

Queenstown Lakes District Proposed District Plan – Stage 1

Section 42A Hearing Report For Hearing commencing: 13 February 2016

Report dated: 17 January 2016

Report on submissions and further submissions
Chapter 43

File Reference: Chp. 43 S42A

Contents:

1. Executive summary
2. Introduction
3. Code of conduct
4. Scope
5. Background – Statutory and Non-Statutory Documents
6. Background – Overview of the issues
7. Analysis of Submissions
8. Conclusion

Appendix 1. Recommended revised chapter.

Appendix 2. List of Submission points with recommended decision.

Appendix 3. Section 32 Report.

Appendix 4. S32AA evaluation of the recommended changes

Appendix 5. Millbrook Country Club Limited Revised Position

Appendix 6. Correspondence from X-Ray Trust Limited

I also have referred to, and relied on the following evidence filed alongside this section 42A report or in the case of Ms Jones, filed in the District Wide hearing stream:

Ms Hannah Ayres (Landscape Architect) – dated 17 January 2017

Mr Samuel Corbett (Traffic Engineer) – dated 17 January 2017

Ms Vicki Jones (Planner) – Reply Evidence for Chapter 26 Historic Heritage – dated 6 July 2016

1. EXECUTIVE SUMMARY

1.1. The framework, structure and majority of the provisions in the Proposed District Plan (**PDP**) Chapter 43 Millbrook should be retained as notified and are supported by the section 32 (**s32**) assessment report which is provided at **Appendix 3** to this report.

1.2. Several changes to the notified version are considered appropriate based on submissions received, and these are shown in the Revised Chapter attached as **Appendix 1 (Revised Chapter)**. I have also recommended a number of minor changes, or wording changes that provide better expression. The more substantive amendments include:

a. Updating the Structure Plan to the version submitted by Millbrook Country Club Limited (**MCCL**) dated 2 December 2016 (**amended MCCL Structure Plan**). One further amendment proposed by Ms Ayres, to provide a Roadside Planting Overlay to maintain planting for visual screening along Malaghans Road, needs to be added to the Structure Plan. The amended MCCL Structure Plan:

- i. reduces portions of the southern-most Residential Activity Areas;
- ii. introduces an Earthworks Overlay to provide for appropriate re-contouring;
- iii. amends the layout of part of the Landscape Protection Activity Area and Golf Course and Open Space Activity Areas;
- iv. introduces Gully Planting and Open Planting Overlays in place of the Ecological Protection and Restoration Overlay; and

b. Updating the notified Millbrook Resort Zone (**MRZ**) Chapter to include:

- i. an updated structure plan which provides for mitigation of adverse effects beyond the MRZ;
- ii. more specific overlays to managing planting in gullies and open areas for ecological restoration purposes;
- iii. earthworks overlays to identify specific areas for earthworks to be undertaken to mitigate effects of development and land use on neighbouring properties;
- iv. restriction on building within the earthworks overlays;
- v. introduction of indicative residential sites where future buildings will be located, with specific height controls for these sites to be included in the design guidelines;

- vi. rules covering setbacks for particular residential sites;
- vii. a rule allowing only one residential unit per indicative residential site;
- viii. restrictions on the number of buildings in the R18 activity area;
- ix. a rule requiring the design guidelines to be submitted to Council for approval prior to any development proceeding; and
- x. a rule requiring development to proceed in general accordance with the structure plan and the design guidelines.

1.3. I consider that the Revised Chapter is more effective and efficient than the notified Chapter 43, and also than the further changes sought by submitters that I have recommended be rejected. I consider that the Revised Chapter better meets the purpose of the Resource Management Act 1991 (**RMA**). The key reasons for this conclusion include:

- a. the Revised Chapter, including the amended MCCL Structure Plan (along with the Roadside Planting Overlay), will achieve better landscape and visual outcomes for the zone expansion into the Dagleish Farm;
- b. the Revised Chapter addresses the effects on the most affected neighbouring submitters (X-Ray Trust Limited and Donaldson);
- c. structural changes to remove assessment matters provide a more consistent approach with other PDP changes, without compromising the ability for a robust assessment; and
- d. a requirement to submit the design guidelines for approval and for development to proceed in general accordance with the structure plans and design guidelines will assist in development being consistent with the objectives and policies for the Millbrook Resort Zone.

2. INTRODUCTION

2.1. My Name is Ruth Christine Cameron Evans. I am employed by Harrison Grierson as a senior planner and I am currently engaged by Queenstown Lakes District Council (**Council**) to prepare this officers report for Chapter 43 Millbrook. I hold the qualifications of Master of Regional and Resource Planning and Bachelor of Arts from Otago University and I am an intermediate member of the New Zealand Planning Institute. I have 12 years' experience in resource management planning. My experience includes planning for both private and government organisations in New Zealand and Australia. My current role includes provision of policy planning services to local authority clients and resource consent services for land development clients. Earlier this year I was engaged by the Council to prepare the s42A report for Chapter 36 Noise.

2.2. I am not the principal author of the notified PDP Chapter 43.

2.3. I visited Millbrook Resort and the Dalgleish Farm block, the land the subject of the zone expansion, on 29 November 2016.

2.4. In this Evidence:

- a. if I refer to a provision number without any qualification, it is to the notified provision number and has not changed through my recommendations;
- b. if I refer to a 'redraft' provision number, I am referring to the s42A recommended provision number in the Revised Chapter at **Appendix 1**; and
- c. if I refer to a 'MCCL' provision number, I am referring to the provision number as used in the MCCL revised Millbrook Chapter (which I note is included in **Appendix 5**).

3. CODE OF CONDUCT

3.1. Although this is a Council hearing, I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person. I am authorised to give this evidence on the Council's behalf.

4. SCOPE

4.1. My evidence addresses the submissions and further submissions received on the notified MRZ Chapter. The key issues raised in submissions can be grouped under the following broad topics:

- a. expansion of the MRZ to include the Dalgleish Farm;
- b. control over development within the MRZ including building heights, density, and activity status for some activities;
- c. management of development in the Landscape Protection Area (**LPA**);
- d. effects on landscape and ecological values; and
- e. effects of the Dalgleish Farm expansion on amenities of people living within and in the vicinity of the MRZ.

4.2. Where I recommend substantive changes to provisions I assess those changes in terms of Section 32AA of the Resource Management Act 1991 (**RMA**) (see **Appendix 4**). The Table in **Appendix 2** outlines whether individual submissions are accepted, accepted in part, rejected, considered to be out of scope or transferred to another hearing stream.

4.3. This evidence is intended to be a stand-alone document and also meet the requirements of s42A of the RMA. A more in-depth understanding can however be obtained from reading the section 32 report and reports referenced within the s32 report, along with monitoring reports which can be found at www.QLDC.govt.nz.

4.4. With the exception of submissions relating specifically to the extension of the MRZ to include the Dalgleish Farm, my evidence does not address the submissions and further submissions on rezoning requests. These will be heard at the Rezoning Hearing scheduled for May 2017. Two memoranda from the Council and two minutes from the Panel confirmed this approach.¹ This is indicated in **Appendix 2**.

4.5. I have read, referred to and relied on the evidence of Ms Hannah Ayres (Landscape Architect), and Mr Samuel Corbett (Traffic Engineer) prepared on the Millbrook Chapter, and reply evidence of Ms Vicki Jones (Planner) in relation to Chapter 26 Historic Heritage.

¹ Memorandum of Counsel on behalf of QLDC regarding the Millbrook Zone, Chapter 43 dated 14 November 2016, Minute responding to the Council's Memorandum regarding the Millbrook Zone dated 16 November 2016, Memorandum of Counsel on behalf of the QLDC regarding submissions relation to the 'Dalgliesh Farm' component of the Millbrook Zone dated 6 December 2016, and Second Minute concerning a request to transfer submissions on the Millbrook Zone to the February hearing dated 7 December 2016.

5. BACKGROUND – STATUTORY AND NON-STATUTORY DOCUMENTS

5.1. The s32 evaluation for Chapter 43 provides an overview of the higher order planning documents applicable to the MRZ Chapter (see **Appendix 3**, pages 2-3). In summary, the following documents have been considered in the preparation of this chapter and in this report:

The RMA

- a. In particular the purpose and principles in Part 2, which emphasise the requirement to sustainably manage the use, development and protection of the natural and physical resources for current and future generations, taking into account the 'four well beings' (social, economic, cultural and environmental).

The Local Government Act 2002

- b. In particular section 14, Principles relating to local authorities. Sub-sections 14(c), (g) and (h) emphasise a strong intergenerational approach, considering not only current environments, communities and residents but also those of the future. They demand a future focussed policy approach, balanced with considering current needs and interests. Like the RMA, the provisions also emphasise the need to take into account social, economic and cultural matters in addition to environmental matters.

Iwi Management Plans

- c. when preparing or changing a district plan, Section 74(2A)(a) of the RMA states that Council's must "*take into account*" any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district. Two iwi management plans are relevant:
 - *The Cry of the People, Te Tangi a Taurira*: Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008 (MNRMP 2008)

- *Kāi Tahu ki Otago* Natural Resource Management Plan 2005 (KTKO NRMP 2005)

Operative Otago Regional Policy Statement 1998 (Operative RPS)

- d. Section 75(3) of the RMA requires that a district plan prepared by a territorial authority must "*give effect to*" any regional policy statement. The Operative RPS contains a number of objectives and policies that relate to development at Millbrook Resort, including:
- i. Objective 5.4.1 and associated Policies 5.5.3 and 5.5.5 promote sustainable land use and minimising the effects of development on water and land;
 - ii. Objective 5.4.3 and Policy 5.5.6 seek to protect Otago's outstanding natural features and landscapes from inappropriate subdivision, use and development;
 - iii. Objectives 9.4.1 to 9.4.3 focus on the promotion of sustainable management of the built environment and infrastructure, as well as avoiding or mitigating against adverse effects on natural and physical resources; and
 - iv. Policies 9.5.1 to 9.5.5 have a similar theme. These provisions set the basis to manage the effects of development through sustainable management of land and infrastructure.
- e. I consider Chapter 43 gives effect to this policy framework, makes efficient use of resources and minimises adverse effects.

Proposed Otago Regional Policy Statement 2015 (PRPS)

- f. Section 74(2) of the RMA requires that a district plan prepared by a territorial authority shall "*have regard to*" any proposed Regional Policy Statement. The PRPS was notified for public submissions on 23 May 2015 and decisions on submissions were released on 1 October 2016. Appeals to the Environment Court closed on 9 December 2016. At the time of filing this s42A report, the Otago Regional Council has not released a summary of indication of provisions affected by any appeals.
- g. The following objectives and polices are relevant to Chapter 43:

- i. Objective 4.4 (notified as 3.6) and Policy 4.4.6 (notified as 3.6.6).
 - ii. Objective 4.5 (notified 3.7 and 3.8 combined) and policies 4.5.1, 4.5.3, 4.5.4, 4.5.5, 4.5.6 (notified as 3.8.1, 3.7.1, 3.7.2, 3.7.3, 3.7.4).
 - iii. Objective 5.3 (notified 4.3) and Policy 5.3.3 (notified as 4.3.4)
- h. In summary, together these objectives and policies set a basis to ensure:
- i. energy supplies to communities are secure and sustainable;
 - ii. urban growth and development is well designed, reflects local character, and integrates effectively with adjoining urban and rural environments; and
 - iii. sufficient land is managed and protected for economic production.
- i. The changes made to the PRPS through its decision are relatively minor and, in my opinion, will not have any effect on the appropriateness of the recommended revised PDP Chapter 43. I consider that revised Chapter 43 will give effect to the PRPS.

6. BACKGROUND – OVERVIEW OF THE ISSUES

- 6.1. The purpose of the MRZ is to manage development in the Millbrook Resort. The zone provides for recreational, commercial, visitor accommodation and residential activities. The zone is proposed to be extended through the PDP process, to include a neighbouring 66 hectare block referred to as the 'Dalgleish Farm'. The notified structure plan and rules provide for golf course development (nine holes) and residential development (45-55 residential units) over the Dalgleish Farm block. The overall residential development capacity of 450 dwellings of Millbrook Resort is not proposed to change.
- 6.2. The s32 analysis covers both the review of the MRZ provisions contained in the Operative District Plan (**ODP**) and their updating in the PDP to improve efficiency, consolidate and align with existing and consented development, and the extension of the MRZ over the Dalgleish Farm. The s32 analysis identifies the following key resource management issues:
- a. issues with the ODP Structure Plan and inefficiencies in the provisions;
 - b. Millbrook Country Club Limited (**MCCL**) is likely to continue its influence over the zone with respect to maintaining design guidelines and approving building designs;

- c. development of the 450 dwellings in the operative zone may detract from amenity values within the zone;
- d. landscape and heritage challenges within the Dalglish Farm block and the need to avoid, remedy or mitigate adverse effects;
- e. ecological values associated with the Dalglish Farm and their protection and restoration; and
- f. effects of development on neighbouring properties.

6.3. Submissions on proposed Chapter 43 confirmed the above issues, focussing mainly on the zone expansion across the Dalglish Farm, rather than the revised ODP provisions.

6.4. Since close of further submissions, MCCL has been working with submitter 356 (X-Ray Trust Limited) to address concerns raised in their submission. X-Ray Trust Limited owns land directly south of the Dalglish Farm. In consultation with X-Ray Trust Limited, MCCL has produced a revised Structure Plan and Chapter 43. This documentation is attached at **Appendix 5**. I have reviewed the MCCL revised Structure Plan and MCCL revised Chapter. Ms Ayres has also reviewed these provisions. Where the amendments proposed to the chapter are supported, they have been included in the Revised Chapter (see **Appendix 1**). With respect to suggested amendments to the structure plan, it is recommended that the Chapter is amended to include the Structure Plan provided in MCCL's revised proposal, with one amendment as proposed by Ms Ayres, to provide a Roadside Planting Overlay to maintain planting for visual screening along Malaghans Road (as shown in **Appendix 6 to Ms Ayres' evidence**).

7. ANALYSIS OF SUBMISSIONS

7.1. 13 primary submissions and 12 further submissions with a total of 178 submission points were received on the notified PDP Chapter 43 – Millbrook.

7.2. The RMA, as amended in December 2013, no longer requires a report prepared under s42A or the Council decision to address each submission point but, instead, requires a summary of the issues raised in the submissions. Some submissions contain more than one issue, and will be addressed where they are most relevant within this evidence.

7.3. A summary of submission points received and a recommendation on whether the submission is recommended to be rejected, accepted, accepted in part or transferred to another hearing (ie, the rezoning hearings) is attached as **Appendix 2**. I have read and considered all submissions, including further submissions.

7.4. Submissions raise the following key issues:

- a. Issue 1 – Expansion of the zone to include the Dalgleish Farm;
- b. Issue 2 – Rezoning of other properties to Millbrook Resort Zone;
- c. Issue 3 – Landscape and ecological matters;
- d. Issue 4 – Development controls and activity status;
- e. Issue 5 – Residential density and capacity; and
- f. Issue 6 – Other matters and minor redrafting and reformatting amendments.

7.5. I have also suggested some non-substantive amendments for the purposes of efficiency. These are summarised after the discussion on key issues, in section 13 of this report.

8. ISSUE 1 – EXPANSION OF THE ZONE TO INCLUDE THE DALGLEISH FARM

8.1. The majority of submissions were on the notified expansion of the MRZ to include the Dalgleish Farm. In summary:

- a. Submitter 14 (Siddall and Tweedie) opposed the Dalgleish Farm zone expansion on the basis of effects on people living within and in the vicinity of Millbrook Resort including increased traffic, reduced safety and noise. Submitter 14 contended that the proposed expansion does not demonstrate good resource management practice. The submitter also sought an amendment to Policy 43.2.1.1 to include 'the avoidance of adverse effects on the amenities of residents within and in the vicinity of Millbrook'; as well as the deletion of rules that provide for development within the expansion area and an amendment to the structure plan to remove the expansion area. This submission is supported by Griffin (FS1272) and Archibald (FS1291), and opposed by MCCL (FS1302).
- b. Submitter 19 (K Fround) supported the chapter generally; submitter 818 (Michael Hill Tournaments) supported the zone expansion (submission opposed by FS1713 (Siddall and Tweedie) and FS1349 (X-Ray Trust Limited); submitter 696 (Millbrook Country Club Limited) supported the entire chapter (this submission was opposed by Griffin (FS1272), Archibald (FS1291) and X-Ray Trust Limited (FS1349).
- c. Submitters 234 (D Egerton) and 346 (J Egerton) (both submissions opposed by MCCL (FS1266) opposed the Dalgleish Farm zone expansion unless their property at 9 Orchard Hill Road, Arrowtown is included in the MRZ. I note the rezoning

components of these submissions (ie the submitter's land) are not within the scope of this hearing.

- d. Submitter 356 (X-Ray Trust Limited) opposed the zone expansion largely due to effects on landscape values and effects on their land to the south of the Structure Plan. Submitter 356 seeks amendments to the Chapter and the Structure Plan. MCCL generally opposed this submission through FS1306. For efficiency I note here that MCCL subsequently proposed amendments to the Chapter and Structure Plan (dated 2 December 2016 and attached as **Appendix 5**), and Submitter 356 has subsequently confirmed their support for the revised proposal (**Appendix 6**).
- e. Submitter 541 (Boundary Trust) opposed the zone expansion unless their property at 459 Arrowtown-Lake Hayes Road, Arrowtown is included in the MRZ. This submission was opposed by MCCL in FS1266. The rezoning submission component of this submission (ie the submitter's land) is not within the scope of this hearing.
- f. Submitter 558 (Spruce Grove Trust) opposed the zone expansion unless their property at 1124 Malaghans Road is included in the MRZ. This submission was opposed by MCCL in FS1266. The rezoning submission component of this submission (ie the submitter's land) is not within the scope of this hearing.
- g. Submitter 559 (Boundary Trust) opposed the zone expansion unless their property at 29 Butel Road, Arrowtown is included in the MRZ. This submission was opposed by MCCL in FS1266. Again, the rezoning submission component of this submission (ie the submitter's land) is not within the scope of this hearing.
- h. Submitter 446 (Roger Donaldson) sought that if Council grants Millbrook the extension, that the submitter's property be rezoned to MRZ or, Rural Lifestyle at a minimum. The submitter noted that their land is directly adjacent to the expanded Millbrook Zone on three sides and is concerned about how the expansion will affect their future and that there will be adverse effects on their land as it is adjacent to Millbrook. The rezoning submission component of this submission (ie the submitter's land) is not within the scope of this hearing.

