

OFFICER'S RESPONSE TO QUESTIONS FROM THE HEARINGS PANEL

DATE: 22 March 2022

HEARING: Grasmere, Porters Ski, and Terrace Downs Special Purpose Zones

HEARING DATE: 7 April 2022

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Introduction

The purpose of this report is to provide a written response to the questions posed by the Hearings Panel on the s42A report for Grasmere, Porters Ski, and Terrace Downs Special Purpose Zones.

Questions and Answers

Paragraph or Plan reference	Question from the Hearings Panel
8.4	Do the officers (or SDC counsel) consider there is scope to amend GRAZ-R6 as a consequential amendment if TEZ-R12 is amended?
Officer response:	<i>Referring to the Tourism, Porters, EDA Preferred Options Report it is clear that the intent was that a consistent approach was taken to tourism direction within the PDP. However, having regard to the submissions received, I do not consider that there is scope for the Panel to align GRAZ-R6 with TEZ-R12 and that such alignment would need to be achieved through a subsequent plan change.</i>
9.12	<ul style="list-style-type: none"> ▪ The recommended definition has 'Ski Area' in capitals. Is that also to be a defined term as it is not currently? ▪ Do the words "including but not limited to" provide sufficient certainty for what will in effect be a statutory definition? Is that terminology used in any other definitions in the PDP?
Officer response:	<ul style="list-style-type: none"> ▪ <i>The capitalisation was proposed by the submitter, but the submitter did not propose a definition of this. I do not consider that it is necessary to define Ski Area and have removed the capitalisation of these words accordingly.</i> ▪ <i>The words "including but not limited to" are currently used within the operative SDP and I do not believe that has led to any uncertainty in the administration of the SDP. I consider it is appropriate to carry through these words into the PDP, noting that they identify both a number of specific facilities, building and activities appropriate to the management and operation of a ski area, but also allow for the consideration of other activities/buildings that would be considered to be similar in purpose and consistent with the intent of the definition.</i>

Paragraph or Plan reference	Question from the Hearings Panel
	<i>The words are also used within the following definitions within the PDP - alteration, development plan, hazardous substances, important infrastructure, natural hazard mitigation work, temporary activity, and waste and diverted materials facility, and within EI-R22 and EI-R34.</i>
9.23	<ul style="list-style-type: none"> Is the phrase “responds to those values” sufficiently clear and certain such that it will be consistently implemented by decision-makers? What is meant by the term “protected areas”?
Officer response:	<ul style="list-style-type: none"> <i>I consider that when reading SKIZ-P8 as a whole, in combination with the balance of the provisions within the zone, in particular SKIZ-P7 and the outline development plans (as proposed to be amended), it will be sufficiently clear and certain, and able to be implemented consistently by decision makers.</i> <i>The protected areas are identified on the outline development plans (as proposed to be amended), in particular SKIZ-FIG1 and SKIZ-FIG2. These are included in Appendix 2 to the s42A report.</i>
9.60	In light of your discussion in 9.59, would it be clearer and more certain if the rule referred explicitly to the notional boundary of “residential units or visitor accommodation”, both of which are defined terms?
Officer response:	<i>I consider that retaining ‘notional boundary’ is more appropriate, as it extends the reach of the provision to include (by virtue of the definition of <u>noise sensitive activity</u>) educational facilities and hospital or health care facilities, both of which are anticipated within the zone.</i>
9.67	<p>A “Health and Safety Plan” is not a defined term in the PDP.</p> <ul style="list-style-type: none"> Is it sufficiently clear and certain what such a Plan must contain? Will that Plan be subject to any form of SDC certification as to its adequacy?
Officer response:	<ul style="list-style-type: none"> <i>The intent of the amendment to SKIZ-REQ4.2.b, as proposed, amended wording was to recognise that Council itself neither has the authority to determine the content of such a plan or the expertise to audit any such plan. On reflection, I acknowledge that it should be clearer that a health and safety plan should be prepared in accordance with current best practice and by a competent person.</i> <i>Given the alpine nature of the environment, I have discussed the ‘certification’ of a health and safety plan with Council’s Civil Defence Manager, Mr Al Lawn. He has advised that, while he has significant experience with emergency management plans, he is not appropriately qualified to certify the content of a health and safety plan. However, he does consider it critical that an emergency management plan be prepared for the area and that Council holds any such plan such that this can be factored into any plans that Council may develop to respond to an emergency in this area.</i> <i>I have provided amended wording for SKIZ-REQ4.2.b for the Panel’s consideration.</i>
9.72	<p><i>“...Within these sub-areas I consider that there are likely to be some structures, such as chairlifts, that will be located on ridgelines. As such I consider that the siting of structures can be effectively managed as a controlled activity, and I recommend that this submission point be accepted.”</i></p> <ul style="list-style-type: none"> With the protection of views from the state highway in mind, what controls would be in place to prevent a chairlift structure being obtrusive?

