

## Appendix A - Relief sought

Appeal Point #	Provision (PDP decision version)	Reason for appeal	Relief sought
	<b>Chapter 6 Landscapes</b>		
#1	<p>Part 6.2 Values - Last paragraph: Delete.</p> <p><del>Landscapes have been categorised into three classifications within the Rural Zone. These are Outstanding Natural Landscapes (ONL) and Outstanding Natural Features (ONF), where their use, development and protection are a matter of national importance under Section 6 of the RMA. The Rural Landscapes Classification (RLC) makes up the remaining Rural Zoned land and has varying types of landscape character and amenity values. Specific policy and assessment matters are provided to manage the potential effects of subdivision and development in these locations.</del></p> <p>Insert in Section 6.3</p> <p><u>Policy 6.3.3.A</u>  <u>Provide a separate regulatory regime for the Wakatipu Basin Rural Amenity Zones, within which the Outstanding Natural Feature, Outstanding Natural Landscape and Rural Character Landscape categories and the policies of this chapter related to those categories do not apply.</u></p> <p><u>6.3.3B Classify the Open Space and Recreation zoned land located outside the Urban Growth Boundary as Outstanding Natural Landscape, Outstanding Natural</u></p>	<p><b>Oppose in part</b></p> <p>The relationship between the provisions of Chapter 6 and Chapter 3 and the lower order chapters has been the subject of discussion at the Environment Court hearings for Topic 1 (Strategic Directions) and Topic 2 (Landscapes), as part of Stage 1 of the District Plan Review. There is discrepancy between the two higher order chapters - for example, the Chapter 3 Strategic Objectives relating to rural landscapes do not reflect the same carve outs that are provided for in Chapter 6 (in relation to the application of the Landscape Classifications and associated policies to various rural and non-rural zones).</p> <p>Removal of the description of the Landscape Classifications contained within 6.2, the removal of rules 6.4.1.2 and 6.4.1.3, and the addition of Policies 6.3.3A and 6.3.3B is opposed, to the extent that these amendments create the uncertainty that the Landscape Classifications and associated provisions may apply to development located outside of the</p>	<p>Clarify how the policies established to manage the various landscapes of the District relate to the other chapters of the PDP, including to the Strategic Directions (Chapter 3), and the lower order chapters relating to the zones where landscapes are a relevant issue.</p> <p>Further consequential amendments may be required to the policies of Chapter 6 as decided in Stage 1, dependent on whether or not they are considered to apply to the Wakatipu Basin and the Ski Area Sub Zones.</p>

	<p><u>Feature or Rural Character Landscape, and provide a separate regulatory framework for the Open Space and Recreation Zones within which the remaining policies of this chapter do not apply.</u></p> <p>Part 6.4 Rules - Delete:</p> <p><del>6.4.1.2 The landscape categories apply only to the Rural Zone. The Landscape Chapter and Strategic Direction Chapter's objectives and policies are relevant and applicable in all zones where landscape values are at issue.</del></p> <p><del>6.4.1.3 The landscape categories assessment matters do not apply to the following within the Rural Zones:</del></p> <p><del>a. Ski Area Activities within the Ski Area Sub Zones.</del></p> <p><del>b. The area of the Frankton Arm located to the east of the Outstanding Natural Landscape line as shown on the District Plan maps.</del></p> <p><del>c. The Gibbston Character Zone.</del></p> <p><del>d. The Rural Lifestyle Zone.</del></p> <p><del>e. The Rural Residential Zone.</del></p>	<p>Rural Zone, i.e. within the WBRAZ, or to subzones of the Rural Zone such as the Ski Area Sub-Zones.</p> <p>Collectively the explanatory text and Rules 6.4.1.2 and 6.4.1.3 are important as they clarify the relationship between the Landscape Classifications and the various rural zones and non-rural zones, and specify the carve outs that apply.</p> <p>However, the purpose of 6.2 is to set out the 'values' of the rural landscape resource and this is possibly not the right place to address the interpretation and application of the policies of Chapter 6.</p>	
<b>Chapter 24 Wakatipu Basin</b>			
<b>#2</b>	<p><b>24.1 Zone Purpose</b></p> <p><b>New paragraph 3</b></p>	<p><b>Oppose</b></p> <p>The Zone Purpose does not address the range of activities that are contemplated in the Zone other than rural living and rural activities. It is important to include reference</p>	<p>Re-insert and rework the following paragraph from the Zone Purpose as notified (as a new paragraph 3 in the decision version Zone Purpose):</p> <p><u><i>A wide range of activities that rely on and seek to locate within the Wakatipu Basin are completed in the Rural Amenity Zone, including rural living at a variety of densities.</i></u></p>

		to the range of non-residential and non-farming activities such as commercial and tourism activities that can be provided for in the Wakatipu Basin in the introductory parts of the Chapter.	<u>recreation, commercial and tourism activities, as well as enabling farming and farming activities. There are also established industrial type activities that are based on rural resources or support rural type activities.</u>
#3	<p><b>Policy 24.2.1.1</b></p> <p><i>Require an 80 hectare minimum net site are be maintained within the Wakatipu Basin Rural Amenity Zone outside of the Precinct.</i></p>	<p><b>Oppose</b></p> <p>An 80ha minimum lot size in the WBRAZ is opposed and consequentially this policy should be deleted.</p> <p>Further, the focus of this policy should be on the maintenance or enhancement of landscape character and visual amenity values.</p>	<p>Delete the PDP (decisions version) of the policy and reinstate the notified version with the amendments sought in original submission:</p> <p>Policy 24.2.1.1:</p> <p><i>Implement minimum and average lot sizes within the Wakatipu Basin Rural Amenity Zone and the Wakatipu Basin Lifestyle Precinct to <del>protect</del> maintain or enhance landscape character and visual amenity values.</i></p>
#4	<p><b>Policy 24.2.1.10</b></p> <p><i>Enable residential activity within building platforms created prior to 21 March 2019 subject to achieving appropriate standards.</i></p>	<p><b>Support in part</b></p> <p>The inclusion of a policy recognising existing building rights is supported, however the policy should not be date limited, as all approved development within the Wakatipu Basin should be enabled.</p>	<p>Amend Policy 24.2.1.10:</p> <p><i>Enable residential activity within <u>approved building platforms</u> <del>created prior to 21 March 2019</del> subject to achieving appropriate standards.</i></p>
#5	<p><b>Policy 24.2.1.11</b></p> <p><i>Provide for activities, whose built form is subservient to natural landscape elements and that, in areas Schedule 24.8 identifies as having a sense of openness and spaciousness, maintain those qualities.</i></p>	<p><b>Oppose</b></p> <p>The wording of the policy is opposed as it ambiguous and poorly drafted. "Openness and spaciousness" are words capable of wide interpretation and characteristics associated with Outstanding Natural Landscapes or Features.</p>	<p>Delete policy 24.2.1.11.</p>