Siddall and Tweedie (14)

- 8.2. In respect to Submitter 14 (Siddall and Tweedie) and effects relating to traffic, safety and noise, I note that the Dalgleish Farm zone expansion will not increase the overall number of residential units provided for within the zone. 450 units are provided for under the ODP rules, and this has been carried through to the notified MRZ provisions. The zone expansion will have the effect of reconfiguring the density between the Millbrook Resort and the Dalgleish Farm area, with approximately 45-55 of the residential units potentially able to be located in the expanded area of the zone. On this basis the effects described by the submitter (traffic, safety and noise), which the submitter contends will arise from the zone expansion, are already anticipated by the existing ODP provisions albeit confined to a smaller area of the zone. The notified MRZ will not increase the scale or intensity of these actual or potential effects.
- 8.3. I also note that traffic associated with the resort expansion is likely to access Millbrook Resort via the new Malaghans Road vehicle access, rather than via the main Millbrook Resort access further east along Malaghans Road. There may be traffic from the expansion area that comes through Millbrook Resort, for example to utilise the commercial facilities, but again I consider this effect is not directly from the expansion. However, this is anticipated to be a relatively low volume of traffic consistent with the traffic volumes that could currently be expected from within the resort if it were developed to its full extent.
- 8.4. Since notification, the Council has sought expert advice from Mr Samuel Corbett, traffic engineer, in relation to the expansion. His evidence concludes that there will be no adverse traffic effect associated with the expansion. For these reasons, I therefore recommend that Siddall and Tweedie's submission be rejected.

D Egerton (234), J Egerton (346), Boundary Trust (541), Spruce Grove Trust (558) and Boundary Trust (559)

- 8.5. With respect to submissions 234 (D Egerton), 346 (J Egerton), 541 (Boundary Trust), 558 (Spruce Grove Trust) and 559 (Boundary Trust) these submitters all oppose the expansion of the MRZ unless their own properties are included in the zone. No resource management reasons are given for the opposition to the zone expansion. For the reasons outlined in the s32 report and supporting reports, this s42A report, the evidence of Ms Ayres relating to the appropriateness of the expansion, and the evidence of Mr Corbett that there will be no adverse traffic effects from the expansion I consider the zone expansion (as amended recently by MCCL and included in **Appendix 5**) to be based on sound resource

management principles. I therefore recommend that these submission points opposing the expansion of the zone be rejected.

X-Ray Trust submission (356) and Roger Donaldson (446)

- 8.6. The proposed zone expansion does not increase the overall cap on the number of residential units to be developed within the MRZ, and effects associated with the expansion are generally related to landscape and visual amenity from future development anticipated in the zone expansion area – including those relating to residential units, roads, landscaping and the additional golf course areas. These matters are the subject of the X-Ray Trust submission (#356). Submitter #446 (Roger Donaldson) owns the land directly south of R12 and while the submission is not specific with regard to potential adverse effects on this submitter's land, potential effects have been considered.
- 8.7. I rely on the opinion and evidence prepared by Ms Ayres in relation to the appropriateness of the zone expansion from a landscape and visual amenity perspective. Ms Ayres considers that the revised package addresses the landscape related concerns of submitters.
- 8.8. With respect to the specifics of the X-Ray Trust submission, the submitter requested an amendment to the purpose of the Millbrook Zone to recognise it is located adjacent to a Rural Zone and land that holds a number of ecological and landscape values. The submitter also sought relatively minor amendments to the chapter objective, and some of the policies. A number of amendments were proposed to the rules by X-Ray Trust, generally seeking to remove potential for resort style development in R14, R15 and R16. As noted earlier, MCCL has subsequently prepared a revised structure plan and chapter to address the concerns raised in both the X-Ray Trust and Donaldson submissions (see **Appendix 5**). X-Ray Trust has subsequently confirmed the revised MCCL proposal addresses their concerns (see **Appendix 6**).
- 8.9. On this basis, I recommend rejecting the specific changes sought to Chapter 43 by submitter 356, however in doing so note that these points have been addressed by the proposed amendments to the chapter suggested by MCCL and contained in **Appendix 1**.
- 8.10. The changes proposed by MCCL that I recommend including in the Revised Chapter in **Appendix 1** include:
- a. Removal of the Ecological Protection and Restoration Overlay and inclusion of Gully Planting and Open Planting Overlays in the Structure Plan. These overlays

are described in 43.1 of the Revised Chapter. Ms Ayres has assessed this change and concluded that the revised overlays will be sufficient to protect and enhance ecological values of the site. I accept and rely on Ms Ayres² assessment and recommend that this change be incorporated. With respect to listing specific species and landscaping requirements for these overlays, I consider this detail is better located in the design guidelines.

- b. Introduction of Earthworks Overlays to provide specific areas for earthworks to be undertaken for the purposes of mitigated effects of development and land use on neighbouring properties to the Dalgleish part of the zone. This overlay is described in 43.1 of the Revised Chapter. Ms Ayres supports³ the addition of this overlay on the basis that it will be more effective mitigation than just planting along the boundary. I accept Ms Ayre's expert assessment of this matter and recommend including the overlay and corresponding rules (redraft Rule 43.4.2 and redraft (new) Rule 43.4.24) which restrict building in these areas, in the Revised Chapter.
- c. Identification of Indicative Residential Sites to establish locations for buildings and height limits, as well as a recession plane for some sites near ridgelines, and setbacks for specific sites in R15, see redraft Rule 43.5.1. This is also described in 43.1 of the Revised Chapter. Again Ms Ayres⁴ has supported this amendment, noting that it is important to effectively control individual building sites. I accept this recommendation. However, I consider that the specific height requirements for each site and recession planes would be better located in the design guidelines and managed through conditions of consent. I have therefore included a requirement to comply with the height and recession plane requirements in the design guidelines as part of redraft Rule 43.5.5. I agree with the suggested rule restricting residential units to one per indicative residential site, and have included this in the Revised Chapter at Rule 43.5.3.
- d. At Ms Ayres' recommendation, I have also include a rule within redraft Rule 43.5.11 to require trees within the proposed Roadside Planting Overlay to be maintained. This is to assist with screening of the development from Malaghans Road, this is necessary given the movement of residential sites towards Malaghans Road in the MCCL revised Structure Plan.

2 Ms Ayres Statement of Evidence paragraph 11.6.

3 Ms Ayres Statement of Evidence paragraph 11.6.

4 Ms Ayres Statement of Evidence paragraph 11.6.

- 8.11. MCCL generally proposed more detailed provisions to be included in the rules regarding planting species and site specific building controls. I am concerned that some of these are too bespoke for a PDP chapter (something which I understand the Council is actively trying to avoid in the PDP) and are more likely to resemble conditions of consent. I am aware that the Council has difficulty administering such rules through the PDP with respect to monitoring and enforcement. As an alternative I suggest that this more specific site by site detail and planting species could be included in the future design guidelines. The Revised Chapter in **Appendix 1**, also now contains a new Advice Note and rule (redraft Advice Note 43.3.2.3 and redraft Rule 43.4.26) requiring that the design guidelines be submitted to Council for approval prior to any development proceeding.

9. ISSUE 2 – REZONING OF OTHER PROPERTIES TO MILLBROOK RESORT ZONE

- 9.1. The Panel confirmed in its minute dated 7 December 2016 the submission points that relate directly to the expansion of the MRZ to include the Dalgleish Farm block are to be heard in this Resort zones hearing stream. While some of these submitters opposing the Dalgleish Farm extension seek that their properties also be rezoned to MRZ if the expansion is approved, these submission points will be heard in the mapping hearing later this year. The submissions table (at **Appendix 2**) reflects this.

10. ISSUE 3 – LANDSCAPE AND ECOLOGICAL MATTERS

Control of development in the Landscape Protection Area

- 10.1. Submission 499 (Skipp Williamson) has submitted in support of the Landscape Protection Area (**LPA**) of the Structure Plan. The submitter supports Rule 43.4.12⁵ that states that golf courses in the LPA are a non-complying activity. The submission seeks further restriction on development in the LPA, including a non-complying status for Commercial Recreation Activities⁶ and utility or farm buildings unless they are in the LPA directly adjoining Malaghans Road. The submitter has sought policy support for the non-complying activity status through the inclusion of a new policy to avoid all buildings and golf courses in the LPA to the west of R15 and R16.
- 10.2. I note that Commercial Recreation Activities are defined in Chapter 2 as '*the commercial guiding, training, instructing, transportation or provision of recreation facilities to clients*

5 Referred to as Rule 42.4.12 in the submission, which is assumed to be a typographical error, as the rule for golf courses is 43.4.12.

6 Rule 43.4.11.

*for recreational purposes including the use of any building or land associated with the activity, excluding ski area activities*⁷.

- 10.3. Ms Ayres has assessed this submission⁸ and advised that all buildings in the LPAs should be a non-complying activity, with the exception of providing for one relocated farm building in the part of the Activity Area that fronts Malaghans Road. Ms Ayres states in her paragraph 11.18 that she is comfortable with the rules around Commercial Recreation Activities in the LPAs. I accept and rely on Ms Ayres' expert advice on this matter and I have amended Rule 43.4.13 accordingly. I therefore recommend this submission point be accepted in part.

11. ISSUE 4 – DEVELOPMENT CONTROLS AND ACTIVITY STATUS

- 11.1. Submission 383 (Council's corporate submission) sought a number of changes to the notified provisions. These submission points were generally opposed by MCCL (FS1264), Griffin (FS1271) and Archibald (FS1291).

Activity status for various activities

- 11.2. The submitter sought that the activity status for mining, panel beating, spray painting, motor vehicle repair or dismantling and forestry be changed from non-complying to prohibited, on the basis that these uses are not anticipated in the zone. I do not consider prohibited activity status to be necessary for these activities, as non-complying activity status already indicates to PDP users that these uses are not anticipated in the zone. The non-complying status will provide a robust assessment and the opportunity for Council to decline consent if necessary. I therefore recommend that these submission points be rejected.

Activity status for buildings in the R18 activity area

- 11.3. The Council (383) requested an activity status of non-complying for buildings in the R18 area containing the historic cottage, in order to rectify the default permitted status under Rule 43.4.1. MCCL opposed this in a further submission (1204.11), noting that the default status is controlled, not permitted and that the density standards only allow one dwelling. I note that MCCL's submission that the default status is controlled is incorrect,

7 Notified Chapter 2 – Definitions.

8 Statement of Evidence of Ms Ayres, paragraph 11.14 to 11.18.

Rule 43.4.1 provides a default permitted activity status. MCCL further submits that no further rules are necessary, on the basis that the historic cottage is listed in the Heritage section of the PDP and is subject to further controls that manage how this can be modified. I note that Rule 26.6.13 (Chapter 26 Reply version) requires a restricted discretionary activity consent for development within the Extent of Place for the historic cottage. This rule focusses on effects of development on the heritage value of the protected feature.

- 11.4. I agree with the Council that there should be some control over the number of buildings in R18. This should be in addition to the heritage related controls in reply Rule 26.6.13. For residential units, I consider that this is adequately provided through Rule 43.5.3, which states that the total number of residential units on R18 shall not exceed one. Non-compliance with this rule has a non-complying activity status. Therefore the relief sought by the Council has already been provided for within the rules in relation to residential units.
- 11.5. In terms of other buildings, I note that farm buildings are a controlled activity in all activity areas pursuant to notified Rule 43.4.2. The Council has not sought to change this. This leaves other buildings in R18 defaulting to permitted activity status under Rule 43.4.1. Given that other buildings would not generally be expected in this residential activity area and the PDP only anticipates the one historic cottage, I consider that non-complying activity status would be appropriate. Consent applications for other buildings would need to be carefully considered, and I consider that the non-complying activity status will adequately provide for this. I therefore recommend accepting the Council's submission point, and have made an amendment to the Revised Chapter, new Rule 43.4.25 for buildings other than residential units or farm buildings, see **Appendix 1**.

Building height in R13

- 11.6. The Council has also sought that a maximum building height be included for the R13 Residential Activity Area. No suggested height has been included in the submission. MCCL (1264) has opposed this submission point, noting that the height is restricted under Rule 45.3.4. I note that reference to Rule 45.3.4 in MCCL's submission is likely a typographical error as the rule that restricts height is Rule 43.5.4. Maximum building/structure heights for development R13 is included in this rule, with a default status of non-complying activity if the standard is not met. I recommend the submission point be rejected as building height is already specified.

12. ISSUE 5 – RESIDENTIAL DENSITY AND CAPACITY

Density limit for R1-12, R13 and R17

12.1. Submitter 383 (the Council) has sought that density limits be included for R1-12, R13 and R17 residential activity areas. The submission does not suggest what these density limits should be or a reason for them to be included in the rules. MCCL (1264) has opposed this submission. I note that there is an overall limit of 450 dwellings in the zone, including the extended zone, which has been carried over from the ODP. There are no density limits in the ODP for R1-12, which has largely been consented. With respect to R13 and R17, which are located in the expanded zone, no density limits are proposed in the notified rules. Density limits are proposed for R14, R15, R16 and R18, reflecting the more sensitive nature of these areas with respect to landscape, visual and heritage effects. I have discussed the need for density limits for R13 and R17 with Mr Corbett who advised that no density limit for these areas is required from a transport perspective. Ms Ayres has considered this submission⁹ and her opinion is that a density limit would be beneficial to ensure that the consented density in R12 extends to R13 and R17.¹⁰ Ms Ayres has suggested a cap of 10 residential units for R13 and 7 for R17. I rely on this advice and have included these restrictions in the Revised Chapter at **Appendix 1**.

13. ISSUE 6 – OTHER MATTERS AND MINOR REDRAFTING AND REFORMATTING AMENDMENTS

13.1. Submitter 383 (the Council) sought that the structure plan be amended to be consistent with Planning Map 26 (as revised 17/07/2015). This submission point was opposed on a general basis by Griffin, Archibald and X-Ray Trust. I am not aware of any error in the structure plan boundary, as identified in the Council's submission. Rather it is the original planning map that contained an error, which I now turn to.

13.2. Submission 696 (MCCL) submitted that there was an error in that the operative Millbrook Zone boundary has been shown on the notified planning map (rather than a boundary that aligns with the expanded/notified Structure Plan), and seeks that the boundary of the Millbrook Zone as shown on the District Plan maps be amended to reflect that shown on the Structure Plan within Chapter 43. This submission point was opposed by Siddall and Tweedie (FS1317), Griffin (FS1272), Archibald (FS1291) and X-Ray Trust (FS1349).

9 Statement of Evidence of Hannah Ayres dated 17 January 2017, at paragraph 11.9.

10 Statement of Evidence of Hannah Ayres dated 17 January 2017, at paragraph 11.9.

- 13.3. I understood that the Council did initially notify a map with an incorrect Millbrook boundary and when advised of the error by MCCL, re-notified the same planning map (which is the version dated 17/07/2015 on the Council's website) to show the expanded zone boundary. For effectiveness and efficiency reasons, it is recommended that this submission point be accepted and the corrected map be accepted.
- 13.4. Submitter 383 also sought that the assessment matters listed in Rule 43.4.5 and Rule 43.4.6 be reformatted into matters of discretion or standards, in order to be consistent with the format of the remainder of the PDP, which no longer contains assessment matters. The submitter did not provide any reformatted matters of discretion or standards. This submission point was opposed by MCCL (FS1306) on the basis that the reformatting would be inappropriately inflexible, and Griffin, and Archibald, on the basis of general opposition. For consistency throughout the PDP, I consider these can be reformatted, without changing the intent or effect of the provision. However I note that both rules already contain matters of discretion at the start of the rule, which are consistent with the assessment matters. The assessment matters could be deleted on the basis of providing a consistent approach throughout the PDP. I therefore recommend the QLDC submission point be accepted. I have made this amendment in the revised chapter in **Appendix 1** (as well as non-substantive amendments to these rules for efficiency reasons).
- 13.5. Submitter 383 also sought that the reference to 'design guidelines' in Rules 43.4.3, 43.4.5 and 43.4.6 be amended to specify a version and year of the guideline, or amend to 'any Council approved design guidelines'. This submission point was opposed by 1264 (MCCL), 1272 (Griffin) and 1291 (Archibald). Given that the Council will exercise its control over, or restrict its discretion to the guidelines, including a date or version reference or referring to the guidelines as being 'Council approved' may not be strictly necessary. However it may be helpful for PDP users to know that they can obtain the guideline from the Council. I do not support including a date or version number on the guidelines as this would result in a plan change being needed to amend them. I therefore recommend the submission be accepted, and the revised chapter amended to include 'Council approved' in the reference to these guidelines. I have also made a further suggested change, to include a rule requiring the guidelines are submitted prior to any development (redraft Rule 43.4.26) and that development proceed in general accordance with the guidelines and structure plan (redraft Rule 43.4.27). These changes are shown in the Revised Chapter at **Appendix 1**.