Paragraph or Plan reference	Question from the Hearings Panel
	<ul style="list-style-type: none"> What are other structures, are likely to be sited on ridgelines apart from chairlifts?
Officer response:	<ul style="list-style-type: none"> <i>I consider that the matters of control in SKIZ-R1 related to the design and appearance of structures seek to control the visibility of structures. In particular the matters control both the materials used, including colours and reflectivity, so as to complement the landscape, especially when viewed in the absence of snow, and the location, such that unnecessary buildings and structures are avoided on ridges so as to reduce the visual impact on the skyline, and reduce visibility from the State Highway. However, I do note that the matters in SKIZ-R1.5 refer only to buildings, which may not appropriate capture a chairlift. As such, I now recommend that this matter (SKIZ-R1.6.b) be amended to ensure that it is applicable to structures as well.</i> <i>I imagine that there may be a range of other structures that might be likely to be sited on ridgelines apart from chairlifts, however as the rule captures all building and structures, the matters discussed above would ensure that the design, appearance and location of any such buildings or structures are controlled.</i>
10.17	What controls will be in place to limit the size and the amount of the small structures in the reserve sub-area or covenant sub-area (whichever name is chosen)?
Officer response:	<p><i>Within both the Crown Reserve Sub-Area and the Covenant Sub-Area (being two distinct sub-areas), structures associated with 'public amenity' activities are permitted, and any other building or structure is discretionary. The definition of public amenity limits who is able to undertake development in these areas to the Council, Canterbury Regional Council or the Department of Conservation. The definition also limits the nature of buildings and/or structures to such things as public toilets; visitor information kiosks; information and directional signs; shelters and shade structures; 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; playground and outdoor fitness equipment, for example. While there is no limit on the size and amount of structures within these sub-areas, I consider that the range of structures permitted, and the limit on who can erect such structures, being public entities, will, in itself, limit the size and amount of such structures.</i></p> <p><i>Where the ONL Overlay: Rakaia River extends over the sub-areas, NFL-R1.3 permits structures where these are an 'ancillary structure'. These are defined and included a limited range of specified structures. Again, I consider that this will limit the size and amount of any structures.</i></p>
10.29	<p>The S42A officer has not followed the accepted convention for provision numbering when adding or omitting provisions. The key requirement of that convention is to not alter the notified numbering as that can confuse participants. For example, inserting a new provision after TEZ-R5 would see the new provision labelled "TEZ-R5A" and all other numbering would remain as notified. If a provision is deleted then subsequent provision numbering is not altered.</p> <p>Can the author please adopt this approach in the Reply Report.</p>
Officer response:	<i>Noted. An amended set of recommendations for TEZ in its entirety is attached for ease of use.</i>

