part	12.1-12.4F
FS1299.61	715.5	Thomas Ibbotson	Accept	9.4
FS1299.62	715.6	Thomas Ibbotson	Accept	9.4
FS1299.64	715.8	Thomas Ibbotson	Accept in Part	9.4
FS1299.7	131.7	Thomas Ibbotson	Accept in Part	13
FS1299.75	715.19	Thomas Ibbotson	Reject	10.3
FS1299.8	131.8	Thomas Ibbotson	Accept	7
FS1299.9	131.9	Thomas Ibbotson	Accept in Part	13.1,13.2
FS1303.2	789.1	RCL Queenstown PTY Limited (RCL)	Accept	10.4
FS1303.3	789.2	RCL Queenstown PTY Limited (RCL)	Accept	10.4
FS1303.4	789.3	RCL Queenstown PTY Limited (RCL)	Accept	10.4
FS1303.5	789.4	RCL Queenstown PTY Limited (RCL)	Accept	9.2-9.4,10.4
FS1303.6	789.5	RCL Queenstown PTY Limited (RCL)	Accept	10.4
FS1303.7	789.6	RCL Queenstown PTY Limited (RCL)	Accept	10,13
FS1303.8	789.7	RCL Queenstown PTY Limited (RCL)	Accept	10.4
FS1316.109	715.19	Harris-Wingrove T rust	Reject	10.3
FS1316.117	765.1	Harris-Wingrove Trust	Reject	13.1,13.2
FS1316.118	765.2	Harris-Wingrove Trust	Reject	9
FS1316.119	765.3	Harris-Wingrove T rust	Reject	8,12
FS1316.120	765.4	Harris-Wingrove T rust	Reject	12.1-12.4)
FS1316.121	765.5	Harris-Wingrove T rust	Reject	12
FS1316.122	765.6	Harris-Wingrove Trust	Reject	8,9
FS1316.123	765.7	Harris-Wingrove Trust	Reject	12.1-12.4
FS1316.124	765.8	Harris-Wingrove Trust	Reject	12.2,12.4

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1316.125	765.9	Harris-Wingrove T rust	Reject	12.2,12.4
FS1316.126	765.1	Harris-Wingrove Trust	Reject	12.2,12.4
FS1316.127	765.11	Harris-Wingrove Trust	Reject	12,13
FS1316.128	765.12	Harris-Wingrove T rust	Reject	12.4
FS1316.129	765.13	Harris-Wingrove T rust	Reject	12.1-12.4
FS1316.130	765.14	Harris-Wingrove Trust	Reject	9.4
FS1316.131	765.15	Harris-Wingrove Trust	Reject	12
FS1316.132	765.16	Harris-Wingrove Trust	Reject	13.1,13.2
FS1316.133	855.1	Harris-Wingrove Trust	Reject	11
FS1316.134	856.1	Harris-Wingrove Trust	Reject	13.5
FS1316.137	762.1	Harris-Wingrove T rust	Reject	14.5
FS1316.138	762.11	Harris-Wingrove T rust	Accept	10.2
FS1316.141	762.14	Harris-Wingrove T rust	Reject	11
FS1316.142	762.15	Harris-Wingrove Trust	Reject	10.1-10.3
FS1316.143	762.16	Harris-Wingrove Trust	Reject	12.5
FS1316.144	762.17	Harris-Wingrove Trust	Accept	14.3
FS1316.145	762.18	Harris-Wingrove T rust	Accept in Part	12, 13
FS1316.146	762.19	Harris-Wingrove Trust	Reject	11
FS1316.147	762.2	Harris-Wingrove T rust	Reject	11
FS1316.69	632.69	Harris-Wingrove Trust	Accept	9.1
FS1316.70	632.7	Harris-Wingrove Trust	Reject	9.4,13.4 and 13.5
FS1316.71	632.71	Harris-Wingrove Trust	Accept	10.5
FS1316.73	632.73	Harris-Wingrove Trust	Accept	10.5
FS1316.74	632.74	Harris-Wingrove Trust	Accept	10.5
FS1316.75	632.75	Harris-Wingrove T rust	Reject	10.5
FS1316.76	632.76	Harris-Wingrove Trust	Reject	12.1
FS1316.79	632.79	Harris-Wingrove Trust	Accept	10.5
FS1316.80	632.8	Harris-Wingrove Trust	Reject	13.5,13.6
FS1316.81	632.81	Harris-Wingrove T rust	Reject	13.6
FS1316.82	632.82	Harris-Wingrove T rust	Reject	13.9
FS1316.83	632.83	Harris-Wingrove Trust	Accept	10.5
FS1316.84	632.84	Harris-Wingrove Trust	Accept	10.5
FS1316.85	632.85	Harris-Wingrove Trust	Reject	13.4-13.7
FS1316.86	632.86	Harris-Wingrove T rust	Accept	10.6,13
FS1316.87	632.87	Harris-Wingrove Trust	Accept	10.5
FS1316.88	632.88	Harris-Wingrove Trust	Reject	10.5
FS1316.89	632.89	Harris-Wingrove Trust	Reject	9,13
FS1316.95	715.5	Harris-Wingrove T rust	Accept	9.4
FS1316.96	715.6	Harris-Wingrove T rust	Accept	9.4
FS1316.98	715.8	Harris-Wingrove Trust	Accept in Part	9.4
FS1321.1	131.1	John and Mary Catherine Holland	Accept in Part	8
FS1321.10	131.1	John and Mary Catherine Holland	Accept	10.1
FS1321.11	131.11	John and Mary Catherine Holland	Accept	13.1 and 13.2

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1321.12	131.12	John and Mary Catherine Holland	Reject	11
FS1321.13	131.13	John and Mary Catherine Holland	Reject	14.6
FS1321.14	131.14	John and Mary Catherine Holland	Reject	14.6
FS1321.15	131.15	John and Mary Catherine Holland	Accept in Part	7,8
FS1321.16	131.16	John and Mary Catherine Holland	Accept in Part	13.1,13.2
FS1321.17	195.1	John and Mary Catherine Holland	Accept in Part	12.2-12.4
FS1321.19	540.1	John and Mary Catherine Holland	Accept in Part	8
FS1321.2	131.2	John and Mary Catherine Holland	Accept in Part	9.2-9.4
FS1321.20	540.2	John and Mary Catherine Holland	Accept in Part	12,13
FS1321.21	540.3	John and Mary Catherine Holland	Reject	9.4
FS1321.22	540.4	John and Mary Catherine Holland	Accept in Part	8
FS1321.25	601.1	John and Mary Catherine Holland	Accept in Part	13.1,13.2
FS1321.26	601.2	John and Mary Catherine Holland	Accept in Part	9.2-9.4
FS1321.27	601.3	John and Mary Catherine Holland	Accept in Part	13
FS1321.28	601.4	John and Mary Catherine Holland	Accept in Part	13
FS1321.29	601.5	John and Mary Catherine Holland	Accept in Part	13.1 – 13.3
FS1321.3	131.3	John and Mary Catherine Holland	Accept in Part	13.1 – 13.3
FS1321.30	601.6	John and Mary Catherine Holland	Accept in Part	6.2, 8,12.2
FS1321.32	605.1	John and Mary Catherine Holland	Accept in Part	8
FS1321.33	605.2	John and Mary Catherine Holland	Accept in Part	8
FS1321.34	605.3	John and Mary Catherine Holland	Reject	9.4
FS1321.36	765.1	John and Mary Catherine Holland	Accept	13.1,13.2
FS1321.37	765.2	John and Mary Catherine Holland	Accept in Part	9
FS1321.38	765.3	John and Mary Catherine Holland	Accept in Part	8,12

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1321.39	765.4	John and Mary Catherine Holland	Accept in Part	12.1-12.4)
FS1321.4	131.4	John and Mary Catherine Holland	Accept in Part	12.1-12.4
FS1321.40	765.5	John and Mary Catherine Holland	Accept in Part	12)
FS1321.41	765.6	John and Mary Catherine Holland	Accept in Part	8,9
FS1321.42	765.7	John and Mary Catherine Holland	Accept	12.1-12.4
FS1321.43	765.8	John and Mary Catherine Holland	Accept	12.2,12.4
FS1321.44	765.9	John and Mary Catherine Holland	Accept	12.2,12.4
FS1321.45	765.1	John and Mary Catherine Holland	Accept	12.2,12.4
FS1321.46	765.11	John and Mary Catherine Holland	Accept	12,13
FS1321.47	765.12	John and Mary Catherine Holland	Accept	12.4
FS1321.48	765.13	John and Mary Catherine Holland	Accept	12.1-12.4
FS1321.49	765.14	John and Mary Catherine Holland	Accept	9.4
FS1321.5	131.5	John and Mary Catherine Holland	Accept in Part	12.2,12.4
FS1321.50	765.15	John and Mary Catherine Holland	Accept in Part	12
FS1321.51	765.16	John and Mary Catherine Holland	Accept in Part	13.1,13.2
FS1321.52	632.71	John and Mary Catherine Holland	Accept	10.5)
FS1321.53	632.74	John and Mary Catherine Holland	Accept	10.5
FS1321.54	632.84	John and Mary Catherine Holland	Accept	10.5
FS1321.55	632.87	John and Mary Catherine Holland	Accept	10.5
FS1321.6	131.6	John and Mary Catherine Holland	Accept in Part	12.1-12.4F
FS1321.61	715.5	John and Mary Catherine Holland	Accept	9.4
FS1321.62	715.6	John and Mary Catherine Holland	Accept	9.4
FS1321.64	715.8	John and Mary Catherine Holland	Accept in Part	9.4
FS1321.7	131.7	John and Mary Catherine Holland	Accept in Part	13

Further Submission Number	Relevant Submission Number	Further Submitter	Commissioners' Recommendation	Reference in Report
FS1321.75	715.19	John and Mary Catherine Holland	Reject	10.3
FS1321.8	131.8	John and Mary Catherine Holland	Accept	7
FS1321.9	131.9	John and Mary Catherine Holland	Accept in Part	13.1,13.2
FS1339.1	855.1	Scope Resources Limited and Southern Beaver Limited	Accept	11
FS1346.10	765.7	Vivo Capital Limited	Reject	12.1-12.4
FS1346.11	765.8	Vivo Capital Limited	Reject	12.2,12.4
FS1346.12	765.9	Vivo Capital Limited	Reject	12.2,12.4
FS1346.13	765.1	Vivo Capital Limited	Reject	12.2,12.4
FS1346.14	765.11	Vivo Capital Limited	Reject	12,13
FS1346.15	765.12	Vivo Capital Limited	Reject	12.4
FS1346.16	765.13	Vivo Capital Limited	Reject	12.1-12.4
FS1346.17	765.14	Vivo Capital Limited	Reject	9.4
FS1346.18	765.15	Vivo Capital Limited	Reject	12
FS1346.19	765.16	Vivo Capital Limited	Reject	13.1,13.2
FS1346.2	762.18	Vivo Capital Limited	Accept in Part	12, 13
FS1346.4	765.1	Vivo Capital Limited	Reject	13.1,13.2
FS1346.5	765.2	Vivo Capital Limited	Reject	9
FS1346.6	765.3	Vivo Capital Limited	Reject	8,12
FS1346.7	765.4	Vivo Capital Limited	Reject	12.1-12.4
FS1346.8	765.5	Vivo Capital Limited	Reject	12
FS1346.9	765.6	Vivo Capital Limited	Reject	8,9

Appendix 3 to Report Recommendations

This Appendix sets out activity rules and activity standards for Chapter 41 as originally numbered when notified, and as renumbered in the Recommendation Report. It should be noted that some of these rules have been amended from the time they were originally notified. Others have been deleted as a result of submissions (e.g. rules relating to the EIC and Farm Preserve Activity Areas).