- 13.6. The Council (submission 383) requested that in relation to Rules 43.4.17 and 43.4.18, the PDP specify what 'service activities' and 'industrial activities' the rules are referring to and the limits of permitted activities under Rule 43.4.1¹¹. Both 'service activities' and 'industrial activities' are defined in Chapter 2 of the PDP. Rules 43.4.17 and 43.4.18 specify that these activities are non-complying, unless they meet certain conditions. If the conditions are met then the activities become permitted under Rule 43.4.1. The conditions limits are restrictive and I consider that the permitted status if conditions are met is appropriate. I do not consider that any further restriction or definition is required. For these reasons I recommend the submission points be rejected.
- 13.7. Submission 383 (the Council) also sought the inclusion of the words 'and the night sky' to the end of the sentence in Rule 43.5.6 to limit impacts.¹² It is not clear in the submission where this text is to be inserted. It could have been the intention was to insert it after the word 'Glare' in the rule heading, so the rule heading would read 'Glare and the night sky'. Regardless, in the Council's legal right of reply for the Business Hearing stream, it was determined that it would be difficult to know if compliance was achieved or not with a rule controlling effects on the night sky, and was therefore considered *ultra vires*. On this basis, I recommend the submission point be rejected.
- 13.8. In relation to Clause 43.6.1, the non-notification clause, the Council (383) has sought amendments to the clause to reflect standard wording used in other PDP chapters. The suggested amendment does not change the effect of the clause. I recommend the submission point be accepted on the basis of consistency in the PDP. I note that the amendment suggested in the submission showed additions that were not underlined. I have corrected this in the Revised Chapter at **Appendix 1**.
- 13.9. Submission 356 (X-Ray Trust Limited) sought that a definition for 'valuable ecological remnants' or 'ecological remnants' be included in the Definitions Chapter of the PDP (opposed by MCCL FS1306). With respect to 'Valuable Ecological Remnants' and 'Ecological Remnants' I note that that these are terms used in the notified Chapter 43 only, they do not appear in the rest of the PDP. Furthermore, these terms are not used in the revised chapter submitted by MCCL, to which X-Ray Trust has provided their support. As they are isolated to the notified Millbrook chapter, and only used in a policy within Chapter 43, I do not consider a specific definition is necessary. I therefore recommend that the submission be rejected.

11 Opposed by FS1214 Z Energy, FS1264 MCCL, 1272 Griffin and 1291 Archibald

12 Opposed by FS1264 MCCL, 1272 Griffin and 1291 Archibald

14. OTHER RECOMMENDED AMENDMENTS

14.1. I have recommended a number of non-substantive changes to the Revised Chapter in **Appendix 1**. These are largely to correct typographical and formatting errors, and to achieve consistency with other PDP chapters.

14.2. I have recommended a change to Policy 43.2.1.2, specifically:

Require the external appearance of buildings to have ~~appropriate~~particular regard to landscape and heritage values.

14.3. I consider that this change is non-substantive, but the amended wording better reflects the language used in the objective for this chapter.

14.4. I have also made recommended (non-substantive) changes to Policies 43.2.1.4 and 43.2.1.5 so that they read as policies rather than statements.

14.5. I have recommended including in the clarification section, a statement that MCCL will submit design guidelines to Council for approval. I believe this statement will be helpful for PDP users, to know up front that the guidelines exist/will be prepared.

14.6. In addition to including a rule requiring submission of the design guidelines for approval prior to any development proceeding, I believe it is also important to include a rule requiring that development proceed in accordance with the Structure Plan. While this may be assumed, as the Structure Plan forms part of the chapter, this was not explicitly stated in the notified chapter. I consider this change is non-substantive, as the Structure Plan already exists, but the specific rule should be included for effectiveness and efficiency reasons. This also implements Policy 43.2.1.1. The rule also gives further assurance that the trees to be retained for screening purposes (recommended as Roadside Planting Overlay by Ms Ayres) will be retained.

14.7. I have identified an issue in Rule 43.5.1 Setbacks, however no submissions were received on this issue. Therefore, I do not consider there is scope within submissions for me to be recommending changes. The problem is that while the first two standards of Rule 43.5.1 have a restricted discretionary status, there are no matters of discretion. Given that no matters of discretion were identified in the notified PDP, I consider that the

activity status should be changed to discretionary. However, I note there is no scope to make this change.

15. CONCLUSION

- 15.1. On the basis of my analysis within this evidence, I recommend that the changes within the Revised Chapter in **Appendix 1** are accepted.
- 15.2. The changes will improve the clarity and administration of the Plan; contribute towards achieving the objectives of the Plan and Strategic Direction goals in an effective and efficient manner and give effect to the purpose and principles of the RMA.

A handwritten signature in black ink, appearing to read 'Ruth Evans', is positioned above the typed name.

Ruth Evans

Consultant Planner, Harrison Grierson

17 January 2017

Appendix 1. Recommended Revised Chapter

Appendix 2. List of Submitters and Recommended Decisions

MILLBROOK RESORT ZONE 43

Key:

Recommend changes to notified chapter are shown in underlined text for additions and ~~strike through text~~ for deletions. Section 42A report, Appendix 1, dated 17 January 2017.

43 Millbrook Resort Zone

43.1 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 Landscaping Overlay (AMAL) – to identify those locations where it is considered appropriate for measures to be undertaken to avoid unreasonable identified potential 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 specific height rules apply.
- Earthworks Overlays (E1 and E2) – to identify specific areas where earthworks will be undertaken for the purposes of mitigating effects from development and use of land on properties neighbouring the Dalgleish area of the Zone, and prevent buildings in those areas.

Comment [RE1]: Non-substantive change for clarity and efficiency

MILLBROOK RESORT ZONE 43

- Gully Planting (GP) and Open Planting (OP) Overlays – to specify approximate locations of and the nature and scale of planting required for ecological protection and restoration purposes in the South Dalgleish area of the Zone.
- Indicative Residential Sites – to establish locations where future buildings will be located, specific height limits, and recession plane controls for building near ridgelines.

Comment [RE2]: #356. Includes suggested changes provided by MCCL in response to submission #356, with some amendments.

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.

43.2 Objectives and Policies

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

Policies

- 43.2.1.1 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.
- 43.2.1.2 Require the external appearance of buildings to have appropriate particular regard to landscape and heritage values.
- 43.2.1.3 Protect valuable ecological remnants and promote the enhancement of ecological values where reasonably practical.
- 43.2.1.4 ~~Control~~ Require the take-off and landing of aircraft to be controlled.
- 43.2.1.5 Require ~~Control~~ air emissions to be controlled for visual amenity purposes.
- 43.2.1.6 Reduce nutrient levels and other pollutants generally and within Mill Creek and improve and protect the water quality of Lake Hayes.

Comment [RE3]: Non-substantive change - wording amended to reflect wording used in Objective 43.2.1.

Comment [RE4]: Amended as per the Fourth Procedural Minute dated 8 April 2016.

Comment [RE5]: Amended as per the Fourth Procedural Minute dated 8 April 2016.

43.3 Other Provisions and Rules

43.3.1 District Wide

Attention is drawn to the following District Wide chapters. All provisions referred to are within Stage 1 of the Proposed District Plan, unless marked as Operative ~~District Plan (ODP)~~.

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
24 Signs (<u>operative ODP</u>)	25 Earthworks (<u>operative ODP</u>)	26 Historic Heritage
27 Subdivision	28 Natural Hazards	29 Transport (<u>operative ODP</u>)
30 Energy and Utilities	31 Hazardous Substances (<u>operative ODP</u>)	32 Protected Trees
33 Indigenous Vegetation	34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings
36 Noise	37 Designations	Planning Maps

MILLBROOK RESORT ZONE 43

43.3.2 Clarification

Advice Notes

43.3.2.1 Where an activity does not comply with a Standard listed in the Standards table, the activity status identified by the 'Non-Compliance Status' column shall apply. Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.

Comment [RE6]: Non-substantive change to clarify the identification of methods and advice notes.

Comment [RE7]: Non-substantive change to support ease of reference

43.3.2.2 Development resulting in more than one (1) residential unit per lot shall show each residential unit contained within the net area. For the purposes of this rule net area means an area of land shown on a plan with defined boundaries (legally defined or otherwise), less any area for shared access or any strip of land less than 6m in width.

Comment [RE8]: Non-substantive change to support ease of reference

43.3.2.3 The following abbreviations are used within this Chapter.

Comment [RE9]: Non-substantive change into table, to support ease of reference

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

43.3.2.3 Millbrook Resort Country Club Limited will prepare and submit design guidelines to the Council for approval prior to any development proceeding in the South Dalglish area of the Zone. These guidelines will cover (but not to be restricted to) assessment matters, building design, colour and material of buildings, building heights above sea level, appropriate species for the Gully Planting and Open Planting Overlays and guidance for landscaping plans for golf course development.

Comment [RE10]: #383 and #356

43.4 Rules – Activities

	Activities – Millbrook	Status
43.4.1	Any activity which complies with the rules for permitted activities and is not listed as a controlled, discretionary, non-complying or prohibited activity	P
43.4.2	Farm buildings in all activity areas aside from the Landscape Protection Area as set out in rule 43.4.13 and in the E1 and E2 areas as set out in Rule 43.4.24. * Council shall exercise e Control is reserved to the over effects on heritage and landscape values	C*
43.4.3	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 * With the exercise of *Council's e Control is reserved limited to the implementation of Council approved design guidelines and parameters to control: <ul style="list-style-type: none"> †The external appearance of the building, and †The effect of on visual values of the area including coherence with the surrounding buildings. 	C*

Comment [RE11]: #356. Proposed changes by MCCL in response to submission #356.

Comment [SG12]: Non-substantive change for consistency with other PDP Chapters.

Comment [SG13]: Non-substantive change for consistency with other PDP Chapters.

Comment [RE14]: #383

Comment [RE15]: Non-substantive change

Comment [RE16]: Non-substantive change for consistency

Comment [RE17]: Non-substantive change

Comment [RE18]: Non-substantive change to improve expression

MILLBROOK RESORT ZONE 43

Activities – Millbrook	Status
<p>43.4.4 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 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>*Control is in respect to consideration of the following:</p> <ul style="list-style-type: none"> • The scale of the activity; • Car parking and traffic generation; • Effects on amenity (including that of adjoining residential zones and public reserves); • The configuration of activities within the building and site (e.g. outdoor seating, entrances); • Noise issues and hours of operation. 	<p>C*</p>
<p>43.4.5 Buildings in R14, R15 and R16 of the Residential Activity Area</p> <p>.* With the exercise of Council's discretion is limited restricted to consideration of the following: the implementation of design guidelines and parameters to control:</p> <ul style="list-style-type: none"> • Consistency with Council approved design guidelines; and • the external appearance of the building; and • associated landscaping controls; and • the effect of on 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 	<p>RD*</p>

Comment [SG19]: Non-substantive change for consistency with other PDP Chapters.

Comment [RE20]: Non-substantive change for consistency.

Comment [RE21]: Non-substantive change for consistency.

Comment [RE22]: Non-substantive change for consistency.

Comment [RE23]: Non-substantive change for consistency.

Comment [RE24]: Non-substantive change for consistency and efficiency.

Comment [RE25]: #383

Comment [RE26]: Non-substantive change for consistency and efficiency

Comment [RE27]: Non-substantive change to improve expression

Comment [RE28]: #383.
Note that these assessment matters are captured by the matters of discretion and should be included in the design guidelines

MILLBROOK RESORT ZONE 43

	Activities – Millbrook	Status
43.4.6	<p>Buildings in R17 of the Residential Activity Area</p> <p>* With the exercise of Council's discretion limited is restricted to consideration of the following: the implementation of design guidelines and parameters to control:</p> <ul style="list-style-type: none"> • consistency with Council approved design guidelines; and • the external appearance of the building including materials and designs; and • the effect on 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*
43.4.7	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
43.4.8	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
43.4.9	Visitor Accommodation outside of the Village Activity Area	D
43.4.10	<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 43.5.8 (retail sales) 	D
43.4.11	<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
43.4.12	Golf courses in the Landscape Protection Activity Area	NC

Comment [SG29]: Non-substantive change for consistency with other PDP Chapters.

Comment [RE30]: #383

Comment [RE31]: Non-substantive change for consistency and efficiency

Comment [RE32]: Non-substantive change to improve expression

Comment [RE33]: Non-substantive formatting change.

Comment [RE34]: #383.
Note that these assessment matters are captured by the matters of discretion and should be included in the design guidelines

Comment [RE35]: Non-substantive change for consistency.

Comment [RE36]: Non-substantive change for consistency.

Comment [RE37]: Non-substantive change for consistency.

MILLBROOK RESORT ZONE 43

	Activities – Millbrook	Status
43.4.13	<p>Buildings in the Landscape Protection Activity Area, except for:</p> <ul style="list-style-type: none"> • utility buildings up to 25m² in gross floor area; and • one farm buildings in the (relocated from within the site and restored) in that part of the Landscape Protection Activity Area which fronts Malaghans Road. 	NC
43.4.14	<p>Helicopter landing and take-off areas in the Helicopter Landing and Take-off Activity Area</p> <p>* With the exercise of Council's control discretion limited to:</p> <ul style="list-style-type: none"> • Safety; and • 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*
43.4.15	<p>Airports, aside from:</p> <ul style="list-style-type: none"> • Helicopter landings and takeoffs approved under rule 43.4.14 (above); or • the use of land and water for an emergency landings, rescues and fire-fighting. 	NC
43.4.16	<p>Mining</p>	NC
43.4.17	<p>Service Activities, except for:</p> <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
43.4.18	<p>Industrial Activities; except for:</p> <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
43.4.19	<p>Licensed Premises outside of 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. 	NC

Comment [RE38]: Non-substantive change to correct wording of sentence.

Comment [RE39]: #499

Comment [RE40]: Non-substantive change to correct wording of sentence.

Comment [RE41]: #499

Comment [RE42]: Non-substantive change to make it clear what activity area is being referred to.

Comment [RE43]: Non-substantive change for efficiency.

Comment [RE44]: Non-substantive change to language to reflect the activity status of restricted discretionary, not controlled.

Comment [RE45]: Non-substantive change to clarify reference to more than one landing (similar to takeoffs).

MILLBROOK RESORT ZONE 43

	Activities – Millbrook	Status
43.4.20	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.	NC
43.4.21	Forestry Activities	NC
43.4.22	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
43.4.23	Factory Farming	PR
43.4.24	<u>Buildings in the E1 and E2 Areas</u>	PR
43.4.25	<u>Buildings other than one residential unit or a farm building in R18 of the Residential Activity Area.</u>	NC
43.4.26	<u>Any development within the Millbrook Resort Zone prior to the approval of Millbrook Design Guidelines by Queenstown Lakes District Council.</u>	NC
43.4.27	<u>Development shall be undertaken in general accordance with the Structure Plan provided at 4.7 and the Council approved design guidelines.</u>	NC

Comment [RE46]: #356.
Change proposed by MCCL in response to this submission.

Comment [RE47]: #383

Comment [RE48]: Added for completeness as no rule requiring this in the notified version. Required to implement Policy 43.2.1.1

43.5 Rules- Standards

	Rules – Millbrook	Non-compliance status
43.5.1	<p>Setbacks</p> <p>No building or structure shall be located closer than 6m to the Zone boundary, and in addition:</p> <p>No building shall be located closer than 10m from Malaghan Road or the Arrowtown Lake Hayes Road</p> <p><u>On Indicative Residential Sites 14 and 19 no building shall be located within a 7m setback from those boundaries of the Indicative Residential Sites which adjoin the boundary of the Residential Activity Area.</u></p>	RD
43.5.2	<p>Residential Density</p> <p>In the Millbrook Resort Zone the maximum number of residential units shall be limited to 450.</p>	NC
43.5.3	<p>Residential density in R13, R14, R15, R16, R17 and R18</p> <p>In the following parts of the Residential Activity Area the total number of residential units shall not exceed:</p> <p><u>R13 10 residential units</u></p> <p><u>R14 6 residential units</u></p> <p><u>R15 15 residential units</u></p> <p><u>R16 6 residential units</u></p>	NC

Comment [RE49]: #356.
Change proposed by MCCL in response to this submission.

MILLBROOK RESORT ZONE 43

	Rules – Millbrook	Non-compliance status
	<p><u>R17 7 residential units</u></p> <p>R18 1 residential units</p> <p><u>In addition there shall be no more than one residential unit per Indicative Residential Site.</u></p>	
43.5.4	<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
43.5.5	<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> <p>R14 5.5m</p> <p>R15 6.5m except within those parts subject to the Height Restriction Overlay where the height limit shall be 5.5m.</p> <p>R16 6.5m except within those parts subject to the Height Restriction Overlay where the height limit shall be 5.5m.</p> <p>R17 5.5m</p> <p>And in <u>In addition no part of a building shall be situated above the following heights above sea level:</u></p> <p style="text-align: center;">Datum (masl)</p> <p>R14 465.5m</p> <p>R15 478.5m</p> <p>R16 483m</p> <p><u>In addition, buildings must comply with the site specific heights and recession planes for each indicative residential site, as specified in the Council approved design guidelines.</u></p>	NC
43.5.6	<p>Glare</p> <p>43.5.6.1 All fixed lighting shall be directed away from adjacent roads and properties.</p> <p>43.5.6.2 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>43.5.6.3 No activity shall result in a greater than 3.0 lux spill, horizontal and vertical, of light onto any property located outside of the</p>	NC

Comment [RE51]: #383

Comment [RE52]: #356.
Change proposed by MCCL in response to this submission.

Comment [RE53]: Non-substantive change to improve wording.

