

GRASMERE, PORTERS SKI AND TERRACE DOWNS ZONES

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1 Scope of Report

- [1] This Recommendation Report relates to the Special Purpose – Grasmere, Porters Ski, and Terrace Downs chapters of the PDP and contains the Hearing Panel’s recommendations to Council on the submissions and further submissions received on those chapters.
- [2] The Hearing Panel members for the Grasmere, Porters Ski, and Terrace Downs Special Purpose Zones chapters were:
- Lindsay Daysh
 - Nicole Reid
 - Raewyn Solomon
 - Rob van Voorthuysen (Chair)
- [3] The initial Section 42A Report and the end of hearing Section 42A Report (Reply Report) for this topic were:
- Grasmere, Porters Ski, and Terrace Downs Special Purpose Zones, March 2022, Jocelyn Lewes
 - Grasmere, Porters Ski, and Terrace Downs Special Purpose Zones, 26 July 2022, Jocelyn Lewes
- [4] We also received answers to our written questions on 31 March 2022.¹
- [5] The Hearing Panel’s recommended amendments to the notified provisions of the Grasmere, Porters Ski, and Terrace Downs Special Purpose Zones chapters are set out in Appendix 1. Amendments recommended by the Section 42A Report author that have been adopted by the Hearing Panel are shown in strike out and underlining. Further or different amendments recommended by the Hearing Panel are shown in strike out, underlining and red font.
- [6] The Hearing Panel’s recommended amendments to the notified planning maps are also set out, in narrative form, in Appendix 1, including any amendments recommended by the Section 42A Report author that we have adopted. Significant changes are also illustrated using ‘screen shots’ from the Council’s on-line mapping tool.
- [7] We note that some of the numbering of individual clauses in the objective and policy provisions may need to be consequentially amended and not all such amendments are shown in Appendix 1. We understand that will occur in the amended version of the entire PDP that will accompany the release of all of the Recommendation Reports.
- [8] Further submitters are not listed in the tables in this Recommendation Report because further submissions are either accepted or rejected in conformance with our recommendations on the original submissions to which they relate.

2 Hearing and Submitters Heard

- [9] The hearing for the Grasmere, Porters Ski, and Terrace Downs Special Purpose Zones was held on 5th April 2022. There were 23 submitters on those provisions. However only one submitter eventually wished to be heard:

¹ Officer’s Response to Questions from the Hearings Panel, Jocelyn Lewes, 22 March 2022.

Sub #	Submitter	Original	Further
DPR-0423	PHC Terrace Downs Resort Limited	✓	✓

[10] The submitter had an expert witness appear on their behalf as listed in Appendix 2. Copies of the evidence (expert and non-expert) received are held by the Council. We do not separately summarise that material here, but we refer to or quote from some of it in the remainder of this Recommendation Report.

[11] We record that we considered all submissions and further submissions, regardless of whether the submitter or further submitter appeared at the hearing.

[12] We note that the SDC has made two amendments to provisions under clause 16(2) of Schedule 1 of the RMA:

- Amending the numbering and titles of tables so that a consistent format is used; and
- In GRAZ-REQ7.1a amending the reference to 'Schedule 2' to 'Figure 2'.

3 Sub-topic Recommendations

[13] In this part of the Recommendation Report we assess the submissions by sub-topic, using the same headings as the initial Section 42A Report.

3.1 Definition of Rural Tourism

[14] For the following submitter and their submission point we adopt the recommendation and reasons of the Section 42A Report author. We note that this results in a minor amendment to the definition of Rural Tourism.

Sub #	Submitter	Submission Points
DPR-0422	NCFE	080

3.2 GRAZ – Grasmere Zone

[15] For the following submitter and their submission point on the definition of rural tourism, we adopt the recommendation and reasons of the Section 42A Report author. We note that this results in the exclusion of walking and cycling tracks from GRAZ-R6.1a.

Sub #	Submitter	Submission Points
DPR-0207	SDC	075

[16] We note that the Section 42A Report author, Ms Lewes, requested that the Panel consider if there was scope to align GRAZ-R6 with TEZ-R12, such that the limit only be applied to buildings and not land. However, in answer to our questions Ms Lewes advised that there was no scope to do that and any such alignment would need to be achieved through a subsequent plan change.

3.3 SKIZ – Porters Ski Zone

3.3.1 Name of Zone

[17] For the following submitter and their submission point we adopt the recommendation and reasons of the Section 42A Report author. We note this results in this Special Purpose Zone being renamed the 'Porters Recreation Zone', with PRZ as the acronym used in the provisions.

However, for ease of reference in the headings of this Recommendation Report (but not in Appendix 1) we use the term SKIZ / PRZ.

Sub #	Submitter	Submission Points
DPR-0345	PAR	001

3.3.2 Definitions

- [18] The Definitions Chapter was subject to its own Hearing (Hearing 2), however there are a number of submissions relating to definitions that were more appropriately considered as part of the Hearing on the Special Purpose Zones chapters. For the following submitter and their submission point we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0345	PAR	008

- [19] In terms of s32AA of the RMA, for this submission we are satisfied that the Section 42A Report author's recommended amendment to add a definition of ski management and operations, so as to provide context around the nature of activities able to be undertaken in relation to the management and operations of the ski area, is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

3.3.3 Objectives

- [20] For the following submitter and their submission points we adopt the recommendation and reasons of the Section 42A Report author. We note that this results in no change to the notified provisions.

Sub #	Submitter	Submission Points
DPR-0345	PAR	002, 003

3.3.4 Policies

- [21] For the following submitter and their submission points we adopt the recommendation and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0345	PAR	002, 003

- [22] In terms of s32AA of the RMA, for this submission we are generally satisfied that the Section 42A Report author's recommended amendment to amend SKIZ-P1 and SKIZ-P8 to recognise that use and development is intended for the zone, but in a manner that recognises the values of the area, is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.
- [23] However, in answer to our questions Ms Lewes advised that the protected areas "are identified on the outline development plans, in particular SKIZ-FIG1 and SKIZ-FIG2." That being the case we recommended that those Figures are referred to in PRZ-P8 in order to provide certainty and clarity for decision-makers.

3.3.5 SKIZ/PRZ-R1 All Buildings and Structures

- [24] In answers to our questions, Ms Lewes advised that the matters in SKIZ-R1.5 refer only to buildings, which may not appropriately capture a chairlift. She recommended that SKIZ-R1.6.b be amended to ensure that it is applicable to structures as well, as a consequential amendment. We find that to be appropriate and recommend accordingly.

3.3.6 SKIZ/PRZ-R3 Minor Residential Units

- [25] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author. We note that this results in no change to the notified provisions.

Sub #	Submitter	Submission Points
DPR-0078	Ian Laurenson	012
DPR-0100	Annette Shankie	006

3.3.7 SKIZ/PRZ-R4 Gondolas

- [26] For the following submitter and their submission point we adopt the recommendation and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0345	PAR	006

- [27] In terms of s32AA of the RMA, for this submission we are satisfied that the Section 42A Report author's recommended amendment to amend SKIZ-R4 to only include gondolas and only apply the rule in the Crystal Stream sub area is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

3.3.8 SKIZ/PRZ-R5 Parking Area

- [28] For the following submitter and their submission point we adopt the recommendation and reasons of the Section 42A Report author. We note that this results in no change to the notified provisions.

Sub #	Submitter	Submission Points
DPR-0345	PAR	007

3.3.9 SKIZ/PRZ-R7 Community Facilities

- [29] For the following submitter and their submission point we adopt the recommendation and reasons of the Section 42A Report author. We note that this results in no change to the notified provisions.

Sub #	Submitter	Submission Points
DPR-0345	PAR	009

3.3.10 SKIZ/PRZ-R12 Educational Facility

- [30] For the following submitter and their submission point we adopt the recommendation and reasons of the Section 42A Report author. We note that this results in no change to the notified provisions.

Sub #	Submitter	Submission Points
DPR-0378	MoE	040

3.3.11 SKIZ/PRZ-R13 Landscaping and Tree Planting

- [31] For the following submitter and their submission points we adopt the recommendation and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0345	PAR	010, 011

- [32] In terms of s32AA of the RMA, for this submission we are satisfied that the Section 42A Report author's recommended amendment to amend SKIZ-R13.2.b to limit the consideration of the planting pattern of shrubs, tussocks and trees to areas outside the village centre is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

3.3.12 SKIZ/PRZ-R15 Helicopter Landing Area

- [33] For the following submitter and their submission points we adopt the recommendation and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0345	PAR	012, 035

- [34] In terms of s32AA of the RMA, for this submission we are satisfied that the Section 42A Report author's recommended amendment to amend SKIZ-R15 to better manage the effects of helicopter landing areas within the zone is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

3.3.13 SKIZ/PRZ-REQ4 Staging

- [35] For the following submitter and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Point
DPR-0345	PAR	013, 014, 036, 037

- [36] In terms of s32AA of the RMA, for this submission we are generally satisfied that the Section 42A Report author's recommendations to:

- retain SKIZ-REQ4.1 as notified; and
- amend SKIZ-REQ4.2.b and c to align the intent of the provisions with the current requirements of relevant health and safety legislation

are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

- [37] However, in answer to our questions Ms Lewes conceded that it could be clearer that a health and safety plan should be prepared in accordance with current best practice and by a competent person. She recommended revised wording which we find to be largely appropriate.

3.3.14 SKIZ/PRZ-REQ8 Location

- [38] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Point
DPR-0345	PAR	015, 034
DPR-0446	Transpower	125

- [39] In terms of s32AA of the RMA, for this submission we are satisfied that the Section 42A Report author's recommendation to delete SKIZ-REQ8.2 is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents. We say that because the effects of locating buildings and structures can be effectively managed through a controlled activity consent process, as is provided for in the notified rules.

3.3.15 SKIZ/PRZ Schedule

- [40] For the following submitter and their submission point we adopt the recommendation and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0345	PAR	016

- [41] In terms of s32AA of the RMA, for this submission we are satisfied that the Section 42A Report author's recommendation to amend SKIZ-FIG1, SKIZ-FIG2 and SKIZ-FIG3 to bring through the level of detail shown on the existing ODP, in a format consistent with the style of the PDP, so as to enable the relevant provisions to be effectively administered is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.
- [42] We note that Ms Lewes invited the submitter to provide relevant drawing files to the SDC so that the above recommendation could be implemented. However, because the submitter did not attend the hearing, we understand that no further information was provided.

3.4 TEZ – Terrace Downs Zone**3.4.1 Schedule**

- [43] For the following submitter and their submission point we adopt the recommendation and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0423	PHC	001

- [44] In terms of s32AA of the RMA, for this submission we are satisfied that the Section 42A Report author's recommendation to replace the ODP in TEZ-FIG1 with the ODP provided by the submitter in order to better define the sub-areas where specific activities and development can, and are expected to, occur is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

- [45] We note that Ms Lewes invited the submitter to provide relevant drawing files to the SDC so that the above recommendation could be implemented. The submitter indicated that they were happy to do so.²

3.4.2 Policies

- [46] For the following submitter and their submission points we adopt the recommendations and reasons of the Section 42A Report author, other than as outlined below.

Sub #	Submitter	Submission Point
DPR-0423	PHC	002, 003, 004, 005, 006

- [47] In terms of s32AA of the RMA, for this submission we are satisfied that the Section 42A Report author's recommendations to:

- add a new policy dealing with sport, recreation and helicopter movements within the Outdoor Recreation Sub-Area; and
- add a new policy dealing with helicopter movements associated with tourism and recreational activities and firefighting emergency services

are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents. We note and agree with the author's advice that these amendments will provide support for the related rules and enhance consistency within the PDP.