		In particular, in the Wakatipu Basin Lifestyle Precinct ( <b>WBLP</b> ), the policy is inappropriate as it is difficult to see how a sense of "openness and spaciousness can be retained with a density of 1ha average".	
#6	<p><b>Policy 24.2.4.8</b></p> <p><i>Encourage the removal of wilding exotic trees at the time of development.</i></p> <p><b>Policy 24.2.4.9</b></p> <p><i>Encourage the planting, retention and enhancement of indigenous vegetation that is appropriate to the area and planted at a scale, density, pattern and composition that contributes to native habitat restoration, particularly in locations such as gullies and riparian areas, or to provide stability.</i></p>	<p><b>Support in part</b></p> <p>The intention of these policies is supported as read together they provide sufficient policy direction regarding retention or removal of vegetation in the Zone.</p> <p>An amendment is proposed to policy 24.2.4.8 as it is not always appropriate or practical to remove wilding pines at the time of development. The policy should provide flexibility where appropriate and its focus should be on preventing wilding spread.</p> <p>An amendment is proposed to policy 24.2.4.9 as the policy should be general to all areas suitable for replanting.</p>	<p>Amend Policy 24.2.4.8:</p> <p><i>Encourage the removal of wilding exotic trees at the time of development, <u>in particular where there is a risk of wilding spread.</u></i></p> <p>Amend Policy 24.2.4.9</p> <p><i>Encourage the planting, retention and enhancement of indigenous vegetation that is <u>ecologically</u> appropriate to the area and planted at a scale, density, pattern and composition that <u>enhances indigenous biodiversity values, contributes to native habitat restoration, particularly in locations such as gullies and riparian areas, or to provide stability.</u></i></p>
#7	<p><b>Policy 24.2.5.1</b></p> <p><i>Provide for rural living, subdivision, development and use of land where it maintains or enhances the landscape character and visual amenity values identified in Schedule 24.8 – Landscape Character Units.</i></p>	<p><b>Oppose</b></p> <p>The uncertainty created through the wording of this policy is opposed, as it subjects subdivision, use and development to maintaining or enhancing the values described within the landscape character units defined in Schedule 24.8. Within the WBLP development should be enabled in the first instance. The landscape character units are of greater importance for establishing</p>	<p>Amend policy 24.2.5.1:</p> <p><i>Provide for rural living, subdivision, development and use of land <u>within the Wakatipu Basin Lifestyle Precinct</u> <del>where it maintains or enhances the landscape character and visual amenity values identified in Schedule 24.8 – Landscape Character Units.</del></i></p>