Comment [RE54]: #356

MILLBROOK RESORT ZONE 43

	Rules – Millbrook	Non-compliance status
	Zone, measured at any point inside the boundary of the adjoining property.	
43.5.7	<p>Nature and Scale of Activities</p> <p>Except within the Village and Resort Services Activity Areas:</p> <p>43.5.7.1 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>43.5.7.2 All manufacturing, altering, repairing, dismantling or processing of any materials, goods or articles shall be carried out within a building</p>	NC
43.5.8	<p>Retail Sales</p> <p>43.5.8.1 No goods or services shall be displayed, sold or offered for sale from a site except:</p> <p style="margin-left: 20px;">a. goods grown, reared or produced on the site; or</p> <p style="margin-left: 20px;">b. 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 style="margin-left: 20px;">c. Within the Village Activity Area</p>	NC
43.5.9	<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
43.5.10	<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
43.5.11	<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 <u>through planting</u> in those areas identified within the <u>Gully Planting and Open Planting Overlays</u> 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 <u>and public places</u> beyond the Zone boundary; and • An overview of measures that shall be employed to maintain or 	NC

Comment [RE55]: Non-substantive change to correct typographical error.

Comment [RE56]: Non-substantive change to reflect that some of the amenity planting is to screen from public places.

MILLBROOK RESORT ZONE 43

Rules – Millbrook	Non-compliance status
<p>enhance the quality of water within Mill Creek and Lake Hayes.</p> <ul style="list-style-type: none"> • <u>Landscaping plans that include details of how the Gully Planting and Open Planting Overlays will be planted and maintained, utilising plant species outlined in the Council approved design guidelines.</u> • <u>Earthworks to be undertaken in E1 for the purpose of visually screening all residential properties within the R14 and R15 Activity Areas from approved building locations on sites adjoining the South Dalgleish Area of the Millbrook Resort Zone.</u> • <u>Earthworks to be undertaken in E2 for the purpose of mitigating views of golfing activities as viewed from approved building locations on sites adjoining the South Dalgleish Areas of the Millbrook Resort Zone.</u> • <u>Retention and long term replacement (when required) of those trees within the Roadside Planting Overlay</u> 	
<p>43.5.12 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
<p>43.5.13 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

Comment [RE57]: #356

Comment [RE58]: Submission #356

Comment [RE59]: #356

Comment [RE60]: Underlining removed as not required in chapter and for consistency.

43.6 Non-Notification of Applications

43.6.1 ~~Except as provided for by the Act, a~~ All applications for controlled activities and restricted discretionary activities shall not require the written consent of other persons and shall not be notified or limited-notified. will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons.

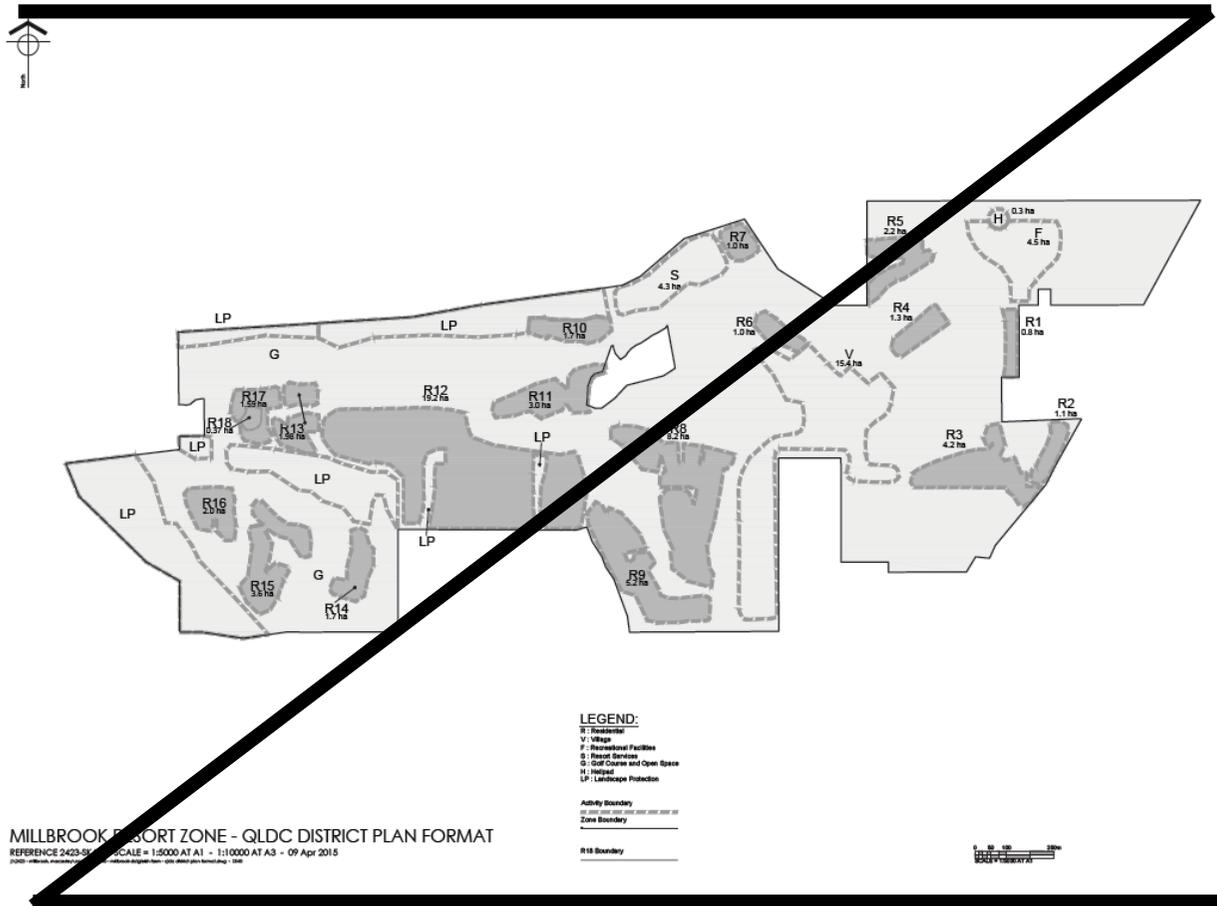
Comment [RE61]: #383

MILLBROOK RESORT ZONE 43

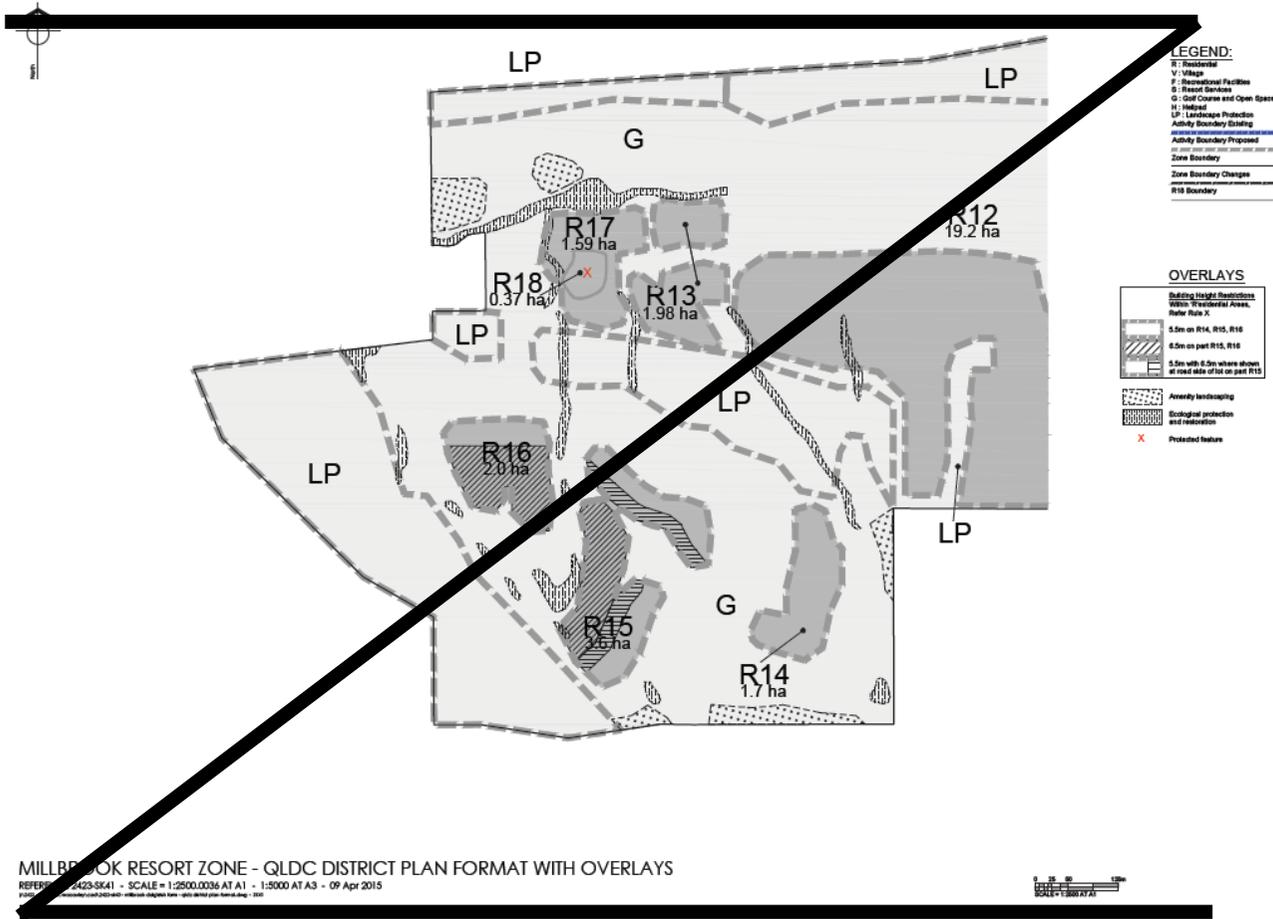
43.7 Structure Plans

Comment [RE62]: Submission #356. Notified Structure Plans to be replaced with those submitted by MCCL to QLDC on 2 December 2016 and provided at the end of this chapter.

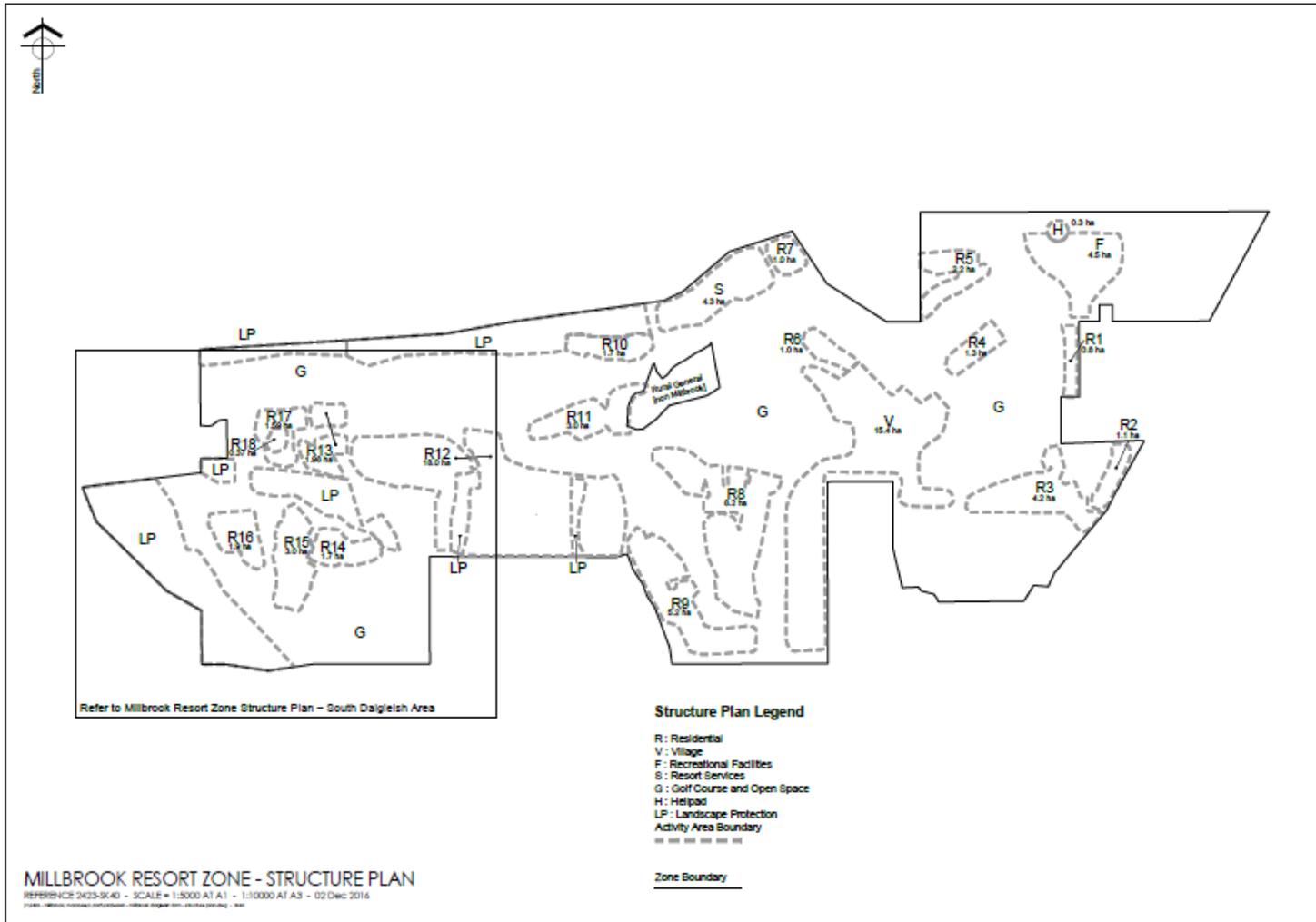
Note that the Structure Plan will require further amendment to include the proposed 'Roadside Planting Overlay'.



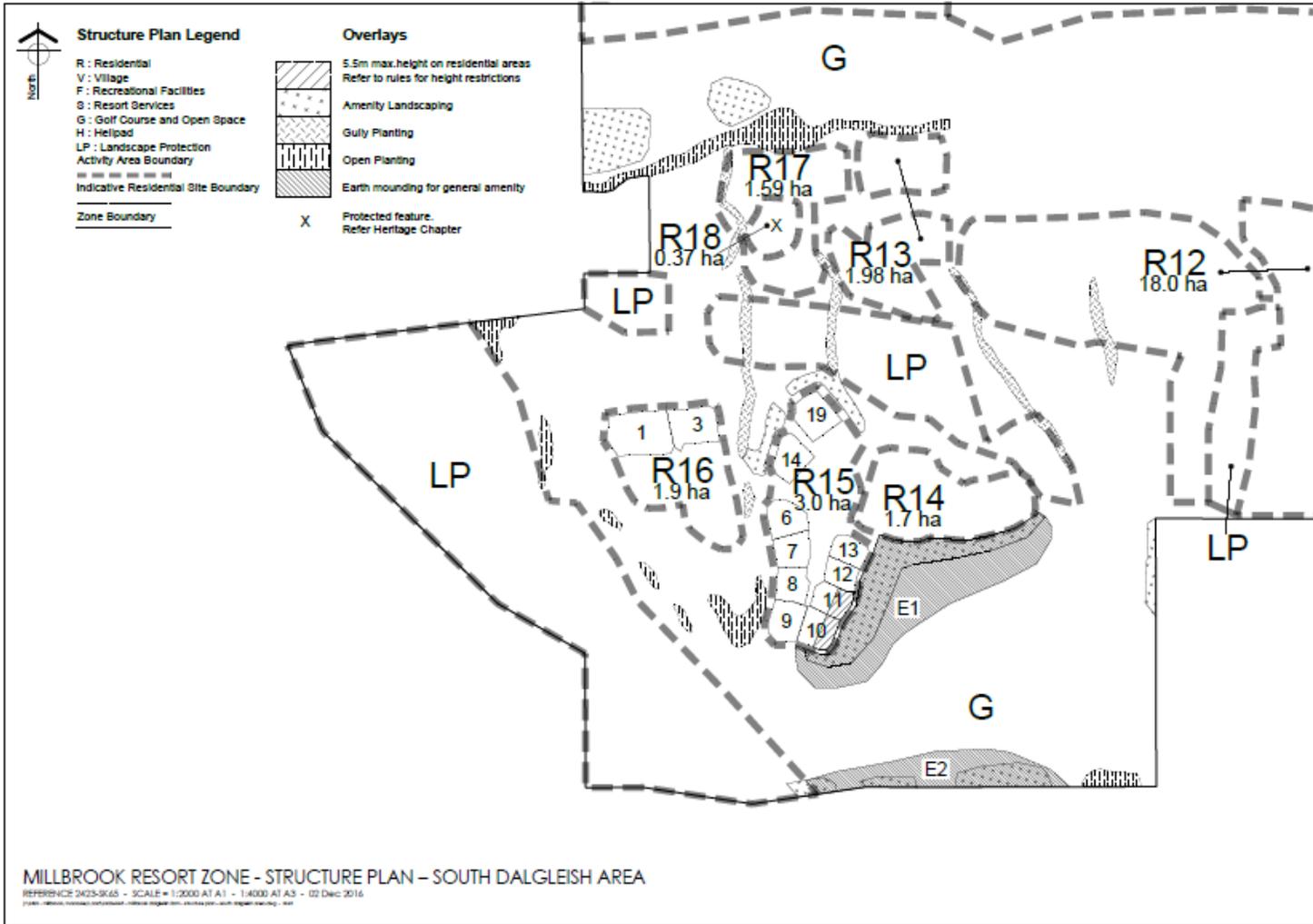
MILLBROOK RESORT ZONE 43



MILLBROOK RESORT ZONE 43



MILLBROOK RESORT ZONE 43



SUBDIVISION 27

Excerpt from Subdivision Chapter – relevant rules for Millbrook Resort Zone

27 Subdivision

...

27.6 Rules - Standards for Subdivision Activities

27.6.1 No lots to be created by subdivision, including balance lots, shall have a net site area or where specified, average, less than the minimum specified. Zone Minimum Lot Area
Town Centres No minimum Local Shopping Centre No minimum

Zone		Minimum Lot Area
Millbrook		No minimum

...

