

12 MILLBROOK RESORT ZONE

12.1 Resort Zone Purpose

The purpose of the Millbrook Resort Zone is to provide for a visitor resort of high quality. The Zone provides for recreational activities (including golf), commercial, residential and visitor accommodation together with support facilities and services. The general amenity of the Zone is one of development enclaves located in the open rural countryside with well landscaped grounds. Well located and designed development is expected throughout the Zone. To achieve this, integrated planning in accordance with a Structure Plan is required.

The Millbrook Structure Plan includes several 'Activity Areas' which correspond with rules. The purpose of the various Activity Areas is summarised as follows:

- Village Activity Area (V) – to provide for residential and visitor accommodation activities and commercial activities associated with a resort
- Golf / Open Space Activity Area (G) – To provide for outdoor recreation activities and open space
- Residential Activity Area (R) – to provide for residential activities (different areas are individually numbered so as to correspond with rules)
- Recreational Facilities Activity Area (F) – to provide for recreational activities
- Landscape Protection Area (LP) – to manage sensitive landscape areas in a manner which prevents inappropriate development
- Resort Services Area (S): To provide for service and maintenance activities which support the functioning of a resort
- Helicopter Landing and Takeoff Activity Area (H) – to enable the consideration of applications for helicopter landings and take offs from this location

The Structure Plan also includes the following overlays which apply in addition to the Activity Areas that cover the same areas. The purpose of these overlays is summarised as follows:

- Amenity Management Overlay (AM) – to identify those locations where it is considered appropriate for measures to be undertaken to avoid unreasonable adverse amenity effects on neighbouring properties outside of the Millbrook Resort Zone
- Ecological Protection and Restoration Overlay (E) – to identify those locations where either existing ecological values are to be protected or ecological restoration is anticipated.
- Height Restriction Overlay (HR) – used to specify locations where corresponding height rules apply.

The potential of the Millbrook Resort to contribute to visitor and economic development within the District through increased employment and visitor activity generated by the resort is recognised. Millbrook Country Club Limited has already paid financial contributions for water and sewerage for demand up to a peak of 5000 people. The 5000 people is made up of hotel guests, day staff, visitors and residents. Should demand exceed this then further development contributions will be levied under the Local Government Act 2002.

12.2 Other Relevant Provisions

12.2.1 District Wide Provisions

Attention is drawn to the following District Wide provisions that may apply in addition to the Millbrook Resort Zone section. Objectives and policies from these sections are applicable as relevant to the Millbrook Resort Zone. If District Wide Rules are not met then resource consent will be required in respect of that matter.

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12.2.1.1	Transport	Refer Section 14
12.2.1.2	Subdivision, Development and Financial Contributions	Refer Section 15
12.2.1.3	Hazardous substances	Refer Section 16
12.2.1.4	Utilities	Refer Section 17
12.2.1.5	Signs	Refer Section 18
12.2.1.6	Relocated Buildings and Temporary Activities	Refer Section 19
12.2.1.7	Earthworks	Refer Section 22
12.2.1.8	Noise	Refer Section Xxx
12.2.1.9	Heritage	Refer Section Xxx

12.3 Objectives and Policies

Objective

- 12.3.1 *Objective 1 – Visitor, residential and recreation activities developed in an integrated manner with particular regard for landscape, heritage, ecological, water and air quality values.*

Policies

- 12.3.1.1 *Require development and activities to be located in accordance with a Structure Plan so as to promote orderly and integrated development and prevent the inappropriate development of sensitive parts of the site.*
- 12.3.1.2 *Require the external appearance of buildings to have appropriate regard to landscape and heritage values.*
- 12.3.1.3 *Protect valuable ecological remnants and promote the enhancement of ecological values where reasonably practical.*
- 12.3.1.4 *Control the take-off and landing of aircraft.*
- 12.3.1.5 *Control air emissions for visual amenity purposes.*
- 12.3.1.6 *Reduce nutrient levels and other pollutants generally and within Mill Creek and improve and protect the water quality of Lake Hayes.*

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12.4 Rules

12.4.1 Activity Tables

Clarification

- (a) Refer to the definitions in Section X for the clarification of terms.
- (b) The activities detailed in Table 1 apply to all sites within their respective Activity Areas as shown on the Structure Plan, unless expressly stated otherwise.
- (c) Applications for building approval for permitted activities shall include information to ensure compliance with these standards.
- (d) The following abbreviations are used in the tables.