		the limits of appropriate development in the parts of the Wakatipu Basin with lower capacity to absorb development.																						
#8	<p><b>Policy 24.2.5.6</b></p> <p><i>Retain vegetation that contributes to landscape character and visual amenity values of the Precinct, provided it does not present a high risk of wilding spread.</i></p>	<p><b>Oppose</b></p> <p>Policy 24.2.5.6 is opposed as it reads as a blanket requirement to retain all vegetation within the Zone, which is not appropriate or likely to produce the best landscape outcomes in all cases.</p> <p>The retention of the two additional policies 24.2.4.8 and 24.2.4.9 (with the amendments discussed above) is supported as these policies are more specific and are considered appropriate guidance on vegetation management in the Zone.</p>	Delete Policy 24.2.5.6																					
#9	<p><b>24.3.2.5</b></p> <p><i>The Wakatipu Basin Lifestyle Precinct is a sub-zone of the Wakatipu Basin Rural Amenity Zone and all rules in Table 24.1 apply to the Precinct. Where specific rules and standards are identified in Tables 24.2 and 24.3, these prevail over the Rural Amenity Zone rules in Table 24.1.</i></p>	<p><b>Support in part</b></p> <p>An amendment is sought to this general rule to ensure that the new Lake Hayes Cellar Precinct is properly integrated into Chapter 24</p>	<p>Amend provision 24.3.2.5 as follows:</p> <p><i>The Wakatipu Basin Lifestyle Precinct and the Lake Hayes Cellar Precinct are a sub-zones of the Wakatipu Basin Rural Amenity Zone and all rules in Table 24.1 apply to the Precincts. Where specific rules and standards are identified for the Precincts in Tables 24.2, and 24.3, these shall prevail over the Zone rules in Table 24.1.</i></p>																					
#10	<p><b>Table 24.1 – Activities in the Wakatipu Basin Rural Amenity Zone</b></p> <p><b>Rules 24.4.4, 24.4.6, 24.4.7, 24.4.8 and 24.4.18</b></p> <table border="1"> <thead> <tr> <th>Rule</th> <th>Table 24.1 – Activities in the WBRAZ</th> <th>Activity status</th> </tr> </thead> <tbody> <tr> <td colspan="3"><b>Residential activities and buildings</b></td> </tr> <tr> <td>24.4.4</td> <td><i>The alteration of any lawfully established</i></td> <td>P</td> </tr> </tbody> </table>	Rule	Table 24.1 – Activities in the WBRAZ	Activity status	<b>Residential activities and buildings</b>			24.4.4	<i>The alteration of any lawfully established</i>	P	<p><b>Oppose</b></p> <p>The blanket approach to construction of buildings across the Zone is opposed. The WBLP has been identified as having the capacity to absorb greater development that the remainder of the Zone. Buildings within the WBLP should be enabled without the requirement for resource consent, as the standards regarding</p>	<p>Amend Table 24.1 to include the following changes:</p> <table border="1"> <thead> <tr> <th>Rule</th> <th>Table 24.1 – Activities in the WBRAZ</th> <th>Activity status</th> </tr> </thead> <tbody> <tr> <td colspan="3"><b>Residential activities and buildings</b></td> </tr> <tr> <td>24.4.4</td> <td><i>The alteration of any lawfully established building used for residential activity.</i></td> <td>P</td> </tr> <tr> <td>24.4.6</td> <td><i>The construction of buildings for</i></td> <td><del>P</del></td> </tr> </tbody> </table>	Rule	Table 24.1 – Activities in the WBRAZ	Activity status	<b>Residential activities and buildings</b>			24.4.4	<i>The alteration of any lawfully established building used for residential activity.</i>	P	24.4.6	<i>The construction of buildings for</i>	<del>P</del>
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		<i>building used for residential activity.</i>		building density, coverage, height, and setbacks are sufficient to ensure positive development outcomes.		<i>residential activity within the <u>Wakatipu Basin Rural Amenity Zone</u> that are located within a building platform approved by a resource consent and <del>registered on the applicable Computer Freehold register before 21 March 2019.</del></i>	
24.4.6		<i>The construction of buildings for residential activity that are located within a building platform approved by a resource consent and registered on the applicable Computer Freehold register before 21 March 2019.</i>  <i>Control is reserved over:</i>  <i>a. Landscape character;</i>  <i>b. Visual amenity values</i>  <i>c. Access;</i>  <i>d. Infrastructure;</i>  <i>e. Landform modification, landscaping and planting (existing and proposed).</i>	C	In the remainder of the Zone, buildings within approved building platforms should be permitted. There is no justification for requiring additional resource consent once a building platform has been approved and development is contemplated. Again, the standards regarding building density, coverage, height and setbacks will ensure development within approved building platforms maintains landscape character and amenity values.  In respect of alterations to lawfully established buildings for non-residential purposes, it is considered that such alterations should be permitted, in line with Rule 24.4.4 for the alteration of buildings for residential activities.  A new rule is sought to allow buildings for non-residential activities within the Lake Hayes Cellar Precinct as permitted activities (subject to appropriate standards).		<del>Control is reserved over:</del>  <del>a. Landscape character;</del>  <del>b. Visual amenity values</del>  <del>c. Access;</del>  <del>d. Infrastructure;</del>  <del>e. Landform modification, landscaping and planting (existing and proposed).</del>	
24.4.7		<i>The construction of buildings for residential activity that are not provided for in Rule 24.4.5 or 24.4.6 and are not contrary to Rule 24.4.8.</i>  <i>Discretion is restricted to:</i>  <i>a. Landscape character;</i>	RD		24.4.7	<i>The construction of buildings for residential activity that are not provided for in <u>Rule 24.4.x</u>, Rule 24.4.5 or 24.4.6 and are not contrary to Rule 24.4.8.</i>  <i>Discretion is restricted to:</i>  <i>a. Landscape character;</i>  <i>b. Visual amenity values;</i>  <i>c. Access;</i>  <i>d. Infrastructure;</i>  <i>e. Landform modification, landscaping and planting (existing and proposed);</i>  <i>f. Natural hazards.</i>	RD
		<i>a. Landscape character;</i>			24.4.8	<i>The construction of buildings for residential activity outside a building platform approved by a</i>	NC



		<p>c. Access;</p> <p>d. Natural hazards</p> <p>e. Infrastructure;</p> <p>f. Landform modification, landscaping and planting (existing and proposed);</p>								
#11	<p><b>Table 24.2 – Activities in the Wakatipu Basin Lifestyle Precinct</b></p> <p><b>New Rule 24.4.x</b></p>	<p>Residential buildings should be enabled in the Precinct, where all standards in Table 24.3 can be complied with.</p>	<table border="1"> <thead> <tr> <th colspan="2"><u>Table 24.2: Activities in the Wakatipu Basin Lifestyle Precinct</u></th> <th><u>Activity status</u></th> </tr> </thead> <tbody> <tr> <td><u>24.4.x</u></td> <td><u>The construction of buildings for residential activity within the Wakatipu Basin Lifestyle Precinct.</u></td> <td><u>P</u></td> </tr> </tbody> </table>		<u>Table 24.2: Activities in the Wakatipu Basin Lifestyle Precinct</u>		<u>Activity status</u>	<u>24.4.x</u>	<u>The construction of buildings for residential activity within the Wakatipu Basin Lifestyle Precinct.</u>	<u>P</u>
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<u>24.4.x</u>	<u>The construction of buildings for residential activity within the Wakatipu Basin Lifestyle Precinct.</u>	<u>P</u>								
#12	<p><b>Clearance of exotic vegetation</b></p> <p><b>Rule 24.4.29</b></p> <p><i>Clearance, works within the root protection zone or significant trimming of exotic vegetation that is of a height greater than 4 metres.</i></p> <p><i>Discretion is restricted to:</i></p> <ul style="list-style-type: none"> <li>• <i>The extent of clearance;</i></li> <li>• <i>Trimming and works within the root protection zone;</i></li> <li>• <i>Replacement planting.</i></li> </ul> <p>Activity status: RD</p>	<p><b>Oppose</b></p> <p>The introduction of this new rule for the Zone requiring resource consent as a restricted discretionary activity for clearance, works within the root protection zone or significant trimming of exotic vegetation greater than 4m in height is opposed. The rule is considered inefficient, difficult to administer and would act against the higher order objectives of the plan to avoid the spread of wilding trees and to also enhance natural ecosystems. The rule is sought to be deleted.</p>	Delete Rule 24.4.9							
#13	<p><b>Building Size and Building Coverage</b></p> <p><b>Rule 24.5.4 - Building Size</b></p>	<p><b>Support in part</b></p> <p>Amendments are sought to both rules so that the building size and coverage standards are assessed</p>	<p>Amend Rules 24.5.4 and 24.5.5 as follows:</p> <p><b>Rule 24.5.4 - Building Size</b></p> <p><i>Where a residential building is constructed within a building</i></p>							