Paragraph or Plan reference	Question from the Hearings Panel
10.31	Can you please advise the source of the recommended two new rules?
Officer response:	<p><i>The source of the proposed recommendation in relation to the design and appearance of maintenance and utility buildings and structures stems from submission points DPR-0423.008, DPR-0423.020 and DPR-0423.021.</i></p> <p><i>At paragraph 16, dot point 2, and in paragraphs 55, 105, and 114 of the DPR-0423 PHC submission, the submitter requested that rules be included to allow for buildings and structures, including ancillary buildings, associated with the Outdoor Recreation, Farming Activity and Staff Accommodation and Maintenance sub-areas, consistent with other rules, rather than being captured by the catch-all nature of TEZ-R6. Having regard for how the PDP has been structured, I considered that it was appropriate to incorporate two separate rules into the PDP in response to this submission, as I have recommended that different rule requirements be applicable to the proposed rules.</i></p>
10.51	If the area is covenanted to protect native vegetation/biodiversity, what controls will be in place to maintain this protection from adverse effects of erecting structures?
Officer response:	<p><i>As the area is covenanted, I assume that the protection of native vegetation/biodiversity is covered by the content of the covenant, however I am not aware of the specifics of the covenant. Regardless, I have recommended that the relief requested by the submitter be rejected, and that the provision be retained as notified. As such, TEZ-R15 is only able to be employed by the public agencies of the Council, Canterbury Regional Council or the Department of Conservation in relation to the nature of those structures included in the definition of 'public amenity', as discussed in the response to 10.17 above. I am of the view that these agencies would take appropriate steps to ensure that any development that would fall within the ambit of 'public amenity' would protect the native vegetation/biodiversity from any potential adverse effects.</i></p>
10.75	Can you please advise the source of the recommended new matters of discretion?
Officer response:	<p><i>The source of the proposed recommendation in relation to the design and appearance of maintenance and utility buildings and structures stems from submission point DPR-0423.017.</i></p> <p><i>At paragraph 31 of the DPR-0423 PHC submission, the submitter requested that TEZ-REQ4 be amended for non-compliance with design and appearance requirements in relation to hotel buildings to be considered on a restricted discretionary basis and that new matters of discretion be included in the PDP. No matters of discretion were proposed by the submitter, however they suggested that these could be similar to the matters of control in TEZ-R1 Hotel and Conference Facilities. In paragraph 32, the submitter has suggested that the RDIS activity status also be applied to development in other sub-areas. Therefore, I had regard to the matters included in TEZ-R1-5 as the basis for the proposed matters of discretion.</i></p>
10.79	Can you please advise the source of the recommended wording for new Rule Requirement TEZ-REQ7?
Officer response:	<p><i>The source of the proposed recommendation in relation to the design and appearance of maintenance and utility buildings and structures stems from submission point DPR-0423.018.</i></p>

Paragraph or Plan reference	Question from the Hearings Panel
	<p><i>The submitter has specifically asked that a new rule requirement be included related to the design and appearance in relation to maintenance and infrastructure buildings, however no wording was proposed. At paragraph 93 of the DPR-0423 PHC submission, the submitter has requested that bespoke standards be included on the basis that maintenance and utility buildings and structure are functional buildings, and in paragraph 96 the submitter acknowledges that there is a continued need to protect the environment from inappropriate reflectance values of cladding, but with less restrictions on specific cladding materials, as is currently required by TEZ-REQ4. Therefore, I have used TEZ-REQ4 (as proposed to be modified by DPR-0423.017) as the basis for the proposed rule requirement.</i></p> <p><i>This new rule requirement has been identified as TEZ-REQ7, but should actually be TEZ-REQ6, as this is the next rule requirement number i.e. there was no TEZ-REQ6 in the PDP as notified.</i></p>

Note: update copy include ODP figure missing

[Addendum to s42A Report](#)

Following the publication of the s42A report it was noticed that the amended ODP for Terrace Downs Zone (TEZ-FIG1) discussed in sections 10.2 – 10.13 did not appear in the recommended amendments set out in Appendix 2. This has been included in the recommended amendments shown below.

Subsequent Changes to Appendix 2: Recommended amendments

The following changes are proposed to Appendix 2: Recommended Amendments in response to the Hearing Panels questions.

Original amendments were identified by way of underline or strikethrough. Double underlining has been used to identify defined terms that were proposed in the s42A report.

Additional amendments proposed in response to the Hearing Panels questions continue the above identification but are also shown in **blue text**. Where an original amendment is proposed to be deleted, this is shown by way of double strikethrough e.g. ~~tatibust fugitaturem qui dolupti~~

Note to readers: Only provisions that have recommended amendments are included in the table below. All other provisions remain as notified.