Activity Rules

<i>Notified Rule Number</i>	<i>Proposed Rule Number</i>
4.4.1 Activities not listed	Deleted
4.4.2 Educational/Day Care	41.4.2.2
4.4.3 Buildings	
41.4.3.1	41.4.3.2
41.4.3.2	Deleted
41.4.3.3	Deleted
41.4.3.4	41.4.4.3, 41.4.4.6, 41.4.4.8
41.4.3.5	41.4.4.15
41.4.4 Outdoor swimming pools, tennis courts	
41.4.4.1	41.4.3.3
41.4.4.2	41.4.4, 41.4.17 – 19
41.4.5 Mining	41.4.4.4
41.4.6 Medium density residential development	
41.4.6.1	41.4.1.5
41.4.6.2	41.4.1.6
41.4.7 Commercial, Community, Visitor accommodation	
41.4.7.1	Deleted
41.4.7.2	41.4.1.7
41.4.8 Sale of liquor	41.4.5.1
41.4.9 Structure Plan – activities	41.3.2.1
41.4.9.1	41.4.1.1
41.4.9.2	41.4.1.2
41.4.9.3	41.4.2.1
41.4.9.4	41.4.2.2
41.4.9.5	Deleted
41.4.9.6	41.4.3.1
41.4.9.7	41.4.4.17
41.4.9.8	Deleted
41.4.9.9	41.4.4.16
41.4.9.10	41.4.4.1
41.4.9.11	41.4.4.5
41.4.9.12	41.4.4.8, 41.4.4.9, 41.4.4.10, 41.4.4.11
41.4.9.13	41.4.4.12
41.4.9.14	41.4.4.20
41.4.9.15	41.4.4.13, 41.4.4.14
41.4.9.16	Deleted
41.4.9.17	41.4.4.15
41.4.10 Factory farming	41.4.5.5
41.4.11 Forestry	41.4.5.6

<i>Notified Rule Number</i>	<i>Proposed Rule Number</i>
41.4.12 Mining	41.4.5.7
41.4.13 Industrial	41.4.5.8
41.4.14 Informal airports	
41.4.14.1	41.4.5.3b
41.4.14.2	41.4.5.4
41.4.15 Informal airports	41.4.5.3a
41.4.16 Landfill	41.4.5.9
41.4.17 (offensive trades, industrial activities)	41.4.5.10, 41.4.5.11

Standards for Activities

<i>Notified Rule Number</i>	<i>Proposed Rule Number</i>
41.5.1 Standards for building	
41.5.1.1	41.5.4.8
41.5.1.2	41.5.4.3
41.5.1.3	Deleted
41.5.2 Vegetation	
41.5.2.1	41.5.4.10
41.5.2.2	41.5.4.11
41.5.2.3	41.5.4.12
41.5.2.4	41.5.4.13
41.5.2.5	41.5.4.5
41.5.2.6	41.5.1.11
41.5.2.7	41.5.4.14
41.5.2.8	(to chapter 34)
41.5.2.9	Deleted
41.5.3 Structure Plan	
41.5.3.1	41.5.5.1
41.5.3.2	41.5.5.3, 41.5.5.4
41.5.3.3	41.5.4.1
41.5.3.4	41.5.4.2
41.5.4 Earthworks (all rules transferred to the Earthworks Chapter)	
41.5.5 Setbacks	
41.5.5.1	41.5.5.2
41.5.5.2	41.5.1.6
41.5.5.3	41.5.1.6
41.5.5.4	41.5.1.7
41.5.6 Access to State Highway	
41.5.6.1	41.5.5.3
41.5.6.2	Deleted
41.5.7 Fencing	
41.5.7.1	41.5.4.16
41.5.7.2	Deleted
41.5.8 Density	41.5.1
41.5.8.1	41.5.1.1
41.5.8.2	41.5.1.1
41.5.9 Scale of commercial activities	

<i>Notified Rule Number</i>	<i>Proposed Rule Number</i>
49.5.9.1	41.5.2.1
41.5.9.2	41.5.2.1
41.5.9.3	41.5.1.9
41.5.10 Building colours	
41.5.10.1	41.5.5.5
41.5.10.2	41.5.5.5
41.5.11 Residential units	41.5.4.7
41.5.12 Building height	
41.5.12.1	41.5.3.2
41.5.12.2	41.5.2.4, 41.5.1.2, 41.5.4.6
41.5.12.3	41.5.4.4
41.5.12.4	41.5.1.2, 41.5.1.3, 41.5.1.4
41.5.12.5	41.5.1.3
41.5.13 Glare	
41.5.13.1	41.5.5.6
41.5.13.2	41.5.5.7
41.5.14 Servicing	
41.5.14.1	41.5.5.10
41.5.14.2	41.5.5.11
41.5.15 Building coverage	41.5.1.5
41.5.15.1	41.5.1.5a
41.5.15.2	41.5.1.5b
41.5.15.3	41.5.2.3
41.5.15.4	41.5.2.3
41.5.16 Outside storage	41.5.5.8
41.5.16.1	41.5.5.9
41.5.17 Location of Retail activities	
41.5.17.1	41.5.1.8
41.5.18 Vehicles	41.5.4.17
41.5.19 Wetlands	41.5.4.15
41.6 Non-notification	41.6

QUEENSTOWN LAKES DISTRICT COUNCIL

Hearing of Submissions on Proposed District Plan

Report 17-8

Report and Recommendations of Independent Commissioners Regarding
Mapping of Coneburn Valley, Queenstown Park, Jacks Point

Commissioners

Denis Nugent (Chair)

Jan Crawford

David Mountfort

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Appendix 1 – Provisions to be inserted into the Proposed District Plan relating to Submission 361

Appendix 2 – Extract from Planning Map 13

258. We accept and rely on the evidence of Ms Vicki Jones⁵⁹ and Dr Marion Read⁶⁰ and conclude that the existing Lodge Activity Area is not within the ONL.

28. RECOMMENDATION

259. For that reason we recommend that:

- a. Submission 567 be accepted in part;
- b. FS1275 be accepted in part; and
- c. No changes be made to the mapping in the Jacks Point Zone in response to this submission as shown on Planning Map 13.

⁵⁹ V. Jones, Section 42A Report, 24 May 2017, paragraphs 4.1 – 4.3

⁶⁰ Dr M. Read, EIC for Stream 9, 17 January 2017, paragraphs 14.13 – 14.29

PART I: JACKS POINT – HOMESTEAD BAY EXTENSION

Submitter **Jardine Family Trust, Remarkables Station Limited and Homestead Bay Trustees Limited⁶¹ (Submission 715)**

Further submissions

In support

FS1277 – Jacks Point Residents and Owners Association

FS1145 – John Martin Management Company Limited

In opposition

FS1073 - Greig Garthwaite

FS1096 - Peter & Carol Haythornthwaite

FS1103 - Ben and Catherine Hudson

FS1108 - Christine and Neville Cunningham

FS1114 - Lingasen and Janet Moodley

FS1116 - Stephen and Karen Pearson

FS1192 - Murray and Jennifer Butler

FS1218 - Grant and Cathy Boyd

FS1219 - Bravo Trustee Company

FS1225 - David Martin and Margaret Poppleton

FS1227.58 - James and Elisabeth Ford

FS1237 - Kristi and Jonathan Howley

FS1247 - Mark and Katherine Davies

FS1250 - Sonia and Grant Voldseth and McDonald

FS1252 - Tim & Paula Williams

FS1277 - Jacks Point Residents and Owners Association

FS1283 - MJ and RB Williams and Brabant

FS1284 - Lakeside Estate Homeowners Association Incorporated

FS1293 - Joanna and Simon Taverner

FS1299 - Thomas Ibbotson

FS1316 - Harris-Wingrove Trust

FS1321 - John and Mary Catherine Holland

FS1345 - Skydive Queenstown Limited

FS1092 - NZ Transport Agency

29. PRELIMINARY MATTERS

29.1. Subject of Submissions

260. This submission related to the Homestead Bay part of the Jack's Point Zone and the adjacent rural land. The properties are legally described as Lot 8 DP 443832 (Remarkables Station Limited), Lots 1- 5 DP 452315 (Jardine Family Trust) and Lots 6 & 7 DP 504891 (Homestead Bay Trustees Limited).⁶²

⁶¹ P. Page, Legal Submissions for Jardine Family Trusts and Remarkables Station Limited, dated July 2017, paragraph 2 stating that Homestead Bay Trustees Limited purchased Lots 6 and 7 DP 504891 from Jardines in 2016 therefore this company is the successor to Jardines under s2A of the Act.