	<p><i>Where a residential building is constructed within a building platform under Rule 24.4.6, the ground floor area of all buildings must not exceed 500m<sup>2</sup>.</i></p> <p><b>Rule 24.5.5 Building coverage</b></p> <p><i>The ground floor area of all buildings not subject to Rule 24.5.4 must not exceed 15% of net site area, or 500m<sup>2</sup> ground floor area, whichever is lesser.</i></p>	<p>per individual building, to ensure the standards are not overly restrictive and provide for planning flexibility</p> <p>An amendment is sought to Rule 24.5.5 to include a specific carve out for buildings within the Lake Hayes Cellar Precinct (LHCP). Within the LHCP a slightly higher coverage is appropriate given the framework of the requirement for resource consent for any new building associated with a commercial activity and the emphasis on achieving a high quality of building design.</p>	<p><i>platform under Rule 24.4.6, the ground floor area of <del>all any individual buildings</del> must not exceed 500m<sup>2</sup>.</i></p> <p><b>Rule 24.5.5 Building coverage</b></p> <p><i>The ground floor area of <del>all any individual buildings</del> not subject to Rule 24.5.4 must not exceed 15% of net site area, or 500m<sup>2</sup> ground floor area, whichever is lesser, <u>except within the Lake Hayes Cellar Precinct where the maximum ground floor area of any building shall be limited to 25% of the net site area.</u></i></p>
#14	<p><b>Rule 24.5.7 – Height of buildings</b></p> <p><b>Rule 24.5.7.1</b> <i>The maximum height of buildings shall be 6m.</i> [non-compliance: RD]</p> <p><b>Rule 24.5.7.2</b> <i>The maximum height of buildings shall be 8m.</i> [non-compliance: NC]</p>	<p><b>Oppose</b></p> <p>The effect of the two rules is that it is a restricted discretionary activity to have a building between 6 and 8m in height. The proposed height limitation of 6m as a permitted activity is considered overly restrictive. An 8m height limitation is more consistent with the ODP and PDP zones.</p>	<p>Amend Rule 24.5.7 as follows:</p> <p><del>Rule 24.5.7.1</del> <i>The maximum height of buildings shall be <del>6</del>8m.</i> [non-compliance: RD]</p> <p><del>Rule 24.5.7.2</del> <i>The maximum height of buildings shall be <del>8</del>m.</i> [non-compliance: NC]</p>
#15	<p><b>Rule 24.5.8 – Setback from roads</b></p> <p><i>The minimum setback of any building from road boundaries shall be 75m in the Precinct and 20m elsewhere in the Rural Amenity Zone.</i> [non-compliance: RD]</p>	<p><b>Oppose</b></p> <p>A 75m setback from road boundaries within the Lifestyle Precinct is opposed. The Lifestyle Precinct has been identified as having greater capacity for change, deriving in part from the nature of existing development undertaken in accordance with the Operative District Plan zoning. Imposing a setback 65m greater than under the</p>	<p>Amend Rule 24.5.8 Setback from Roads, as follows:</p> <p><i>The minimum setback of any building from road boundaries shall be <del>75m in the Precinct and 20m elsewhere</del> <u>210m elsewhere anywhere in the Rural Amenity Zone.</u></i> [non-compliance: RD]</p>

		<p>existing regime will establish a meaningless standard that cannot be defended against the established environment in many instances.</p> <p>Moreover, having a standard of 20m for the Zone, outside of the Lifestyle Precinct, will exacerbate problems in the context of areas with supposedly high landscape qualities. Accordingly, it is considered more appropriate and practicably workable to rely on a 10m setback across the entire Zone.</p>	
#16	<p><b>24.7 Assessment Matters – Restricted Discretionary Activities</b></p> <p><i>24.7.2 All proposals for controlled activities or restricted discretionary activities will also be assessed as to whether they are consistent with the objectives and policies relevant to the identified matters of control or discretion (as applicable) in this chapter 24 as well as those in chapter 3 – Strategic direction; Chapter 4 – Urban Development; Chapter 6 – Landscapes and Character and Chapter 28 – Natural Hazards.</i></p>	<p><b>Oppose</b></p> <p>The cross-references to the higher order strategic direction, urban development and landscape chapters are opposed. Without the specific amendments to the provisions of these higher order chapters, the existing chapters would create fundamental conflicts that would undermine the specific direction offered for the Wakatipu Basin Rural Amenity Zone through Chapter 24.</p>	Delete provision 24.7.2
<b>Chapter 25 Earthworks</b>			
#17	<p><b>25.3.2.6: Earthworks within the Ski Area Sub Zones and vehicle testing facilities within the Waoirau Ski Area Sub Zone are exempt from the earthworks rules, with the exception of the following rules that apply:</b></p> <ul style="list-style-type: none"> <li>a. Rules 25.5.12 and 25.5.13 that control erosion and sediment and dust;</li> <li>b. Rule 25.5.19 setbacks from</li> </ul>	<p><b>Oppose</b></p> <p>The relief sought is that earthworks within SASZs be exempt from all earthworks rules. A full exemption for SASZs recognises the benefits of earthworks for the continued operation and development of ski areas, and the substantial contribution ski fields make to the social and economic well-being of the</p>	<p>Amend Rule 25.3.2.6 as follows:</p> <p><b>25.3.2.6: Earthworks within the Ski Area Sub Zones and vehicle testing facilities within the Waoirau Ski Area Sub Zone are exempt from the earthworks rules, with the exception of the following rules that apply:</b></p> <ul style="list-style-type: none"> <li>a. <del>Rules 25.5.12 and 25.5.13 that control erosion and sediment and dust;</del></li> </ul>