Definition	
<u>Ski Management and Operations</u> ¹	means facilities, buildings and activities associated with the management and operation of a <u>Ski Area</u> , including but not limited to avalanche control, weather stations, pump stations, snow-making infrastructure, fuel storage, snow fences, plant nursery, storage and maintenance, 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.

Porters Ski Recreation² Zone

SKIZ-PRZ-R1 All Buildings and Structures	
<p>Activity status: CON</p> <p>5. All buildings and structures not listed below in <u>SKIZ-PRZ-R2</u> to <u>SKIZ-PRZ-R4</u>.</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:</p> <p><u>SKIZ-PRZ-REQ1</u> – Building Footprint</p> <p><u>SKIZ-PRZ-REQ2</u> – Maximum Height</p> <p><u>SKIZ-PRZ-REQ3</u> – Maximum Number of Buildings</p>	<p>Activity status when compliance not achieved:</p> <p>7. When compliance with <u>SKIZ-PRZ-R1.5.a</u> is not achieved: Refer to SKIZ-PRZ-R1.1. and <u>SKIZ-PRZ-R1.9</u>.</p> <p>8. When compliance with rule requirements in not achieved: See <u>SKIZ-PRZ-Rule Requirements</u>.</p>

¹ DPR-0345.008 PAR

² DPR-0345.001 PAR – here and elsewhere as identified within this appendix

SKIZ-PRZ-REQ4 – Staging
SKIZ-PRZ-REQ6 – Setbacks
SKIZ-PRZ-REQ7 – Roofing Materials
SKIZ-PRZ-REQ8 – Location

Matters of control:

6. The exercise of control in relation to SKIZ-PRZ-R1.5. is restricted to the following matters:

- a. any relevant matters in SKIZ-PRZ-MAT1;
- b. the design and appearance of buildings and structures³ is such that:
 - i. it uses suitable exterior materials, especially when viewed in the absence of snow;
 - ii. it uses appropriate colours and low reflectivity of the exterior finish that complement the landscape;
 - iii. it avoids unnecessary buildings and structures on ridges to reduce visual impact on skyline, and reduce visibility from the State Highway.

SKIZ-PRZ-REQ4 Staging

1. Construction or Earthwork activities in the Crystal Basin or Village Base Sub-Areas shall only commence on:

a. ...

2. No erection of buildings or structures (including lifts and tows) or commencement of ski operations within the Crystal Basin Sub Area until:

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)~~.

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 plan has already been provided to Council, updated plans incorporating any new risks or hazards

Activity status when compliance not achieved:

5. When compliance with SKIZ-PRZ-REQ4.1. to SKIZ-PRZ-REQ4.4. is not achieved: NC

³ Consequential amendment for consistency with balance of SKIZ-R1.

	<p><u>from the new building, or structure, or the area of activity within Crystal Basin, shall be provided⁴.</u></p> <p>b. A Health and Safety Plan incorporating any new risks or hazards from the new building, or structure, or the area of activity within Crystal Basin has been up-dated and provided to the District Council for its records. n 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.⁵</p> <p>3. Only half the buildings may be constructed and occupied in the following areas identified in Schedule 1PRZ-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> <p>...</p> <p>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.</p>	
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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</u> TEZ-FIG1 ⁶ or the anticipated development within the Sub-Areas.

⁴ Amendment proposed in response to Panel question 9.67

⁵ DPR-0345.014 PAR

⁶ Cl.16(s) to correct reference – here and elsewhere as identified within this appendix

TEZ-P2	Enable the development of tourism, hospitality, and accommodation activities within the <u>Tourist Accommodation Hotel, Hunting Lodge, Golf Course, Outdoor Recreation, Farming Activity and Staff Accommodation, Tourism, Residential and Terrace Sub-Areas</u> ⁷ 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 Residential, and Terraces <u>and Staff Accommodation</u> ⁸ 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 <u>inappropriate</u> ⁹ development in the Crown Reserve <u>Sub-Area and Covenant Sub-Area</u> shown on the outline development plan, in <u>Schedule 1 TEZ-FIG1</u> .
TEZ-P8 ¹⁰	Enable sport, recreation and helicopter movements within the Outdoor Recreation Sub-Area shown on TEZ-FIG1.
TEZ-P9 ¹¹	Enable helicopter movements associated with tourism and recreational activities and fire fighting emergency services