- [48] The Section 42A Report author also recommended amending TEZ-P7 to refer to avoiding 'inappropriate' development. For PHC, Ms McKeever considered that further clarification of the policy would assist and she suggested adding the words '... such that any development contributes to, maintains and enhances open space and landscape values'. In her Reply Report Ms Lewes acknowledged that it is essential that the open space and landscape values of these sub-areas are retained, but she recommended alternative wording. We agree that Ms Lewes wording provides a greater certainty of outcome and so we recommend its adoption.

- [49] We are satisfied that the revised wording is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

3.4.3 TEZ-R4 Residential Units

- [50] For the following submitter and their submission point we generally adopt the recommendation and reasons of the Section 42A Report author, other than as outlined below.

Sub #	Submitter	Submission Point
DPR-0423	PHC	007

- [51] We note that the submitter sought an amendment to TEZ-R4.1c to limit the number of residential units to one per site with the number of sites being those that currently exist. For PHC, Ms McKeever suggested that the words '... that existed at 'xxx' be added, with 'xxx' being the date that the PDP becomes operative'. At the hearing we asked Ms McKeever if it would

² EIC McKeever, paragraph 59.

be more appropriate to refer to the date that the PDP was notified, namely 5 October 2020. She agreed with that suggestion.

- [52] However, in her Reply Report Ms Lewes noted that at this time, the rule in the PDP has no legal effect, rather the applicable rule in the Operative District Plan will continue to have effect until the rule in the PDP is determined to have effect, be that either on the date of the decisions or when the rule is beyond challenge. As such she considered that there could be some ambiguity or confusion in the future if the date of notification was included in this provision. Ms Lewes also considered that notified rule would only allow for one residential unit per site as a permitted activity, with any further residential units being a non-complying activity. As this would not change if the wording proposed by Ms McKeever was included, Ms Lewes did not see any value in adding in the requested text.
- [53] Having considered this matter, we prefer the Ms Lewes' reasoning and we recommend accordingly.
- [54] In terms of s32AA of the RMA, for this submission we are satisfied that the above amendment is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents.
- [55] Ms Lewes noted the inconsistency between the various chapters in the PDP and recommended that Table SUB-8 (in SUB-REQ5) be amended to align with TEZ-R4 as PHC confirmed that 68 residential sections have been created. We agree and recommend accordingly.

3.4.4 TEZ-R6 Any other Building or Structure

- [56] For the following submitter and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0423	PHC	008, 202, 021

- [57] In terms of s32AA of the RMA, for this submission we are satisfied that the Section 42A Report author's recommendations to add new rules as shown to provide for buildings, structures and activities in those sub-areas not currently identified in the PDP are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.
- [58] In our written questions to the Section 42A Report author we queried the basis (or source) for the contents of the recommended three new rules as that was not apparent to us:
- TEZ-R5A Buildings and Structures in Outdoor Recreation and Farming Activity and Staff Accommodation Sub-Areas
 - TEZ-R5B Maintenance and Utility Buildings and Structures
 - TEZ-R13A Maintenance Activities
- [59] In response Ms Lewes advised that the source of the proposed recommendation in relation to the design and appearance of maintenance and utility buildings and structures stemmed from submission points DPR-0423.008, DPR-0423.020 and DPR-0423.021 (submission points of PHC). We are satisfied that those submission points provide adequate scope for the

recommended amendments and we note that PHC did not oppose the recommended wording for these new rules.

3.4.5 TEZ-R7 Retail Activity

- [60] For the following submitter and their submission point we adopt the recommendation and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0423	PHC	009

- [61] In terms of s32AA of the RMA, for this submission we are satisfied that the Section 42A Report author's recommendation to amend TEZ-R7 to align the activity with the amended ODP is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

3.4.6 TEZ-R9 Visitor Accommodation, TEZ-R13 Recreation Activities, and New Rule for Lakes/Water Features

- [62] For the following submitter and their submission points we adopt the recommendation and reasons of the Section 42A Report author. We note that this results in no change to the notified provisions.

Sub #	Submitter	Submission Points
DPR-0423	PHC	010, 012, 015

3.4.7 TEZ-R12 Rural Tourism

- [63] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Point
DPR-0423	PHC	011
DPR-0207	SDC	076

- [64] In terms of s32AA of the RMA, for these submissions we are satisfied that the Section 42A Report author's recommendation to amend TEZ-R12 to exclude land from the area limit associated with rural tourism activities is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

3.4.8 TEZ-R15 Public Amenity

- [65] For PHC, Ms McKeever considered that it was unreasonable that a private entity should be required to go through the cost and process of a full Discretionary consent to be able to undertake the construction of amenity structures that would be reasonably associated with the public walking track simply due to the situation of ownership of the land.³ We agree.
- [66] Ms McKeever suggested identifying the specific parts of the 'Public Amenity' definition (namely items a, c, d, e, g, h, i, n) that could reasonably be applied in the Covenant Sub-Area

³ EIC McKeever, paragraph 35.

and Reserve Sub-Area (prior to transfer) to be permitted activities where they are provided by the landowner as custodian.

- [67] In her Reply Report Ms Lewes acknowledged and supported Ms McKeever's reasoning, but she recommended alternative amendments to TEZ-R15 that she considered would achieve the intent of PHC's request, but would better align with the structure of the PDP. We find Ms Lewes' wording to be appropriate and recommend amendments to TEZ-R15 accordingly. We therefore adopt her recommendations for the following submitter and we are satisfied that is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

Sub #	Submitter	Submission Points
DPR-0423	PHC	013

3.4.9 TEZ-R17 Helicopter Landing Area

- [68] For the following submitter and their submission point we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0423	PHC	014

- [69] In terms of s32AA of the RMA, for this submission we are satisfied that the Section 42A Report author's recommendations to:

- amend TEZ-R17 to be consistent with the recommended amendment to the identification of sub-areas in the Terrace Downs Zone Schedule ODP; and
- include a note to indicate that movements for emergency purposes are provided for in TEMP-R7

are the most appropriate options for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

3.4.10 TEZ-REQ3 Height

- [70] For the following submitter and their submission points we adopt the recommendation and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0423	PHC	016, 018

- [71] In terms of s32AA of the RMA, for this submission we are satisfied that the Section 42A Report author's recommendation to amend TEZ-REQ3 to reinstate all of the permitted heights included in the Operative District Plan is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

3.4.11 TEZ-REQ4 Design and Appearance

- [72] For the following submitter and their submission point we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Point
DPR-0423	PHC	017

[73] In terms of s32AA of the RMA, for this submission we are satisfied that the Section 42A Report author's recommendation to amend the activity status of TEZ-REQ4 and include four matters of discretion relating to:

- compatibility with a historic country theme and natural, rural, and high country character of the site and locality;
- enhancing the landscape and vegetation;
- not adversely effecting neighbouring privacy; and
- minimising adverse visual effects

is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents.

[74] We queried Ms Lewes regarding the basis for the recommended new matters of discretion the new TEZ-REQ4.5. In response she advised that the source of the proposed recommendation in relation to the design and appearance of maintenance and utility buildings and structures stemmed from submission point DPR-0423.017. She added that no matters of discretion were proposed by the submitter, however the submitter suggested that these could be similar to the matters of control in TEZ-R1 Hotel and Conference Facilities. Furthermore, the submitter suggested that the RDIS activity status also be applied to development in other sub-areas and so Ms Lewes advised that she had regard to the matters included in TEZ-R1 – 5 as the basis for the proposed matters of discretion. We are satisfied that there is scope for the recommended amendments.

[75] We note that PHC did not oppose the new TEZ-REQ4.5 provisions.

3.4.12 New Requirements for Maintenance and infrastructure buildings

[76] For the following submitter and their submission point we generally adopt the recommendation and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Points
DPR-0423	PHC	018

[77] In terms of s32AA of the RMA, for this submission we are generally satisfied that the Section 42A Report author's recommendation to add a new rule (TEZ-R5B) and a new requirement (TEZ-REQ6) to recognise the functional nature of buildings associated with maintenance activities is the most appropriate option for achieving the purpose of the RMA, the relevant objectives of this Plan and other relevant statutory documents, consistent with Ms Lewes assessment set out in paragraphs 10.82 to 10.85 of the Section 42A Report which we also adopt.

[78] However, we queried Ms Lewes point regarding the basis for the recommended new provisions. In response she advised that the source of the proposed recommendation in relation to the design and appearance of maintenance and utility buildings and structures stemmed from submission point DPR-0423.018. She added that the submitter had specifically asked that a new rule requirement be included related to design and appearance in relation to maintenance and infrastructure buildings, however no wording was proposed. Ms Lewes

therefore referred to TEZ-REQ4 (as proposed to be modified by DPR-0423.017) as the basis for the proposed rule requirement.

- [79] For PHC, Ms McKeever suggested that the recommended matters of control in TEZ-R5B be restricted to ‘The design and appearance of buildings is such that the extent to which it minimises any visual effects’ and the remainder of the recommended matters of control be deleted as they were overly onerous for the functional buildings that could reasonably be anticipated in a rural area in the newly identified (but existing and small) maintenance building Sub-Area, particularly given the existing facility are in a bunded and landscaped area.⁴ However, we suggested to her that if the matters of control which are of concern to her were removed that would effectively make the rule a permitted activity, particularly given her recommendation that the matters of discretion in recommended new TEZ-REQ6.3 could be limited the extent to which the design and appearance of buildings or structures minimises any visual effects.⁵
- [80] In response Ms McKeever undertook to provide us with suitable wording for a permitted activity and that wording was provided to the SDC on 19 April 2022. In her Reply Report Ms Lewes advised that she generally supported Ms McKeever’s proposed wording for TEZ-R5B and TEZ-REQ6, but she considered that minor amendments were required to both provisions (amending TEZ-R5B.1 to clarify that it relates only to buildings or structures for maintenance or utility purposes) and inserting an additional matter of discretion in both TEZ-R5B.4 and TEZ-REQ6.3 to enable decision-makers to assess if visual effects can be mitigated by the use of landscaping or bunding). We accept Ms Lewes’ suggestions in that regard.

3.4.13 Amendments to the Outline Development Plan and Consequential Amendments

- [81] PHC proposed an Outline Development Plan (ODP) which included more Sub-Areas than the PDP originally sought to classify, in order to accommodate proposed development that has not yet occurred since the time of the original plan change. This resulted in the addition of new rules for activities and buildings in the various sub-areas. At the hearing, PHC identified a concern that the naming of a sub-area for ‘Tourism’ purposes may potentially be misleading or limiting for this reason.
- [82] In response to our questions PHC provided a revised ODP with the legend amended to refer to ‘Conference’ sub-area, rather than ‘Tourism’ sub-area. The ODP was also amended to reduce the extent of the sub-area, with PHC noting that the western part of the ‘Tourism’ sub-area encompassed the existing golf clubhouse and restaurant and it was more appropriately included in the ‘Golfcourse’ sub-area. PHC has proposed that the eastern part of the ‘Tourism’ sub-area be renamed to ‘Conference’ sub-area. As a consequence of amending the ODP, PHC identified that consequential amendments to TEZ-P2, TEZ-R1 and TEZ-R7.
- [83] Ms Lewes had no issue with the further amendments suggested by PHC and so we recommend that they be adopted.

⁴ EIC McKeever, paragraph 53.

⁵ EIC McKeever, paragraph 56.

3.5 Zone Objectives

- [84] For the following submitter and their submission points we adopt the recommendation and reasons of the Section 42A Report author. We note that this results in no change to the notified provisions.

Sub #	Submitter	Submission Points
DPR-0353	HortNZ	188

3.6 Non-notification clauses

- [85] For the following submitters and their submission points we adopt the recommendations and reasons of the Section 42A Report author.

Sub #	Submitter	Submission Point
DPR-0358	RWRL	412, 413, 432
DPR-0363	IRHL	452, 456, 457
DPR-0374	RIHL	498, 502, 503
DPR-0384	RIDL	531, 535, 536

- [86] In particular, we agree that it is not appropriate to preclude limited or public notification for controlled and restricted discretionary activities on a chapter wide basis. The RMA contains a specific process for determining notification on a case-by-case basis and in our view that statutory process should only be circumvented where there is absolute certainty that potential adverse effects will not affect any other party. Having made this finding, we assess requests for non-notification for individual rules on their merits.

