

Amendments to operative District Plan Provisions by RCL Queenstown Pty Ltd, Henley Downs Farm Ltd, Henley Downs Land Holdings Ltd and Henley Downs Farm Holdings Ltd

Changes are denoted by underline for additions and ~~strike through~~ for deletions

12. Special Zones

Resort Zones – Millbrook, Jacks Point and Waterfall Park

Rural Visitor Zones – Cecil Peak, Walter Peak, Cardrona, Blanket Bay, Arthurs Point, Arcadia Station and Windermere

Penrith Park Zone

Bendemeer Zone

Remarkables Park Zone

Hydro Generation Zone

Quail Rise Zone

Meadow Park Zone

Frankton Flats Zone

Ballantyne Road Mixed Use Zone

Three Parks Zone

Kingston Village Zone

Introduction

There are areas within the district, which require special zones. These are resort zones, visitor zones, business zones, hydro generation zones and residential zones .

12.1 Resort Zones

12.1.1 Resources and Activities

i Millbrook Resort and Jacks Point

The Council recognises the potential of the Millbrook Resort and Jacks Point to contribute to visitor and economic development within the District. This will arise from increased employment and visitor activity generated by the zones. Both zones provide for golf courses and a range of outdoor and indoor sporting and recreational activities. In Millbrook Resort hotel and other visitor accommodation exist along with support facilities and services. Similar developments are proposed for Jacks Point. The Resort zone recognises the special amenities of the rural area in which the development is located and provides for the on-going implementation of the activities of the resort.

The residential activity areas of Hanley Downs are distinctive from other parts of the Jacks Point Zone for its ability to absorb change across a large area. Recognising that land appropriate for residential development is a finite resource within the Wakatipu Area, it is important to realise the area's opportunity to accommodate more intensive development and complementary activities.

ii Waterfall Park Resort

Waterfall Park is an established visitor facility, the main feature being the spectacular waterfall located in Mill Creek which flows through the centre of the property, and it provides outdoor recreation, entertainment areas and a restaurant. Given the importance of visitor industry to the District's economy, it is important to enable Waterfall Park to further develop and to provide a range of facilities.

12.1.2 Values

i Millbrook Resort

The site contains four elements, which contribute to amenity and importance of the zone.

Firstly, the zone site is located within the Wakatipu Basin formation surrounded by an outstanding mountain landscape. Within the Basin glacial outwash gravels have created a contrasting landscape of rolling lowland hills, terraces and lakes.

Secondly, the site was one of the earliest developed farms in the District. The property was settled by the Butel family (origin France) who came to the area during the Arrowtown goldrush in the early 1860s. Instead of mining they set up a wheat farm and flour mill operation to provide for the rapidly expanding Arrowtown population. The original stone buildings housing the mill, stables, implement shed and blacksmith shop still remain, and many of the original implements and machinery are still on the property.

Thirdly, the site has been maintained in a high quality sward of pasture grasses. A large number of mature trees exist on the site, many of which date back to the first settlers. The tree species are predominantly European deciduous hardwoods including oaks, maples and walnuts. These mature trees give the farm an outstanding parkland character. Finally, the site lies within a high quality environment in terms of its scenic, visual and climatic values, clean air and open vistas.

ii **Waterfall Park Resort**

The site lies within a high quality scenic environment adjacent to the Millbrook Resort Zone. Waterfall Park is unique to the District in that it is a visitor attraction resulting from a naturally occurring geological feature. The existing recreational areas and amphitheatre are located adjacent to the waterfall and continue along part of Mill Creek. The restaurant facility, reception area and car park are located on the north eastern boundary looking out on the waterfall and recreational areas.

iii **Jacks Point**

Jacks Point is situated in the basin floor, surrounded by the outstanding natural landscape of *The Remarkables Range*, Peninsula Hill and Lake Wakatipu.

The ~~proposed~~ zone has a varying landform across the site, comprising hummocky to channelled topography in the east by Kingston Road, a central valley which is flat to slightly undulating and an elevated schist

ridge adjacent to Lake Wakatipu, the highest point of which is known as Jacks Point and lakeside terraces extending around Homestead Bay, where recreational access to Lake Wakatipu can be provided. Homestead Bay is the first point south of Kelvin Peninsula where public access to the lake is available.

It is this variable topography and the resulting low visibility from surrounding areas that lead to a report commissioned by the Council in 1993 to identify a large portion of the site as being suitable for future development. As the site has been in pastoral management for many decades, there is little remnant native vegetation, except on the steep bluff dropping off into Lake Wakatipu. Most tree or shrub vegetation is in the form of recently planted as well as mature shelter belts and the ever present briar and Matagouri.

