

**QLDC Council
30 April 2015**

Report for Agenda Item: 11

Department: Planning & Development

District Plan Review: Resort Zone provisions – Millbrook and Waterfall Park

Purpose

- 1 The purpose of this report is to present the Millbrook and Waterfall Park provisions for Council's acceptance.

Recommendation

That Council:

1. **Note** the contents of this report and in particular:
 - i. The Resource Management issues associated with the current provisions.
 - ii. The RMA Section 32 Evaluations.
 - iii. The proposed provisions.
2. **Accept** the provisions.
3. **Note** that these provisions will be brought back for Council's final approval along with other provisions forming stage 1 of the District Plan Review, prior to statutory consultation and public notification.
4. **Authorise** officers to make further minor changes to the Section 32 Evaluation reports and provisions without further recourse to the Council, where this is necessary to:
 - i. Ensure consistent numbering and formatting of the proposed District Plan text; and
 - ii. To fix identified minor errors and / or omissions.
 - iii. Ensure continuity with other proposed provisions.

Prepared by:



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14/04/2015

Reviewed and Authorised by:



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General Manager Planning & Development
14/04/2015

Background

- 2 In November 2014, the Overseas Investment Office approved Millbrook's purchase of the adjoining Dalglish Farm on Millbrook's western boundary, which comprises a 66 hectare block. The purchase provides Millbrook with the opportunity to expand its current 27-hole golf course operation.
- 3 Tourism NZ's working party on golf tourism has identified significant growth opportunities for high yielding golf tourism in NZ and particularly the Wakatipu. They have also identified a pending supply shortage for quality golf courses in the Queenstown Lakes area. Therefore Millbrook's proposal has the potential to contribute significantly to the District's tourism offering.
- 4 The District Plan review not only provides the opportunity to restructure the Millbrook provisions into a new simplified format and also to correct some anomalies, but also to extend the Millbrook zone over the adjoining Dalglish Farm to increase its golf offering to a 36-hole golf course.
- 5 Waterfall Park is located adjacent to Millbrook and its District Plan provisions also come under the umbrella of the resort zone within. Given the policy linkages and geographic proximity, it is logical to consider the Waterfall Park provisions at the same time as the Millbrook provisions.
- 6 No fundamental policy changes are required for the Waterfall Park provisions. Rather, the provisions are streamlined and restructured as part of the District Plan review.

Comment

- 7 As discussed above, the changes proposed for Waterfall Park relate essentially to formatting and structural changes. The current provisions lack clarity and are difficult to interpret, mainly due to structural drafting reasons. There is no substantive policy change proposed.
- 8 The main substantive policy change for Millbrook is the extension of the zone in order to enable 9 additional golf holes, provide for landscape and ecological areas, and the opportunity for 45 to 55 residential units on the Dalglish Farm area. The latter amounts to a spatial redistribution of existing development rights on the Millbrook property. That is, Millbrook currently has the ability to build 450 dwellings on its property, and this will not change with the extension of the zone.
- 9 A detailed structure plan is proposed for this area, ensuring development accounts appropriately for the opportunities, constraints and values of the site.
- 10 In terms of the existing zoned area, boundaries of activity areas have been realigned to reflect what has already been built or granted resource consent. In addition provision is made to move the helicopter land area, subject to approval through a restricted discretionary resource consent application.

Options

- 11 This report identifies and assesses the following reasonably practicable options for assessing the matter as required by section 77 of the Local Government Act 2002:
- 12 Option 1 Status Quo – Retain current provisions (in a new format)
- 13 Advantages: Limited advantages. Retention of the current provisions would allow for the familiarity of users of the provisions to remain. It would also minimise potential impacts and minimise potential for litigation.
- 14 Disadvantages: Would not provide for the opportunity for Millbrook to expand its golf offering and contribute to enhancing the District’s tourism offering. In addition, the efficiencies that can be gained through streamlining policy and correcting anomalies would not be achieved.
- 15 Option 2 Amend provisions to address issues highlighted in monitoring and provide for the expansion of the zone
- 16 Advantages: New format and streamlining will aid Plan user’s ability to understand the provisions. Anomalies can be corrected and efficiencies gained. Provides for a significant economic development opportunity within a sound planning framework.
- 17 Disadvantages: May generate impacts on other properties otherwise not impacted by Millbrook, and may increase possibility of litigation.
- 18 Option 3 Comprehensive revision of provisions
- 19 Advantages: Limited advantages. For the most part, the existing provisions are working well and do not need major revision.
- 20 Disadvantages: Comprehensive revision would require significant time and resource and is not required given that the provisions are largely fundamentally sound.
- 21 This report recommends Option 2 for addressing the matter.

Significance and Engagement

- 22 This matter is of medium significance, as determined by reference to the Council’s Significance and Engagement Policy. The matter will not adversely impact a significant number of people in the District. The proposal will potentially generate significant economic benefits.

Risk

- 23 This matter relates to the strategic risk SR1 “Current and future development needs of the community (including environmental protection)”, as documented in the Council’s risk register. This is due to the fact that the matter relates to the District Plan review. The risk is classed as high in the risk register as a result of the fact that the District Plan is a critical document for the social, economic and environmental wellbeing of the District.

24 The recommended option mitigates risk as it will help support economic wellbeing, in particular, whilst at the same time giving sensitive consideration to the environment, including the landscape values of the District.

Financial Implications

25 There are no budget or cost implications resulting from the decision. The work is accounted for in already approved budgets.

Council Policies, Strategies and Bylaws

26 The following Council policies, strategies and bylaws were considered:

- Annual Plan
- Long Term Plan
- Economic Development Strategy

27 The recommended option is consistent with the principles set out in these policies / strategies.

28 This matter is included in the Annual Plan, under Environmental Management.

Local Government Act 2002 Purpose Provisions

29 The recommended option:

- Will help meet the current and future needs of communities.
- Can be implemented through current funding under the 10-Year Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of the Council, or transfer the ownership or control of a strategic asset to or from the Council.

Consultation: Community Views and Preferences

30 Millbrook have undertaken consultation with adjoining property owners, and resort landowners. In addition, two public drop in sessions were held.

31 No consultation has been undertaken on the Waterfall Park provisions. The changes relate to formatting and structure and there are no substantive policy changes.

32 The provisions will be public notified as part of Stage 1 of the District Plan review.

Legal Considerations and Statutory Responsibilities

33 Formal statutory consultation will be undertaken in accordance with the statutory requirements set out in the RMA upon notification of Stage 1 of the

Proposed District Plan. There will be an initial 40 working day submission period and then a 10 working day submission period for further submissions.

Attachments (circulated separately)

- A Chapter 12 – Millbrook
- B Chapter 12 – Waterfall Park
- C Section 32 Evaluation Report – Millbrook
- D Section 32 Evaluation Report – Waterfall Park