3.7 Visitor Accommodation

- [87] For the following submitter and their submission points we adopt the recommendation and reasons of the Section 42A Report author. We note that this results in no change to the notified provisions.

Sub #	Submitter	Submission Points
DPR-0455	Paul & Fay McOscar	013, 106, 017

4 Other Matters

- [88] We note that our recommendation to change the name of the 'Porters Ski Zone' to 'Porters Recreation Zone', with PRZ as the acronym used in the provisions, necessitates a range of minor consequential amendments to the following chapters:

- Energy and Infrastructure
- Transport
- Ecosystems and Indigenous Biodiversity
- Natural Character
- Natural Features and Landscapes

- [89] These consequential amendments are set out in Appendix 1.

- [90] The recommended amendments to the PDP provisions contained in Appendix 1 are those that result from this Hearing Panel's assessment of submissions and further submissions.

However, readers should note that further or different amendments to these provisions may have been recommended by:

- Hearing Panels considering submissions and further submissions on other chapters of the PDP;
- the Hearing Panels considering rezoning requests, and
- the Independent Hearing Panel (IHP) considering submissions and further submissions on Variation 1 to the PDP

[91] Any such further or different amendments are not shown in Appendix 1 of this Recommendation Report. However, the Chair⁶ and Deputy Chair⁷ of the PDP Hearing Panels have considered the various recommended amendments and have ensured that the overall final wording of the consolidated version of the amended PDP is internally consistent.

[92] In undertaking that 'consistency' exercise, care was taken to ensure that the final wording of the consolidated version of the amended PDP did not alter the intent of the recommended amendments contained in Appendix 1 of this Recommendation Report.

[93] There are no other matters arising from our consideration of the submissions and further submissions or that arose during the hearing.

⁶ Who is also the Chair of the IHP.

⁷ Who chaired one stream of hearings.

Appendix 1: Recommended Amendments

Note to readers: Only provisions that have recommended amendments are included below. All other provisions remain as notified. Amendments recommended by the Section 42A Report author that have been adopted by the Hearing Panel are shown in strike out and underlining. Further or different amendments recommended by the Hearing Panel are shown in strike out, underlining and red font.

Amendments to the PDP Maps

There are no amendments recommended to PDP Planning Maps arising from our recommendations on the submissions and further submissions covered by this Recommendation Report.

Amendments to the PDP Text

Part 1 – Introduction and General Provisions

How the Plan works

HPW24 - Special Purpose Zone Descriptions		
Name/Code	Description	
Porters Ski Area Recreation Zone	SKIZ-PRZ	...
Special Purpose Zones	SPZ	Where an objective, policy, rule or requirement applies to PORTZ, KNOZ, GRAZ, DPZ, TEZ, SKIZ PRZ , and MPZ the term SPZ may be used to collectively describe them.

Interpretation

Abbreviations	
SKIZ PRZ	Porter's Ski Porters Recreation Zone

Definitions	
RURAL TOURISM	means the use of land and/or buildings where participants are attracted to ⁸ experience rural production, primary industry.....
<u>SKI MANAGEMENT AND OPERATIONS</u> ⁹	<u>means facilities, buildings and activities associated with the management and operation of a ski area, including but not limited to avalanche control, weather stations, pump stations, snow-making infrastructure, fuel storage, snow fences, plant nursery, storage and maintenance,</u>

⁸ DPR-0422.080 NCCF

⁹ DPR-0345.008 PAR

Definitions	
	<u>equipment and clothing hire facilities, ski school, ski member facilities, race team and competition facilities, sports medicine and rehabilitation, first aid, medical care and facilities, childcare, helicopter access and landing and emergency access and emergency services.</u>

Part 2 – District Wide Matters

Energy, Infrastructure and Transport

EI – Energy and Infrastructure

EI-Rules

EI-R25 Community Wastewater Treatment Facility		
All Zones	Activity Status: DIS ... Where: The activity occurs within either the General Rural Zone, General Industrial Zone, or the Porters Ski <u>Recreation</u> Zone.	...
EI-R32 Emergency Services Facility		
... SKIZ <u>PRZ</u>	Activity status: PER 1. The erection of a new, or expansion of an existing emergency services facility. ...	Activity status when compliance not achieved: 2. When compliance with any rule requirements listed in this rule is not achieved: Refer to relevant rule requirement.
EI-R33 Public Healthcare Institution		
... SKIZ <u>PRZ</u>	Activity Status: DIS 6. The establishment of a new, or expansion of an existing public healthcare institution. ...	Activity status when compliance not achieved: N/A

EI-Rule Requirements

EI-REQ12 Structures in Special Areas		
VAL Overlay ONL Overlay	5. All activities occurring outside of a land transport corridor shall comply with: a. ...; and b. SKIZ <u>PRZ</u> -REQ78 Location.	Activity status when compliance not achieved: 6. When compliance with any of EI-REQ12.5 is not achieved: Refer to: a. ...

		b. SKIZ <u>PRZ</u> -REQ78 Location	
EI-REQ15	Height		
...	
SKIZ <u>PRZ</u>			
EI-REQ16	Site and Zone Boundary Setbacks		
...	
SKIZ <u>PRZ</u>			
...			
EI-REQ17	Telecommunications Pole and Antenna Height		
All Zones	
EI-TABLE1	Telecommunications pole and antenna height		
	Pole Location	Maximum height where there is one pole user	Maximum height where there is more than one user of the same pole
	Porters Ski Area <u>Recreation Zone</u>

TRAN – Transport

TRAN-Rule Requirements

TRAN-REQ2	Vehicle crossing access restrictions	
...
SKIZ PRZ		
TRAN-REQ3	Number of vehicle crossings	
...
SKIZ PRZ		
TRAN-REQ5	Vehicle crossing design and construction	
...
SKIZ PRZ		

TRAN-Schedules

TRAN-SCHED1 - Accessways						
TRAN - TABLE3	Minimum requirements for shared accessways					
Zone	...					
SKIZ <u>PRZ</u>						

TRAN-SCHED3 – Road formation and operational standards**TRAN -TABLE7****Road formation standards**

Road Type	Legal width (m)		Carriageway width (m)		Traffic lanes	Parking lanes	Specific provision for cycles (on road or off road)	Pedestrian Provision
	Min.	Max.	Min.	Max.	Min. No.	Min. No.		Minimum
Arterial (except in the GRUZ, GRAZ, SKIZ PRZ, TEZ, MPZ)								
Arterial and collector (GRUZ, GRAZ, SKIZ PRZ, TEZ, MPZ)								
Collector (except in the CMUZ, GRUZ, GRAZ, SKIZ PRZ, TEZ, MPZ)								
Local (GRUZ, GRAZ, SKIZ PRZ, TEZ, MPZ)								

Natural Environment Values

ECO – Ecosystems and Indigenous Biodiversity

ECO-Rules

EIB-R1		Indigenous Vegetation Clearance and Earthworks ('subject to cl16(2) amendment')	
... SKIZ <u>PRZ</u>	Activity Status: PER		
	1. Indigenous vegetation clearance		
	Where:		
	a. ...; or		
	b. Any removal in the SKIZ <u>PRZ</u> is less than 5m ² during a one month period;		
	c. Any removal in the SKIZ <u>PRZ</u> is associated with Controlled or Restricted Discretionary earthworks as outlined in <u>NFL-R2</u> ; or		
	d. ...		

NATC – Natural Character

NATC-Rule Requirements

NATC-REQ1		
Setbacks from Surface Water Bodies - Earthworks and Earthworks Stockpiles		
SKIZ <u>PRZ</u>	7. All earthworks and earthworks stockpiles are to be located at least: <ul style="list-style-type: none"> a. in the Village Sub Area, 5m from Porters Stream, shown in SKIZ <u>Schedule 1PRZ-FIG2</u>¹⁰; or b. in the Porters Lower Slopes Sub Area, 15m from Porters Stream, shown in SKIZ <u>Schedule 1PRZ-FIG1</u>¹¹; and c. 20m from the bank of any other surface water body. 	...
NATC-REQ3		
Setbacks from Surface Water Bodies - Vegetation Planting		
...
SKIZ <u>PRZ</u>		
..		

NFL – Natural Features and Landscapes

NFL-Objectives and Policies

NFL-Policies	
NFL-P1	<p>Recognise the values of the identified outstanding natural features and landscapes described in NFL-SCHED1 and protect these values from adverse effects by:</p> <p>...</p> <p>k. recognising the existing Porters Ski and Recreation Area <u>Zone</u> and providing for its ongoing use and development, while ensuring that the outstanding landscapes values of the Area are recognised and protected from inappropriate use and development.</p>

¹⁰ Cl.16(2) amendment to include correct reference

¹¹ Cl.16(2) amendment to include correct reference

NFL-Rules

NFL-R2	Earthworks	
... ONL Overlay: Waimakariri Catchment excluding SKIZ PRZ
SKIZ PRZ	Activity Status: CON 6. Earthworks;
SKIZ PRZ	Activity Status: CON 10. Earthworks;
SKIZ PRZ	Activity Status: CON 14. Earthworks Where: a. ...; and b. it is for forming the access road and ski out trail in general accordance with the development plan in SKIZ Schedule 1 PRZ- <u>SCHED1</u> ¹²
SKIZ PRZ	Activity Status: RDIS 18. Earthworks;
SKIZ PRZ	Activity Status: RDIS 22. Earthworks
SKIZ PRZ	Activity Status: DIS 26. Any other Earthworks	...

¹² Cl.16(2) amendment to include correct reference

NFL-Rule Requirements

NFL-REQ1	Building and structure height	
ONL Overlay excluding SKIZ PRZ
NFL-REQ2	Building footprint	
ONL Overlay, excluding SKIZ PRZ	1. The maximum building footprint for a residential activity or rural production activity within a Building Node is 300m ² for any individual building...	...
NFL-REQ3	Building Coverage	
ONL Overlay	1. The maximum building coverage in the Rakaia Catchment, the Waimakariri Catchment, the Malvern Hills, and the Front Ranges ONL, excluding within the SKIZ PRZ, is limited to:
NFL-REQ5	Building and structure appearance	
ONL Overlay	1. All buildings and structures in an ONL, excluding within the SKIZ PRZ, must be finished in materials with a maximum reflectance value of 30%	...
VAL Overlay	...	

NFL-Matters for Control or Discretion

NFL-MAT2	Earthworks in Porters Ski Recreation Zone	
SKIZ PRZ	...	

SUB – Subdivision

SUB-Rules

SUB-R7	Subdivision in the Porters Ski Zone	
SKIZ PRZ	Activity status: CON 1. Subdivision not subject to any of SUB-R12, SUB-R13, SUB-R14, or SUB-R15.
SUB-R12	Boundary Adjustment in All Zones	
...	Activity status: CON	...
SKIZ PRZ	7. Boundary adjustment.	
...	...	