27.7 Rules – Zone and Location Specific Standards

	Zone specific standards	Activity status
27.7.12	Any subdivision of the Millbrook Resort Zone that is inconsistent with the Mill Brook Resort Zone Structure Plan specified in part 43.7.	D

Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
14.9		Gerald Siddall and Richard Tweedie		Other	Make such other consequential deletions or amendments as are necessary to give full effect to this submission	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
14.9	FS1272.9	John Griffin		Support	Supports. Agrees that The proposed expansion of the Millbrook Zone does not demonstrate good resource management practice, as it does not provide for the special characteristics of the Millbrook Special Zone which are not capable of absorbing the effects of future significant residential use and development. Seeks that the submission be allowed in its entirety.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
14.9	FS1291.9	Philippa Archibald		Support	Supports. Agrees that The proposed expansion of the Millbrook Zone does not demonstrate good resource management practice, as it does not provide for the special characteristics of the Millbrook Special Zone which are not capable of absorbing the effects of future significant residential use and development. Seeks that the submission be allowed in its entirety.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
14.9	FS1302.9	Millbrook Country Club Limited (Millbrook)		Oppose	Millbrook opposes this submission to the extent that it seeks changes to the Proposed Millbrook Zone (Chapter 43).	Accept		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
19.26		Kain Fround		Support	Supports the chapter generally.	Accept		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
234.8		Dan Egerton		Oppose	If the relief sought by the submitter is not granted, the submitter opposes any extension of the Millbrook Resort Zone, specifically in a westerly direction.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
234.8	FS1266.9	Millbrook Country Club Limited (Millbrook); - Dan and Jillian Egerton m Boundary Road Trust, Spruce Grove Trust		Oppose	The submission seek that the Millbrook Resort Zone be extended to cover additional land of interest to these submitters not included within the re-notified zone boundary. Such amendments to the Proposed Plan are opposed as they would give rise to an inefficient zoning regime, add to administrative complexity and would not support the integrated management of natural and physical resources.	Accept		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
346.8		Jillian Egerton		Oppose	If the relief sought by the submitter is not granted, the submitter opposes any extension of the Millbrook Resort Zone, specifically in a westerly direction.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
346.8	FS1266.18	Millbrook Country Club Limited (Millbrook); - Dan and Jillian Egerton m Boundary Road Trust, Spruce Grove Trust		Oppose	The submission seek that the Millbrook Resort Zone be extended to cover additional land of interest to these submitters not included within the re-notified zone boundary. Such amendments to the Proposed Plan are opposed as they would give rise to an inefficient zoning regime, add to administrative complexity and would not support the integrated management of natural and physical resources.	Accept		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
356.37		X-Ray Trust Limited		Other	Such further or other relief as is appropriate or desirable in order to take account of the concerns expressed in this submission.			
446.1		Roger Donaldson		Oppose	If Council grants Millbrook an extension of the Millbrook Resort Zone, I request the zoning of my property be altered to more equitably represent the nature of the Millbrook activities that currently do and will surround my property. I suggest it would be appropriate to either include my land in the Millbrook Zone or, at a minimum, have my land re-zoned as Rural Lifestyle given the density of activity that will surround my property.		Transferred to the hearing on mapping	Submission relates to rezoning request and will be heard in the Mapping Hearing.
446.1	FS1264.1	Millbrook Country Club Limited (Millbrook)		Oppose	The amendment is opposed as it would give rise to an inefficient zoning regime, add to administrative complexity and would not support the integrated management of natural and physical resources.		Transferred to the hearing on mapping	Submission relates to rezoning request and will be heard in the Mapping Hearing.
446.1	FS1317.16	Gerald and Richard Siddall and Tweedie		Support	Supports. Seeks that the local authority to retain the Millbrook Resort Zone boundary as per the Operative District Plan.		Transferred to the hearing on mapping	Submission relates to rezoning request and will be heard in the Mapping Hearing.
446.1	FS1349.35	X-Ray Trust		Support	With the purchase of the former Dalgleish Farm, Millbrook now owns the property directly adjacent to ours, on three sides. We are concerned how expansion of the Millbrook Resort Zone will affect our future and that, per the supporting documents and Structure Plans submitted to Council by Millbrook, there will be adverse effects to us as neighbours directly on the boundaries with Millbrook. Relief: If Council grants Millbrook an extension of the Millbrook Resort Zone, I request the zoning of my property be altered to more equitably represent the nature of the Millbrook activities that currently do and will surround my property. I suggest it would be appropriate to either include my land in the Millbrook Zone or, at a minimum, have my land re-zoned as Rural Lifestyle given the density of activity that will surround my property.		Transferred to the hearing on mapping	Submission relates to rezoning request and will be heard in the Mapping Hearing.
541.2		Boundary Trust		Not Stated	That the PDP is amended to rezone 459 Arrowtown-Lake Hayes Road (Lot 3 and Part Lot 2 DP 19667), Lots 1-2 DP 327817 and Lots 1-2 DP 27846 from Rural to Millbrook Resort Zone (and specifically within a Residential Activity Area). OR Any consequential relief or alternative amendments to objectives and provisions to give effect to the matters raised in this submission OR If the aforementioned relief sought by the submitter in this submission is not granted, then the submitter opposes any extension of the operative Millbrook Resort Zone in its entirety, specifically in a westerly direction as proposed under the PDP.		Transferred to the hearing on mapping	NOTE: This submission relates to a request to rezone Rural Zone to Millbrook and is a rezoning request that will be heard in the Wakatipu Basin Mapping Hearing

541.2	FS1304.2	Walrus Jack Trustee Limited		Oppose	Walrus Jack Trustee Limited does not consider that these sites are suitable for resort type development, as this would enable development of a nature, scale and density that would be inconsistent with the objectives and policies of the District Plan and the purpose of the Resource Management Act 1991.		Transferred to the hearing on mapping	NOTE: This submission relates to a request to rezone Rural Zone to Millbrook and is a rezoning request that will be heard in the Wakatipu Basin Mapping Hearing.
541.2	FS1266.21	Millbrook Country Club Limited (Millbrook); - Dan and Jillian Egerton m Boundary Road Trust, Spruce Grove Trust		Oppose	The submission seek that the Millbrook Resort Zone be extended to cover additional land of interest to these submitters not included within the re-notified zone boundary. Such amendments to the Proposed Plan are opposed as they would give rise to an inefficient zoning regime, add to administrative complexity and would not support the integrated management of natural and physical resources.		Transferred to the hearing on mapping	NOTE: This submission relates to a request to rezone Rural Zone to Millbrook and is a rezoning request that will be heard in the Wakatipu Basin Mapping Hearing.
541.2	FS1317.13	Gerald and Richard Siddall and Tweedie		Oppose	Opposes. Seeks that the local authority to retain the Millbrook Resort Zone boundary as per the Operative District Plan.		Transferred to the hearing on mapping	NOTE: This submission relates to a request to rezone Rural Zone to Millbrook and is a rezoning request that will be heard in the Wakatipu Basin Mapping Hearing.
541.4		Boundary Trust		Not Stated	That the following amendments are made to the Millbrook Resort Zone, and would apply to the 'land' described by the submitter as 459 Arrowtown-Lake Hayes Road (Lot 3 and Part Lot 2 DP 19667), Lots 1-2 DP 327817 and Lots 1-2 DP 27846: - The expansion of the Millbrook Resort Zone Structure Plan to include a Residential Activity Area across the land - Provide a reference to the proposed Residential Activity Area (i.e. R19) to distinguish which rules in the Millbrook Resort Zone apply to the land - Include the new Residential Activity Area in Rule 43.4.3 (i.e. controlled activity consent for all residential buildings) - Amend rule 43.5.1 to state that no residential building shall be located within 20m of the Arrowtown-Lake Hayes Rd - Amend Rule 43.5.2 to state that the maximum number of residential units within the Millbrook Resort Zone does not apply to the land - Amend rule 43.5.9 to state that the maximum building coverage of 5% within the Millbrook resort zone does not apply to the land. OR Any consequential relief or alternative amendments to objectives and provisions to give effect to the matters raised in this submission OR If the aforementioned relief sought by the submitter in this submission is not granted, then the submitter opposes any extension of the operative Millbrook Resort Zone in its entirety, specifically in a westerly direction as proposed under the PDP.		Transferred to the hearing on mapping	Submission relates to rezoning request and will be heard in the Mapping Hearing.
541.4	FS1266.23	Millbrook Country Club Limited (Millbrook); - Dan and Jillian Egerton m Boundary Road Trust, Spruce Grove Trust		Oppose	The submission seek that the Millbrook Resort Zone be extended to cover additional land of interest to these submitters not included within the re-notified zone boundary. Such amendments to the Proposed Plan are opposed as they would give rise to an inefficient zoning regime, add to administrative complexity and would not support the integrated management of natural and physical resources.		Transferred to the hearing on mapping	Submission relates to rezoning request and will be heard in the Mapping Hearing.
558.2		Spruce Grove Trust		Not Stated	That the amendments to the Millbrook Resort Zone in the PDP are amended as requested in Point 4.17.		Transferred to the hearing on mapping	Submission relates to rezoning request and will be heard in the Mapping Hearing.
558.2	FS1266.28	Millbrook Country Club Limited (Millbrook); - Dan and Jillian Egerton m Boundary Road Trust, Spruce Grove Trust		Oppose	The submission seek that the Millbrook Resort Zone be extended to cover additional land of interest to these submitters not included within the re-notified zone boundary. Such amendments to the Proposed Plan are opposed as they would give rise to an inefficient zoning regime, add to administrative complexity and would not support the integrated management of natural and physical resources.		Transferred to the hearing on mapping	Submission relates to rezoning request and will be heard in the Mapping Hearing.
558.3		Spruce Grove Trust		Not Stated	That subdivision in the Millbrook Resort Zone (including the extended Millbrook Resort Zone on the land) should continue to be a controlled activity as per the Operative District Plan provisions.		Transferred to Hearing Stream Subdivision and Development	This submission point was assessed in the S42A report on Subdivision. Notice was served on the submitter with regard to this matter in Hearing Stream 4.
558.3	FS1266.29	Millbrook Country Club Limited (Millbrook); - Dan and Jillian Egerton m Boundary Road Trust, Spruce Grove Trust		Oppose	The submission seek that the Millbrook Resort Zone be extended to cover additional land of interest to these submitters not included within the re-notified zone boundary. Such amendments to the Proposed Plan are opposed as they would give rise to an inefficient zoning regime, add to administrative complexity and would not support the integrated management of natural and physical resources.		Transferred to Hearing Stream Subdivision and Development	This submission point was assessed in the S42A report on Subdivision. Notice was served on the submitter with regard to this matter in Hearing Stream 4.
558.4		Spruce Grove Trust		Not Stated	If the aforementioned relief sought by the submitter in this submission is not granted, the submitter opposes any extension of the operative Millbrook Resort Zone in its entirety, specifically in a westerly direction as proposed under the PDP.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
558.4	FS1266.30	Millbrook Country Club Limited (Millbrook); - Dan and Jillian Egerton m Boundary Road Trust, Spruce Grove Trust		Oppose	The submission seek that the Millbrook Resort Zone be extended to cover additional land of interest to these submitters not included within the re-notified zone boundary. Such amendments to the Proposed Plan are opposed as they would give rise to an inefficient zoning regime, add to administrative complexity and would not support the integrated management of natural and physical resources.	Accept		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
559.2		Spruce Grove Trust		Not Stated	That the amendments to the Millbrook Resort Zone in the PDP are amended as requested in Point 4.17.		Transferred to the hearing on mapping	Submission relates to rezoning request and will be heard in the Mapping Hearing.

559.2	FS1266.33	Millbrook Country Club Limited (Millbrook); - Dan and Jillian Egerton m Boundary Road Trust, Spruce Grove Trust		Oppose	The submission seek that the Millbrook Resort Zone be extended to cover additional land of interest to these submitters not included within the re-notified zone boundary. Such amendments to the Proposed Plan are opposed as they would give rise to an inefficient zoning regime, add to administrative complexity and would not support the integrated management of natural and physical resources.		Transferred to the hearing on mapping	Submission relates to rezoning request and will be heard in the Mapping Hearing.
559.3		Spruce Grove Trust		Not Stated	That subdivision in the Millbrook Resort Zone (including the extended Millbrook Resort Zone on the land) should continue to be a controlled activity as per the Operative District Plan provisions.		Transferred to Hearing Stream Subdivision and Development	This subdivision point was assessed in the S42A report on Subdivision. Notice was served on the submitter with regard to this matter in Hearing Stream 4.
559.3	FS1266.34	Millbrook Country Club Limited (Millbrook); - Dan and Jillian Egerton m Boundary Road Trust, Spruce Grove Trust		Oppose	The submission seek that the Millbrook Resort Zone be extended to cover additional land of interest to these submitters not included within the re-notified zone boundary. Such amendments to the Proposed Plan are opposed as they would give rise to an inefficient zoning regime, add to administrative complexity and would not support the integrated management of natural and physical resources.		Transferred to Hearing Stream Heritage and Protected Trees	This submission point was assessed in the S42A report on Subdivision. Notice was served on the submitter with regard to this matter in Hearing Stream 4.
559.4		Spruce Grove Trust		Not Stated	If the aforementioned relief sought by the submitter in this submission is not granted, the submitter opposes any extension of the operative Millbrook Resort Zone in its entirety, specifically in a westerly direction as proposed under the PDP.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
559.4	FS1266.35	Millbrook Country Club Limited (Millbrook); - Dan and Jillian Egerton m Boundary Road Trust, Spruce Grove Trust		Oppose	The submission seek that the Millbrook Resort Zone be extended to cover additional land of interest to these submitters not included within the re-notified zone boundary. Such amendments to the Proposed Plan are opposed as they would give rise to an inefficient zoning regime, add to administrative complexity and would not support the integrated management of natural and physical resources.	Accept		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
696.16		Millbrook Country Club Ltd		Support	Entire Zone - Support	Accept		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
696.16	FS1272.11	John Griffin		Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
696.16	FS1291.11	Philippa Archibald		Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
696.16	FS1349.36	X-Ray Trust		Oppose	MCC supports the provisions in Chapter 43, Millbrook Zone. The provisions will enable MCC to carry out and expand its operations in a responsible manner with appropriate regard to landscape, natural and heritage values. Significant economic and social benefits would be accrued to the wider Queenstown Lakes community through the confirmation of this zoning. This includes enabling activities such as golf tourism which can provide substantial District-wide benefits	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
696.17		Millbrook Country Club Ltd		Not Stated	Amend the boundary of the Millbrook Zone as shown on the District Plan maps to reflect that shown on the structure plan within Chapter 43.	Accept		Issue 6 - Other matters
696.17	FS1317.9	Gerald and Richard Siddall and Tweedie		Oppose	Opposes. Seeks that the local authority to retain the Millbrook Resort Zone boundary as per the Operative District Plan.	Reject		Issue 6 - Other matters
696.17	FS1272.12	John Griffin		Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 6 - Other matters
696.17	FS1291.12	Philippa Archibald		Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 6 - Other matters
696.17	FS1349.39	X-Ray Trust		Oppose	It is clearly an error that the Millbrook Zone boundary from the Operative Plan has been shown on the proposed maps. This should be corrected to reflect what is clearly shown in the Structure Plan in Chapter 43. Amend the boundary of the Millbrook Zone as shown on the District Plan maps to reflect that shown on the structure plan within Chapter 43.	Reject		Issue 6 - Other matters
818.1		Michael Hill Tournaments Limited		Support	Full support of the Millbrook Resort Zone extension.	Accept		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
818.1	FS1317.8	Gerald and Richard Siddall and Tweedie		Oppose	Opposes. Seeks that the local authority to retain the Millbrook Resort Zone boundary as per the Operative District Plan.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
818.1	FS1349.37	X-Ray Trust		Oppose	Full support of the Millbrook Resort Zone extension.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
356.26		X-Ray Trust Limited	43.1 Resort Zone Purpose	Other	Amend the purpose of the Millbrook Zone to recognise that it is located adjacent to a Rural Zone, land with a Rural Landscape Classification, and land that holds number of ecological and landscape values.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.