⁶² Exhibit 13.3, Sheet 1, Quickmap, 8/08/2017

29.2. Outline of Relief Sought

261. Broadly, the submission sought to enable residential development of the land within the notified Rural Zone (Lot 8 DP 443832) and more intensive development within the existing Homestead Bay portion of the Jacks Point Structure Plan.
262. Specifically, the submission sought:
- a. Rezoning of Lot 8 DP 443832 from Rural to Jacks Point Zone;
 - b. That the Jacks Point Structure Plan be extended to cover this land in a manner that provides for education and innovation-related business (noting that this part of the submission was later withdrawn) and residential densities at a mix of densities interspersed by open space areas as shown on Attachment B to the submission; and
 - c. Extension of the UGB to include the entire area to be rezoned.⁶³
263. Subsequently the submitter formally withdrew submission points 715.1 and 715.6 and no longer sought the Education and Innovation Campus (EIC) activity area shown on the Structure Plan attached to the submission. Instead, the submitter requested an Open Space Landscape (OSL) activity area classification for that area.⁶⁴
264. On 15 May 2017, the submitters filed a memorandum on behalf of Jardines which included:
- a. A version of Chapter 41, including all the requested revisions;
 - b. A plan of the proposed earthworks in relation to development of Activity Areas R(HB-SH)-A-C;
 - c. A plan of the height limits proposed for requested Area R(HB-SH)-A;
 - d. An amended Structure Plan.⁶⁵
265. The amendments proposed by the submitter primarily related to Activity Areas R(HB-SH)-A-C of their proposed Structure Plan.
266. At the hearing, Mr Geddes relied on the recommended Structure Plan as amended following the filing of the memorandum dated 15 May 2017. His evidence referred only to this plan.⁶⁶
267. Based on the version of the relief that accompanied the memorandum dated 17 March 2017, Ms Jones calculated that the amendments to the planning map, the Structure Plan and the Jacks Point provisions would enable up to an additional 541 residential unit equivalents (including visitor accommodation). This would result in a total yield for the Homestead Bay area of 785 units. Of this total figure, 501 units resulted from intensifying land use within the notified Jacks Point Zone and 284 resulted from the proposed extension to the Jacks Point Zone.⁶⁷
268. We found Ms Jones' analysis of what the submitters sought to be the most helpful and reliable source of information.

⁶³ V. Jones, Section 42A Report, 24 May 2017, paragraph 3.9

⁶⁴ Ibid, paragraph 3.2 which refers to Memoranda of Counsel for the submitter dated 8 February 2017 and 17 March 2017. In addition, Mr Geddes advised the Council that the submitter no longer wished to pursue the EIC activity area in a memorandum dated 14 March 2017 and requested it be treated as Highway Landscape Protection Area. Mr Geddes confirmed this action in his EIC dated 5 June 2017, paragraph 4.3

⁶⁵ Memorandum from Neil McDonald dated 15 May 2017 on behalf of the submitters

⁶⁶ N. Geddes, EIC, 5 June 2017, paragraph 4.6 and Appendix 1

⁶⁷ V. Jones, Section 42A Report, 24 May 2017, paragraph 3.10 and Appendix 6. Mr Geddes said that Appendix 6 accurately described the yields sought (EIC, 5 June 2017, paragraph 4.4).

29.3. Description of the Site and Environs

269. The site bounds SH6 to the east, Lakeside Estate to the south, Lake Wakatipu to the south-west and west and Jack's Point subdivision to the north.
270. Lot 8 DP 443832 (163.46 ha) is owned by Remarkables Station Limited which is a company owned by Jardines. This lot includes the NZone airstrip which is leased to NZone until 2031 and used as a skydiving base. The vast majority of Remarkables Station lies on the eastern side of State Highway 6 (Kingston Road), in an area that is within the ONL. Lot 8 is in the notified Rural Zone and a Rural Character Landscape.
271. The seven lots in Homestead Bay are within the Jacks Point Zone and are bounded by the Jacks Point subdivision to the north, Lake Wakatipu to the west and Remarkables Station to the east and south.
272. We understand a 12 lot subdivision has been consented in the ODP OSR area (Lots 6 & 7) pursuant to a resource consent granted to Homestead Bay Trustees Limited (RM161288).
273. Access to Homestead Bay is provided via Maori Jack Road which serves the Jacks Point subdivision. There is also a separate access from SH6 to the airstrip.
274. The site has a generally concave topography sloping towards the south-west. Two deeply incised valleys run through the south-west of the site towards the lake edge and another overland flow path with an open channel runs through the northern portion of the site (see Figure 8-8).



Figure 8-8 - Aerial photograph of the land subject to the submission outlined in dark blue

29.4. The Case for Rezoning

275. In the submission, it is stated that Lot 8 is the last remaining remnant of Remarkables Station below the State Highway and that this land is not significant to the balance area of the farm in terms of productivity or viability. The future management of this land was said to be more appropriately linked to the Jacks Point Zone.

276. The submission also stated that the extension to the Homestead Bay part of the Jacks Point structure plan would provide additional housing in accordance with the directives set out in the policy sections of the Jacks Point, Strategic Direction, Urban Development and Subdivision chapters of the PDP. It was also stated that many of these policies seek to intensify existing urban areas while the expansion of residential development adjacent to already approved residential zones reduces isolated development in the rural area.
277. The intention of the Homestead Bay extension was to promote similar design and location philosophies as the notified provisions of the Jacks Point Zone.
278. The submission said that the OSL land within Lot 8 should be managed as a single small farm, with one associated residential building platform and accessory farm buildings.
279. In his legal submissions, Mr Page described the history of the Jacks Point Zone which is operative in three parts; Henley Downs, Jacks Point and Homestead Bay. He said that with the development of the Jacks Point Zone and the imminent development of lots 6 & 7, the Jardines must now confront the future of Lot 8 which has ceased to play an economically useful role in the performance of Remarkables Station as a farm.⁶⁸
280. He addressed the legal principles set out in the Council's opening submissions for Stream 13 and concluded that how those principles were applied in the context of the Jardine's case was really an evidence-based exercise. Mr Page referred to the proposition that Part 2 of the Act remained relevant to the consideration of Stream 13 submissions because the higher order provisions remained unsettled. In his submission, it might be safely assumed that the commissioners' decisions would follow the same 'top down' sequence inherent in sections 73 and 32 of the Act. That approach has been confirmed by the Court of Appeal in *Man O'War* (in relation to the identification of ONLs). By the time decisions are made on Stream 13 matters, the higher order decisions would have been made (albeit subject to rights of appeal). It would seem incoherent to depart from that sequence and return to Part 2 unless something arises that identifies an omission in the higher order provisions.⁶⁹
281. Mr Page said that the Jardines do not say that there is any omission in the PDP's framework but rather that the proposed activities within the notified zone boundaries represent a more efficient use of that land and that the land to be brought within the Jacks Point Zone, sandwiched as it is between existing development, more appropriately "fits" the objectives and policies of the Jacks Point Zone than the Rural Zone, subject to an appropriate structure plan being devised.⁷⁰
282. He summarised the Council's position as being that "*land should not be rezoned for development if;*
a. The service requirements of development cannot be met; or
b. The provision of such development would place a financial burden on the Council that it has not agreed to accept (e.g., through provision in the LTP)."
283. In his submission, the Jardines' case was that all of the land subject to its submission can be entirely self-served without any assistance of Council. Alternatively, access to Council-owned infrastructure is something to be managed outside of the district plan and on terms entirely under the control of the Council.

⁶⁸ P. Page, Legal Submissions, July 2017, paragraph 7

⁶⁹ P. Page, Legal Submissions, July 2017, paragraph 9

⁷⁰ *Ibid*, paragraph 10

Mr Page then said:

*"The Jardines are not reliant on the Jacks Point Residents and Owners Association for access to services. The use of Maori Jack Road requires an agreement to be reached on maintenance and upgrade requirements and that is a private matter between Jardines and JPROA. That is why an alternative access point to SH6 has been proposed."*⁷¹

284. His legal submissions canvassed the interpretation of higher order policy and planning documents with respect to strategic direction, urban development and landscapes and the PDP rules in relation to the airstrip and noise.⁷² These are relevant issues and are further considered in the context of the evidence presented.
 285. Finally, Mr Page addressed an issue raised by Mr Ferguson for JPROA i.e., the visual effects of future development, including the appropriateness of the proposed mitigation on the characteristics of the landscape. He submitted that this issue would only arise if the proposed development were to occur in the Rural Zone. The relevant policies (41.2.1 – 41.2.14) were all externally focused and seek to manage externalities rather than within-zone effects. This means that Jacks Point residents have no legitimate expectation to a rural view from their houses.⁷³
 286. Additional comments were made in respect of the evidence presented for Jardines on geotechnical matters (Mr Rider), infrastructure services (Mr Hansen), transport (Mr Bartlett), landscape (Mr Espie) and planning issues (Mr Geddes).
 287. Submissions were presented by several further submitters in opposition to Jardines.
 288. For the Council, evidence on infrastructure services, ecology, transport, landscape and planning matters was presented. We address this evidence in our discussion of the issues below. In summary, the Council's position was that there was insufficient evidence to support extension of the Jacks Point Zone into Lot 8 however a small extension of the JPZ, some intensification within the existing JPZ and amendment to the Structure Plan were agreed. The Council also identified the need to adjust the ONL boundary in the vicinity of Jacks Point Hill to align with the OSR-North boundary.
- 29.5. Discussion of Planning Framework
289. 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 open space and amenities.
 290. Recommendation Report 12 describes the planning framework that applies in the Jacks Point Zone and provides the recommended version of Chapter 41. The revised Structure Plan is included in Chapter 41 (41.7).
 291. There is an ONL around Jacks Point Hill however Homestead Bay and Lot 8 are not within the ONL. Lot 8 is within the Rural Character Landscape.

⁷¹ Ibid, paragraphs 12 - 15

⁷² Ibid, paragraphs 16-20 re landscape and paragraphs 26 – 32 re noise from the airstrip

⁷³ P. Page, Legal Submissions, July 2017, paragraphs 34 & 35

30. ISSUES

- a. Strategic direction - the role of structure planning and adequacy of the evidence in that regard, capacity enablement, timing etc
- b. Provision of infrastructure services – stormwater, potable water and wastewater
- c. Noise effects associated with use of the airstrip
- d. Traffic effects
- e. Landscape
- f. Natural hazards
- g. The most appropriate zoning and plan provisions

30.1. Discussion of Issues and Conclusions

292. In our view, the case for intensifying development of the Homestead Bay area within the JPZ and rezoning Lot 8 to enable housing development was not made out by the submitters. We were somewhat frustrated by the submitters' approach because it failed to take full advantage of the opportunity to revisit the overall vision for the JPRZ and Structure Plan in the context of this plan review. We were also hamstrung by critical gaps and/or shortcomings in the evidence therefore our ability to recommend significant changes to the extent of the JPZ, the Structure Plan and Chapter 41 was curtailed.

293. Overall, we agree with the recommendations of Ms Jones for the Council as set out in her Reply Statement for the reasons given therein.⁷⁴ Her recommendation supported the adoption of 'Scenario A' which provides for a small increase in the extent of the JPZ to enable 27 additional residential units in OSR-South and minor changes to the plan provisions and Structure Plan. Ms Jones did not support any significant extension of the JPZ into Lot 8. We return to her recommendations later in this report but first we address the future of the submitters' land at the strategic level. A strategic assessment is necessary to establish whether the submitters have demonstrated that further urbanisation of their land is warranted.