P	Permitted	C	Controlled
RD	Restricted Discretionary	D	Discretionary
NC	Non Complying	PR	Prohibited

- (e) Any activity listed as a permitted activity is subject to compliance with the performance standards detailed in Table 2 and any relevant District Wide provisions.

Table 1 – Activity Table

	Activities – Millbrook	Status
12.4.1.1	Any activity which complies with the rules for permitted activities and is not listed as a controlled, discretionary, non-complying or prohibited activity	P
12.4.1.2	Farm buildings in all activity areas aside from the Landscape Protection Area as set out in rule 12.4.1.13 * Council shall exercise control over effects on heritage and landscape values	C*
12.4.1.3	Buildings in: <ul style="list-style-type: none"> - The Village Activity Area; or - R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12 and R13 of the Residential Activity Area; or - The Recreational Facilities Activity Area except for: <ul style="list-style-type: none"> - sites for which a requirement to comply with approved design guidelines is secured via a subdivision condition or consent notice * With the exercise of Council's control limited to: <ul style="list-style-type: none"> - the external appearance of the building and - the effect of visual values of the area including coherence with the surrounding buildings. 	C*

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	Activities – Millbrook	Status
12.4.1.4	<p>Licensed Premises in the Village Activity Area:</p> <p>Premises licensed for the consumption of alcohol on the premises between the hours of 11pm and 8am, provided that this rule shall not apply to the the sale and supply of alcohol:</p> <ul style="list-style-type: none"> • to any person who is residing (permanently or temporarily) on the premises; • to any person who is present on the premises for the purpose of dining up until 12am. <p><u>*Control is in respect to consideration of:</u></p> <ul style="list-style-type: none"> (a) The scale of the activity (b) Car parking and traffic generation (c) Effects on amenity (including that of adjoining residential zones and public reserves) (d) The configuration of activities within the building and site (e.g. outdoor seating, entrances) (e) Noise issues and hours of operation. 	C*
12.4.1.5	<p>Buildings in R14, R15 and R16 of the Residential Activity Area, <u>except for:</u></p> <ul style="list-style-type: none"> - sites for which a requirement to comply with approved design guidelines is secured via a subdivision condition or consent notice <p>* With the exercise of Council's discretion limited to:</p> <ul style="list-style-type: none"> - the external appearance of the building; and - associated landscaping controls; and - the effect of visual values of the area including coherence with the surrounding buildings and landscape values. <p>Assessment matter: In R14, R15 and R16 the following are anticipated:</p> <ul style="list-style-type: none"> - dark and recessive building materials; and - a range of vegetation which is predominantly indigenous including shrub and tree species that contribute to the mitigation of potential adverse effects - particular attention to accessway designs 	RD*

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	Activities – Millbrook	Status
12.4.1.6	<p>Buildings in R17 of the Residential Activity Area, <u>except for:</u></p> <ul style="list-style-type: none"> - sites for which a requirement to comply with approved design guidelines is secured via a subdivision condition or consent notice <p>* With the exercise of Council's discretion limited to:</p> <ul style="list-style-type: none"> - the external appearance of the building; and - the effect of visual values of the area including coherence with the surrounding buildings and heritage values <p>Assessment matter: The location, height and bulk of buildings should be assessed with particular attention to maintaining or creating viewshafts to the historic cottage in R18 which allow the appreciation of the historical configuration of that building and the plantings and signs of domestication that surround it. Materials and designs of buildings in R17 shall also integrate with the heritage values of that site.</p>	RD*
12.4.1.7	Buildings in the Golf Course and Open Space Activity Area, except for utilities, service and accessory buildings up to 40m2 in gross floor area.	D
12.4.1.8	Residential activity in the Resort Services, Golf / Open Space or Recreational Facilities Activity Areas, except for residential activity ancillary to a permitted or approved activity.	D
12.4.1.9	Visitor Accommodation outside of the Village Activity Area	D
12.4.1.10	<p>Commercial and Community Activities, except for:</p> <ul style="list-style-type: none"> - Commercial recreation activities; or - offices and administration activities directly associated with the management and development of Millbrook or ancillary to other permitted or approved activities located within the Resort Services and Village Activity Areas; or - Bars, restaurants, theatres, conference, cultural and community facilities in the Village Activity Area; or - retail activities which comply with rule 12.5.1.8 (retail sales) 	D
12.4.1.11	<p>Commercial Recreation Activities, except for:</p> <ul style="list-style-type: none"> - golf courses (aside from the Landscape Protection Area); or - Within the Recreation Facilities Activity Area or Village Activity Area 	D
12.4.1.12	Golf courses in the Landscape Protection Activity Area	NC