356.26	FS1306.4	Millbrook Country Club Limited (Millbrook)	43.1 Resort Zone Purpose	Oppose	Millbrook opposes this submission to the extent that it seeks changes to the proposed chapter 43	Accept		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
499.7		Skipp Williamson	43.2 Objectives and Policies	Not Stated	Add a new policy: <u>43.2.1.7 To avoid all buildings and golf courses in the Landscape Protection Activity Area to the west of R15 and R16.</u>	Reject		Issue 3 - Landscape and Ecological matters
14.1		Gerald Siddall and Richard Tweedie	43.2.1 Objective 1	Oppose	Amend 43.2.1.1 to include 'the avoidance of adverse effects on the amenities of residents within and in the vicinity of Millbrook';	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
14.1	FS1272.1	John Griffin	43.2.1 Objective 1	Support	Supports. Agrees that The proposed expansion of the Millbrook Zone does not demonstrate good resource management practice, as it does not provide for the special characteristics of the Millbrook Special Zone which are not capable of absorbing the effects of future significant residential use and development. Seeks that the submission be allowed in its entirety.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
14.1	FS1291.1	Philippa Archibald	43.2.1 Objective 1	Support	Supports. Agrees that The proposed expansion of the Millbrook Zone does not demonstrate good resource management practice, as it does not provide for the special characteristics of the Millbrook Special Zone which are not capable of absorbing the effects of future significant residential use and development. Seeks that the submission be allowed in its entirety.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
14.1	FS1302.1	Millbrook Country Club Limited (Millbrook)	43.2.1 Objective 1	Oppose	Millbrook opposes this submission to the extent that it seeks changes to the Proposed Millbrook Zone (Chapter 43).	Accept		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
14.1	FS1349.26	X-Ray Trust	43.2.1 Objective 1	Support	Support in Part - 43.2.1.1: 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. Amend 43.2.1.1 to include: "...the avoidance of adverse effects on the amenities of residents within and in the vicinity of Millbrook".	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
356.27		X-Ray Trust Limited	43.2.1 Objective 1	Other	Amend 43.2.1 as follows: "Visitor, residential and recreation activities developed in an integrated manner with particular regard shall recognise and provide for landscape, heritage, ecological, water and air quality values."; AND Amend Policy 43.2.1.1 as follows: "Require development and activities to be located in accordance with a the Millbrook Structure Plan so as to promote orderly and integrated development and prevent the inappropriate development of sensitive parts of the site, as identified on the Millbrook Structure Plan."; AND Amend 43.2.1.3 as follows: "Protect, maintain and enhance valuable ecological remnants and promote the enhancement of ecological values where reasonably practical"; AND Amend Policy 43.2.1.6 so that it is specific, measurable and enforceable.	Accept in Part		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
356.27	FS1306.5	Millbrook Country Club Limited (Millbrook)	43.2.1 Objective 1	Oppose	Millbrook opposes this submission to the extent that it seeks changes to the proposed chapter 43	Accept in Part		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
356.28		X-Ray Trust Limited	43.2.1 Objective 1	Support	Retain Policy 43.2.1.2	Accept		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
356.28	FS1306.6	Millbrook Country Club Limited (Millbrook)	43.2.1 Objective 1	Oppose	Millbrook opposes this submission to the extent that it seeks changes to the proposed chapter 43	Accept		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
383.95		Queenstown Lakes District Council	43.4 Rules – Activities	Other	Amend to specify version and year of design guidelines which applies; or state "any council approved guidelines"	Accept in Part		Issue 6 - Other matters
383.95	FS1264.6	Millbrook Country Club Limited (Millbrook)	43.4 Rules – Activities	Oppose	It is clear that Council has discretion to require compliance with guidelines at the time of consent, most likely via consent conditions. Council can at that point specify the version and year etc. of the guidelines being referred to.	Reject		Issue 6 - Other matters
383.95	FS1272.15	John Griffin	43.4 Rules – Activities	Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 6 - Other matters
383.95	FS1291.15	Philippa Archibald	43.4 Rules – Activities	Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 6 - Other matters
383.99		Queenstown Lakes District Council	43.4.1	Other	Amend to specify what "Service Activities" refers to and the limits of permitted activities under Rule 43.4.1.	Reject		Issue 6 - Other matters
383.99	FS1214.6	Z-Energy Ltd	43.4.1	Oppose	Generally supports the definition of "service activity". States that it is not clear exactly what QLDC is seeking to achieve by separately defining "service activities", including whether such a definition would apply only in Chapter 43, or whether it would have a wider application. Is interested in any changes that have consequential effects on the definition of "service activity"	Accept in Part		Issue 6 - Other matters
383.99	FS1264.10	Millbrook Country Club Limited (Millbrook)	43.4.1	Oppose	Service activities are clearly defined in the proposed District Plan.	Accept		Issue 6 - Other matters

383.99	FS1272.19	John Griffin	43.4.1	Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 6 - Other matters
383.99	FS1291.19	Philippa Archibald	43.4.1	Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 6 - Other matters
383.100		Queenstown Lakes District Council	43.4.1	Other	Amend to specify what "Industrial Activities" refers to and the limits of permitted activities under Rule 43.4.1.	Reject		Issue 6 - Other matters
383.100	FS1214.7	Z-Energy Ltd	43.4.1	Oppose	Generally supports the definition of "service activity". States that it is not clear exactly what QLDC is seeking to achieve by separately defining "service activities", including whether such a definition would apply only in Chapter 43, or whether it would have a wider application. Is interested in any changes that have consequential effects on the definition of "service activity".	Accept in Part		Issue 6 - Other matters
383.100	FS1272.20	John Griffin	43.4.1	Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 6 - Other matters
383.100	FS1291.20	Philippa Archibald	43.4.1	Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 6 - Other matters
383.101		Queenstown Lakes District Council	43.4.1	Other	Include activity status as Non-complying for buildings in the R18 area containing the historic cottage to rectify default permitted status under 43.4.1.	Accept in Part		Issue 4 - Development controls and activity status
383.101	FS1264.11	Millbrook Country Club Limited (Millbrook)	43.4.1	Oppose	The default status is not permitted, but controlled. And there is a limit to one home in this area prescribed by the density standards. That one home is an item listed in the Heritage section of the Proposed Plan and is subject to several specific rules (including higher activity statuses) that manage how this building can be modified. There is no need for further rules.	Accept in Part		Issue 4 - Development controls and activity status
383.101	FS1272.21	John Griffin	43.4.1	Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 4 - Development controls and activity status
383.101	FS1291.21	Philippa Archibald	43.4.1	Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 4 - Development controls and activity status
234.3		Dan Egerton	43.4.3	Oppose	Include the new Residential Activity Area (proposed for Lot 1 DP 327817 9 Orchard Hill Road) in this rule i.e. controlled activity consent for all residential buildings.		Transferred to the hearing on mapping	Submission relates to rezoning request and will be heard in the Mapping Hearing.
234.3	FS1266.4	Millbrook Country Club Limited (Millbrook); - Dan and Jillian Egerton m Boundary Road Trust, Spruce Grove Trust	43.4.3	Oppose	The submission seek that the Millbrook Resort Zone be extended to cover additional land of interest to these submitters not included within the re-notified zone boundary. Such amendments to the Proposed Plan are opposed as they would give rise to an inefficient zoning regime, add to administrative complexity and would not support the integrated management of natural and physical resources.		Transferred to the hearing on mapping	Submission relates to rezoning request and will be heard in the Mapping Hearing.
346.3		Jillian Egerton	43.4.3	Oppose	Include the new Residential Activity Area (proposed for Lot 1 DP 327817 9 Orchard Hill Road) in this rule i.e. controlled activity consent for all residential buildings.		Transferred to the hearing on mapping	NOTE: This submission relates to a request to rezone Rural Zone to Millbrook and is a rezoning request that will be heard in the Wakatipu Basin Mapping Hearing
346.3	FS1266.13	Millbrook Country Club Limited (Millbrook); - Dan and Jillian Egerton m Boundary Road Trust, Spruce Grove Trust	43.4.3	Oppose	The submission seek that the Millbrook Resort Zone be extended to cover additional land of interest to these submitters not included within the re-notified zone boundary. Such amendments to the Proposed Plan are opposed as they would give rise to an inefficient zoning regime, add to administrative complexity and would not support the integrated management of natural and physical resources.		Transferred to the hearing on mapping	NOTE: This submission relates to a request to rezone Rural Zone to Millbrook and is a rezoning request that will be heard in the Wakatipu Basin Mapping Hearing
14.2		Gerald Siddall and Richard Tweedie	43.4.5	Oppose	Delete 43.4.5 which provides for buildings in R14, R15 and R16; - Residential Activity Areas	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
14.2	FS1272.2	John Griffin	43.4.5	Support	Supports. Agrees that The proposed expansion of the Millbrook Zone does not demonstrate good resource management practice, as it does not provide for the special characteristics of the Millbrook Special Zone which are not capable of absorbing the effects of future significant residential use and development. Seeks that the submission be allowed in its entirety.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
14.2	FS1291.2	Philippa Archibald	43.4.5	Support	Supports. Agrees that The proposed expansion of the Millbrook Zone does not demonstrate good resource management practice, as it does not provide for the special characteristics of the Millbrook Special Zone which are not capable of absorbing the effects of future significant residential use and development. Seeks that the submission be allowed in its entirety.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
14.2	FS1302.2	Millbrook Country Club Limited (Millbrook)	43.4.5	Oppose	Millbrook opposes this submission to the extent that it seeks changes to the Proposed Millbrook Zone (Chapter 43).	Accept		Issue 1 – Expansion of the zone to include the Dalgleish Farm.

14.2	FS1349.27	X-Ray Trust	43.4.5	Support	Delete Policy 43.4.5 which provides for buildings in R14, R15 and R16 – Residential Activity Areas.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
356.30		X-Ray Trust Limited	43.4.5	Oppose	Delete Rule 43.4.5.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
356.30	FS1306.8	Millbrook Country Club Limited (Millbrook)	43.4.5	Oppose	Millbrook opposes this submission to the extent that it seeks changes to the proposed chapter 43	Accept		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
383.93		Queenstown Lakes District Council	43.4.5	Other	Reformat the specified assessment matters into either Matters of Discretion or Standards.	Accept in Part		Issue 6 - Other matters
383.93	FS1264.4	Millbrook Country Club Limited (Millbrook)	43.4.5	Oppose	Stating these as standards or matters of discretion would be inappropriately inflexible. This is a small matter of difference in format which is insignificant compared to the importance of crafting District Plan provisions which appropriately manage identified resource management issues.	Reject		Issue 6 - Other matters
383.93	FS1272.13	John Griffin	43.4.5	Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 6 - Other matters
383.93	FS1291.13	Philippa Archibald	43.4.5	Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 6 - Other matters
14.3		Gerald Siddall and Richard Tweedie	43.4.6	Oppose	Delete 43.4.6 which provides for buildings in R17 Residential Activity Area;	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
14.3	FS1272.3	John Griffin	43.4.6	Support	Supports. Agrees that The proposed expansion of the Millbrook Zone does not demonstrate good resource management practice, as it does not provide for the special characteristics of the Millbrook Special Zone which are not capable of absorbing the effects of future significant residential use and development. Seeks that the submission be allowed in its entirety.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
14.3	FS1291.3	Philippa Archibald	43.4.6	Support	Supports. Agrees that The proposed expansion of the Millbrook Zone does not demonstrate good resource management practice, as it does not provide for the special characteristics of the Millbrook Special Zone which are not capable of absorbing the effects of future significant residential use and development. Seeks that the submission be allowed in its entirety.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
14.3	FS1302.3	Millbrook Country Club Limited (Millbrook)	43.4.6	Oppose	Millbrook opposes this submission to the extent that it seeks changes to the Proposed Millbrook Zone (Chapter 43).	Accept		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
14.3	FS1349.28	X-Ray Trust	43.4.6	Support	Delete Policy 43.4.6 which provides for buildings in R17 Residential Activity Area.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
383.94		Queenstown Lakes District Council	43.4.6	Other	Reformat the specified assessment matters into either Matters of Discretion or Standards	Accept in Part		Issue 6 - Other matters
383.94	FS1264.5	Millbrook Country Club Limited (Millbrook)	43.4.6	Oppose	Stating these as standards or matters of discretion would be inappropriately inflexible. This is a small matter of difference in format which is insignificant compared to the importance of crafting District Plan provisions which appropriately manage identified resource management issues.	Reject		Issue 6 - Other matters
383.94	FS1272.14	John Griffin	43.4.6	Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 6 - Other matters
383.94	FS1291.14	Philippa Archibald	43.4.6	Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 6 - Other matters
499.4		Skipp Williamson	43.4.11	Not Stated	Submitter owns property on Mooney Road, which is currently proposed as Rural Lifestyle and Rural General zone within nearby vicinity to the proposed Millbrook Special Zone extension. Opposes Rule 43.4.11 in so far as it enables Commercial Recreational Activities as a discretionary activity. Seeks that all commercial recreational activities be a Non-Complying activity in the Landscape Protection Area Activity Area.	Reject		Issue 3 - Landscape and Ecological matters
499.4	FS1298.12	Wakatipu Equities	43.4.11	Support	Insofar as the submission supports rezoning from Rural General to Rural Lifestyle, the submission be allowed. The rezoning is considered to achieve the most efficient and effective use of resources as that land is no longer capable of rural productivity.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
499.5		Skipp Williamson	43.4.12	Support	Supports Rule 42.4.12 which states that golf courses are a Non-Complying (NC) activity in the Landscape Protection Area.	Accept		Issue 1 – Expansion of the zone to include the Dalgleish Farm.

499.6		Skipp Williamson	43.4.13	Oppose	Opposes Rule 43.4.13 to the extent that it accepts buildings to 25m2 GFA for utilities and farms buildings in that part of the LPA Activity Area which fronts Malaghans Road. Seeks amendment of proposed Rule 43.3.13 as below: <i>Buildings the Landscape Protection Activity Area, except for:</i> • <i>Utility buildings up to 25m2 in gross floor area in the Landscape Protection Area directly adjoining Malaghans Road; and</i> • <i>Farm buildings in the Landscape Protection Area directly adjoining, Malaghans Road. NC</i>	Accept in Part		Issue 3 - Landscape and Ecological matters
383.96		Queenstown Lakes District Council	43.4.16	Other	Amend Non-complying status to Prohibited as mining is not an anticipated use in this zone.	Reject		Issue 4 - Development controls and activity status
383.96	FS1264.7	Millbrook Country Club Limited (Millbrook)	43.4.16	Oppose	It is unnecessary and inefficient to apply prohibited activity status which denies the right to even apply for consent. For example, while Millbrook has no plans to do so at this stage, it may decide to undertake a small operation somewhere in the Zone to quarry schist rock for use in within Millbrook. This may be more energy efficient and better serve the purpose of the Act than importing stone. The right to make such applications that can be considered on their merits should not be precluded. Council will be able to decline inappropriate non-complying activities in the unlikely event such applications are made.	Accept		Issue 4 - Development controls and activity status
383.96	FS1272.16	John Griffin	43.4.16	Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 4 - Development controls and activity status
383.96	FS1291.16	Philippa Archibald	43.4.16	Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 4 - Development controls and activity status
383.97		Queenstown Lakes District Council	43.4.20	Other	Amend Non-complying status to Prohibited as panel beating, spray painting, motor vehicle repair or dismantling is not an anticipated use in this zone.	Reject		Issue 4 - Development controls and activity status
383.97	FS1264.8	Millbrook Country Club Limited (Millbrook)	43.4.20	Oppose	It is unnecessary and inefficient to apply prohibited activity status which denies the right to even apply for consent. Millbrook has no plans to undertake these activities but it needs to be considered that Millbrook is a large resort area with a service area well separated from residential development. It is not unforeseeable that some limited activity ancillary to other uses that fall within this definition could be applied for in the future. If an activity is non-complying, this is sufficient signal that the activity is not anticipated. Council will be able to decline inappropriate non-complying activities in the unlikely event such applications are made.	Accept		Issue 4 - Development controls and activity status
383.97	FS1272.17	John Griffin	43.4.20	Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 4 - Development controls and activity status
383.97	FS1291.17	Philippa Archibald	43.4.20	Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 4 - Development controls and activity status
383.98		Queenstown Lakes District Council	43.4.21	Other	Amend Non-complying status to Prohibited as Forestry is not an anticipated use in this zone.	Reject		Issue 4 - Development controls and activity status
383.98	FS1264.9	Millbrook Country Club Limited (Millbrook)	43.4.21	Oppose	It is unnecessary and inefficient to apply prohibited activity status which denies the right to even apply for consent. Millbrook has no plans to undertake forestry activities but it considers that if an activity is non-complying, this is sufficient signal that the activity is not anticipated. Council will be able to decline inappropriate non-complying activities in the unlikely event such applications are made.	Accept		Issue 4 - Development controls and activity status
383.98	FS1272.18	John Griffin	43.4.21	Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 4 - Development controls and activity status
383.98	FS1291.18	Philippa Archibald	43.4.21	Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 4 - Development controls and activity status
14.4		Gerald Siddall and Richard Tweedie	43.5.2	Other	Amend 43.5.2 by deleting '450' and inserting '400'	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
14.4	FS1272.4	John Griffin	43.5.2	Support	Supports. Agrees that The proposed expansion of the Millbrook Zone does not demonstrate good resource management practice, as it does not provide for the special characteristics of the Millbrook Special Zone which are not capable of absorbing the effects of future significant residential use and development. Seeks that the submission be allowed in its entirety.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.