30.2. Strategic planning for urban growth

294. Strategically, we consider that the Coneburn Valley is suitable for urbanisation and would be a logical area for expansion of Queenstown long term. We include the submitters' land in this statement because it is easily developed due to the topography, is well-served by roads, has high amenity values and is not within an ONL. In our opinion, it should not be developed at this time nor in the manner proposed in evidence because there is a real possibility of under-utilising this valuable resource. We think that the future of this land should be considered in the context of the growth needs of the district long term. In this context, several options for urbanisation would be tested before selecting the optimal development.

295. Structure planning provides the framework for long term planning under the LGA and RMA. A structure planning exercise is designed to address the fundamentals of large scale land use change and development. The process should result in a comprehensive, integrated proposal covering matters such as infrastructure provision, transport and roading, provision of community facilities and dwelling capacity enablement as well as management of natural

⁷⁴ V. Jones, Reply Statement, 6 October 2017, paragraph 2.4 re wastewater and paragraph 2.5 re noise effects

hazard risk, protection of historic and natural heritage and other physical resources. Its success is dependent on cooperation among land owners and between land owners, the Council and public authorities e.g., NZTA. In our view, there is a need to carry out structure planning for the submitters' land as part of the process for determining the optimal type of development and land use pattern long term. This is rather more than just drawing a subdivision layout plan and calling it a structure plan.

296. The submitters' proposal adopted the Jacks Point concepts to some extent but also sought medium density housing within Homestead Bay. The Jacks Point Zone and Structure Plan has been in place for more than twenty years. Henley Downs is currently under development and provides for a quite different type of housing style and density to that available in the Jacks Point subdivision. It is anticipated that Henley Downs will increase the supply of medium density housing in Queenstown and provide housing within an affordable price range (by Queenstown standards). Whether it is better for Jardines to emulate the Jacks Point planning model or the Henley Downs approach or to come up with a 'third way' is an open question that should be answered by a 'first principles' planning study.

297. In our view, there is time to carry out this study and prepare a new structure plan for Jardines land because the notified PDP has zoned sufficient land to meet Queenstown's growth needs for the medium and long term. The structure planning process would also enable the submitters to address various matters that need to be resolved before an urban zoning could be recommended e.g., delivery of infrastructure services in relation to density and noise effects associated with use of the airstrip. Objective 4.2.1 and Policy 4.2.1.4 provide the planning framework for evaluating options and selecting the optimal type and intensity of development.

30.3. Evidence

298. In the following sections of this recommendation report, we evaluate the evidence received before, during and after the hearing relating to the key issues, namely infrastructure services, noise effects associated with the use of the airstrip, traffic effects, landscape and natural hazards. We find that there is insufficient evidence concerning the effects of the onsite wastewater disposal field on the environment and noise effects associated with the use of the airstrip to recommend the submitters' proposal. While provision of access to SH6 from an expanded JPZ was addressed to our satisfaction, gaps remained in the transport evidence. We were however satisfied that there was sufficient evidence to recommend the adoption of 'Scenario A' as supported by Ms Jones.⁷⁵

30.4. Infrastructure services

299. The Jardines' case was that all of the land subject to its submission could be entirely self-served without any assistance of the Council. In their submission, if alternatives to self-servicing the development became available, access to Council-owned infrastructure was something to be managed outside of the district plan and on terms entirely within the control of the Council.⁷⁶

300. It was also the Jardines' position that development within their land was not dependent on the JPROA for access to services. Use of Maori Jack Road depended on agreement being reached on maintenance and upgrade requirements which is a private matter between the Jardines and JPROA. The need for such an agreement was the reason for seeking an alternative access point to SH6.⁷⁷

⁷⁵ V. Jones, Reply Statement, 6 October 2017, see Appendix 3 for the amended Structure Plan

⁷⁶ P. Page, Legal Submissions for Jardines, July 2017, paragraphs 13 & 14 and paragraphs 21 - 25

⁷⁷ Ibid, paragraph 15

301. We accept that there are several options available for servicing the proposed development (715 dwelling equivalents) including shared services with the Council and/or JPROA. We also accept that it is the submitters' prerogative to privately fund and provide stormwater, water supply and wastewater disposal services for the whole development. Given this, we must be satisfied that the submitters' proposed infrastructure services are feasible and acceptable in terms of their environmental effects in order to recommend rezoning land for development of the intensity requested.
302. Mr Hansen's evidence addressed infrastructure provision. For stormwater, his recommended strategy was to provide an integrated treatment train approach to water management. The concept design was aimed at replicating the pre-development runoff scenario for undeveloped areas. The developed areas would be serviced using a hybrid LID/SUD/Big Pipe design incorporating swales, kerbs, pipework and detention areas. In the development area, separate pipe networks were proposed for sub-catchments discharging directly to Lake Wakatipu. Secondary overflow paths would be provided for in swales or road ways and discharge to the same locations as the pre-development scenario.⁷⁸
303. Mr Glasner agreed that this concept was an acceptable stormwater design solution for the proposal. He agreed that overflows should discharge to the same locations as the pre-development scenario. The runoff would ultimately discharge to Lake Wakatipu which was acceptable in his view.⁷⁹
304. For JPROA, Mr Gousmett identified a concern that stormwater runoff from the urban development could pollute the existing water intake for the Coneburn Water Supply. This is because stormwater runoff has the potential to pollute the lake shore area and there would be no easy way to protect the water supply if lake water quality deteriorates. Protection is best provided by comprehensive stormwater design and operation. He said that stormwater pipeline and open channel discharges must be directed well away from the Coneburn Water Supply intake. He noted that this issue would be addressed when resource consent to discharge to Lake Wakatipu was sought from Otago Regional Council. Mr Gousmett held this concern throughout.⁸⁰ The submitters (Jardines) did not address this matter directly in evidence.
305. With respect to water supply, the submitters were in the process of developing a new 300mm water bore adjoining Lake Wakatipu in the lead up to the hearing. Mr Hansen said that preliminary bores and testing indicated excellent quantity of water at secure depths. He anticipated that an 'on-demand' system similar to that used to supply water to Shotover Country would be developed. Mr Hansen said that a new reservoir could be established on Jacks Point Hill to the west of the development at a suitable level to service the development and at a similar elevation to the Coneburn reservoir.⁸¹ The plan provisions relating to establishing water tanks on Jacks Point Hill were considered by Ms Jones for the Council and Mr Ferguson for JPROA and we deal with this evidence later in this report.
306. Mr Glasner agreed with Mr Hansen's approach but considered that further information was required to ensure the proposed land wastewater disposal would not affect the water quality

⁷⁸ C. Hansen, EIC, 4 June 2017, paragraphs 6.3 & 6.4

⁷⁹ U. Glasner, Rebuttal Evidence, paragraphs 3.2 & 3.3

⁸⁰ K. Gousmett, Rebuttal Evidence, 7 July 2017, paragraphs 8-10; Supplementary Evidence, 15 September 2017, paragraph 5

⁸¹ C. Hansen, EIC, 4 June 2017, paragraphs 7.1 – 7.13 describes the likely water supply system

at the bore site.⁸² Mr Gousmett accepted the information provided on water bore pump tests and water quality results however he held to his opinion that the Lowe Environmental Impact Limited report⁸³ on wastewater had not considered pollution from treated wastewater of the proposed bore water supply for the Homestead Bay development.⁸⁴ It would appear that the submitters did not address this issue directly in evidence.

307. The feasibility of onsite wastewater disposal was an issue during the hearing due to the submitters' staged approach to provision of evidence. An initial report on wastewater options investigated 130 of the proposed 715 dwelling equivalents proposed and was appended to Mr Hansen's Evidence in Chief.⁸⁵ Mr Glasner accepted this report's recommendation that either a Sedimentation Tank Effluent Pumping Unit or pressure reticulation system connected to a treatment plant and discharging to an area of 3.4 ha for land treatment would be satisfactory.⁸⁶ However he pointed out the need to identify a suitable area of land available for the disposal of treated wastewater at a larger scale to cater for 715 dwelling equivalents.
308. Mr Hansen responded to Mr Glasner's comments by stating that approximately 14.3 ha of land would be required based on the findings of the LEI report (May 2017). He identified the 'Highway Landscape Protection Area' within Lot 8 as being suitable for a disposal area. This area measures approximately 30 ha.⁸⁷ Mr Hansen did not further refine the location proposed for the wastewater disposal field.
309. Mr Gousmett was initially concerned about the lack of evidence indicating that 715 dwellings could be serviced by on-site wastewater treatment and disposal.⁸⁸ Subsequently, he identified the lack of evidence addressing the effects of onsite wastewater disposal from the full development particularly the potential pollution of the Coneburn Water Supply and the implications of the total Nitrogen leaching to ground. Only Nitrogen had been considered with no mention of E. coli or Phosphorous.⁸⁹ It would appear that he accepted the feasibility of onsite wastewater disposal in principle at this scale of development.
310. During the hearing, we asked questions about the effects of onsite wastewater disposal in relation to regional rules and the Water Conservation (Kawarau) Order 1997 for Lake Wakatipu. The submitter undertook to provide an answer to these questions by Friday, 1 September 2017.⁹⁰
311. The question on regional rules asked:

"If disposal to land could be achieved in accordance with the ORC discharge rule for nutrients, including whether the original report LEI had completed for the 130 lots was based upon the

⁸² U. Glasner, Rebuttal Evidence, paragraphs 3.8 & 3.9; Reply Statement, 6 October 2017, paragraph 2.2

⁸³ This memorandum from LEI to Clark Fortune McDonald Associates was supplied after the hearing on 22 August 2017 in response to questions from the Panel.

⁸⁴ K. Gousmett, Supplementary Evidence, 15 September, paragraph 4

⁸⁵ C. Hansen, EIC, 4 June 2017, Appendix 2 (or Attachment B) – report by Lowe Environmental Impact May 2017

⁸⁶ U. Glasner, Rebuttal Evidence, 7 July 2017, paragraph 3.5

⁸⁷ C. Hansen, Summary Statement, 4 August 2017, paragraph 2 and Appendix A

⁸⁸ K. Gousmett, Rebuttal Evidence, 7 July 2017, paragraph 11

⁸⁹ K. Gousmett, Summary Statement, 24 August 2017, paragraph 2(b) and paragraph 5

⁹⁰ Minute concerning additional information to be provided by Submitter 715: Jardine Family Trust & Remarkables Station Limited, 15 August 2017.