SUB-R14	Subdivision to Create Emergency Services Facilities in All Zone	
SKIZ PRZ	Activity Status: CON 11. Subdivision to create any site to be used solely to house any emergency services facility.
SUB-R15	Subdivision to Update Cross Leases, Company Leases, and Unit Titles in All Zones	
All Zones	Activity Status: CON 1. Subdivision to update an existing cross lease, company lease, or unit title. Where: a. ... c. Every title or leased area is supplied with a connection to a reticulated wastewater network, where the site is located in any of: i. ... ii. the Porters Ski Recreation Zone.	...
SUB-R23	Subdivision and Natural Features and Landscapes	
Outstanding Natural Landscape Overlay	Activity Status: DIS 3. Subdivision within the Outstanding Natural Landscape Overlay. This rule does not apply to any site located wholly within the Porters Ski Recreation Zone. This rule does not apply to any subdivision under SUB-R15.	...
SUB-R24	Subdivision and Public Access	
... SKIZ PRZ ...	Activity Status: CON 9. Subdivision where an allotment smaller than 4ha is created adjoining:
... SKIZ PRZ ...	Activity Status: CON 17. Subdivision adjoining land that has previously been set aside or reserved as described in s236(a) of the Resource Management Act 1991, where that land previously set aside or reserved adjoins any of

SUB-Rule Requirements

SUB-REQ5 Number of Sites		
SKIZ <u>PRZ</u>	5. The subdivision shall result in a number of fee simple, freehold residential sites ¹³ within each area shown on the ODP that does not exceed that shown Table SUB-7 – Maximum number of sites, Porters Ski Recreation Zone.
Table SUB-7 <u>SUB-TABLE7</u> ¹⁴ – Maximum number of sites, Porters Ski Recreation Zone		
SKIZ <u>PRZ</u>	Area shown on the ODP PRZ-FIG2 for Porters Ski Recreation Zone ...	Maximum number of sites
Table SUB 8 – Maximum number of sites, Terrace Downs Zone		
TEZ	... Residential Areas ...	50 <u>68</u>
SUB-REQ6 Access		
...	11. Every site created, including any balance site, has legal access to a road that is not a State Highway where the posted speed limit is 60km/h or greater.	...
SKIZ <u>PRZ</u>	...	
SUB-REQ8 Corner Splays		
...	5. The corner of any site at any road intersection shall be splayed with a diagonal line reducing each boundary by a minimum of:
SKIZ <u>PRZ</u>	...	
SUB-REQ9 Water		
SKIZ <u>PRZ</u>	3. Every site created for residential, accommodation or commercial purposes shall be supplied with a connection to a reticulated water supply.	...
SUB-REQ10 Wastewater Disposal		
SKIZ <u>PRZ</u>	3. Every site created for residential, accommodation or commercial purposes shall be connected to a reticulated wastewater treatment and disposal system.	...

¹³ Cl. 16(2) to remove duplication¹⁴ Cl.16(2) to align with drafting protocol

SUB-Matters for Control or Discretion

SUB-MAT8	Solid Waste Disposal
...	1. The appropriateness of the proposed facilities for solid waste collection or disposal, considering all of the:
SKIZ PRZ	...
...	

General District Wide Matters

LIGHT – Light

LIGHT-Rule Requirements

LIGHT-REQ1	Light Spill		
All Zones
	LIGHT-TABLE1 - Maximum Light Spill from Artificial Outdoor Lighting		
	Zone of the adjoining site receiving light spill	2200 to 0600	Hours of darkness from 0600 to 2200
	25 lux
	SKIZ PRZ		

NOISE – Noise

NOISE-Rule Requirements

NOISE-REQ1			Zone Noise Limits	
	NOISE-TABLE5 - Zone Noise Limits			
	Zone of the site generating noise	Zone of the site receiving noise	Assessment Location	Hours and Limits
	1. All zones	... SKIZ PRZ
		...		
NOISE-REQ2		Construction Noise Limits		
	NOISE-TABLE6 - Construction Noise Limits			
...	Time of week	Time period	...	
SKIZ PRZ	
TEZ				

Part 3 – Area Specific Matters

Zones

GRUZ – General Rural Zone

GRUZ-Rules

GRUZ-R27	Aircraft and Helicopter Movements Ancillary to Rural Production
	Activity status: PER ... Note: Aircraft and helicopter movements are also provided for in the Temporary Activities and the SKIZ <u>PRZ</u> Chapter.

Special Purpose Zones

GRAZ – Grasmere Zone

GRAZ-Rules

GRAZ-R6	Rural Tourism
	Activity status: PER 1. Rural tourism Where: a. the total area of land or buildings associated with the activity, <u>excluding walking and cycling tracks</u> ¹⁵ , is less than 100m ² .
	...

¹⁵ DPR-0207.075 SDC

SKIZPRZ – Porters Ski Recreation¹⁶ Zone

SKIZ PRZ ¹⁷ -Overview	
...	

SKIZ PRZ-Objectives and Policies

SKIZ PRZ-Objectives	
SKIZ PRZ-O1	...
SKIZ-PRZ-O2	...

SKIZ-PRZ-Policies	
SKIZ-PRZ-P1	Avoid ongoing ¹⁸ use and development of the Porters ski and recreation area where it does not comply with the outline development plans, shown in <u>Schedule 1PRZ-SCHED1</u> ¹⁹ or the anticipated development within the Sub-Areas, including staging.
SKIZ-PRZ-P2	Manage the establishment of an alpine village within the Village Base Sub-Area shown on the Outline Development Plan in <u>Schedule 1PRZ-FIG2</u> ²⁰ , for accommodation, community, and commercial activities whilst ensuring the layout, design, and development of the alpine village complements the landscape values of the locality.
SKIZ-PRZ-P3	Provide for wastewater and disposal facilities required to service the Porters ski and recreation area, within the Waste Water and Disposal Sub-Area shown on the outline development plan in <u>Schedule 1PRZ-FIG1</u> ²¹ .
SKIZ-PRZ-P4	...
SKIZ-PRZ-P5	Provide for the establishment and operation of a gondola within the Crystal Stream and Crystal Basin sub-areas, shown on the outline development plan in <u>Schedule 1PRZ-FIG1</u> .
SKIZ-PRZ-P6	...
SKIZ-PRZ-P7	...

¹⁶ DPR-0345.001 PAR – here and elsewhere as identified within this appendix

¹⁷ DPR-0345.001 PAR – here and elsewhere as identified within this appendix

¹⁸ DPR-0345.004 PAR

¹⁹ Cl.16(2) amendment to include correct reference – here and elsewhere as identified within this appendix

²⁰ Cl.16(2) amendment to include correct reference – here and elsewhere as identified within this appendix

²¹ Cl.16(2) amendment to include correct reference – here and elsewhere as identified within this appendix

SKIZ-PRZ-P8	Ensure that the natural landscapes and ecological values of the zone are recognised and protected from use and development <u>responds to those values, avoiding the area of protection shown in PRZ-FIG1 and the Red Tussock Gully area shown in PRZ-FIG2 and, including²² inappropriate planting.</u>
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SKIZ PRZ-Rules

SKIZ-PRZ-Rule List	
SKIZ-PRZ-R1	All Buildings and Structures
SKIZ-PRZ-R2	Residential Units
SKIZ-PRZ-R3	Minor Residential Units
SKIZ-PRZ-R4	Gondolas
SKIZ-PRZ-R5	Parking Areas
SKIZ-PRZ-R6	Ski Management and Operations
SKIZ-PRZ-R7	Community Facilities
SKIZ-PRZ-R8	Conference Facility
SKIZ-PRZ-R9	Commercial Activity
SKIZ-PRZ-R10	Visitor Accommodation
SKIZ-PRZ-R11	Residential Activity
SKIZ-PRZ-R12	Educational Facility
SKIZ-PRZ-R13	Landscaping and Tree Planting ²³
SKIZ-PRZ-R14	Helicopter Movements
SKIZ-PRZ-R15	Helicopter Landing Areas
SKIZ-PRZ-R16	Keeping of Animals
SKIZ-PRZ-R17	Public Amenity
SKIZ-PRZ-R18	All Other Activities Any activity not otherwise listed in PRZ-Rule List ²⁴

SKIZ-PRZ-R1 All Buildings and Structures		
	Activity status: CON 1. All buildings and structures not listed below in <u>SKIZ-PRZ-R2</u> to <u>SKIZ-PRZ-R4</u> .	Activity status when compliance not achieved: 3. When compliance with any of <u>SKIZ-PRZ-R1.a.</u> is not achieved: Refer to <u>SKIZ-PRZ-R1.5.</u> and <u>SKIZ-PRZ-R1.9.</u>

²² DPR-0345.005 PAR²³ Cl.16(2) amendment to align headings²⁴ Cl.16(2) to align with drafting protocol

<p>Where:</p> <p>a. it is located within the Village Base Sub-Area, as shown on the outline development plan, in Schedule 1<u>PRZ-FIG2</u>.</p> <p>And this activity complies with the following rule requirements: SKIZ-PRZ-REQ1 – Building Footprint SKIZ-PRZ-REQ2 – Maximum Height SKIZ-PRZ-REQ3 – Maximum Number of Buildings SKIZ-PRZ-REQ4 – Staging SKIZ-PRZ-REQ5 – Fences SKIZ-PRZ-REQ6 – Setbacks SKIZ-PRZ-REQ7 – Roofing Materials SKIZ-PRZ-REQ8 – Location</p> <p>Matters of control:</p> <p>2. The exercise of control in relation to SKIZ-PRZ-R1.1. is restricted to the following matters:</p> <p>a. any relevant matters in SKIZ-PRZ-MAT1; b. c. additionally, if the building is located within the Slopeside Visitor Accommodation, Village Centre, and Hotel and Visitor Accommodation areas shown on the Village Sub-Area Plan in Schedule 1<u>PRZ-FIG2</u>; then:</p> <p>i.</p>	<p>4. When compliance with rule requirements is not achieved: See SKIZ-PRZ-Rule Requirements.</p>
<p>Activity status: CON</p> <p>5. All buildings and structures not listed below in SKIZ-PRZ-R2 to SKIZ-PRZ-R4.</p> <p>Where:</p> <p>a. it is located within the Crystal Stream Sub-Area, the Crystal Basin Sub-Area, the Porters Lower Slope Sub-Area, or the Porters Basin Ski Sub-Area, as shown on the outline development plan, in Schedule 1<u>PRZ-FIG1</u>.</p> <p>And this activity complies with the following rule requirements: SKIZ-PRZ-REQ1 – Building Footprint SKIZ-PRZ-REQ2 – Maximum Height SKIZ-PRZ-REQ3 – Maximum Number of Buildings</p>	<p>Activity status when compliance not achieved:</p> <p>7. When compliance with SKIZ-PRZ-R1.5.a is not achieved: Refer to SKIZ-PRZ-R1.1. and SKIZ-PRZ-R1.9.</p> <p>8. When compliance with rule requirements in not achieved: See SKIZ-PRZ-Rule Requirements.</p>

<p>SKIZ-PRZ-REQ4 – Staging SKIZ-PRZ-REQ6 – Setbacks SKIZ-PRZ-REQ7 – Roofing Materials SKIZ-PRZ-REQ8 – Location</p> <p>Matters of control: 6. The exercise of control in relation to SKIZ-PRZ-R1.5. is restricted to the following matters:</p> <ul style="list-style-type: none"> a. any relevant matters in SKIZ-PRZ-MAT1; b. the design and appearance of buildings <u>and structures</u>²⁵ is such that: <ul style="list-style-type: none"> i. it uses suitable exterior materials, especially when viewed in the absence of snow; c. ... 	
<p>Activity status: CON 9. All buildings and structures not listed below in SKIZ-PRZ-R2 to SKIZ-PRZ-R4.</p> <p>Where:</p> <ul style="list-style-type: none"> a. it is located within the Waste Water and Disposal Sub-Area, as shown on the outline development plan, in Schedule 1<u>PRZ-FIG1</u>. <p>And this activity complies with the following rule requirements: SKIZ-PRZ-REQ1 – Building Footprint SKIZ-PRZ-REQ2 – Maximum Height SKIZ-PRZ-REQ3 – Maximum Number of Buildings SKIZ-PRZ-REQ4 – Staging SKIZ-PRZ-REQ6 – Setbacks SKIZ-PRZ-REQ7 – Roofing Materials SKIZ-PRZ-REQ8 – Location</p> <p>Matters of control: 10. The exercise of control in relation to SKIZ-PRZ-R1.9. is restricted to the following matters:</p> <ul style="list-style-type: none"> a. any relevant matters in SKIZ-PRZ-MAT1; b. ... 	<p>Activity status when compliance not achieved: 11. When compliance with SKIZ-PRZ-R1.9.a is not achieved: Refer to SKIZ-PRZ-R1.1. or SKIZ-PRZ-R1.5. 12. When compliance with rule requirements is not achieved: See SKIZ-PRZ-Rule Requirements.</p>

²⁵ Consequential amendment for consistency with balance of SKIZ-R1.