	<p><i>waterbodies; and</i></p> <p><b>a.</b> <i>c. Rule 25.5.20 exposing groundwater.</i></p>	<p>District. Earthworks are a necessary part of the development and ongoing operation of ski fields, and the exemption should be broad enough to enable and encompass all earthworks likely to be undertaken during the operation of ski-fields, which are now year-round alpine resorts.</p>	<p><del><i>b.</i></del> <del><i>Rule 25.5.19 setbacks from waterbodies; and</i></del></p> <p><del><i>a.</i></del> <del><i>c. Rule 25.5.20 exposing groundwater.</i></del></p>														
<b>#18</b>	<p><b>25.3.2.9:</b> <i>Earthworks shall be calculated as follows:</i></p> <p><i>a. The maximum volume and area of earthworks shall be calculated per site, within any consecutive 12 month period.</i></p> <p><i>b. Volume shall mean the sum of all earth that is moved within a site and includes the total of any combined cut and fill. Refer to Interpretive Diagrams 25.1 to 25.3 located within Schedule 25.9</i></p>	<p><b>Support in part</b></p> <p>As earthworks are a dynamic process during the construction phase, it would assist in the understanding of the rule if volume was calculated at the completion of such work.</p>	<p>Amend provision 25.3.2.9, as follows:</p> <p><i>25.3.2.9: Earthworks shall be calculated as follows:</i></p> <p><i>a. The maximum volume and area of earthworks shall be calculated per site, within any consecutive 12 month period.</i></p> <p><i>b. Volume shall mean the sum of all earth that is moved within a site and includes the total of any combined cut and fill, <u>measured at the completion of that work.</u> Refer to Interpretive Diagrams 25.1 to 25.3 located within Schedule 25.9.</i></p>														
<b>#19</b>	<p><b>Table 25.2 Maximum Volumes</b></p> <p>Glendhu Station Zone specific Maximum Total Volumes.</p>	<p><b>Oppose</b></p> <p>In Stage 1 of the PDP the Glendhu Station land is sought to be rezoned in a bespoke Glendhu Station Zone. The new rule sought to be inserted into Table 25.2 will ensure appropriate volume triggers are provided for in the standards, in order to be consistent with and integrate with the position reached for the Glendhu Station Zone through the Stage 1 mediations and hearings.</p>	<p>Amend Table 25.2 by including new Rule 25.5.x to introduce maximum volume thresholds for the proposed Glendhu Station Zone::</p> <table border="1"> <thead> <tr> <th>Glendhu Station Zone</th> <th>Maximum Total Volume</th> </tr> </thead> <tbody> <tr> <td>Activity Area R</td> <td>500m<sup>3</sup></td> </tr> <tr> <td>Activity Area GS(FH)</td> <td></td> </tr> <tr> <td>Activity Area GS(C)</td> <td></td> </tr> <tr> <td>Activity Area GS(OS/F)</td> <td>1000m<sup>3</sup></td> </tr> <tr> <td>Activity Area G</td> <td>No maximum</td> </tr> <tr> <td>Activity Area LS</td> <td></td> </tr> </tbody> </table> <p>Make any further consequential changes to the</p>	Glendhu Station Zone	Maximum Total Volume	Activity Area R	500m <sup>3</sup>	Activity Area GS(FH)		Activity Area GS(C)		Activity Area GS(OS/F)	1000m <sup>3</sup>	Activity Area G	No maximum	Activity Area LS	
Glendhu Station Zone	Maximum Total Volume																
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Activity Area LS																	

			maximum volume triggers to integrate final activity areas arising from decisions on the Stage 1 hearing for the Glendhu Station Zone.
<b>#20</b>	<p><b>25.5.17 Earthworks for farm tracks and access ways in the following Zones and Activity Areas shall comply with standards 25.5.18.1 to 25.5.18.3:</b></p> <ul style="list-style-type: none"> <li>• Rural Zone</li> <li>• Wakatipu Basin Rural Amenity Zone</li> <li>• Gibbston Character Zone</li> <li>• Jacks Point Zone Activity Areas: <ul style="list-style-type: none"> <li>- Open Space Landscape</li> <li>- Open Space Golf</li> <li>- Open Space Amenity</li> <li>- Homesite</li> <li>- Education</li> <li>- Lodge</li> </ul> </li> </ul> <p><b>25.5.17.1</b>No farm track or access way shall have an upslope cut or batter greater than 1 metre in height.</p> <p><b>25.5.17.2</b> All cuts and batters shall not be greater than 65 degrees.</p> <p><b>25.5.17.3</b>The maximum height of any fill shall not exceed 2 metres.</p> <p><i>This standard shall not apply to roads.</i></p> <p>[non-compliance is restricted discretionary]</p>	<p><b>Support in part</b></p> <p>This exemption for roads from this rule is supported. However, the rule should be amended to clarify that private roads are also exempt.</p>	<p>Amend Rule 25.5.17 as follows:</p> <p><b>25.5.17 Earthworks for farm tracks and access ways in the following Zones and Activity Areas shall comply with standards 25.5.18.1 to 25.5.18.3:</b></p> <ul style="list-style-type: none"> <li>• Rural Zone</li> <li>• Wakatipu Basin Rural Amenity Zone</li> <li>• Gibbston Character Zone</li> <li>• Jacks Point Zone Activity Areas: <ul style="list-style-type: none"> <li>- Open Space Landscape</li> <li>- Open Space Golf</li> <li>- Open Space Amenity</li> <li>- Homesite</li> <li>- Education</li> <li>- Lodge</li> </ul> </li> </ul> <p><b>25.5.17.1</b>No farm track or access way shall have an upslope cut or batter greater than 1 metre in height.</p> <p><b>25.5.17.2</b> All cuts and batters shall not be greater than 65 degrees.</p> <p><b>25.5.17.3</b>The maximum height of any fill shall not exceed 2 metres.</p> <p><i>This standard shall not apply to roads <u>and private roads</u>.</i></p> <p>[non-compliance is restricted discretionary]</p>
<b>#21</b>	<p><b>25.5.19 Earthworks within 10m of the bed of any water body, or any drain or water race that flows to a lake or river, shall not exceed 5m3</b></p>	<p><b>Oppose</b></p> <p>The introduction of a more restrictive standard for earthworks near waterbodies is opposed,</p>	<p>Amend rule 25.5.19 as follows:</p> <p><b>25.5.19 Earthworks within <del>10m</del> 7m of the bed of any water body, or any drain or water race that</b></p>