*new standards which were to come into effect in relation to the maximum level of soil nitrogen.*⁹¹

312. In reply, the LEI memorandum⁹² said:

“Homestead Bay is proposed to be used for residential land and for the discharge of treated domestic wastewater to land. The Otago Water Plan Change 6A (Water Quality) seeks to maintain or improve water quality, through control of contaminants discharging from rural land and not the discharge of human sewage it provides for a permitted activity Nitrogen leaching of 15 kg N/ha/yr. When applied across the proposed site this equals 3,000 kg N/yr. N leaching below the land treatment area is estimated to equal 1,340 (and possibly as high as 1,936 kg N/yr) which is below Plan Change 6A rural land permitted baseline.”

313. The question on the Water Conservation Order asked:

“If the disposal to land would be in accordance with the Water Conservation (Kawarau) Order 1997 for Lake Wakatipu.”⁹³

314. In reply, the LEI memorandum said:

“...is it assessed that Homestead Bay re-zoning is consistent with Kawarau Water Conservation Order as it will not cause the water quality in Lake Wakatipu to breach Class AE, CR, F or FS water standards in Schedule 3 of the RMA, and does not affect fish passage.”⁹⁴

315. In addition, the LEI memorandum said that *“for 715 lots, the total dispersal area required to have the same inputs as the 130 lots would be 16.55 ha.”⁹⁵* However the precise location of the dispersal area was not identified. We accept that this was not necessary to answer the specific question however it leaves a gap. Mr Hansen identified the “Highway Landscape Protection Area” as the likely location of the dispersal field. In our opinion, a general indication of the area to be used for dispersal is not sufficient to enable a comprehensive assessment of environmental effects.

316. For the Council, Mr Glasner considered LEI’s new information and the MWH/Stanton Groundwater Take report.⁹⁶ He remained of the opinion that:

“there is insufficient evidence to assure the Council that the wastewater from the full extent of residential development enabled by the rezoning (i.e., in the order of around 541 residential units in addition to those enabled by the notified PDP) can be appropriately disposed of without adverse effects on the environment. Specifically, the assessment around the groundwater bore supply by MWH/Stanton has not addressed the risk from a wastewater treatment facility in close proximity.”⁹⁷

⁹¹ Memorandum from Lowe Environmental Impact Limited to Clarke Fortune McDonald & Associates, 22 August 2017 re Homestead Bay – Answers to Commissioner Nugent’s questions, section 1 Scope

⁹² Ibid, section 5 Summary

⁹³ Memorandum from Lowe Environmental Impact Limited to Clarke Fortune McDonald & Associates, 22 August 2017 re Homestead Bay – Answers to Commissioner Nugent’s questions, section 1.1 Scope

⁹⁴ Ibid, section 5 Summary

⁹⁵ Ibid, section 2 Re-zoning effect on Nitrogen Loading

⁹⁶ MWH/Stanton Groundwater Take report, 1 August 2017

⁹⁷ U. Glasner, Reply Statement, 6 October 2017, paragraphs 2.1 & 2.2

317. Mr Gousmett also responded to the additional information provided by the submitter. He said that the scope of the work was:

“very narrow being limited to the two questions asked by Commissioner Nugent. No mention was made of the existing Coneburn Water Supply intake and potential pollution from wastewater disposal or the standard of water treatment. Only Nitrogen has been considered with no mention of E.Coli or Phosphorous. The water quality standard under the Kawarau Water Conservation Order has only been applied to contact recreation and fisheries, not to drinking water.”⁹⁸

318. His concern regarding pollution of the Coneburn Water Supply intake from wastewater and stormwater runoff/seepage remained.

319. We agree with Mr Glasner and Mr Gousmett that the submitters have provided insufficient evidence that wastewater from the full extent of the proposed development can be appropriately disposed of without adverse effects on the environment. To their reasons, we add that the precise extent and location of the dispersal field had not been identified which meant that a comprehensive assessment of effects was not done.

320. We consider that there were other gaps in the evidence. For example, the Water Conservation (Kawarau) Order 1997 identifies several outstanding characteristics of Lake Wakatipu including ‘significance in accordance with tikanga Maori’. Although Mr Geddes addressed the plan provisions in relation to Ngai Tahu values in evidence, there was no consultation with Tangata whenua during the process of structure plan preparation therefore we have no direct knowledge of the effects of this proposal on their interests.

321. In summary, Strategic Objective 3.2.1.9 requires that infrastructure in the District is operated, maintained, developed and upgraded efficiently and effectively to meet community needs and to maintain the quality of the environment. Strategic Objective 3.2.2.1 requires that urban development occurs in a logical manner so as to be integrated with existing, and planned future, infrastructure. Chapter 41 recommended Policy 41.2.1.4(c) seeks to “ensure efficient provision of sewage disposal, water supply and refuse disposal services which do not adversely affect water quality or other environmental values.” We did not have sufficient evidence to be satisfied that wastewater disposal would not have adverse effects on the environment. A coherent picture of infrastructure provision and its effects on the environment was not presented by the submitters.

322. While we accept that self-servicing the development of Homestead Bay is the submitters’ prerogative, we have been left wondering whether a thorough investigation of alternatives might have resulted in the opportunity to develop this land more intensively in future. A comprehensive planning approach underpins the purpose of Strategic Objective 3.2.1.9 and it was lacking in this case.

30.5. Noise effects associated with use of the airstrip

323. Airstrips are defined as ‘informal airports’ in Chapter 2 and provided for as permitted activities (subject to strict standards) or as full discretionary activities in the Rural Zone (Chapter 21). Chapter 36 Noise includes controls on the noise effects of using aircraft associated with informal airports.

⁹⁸ K. Gousmett, Supplementary Evidence, 15 September 2017, paragraphs 3 & 5

324. The purpose of this planning framework is to maintain amenity values and protect informal airports from incompatible activities as stated in recommended Objective 21.2.11:

"The location, scale and intensity of informal airports is managed to maintain amenity values while protecting informal airports from incompatible activities."

325. Policy 21.2.11.3 states:

"Protect lawfully established and anticipated informal airports from incompatible activities."

326. The airstrip is sited on Lot 8 in the notified Rural Zone and leased to NZone for a skydiving venture until 2031.⁹⁹ NZone operates in accordance with a resource consent granted in 1996 (RM960447). Any increase in scale or intensity of the NZone operation beyond the consented use, or the use of the airstrip by any other party (including farm aircraft use) would require a discretionary activity consent due to the proximity of the zone boundary, regardless of whether it could meet the other standards in Chapter 21 or the noise standards and regardless of whether any new dwellings are built in the vicinity.¹⁰⁰ Ms Jones confirmed that if the NZone airstrip were included in the Jacks Point Zone, it would be subject to Chapter 41 which provides for airport activity, aerodromes or informal airports as non-complying activities.¹⁰¹ Noise contours around the airstrip would be required for these provisions to work effectively.

327. Consent to extend the skydiving operations was refused by the Environment Court in 2014.¹⁰² In reference to that decision, Mr Williams said that *"consideration of existing residents amenity, outlook, privacy and rural amenity were all key components of why NZONE's application to expand the operation was declined..."*¹⁰³

328. The matters identified by Mr Williams primarily pertain to the airstrip's effects on the existing Jacks Point Zone and notified Rural Zone. We considered these effects were relevant to our evaluation of the submitters' rezoning request and revised structure plan.

329. The submitters' structure plan showed several residential areas near to the skydiving airstrip and the preferred arrivals flight path which is over the Lodge area (from the west). This proposal raised reverse sensitivity issues such as the effects of aircraft noise on the amenity values of outdoor areas associated with dwellings and use of recreational areas in an expanded Jacks Point Zone.

330. During the hearing, a lot of attention was given to the airstrip and the effects of its usage. However, Dr Chiles for the Council was the only acoustic engineering expert to provide evidence.¹⁰⁴ The submitters and further submitters did not provide expert acoustic evidence on this issue, however the further submitters did highlight several matters that needed to be addressed e.g., whether it is appropriate to adopt the 55dB Ldn contour as the basis for land

⁹⁹ R. Brabant, Submissions for Joan Williams and Richard Brabant (FS1283), 15 August 2017, paragraph 53

¹⁰⁰ V. Jones, Reply Statement, 6 October 2017, paragraph 4.9

¹⁰¹ Ibid, paragraph 4.10

¹⁰² *Re Skydive Queenstown Limited* [2014] NZEnvC108

¹⁰³ T. Williams, Summary Statement, 7 September 2017, paragraph 5.1

¹⁰⁴ Dr S. Chiles, EIC, 24 May 2017. Dr Chiles' evidence was tabled because the Panel did not have any questions.

use controls.¹⁰⁵ Legal submissions for the Jacks Point Residents and Owners Association pointed out that there was an obvious lack of any evidentiary basis and substantive section 32 analysis determining appropriateness.¹⁰⁶ After the hearing, the Panel gave the submitters additional time to provide acoustic engineering evidence but this was not provided nor was any explanation given for the failure to provide it.