12.1.3 **Resource Management Issues**

i **Provision of Essential Services**

Development may result in a considerable number of persons residing within the Zones, either as visitors or permanent residents. The provision of adequate sewage disposal, water supply and refuse disposal services is important in terms of ensuring the protection of ground water quality.

ii **Visual Amenities**

Development in the Zones must take into account potential conflict with nearby activities, with the productive use of adjoining rural land and the need to protect visual amenity of the environment because of their location.

Jacks Point has particular landscape and visual amenity issues due to its visibility from Lake Wakatipu, State Highway 6 (a scenic rural road) and adjoining mountain peaks. The surrounding land features, such as *The Remarkables*, Peninsula Hill and Lake Wakatipu are all regarded as having outstanding natural qualities in terms of section 6(a) of the Resource Management Act and it is important that any development in this location is considered in relation to those qualities.

iii **Traffic Safety and Access**

Protection of the road network from activities which reduce safety and efficiency is desirable.

iv Pollution of Lake Hayes and Mill Creek (Millbrook and Waterfall Park Resorts)

Lake Hayes is a shallow water body with a depth of 33 m. Nutrients entering the lake from its catchment are high, arising from numerous limestone outcrops which are easily eroded and readily transported by water run-off. Grazing of stock comprises the major land use within the catchment and continual topdressing and other nutrient enrichment of pastures has meant run-off entering watercourses is excessively high in phosphate and nitrate levels. This is particularly the case with Mill Creek.

v Historical Character (Millbrook Resort)

The site contains a unique history. The remaining large trees, grassed slopes and the historic design of the buildings is an important element in preserving the special value of Millbrook for the enjoyment of present and future residents and visitors.

vi Natural Character (Waterfall Park Resort)

The site contains a unique natural feature. The quality of the development is an important element in the preservation and enhancement of the waterfall for the enjoyment of present and future residents and visitors.

vii Public Access (Jacks Point)

Jacks Point is the only resort zone that adjoins a major natural lake. Public access to and along lakes are a matter of national importance in achieving the purpose of the Act. Significant opportunity exists through the development of this zone to enhance public access to the shores of Lake Wakatipu. Homestead Bay provides additional opportunities for public access to, and enjoyment of, the Lake.

viii Ability to absorb change (Hanley Downs)

The characteristics of the Hanley Downs area lend many parts of it to a greater intensity and scale of residential development, without compromising landscape and natural values.

12.1.4 Objectives and Policies

Objective 1 - Millbrook Resort Zone

Visitor, residential and recreation activities developed in an integrated manner with regard for landscape, heritage, ecological, water and air quality values and minimal impact on adjoining neighbours and roads.

Policies:

- 1.1 *To reduce nutrient levels and other pollutants generally and within Mill Creek and to improve and protect the water quality of Lake Hayes.*
- 1.2 *To ensure an adequate level of sewage disposal, water supply and refuse disposal services are provided which do not impact on water or other environmental qualities on or off the site.*
- 1.3 *To require the external appearance of buildings to have regard to landscape and heritage values of the site.*
- 1.4 *To require development to be located in accordance with a Structure Plan to ensure the compatibility of activities and to minimise the impact on neighbouring activities, the road network and the landscape amenity of the Basin.*
- 1.5 *To protect and enhance the important heritage features on the site, particularly the original farm buildings and tree plantings.*
- 1.6 *To require adequate on-site car parking.*
- 1.7 *To control air emissions for visual amenity purposes.*
- 1.8 *To control the take-off and landing of aircraft.*

Implementation Methods

The objective and associated policies will be implemented through a number of methods including:

(i) District Plan

- (a) Rules relating to the location of activities, external appearance, parking, air emission, helicopter activities and the provision of essential services.
- (b) Controls on development to protect the catchment of Mill Creek and Lake Hayes.
- (c) District Plan rules to protect the important heritage features on the site.

(ii) Other Methods

- (a) Encourage a reduction in the use of fertiliser in the catchment.
- (b) Encourage the establishment of planted stream bank buffer strips with stock excluded.
- (c) Encouraging the re-establishing wetlands and ponds in Mill Creek.
- (d) Controlling the discharge of pollutants that can enter Lake Hayes.

Explanation and Principal Reasons for Adoption

The Council considers that development within the Zone should recognise the particular nutrient enrichment problems associated with Mill Creek and Lake Hayes. In order to achieve this objective the Council has not provided for farming uses within the Zone.

The Council and Millbrook have an agreement whereby Millbrook have paid a contribution toward connection to the Arrowtown Lower Shotover Treatment Plant pipeline.