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	Activities – Millbrook	Status
12.4.1.13	Buildings the Landscape Protection Activity Area, except for: <ul style="list-style-type: none"> - utility buildings up to 25m² in gross floor area; and - farm buildings in the in that part of the Activity Area which fronts Malaghans Road. 	NC
12.4.1.14	Helicopter landing and take-off areas in the Helicopter Landing and Take-off Activity Area <p>* With the exercise of Council's control limited to:</p> <ul style="list-style-type: none"> - safety - effects on amenity values - confirmation that no more than one helicopter landing and take-off area shall be in operation at any given time. 	RD*
12.4.1.15	Airports , aside from: <ul style="list-style-type: none"> - Helicopter landing and takeoffs approved under rule xxx (above); or - the use of land and water for an emergency landings, rescues and fire fighting. 	NC
12.4.1.16	Mining	NC
12.4.1.17	Service Activities , except for: <ul style="list-style-type: none"> - activities directly related to other approved or permitted activities within the Zone; and - located within the Resort Services Activity Area; or - located within the Golf / Open Space Activity Area and which have a gross floor area of no more than 40m² 	NC
12.4.1.18	Industrial Activities ; except for: <ul style="list-style-type: none"> - activities directly related to other approved or permitted activities within the Zone; and - activities located within the Resort Services Activity Area 	NC

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	Activities – Millbrook	Status
12.4.1.19	Licensed Premises outside of the Village Activity Area Premises licensed for the consumption of alcohol on the premises between the hours of 11pm and 8am, provided that this rule shall not apply to the the sale and supply of alcohol: <ul style="list-style-type: none"> to any person who is residing (permanently or temporarily) on the premises; to any person who is present on the premises for the purpose of dining up until 12am. 	NC
12.4.1.20	Panelbeating, spray painting, motor vehicle repair or dismantling except for activities directly related to other approved or permitted activities within the Zone and located within the Resort Services Activity Area.	PR
12.4.1.21	Forestry Activities	NC
12.4.1.22	Fibreglassing, sheet metal work, bottle or scrap storage, motorbody building or wrecking, fish or meat processing (excluding that which is ancillary to a retail premises such as a butcher, fishmonger or supermarket), or any activity requiring an Offensive Trade Licence under the Health Act 1956.	PR
12.4.1.23	Factory Farming	PR

12.5 Rules

- 12.5.1 The rules detailed in Table 2 apply to all sites within that Activity Area of the Resort Zone, unless expressly stated otherwise.
- 12.5.2 The rules detailed in Table 2 apply to Permitted activities and activities that require Resource Consent.
- 12.5.3 Permitted activities that do not achieve the standards listed in Table 2 result in the status categories as shown in column 3 of the tables.

Table 2 – Rules – Millbrook Subzone

	Rules – Millbrook	Non-compliance status
12.5.1.1	Setbacks No building or structure shall be located closer than 6m to the Zone boundary, and <u>in addition</u> : No building shall be located closer than 10m from Malaghan Road or the Arrowtown Lake Hayes Road	RD
12.5.1.2	Residential Density In the Millbrook Resort Zone the maximum number of residential units shall be limited to 450.	NC