331. In our view, the lack of acoustic evidence supporting the submitters' various proposals for the airstrip was a significant shortcoming because it hampered our ability to consider how best to give effect to the purpose of Objective 21.2.11 in this context. We did not have the information necessary to assess effects on amenity values within existing and proposed residential areas arising from the airport's operations or to evaluate the likelihood of adverse effects on the operation of this informal airport due to potentially incompatible activities being established nearby. In other words, we did not have sufficient evidence demonstrating that the submitters' proposal satisfied Objective 21.2.11 and Policy 21.2.11.3.
332. For the Jacks Point Residents and Owners Association¹⁰⁷, Mr Ferguson considered that the submitters' approach to the airstrip (i.e., inclusion within the OSL Activity Area) failed to address and reconcile the significant issues Jacks Point residents have with the existing airstrip. We agree. Mr Ferguson preferred the planning framework applicable in the Rural Zone and sought its retention.¹⁰⁸
333. In our opinion, addressing the future of the airstrip and its operations was a fundamental task in the preparation of the rezoning proposal and revised structure plan. In the absence of this work, we have recommended only minor amendments to the extent of the Jacks Point Zone and the Structure Plan in reliance on the evidence of Dr Chiles and Ms Jones.
334. Dr Chiles concluded that new residential areas should be avoided within the 55dB Ldn sound contour level from the skydiving airstrip.¹⁰⁹ His evidence was not contested therefore we accept and rely on it.
335. Ms Jones consequently recommended that R(HB-SH)-A, R(HB-SH)-B AND R(HB)-D Areas should not be urbanised in the absence of such a noise contour.¹¹⁰
336. Ms Jones recommended retention of Rural zoning for the airstrip and land to its north and east. Her recommendation was partly due to the potential adverse effects that would arise from enabling residential activity within R(HB-SH)-A, R(HB-SH)-B AND R(HB)-D Areas within close proximity to consented aircraft operations on the airstrip and the fact that given the lack of any noise modelling data, it was not possible to amend the boundaries of these residential activity areas in order to mitigate such adverse effects.¹¹¹ We agree.
337. In addition, Ms Jones recommended the inclusion of a new rule in Chapter 27 Subdivision requiring that any subdivision in OSR-North (lower part of Jacks Point Hill) should identify the 55dB Ldn noise contour and restrict any ASAN from occurring within that contour. This rule would be efficient and effective in avoiding reverse sensitivity effects because only ten dwellings were enabled in OSR-North compared to 466 dwellings in Areas A, B and D. In her

¹⁰⁵ R. Brabant, Submission, 15 August 2017, paragraph 46 citing the Environment Court's 2014 decision

¹⁰⁶ M. Baker-Galloway, Legal Submissions, 24 August 2017, paragraph 6

¹⁰⁷ FS1277

¹⁰⁸ C. Ferguson, Rebuttal Evidence, 7 July 2017 paragraph 11 and paragraphs 31 - 35

¹⁰⁹ Dr S. Chiles, EIC, 24 May 2017, paragraph 5.2

¹¹⁰ V. Jones, Reply Statement, 6 October 2017, paragraph 4.15(a)

¹¹¹ Ibid, paragraph 4.11

opinion, none of the other development enabled by her recommended amended Structure Plan would receive noise levels greater than 55dB Ldn.¹¹² We accept and rely on her evidence in this regard. Accordingly, we recommend that the following rule be inserted in Chapter 27 Subdivision:

- 27.7.5.4 *Subdivision within the OSR-North Activity Area of the Jacks Point Zone* NC
that does not, prior to application for subdivision consent being made:
- a. *provide to the Council noise modelling data that identifies the 55dB Ldn noise contour measured, predicted and assessed in accordance with NZS 6805:1992 Airport Noise Management and Land Use Planning and NZS 6801:2008 Acoustics – Measurement of Environmental Sound, by a person suitably qualified in acoustics, based on any consented operations from the airstrip on Lot 8 DP443832: and*
 - b. *register a consent notice on any title the subject of subdivision that includes land that is located between the 55 dB Ldn contour and the airstrip preventing any ASAN from locating on that land.*

338. A minor amendment to Rule 36.3.2.5 was recommended by Ms Jones to clarify the relationship between rules in Chapter 36 Noise and rules in other zones e.g., Chapter 21 Rural Zone. We agree with Ms Jones that clarification is required and that her recommended amendments are minor. For that reason, we recommend the following amendments under clause 16(2) of the Act:

36.3.2.5

Notwithstanding compliance with Rules 36.5.13 (Helicopters) and 36.5.14 (Fixed Wing Aircraft) in Table 3, informal airports shall also be subject to the rules in the chapters relating to the zones within which the activity is located.

30.6. Traffic effects

339. Evidence concerning traffic effects was presented by Mr Jason Bartlett for Jardines,¹¹³ Mr Andy Carr for Jacks Point Residents and Owners Association et al, Mr Antony Sizemore for NZTA, and Ms Wendy Banks for the Council. Ms Jones, Mr Geddes and Mr Anthony MacColl for NZTA presented planning evidence on this matter.
340. The key issue in contention was vehicular access to SH6 for the additional dwellings enabled by more intensive development in Homestead Bay and the proposed JPZ extension. As notified, the JPZ provided for 244 residential unit equivalents in Homestead Bay and the submitters' proposal enabled a further 541 residential dwellings, making a total of 785 dwellings. NZTA and the Council sought to limit access to Maori Jacks Road and avoid the creation of any new accesses to SH6.
341. This issue was the subject of expert conferencing and resulted in a memorandum recording agreed outcomes. NZTA, the Council and Mr Bartlett participated however Mr Carr was not a party to the conference or a signatory to the memorandum.

¹¹² Ibid, paragraph 4.12-4.13

¹¹³ Mr Bartlett disclosed that he is a resident of Jacks Point and a member of the Jacks Point Residents and Owners Association.

342. The agreed outcomes were:
- a. *That the preferred approach is that the full development of Homestead Bay is to be served via Maori Jack Road.*
 - b. *If access via Maori Jack Road is not legally possible a new access could be constructed at, or about, the location identified in the evidence of Mr Bartlett.¹¹⁴*
 - c. *That any access from the SH6 must be approved by NZTA at the time of development (Discretionary/Restricted Discretionary). Approvals are required either; to form a new access, or to upgrade the existing Maori Jack Road intersection.*
 - d. *Approval from NZTA shall be required at;*
 - i. *The time any access is to be formed from SH6;*
 - ii. *The time of development when more than 244 residential dwellings will be enabled at Homestead Bay; and*
 - iii. *The time of development when more than 500 residential dwelling equivalents will be enabled at Homestead Bay.*
 - e. *Approvals from NZTA will require:*
 - i. *Confirmation of the type of intersection, or intersection improvements, to be constructed at SH6;*
 - ii. *Demonstration that the intersection, or intersection improvements, will be able to meet current design standards; and*
 - iii. *Modelling of the proposed intersection, or intersection improvements, including and (sic) the downstream effects on the wider Jacks Point/Hanley Downs Zones State highway intersections. Modelling should be for an appropriate design year and a realistic expectation of growth to that design year.¹¹⁵*
343. Ms Wendy Banks explained that updated traffic modelling provided by Mr Bartlett did not include predicted flows for Hanley Downs and the Jacks Point village. Hanley Downs was not included because it has a different State Highway access and there is no agreed internal link between Hanley Downs and Jacks Point. The commercial aspects of the village were considered by him to be trip neutral. It was agreed that it would be more realistic to model the effects in 10 years, rather than the ultimate development.¹¹⁶
344. Based on the reply evidence of Ms Wendy Banks, the other traffic evidence presented at the hearing and the Memorandum of Traffic Conferencing, Ms Jones considered that traffic effects were no longer an impediment to approving the additional zoning and intensification sought by Jardines. In the event that the Panel recommended expanding the zone, she proposed the inclusion of a 'trigger' rule in both Chapter 27 Subdivision and Chapter 41 Jacks Point Zone providing for development that enables a total of over 244 residential or visitor accommodation units within the Homestead Bay Village (V(HB)), Homestead Bay Residential (R(HB)) or Open Space Activity (OSR) Activity Areas as a restricted discretionary activity. Discretion would be restricted to "*effects on the transport network, including traffic generation effects on the local roading network and the adjacent State Highway.*" It would be open to the Council to serve notice on NZTA. Ms Jones did not support inclusion of a further trigger rule providing for discretionary activity status when 500 or more dwelling equivalents are developed at Homestead Bay because there was no evidence underpinning that threshold.¹¹⁷

¹¹⁴ The location referred to is well south, near the boundary with Lakeside Estate.

¹¹⁵ Memorandum of Traffic Conferencing, 5 September 2017, paragraphs 13 - 17

¹¹⁶ W. Banks, Reply Statement, 6 October 2017, paragraphs 5.2 – 5.4

¹¹⁷ V. Jones, Reply Statement, 6 October 2017, paragraphs 2-6 – 2.12

345. We note that any new access to a State Highway requires the consent of NZTA under the Government Roadway Powers Act 1989. This consent is independent of the district plan's provisions.
346. We accept and rely on the Memorandum of Traffic Conferencing insofar as it addresses the issue of access to SH6. We agree with Ms Jones that a trigger rule would ensure assessment of traffic effects at the point when more than 244 residential equivalents were proposed. We are not clear how this rule would work cumulatively i.e., if a series of staged developments were proposed following on from the granting of the first consent to exceed 244 residential equivalents.
347. We were concerned by the lack of evidence assessing the effects on the internal JPZ road network and the JP residents due to increased use of Maori Jack Road (beyond the 244 residential equivalents enabled within Homestead Bay by the notified JPZ i.e., for Scenario B). This lack of evidence was raised by Mr Carr and has not been addressed by the submitter or the Council.¹¹⁸ It was also addressed in evidence by Mr Ferguson.¹¹⁹ Essentially, the proposed trigger rule, if adopted, would postpone consideration of potential traffic effects on internal roads until a development exceeding 244 residential equivalents is proposed. In our opinion, the submitters' evidence should have considered this matter given this is a rezoning request.
348. If we had been minded to recommend an extension of the JPZ, we would have also recommended an amendment to the Structure Plan to show the additional access point, and a change to the rules to provide for four access points in total.
349. We have concluded that use of Maori Jacks Road for access to SH6 is assured for development that adheres to the intensity enabled by the notified Structure Plan in Homestead Bay. We agree that if there is any significant extension of the Structure Plan area, then use of Maori Jacks Road would remain the preferred access to SH6. We are satisfied however that if Maori Jacks Road is not available, then a new access to SH6 is possible subject to NZTA's approval. The likely need to seek this approval with urbanisation of Lot 8 is a further reason why we favour a comprehensive structure planning approach to the development of the submitters' land.

30.7. Landscape

350. The Jardines' land is located within a Rural Character Landscape whereas Jacks Point Hill is an ONL. The Remarkables, Lake Wakatipu and the mountains on its western side are within the ONL. Accordingly, landscape values should be taken into account when considering any request to extend the JPZ. The planning framework provides guidance in this regard.
351. Strategic Objective 3.2.5.2 as recommended is relevant. This objective seeks that rural character and visual amenity values in identified RCLs are maintained or enhanced by directing new subdivision, use or development to occur in those areas that have the potential to absorb change without materially detracting from those values. Policy 3.3.23 gives effect to this objective by requiring the identification of RCLs that cannot absorb change and that residential development be avoided in those areas. Policy 6.3.18 states that subdivision and development is unsuitable in many locations in RCLs and successful applications will need to be, on balance, consistent with the objectives and policies of the Plan (3.2.1.1, 3.2.1.7, 3.2.5.2, 3.3.19, 3.3.20, 3.3.23, 3.3.31). When a significant new development is proposed, a plan change process

¹¹⁸ A. Carr, Rebuttal Evidence, 7 July 2017, paragraphs 30 – 32 and paragraph 44(e)

¹¹⁹ C. Ferguson, Rebuttal Evidence, 7 July 2017, paragraphs 15 – 19

seeking to remove the RCL classification would be precipitated enabling assessment against these policies.