	<p><i>in total volume, within any consecutive 12-month period. This rule shall not apply to:</i></p> <p><b>25.5.19.1</b> any artificial water body (watercourse, lake, pond or wetland) that does not flow to a lake or river, including Lake Tewa within the Jacks Point Zone; or</p> <p><b>25.5.19.2</b> Maintenance and repairing of existing hazard protection structures in and around a water body.</p> <p><i>[non-compliance status: restricted discretionary]</i></p>	<p>and amendments are sought which reflect the established position under the ODP.</p> <p>Where earthworks activities near waterbodies comply with the standards for erosion and sediment control, those activities should be considered to be appropriately managed, without the requirement for an additional and restrictive proximity rule.</p>	<p><i>flows to a lake or river, shall not exceed 5m<sup>3</sup> 20m<sup>3</sup> in total volume, within any consecutive 12-month period. This rule shall not apply to:</i></p> <p><b>25.5.19.1</b> any artificial water body (watercourse, lake, pond or wetland) that does not flow to a lake or river, including Lake Tewa within the Jacks Point Zone; or</p> <p><b>25.5.19.2</b> Maintenance and repairing of existing hazard protection structures in and around a water body.</p> <p><b>25.5.19.3</b> <u>Any earthworks within the Ski Area Sub Zones.</u></p> <p><i>[non-compliance status: restricted discretionary]</i></p>
<p><b>#22</b></p>	<p><b>25.5.20</b> Earthworks shall not be undertaken below the water table of any groundwater aquifer, or cause artificial drainage of any groundwater aquifer.</p> <p><i>[non-compliance status: restricted discretionary]</i></p>	<p><b>Oppose</b></p> <p>This rule is opposed entirely, and earthworks within SASZs are sought to be excluded from it.</p> <p>The exact intention of this rule is unclear. Artificial drainage is essentially water take, and water take is an ORC function that should not be governed by QLDC. Any effect on water that this rule is intending to address which is not classified as a water take would be sufficiently covered by the provisions regarding erosion and sediment management.</p>	<p>Amend rule 25.5.20 as follows:</p> <p><b>25.5.20</b> Earthworks shall not be undertaken below the water table of any groundwater aquifer, or cause artificial drainage of any groundwater aquifer. <u>Earthworks within the Ski Area Sub Zones are exempt from this provision.</u></p> <p><i>[non-compliance status: restricted discretionary]</i></p>
<p><b>#23</b></p>	<p><b>Rule 25.5.21</b></p> <p><i>No more than 300m<sup>3</sup> of Cleanfill shall be transported by road to or from an area subject to Earthworks.</i></p> <p><i>[non-compliance: restricted discretionary]</i></p>	<p><b>Oppose</b></p> <p>Rule 25.5.21 is opposed because its intention and the extent of its application are unclear, and its relationship to Rule 25.4.3 is unclear.</p> <p>It is accepted that cleanfill is a subset of earthworks, however this rule concerns the regulation of transportation of cleanfill, which</p>	<p>Delete Rule 25.5.21</p>

		does not fit appropriate within the Earthworks Chapter.	
<b>Chapter 2 Definitions</b>			
<b>#24</b>	<p><b>Earthworks:</b></p> <p><i>Means the disturbance of land by the removal or deposition on or change to the profile of land. Earthworks includes excavation, filling, cuts, root raking and blading, firebreaks, batters and the formation of roads, access, driveways, tracks and the deposition and removal of cleanfill.</i></p>	<p><b>Oppose</b></p> <p>The relationship between Rules 25.4.3 and 25.5.21 and the definition of earthworks is not supported.</p> <p>The inclusion of 'cleanfill' in the definition of 'earthworks' is opposed, should Rule 25.5.21 be retained, on the basis that 'cleanfill' is separately defined and supplemented by a separate discretionary activity rule regardless of volume.</p>	<p>1. In the first instance, delete Rule 25.5.21, in which case the decision version definition of 'earthworks' is accepted.</p> <p>2. Should Rule 25.5.21 be retained, remove reference to 'cleanfill' in the earthworks definition:</p> <p><i>Means the disturbance of land by the removal or deposition on or change to the profile of land. Earthworks includes excavation, filling, cuts, root raking and blading, firebreaks, batters and the formation of roads, access, driveways, <u>and</u> tracks <del>and the deposition and removal of cleanfill.</del></i></p>
<b>Chapter 27 Subdivision</b>			
<b>#25</b>	<p><b>Rule 27.4.2.1</b></p> <p><i>Refer to Chapter 25 Earthworks, Rule 25.3.2.5. Earthworks associated with subdivisions are subject to the earthworks standards in Chapter 25 (except the maximum total volume, cut and fill standards). Applications for subdivision involving earthworks shall be assessed against the matters of discretion and assessment matters in Chapter 25.</i></p>	<p><b>Support in part</b></p> <p>The intention of this rule is supported, however an amendment is proposed to simply the rule and clarify that it is the earthworks activity itself that shall be assessed against the matters of discretion and assessment matters in Chapter 25, rather than the application in its entirety.</p>	<p>Amend Rule 27.4.2.1:</p> <p><i>Refer to Chapter 25 Earthworks, Rule 25.3.2.5. Earthworks associated with subdivisions are subject to the earthworks standards in Chapter 25 (except the maximum total volume, cut and fill standards), <u>and</u> <del>Applications for subdivision involving earthworks shall be assessed against the matters of discretion and assessment matters in Chapter 25.</del></i></p>
<b>Chapter 29 Transport</b>			