Millbrook has also contributed to the upgrading of the Arrowtown Water Scheme to enable that scheme to supply Millbrook's anticipated fully developed potable water requirements. The Council has supplied water to the boundary of the zone as part of that agreement.

The operators of the complex will also be required to deposit all refuse at a Council approved landfill.

Full development of the Zone will extend into the next century. A comprehensive range of sporting, leisure and visitor activities can be undertaken within the Zone together with conference, commercial, hotel and other residential uses. The focus of the sporting activities will be the golf courses with the provision of other activities and residential use linked to this. The central area of the Zone will be comprised of the Millbrook Village, on the periphery of which will be other recreational activities and clusters of residential dwellings of different types.

In order to facilitate the staged development within the Zone the Council believes a Structure Plan, which recognises the activities, character and amenities of the Zone and the area, is essential. The purpose of the Structure Plan is to provide for and enhance the amenities of the area and ameliorate any adverse effects of development.

To ensure the special amenities of the Zone and the outstanding character of the surrounding landscape are protected, buildings will require consent in terms of their external appearance. The assessment matters are directed at ensuring and enhancing the special character of the particular activity sections within the Zone as defined by the Structure Plan.

An extensive number of mature trees are established on the Millbrook site many dating back to the first settlers. These mature trees give the farm a parkland character.

The Wakatipu Basin including Arrowtown and Frankton provide the living environment for a significant number of the District's residents. As such it is important to protect the air clarity and quality of the basin as well as minimise noise impact from aircraft on surrounding living environments.

Objective 2 - Waterfall Park Resort Zone

Development of visitor, residential and recreational facilities for permanent residents and visitors. Conserving and enhancing the natural and scenic values contained within the property and its setting. Developing and servicing the property to avoid adverse effects on the landscape, Mill Creek and ecological values.

Policies:

- 2.1 *To reduce nutrient levels and other pollutants generally and within Mill Creek and to improve and protect the water quality of Lake Hayes.*
- 2.2 *To ensure an adequate level of sewage disposal, water supply and refuse disposal services are provided which do not impact on water or other environmental qualities on or off the site.*
- 2.3 *To ensure buildings and other structures erected within the zone are appropriate to the area in which they are located, with regard to external appearance.*
- 2.4 *To require all development to be located in accordance with the Structure Plan.*
- 2.5 *To protect and enhance the important natural feature on the site.*
- 2.6 *To require adequate on-site vehicle parking and manoeuvring.*
- 2.7 *To control air emissions for visual amenity purposes.*
- 2.8 *To protect and enhance Mill Creek as an important brown trout spawning habitat.*

Implementation Methods

The objective and associated policies will be implemented through a number of methods including:

(i) District Plan

- (a) Rules relating to the location of activities, external appearance of buildings, parking, air emission and the provision of essential services.
- (b) Controls on development to protect the catchment of Mill Creek and Lake Hayes.

- (c) District Plan rules to protect the important natural features on the site.

(ii) Other Methods

- (a) Encourage a reduction in the use of fertiliser in the catchment.
- (b) Encourage the establishment of planted stream bank buffer strips with stock excluded.
- (c) Encourage the re-establishing wetlands and ponds in Mill Creek.
- (d) Controlling the discharge of pollutants that can enter Lake Hayes.

Explanation and Principal Reasons for Adoption

The Council considers development within the zone should recognise the particular nutrient enrichment problems associated with Mill Creek and Lake Hayes. In order to achieve this objective the Council has not provided for farming uses within the zone.

Water supply for development in the zone will be provided from a connection to a Council owned and operated reticulated water supply, should a connection be made between the Arrowtown and Lake Hayes Council owned water supply system. Alternatively, a community owned water supply for the zone will be developed from a suitable internal water source such as a bore within the zone.

Sewage effluent from development within the zone will be discharged into a Council owned and operated reticulated sewage treatment and disposal system if available. Alternatively, on-site disposal of treated waste which provides for measures to prevent contamination and nutrient loadings in the Mill Creek catchment is considered appropriate. Such treatment and disposal options within the Zone would be required to be operated as a community owned facility.

Waste and refuse generated within the Zone will be required to be deposited at a Council approved landfill site. Such sites are prohibited within the zone.

A Structure Plan is included as part of the Zone to ensure development proceeds in an integrated manner. The purpose of the Structure Plan is to provide for and enhance the amenities of the area and ameliorate any adverse effects of development. Minor amendments to the Structure Plan will be considered by the Council through the resource consent procedure.

To ensure the special amenities of the Zone and the surrounding landscape are protected, buildings will require consent in terms of their external appearance. The assessment matters are directed at ensuring and enhancing the special character of the particular activities permitted within the Zone as identified by the Structure Plan.