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	Rules – Millbrook	Non-compliance status																
12.5.1.3	<p>Residential density in R14, R15, R16 and R18</p> <p>In the following parts of the Residential Activity Area the total number of residential units shall not exceed:</p> <table><tr><td>R14</td><td>6 residential units</td></tr><tr><td>R15</td><td>15 residential units</td></tr><tr><td>R16</td><td>6 residential units</td></tr><tr><td>R18</td><td>1 residential units</td></tr></table>	R14	6 residential units	R15	15 residential units	R16	6 residential units	R18	1 residential units	NC								
R14	6 residential units																	
R15	15 residential units																	
R16	6 residential units																	
R18	1 residential units																	
12.5.1.4	<p>Building Height</p> <p>The maximum height of buildings shall be:</p> <ul style="list-style-type: none">-Visitor accommodation, clubhouses, conference and theatre facilities restaurants, retail and residential buildings (except in R14, R15, R16 and R17)- 8m- Filming towers - 12m- All other buildings and structures (except in R14, R15, R16 and R17)- 4m	NC																
12.5.1.5	<p>Building Height in R14, R15, R16 and R17</p> <p>In the following parts of the Residential Activity Area (as annotated on the Structure Plan) the following maximum building heights shall apply:</p> <table><tr><td>R14</td><td>5.5m</td></tr><tr><td>R15</td><td>6.5m except within those parts subject to the Height Restriction Overlay where the height limit shall be 5.5m.</td></tr><tr><td>R16</td><td>6.5m except within those parts subject to the Height Restriction Overlay where the height limit shall be 5.5m.</td></tr><tr><td>R17</td><td>5.5m</td></tr></table> <p>And <u>in addition</u> no part of a building shall be situated above the following heights above sea level:</p> <table><tr><td></td><td>Datum (masl)</td></tr><tr><td>R14</td><td>465.5m</td></tr><tr><td>R15</td><td>478.5m</td></tr><tr><td>R16</td><td>483m</td></tr></table>	R14	5.5m	R15	6.5m except within those parts subject to the Height Restriction Overlay where the height limit shall be 5.5m.	R16	6.5m except within those parts subject to the Height Restriction Overlay where the height limit shall be 5.5m.	R17	5.5m		Datum (masl)	R14	465.5m	R15	478.5m	R16	483m	NC
R14	5.5m																	
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	Rules – Millbrook	Non-compliance status
12.5.1.6	<p>Glare</p> <p>(a) All fixed lighting shall be directed away from adjacent roads and properties, and so as to limit effects on the night sky.</p> <p>(b) Any building or fence constructed or clad in metal, or material with reflective surfaces shall be painted or otherwise coated with a non-reflective finish.</p> <p>(c) No activity shall result in a greater than 3.0 lux spill, horizontal and vertical, of light onto any property located outside of the Zone, measured at any point inside the boundary of the adjoining property.</p>	NC
12.5.1.7	<p>Nature and Scale of Activities</p> <p>Except within the Village and Resort Services Activity Areas:</p> <p>(a) No goods, materials or equipment shall be stored outside a building, except for vehicles associated with the activity parked on the site overnight.</p> <p>(b) All manufacturing, altering, repairing, dismantling or processing of any materials, goods or articles shall be carried out within a building</p>	NC
12.5.1.8	<p>Retail Sales</p> <p>(a) No goods or services shall be displayed, sold or offered for sale from a site except:</p> <p>(i) goods grown, reared or produced on the site; or</p> <p>(ii) goods and services associated with, and ancillary to the recreation activities taking place (within buildings associated with such activities) within the Recreation Facilities Activity Area; or</p> <p>(ii) Within the Village Activity Area</p>	NC
12.5.1.9	<p>Maximum Total Site Coverage</p> <p>The maximum site coverage shall not exceed 5% of the total area of the Zone. For the purposes of this Rule, site coverage includes all buildings, accessory, utility and service buildings but excludes weirs, filming towers, bridges and roads and parking areas.</p>	NC
12.5.1.10	<p>Fire Fighting</p> <p>A fire fighting reserve of water shall be maintained. The storage shall meet the New Zealand Fire Service Firefighting Water Supplies Code of Practice 2008.</p>	NC