352. In addition, Policy 6.3.25 ensures incremental changes from subdivision and development do not degrade landscape quality or character, or important views associated with mitigation of the visual effects of proposed development such as screen planting, mounds and earthworks. Policy 6.3.22 requires the avoidance of adverse effects on visual amenity from subdivision, use and development that is highly visible from public places and forms the foreground for an ONL when viewed from public roads. This policy is particularly relevant to the submitters' requested rezoning. We agree with Mr Geddes that Policy 6.3.21 is not relevant because the submitters' proposed development does not constitute sprawl.
353. In the Jacks Point Zone, Objective 41.2.1 as recommended requires, among other matters, protection of outstanding natural landscape. Policy 41.2.1.1 requires activities located in accordance with the Structure Plan to establish a coordinated spatial layout taking into account the protection of landscape and amenity values. Recommended Policy 41.2.1.7 seeks to *"maintain and protect views across the site to the mountain peaks beyond when viewed from the State highway"* zone-wide. In Residential areas, Policy 41.2.1.16 seeks to *"ensure that residential development in the Jacks Point Zone does not dominate views from the State Highway."*
354. The planning framework anticipates subdivision and development within RCLs however it also provides that the location and design of residential areas should maintain and protect views of ONLs particularly when viewed from the State Highway. Further, residential development should not dominate views from the State Highway. We agree with Mr Page that avoidance is a policy approach within the ONLs/ONFs only, a distinction reflecting section 6(b) of the Act.¹²⁰ Rather, RCLs are intended to give effect to section 7(c) of the Act.
355. The extent to which the submitters' amended relief¹²¹ satisfied the objectives and policies of the Plan concerning views of the ONL from the State Highway was in contention with respect to proposed Activity Areas R(HB-SH) A-C. Other aspects of the requested relief were not disputed e.g., R(HB)-D. In this recommendation report, we have not exhaustively catalogued the landscape and planning evidence presented in relation to proposed Activity Areas R(HB-SH) A-C because our overall recommendation is that the Jardines' land should not be urbanised at this time. The landscape issues were not determinative in coming to this recommendation.
356. We consider that Dr Read's Reply Statement captured the issues relating to landscape and visual effects issues very well.¹²² In summary, Dr Read considered that the proposed design of Areas A-C would obscure the lake surface from valued public views, namely from parts of the State Highway especially if account were taken of the effect of planting on top of the mounds. In her opinion, while development might not be visible from the State Highway, the proposed design would not promote an attractive and desirable living environment. We quote her concluding paragraph with approval:

"It is my opinion that Activity Areas A, B and C should not be advanced at this time as proposed by the submitter. I fully anticipate that the area in question will become urbanised in the future,

¹²⁰ P. Page, Legal Submissions, July 2017, paragraphs 19 & 20

¹²¹ Memorandum to the Hearings Administrator on behalf of Homestead Bay Trustees, Jardine Family Trust and Remarkables Station Ltd, 15 May 2017, amending the structure plan and Chapter 41 provisions.

¹²² Dr M. Read, Reply Statement, 6 October 2017, paragraphs 11.1 – 11.6

*connecting Lakeside Estate with Jacks Point. I believe that if the character and quality of the landscape were given adequate consideration an appropriate design response would be possible which would provide residents of the future subdivision with a pleasant living environment including a relationship with the lake (views, pedestrian and road connection, ecological corridors) and which would add to, or at least not detract from, the views from the State Highway.*¹²³

357. In his planning evidence, Mr Ferguson summed up the issues relating to visual effects in a similar vein and said that the method for dealing with the height of mounds was neither efficient, effective nor certain¹²⁴. We agree.
358. We would add that an appropriate design response would also have considered the effect of development on the amenity values of residents of Jacks Point as addressed by Mr Williams¹²⁵ and also on the Lakeside Estate. No evidence was presented to confirm the visibility or otherwise of development in Areas A – C from the JPZ.¹²⁶
359. For completeness, we refer to the evidence of Ms Taverner drawing our attention to the lack of any reference to the Coneburn Area Resource Study 2015 in the submitters' evidence. She stated that this is the only comprehensive landscape study for the zone and should have been referred to in this process. We agree. Ms Taverner did not support replication of the approach taken to development of Jacks Point and agreed with Dr Read that screening the development would compromise the long sweeping views of the surface of the lake which are possible from SH6 in this area. She expressed concern about the implementation and ongoing management of the proposed planting, if it were approved, due to the lack of any comparable role to that played by the JPROA.¹²⁷
360. Both Ms Taverner and Mr Ferguson were concerned about the effects of establishing a water reservoir on Jacks Point Hill. Ms Jones confirmed that Water and Wastewater Facilities are a discretionary activity therefore the changes proposed by Mr Ferguson were unnecessary.¹²⁸ We agree (recommended Rule 30.5.1.7).
361. In summary, we were not satisfied that the submitters had fully addressed landscape and visual effects in evidence but more importantly, we concluded that the overall approach to dealing with the visibility of the development and views to the lake surface from SH6 should be reconsidered.
- 30.8. Natural hazards**
362. Mr David Rider provided geotechnical evidence for Jardines¹²⁹ and Mr Charlie Watts evaluated it for the Council.¹³⁰ There was general agreement between these witnesses and between the respective planning witnesses, Mr Geddes and Ms Jones.

¹²³ Dr M. Read, Reply Statement, 6 October 2017, paragraph 11.6

¹²⁴ C. Ferguson, Rebuttal Evidence, 7 July 2017, paragraphs 26 - 30

¹²⁵ T. Williams, Summary Statement, 7 September 2017, paragraphs 2.1 – 2.5

¹²⁶ Dr M. Read, Rebuttal Evidence, 7 July 2017, paragraph 7.18

¹²⁷ J. Taverner, EIC, 9 August 2017, paragraphs 5 - 22

¹²⁸ V. Jones, Reply Statement, 6 October 2017, paragraph 5.1

¹²⁹ D. Rider, EIC, 9 June 2017. This evidence was lodged but Mr Rider was excused from attending the hearing as the Panel had no questions of him.

¹³⁰ C. Watts, Rebuttal Evidence, 11 July 2017, paragraphs 12 & 13. Mr Watts was excused from attending the hearing because the Panel had no questions for him.

363. Mr Rider's desktop study identified the following natural hazards that could potentially affect the site; liquefaction (Area A), alluvial fan floodwater dominated (Area B) and alluvial fans debris dominated (Area A). The areas affected by these natural hazards are shown in Appendix 1 to the Natural Hazards Assessment Report appended to his Evidence in Chief. In his opinion, the reporting reviewed to date indicated that each hazard could be mitigated.¹³¹

364. Where natural hazards had been identified but had not been subject to detailed investigation, Mr Rider expected that the Council would assess these hazards in accordance with the Code of Practice for Subdivision and Development and NZZ4404:2010. Provided this is done, he considered that adequate mechanisms would be in place for these hazards to be mitigated if they present adverse effects to the development.¹³²

365. Mr Watts, who also relied on desktop analysis, said:

"I consider Mr Rider's statements to be reasonable and I have no significant comments other than to advise that the current level of reporting provides only an overview of the geotechnical risks that exist on site. Targeted, site specific investigation and specific engineering design should be carried out to assess whether mitigation is needed for the risks listed at specific construction sites within the area..."¹³³

366. Ms Jones accepted this expert evidence and agreed (in part) with Mr Geddes' conclusion that the risks posed by natural hazards present onsite could be sufficiently mitigated. She accepted that standard investigation and design at the time of resource consent would mitigate the potential liquefaction hazard that exists over Area A, an approximately 2.3 ha portion of the recommended OSR-North Area (as shown in Appendix 1 of the RDAgritech report) provided that the relevant rule was amended to ensure that the Council retained control over hazard mitigation at the time of building.¹³⁴ This matter has been addressed to our satisfaction by the amendments made to Chapter 41 that provide for dwellings within an OSR as discretionary activities. Natural hazards and their attendant risks will be assessed at the time of consenting.

367. As the other land containing natural hazards is classified variously as OSL, OSG and Highway Landscape Protection Area in which building is quite restricted, Ms Jones considered that the Structure Plans associated with both Scenarios A and B would be appropriate from a natural hazards perspective.¹³⁵

368. We accept and rely on these opinions. Accordingly, we find that the risk posed by natural hazards on this site can be mitigated during the development process. There appears to be no impediment to rezoning this land for urban purposes arising from uncertainty about the nature and extent of natural hazards present. In the OSR-North where a potential risk has been identified, the activity status for dwellings ensures that any natural hazards risks will be assessed.

30.9. Recommendations: The most appropriate zoning and plan provisions

369. In our opinion, Scenario A as recommended by Ms Jones is the most appropriate planning approach to the development of the submitters' land at this time. We accept and rely on the

¹³¹ D. Rider, EIC, 9 June 2017, paragraph 2.2. The areas subject to natural hazards are shown on the last page of Appendix 1 to the Natural Hazards Assessment Report prepared by RDAgritech dated 9 June 2017

¹³² Ibid, paragraphs 2.3 & 2.4

¹³³ C. Watts, Rebuttal Evidence, 11 July 2017, paragraph 11.4

¹³⁴ V. Jones, Rebuttal Evidence, 11 July 2017, paragraph 3.23

¹³⁵ V. Jones, Rebuttal Evidence, 11 July 2017, paragraph 3.25

reasons given by Ms Jones in support of her recommendation particularly her assessment of the statutory considerations.¹³⁶