Objective 3 - Jacks Point Resort Zone

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

Policies:

- 3.1 *To maintain and protect views into the site when viewed from the lake, and to maintain and protect views across the site to the mountain peaks beyond when viewed from the State Highway.*
- 3.2 *To ensure an adequate level of sewage disposal, water supply and refuse disposal services are provided which do not impact on water or other environmental values on or off the site.*
- 3.3 *To require the external appearance, bulk and location of buildings to have regard to the landscape values of the site.*
- 3.4 *To require development to be located in accordance with the Jacks Point and Homestead Bay Structure Plans to ensure the compatibility of activities and to mitigate the impact on neighbouring activities, the road network and landscape values.*

- 3.5 *To control the take-off and landing of aircraft within the zone.*
- 3.6 *To provide public access from the State Highway to the lake foreshore and to facilitate increased use and enjoyment of the margin and waters of Lake Wakatipu.*
- 3.7 *To ensure that subdivision, development and ancillary activities on the Tablelands and Jacks Point are subservient to the landscape.*
- 3.8 *To provide for local biodiversity through:*
- *The protection and enhancement of existing ecological values, in a holistic manner;*
 - *Reduction in grazing around wetland areas; and*
 - *The provision of links between grey shrublands, wetlands and the lakeshore escarpment, including where appropriate indigenous vegetation links between activity areas.*
- 3.9 *To ensure that development within the sensitive areas of the Zone results in a net environmental gain.*
- 3.10 *To ensure that residential development is not readily visible from the State Highway.*
- 3.11 *To ensure that subdivision and development does not compromise those visual amenity values associated with the southern entrance to Queenstown.*
- 3.12 *To provide for the development of lakeside activities in the Homestead Bay area, in a manner which complements and enhances amenity values.*
- 3.13 *To ensure substantial native revegetation of the lake foreshore and open spaces within Homestead Bay.*

- 3.14 *To provide for farming and associated activities in appropriate areas, while ensuring that development associated with those activities does not result in over domestication of the landscape.*
- 3.15 *To avoid mining activities which do not contribute to the sustainable development of the Jacks Point Zone.*

Hanley Downs

- 3.16 *To use a Structure Plan for the Hanley Downs area to establish the spatial layout of development within the zone and diversity of living and complementary activities, taking into account:*
 - a. *Integration of activities and servicing and other parts of the Jacks Point Zone*
 - b. *Landscape and amenity values*
 - c. *Road, open space and trail networks*
 - d. *Visibility from State Highway 6 and Lake Wakatipu*
- 3.17 *To ensure subdivision and development incorporates the design elements shown on the Structure Plan, namely roads, road connections, open space, access connections and trails as shown on the Hanley Downs Structure Plan.*
- 3.18 *To provide a diversity of living accommodation, including opportunities for farm and rural living at low densities.*
- 3.19 *To recognise the Residential (Hanley Downs) Activity Area as being appropriate to accommodate residential development at a greater scale and intensity than elsewhere in the zone.*
- 3.20 *To enable the development of education, business innovation and associated activities within the Education Innovation Campus, subject to achieving high standard of urban design.*

- 3.21 *To ensure the visual impacts of subdivision and development within the State Highway and Education Innovation Campus Activity Areas are appropriately mitigated through landscaping and the provision of open space.*
- 3.22 *To provide farming and rural living in the Farm Preserve Activity Area to enable continued rural land management together with providing a greater diversity of lot sizes that retains rural amenity and protects landscape values, while ensuring that:*
 - (i) *within the Farm Preserve 1 Activity Area, subdivision and development incorporates mechanisms for the protection and management open space and native vegetation.*
 - (ii) *within the Farm Preserve 2 Activity Area, the effects of development on landscape and amenity values, when viewed from Lake Wakatipu and State Highway 6, are avoided, remedied or mitigated.*
- 3.23 *To enable commercial activities within the Residential (Hanley Downs) Activity Area, designed to service the needs of the local community, where they can locate along or near primary roads.*
- 3.24 *To enable commercial and community activities and visitor accommodation, provided residential amenity, health and safety are protected or enhanced through:*
 - a. *Compatible hours of operation and noise;*
 - b. *A high standard of building design;*
 - c. *The location and provision of open space, buffers and setbacks;*
 - d. *Appropriate landscape mitigation;*
 - e. *The design of vehicle access and car parking; and*

- f. An appropriate scale of activity and form of building development.
- 3.25 To use residential development controls to protect privacy, provide access to sunlight, achieve design cohesion and to provide appropriate opportunities for outdoor living.
- 3.26 To provide for medium density and small lot housing subject to ensuring the scale and form of built development provides an appropriate standard of residential amenity and design.
- 3.27 To avoid industrial activities.
- 3.28 To provide safe and efficient road access from State Highway 6.
- 3.29 To ensure provision of integrated serving infrastructure, roading and vehicle access.