14.4	FS1291.4	Philippa Archibald	43.5.2	Support	Supports. Agrees that The proposed expansion of the Millbrook Zone does not demonstrate good resource management practice, as it does not provide for the special characteristics of the Millbrook Special Zone which are not capable of absorbing the effects of future significant residential use and development. Seeks that the submission be allowed in its entirety.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
14.4	FS1302.4	Millbrook Country Club Limited (Millbrook)	43.5.2	Oppose	Millbrook opposes this submission to the extent that it seeks changes to the Proposed Millbrook Zone (Chapter 43).	Accept		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
14.4	FS1349.29	X-Ray Trust	43.5.2	Support	Amend Policy 43.5.2 by deleting '450' and inserting '400'.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
234.4		Dan Egerton	43.5.2	Oppose	Amend Rule 43.5.2 to state that the maximum number of residential units within the Millbrook Resort zone does not apply to Lot 1 DP 327817 (9 Orchard Hill Road)		Transferred to the hearing on mapping	Submission relates to rezoning request and will be heard in the Mapping Hearing.
234.4	FS1266.5	Millbrook Country Club Limited (Millbrook); - Dan and Jillian Egerton m Boundary Road Trust, Spruce Grove Trust	43.5.2	Oppose	The submission seek that the Millbrook Resort Zone be extended to cover additional land of interest to these submitters not included within the re-notified zone boundary. Such amendments to the Proposed Plan are opposed as they would give rise to an inefficient zoning regime, add to administrative complexity and would not support the integrated management of natural and physical resources.		Transferred to the hearing on mapping	Submission relates to rezoning request and will be heard in the Mapping Hearing.
346.4		Jillian Egerton	43.5.2	Oppose	Amend Rule 43.5.2 to state that the maximum number of residential units within the Millbrook Resort zone does not apply to Lot 1 DP 327817 (9 Orchard Hill Road)		Transferred to the hearing on mapping	Submission relates to rezoning request and will be heard in the Mapping Hearing.
346.4	FS1266.14	Millbrook Country Club Limited (Millbrook); - Dan and Jillian Egerton m Boundary Road Trust, Spruce Grove Trust	43.5.2	Oppose	The submission seek that the Millbrook Resort Zone be extended to cover additional land of interest to these submitters not included within the re-notified zone boundary. Such amendments to the Proposed Plan are opposed as they would give rise to an inefficient zoning regime, add to administrative complexity and would not support the integrated management of natural and physical resources.		Transferred to the hearing on mapping	Submission relates to rezoning request and will be heard in the Mapping Hearing.
14.5		Gerald Siddall and Richard Tweedie	43.5.3	Other	Amend 43.5.3 by deleting reference to R14, R15 and R16	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
14.5	FS1272.5	John Griffin	43.5.3	Support	Supports. Agrees that The proposed expansion of the Millbrook Zone does not demonstrate good resource management practice, as it does not provide for the special characteristics of the Millbrook Special Zone which are not capable of absorbing the effects of future significant residential use and development. Seeks that the submission be allowed in its entirety.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
14.5	FS1291.5	Philippa Archibald	43.5.3	Support	Supports. Agrees that The proposed expansion of the Millbrook Zone does not demonstrate good resource management practice, as it does not provide for the special characteristics of the Millbrook Special Zone which are not capable of absorbing the effects of future significant residential use and development. Seeks that the submission be allowed in its entirety.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
14.5	FS1302.5	Millbrook Country Club Limited (Millbrook)	43.5.3	Oppose	Millbrook opposes this submission to the extent that it seeks changes to the Proposed Millbrook Zone (Chapter 43).	Accept		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
14.5	FS1349.30	X-Ray Trust	43.5.3	Support	Amend Policy 43.5.3 by deleting reference to R14, R15 and R16.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
356.29		X-Ray Trust Limited	43.5.3	Oppose	Amend Rule 43.5.3, as follows: "In the following parts of the Residential Activity Area the total number of residential units shall not exceed: R14 - 6 residential units- R15 - 15 residential units- R16 - 6 residential units- R18 - 1 residential units"	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
356.29	FS1306.7	Millbrook Country Club Limited (Millbrook)	43.5.3	Oppose	Millbrook opposes this submission to the extent that it seeks changes to the proposed chapter 43	Accept		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
383.102		Queenstown Lakes District Council	43.5.3	Other	Include density limits for R1 – 12, R13 and R17 areas	Accept in Part		Issue 4 - Development controls and activity status
383.102	FS1264.12	Millbrook Country Club Limited (Millbrook)	43.5.3	Oppose	There is no resource management reason to reduce the overall density limit of 450 dwellings for the Zone or to be more specific in the allocation of this density as is sought. The current Plan has a similar rule which has operated without any environmental problem. This limit continues to enable appropriate densities as evidenced by the quality of development in Millbrook.	Accept in Part		Issue 4 - Development controls and activity status
383.102	FS1272.22	John Griffin	43.5.3	Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 4 - Development controls and activity status
383.102	FS1291.22	Philippa Archibald	43.5.3	Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 4 - Development controls and activity status
14.6		Gerald Siddall and Richard Tweedie	43.5.4	Not Stated	Amend 43.5.4 by deleting reference to R14, R15, R16 and R17	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.

14.6	FS1272.6	John Griffin	43.5.4	Support	Supports. Agrees that The proposed expansion of the Millbrook Zone does not demonstrate good resource management practice, as it does not provide for the special characteristics of the Millbrook Special Zone which are not capable of absorbing the effects of future significant residential use and development. Seeks that the submission be allowed in its entirety.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
14.6	FS1291.6	Philippa Archibald	43.5.4	Support	Supports. Agrees that The proposed expansion of the Millbrook Zone does not demonstrate good resource management practice, as it does not provide for the special characteristics of the Millbrook Special Zone which are not capable of absorbing the effects of future significant residential use and development. Seeks that the submission be allowed in its entirety.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
14.6	FS1302.6	Millbrook Country Club Limited (Millbrook)	43.5.4	Oppose	Millbrook opposes this submission to the extent that it seeks changes to the Proposed Millbrook Zone (Chapter 43).	Accept		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
14.6	FS1349.31	X-Ray Trust	43.5.4	Support	Amend Policy 43.5.4 by deleting reference to R14, R15, R16 and R17.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
383.103		Queenstown Lakes District Council	43.5.4	Other	Specify building height for R13 area	Reject		Issue 4 - Development controls and activity status
383.103	FS1264.13	Millbrook Country Club Limited (Millbrook)	43.5.4	Oppose	The height limit is 8m as per rule 45.3.4, bullet point 1. There is no matter requiring amendment and no resource management reason for it a lower height limit.	Accept in Part		Issue 4 - Development controls and activity status
383.103	FS1272.23	John Griffin	43.5.4	Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 4 - Development controls and activity status
383.103	FS1291.23	Philippa Archibald	43.5.4	Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 4 - Development controls and activity status
14.7		Gerald Siddall and Richard Tweedie	43.5.5	Oppose	Delete 43.5.5 regarding building height on R14, R15, R16 and R17	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
14.7	FS1272.7	John Griffin	43.5.5	Support	Supports. Agrees that The proposed expansion of the Millbrook Zone does not demonstrate good resource management practice, as it does not provide for the special characteristics of the Millbrook Special Zone which are not capable of absorbing the effects of future significant residential use and development. Seeks that the submission be allowed in its entirety.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
14.7	FS1291.7	Philippa Archibald	43.5.5	Support	Supports. Agrees that The proposed expansion of the Millbrook Zone does not demonstrate good resource management practice, as it does not provide for the special characteristics of the Millbrook Special Zone which are not capable of absorbing the effects of future significant residential use and development. Seeks that the submission be allowed in its entirety.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
14.7	FS1302.7	Millbrook Country Club Limited (Millbrook)	43.5.5	Oppose	Millbrook opposes this submission to the extent that it seeks changes to the Proposed Millbrook Zone (Chapter 43).	Accept		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
14.7	FS1349.32	X-Ray Trust	43.5.5	Support	Delete Policy 43.5.5.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
383.104		Queenstown Lakes District Council	43.5.6	Other	Add the words "and the night sky" should be added to end of sentence.	Reject		Issue 6 - Other matters
383.104	FS1264.14	Millbrook Country Club Limited (Millbrook)	43.5.6	Oppose	It is unclear where these words are to be added as there are multiple sentences under this rule. It is not considered that further amendments to this rule are needed but Millbrook reserves its position to support or oppose this submission point upon clarification of the relief sought.	Accept		Issue 6 - Other matters
383.104	FS1272.24	John Griffin	43.5.6	Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 6 - Other matters
383.104	FS1291.24	Philippa Archibald	43.5.6	Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 6 - Other matters
234.5		Dan Egerton	43.5.9	Oppose	Amend Rule 43.5.9 to state that the maximum building coverage of 5% within the Millbrook resort Zone does not apply to the land.		Transferred to the hearing on mapping	Submission relates to rezoning request and will be heard in the Mapping Hearing.
234.5	FS1266.6	Millbrook Country Club Limited (Millbrook); - Dan and Jillian Egerton m Boundary Road Trust, Spruce Grove Trust	43.5.9	Oppose	The submission seek that the Millbrook Resort Zone be extended to cover additional land of interest to these submitters not included within the re-notified zone boundary. Such amendments to the Proposed Plan are opposed as they would give rise to an inefficient zoning regime, add to administrative complexity and would not support the integrated management of natural and physical resources.		Transferred to the hearing on mapping	Submission relates to rezoning request and will be heard in the Mapping Hearing.
346.5		Jillian Egerton	43.5.9	Oppose	Amend Rule 43.5.9 to state that the maximum building coverage of 5% within the Millbrook resort Zone does not apply to the land.		Transferred to the hearing on mapping	Submission relates to rezoning request and will be heard in the Mapping Hearing.

346.5	FS1266.15	Millbrook Country Club Limited (Millbrook); - Dan and Jillian Egerton m Boundary Road Trust, Spruce Grove Trust	43.5.9	Oppose	The submission seek that the Millbrook Resort Zone be extended to cover additional land of interest to these submitters not included within the re-notified zone boundary. Such amendments to the Proposed Plan are opposed as they would give rise to an inefficient zoning regime, add to administrative complexity and would not support the integrated management of natural and physical resources.		Transferred to the hearing on mapping	Submission relates to rezoning request and will be heard in the Mapping Hearing.
383.105		Queenstown Lakes District Council	43.6.1	Other	Amend to reflect standard wording. "Except as provided for by the Act, All applications for controlled and restricted discretionary activities will be considered without shall not require public notification or the need to obtain the written approval of or serve notice on affected persons the written consent of other persons and shall not be notified or limited-notified".	Accept		Submission relates to rezoning request and will be heard in the Mapping Hearing.
383.105	FS1272.25	John Griffin	43.6.1	Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 6 - Other matters
383.105	FS1291.25	Philippa Archibald	43.6.1	Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 6 - Other matters
14.8		Gerald Siddall and Richard Tweedie	43.7 Structure Plans	Oppose	Amend 43.7 (the Structure Plan) by deleting all areas proposed for the expansion of the Millbrook Zone, including but not limited to the area known as Dalgleish Farm. The expansion of the Millbrook Zone to include the land known as 'Dalgleish Farm' to enable the extension of the golf course (27 holes to 36 holes) and to provide for the location of 45-55 additional residential units is opposed as: a) This expansion will have adverse effects on the amenities of persons living within and in the vicinity of Millbrook, including, but are not limited to increased traffic, reduced safety, and noise, and b) The proposed expansion does not demonstrate good resource management practice, does not enable the residents of Millbrook and others to provide for their social, economic, and cultural wellbeing and their health and safety, and does not promote sustainable management of resources.	Reject		Issue 6 - Other matters
14.8	FS1272.8	John Griffin	43.7 Structure Plans	Support	Supports. Agrees that The proposed expansion of the Millbrook Zone does not demonstrate good resource management practice, as it does not provide for the special characteristics of the Millbrook Special Zone which are not capable of absorbing the effects of future significant residential use and development. Seeks that the submission be allowed in its entirety.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
14.8	FS1291.8	Philippa Archibald	43.7 Structure Plans	Support	Supports. Agrees that The proposed expansion of the Millbrook Zone does not demonstrate good resource management practice, as it does not provide for the special characteristics of the Millbrook Special Zone which are not capable of absorbing the effects of future significant residential use and development. Seeks that the submission be allowed in its entirety.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
14.8	FS1302.8	Millbrook Country Club Limited (Millbrook)	43.7 Structure Plans	Oppose	Millbrook opposes this submission to the extent that it seeks changes to the Proposed Millbrook Zone (Chapter 43).	Accept		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
14.8	FS1349.33	X-Ray Trust	43.7 Structure Plans	Support	Support in Part - Amend 43.7 (the Structure Plan) by deleting all areas proposed for the expansion of the Millbrook Zone, including but not limited to the area known as Dalgleish Farm.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
234.2		Dan Egerton	43.7 Structure Plans	Oppose	Amend the Structure Plan so that Lot 1 DP 327817 (9 Orchard Hill road, Millbrook) is rezoned from RLC to Resort Zone (Millbrook) and with a Residential Activity Area. Apply a reference to the proposed residential Activity Area e.g. R19) to distinguish which rules apply to the land.		Transferred to the hearing on mapping	Submission relates to rezoning request and will be heard in the Mapping Hearing.
234.2	FS1266.3	Millbrook Country Club Limited (Millbrook); - Dan and Jillian Egerton m Boundary Road Trust, Spruce Grove Trust	43.7 Structure Plans	Oppose	The submission seek that the Millbrook Resort Zone be extended to cover additional land of interest to these submitters not included within the re-notified zone boundary. Such amendments to the Proposed Plan are opposed as they would give rise to an inefficient zoning regime, add to administrative complexity and would not support the integrated management of natural and physical resources.		Transferred to the hearing on mapping	Submission relates to rezoning request and will be heard in the Mapping Hearing.
234.2	FS1317.4	Gerald and Richard Siddall and Tweedie	43.7 Structure Plans	Oppose	Opposes. Seeks that the local authority to retain the Millbrook Resort Zone boundary as per the Operative District Plan.		Transferred to the hearing on mapping	Submission relates to rezoning request and will be heard in the Mapping Hearing.
346.2		Jillian Egerton	43.7 Structure Plans	Oppose	Amend the Structure Plan so that Lot 1 DP 327817 (9 Orchard Hill road, Millbrook) is rezoned from RLC to Resort Zone (Millbrook) and with a Residential Activity Area. Apply a reference to the proposed residential Activity Area e.g. R19) to distinguish which rules apply to the land.		Transferred to the hearing on mapping	NOTE: This submission relates to a request to rezone Rural Zone to Millbrook and is a rezoning request that will be heard in the Wakatipu Basin Mapping Hearing
346.2	FS1317.6	Gerald and Richard Siddall and Tweedie	43.7 Structure Plans	Oppose	Opposes. Seeks that the local authority to retain the Millbrook Resort Zone boundary as per the Operative District Plan.		Transferred to the hearing on mapping	NOTE: This submission relates to a request to rezone Rural Zone to Millbrook and is a rezoning request that will be heard in the Wakatipu Basin Mapping Hearing
346.2	FS1266.12	Millbrook Country Club Limited (Millbrook); - Dan and Jillian Egerton m Boundary Road Trust, Spruce Grove Trust	43.7 Structure Plans	Oppose	The submission seek that the Millbrook Resort Zone be extended to cover additional land of interest to these submitters not included within the re-notified zone boundary. Such amendments to the Proposed Plan are opposed as they would give rise to an inefficient zoning regime, add to administrative complexity and would not support the integrated management of natural and physical resources.		Transferred to the hearing on mapping	NOTE: This submission relates to a request to rezone Rural Zone to Millbrook and is a rezoning request that will be heard in the Wakatipu Basin Mapping Hearing
356.4		X-Ray Trust Limited	43.7 Structure Plans	Oppose	Amend the Proposed Millbrook Structure Plan (included within Proposed Chapter 43: Millbrook) to align with this submission and the recommendations of Anne Steven (Registered Landscape Architect) as detailed (attached to this submission as Attachment 1)	Accept in Part		Issue 1 – Expansion of the zone to include the Dalgleish Farm.

356.4	FS1306.3	Millbrook Country Club Limited (Millbrook)	43.7 Structure Plans	Oppose	Millbrook opposes this submission to the extent that it seeks changes to the proposed chapter 43	Accept in Part		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
356.31		X-Ray Trust Limited	43.7 Structure Plans	Not Stated	Amend the Proposed Millbrook Structure Plan to align with the submission and the recommendations of Anne Steven, Registered Landscape Architect, outlined within Attachment 1, including the following relief: i. R14, R15 and R16 Blocks of Residential units are not located on the elevated plateau land form and are not visible from Lot 1 and Lot 2; ii. R13, R17 and R18 are removed from the scarp; iii. The Landscape Area on the Proposed Millbrook Structure Plan is adjusted to include all the areas important for natural and pastoral character, landform values and natural open skylines/ridgelines. iv. The area identified for Golf course and Open Space on the Proposed Millbrook Structure is removed from the upper landforms of the plateau. Land use that aligns with the open pastoral character of this landform is suitable. v. Ecological restoration especially of wetlands and gully areas; vi. Maintenance of the open pastoral and arable land use visible from Lot 1 and Lot 2, and the avoidance of any domestic landscaping; vii. Removing planting along the boundary separating Lot 1 and Lot 2 from Dalgleish Farm, as this creates a linear element that is not fitting with the undulating landscape.	Accept in Part		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
356.31	FS1306.9	Millbrook Country Club Limited (Millbrook)	43.7 Structure Plans	Oppose	Millbrook opposes this submission to the extent that it seeks changes to the proposed chapter 43	Accept in Part		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
356.31	FS1317.2	Gerald and Richard Siddall and Tweedie	43.7 Structure Plans	Support	Supports. Seeks that the local authority to retain the Millbrook Resort Zone boundary as per the Operative District Plan.	Reject		Issue 1 – Expansion of the zone to include the Dalgleish Farm.
383.106		Queenstown Lakes District Council	43.7 Structure Plans	Other	Amend structure plan to be consistent with Planning Map 26 (as revised 17/07/2015).	Accept in Part		Issue 6 - Other matters
383.106	FS1272.26	John Griffin	43.7 Structure Plans	Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 6 - Other matters
383.106	FS1291.26	Philippa Archibald	43.7 Structure Plans	Oppose	Opposes. States that the extension which is supported by the provisions do not take into account the adverse effects on the residential amenity of persons living within Millbrook and within the vicinity of Millbrook. Seeks that the submission be refused insofar as it supports provisions within Chapter 43 Millbrook Special Zone.	Reject		Issue 6 - Other matters
383.106	FS1349.34	X-Ray Trust	43.7 Structure Plans	Oppose	Amend structure plan to be consistent with Planning Map 26 (as revised 17/07/2015).	Reject		Issue 6 - Other matters

Appendix 3. Section 32 Report



Section 32 Evaluation Report

Millbrook Resort Zone

Contents

Section 32 Evaluation Report: Millbrook Resort Zone.....	2
1. Strategic Context	2
2. Regional Planning Documents	2
3. Background and Resource Management Issues.....	3
4. Purpose and Options	4
5. Scale and Significance Evaluation	11
6. Evaluation of proposed Objectives S32 (1) (a).....	11
7. Evaluation of the proposed provisions S32 (1) (b)	12
8. Efficiency and effectiveness of the provisions.	17
9. Assessment of benefits and costs	17
10. The risk of not acting.	18

Section 32 Evaluation Report: Millbrook Resort Zone

1. Strategic Context

Section 32(1)(a) of the Resource Management Act 1991 ('the Act') requires that a Section 32 evaluation report must examine the extent to which the proposed objectives are the most appropriate way to achieve the purpose of the Act.