<p><b>#26</b></p>	<p><b>Rule 29.4.11</b></p> <p><b>High Traffic Generating Activities</b></p> <p><i>Any new land-use or subdivision activity, including changes in use that exceeds the traffic generation standards or thresholds set out in Table 29.5.</i></p> <p><i>Discretion is restricted to effects on the transport network.</i></p> <p>[Activity status: Restricted Discretionary]</p>	<p><b>Oppose</b></p> <p>DPL oppose the application of the HTGA Rule to the Jacks Point Zone, which anticipates and provides for areas of new subdivision or development for the reasons expressed in this appeal above. DPL seeks to exempt any new subdivision or development occurring within the Jacks Point Zone as a permitted or controlled activity.</p>	<p>Amend Rule 29.4.11 to exempt any new subdivision or development that is provided for as a permitted or controlled activity within the Jacks Point Zone; or in the manner detailed below.</p> <p><b>High Traffic Generating Activities</b></p> <p><i>Any new land-use or subdivision activity, including changes in use that exceeds the traffic generation standards or thresholds set out in Table 29.5, except where the associated trip generation and transport effects of the proposed land use or subdivision are the same, similar, or less, in character, intensity and scale, to those identified in an existing resource consent or district plan provisions that were approved on the basis of an Integrated Transport Assessment. <u>This rule shall not apply to any land use or subdivision activity that is otherwise provided for as a permitted or controlled activity in the Jacks Point Zone via Chapters 41 and 27 of this Plan.</u></i></p> <p><i>Discretion is restricted to effects on the transport network.</i></p> <p>[Activity status: Restricted Discretionary]</p>
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<p><b>#27</b></p>	<p><b>Rule 29.5.12</b></p> <p><b>Lighting of parking areas</b></p> <p><i>a. Excluding parking areas accessory to residential activity, where a parking area provides for 10 or more parking spaces, which are likely to be used during the hours of darkness, the parking and manoeuvring areas and associated pedestrian routes shall be adequately lit.</i></p> <p><i>b. Such lighting shall be designed in accordance with the Queenstown Lakes District Council Southern Light Part One - A Lighting Strategy (March 2017) and Queenstown Lakes District Council Southern Light Part Two – Technical Specifications (March 2017).</i></p> <p><i>c. Such lighting shall not result in a greater than 10 lux spill (horizontal or vertical) of light onto any adjoining site within the Business Mixed Use Zone, the Town Centre Zones, and the Local Shopping Centre Zone, measured at any point inside the boundary of any adjoining site. or</i></p> <p><i>d. Such lighting shall not result in a greater than 3 lux spill (horizontal or vertical) of light onto any adjoining site that is zoned High Density Residential, Medium Density Residential, Low Density Residential, or Airport Zone (Wanaka) measured at any point more than 2m inside the boundary of the adjoining site.</i></p>	<p>DPL oppose the requirement for the lighting of parking areas associated within Ski Area Activities located within the Ski Area Sub-Zones for the reasons detailed above.</p>	<p>Amend Rule 29.5.12 to exclude parking areas associated with Ski Area Activities located within Ski Area Sub-Zones.</p>
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	<i>[non-compliance – restricted discretionary]</i>		
<b>Visitor Accommodation Variation</b>			
<b>#28</b>	<p><b>Definition of Visitor Accommodation'</b></p> <p><i>Means the use of land or buildings to provide accommodation for paying guests where the length of stay for any guest is less than 90 nights; and</i></p> <p><i>i. Includes camping grounds, motor parks, hotels, motels, backpackers' accommodation, bunkhouses, tourist houses, lodges, timeshares, and managed apartments and</i></p>	<p><b>Oppose</b></p> <p>Within some of zones where new rules relating to Residential Visitor Accommodation (<b>RVA</b>) and Homestays apply, the new rules relating to these activities are not supported by a framework of related objectives or policies.</p> <p>This situation has come about because the definition of Visitor Accommodation now excludes RVA and Homestays. Any objectives or</p>	<p>Amend the definition of Visitor Accommodation so that where an RVA or Homestay activity fails to comply with all applicable standards in the relevant chapter, the activity is included within the definition of Visitor Accommodation, rather than Residential Visitor Accommodation or Homestay, so that the relevant Visitor Accommodation objectives and policies apply.</p>