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	<u>Buildings and Structures in Outdoor Recreation and Farming Activity and Staff Accommodation Sub-Areas</u> ¹²
TEZ-R5B	<u>Maintenance and Utility Buildings and Structures</u> ¹³
TEZ-R6	Any other Building or Structure
TEZ-R7	Retail Activity

⁷ DPR-0423.002 PHC

⁸ DPR-0423.003 PHC

⁹ DPR-0423.004 PHC

¹⁰ DPR-0423.005 PHC

¹¹ DPR-0423.006 PHC

¹² DPR-0423.008 PHC and DPR-0423.020

¹³ DPR-0423.021 PHC

TEZ-R8	Residential Activity
TEZ-R9	Visitor Accommodation
TEZ-R10	Golf Course
TEZ-R11	Hotel and Conference Activities
TEZ-R12	Rural Tourism Activity
TEZ-R13	Recreation Activity
TEZ-R13A	<u>Maintenance Activities</u> ¹⁴
TEZ-R14	Keeping of Animals
TEZ-R15	Public Amenity
TEZ-R16	Conservation Activity
TEZ-R17	Helicopter Landing Area
TEZ-R18	Any activity not otherwise listed in this table

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 Hotel¹⁵ sub-area, shown on the outline development plan, in Schedule 4 <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-R1.1. is reserved to the following matters:</p> <p>a. The design and appearance of buildings is such that the extent to which:</p>	<p>Activity status when compliance not achieved:</p> <p>3. When compliance <u>with</u> ¹⁶TEZ-R1.1.a. is not achieved: NC</p> <p>...</p>

¹⁴ DPR-0423.021 PHC

¹⁵ DPR-0423.001 PHC

¹⁶ Cl.16(2) amendment to correct grammar

	<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 <u>Schedule 1 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>Activity status when compliance not achieved:</p> <p>3. When compliance <u>with</u> ¹⁸TEZ-R3.1.a. is not achieved: NC</p> <p>...</p>

¹⁸ Cl.16(2) amendment to correct grammar

	<p>a. it is located within the Tourist Accommodation Golf Course¹⁷ 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> <p>b. there shall be a maximum of 68 <u>69</u>¹⁹ residential units (not including the terraced housing); and</p> <p>c. ...</p> <p>And this activity complies with the following rule requirements: ...</p>	<p>Activity status when compliance not achieved:</p> <p>3. When compliance <u>with</u> ²⁰TEZ-R4.1.a., TEZ-R4.1.b., or TEZ-R4.1.c. is not achieved: NC</p> <p>...</p>

¹⁷ DPR-0423.001 PHC

¹⁹ DPR-0423.007 PHC

²⁰ Cl.16(2) amendment to correct grammar

	<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 <u>Schedule 1 TEZ-SCHED1</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> <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. ... 	<p>Activity status when compliance not achieved:</p> <p>3. When compliance <u>with</u> ²¹TEZ-R5.1.a., or TEZ-R5.1.b. is not achieved: NC</p> <p>...</p>