SKIZ-PRZ-R2	Residential Unit	
	<p>Activity status: CON</p> <p>1. Residential Unit.</p> <p>Where:</p> <ul style="list-style-type: none"> a. it is located within the Village Base Sub-Area, as shown on the outline development plan, in Schedule 1PRZ-FIG1. b. ... <p>And this activity complies with the following rule requirements:</p> <p>SKIZ-PRZ-REQ1 – Building Footprint SKIZ-PRZ-REQ2 – Maximum Height SKIZ-PRZ-REQ3 – Maximum Number of Buildings SKIZ-PRZ-REQ4 – Staging SKIZ-PRZ-REQ5 – Fences SKIZ-PRZ-REQ6 – Setbacks SKIZ-PRZ-REQ7 – Roofing Materials SKIZ-PRZ-REQ8 – Location</p> <p>Matters of control:</p> <p>2. The exercise of control in relation to SKIZ-PRZ-R2.1. is restricted to the following matters:</p> <ul style="list-style-type: none"> a. any relevant matters in SKIZ-PRZ-MAT1; b. ... c. if the building is located within the Slopeside Visitor Accommodation, Village Centre, and Hotel and Visitor Accommodation areas shown on the Village Sub-Area Plan in Schedule 1PRZ-FIG2; then: <ul style="list-style-type: none"> i. ... 	<p>Activity status when compliance not achieved:</p> <p>3. When compliance with SKIZ-PRZ-R2.1.a., SKIZ-PRZ-R2.1.b. and SKIZ-PRZ-R2.1.c. is not achieved: NC</p> <p>4. When compliance with rule requirements is not achieved: See SKIZ-PRZ-Rule Requirements.</p>
SKIZ-PRZ-R3	Minor Residential Units	

SKIZ-PRZ-R4	Gondolas or Chairlifts ²⁶	
	Activity status: RDIS	Activity status when compliance not achieved:

²⁶ DPR-0345.006 PAR

	<p>1. Gondola or Chairlift</p> <p>Where:</p> <p>a. it is located within the Crystal Stream Sub-Area, the Crystal Basin Sub-Area, the Porters Lower Slope, or the Porters Basin Ski Area, as shown on the Outline Development Plan, in Schedule 1<u>PRZ-FIG1</u>.</p> <p>Matters for discretion:</p> <p>2. The exercise of discretion in relation to SKIZ-PRZ-R4.1 is restricted to the following matters:</p> <p>a. ...</p>	<p>3. When compliance with SKIZ-PRZ-R4.1.a is not achieved: NC</p>
SKIZ-PRZ-R5	Parking Areas	
	<p>Activity status: CON</p> <p>1. All parking areas, including hardstand areas</p> <p>And this activity complies with the following rule requirements: SKIZ-PRZ-REQ78²⁷ – Location</p> <p>Matters of control:</p> <p>2. The exercise of control in relation to SKIZ-PRZ-R5.1 is restricted to the following matters:</p> <p>a. any relevant matters in SKIZ-PRZ-MAT1; and</p> <p>b. the design of the parking areas are such that:</p> <p>i. It is in accordance with the outline development plan, shown in Schedule 1<u>PRZ-SCHED1</u>;</p> <p>ii. ...</p>	<p>Activity status when compliance not achieved:</p> <p>3. When compliance with rule requirements is not achieved: See SKIZ-PRZ-Rule Requirements.</p>
SKIZ-PRZ-R6	Ski Management and Operations	

SKIZ-PRZ-R7	Community Facility	
	...	<p>Activity status when compliance not achieved:</p> <p>2. When compliance with SKIZ-PRZ-R7.1.a is not achieved: NC</p>

²⁷ Cl.16(2) amendment to include correct reference

SKIZ-PRZ-R8	Conference Facility	

SKIZ-PRZ-R9	Commercial Activity	
	Activity status: PER 1. Commercial activity Where: <ol style="list-style-type: none"> it is located within the Village Base Sub-Area, as shown on the outline development plan, in <u>Schedule 1-PRZ-FIG2</u>; and The total floor area within the sub-areas identified in <u>Schedule 1-PRZ-FIG2</u> shall be according to <u>Table 1-PRZ-TABLE1</u>²⁸. 	Activity status when compliance not achieved: 2. When compliance with <u>SKIZ-PRZ-R9.1.a.</u> or <u>SKIZ-PRZ-R9.1.b.</u> is not achieved: NC
	SKIZ-PRZ-TABLE1 - Commercial Activity Maximum Floor Area ('subject to cl16(2) amendment') ...	
SKIZ-PRZ-R10	Visitor Accommodation	
	Activity status: PER 1. Visitor Accommodation Where: <ol style="list-style-type: none"> it is located within the Village Base Sub-Area, as shown on the outline development plan, in <u>Schedule 1-PRZ-FIG2</u>; and The total number of guests for visitor accommodation for sub-areas identified in <u>Schedule 1-PRZ-FIG2</u> shall be according to <u>Table 2-PRZ-TABLE2</u>²⁹. 	Activity status when compliance not achieved: 2. When compliance with <u>SKIZ-PRZ-R10.1.a</u> or <u>SKIZ-PRZ-R10.1.b.</u> is not achieved: NC
	SKIZ-PRZ-TABLE2 - Maximum Number of Guests ('subject to cl16(2) amendment') ...	
SKIZ-PRZ-R11	Residential Activity	
	Activity status: PER 1. Residential Activity Where: <ol style="list-style-type: none"> it is located within the Village Base Sub-Area, as shown on the outline development plan, in <u>Schedule 1-PRZ-FIG2</u>. 	Activity status when compliance not achieved: 2. When compliance with <u>SKIZ-PRZ-R11.1.a.</u> is not achieved: NC

²⁸ Cl.16(2) amendment to include correct reference

²⁹ Cl.16(2) amendment to include correct reference

SKIZ PRZ-R12	Educational Facility	

SKIZ-PRZ-R13	Landscaping and Tree Planting	
	<p>Activity status: CON</p> <p>1. Any Landscaping and Tree Planting</p> <p>Where:</p> <ul style="list-style-type: none"> a. The trees species are listed in Schedule 1, Figure 4 PRZ-TABLE8 in PRZ-SCHED1³⁰ b. The planting complies with the concept and plant mix in the landscaping plan in Schedule 1PRZ-TABLE7 in PRZ-SCHED1³¹. <p>Matters of control:</p> <p>2. The exercise of control in relation to SKIZ-PRZ-R13.1. is restricted to the following matters:</p> <ul style="list-style-type: none"> a. ... b. the planting patterns of shrubs, tussocks, and trees <u>in areas outside the Village Centre</u>³² has a natural appearance and arrangement, which reflects and harmonises with the landform; and c. ... 	<p>Activity status when compliance not achieved:</p> <p>3. When compliance with SKIZ-PRZ-R13.1.a. is not achieved: RDIS</p> <p>4. When compliance with SKIZ-PRZ-R13.1.b. is not achieved: NC</p> <p>Matters for discretion:</p> <p>5. The exercise of discretion in relation to SKIZ-PRZ-R13.23³³ is restricted to the following matters:</p> <ul style="list-style-type: none"> a. ...
SKIZ-PRZ-R14	Helicopter Movements	
	<p>Activity status: PER</p> <p>1. Helicopter movements, for the following activities:</p> <ul style="list-style-type: none"> a. Ski management and operations; or b. Avalanche management and control³⁴; c. Construction; d. Pest control. 	<p>Activity Status when compliance not achieved:</p> <p>3. When compliance with SKIZ-PRZ-R14.1. is not achieved: RDIS</p> <p>Matters for discretion:</p> <p>4. The exercise of discretion in relation to SKIZ-PRZ-R14.23³⁶ is restricted to the following matters:</p> <ul style="list-style-type: none"> a. ...

³⁰ Cl.16(2) amendment to include correct reference

³¹ Cl.16(2) amendment to include correct reference

³² DPR-0345.011 PAR

³³ Cl.16(2) amendment to correct reference

³⁴ Cl.16(2) amendment to remove this as it is captured by the definition of ski management and operations.

³⁶ Cl.16(2) amendment to correct reference

	<p>Note: Helicopter movements for emergency purposes are provided for through TEMP-R7.</p> <p>2. Helicopter movements not provided for above or through TEMP-R7, shall be in accordance with Table 3PRZ-TABLE3³⁵.</p>	
	<p>SKIZ PRZ-TABLE3 - Helicopter Movements ('subject to cl16(2) amendment')</p> <p>...</p>	
SKIZ PRZ-R15	Helicopter Landing Areas	
	<p>Activity status: PER</p> <p>1. The establishment of a new, or expansion of an existing helicopter landing area</p> <p>Where:</p> <p>a. the helicopter landing area is 500m from any notional boundary of any sensitive activity;³⁷</p> <p>And this activity complies with the following rule requirements:</p> <p>SKIZ PRZ-REQ56³⁸ – Setbacks</p> <p>SKIZ PRZ-REQ78³⁹ – Location</p>	<p>Activity status when compliance not achieved:</p> <p>2. When compliance with SKIZ PRZ-R15.1.a. is not achieved: DIS</p> <p>3. When compliance with rule requirements is not achieved: See SKIZ PRZ-Rule Requirements.</p>
SKIZ PRZ-R16	Keeping of Animals	

SKIZ PRZ-R17	Public Amenity	

SKIZ PRZ-R18	All Other Activities-Any activity not otherwise listed in PRZ-Rule List⁴⁰	
	<p>Activity status: DIS</p> <p>1. All Other Activities-Any activity not otherwise listed in PRZ-Rule List⁴¹</p>	Activity status when compliance not achieved: N/A

³⁵ Cl.16(2) amendment to include correct reference

³⁷ DPR-0345.012 PAR

³⁸ Cl.16(2) amendment to include correct reference

³⁹ Cl.16(2) amendment to include correct reference

⁴⁰ Cl.16(2) to align with drafting protocol

⁴¹ Cl.16(2) to align with drafting protocol

SKIZ PRZ-Rule Requirements

SKIZ-PRZ-REQ1 Building Footprint		
	1. The maximum building footprint shall not exceed Table 4 PRZ-TABLE4 ⁴² .	Activity status when compliance not achieved: 2. When compliance with SKIZ-PRZ-REQ1.1 is not achieved: NC
SKIZ-PRZ-TABLE4 - Building Footprint ('subject to cl16(2) amendment')		
	Area, as shown in Schedule 1 PRZ-SCHED1 ...	Footprint
SKIZ-PRZ-REQ2 Maximum Height		
Village Base Sub Area	1. The maximum heights apply to areas identified on Schedule 1, Figure 2, in PRZ-FIG2 shall be in accordance with PRZ-TABLE5 ⁴³ Table 5.	Activity status when compliance not achieved: 2. When compliance with SKIZ-PRZ-REQ2.1. Village Base Sub Area Crystal Chalets is not achieved: RDIS up to 13m. 3. When compliance with SKIZ-PRZ-REQ2.1. any other area, and SKIZ-PRZ-REQ2.2. is not achieved: NC Matters for discretion: 4. The exercise of discretion in relation to SKIZ-PRZ-REQ2.2. is restricted to the following matters: a. the effect of additional building height on the views from the Village Base Sub Area towards Castle Hill and to the Crystal Valley; and b. the extent to which the design, profile, materials, and colour of the building minimises the visual effect.
SKIZ-PRZ-TABLE5: Maximum Heights ('subject to cl16(2) amendment')		
	Village Base Area, shown in Schedule 1 PRZ-FIG2 ... Village Centre ...	Height shall not exceed 6 buildings <u>buildings</u> ⁴⁴ shall not exceed 24m
All other Areas	...	Activity status when compliance not achieved: 6. When compliance with SKIZ-PRZ-REQ2.5. is not achieved: NC