370. In this section of our recommendation report, we specify the various amendments to the zoning map, Structure Plan and Chapter 41 provisions that flow from adopting Scenario A.
371. As shown on the revised Structure Plan attached to her Reply Statement (Appendix 3), Scenario A provides for an extension of the JPZ by 4 ha to allow for a slightly enlarged OSR-South Activity Area. Accordingly, the UGB has been aligned with the amended boundary of OSR-South. We agree with Ms Jones that no landscape, ecological, traffic or related issues would prevent this land from being used for rural living purposes.¹³⁷ We further agree that it is appropriate to align the UGB with the amended boundary of OSR-South.
372. A total of 39 dwellings should be enabled in OSR-South. Ms Jones recommended two dwellings less than was sought by the submitters in direct response to her recommended reduction in the size of the westernmost area of OSR-South for ecological reasons.¹³⁸ We agree.
373. The submitters requested that the Farm Building and Craft Activity Area (FBA) at the bottom of Jacks Point Hill be replaced with OSR. We agree that this change is desirable and recommend that the relevant rule be deleted (Rule 41.5.1.15 Council's Reply Version Stream 9). Reference to FBA is removed from Chapter 41i wherever it arises and including deletion of reference to 'craft activities' in the Zone Purpose, and FBA in Rule 41.5.4.6 Building Height, Rule 41.5.4.19 Earthworks and Rule 41.5.4.7 Residential Units. The area has been identified on the amended Structure Plan as OSR-North and ten dwellings have been enabled.¹³⁹
374. Ms Jones explained that the ONL line in the vicinity of Jacks Point Hill was corrected following receipt of a joint statement from Dr Read and Mr Geddes.¹⁴⁰ Consequently, the boundary of OSR-North was amended slightly to align with the new ONL line. We agree that aligning the boundary of OSR-North with the revised ONL line is desirable. We also recommend that the amended ONL line agreed by Dr Read and Mr Geddes be included on the Structure Plan and the Planning Maps as a consequential amendment.
375. In the OSR Activity Areas, residential units require discretionary activity consent pursuant to recommended Rule 41.4.5.13. We have split this rule into two rules to distinguish the development enabled in each OSR as follows:
Open Space – Residential (OSR) Activity Areas
41.4.5.13 *No more than 39 residential units in OSR-South set within a regenerating foreshore environment.*
41.4.5.14 *No more than 10 residential units in OSR-North.*
376. We recommend changes to the policy and rules dealing with maintenance and enhancement of native vegetation in the open space Activity Areas as proposed by Ms Jones.¹⁴¹ The amended Structure Plan shows the gully draining to Homestead Bay as OSF and the rules are recommended to be amended as follows:

¹³⁶ V. Jones, Section 42A Report, 24 May 2017, paragraph 3.39

¹³⁷ V. Jones, Section 42A Report, 24 May 2017, paragraphs 3.32 & 3.33

¹³⁸ Ibid, paragraph 3.48

¹³⁹ Ibid, paragraph 3.36; see also V. Jones, Reply Statement, 6 October 2017, paragraph 3.2 and footnote #3

¹⁴⁰ Exhibit 13.16, Joint Statement of Dr M. Read and Mr N. Geddes, 30 August 2017

¹⁴¹ V. Jones, Rebuttal Evidence, 11 July 2017, paragraphs 3.26 (a) & (b)

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

Open Space – Foreshore (OSF) Activity Area-

41.5.1.12 *The regeneration of native endemic species ~~over 80% of the land area~~, and retention of open space.*

377. Scenario A replaced the northernmost part of the Open Space Foreshore (OSF) Activity Area (OSF) with Open Space Landscape (OSL) Activity Area as sought by the submitter.¹⁴² In addition, Ms Jones stated that the OSL on Jacks Point Hill had been replaced with OSG for landscape reasons.¹⁴³ We agree with these map changes.

378. Finally, we recommend the inclusion of a new rule in Chapter 27 Subdivision requiring that any subdivision in OSR-North (lower part of Jacks Point Hill) should identify the 55dB Ldn noise contour and restrict any ASAN from occurring within that contour.¹⁴⁴

27.7.5.4 *Subdivision within the OSR-North Activity Area of the Jacks Point Zone* NC
that does not, prior to application for subdivision consent being made:

- c. *provide to the Council noise modelling data that identifies the 55dB Ldn noise contour measured, predicted and assessed in accordance with NZS 6805:1992 Airport Noise Management and Land Use Planning and NZS 6801:2008 Acoustics – Measurement of Environmental Sound, by a person suitably qualified in acoustics, based on any consented operations from the airstrip on Lot 8 DP443832; and*
- d. *register a consent notice on any title the subject of subdivision that includes land that is located between the 55 dB Ldn contour and the airstrip preventing any ASAN from locating on that land.*

379. Pursuant to clause 16(2), we recommend the following amendment to Rule 36.3.2.5:

36.3.2.5 – Notwithstanding compliance with Rules 36.5.13 (Helicopters) and 36.5.14 (Fixed Wing Aircraft) in Table 3, informal airports shall also be subject to the rules in the chapters relating to the zones within which the activity is located.

380. Figure 8-9 below shows the recommended Structure Plan.

¹⁴² V. Jones, Reply Statement, 6 October 2017, paragraph 3.3.6(c)

¹⁴³ Ibid, paragraph 3.40

¹⁴⁴ V. Jones, Reply Statement, 6 October 2017, paragraphs 6.3 & 6.4

Jacks Point Resort Zone Structure Plan Homestead Bay Insert

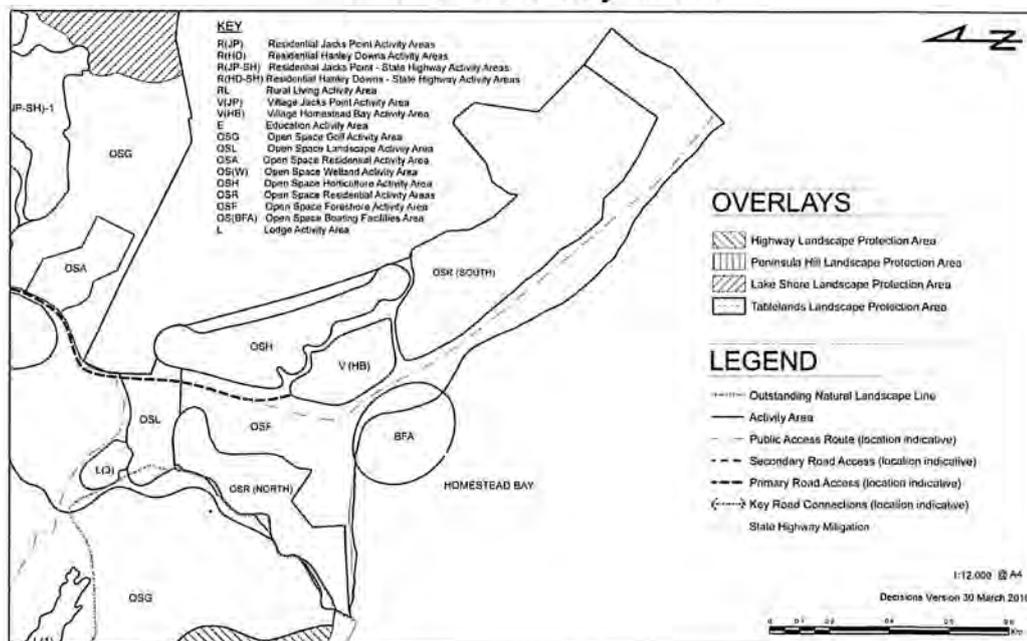


Figure 8-9: Jacks Point Structure Plan – Homestead Bay as recommended

381. For the reasons set out above, we recommend that:
- a. Submission 715 be accepted in part; and
 - b. The following Further Submissions be accepted in part: 1073 - Greig Garthwaite, 1096 - Peter & Carol Haythornthwaite, 1103 - Ben and Catherine Hudson, 1108 - Christine and Neville Cunningham, 1114 - Lingasen and Janet Moodley, 1116 - Stephen and Karen Pearson, 1145 John Martin Management Company, 1192 - Murray and Jennifer Butler, 1218 - Grant and Cathy Boyd, 1219 - Bravo Trustee Company, 1225 - David Martin and Margaret Poppleton, 1227.58 - James and Elisabeth Ford, 1237 - Kristi and Jonathan Howley, 1247 - Mark and Katherine Davies, 1250 - Sonia and Grant Voldseth and McDonald, 1252 - Tim & Paula Williams, 1277 - Jacks Point Residents and Owners Association, 1283 - MJ and RB Williams and Brabant, 1284 - Lakeside Estate Homeowners Association Incorporated, FS1293 - Joanna and Simon Taverner, 1299 - Thomas Ibbotson, 1316 - Harris-Wingrove Trust, 1321 - John and Mary Catherine Holland, 1345 - Skydive Queenstown Limited and 1092 - NZ Transport Agency; and
 - c. The ONL line in the vicinity of Jacks Point Hill be amended to align with the boundary of OSR-North; and
 - d. Amendments be made to the zoning map, Structure Plan and Chapter 41 as set out in paragraphs 375-379 above to give effect to Scenario A as recommended (Figure 8-9).

PART J: SUMMARY OF RECOMMENDATIONS

382. For the reasons set out above, we recommend that:
- a. Submission 328 be accepted in part and Further Submission 1340.75 be rejected;
 - b. Submission 409.2 be accepted;
 - c. Submission 710.2 be accepted;
 - d. Submissions 806.1, 806.2, 806.5, 806.7, 806.76, 806.94, 806.95, 806.147, 806.206 and Further Submissions 1057.1, 1085.8, 1229.29/30/32, 1341.18 and 1371 be rejected, and Further Submissions 1313.57/58/59/60 and 1340.145 be accepted;
 - e. Submissions 361.1, 361.3, 361.6, 361.7, 361.8, 361.9 and Further Submissions 1229.1 and 1229.3 be accepted in part, and Further Submissions 1277.3 and 1275.90 be rejected;
 - f. Submission 501.16 and Further Submission 1270.96 be accepted in part and Further Submission 1289 be rejected;
 - g. Submission 567 and Further Submissions 1275 be accepted in part; and
 - h. Submission 715 and the Further Submissions in support and opposition be accepted in part.
383. As a consequence of those recommendations, we recommend that:
- a. land at the end of Boyd Road be zoned Rural Lifestyle as shown on Maps 31, 31a and 33;
 - b. the Landscape Classification line south of the Kawarau River and east of State Highway 6 be amended to be located as shown on Maps 31a and 13;
 - c. land east of State Highway 6 be rezoned Coneburn Industrial as shown on Map 13 and Appendix 2;
 - d. the Urban Growth Boundary be extended to include the land zoned Coneburn Industrial as shown on Map 13 and Appendix 2;
 - e. the new Chapter 44 Coneburn Industrial as included in Appendix 1 be adopted;
 - f. the amendments to Chapter 27 Subdivision and Development as included in Appendix 1 be adopted;
 - g. the Jacks Point Structure Plan be amended as described in Section 30.9 and shown in Figure 8-9 above, and the extent of the Jacks Point Zone be amended to correspond with the revised Structure Plan as shown on Maps 13 and 41; and
 - h. the Urban Growth Boundary be amended to include the extension to the Jacks Point Zone as shown on Maps 13 and 41.

For the Hearing Panel



Denis Nugent, Chair
Date: 3 April 2018