²¹ Cl.16(2) amendment to correct grammar

TEZ-R5A²²	<u>Buildings and Structures in Outdoor Recreation and Farming Activity and Staff Accommodation Sub-Areas</u>
	<p><u>Activity status: CON</u> <u>1. Any buildings or structure</u></p> <p><u>Where:</u> a. <u>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> <u>TEZ-REQ1 – Sewage treatment and disposal</u> <u>TEZ-REQ2 – Setbacks</u> <u>TEZ-REQ3 – Height</u> <u>TEZ-REQ4 – Design and Appearance</u> <u>TEZ-REQ5 – Landscaping</u></p> <p><u>Matters of control:</u> <u>2. The exercise of control in relation to TEZ-R5A.1. is reserved to the following matters:</u> a. <u>The design and appearance of buildings is such that the extent to which:</u> 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> 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> <p><u>Activity status when compliance not achieved:</u> <u>3. When compliance with any of TEZ-R5A is not achieved: NC</u> <u>4. When compliance with any rule requirement is not achieved: Refer to TEZ-Rule Requirements</u></p> <p><u>Notification:</u> <u>5. Any application arising from TEZ-R5A shall not be subject to public notification. Notice shall not be served on any person.</u></p>
TEZ-R5B²³	<u>Maintenance and Utility Buildings and Structures</u>
	<p><u>Activity status: CON</u> <u>1. Any buildings or structure</u></p> <p><u>Activity status when compliance not achieved:</u> <u>3. When compliance with TEZ-R5B.1 is not achieved: NC</u></p>

²² DPR-0423.008 and DPR-0423.020

²³ DPR-0423.021

	<p>Where:</p> <p>a. <u>it is located within the Maintenance Sub-Area, shown on TEZ-FIG1.</u></p> <p>Where this activity complies with the following rule requirements: <u>TEZ-REQ1 – Sewage treatment and disposal</u> <u>TEZ-REQ2 – Setbacks</u> <u>TEZ-REQ3 – Height</u> <u>TEZ-REQ5 – Landscaping</u> <u>TEZ-REQ7 – Maintenance and Utility Buildings and Structures</u></p> <p>Matters of control: <u>2. The exercise of control in relation to TEZ-R5B.1. is reserved to the following matters:</u></p> <p>b. <u>The design and appearance of buildings is such that the extent to which:</u></p> <p>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> <p>ii. <u>it enhances those parts of the natural landscape and vegetation identified on TEZ-FIG1;</u></p> <p>iii. <u>it does not adversely impact on neighbouring property's privacy;</u></p> <p>iv. <u>it provides sufficient open space between the groups of buildings; and</u></p> <p>v. <u>it minimises any visual effects.</u></p>	<p><u>4. When compliance with any rule requirement is not achieved: Refer to TEZ-Rule Requirements</u></p> <p>Notification: <u>5. Any application arising from TEZ-R5B shall not be subject to public notification. Notice shall not be served on any person.</u></p>
TEZ-R6	Any other Building or Structure	
	...	
TEZ-R7	Retail Activity	
	<p>Activity status: PER</p> <p>1. Retail activity.</p> <p>Where:</p>	<p>Activity status when compliance not achieved: 2. When compliance with TEZ-R7.1.a. is not achieved: NC</p>

	a. it is located within a building in the Tourist Accommodation Tourism, Hotel or Hunting Lodge Sub-Areas ²⁴ , shown on the outline development plan, in Schedule 1 TEZ-FIG1.	
TEZ-R8	Residential Activity	
	...	Activity status when compliance not achieved: 2. When compliance with TEZ-R8.1.a. is not achieved: NC
TEZ-R9	Visitor Accommodation	
	...	Activity status when compliance not achieved: 2. When compliance with TEZ-R9.1.a., is not achieved: DIS
TEZ-R10	Golf Course	
TEZ-R11	Hotel and Conference Activities	
	...	Activity status when compliance not achieved: 2. When compliance with TEZ-R11.1.a. is not achieved: DIS
TEZ-R12	Rural Tourism	
	Activity status: PER 1. Rural tourism Where: a. the total area of land or ²⁵ 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-R13	Recreation Activities	
	...	
TEZ-13A	Maintenance Activities	
-	Activity status: PER 1. <u>Maintenance Activity</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-R14	Keeping of Animals	
	...	
TEZ-R15	Public Amenity	

²⁴ DPR-0423.009 PHC

²⁵ DPR-0423.011 PHC

	...	
TEZ-R16	Conservation Activity	
	...	
TEZ-R17	Helicopter Landing Area	
	<p>Activity Status: PER</p> <p>1. Helicopter landing area.</p> <p>Where:</p> <p>a. it is located within the Golf Course <u>Outdoor Recreation</u> ²⁶Sub-Area;</p> <p>b. ...</p> <p>Note: Helicopter movements for emergency purposes are provided for through TEMP-R7.²⁷</p>	<p>Activity status when compliance not achieved:</p> <p>2. When compliance with TEZ-R17.1. is not achieved: DIS</p>
TEZ-R18	Any activity not otherwise listed	
	...	