⁴² Cl.16(2) amendment to include correct reference⁴³ Cl.16(2) amendment to include correct reference⁴⁴ Cl.16(2) amendment to correct spelling

SKIZ-PRZ-REQ3		
Maximum Number of Buildings		
Village Base Sub Area	1. The maximum number of buildings apply to areas identified on Schedule 1, Figure 2, in PRZ-FIG2 shall be in accordance with PRZ-TABLE6 Table 6.	Activity status when compliance not achieved: 2. When compliance with any of SKIZ-PRZ-REQ3.1. is not achieved: NC
SKIZ-PRZ-TABLE6 - Maximum Building Number ('subject to cl16(2) amendment')		
	Village Base Area, shown in Schedule 1 PRZ-FIG2	The maximum number of buildings
...		
SKIZ-PRZ-REQ4		
Staging		
	<p>1. Construction or Earthwork activities in the Crystal Basin or Village Base Sub-Areas shall only commence on:</p> <p>a. ...</p> <p>2. No erection of buildings or structures (including lifts and tows) or commencement of ski operations within the Crystal Basin Sub Area until:</p> <p>a. A restrictive covenant is registered against the land comprising the Crystal Basin Ski Area that protects, in perpetuity, the area of land identified for protection on the outline development plan₂ shown in (Schedule 1 PRZ-SCHED1).</p> <p>b. A health and safety plan, including an emergency management plan, prepared in accordance with best practice by a competent person, shall be provided to Council. Where a health and safety plan has already been provided to Council, updated plans incorporating any new risks or hazards from the new building, or structure, or the area of activity within Crystal Basin, shall be provided. An Emergency Management and Response Plan for the Ski and Recreation Area has been prepared.</p> <p>c. A Hazard Risk Assessment is completed and provided to Council for certification. This shall include an avalanche control programme and proposed measures to reduce the risk of rock fall.⁴⁵</p> <p>3. Only half the buildings may be constructed and occupied in the following areas identified in Schedule 1 PRZ-FIG2 – Porters Chalets, Slopeside Visitors Accommodation, Village Centre, and Hotel and Visitors Accommodation until the following infrastructure is established within the Crystal Basin Sub Area:</p>	Activity status when compliance not achieved: 5. When compliance with SKIZ-PRZ-REQ4.1. to SKIZ-PRZ-REQ4.4. is not achieved: NC

⁴⁵ DPR-0345.014 PAR

	...	
	4. The Crystal Chalet Area shown on the Village Base Sub-Area in Schedule 1PRZ-FIG2 , may only be constructed once the ski access road between the village and the ski area is decommissioned for private vehicle use and there is a minimum of four buildings in the Village Centre Area.	
SKIZ-PRZ-REQ5	Fences	
Village Base Sub Area	...	Activity status when compliance not achieved: 2. When compliance with SKIZ-PRZ-REQ5.1 . is not achieved: NC
SKIZ-PRZ-REQ6	Setbacks	
Porters Lower Slopes Sub Area	1. All buildings and activities shall be setback a minimum of 15m from the edge of the bed of Porter Stream identified in Schedule 1PRZ-SCHED1 .	Activity status when compliance not achieved: 2. When compliance with SKIZ-PRZ-REQ6.1 . is not achieved: NC
Village Base Sub Area	3. All buildings shall be setback a minimum of 5m from the edge of the bed of Porter Stream identified in Schedule 1PRZ-SCHED1 .	Activity status when compliance not achieved: 4. When compliance with SKIZ-PRZ-REQ6.3 . is not achieved: NC
SKIZ-PRZ-REQ7	Roofing Materials	
All Areas	1. All roofing materials and fixtures shall exclude copper, zinc, zincalume, lead, and clay tiles.	Activity status when compliance not achieved: 2. When compliance with SKIZ-PRZ-REQ7.1 . is not achieved: NC
SKIZ-PRZ-REQ8	Location	
All Areas	1. The activity or building is not located within Red Tussock Gully as shown on Schedule 1PRZ-SCHED1 ; or 2. The activity or building is not located on a ridge or break the ridgeline when viewed from State Highway 73. ⁴⁶	Activity status when compliance not achieved: 3. When compliance with SKIZ-PRZ-REQ8.1 . is not achieved: NC

~~SKIZ-PRZ~~-Matters for Control or Discretion

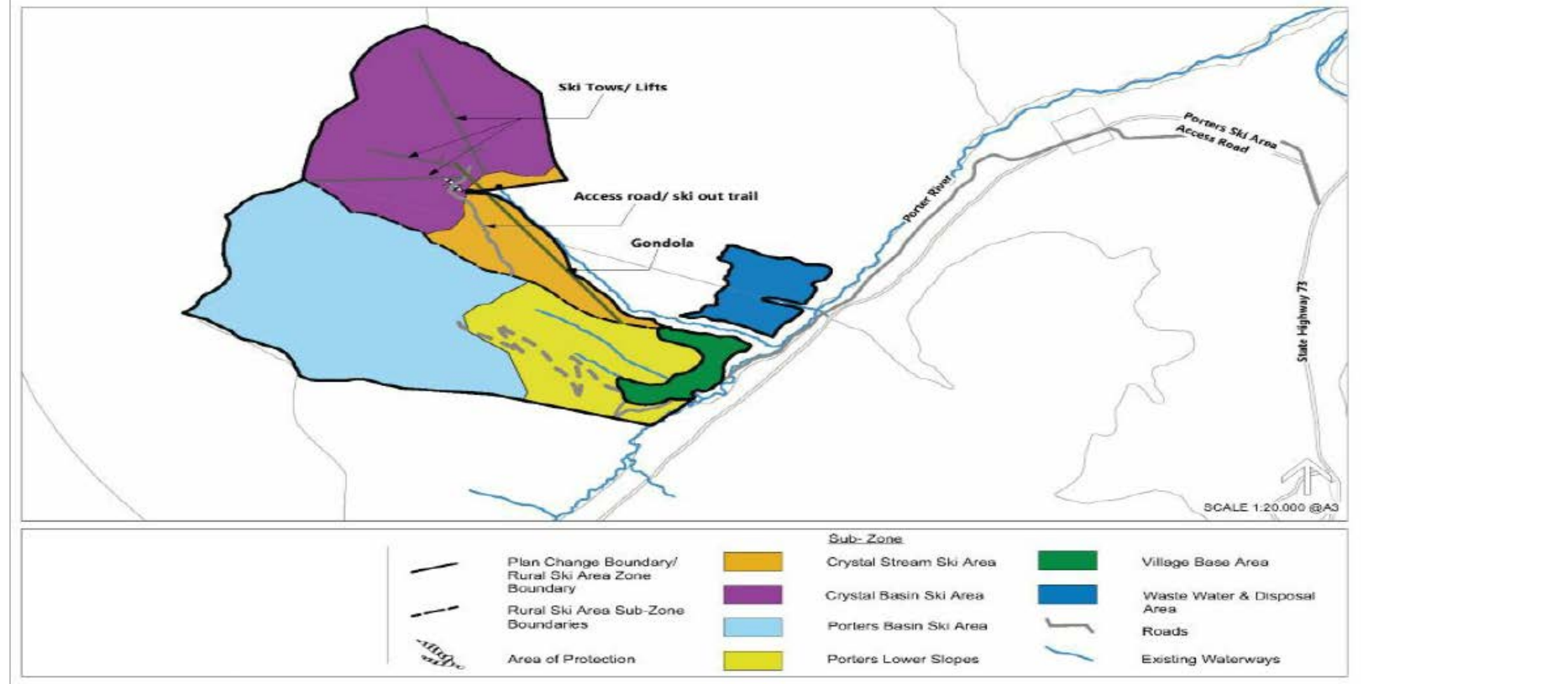
SKIZ-PRZ-MAT1	Village Sub-Area Development
Village Base Sub Area	...

⁴⁶ DPR-0345.015 PAR

SKIZ PRZ-Schedules

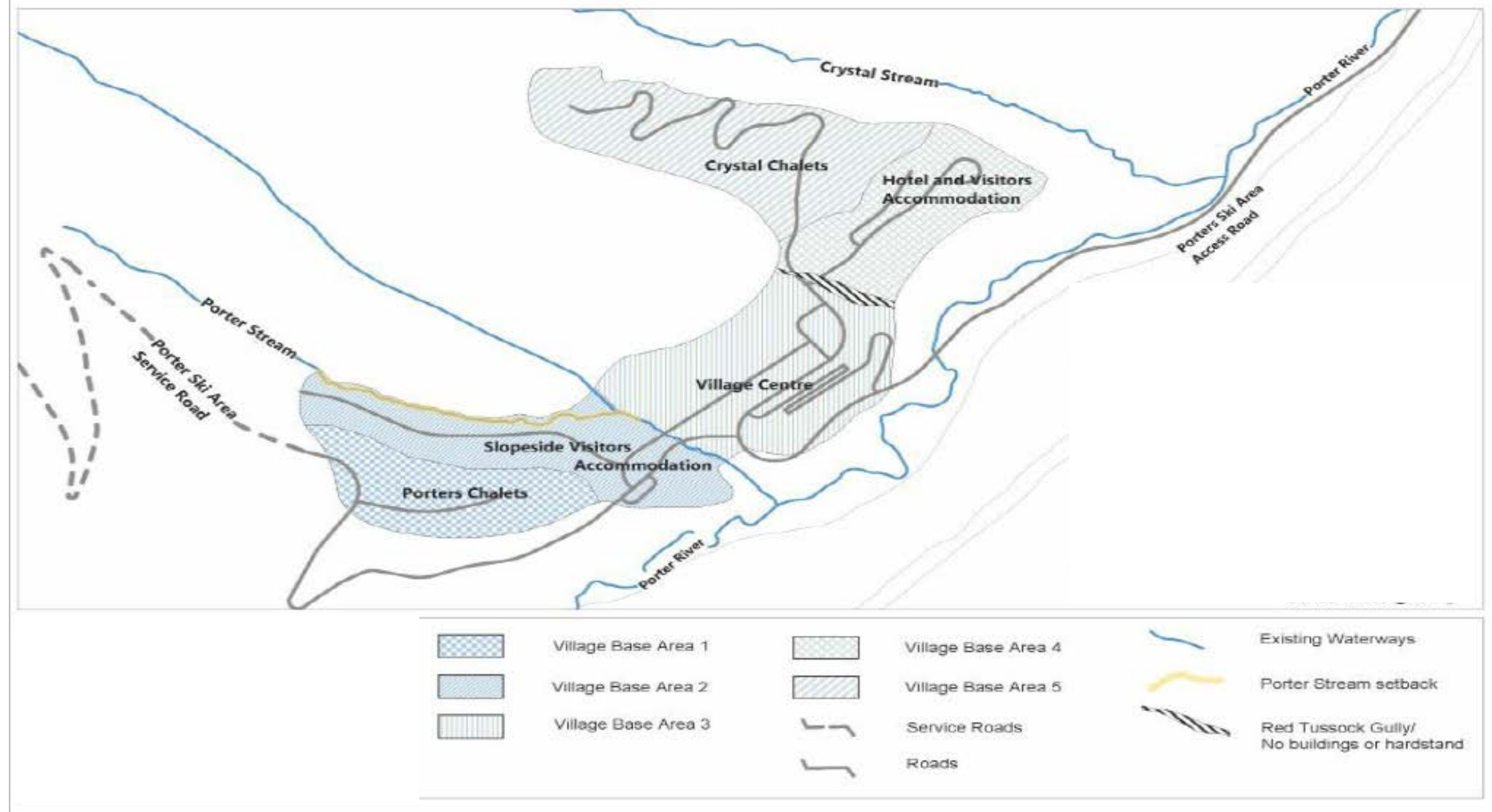
SKIZPRZ-SCHED1 – Figures Outline Development and Planting Concept Plans⁴⁷