	<p><i>ii. Includes services or facilities that are directly associated with, and ancillary to, the visitor accommodation, such as food preparation, dining and sanitary facilities, conference, bar, recreational facilities and others of a similar nature if such facilities are associated with the visitor accommodation activity. The primary role of these facilities is to service the overnight guests of the accommodation however they can be used by persons not staying overnight on the site.</i></p> <p><i>iii. Includes onsite staff accommodation.</i></p> <p><i>iv. Excludes Residential Visitor Accommodation and Homestays.</i></p>	<p>policies relating to Visitor Accommodation therefore do not apply to any rules relating to RVA or Homestays.</p> <p>Within areas such as the Jacks Point Zone, where the new regime relating to RVA and Homestays is supported, this situation creates a policy lacuna and therefore undermines the effectiveness of the regime.</p> <p>For these reasons it is considered that the decision is inappropriate and fails to address the valid concerns raised in submissions and evidence.</p>													
<p><b>#29</b></p>	<p><b>Chapter 22 Rural Residential and Rural Lifestyle</b></p> <p><b>22.5 Rules - Standards</b></p> <table border="1" data-bbox="347 1034 913 1428"> <thead> <tr> <th><i>Table 2</i></th> <th><i>Standards - Rural Residential and Rural Lifestyle</i></th> <th><i>Non-compliance status</i></th> </tr> </thead> <tbody> <tr> <td>22.5.14</td> <td> <p><b>Residential Visitor Accommodation</b></p> <p><i>22.5.14.1 Must not exceed a cumulative total of 90 nights occupation by paying guests on a site per 12 month period.</i></p> <p><i>22.5.14.2 The Council must be</i></p> </td> <td><i>D</i></td> </tr> </tbody> </table>	<i>Table 2</i>	<i>Standards - Rural Residential and Rural Lifestyle</i>	<i>Non-compliance status</i>	22.5.14	<p><b>Residential Visitor Accommodation</b></p> <p><i>22.5.14.1 Must not exceed a cumulative total of 90 nights occupation by paying guests on a site per 12 month period.</i></p> <p><i>22.5.14.2 The Council must be</i></p>	<i>D</i>	<p><b>Oppose</b></p> <p>Residential visitor accommodation (RVA) and Homestays within the Rural Residential and Rural Lifestyle Zones should be a controlled activity beyond 90 nights per 12 month period, consistent with the rules for the Rural Zone.</p> <p>It is unclear why RVA and Homestay activities are considered to be appropriate in the Rural Zone but not the Rural Residential and Rural Lifestyle Zones. It is considered that, if anything, these zones are more suited to provide for appropriate visitor accommodation as they have a predominantly rural living</p>	<p>Amend Table 2 as follows to make the non-compliance status of Residential visitor accommodation and homestays in the Rural Residential and Rural Lifestyle Zones controlled activities:</p> <table border="1" data-bbox="1393 1042 2020 1436"> <thead> <tr> <th><i>Table 2</i></th> <th><i>Standards - Rural Residential and Rural Lifestyle</i></th> <th><i>Non-compliance status</i></th> </tr> </thead> <tbody> <tr> <td>22.4.14</td> <td> <p><b>Residential Visitor Accommodation</b></p> <p><i>22.5.14.1 Must not exceed a cumulative total of 90 nights occupation by paying guests on a site per 12 month period.</i></p> <p><i>22.5.14.2 The Council must be</i></p> </td> <td><b><u>D C</u></b></td> </tr> </tbody> </table>	<i>Table 2</i>	<i>Standards - Rural Residential and Rural Lifestyle</i>	<i>Non-compliance status</i>	22.4.14	<p><b>Residential Visitor Accommodation</b></p> <p><i>22.5.14.1 Must not exceed a cumulative total of 90 nights occupation by paying guests on a site per 12 month period.</i></p> <p><i>22.5.14.2 The Council must be</i></p>	<b><u>D C</u></b>
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	<p><i>notified in writing prior to the commencement of a Residential Visitor Accommodation activity.</i></p> <p><i>22.5.14.3 Up to date records of the Residential Visitor Accommodation activity must be kept, including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</i></p> <p><i>22.5.14.4 Smoke alarms must be provided in accordance with clause 5 of the Residential Tenancies (Smoke Alarms and Insulation) Regulations 2016.</i></p> <p><i>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 22.5.14.1 to 22.5.14.4.</i></p>		<p>character, meaning development and its effects can be more easily absorbed into the surrounding environment, and reverse sensitivity effects are less likely to arise than in the Rural Zone.</p>		<p><i>notified in writing prior to the commencement of a Residential Visitor Accommodation activity.</i></p> <p><i>22.5.14.3 Up to date records of the Residential Visitor Accommodation activity must be kept, including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</i></p> <p><i>22.5.14.4 Smoke alarms must be provided in accordance with clause 5 of the Residential Tenancies (Smoke Alarms and Insulation) Regulations 2016.</i></p> <p><i>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 22.5.14.1 to 22.5.14.4.</i></p>	
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<b>#30</b>	<b>Chapter 24 Wakatipu Basin Rural Amenity Zone</b>		<b>Oppose</b>	<p>As above, it is considered that RVA and Homestay activities beyond 90 nights should be accommodated in the WBLP as controlled activities, as the WBLP has the established character and capacity to support such activities.</p>	<p>Amend Table 24.3 as follows to make the non-compliance status of Residential visitor accommodation and homestays in the Wakatipu Basin Lifestyle Precinct controlled activities:</p>						
	<b>24.4 Rules - Activities</b>										
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	<p><i>inspection by the Council at 24 hours' notice.</i></p> <p><i>24.5.21.4 Smoke alarms must be provided in accordance with clause 5 of the Residential Tenancies (Smoke Alarms and Insulation) Regulations 2016.</i></p> <p><i>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 24.5.21.1 to 24.5.21.4.</i></p>					<p><i>that can be made available for inspection by the Council at 24 hours' notice.</i></p> <p><i>24.5.21.4 Smoke alarms must be provided in accordance with clause 5 of the Residential Tenancies (Smoke Alarms and Insulation) Regulations 2016.</i></p> <p><i>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 24.5.21.1 to 24.5.21.4.</i></p>		
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<b>24.5.23</b>	<p><b>Homestay – Lifestyle Precinct only</b></p> <p><i>24.5.23.1 Must not exceed 5 paying guests per night.</i></p> <p><i>24.5.23.2 The Council must be notified in writing prior to the commencement of a Homestay activity</i></p> <p><i>24.5.23.3 Up to date records of the Homestay activity must be kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</i></p> <p><i>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 24.5.23.1 to 24.5.23.3</i></p>	<b>D</b>			<b>24.5.23</b>	<p><b>Homestay – Lifestyle Precinct only</b></p> <p><i>24.5.23.1 Must not exceed 5 paying guests per night.</i></p> <p><i>24.5.23.2 The Council must be notified in writing prior to the commencement of a Homestay activity</i></p> <p><i>24.5.23.3 Up to date records of the Homestay activity must be kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</i></p> <p><i>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules</i></p>	<b><u>D C</u></b>	

			24.5.23.1 to 24.5.23.3
#31	<p><b>Rule 41.4.2.1</b></p> <p><i>Any commercial, community, residential, residential visitor accommodation, homestay, or visitor accommodation activity within the Jacks Point (V) or Homestead Bay (HB) Village Activity Areas, including the addition, alteration or construction of associated buildings, provided the application is in accordance with a Comprehensive Development Plan incorporated in the District Plan, which applies to the whole of the relevant Village Activity Area and is sufficiently detailed to enable the matters of control listed below to be fully considered.</i></p> <p>[Activity status: Controlled]</p>	<p><b>Oppose</b></p> <p>DPL oppose the inclusion of RVA and homestay activities in Rule 41.4.2.1 as a controlled activity within the Jacks Point (V) Activity Area. DPL seek to amend the rules of the Jacks Point Zone (Chapter 41) to list RVA and Homestays within the Jacks Point (V) Activity Areas as a permitted activity.</p> <p>This relief relates to provisions under appeal by Jacks Point through the Stage 1 PDP appeals. The Jacks Point appeal to Stage 1 has sought to amend activity Rule 41.4.2.1 such that the Comprehensive Development Plan mechanism reflects the approach set out in the evidence to the Council hearing, with the actual plans relating to the Comprehensive Development Plan not being required to be incorporated into the District Plan. In particular:</p> <ul style="list-style-type: none"> <li>a) Require a CDP to be provided as an information requirement to support the establishment of any commercial, community, residential, or visitor accommodation activity in the Jacks Point Village;</li> <li>b) Provide for the use or development of land in accordance with the CDP issued as part of a consent granted under the rule above as a</li> </ul>	<ol style="list-style-type: none"> <li>1. Amend the rules of Chapter 41, Table 2 – Activities located within the Jacks Point Zone – Village and Education Activity Areas, to provide for RVA and Homestay activities as a permitted activity within the Village Activity Areas V(JP) and V(HB), or</li> <li>2. Amend Rule 41.4.2.1 in accordance with the relief sought in the DPL Stage 1 PDP appeal to incorporate RVA and Homestays within the Jacks Point Village Activity Areas as a permitted activity.</li> </ol>

		<p>permitted activity; and</p> <p>c) Restrict development that is not in accordance with that CDP (or proposed to occur prior to the approval of the CDP).</p> <p>With reference to this structure of rules, the provisions of RVA and Homestays within the Jacks Point Village would be included as part of b) (above), to the list of permitted activities, where undertaken in accordance with the CDP.</p>	
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