TEZ-Rule Requirements

TEZ-REQ1	Sewage Treatment and Disposal	
	<p>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>.</p> <p>2. ...</p>	
TEZ-REQ3	Height	
	<p>1. The maximum height shall be in accordance with <u>TEZ-TABLE1</u> Table 1 ²⁸.</p>	<p>Activity status when compliance not achieved:</p> <p>5. When compliance with TEZ-REQ3. is not achieved: DIS</p>
	TEZ-TABLE1 - Height ('subject to cl16(2) amendment')	
	Maximum Height	Shall not Exceed:
	Hotel and Conference Facilities	22m (including chimneys)

²⁶ DPR-0423.014 PHC

²⁷ DPR-0423.014 PHC

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

Hunting and Fishing Lodges and any building or structure used for maintenance or utility purposes ²⁹	8m
Golf Clubhouse	17m (including chimneys)
Sports facility	17m
Shops and offices	12m
Towers for filming	25m
Any building or structure in the Outdoor Recreation and Farming Activity and Staff Accommodation Sub-Areas ³⁰	9m
Any other Building or Structure	12 17 ³¹ m

TEZ-REQ4	Design and Appearance	
	<ol style="list-style-type: none"> External cladding materials shall be timber, local stone, textured cement plaster, or a combination thereof. External surfaces of any building shall not exceed a maximum reflectance value of 37%. Roof pitch shall be greater than 30 degrees. Each residential unit has a minimum site area of 400m².³² 	<p>Activity status when compliance not achieved: 54. When compliance with TEZ-REQ4. is not achieved: DIS-RDIS³³</p> <p>Matters for discretion:³⁴</p> <p>5. The exercise of control in relation to TEZ-REQ4.4 is restricted to the following matters:</p> <ol style="list-style-type: none"> The extent to which the design and appearance of buildings: <ol style="list-style-type: none"> is compatible with a historic country theme and reflects the natural, rural, and high country character of the site and locality; enhances those parts of the natural landscape and vegetation identified on TEZ-FIG1; does not adversely impact on neighbouring property's privacy; and minimises any visual effects.
TEZ-REQ5	Landscaping	

²⁹ DPR-0423.018 PHC

³⁰ DPR-0423.008 PHC

³¹ DPR-0423.016 PHC

³² Cl.16(2) to remove unnecessary duplication as this matter is already addressed in SUB-REQ1.11.

³³ DPR-0423.017 PHC

³⁴ DPR-0423.017 PHC

	<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. ... 2. For Hunting Lodges, the landscaping plan also shows: <ol style="list-style-type: none"> a. ... b. the escarpment above the hunting lodge terrace planted with native plants listed in <u>TEZ-TABLE2 Schedule 1, Figure 2</u>. 3. ... 	<p>Activity status when compliance not achieved:</p> <p>...</p>
TEZ-REQ6³⁵	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>Activity status when compliance not achieved:</p> <p>2. When compliance with any of TEZ-REQ6.1 is not achieved: <u>RDIS</u></p> <p>Matters for discretion:</p> <p><u>3. The exercise of control in relation to TEZ-REQ6.2 is restricted to the following matters:</u></p> <p><u>a. The extent to which the design and appearance of buildings or structures:</u></p> <ol style="list-style-type: none"> i. <u>reflects the natural, rural, and high country character of the site and locality; and</u> ii. <u>minimises any visual effects.</u>

³⁵ DPR-0423.018 PHC

TEZ-Schedules

TEZ-SCHED1 – Figures Outline Development Plan and Planting List³⁶

TEZ-FIG1 TEZ-FIG1 Sub-Areas³⁷



³⁶ Cl.16(2) amendment to amend title

³⁷ DPR-0423.001 PHC