SKIZ-FIG1 PRZ-FIG1 Sub-Areas

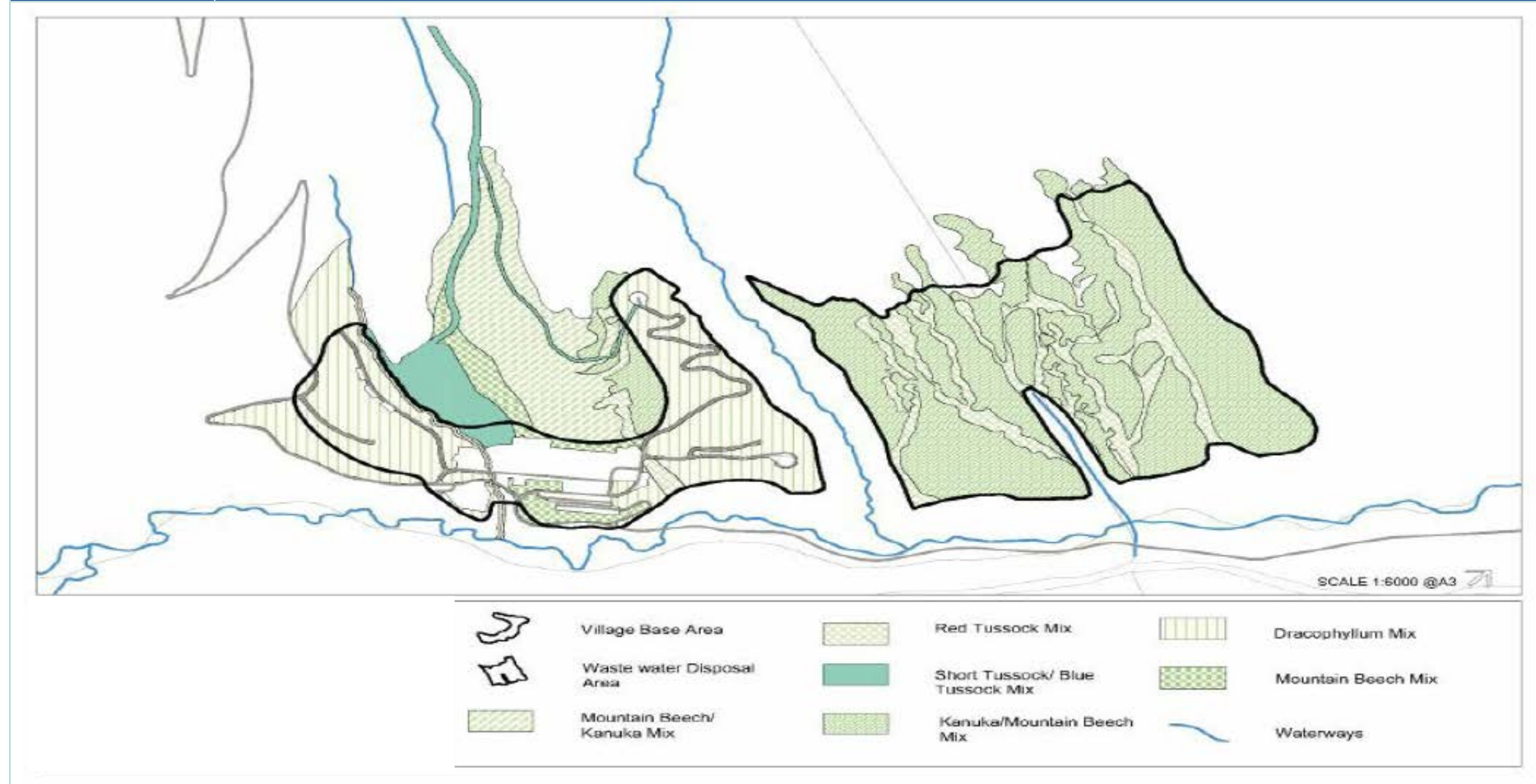


⁴⁷ Cl.16(2) amendment to amend title

SKIZ—FIG2 PRZ-FIG2 Village Sub-Area Plan



SKIZ—FIG3 PRZ-FIG3 Landscaping Plan and Mix



PRZ-TABLE7 ⁴⁸	Plant Mix
This provides for six plant mixes and the relative proportions of the dominant species in each planting mix.	

SKIZ—FIG4PRZ-TABLE8 ⁴⁹	Plant List
Botanical Name	Common Name

TEZ – Terrace Downs Zone

TEZ Policies

TEZ-Policies	
TEZ-P1	Avoid use and development where it does not comply with the outline development plan, shown in <u>Schedule 1 TEZ-FIG1</u> ⁵⁰ or the anticipated development within the Sub-Areas.
TEZ-P2	Enable the development of tourism, hospitality, and accommodation activities within the <u>Tourist Accommodation Hotel, Hunting Lodge, Golf Course, Outdoor Recreation, Faming Activity and Staff Accommodation, Conference, Residential and Terrace Sub-Areas</u> ⁵¹ shown on the outline development plan in <u>Schedule 1 TEZ-FIG1</u> .
TEZ-P3	Enable the development of residential units in a way that complements the character of the surrounding environment, through materials used and building position, within the <u>Residential, and Terraces and Staff Accommodation</u> ⁵² Sub-Areas shown on the outline development plan in <u>Schedule 1 TEZ-FIG1</u> .
TEZ-P5	Enable a golf course and associated clubrooms within the Golf Course Sub-Area shown on the outline development plan, in <u>Schedule 1 TEZ-FIG1</u> .
TEZ-P6	Enable the establishment of one lodge within the Hunting Lodge Sub-Area shown on the outline development plan, in <u>Schedule 1 TEZ-FIG1</u> .
TEZ-P7	Avoid development in the <u>Crown Reserve Sub-Area and Covenant Sub-Area</u> shown on the outline development plan; in <u>Schedule 1 TEZ-FIG1 that is not for the purpose of amenity services or rural tourism</u> . ⁵³
TEZ-P8 ⁵⁴	Enable sport, recreation and helicopter movements within the Outdoor Recreation Sub-Area shown on <u>TEZ-FIG1</u> .
TEZ-P9 ⁵⁵	Enable helicopter movements associated with tourism and recreational activities and fire fighting emergency services

⁴⁸ Cl.16(2) amendment to include title to table.

⁴⁹ Cl.16(2) amendment to include correct reference

⁵⁰ Cl.16(s) to correct reference – here and elsewhere as identified within this appendix

⁵¹ DPR-0423.002 PHC

⁵² DPR-0423.003 PHC

⁵³ DPR-0423.004 PHC

⁵⁴ DPR-0423.005 PHC

⁵⁵ DPR-0423.006 PHC

TEZ-Rules

TEZ-Rule List	
TEZ-R1	Hotel and Conference Facilities
TEZ-R2	Hunting and Fishing Lodges
TEZ-R3	Golf Clubhouse
TEZ-R4	Residential Units
TEZ-R5	Terraced Housing
TEZ-R5A	Buildings and Structures in Outdoor Recreation and Farming Activity and Staff Accommodation Sub-Areas ⁵⁶
TEZ-R5B	Maintenance and Utility Buildings and Structures ⁵⁷
TEZ-R7	Retail Activity
TEZ-R12	Rural Tourism Activity
TEZ-13A	Maintenance Activities ⁵⁸
TEZ-R15	Public Amenity
TEZ-R17	Helicopter Landing Area

TEZ-R1	
Hotel and Conference Facilities	
<p>Activity status: CON</p> <p>1. Hotel and conference facilities and any ancillary buildings.</p> <p>Where:</p> <p>a. it is located within the Tourist Accommodation <u>Hotel and Conference</u>⁵⁹ sub-area, shown on the outline development plan, in Schedule 1 <u>TEZ-FIG1</u>.</p> <p>Where this activity complies with the following rule requirements:</p> <p>...</p> <p>Matters of control:</p>	<p>Activity status when compliance not achieved:</p> <p>3. When compliance <u>with</u>⁶⁰ TEZ-R1.1.a. is not achieved: NC</p> <p>...</p>

⁵⁶ DPR-0423.008 PHC⁵⁷ DPR-0423.021 PHC⁵⁸ DPR-0423.021 PHC⁵⁹ DPR-0423.001 PHC⁶⁰ Cl.16(2) amendment to correct grammar

	<p>2. The exercise of control in relation to TEZ-R1.1. is reserved to the following matters:</p> <ul style="list-style-type: none"> a. The design and appearance of buildings is such that the extent to which: <ul style="list-style-type: none"> i. ... ii. it enhances those parts of the natural landscape and vegetation identified on the outline development plan <u>in TEZ-FIG1</u>; iii. 	
TEZ-R2	Hunting and Fishing Lodge	
	<p>Activity status: CON</p> <p>1. A hunting and fishing lodge and ancillary building.</p> <p>Where:</p> <ul style="list-style-type: none"> a. it is located within the Hunting Lodge Sub-Area, shown on the outline development plan, in Schedule 4 <u>TEZ-FIG1</u> ; and b. there shall be a maximum of one lodge and one accessory building. <p>Where this activity complies with the following rule requirements:</p> <p>...</p> <p>Matters of control:</p> <p>2. The exercise of control in relation to TEZ-R2.1. is reserved to the following matters:</p> <ul style="list-style-type: none"> a. The design and appearance of buildings is such that the extent to which: <ul style="list-style-type: none"> i. ... ii. it enhances those parts of the natural landscape and vegetation identified on the outline development plan <u>in TEZ-FIG1</u>; and iii. ... 	<p>Activity status when compliance not achieved:</p> <p>...</p>

TEZ-R3	Golf Clubhouse
	<p>Activity status: CON</p> <p>1. Golf clubhouse and any ancillary buildings.</p> <p>Where:</p> <p>a. it is located within the Tourist Accommodation <u>Golf Course</u>⁶¹ Sub-Area, shown on the outline development plan, in Schedule 1 <u>TEZ-FIG1</u>.</p> <p>Where this activity complies with the following rule requirements:</p> <p>...</p> <p>Matters of control:</p> <p>2. The exercise of control in relation to TEZ-R3.1. is reserved to the following matters:</p> <p>a. The design and appearance of buildings is positioned such that the extent to which:</p> <p>i. ...</p> <p>ii. it protects and enhances those parts of the natural landscape and vegetation identified on the outline development plan <u>in TEZ-FIG1</u> having conservation significance;</p> <p>iii.</p>
TEZ-R4	Residential Units
	<p>Activity status: CON</p> <p>1. Residential unit and any ancillary structures, not including terraced housing.</p> <p>Where:</p> <p>a. it is located within the Residential Sub-Area, shown on the outline development plan, in Schedule 1 <u>TEZ-FIG1</u>;</p>

⁶¹ DPR-0423.001 PHC

⁶² Cl.16(2) amendment to correct grammar

⁶³ Cl.16(2) amendment to correct grammar

	<ul style="list-style-type: none"> b. there shall be a maximum of 68 residential units (not including the terraced housing); and c. there is only one unit per site <p>And this activity complies with the following rule requirements: ...</p> <p>Matters of control:</p> <p>2. The exercise of control in relation to TEZ-R4.1. is reserved to the following matters:</p> <ul style="list-style-type: none"> a. The design and appearance of buildings is positioned such that the extent to which: <ul style="list-style-type: none"> i. ... ii. it protects and enhances those parts of the natural landscape and vegetation identified on the outline development plan <u>in TEZ-FIG1</u> having conservation significance; iii. ... 	
TEZ-R5	Terraced Housing	
	<p>Activity status: CON</p> <p>1. Terraced housing and any ancillary buildings.</p> <p>Where:</p> <ul style="list-style-type: none"> a. it is located in the Terraces Sub-Area shown in the outline development plan, in Schedule 1 <u>TEZ-FIG1</u>; and b. ... <p>And this activity complies with the following rule requirements:</p> <p>...</p> <p>Matters of control:</p> <p>2. The exercise of control in relation to TEZ-R5.1. is reserved to the following matters:</p>	<p>Activity status when compliance not achieved:</p> <p>3. When compliance <u>with</u>⁶⁴TEZ-R5.1.a., or TEZ-R5.1.b. is not achieved: NC</p> <p>...</p>