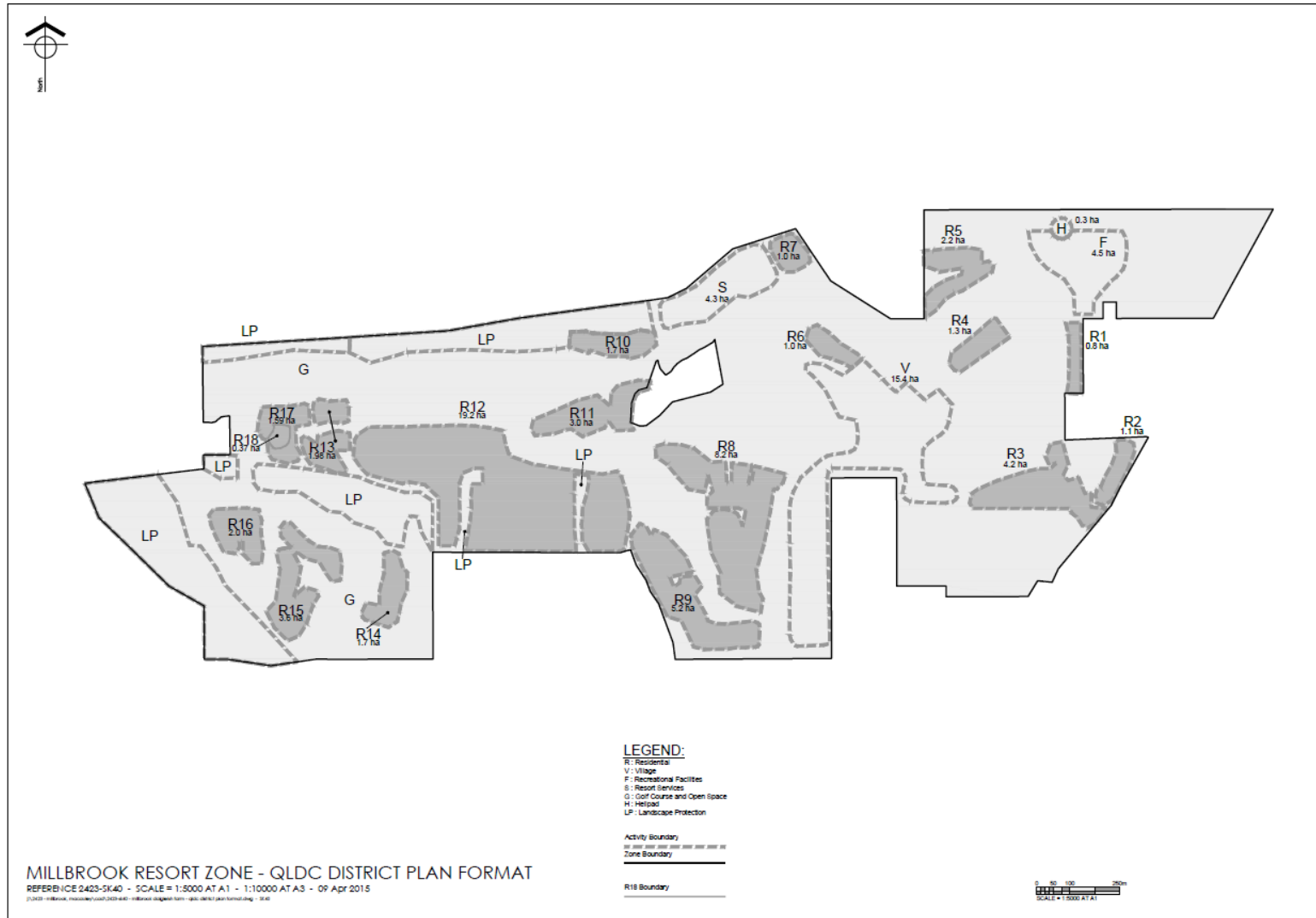
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	Rules – Millbrook	Non-compliance status
12.5.1.11	<p>Golf Course development</p> <p>Development of more than more than 27 holes of golf shall not take place without a plan being approved by Council and its implementation secured via a condition of consent or consent notice, which addresses the following:</p> <ul style="list-style-type: none"> - Practical and reasonable protection and restoration of ecological values in those areas identified within the Ecological Protection and Restoration Overlay; and - Practical and reasonable measures within the Amenity Landscaping overlay to mitigate or avoid adverse effects on the amenity values enjoyed within properties beyond the Zone boundary; and - An overview of measures that shall be employed to maintain or enhance the quality of water within Mill Creek and Lake Hayes. 	NC
12.5.1.12	<p>Atmospheric Emissions</p> <p>There shall be no indoor solid fuel fires, <u>except for</u>:</p> <ul style="list-style-type: none"> - Feature open fireplaces in the clubhouse and other communal buildings including bars and restaurants. <p>Note – Council bylaws and Regional Plan rules may also apply to indoor and outdoor fires.</p>	NC
12.5.1.13	<p>Helicopter Landing Areas</p> <p>There shall be no more than one permanent helicopter landing area approved via resource consent at any given time within the Zone.</p>	NC

12.6 Non-Notification of Applications

- 12.6.1 Except as provided for by the Act, all applications for controlled activities and restricted discretionary activities will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons.

MILLBROOK RESORT ZONE 12



Note – see higher resolution versions of maps in accompanying documentation.

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