Implementation Methods

The objective and associated policies will be implemented through a number of methods including:

(i) District Plan

- (a) Adherence to a structure plan to ensure comprehensive and integrated development within a zone.
- (b) Rules assigned to avoid, remedy or mitigate the effects of use and development of land

(ii) Other Methods

- (a) Development Controls and Design Guidelines in respect of buildings and landscaping.
- (b) Jacks Point Stakeholders Deed

Explanation and Principal Reasons for Adoption

The purpose of the Jacks Point Plan is twofold. The first purpose is to identify activity areas in which development is appropriately managed. The second purpose is to ensure the long term comprehensive and integrated management of the zone. The Structure Plan forms part of the District Plan and any amendment to it requires a Plan Change. Deviations to the Structure Plan can be made through the resource consent process, the significance of the deviation determining the status of the resource consent application (i.e. controlled, discretionary or non-complying).

The protection of visual amenity and landscape values are of critical importance in the development of the zone and its successful integration into the wider outstanding natural landscape. This is achieved in part through the Structure Plan and in part through the external appearance, bulk and location of buildings constructed within the zone.

Water supply for development in the zone is proposed to be provided from either a bore within the zone or extracted from Lake Wakatipu. Both methods will result in an uncontained plentiful supply.

Sewage effluent from development within the zone is proposed to be discharged on-site through a high quality treatment method that provides for measures to prevent contamination and nutrient loadings into Lake Wakatipu. Waste and refuse generated within the zone is required to be deposited at a Council approved landfill site.

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

Hanley Downs is the name given to the northern part of the Jacks Point Zone. Some additional policies and rules apply to this part of the Zone along with a separate Structure Plan. The structure plan and associated provisions are designed to achieve an integrated approach to development which incorporates a range of densities. A transition from the more intensive urban development through to rural and natural areas is anticipated. That transition is to be achieved through the Farm Preserve Activity Areas and Education

and Innovation Precinct. Within the Farm Preserve farming and rural land management will predominate and a small number of dwellings are anticipated within appropriate areas, subject to landscape assessment. In addition to providing a transition, this area is designed to provide a diversity of lot sizes throughout the settlement and provide for maintenance and enhancement of open space and native vegetation. In the Education and Innovation Precinct buildings set within a spacious landscaped setting are anticipated.

The Hanley Downs Structure Plan shows a number of features, including the main road from State Highway 6, key roading connections in and out of the Activity Area and key landscape features that are to be accounted for in the development process.

12.1.5 Environmental Results Anticipated

i The following environmental results are anticipated in Millbrook Resort and Jack's Point:

- (a) Preservation of the open space and rural amenity.
- (b) Preservation and enhancement of the recreational facilities while conserving the key physical and scenic values of the area namely:
 - i recognition of the predominant land forms surrounding the site particularly the peaks and mountain ranges.
 - ii recognition and enhancement of the important vegetation on the site.
 - iii recognition and enhancement of the important natural and visual resources that dominate the site.
- (c) Provision of a range of accommodation facilities while ensuring the quality of the local environment is maintained.
- (d) Exclusion or mitigation of activities which cause adverse environmental effects through the use of performance standards.

- (e) Ensuring traffic safety on local roads and State Highway 6.
- (f) Maintenance and enhancement of the water quality of Mill Creek and Lake Hayes.
- (g) A resort at Millbrook which complements the rural and alpine environment of the Wakatipu Basin in both its design and general visual appearance.
- (h) Enhancing public access to the lake foreshore from State Highway 6 and facilitating increased use and enjoyment of Lake Wakatipu (Jacks Point).
- (i) Completion of a public walkway connecting Jardine's Park (Kelvin Heights) with the public recreation area south of Lakeside Estates (Jack's Point).

ii The following environmental results are anticipated in Waterfall Park Resort:

- (a) Preservation and enhancement of the amenity values of the waterfall and Mill Creek which dominate the site and provide its scenic and visual values.
- (b) Provision of a range of passive recreational activities, open space, residences and resort services in positions which ensure that the quality of the environment is maintained.
- (c) Development of a resort which complements the natural features of the site in terms of design and visual appearance.
- (d) Exclusion or mitigation of activities which cause adverse environmental effects through the use of performance standards.
- (e) Preservation and enhancement of Mill Creek as a spawning bed for brown trout.