⁶⁴ Cl.16(2) amendment to correct grammar

	<p>a. The design and appearance of buildings is positioned such that the extent to which:</p> <ul style="list-style-type: none"> i. ... ii. it protects and enhances those parts of the natural landscape and vegetation identified on the outline development plan <u>in TEZ-FIG1</u> having conservation significance; iii. ... 	
TEZ-R5A⁶⁵	<u>Buildings and Structures in Outdoor Recreation and Farming Activity and Staff Accommodation Sub-Areas</u>	
	<p><u>Activity status: CON</u></p> <p>1. Any buildings or structure <u>located within the Outdoor Recreation or Farming Activity and Staff Accommodation Sub-Areas, shown on TEZ-FIG1 .</u></p> <p><u>Where:</u></p> <p><u>a. it is located within the Outdoor Recreation or Farming Activity and Staff Accommodation Sub Areas, shown on TEZ-FIG1.</u></p> <p><u>Where this activity complies with the following rule requirements:</u></p> <p><u>TEZ-REQ1 – Sewage treatment and disposal</u></p> <p><u>TEZ-REQ2 – Setbacks</u></p> <p><u>TEZ-REQ3 – Height</u></p> <p><u>TEZ-REQ4 – Design and Appearance</u></p> <p><u>TEZ-REQ5 – Landscaping</u></p> <p><u>Matters of control:</u></p> <p>2. <u>The exercise of control in relation to TEZ-R5A.1. is reserved to the following matters:</u></p> <ul style="list-style-type: none"> a. <u>The design and appearance of buildings is such that the extent to which:</u> <ul style="list-style-type: none"> i. <u>it is compatible with a historic country theme and reflects the natural, rural, and high country character of the site and locality;</u> 	<p><u>Activity status when compliance not achieved:</u></p> <p><u>3. When compliance with any of TEZ-R5A is not achieved: NC</u></p> <p>4. <u>When compliance with any rule requirement is not achieved: Refer to TEZ-Rule Requirements</u></p>

⁶⁵ DPR-0423.008

	<ul style="list-style-type: none"> ii. <u>it enhances those parts of the natural landscape and vegetation identified on TEZ-FIG1;</u> iii. <u>it does not adversely impact on neighbouring property's privacy;</u> iv. <u>it provides sufficient open space between the groups of buildings; and</u> v. <u>it minimises any visual effects.</u> <p><u>Notification:</u> <u>2A. Any application arising from TEZ-R5A shall not be subject to public notification. Notice shall not be served on any person.</u></p>	
TEZ-R5B	Maintenance and Utility Buildings and Structures	
	<p><u>Activity status: PER</u> <u>1. Any maintenance and utility building or structure</u></p> <p><u>Where:</u> a. <u>it is located within the Maintenance Sub-Area, shown on TEZ-FIG1.</u></p> <p><u>Where this activity complies with the following rule requirements:</u> <u>TEZ-REQ1 – Sewage treatment and disposal</u> <u>TEZ-REQ2 – Setbacks</u> <u>TEZ-REQ3 – Height</u> <u>TEZ-REQ6 – Maintenance and Utility Buildings and Structures</u></p>	<p><u>Activity status when compliance not achieved:</u> <u>2. When compliance with TEZ-R5B.1.a is not achieved: RDIS</u> <u>3. When compliance with any rule requirement is not achieved: Refer to TEZ-Rule Requirements</u></p> <p><u>Matters of discretion:</u> <u>4. The exercise of discretion in relation to TEZ-R5B.2 is restricted to the following matters:</u> <u>a. The extent to which the visual effect of buildings or structures is minimised by:</u> <u>i. their design and appearance; or</u> <u>ii. landscaping or bunding</u></p> <p><u>Notification:</u> <u>5. Any application arising from TEZ-R5B.2 shall not be subject to public notification. Notice shall not be served on any person.</u></p>
TEZ-R7	Retail Activity	
	<p><u>Activity status: PER</u> 1. Retail activity.</p> <p><u>Where:</u></p>	<p><u>Activity status when compliance not achieved:</u> 2. When compliance with TEZ-R7.1.a. is not achieved: NC</p>

	a. it is located within a building in the Tourist Accommodation <u>Golfcourse, Conference, Hotel or Hunting Lodge Sub-Areas⁶⁶</u> , shown on the outline development plan, in Schedule 1 <u>TEZ-FIG1</u> .	
TEZ-R12	Rural Tourism	
	Activity status: PER 1. Rural tourism Where: a. the total area of land or ⁶⁷ buildings associated with the activity, is less than 100m ² .	Activity status when compliance not achieved: 2. When compliance with TEZ-R12.1.a. is not achieved: DIS
TEZ-13A	Maintenance Activities	
	Activity status: PER 1. <u>Maintenance Activity located within the Maintenance Sub-Area, shown on TEZ-FIG1.</u> Where: a. <u>it is located within the Maintenance Sub-Area, shown on TEZ-FIG1.</u>	Activity status when compliance not achieved: 2. When compliance with TEZ-R13A.1.a. is not achieved: DIS
TEZ-R15	Public Amenity Services	
	Activity Status: PER 1. Public Amenity	Activity status when compliance not achieved: N/A
	Activity Status: <u>PER</u> 2. <u>The establishment of the following amenity services provided by a private entity:</u> a. <u>public toilets;</u> b. <u>visitor information kiosks;</u> c. <u>erection of information and directional signs (excluding billboards);</u> d. <u>shelters and shade structures;</u> e. <u>outdoor furniture and structures, such as seats, picnic or barbeque area equipment, rubbish bins, pergolas, fences (including predator and animal enclosure fences), steps, retaining walls, viewing platforms and boardwalks;</u> f. <u>walking, cycling and maintenance tracks, including cycle ways;</u>	Activity status when compliance not achieved: 3. <u>When compliance with TEZ-R15.2 is not achieved: NC</u>

⁶⁶ DPR-0423.009 PHC

⁶⁷ DPR-0423.011 PHC

	g. <u>bridges; and</u> h. <u>landscaping.</u>	
TEZ-R17	Helicopter Landing Area	
	Activity Status: PER 1. Helicopter landing area. Where: a. it is located within the Golf Course <u>Outdoor Recreation</u> ⁶⁸ Sub-Area; b. ... Note: Helicopter movements for emergency purposes are provided for through TEMP-R7. ⁶⁹	Activity status when compliance not achieved: 2. When compliance with TEZ-R17.1. is not achieved: DIS

TEZ-Rule Requirements

TEZ-REQ1	Sewage Treatment and Disposal	
	1. All sewage treatment and disposal shall be reticulated and treated, ... then disposed to land in the area identified on the outline development plan in <u>TEZ-FIG1</u> . 2. ...	
TEZ-REQ3	Height	
	1. The maximum height shall be in accordance with <u>TEZ-TABLE1</u> Table \pm ⁷⁰ .	Activity status when compliance not achieved: 5. When compliance with TEZ-REQ3. is not achieved: DIS
	TEZ-TABLE1 - Height	
	Maximum Height	Shall not Exceed:
	Hotel and Conference Facilities	22m (including chimneys)
	Hunting and Fishing Lodges <u>and any building or structure used for maintenance or utility purposes</u> ⁷¹	8m
	Golf Clubhouse	17m (including chimneys)
	<u>Sports facility</u>	<u>17m</u>

⁶⁸ DPR-0423.014 PHC⁶⁹ DPR-0423.014 PHC⁷⁰ Cl.16(2) amendment to include correct reference⁷¹ DPR-0423.018 PHC

	Shops and offices	12m
	Towers for filming	25m
	Any building or structure in the Outdoor Recreation and Farming Activity and Staff Accommodation Sub-Areas ⁷²	9m
	Any other Building or Structure	12 17 ⁷³ m
TEZ-REQ4	Design and Appearance	
	<ol style="list-style-type: none"> 1. External cladding materials shall be timber, local stone, textured cement plaster, or a combination thereof. 2. External surfaces of any building shall not exceed a maximum reflectance value of 37%. 3. Roof pitch shall be greater than 30 degrees. 4. Each residential unit has a minimum site area of 400m².⁷⁴ 	<p>Activity status when compliance not achieved:</p> <p>54. When compliance with TEZ-REQ4. is not achieved: DIS-RDIS⁷⁵</p> <p>Matters for discretion:</p> <p>5. The exercise of control in relation to TEZ-REQ4.4 is restricted to the following matters:</p> <p>a. <u>The extent to which the design and appearance of buildings:</u></p> <ol style="list-style-type: none"> i. <u>is compatible with a historic country theme and reflects the natural, rural, and high country character of the site and locality;</u> ii. <u>enhances those parts of the natural landscape and vegetation identified on TEZ-FIG1;</u> iii. <u>does not adversely impact on neighbouring property's privacy; and</u> iv. <u>minimises any visual effects.</u> ⁷⁶
TEZ-REQ5	Landscaping	
	<ol style="list-style-type: none"> 1. A landscaping plan is submitted with each building consent application that shows how it: <ol style="list-style-type: none"> a. is planted with predominantly natives, with no flowering annuals or bedding plants and uses native trees and shrubs listed in <u>TEZ-TABLE2 Schedule 1, Figure 2;</u> b. ... 	<p>Activity status when compliance not achieved:</p> <p>...</p>

⁷² DPR-0423.008 PHC⁷³ DPR-0423.016 PHC⁷⁴ Cl.16(2) to remove unnecessary duplication as this matter is already addressed in SUB-REQ1.11.⁷⁵ DPR-0423.017 PHC⁷⁶ DPR-0423.017 PHC

	<p>2. For Hunting Lodges, the landscaping plan also shows:</p> <ul style="list-style-type: none"> a. ... b. the escarpment above the hunting lodge terrace planted with native plants listed in <u>TEZ-TABLE2Schedule 1, Figure 2.</u> <p>3. ...</p>	
TEZ-REQ6⁷⁷	Design and Appearance of Maintenance and Utility Buildings and Structures	
	<p><u>1. The external surfaces of any building or structure shall not exceed a maximum reflectance value of 37%.</u></p>	<p><u>Activity status when compliance not achieved:</u></p> <p><u>2. When compliance with any of TEZ-REQ7. is not achieved: RDIS</u></p> <p><u>Matters for discretion:</u></p> <p><u>3. The exercise of control in relation to TEZ-REQ7.2 is restricted to the following matters:</u></p> <p><u>a. The extent to which the visual effect of buildings or structures minimised by:</u></p> <ul style="list-style-type: none"> i. <u>Their design and appearance; or</u> ii. <u>Landscaping or bunding</u>

⁷⁷ DPR-0423.018 PHC

TEZ-Schedules

TEZ-SCHED1 – Figures Outline Development Plan and Planting List ⁷⁸		
TEZ-FIG1 <u>TEZ-FIG1</u>	Sub-Areas	
TEZ-FIG2 <u>TEZ TABLE2</u> ⁷⁹	Plant List	

⁷⁸ Cl.16(2) amendment to amend title

⁷⁹ Cl.16(2) amendment to correct reference

Appendix 2: List of Appearances and Tabled Evidence

Hearing Appearances

Sub #	Submitter	Author	Role
DPR-0423	PHC Terrace Downs Resort Limited	Brett Taylor Claire McKeever	Representative Planning

Tabled Evidence

Sub #	Submitter	Author	Role
DPR 0446	Transpower NZ Limited	Rebecca Eng	Representative