The purpose of the Act requires an integrated planning approach and direction:

5 Purpose

- (1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) *In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*
 - (a) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) *safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
 - (c) *avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

2. Regional Planning Documents

The Regional Policy Statement 1998 ["RPS"] is currently under review itself, and may be further advanced in that process by the time the District Plan Review is notified. Amendments to this evaluation may be required to accommodate that change. The District Plan must *give effect to* the operative RPS and must *have regard to* any proposed RPS.

The operative RPS contains a number of objectives that are relevant to this review, including:

- 4.4.1 to 4.4.5 (Manawhenua Perspective)
- 5.4.1 to 5.4.5 (Land)
- 6.4.2 to 6.4.7, 6.57 (Water)
- 7.4.1 (Air)
- 9.4.1 to 9.4.3 (Built Environment)
- 10.4.1 (Biota)

Each objective has related policies which have also been considered.

The proposed plan change provisions are consistent with, and give effect to, the relevant operative RPS provisions.

A district plan is required to be not inconsistent with a regional plan

The Regional Plan – Water for Otago is relevant to this proposal. The following objectives in particular are identified:

- 5.3.4 to 5.3.6;
- 5.3.8, and
- 7.A.1 to 7.A.3.

There are a number of related policies which have also been considered.

The other notably relevant regional level document is the Regional Plan – Air for Otago. It is noted that the Objectives 6.1.1 and 6.1.2 are relevant, as are a number of related policies.

Overall, it is assessed that this plan change is not inconsistent with relevant regional plans.

3. Background and Resource Management Issues

The current format of the Millbrook Resort Zone (‘the Zone’) was decided under Environment Court decision C19/2000. On 11 October 2003 QLDC obtained an Environment Court order making the Millbrook Resort Zone of the proposed District Plan operative. It is therefore now more than 10 years old and in need of a review (as stipulated by the Act).

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.

With the adjacent Dagleish Farm on Millbrook’s western boundary being offered for sale in 2014, Millbrook recognised the opportunity to expand its current 27-hole operation and, in November 2014, the Overseas Investment Office approved purchase of the 66 hectare block. The land is referred to in this report and the accompanying reports as the ‘Dagleish Farm’ (except in the Geological assessment where it is referred to as the ‘Macauley Block’).

Millbrook currently has 27-holes of golf but practically can only operate a single 18-hole course on any given day. By adding an additional 9-holes of golf there is a marginal increase in maintenance costs but a 100% increase in golf supply with two 18-hole courses able to be played simultaneously.

As part of the District Plan review process, Millbrook is working with QLDC to review and update the 15 year old provisions of the Millbrook Resort Zone. This review is necessary to address a number of district-wide changes and some anomalies that have arisen over time.

The review is able to include a possible extension of the zone over the adjoining Dagleish Farm to increase its golf offering to a 36-hole course. Dagleish Farm is the last remaining opportunity for Millbrook to develop a contiguous block of land with capacity for an additional 9-holes to take it to a 36-hole format. The land is uneconomic as a farming unit and unless developed, it is at risk of falling to wilding weed and rabbit infestation. The Millbrook proposal ensures that it will have a comprehensive on-going land management plan.

The Millbrook Resort Zone presently allows up to 450 dwellings. The 36-hole proposal does not seek to increase this ceiling, but golf development on its own has well known commercial risks including construction costs that are able to be subsidised by appropriate residential property development.

Millbrook has a proven track record as a responsible developer. It is a major contributor to the tourism industry and is one of the largest employers in the region with an annual pay roll in excess of \$8m. Indirectly, it is a significant contributor to the local construction and service sectors.

Millbrook and its consultants concluded that the scale and nature of the potential development meant that modifications to the plan would be the most appropriate method in which to enable the project. As the timing of this has coincided with the District Plan review, Millbrook has involved Council in the process and provided Council an opportunity to adopt its proposals.

The resource management issues addressed in this process have been identified through a combination of:

- QLDC’s monitoring report - The Effectiveness and Efficiency of the Resort Zone
- Observations from Millbrook staff and consultant team
- Consultation (the details of which are set out in the report: Millbrook Plan Review – Consultation Record)

- Commissioned reports (where relevant, names used from hereon in the rest of this report are in brackets):
 - o The Wharehuanui Landscape Study
 - o Landscape Assessment Report - Dalglish Farm – Millbrook - February 2015 (Landscape Assessment)
 - o Millbrook Proposed District Plan Change Preliminary & Detailed Site Investigation (Contaminated Sites Assessment)
 - o Assessment of Potential Pollution Impact of the Proposed Millbrook Resort Extension
 - o Financial and Economic Analysis of Development Options for Millbrook (Economic Assessment)
 - o Millbrook Resort Zone – Dalglish Farm Extension (Infrastructure and Flooding Hazard Assessment)
 - o Millbrook MacAuley Land: Appraisal of known and Inferred Hazards and Potentially Adverse Geotechnical Features at the Site (Geological Assessment)
 - o Dalglish Farm, Malaghans Road, Arrowtown – Historic Heritage Assessment (Heritage Assessment)
 - o Review of Ecological Values and Restoration Opportunities for Dalglish Farm (Ecological Assessment)

The key resource management issues are summarised as follows:

- The current Structure Plan aligns poorly with existing and consented development, leading to administrative inefficiencies
- There are various opportunities to remove unnecessary provisions in the Millbrook Resort Zone and aid the efficient administration of the Plan
- Millbrook has a proven record of responsible development (as evidenced in the quality of outcomes which is set out in QLDC’s monitoring report for the Resort Zone). The nature of the enterprise means that it is most likely that it will continue to exercise its influence over the entire zone. It is not considered necessary to unreasonably hinder the operation of the company by significant changes or added complexity to the zoning
- Developing Millbrook to 450 dwellings over the current extent of the Millbrook Structure Plan (as currently enabled by the Millbrook Resort Zone) may lead to an intensity of development that would detract from established amenity values
- The Dalglish Farm brings with it particular landscape and heritage challenges, and it is important that development responds to those sensitivities in a manner which avoids, remedies or mitigates adverse effects
- The Dalglish Farm has some ecological values worthy of protection and offers opportunities for restoration that contributes to the ecological values of the wider area
- Some neighbours have expressed concern about how the development could affect the amenity they currently enjoy from their current properties. Practicable measures to address these concerns need to be considered.

4. Purpose and Options

The proposed purpose of the Millbrook Resort Zone is ‘to provide for visitor resort of high quality’.

Strategic Directions

The following goals and objectives from the Strategic Directions chapter of the draft District Plan are relevant to this assessment:

Table 1 – Assessment Against the Goals and Objectives of the Strategic Directions Chapter

Goals and Objectives from the Strategic Directions Chapter	Assessment
<p><i>Goal 3.2.1: To develop a prosperous, resilient and sustainable economy</i></p> <p>Objective - To enable the development of innovative and sustainable enterprises that contribute to diversification of the District's economic base and create employment opportunities.</p>	<p>The economic assessment outlines the significant economic contribution an expansion of the Millbrook Resort could make.</p>
<p><i>Goal 3.2.3: A quality built environment taking into account the character of individual communities</i></p> <p>Objective - To protect the District's cultural heritage values and ensure development is sympathetic to them.</p>	<p>The landscape and heritage assessments have informed the development of provisions which are considered to implement this objective</p>
<p><i>Goal 3.2.4: The protection of our natural environment and ecosystems</i></p> <p>Objective - To promote development and activities that sustain or enhance the life supporting capacity of air, water, soil and ecosystems.</p> <p>Objective - To maintain or enhance the survival chances of rare, endangered, or vulnerable species of indigenous plant or animal communities.</p> <p>Objective - To preserve or enhance the natural character of the beds and margins of the District's lakes, rivers and wetlands.</p> <p>Objective - To maintain or enhance the water quality of our lakes, rivers and aquifers.</p>	<p>These objectives are achieved by policies on these matters and through the requirement to submit an ecological restoration and stormwater management plan for the Dagleish Farm. This is based on advice set out in the Ecological Assessment.</p> <p>It is further noted that Millbrook have a track record of reducing nutrient levels in Mill Creek through development, reducing stock numbers and carrying out riparian improvements. This approach can be carried through to the Dagleish Farm.</p>
<p><i>Goal 3.2.5: Our distinctive landscapes are protected from inappropriate development.</i></p> <p>Objective - To minimise the adverse landscape effects of subdivision, use or development in specified Visual Amenity Landscapes and Other Rural Landscapes.</p> <p>Objective - To direct new subdivision, use or development to occur in those areas that have potential to absorb change without detracting from</p>	<p>These objectives are achieved by a carefully laid out Structure Plan and various controls on the external appearance of buildings and associated development. These matters are further assessed in the Landscape Assessment.</p>

<p>landscape and visual amenity values.</p> <p>Objective - To recognise there is a finite capacity for residential activity in rural areas if the qualities of our landscape are to be maintained.</p> <p>Objective - To recognise that agricultural land use is fundamental to the character of our landscapes.</p>	
<p><i>Goal 3.2.7: - Council will act in accordance with the principles of the Treaty of Waitangi and in partnership with Ngai Tahu.</i></p> <p>Objective - Protect Ngai Tahu values, rights and interests, including taonga species and habitats, and wahi tupuna.</p> <p>Objective – Enable the expression of kaitiakitanga by providing for meaningful collaboration with Ngai Tahu in resource management decision making and implementation</p>	<p>Consultation has been undertaken with Ngai Tahu identified iwi representatives in the preparation of this change to the Plan. It is considered that this goal and objective have been achieved.</p>

The following section two various broad options considered to address the issues, and makes recommendations as to the most appropriate course of action in each case.

Broad Options considered with respect to existing Millbrook Resort Zone (see Table 1, below)

Option 1 is to retain the current provisions (objectives, policies and rules) as they stand (do nothing).

Option 2 (Recommended) provisions to be examined in light of the issues highlighted through monitoring. Would result in all provisions being critically assessed, with many of the current provisions likely to be retained and improved, and provisions to be structured and articulated in a clearer manner than the status quo. Requires a new format to be consistent with the rest of the new District Plan. Due to their different resource management issues and the practical issued raised by a staged review, it is also considered that the Millbrook Resort Zone is best separated from the other parts of the Resort Zone (Waterfall Park and Jacks Point).

Option 3 requires the provisions to be completely overhauled. Monitoring has not identified any significant shortcomings in the Millbrook Resort Zone, particularly with the development that has resulted. This option is therefore not considered necessary, with many provisions able to be carried over with little if any change (as per Option 2).

Broad Options considered with respect to the proposed expansion area ‘Dalgleish Farm’

Option 1 - No Change – This option would essentially mean that the project does not proceed and the Millbrook Zone does not extend beyond its current westward boundaries, with the Dalgleish Farm remaining part of the Rural Zone.

Option 2 (Recommended) –Extend the Zone to incorporate Dalgleish Farm in order to:

- 9 additional golf holes (to enable a total of 36 holes in the Zone)
- landscape and ecological protection areas
- Opportunity for 45 to 55 residential units

Option 3 – Extend the Millbrook Resort zoning along the lower slopes nearer Malghans Road, creating approximately 23 residential units, with no golf development.

Option 4 - "Rural Residential Development" across entire 'Dalgliesh Farm' site, creating approximately 19 lots. 9 lots read as an extension of Millbrook and 10 large rural residential lots are set within a reduced farm with no golf development, which may or may not be incorporated within the Millbrook Resort Zone.

Table 2 – Broad options considered with respect to the existing Millbrook Resort Zone

	Option 1: Status quo/ No change	Option 2: Comprehensive review – likely result in many existing provisions being retained and improved	Option 3: Comprehensive Review – overhaul existing provisions
Costs	<ul style="list-style-type: none"> • Would fail to fulfil Council’s statutory obligation to review the Plan every ten years. • Would not provide a thorough assessment of the operative Plan provisions. • Existing shortcomings and inefficiencies with respect to the Millbrook Resort Zone would not be addressed 	<ul style="list-style-type: none"> • Has costs associated with going through the District Plan Review process (but this is required by legislation). 	<ul style="list-style-type: none"> • Has costs associated with going through the District Plan Review process (but this is required by legislation). • May lead to unnecessary time and costs spent on assessing alternative provisions when the current provisions are not considered to be problematic
Benefits	<ul style="list-style-type: none"> • No costs resulting from the District Plan Review Process. 	<ul style="list-style-type: none"> • Enables provisions to be articulated in a format that is more legible, and provides greater clarity, than the status quo. • Would fulfil Council’s statutory obligation to review the Plan every ten years. • Allows for more efficient and effective District Plan provisions which appropriately manage new development and better reflect the existing development pattern 	<ul style="list-style-type: none"> • Enables provisions to be articulated in a format that is more legible, and provides greater clarity, than the status quo. • Would fulfil Council’s statutory obligation to review the Plan every ten years. • Allows for more efficient and effective District Plan provisions which appropriately manage new development and better reflects the existing development pattern
Ranking	3	1	2

Table 3 – Broad options considered with respect to the proposed expansion area ‘Dalgleish Farm’

	Option 1: Status quo/ No change	Option 2: Incorporate full residential and golf development within the Millbrook Resort Zone	Option 3: Incorporate lower slopes of the Dalgleish Farm within the Millbrook Resort Zone with no golf	Option 4: ‘Rural residential’ development across the entire site
Costs	<ul style="list-style-type: none"> • Land would not be developed by Millbrook and associated community economic benefits from golf course expansion and residential construction would not be accrued. Assessed as the worst economic option (see the Economic Assessment). • The future of the land would be uncertain, but it would be unlikely to be put to efficient use and weeds and pests may not be contained • Opportunities for ecological and heritage enhancement would not be realised 	<ul style="list-style-type: none"> • Some views would be altered (mostly for some adjoining neighbours), although landscape analysis does not indicate effects would be significant 	<ul style="list-style-type: none"> • Would not allow the completion of 36 holes of golf • Following from the point above, the project may not proceed in any form if it is not found to be economically viable • No certainty that land in the upper slopes will be well managed and weeds and pests controlled due to the marginal productive value of that land. 	<ul style="list-style-type: none"> • Would not allow the completion of 36 holes of golf • Following from the point above, the project may not proceed in any form if it is not found to be economically viable • Depending on how the land is managed (e.g. whether it remains within the Millbrook management structure) it is not certain that best practice in land management will be employed, and weeds and pests controlled. (It is observed that many ‘rural lifestyle’ lots in the Wakatipu Basin are not well managed in this respect.)
Benefits	<ul style="list-style-type: none"> • Would affect the least landscape change (assuming wilding species do not proliferate) 	<ul style="list-style-type: none"> • The completion of 36 holes of golf (via the 9 holes proposed in this land) would improve the tourism offer of Millbrook and the Wakatipu Basin, with associated economic and recreational benefits • Assessed as the best economic outcome (see the Economic 	<ul style="list-style-type: none"> • Assessed as the third best economic outcome (see the Economic Assessment). • Ecological restoration would be limited to the lower slopes • Provides the opportunity to further improve water quality in Mill Creek and Lake Hayes 	<ul style="list-style-type: none"> • Assessed as the second best economic outcome (see the Economic Assessment). • Opportunities for ecological protection and restoration, but less viable and unlikely to be particularly effective. • Provides the opportunity to further

		<p>Assessment).</p> <ul style="list-style-type: none"> • Provides an opportunity for ecological restoration that would have wider benefits for the wider Basin • Provides the opportunity to further improve water quality in Mill Creek and Lake Hayes • Land management with control of weeds and pests 	<ul style="list-style-type: none"> • The land in the lower slopes should be well managed with weeds and pests controlled • Is expected to result in less change to the existing landscape values than Option 2. 	<p>improve water quality in Mill Creek and Lake Hayes</p> <ul style="list-style-type: none"> • May, depending on the layout of development and property boundaries, result in less change to the existing landscape values than Option 2.
Ranking	4	1	3	2

5. Scale and Significance Evaluation

The level of detailed analysis undertaken for the evaluation of the proposed objectives and provisions has been determined by an assessment of the scale and significance of the implementation of the proposed provisions in the chapter. In making this assessment, regard has been had to the following, namely whether the objectives and provisions:

- Have effects on matters of national importance.
- Adversely affect those with specific interests, e.g., Takata Whenua, neighbours
- Involve effects that have been considered implicitly or explicitly by higher order documents.
- Impose increased costs or restrictions on individuals, communities or businesses.

6. Evaluation of proposed Objectives S32 (1) (a)

Table 4 – Assessment against objectives

Objective	Appropriateness
<p>Objective 43.2.1:</p> <p>Visitor, residential and recreation activities developed in an integrated manner with particular regard for landscape, heritage, ecological, water and air quality values.</p>	<p>No shortcomings with the operative objective were raised in Council monitoring, so a small refinement only is considered necessary. This objective needs to be considered in conjunction with the overarching objectives of the Plan, particularly those in the Strategic Directions Chapter. The previous objective included the following:</p> <p><i>‘...minimal impact on adjoining neighbours and roads.’</i></p> <p>The objectives within the Strategic Directions chapter identify those values and places from which effects are especially important to consider. In order to align with the District Plan, it is considered appropriate to defer to those overarching objectives for direction on such matters. This wording is therefore not included.</p> <p>It was also considered that, in achieving the purpose of the Act, it is appropriate to use the phrase ‘particular regard’ rather than ‘regard’ as is currently the case in the Millbrook Resort Zone of the operative District Plan.</p>

7. Evaluation of the proposed provisions S32 (1) (b)

The below table considers whether the proposed provisions are the most appropriate way to achieve the relevant objectives. In doing so, it considers the costs and benefits of the proposed provisions. (See also Table 1- Broad options considered, in Section 4 above.)

Table 5 – Evaluation of proposed provisions

<i>Proposed provisions</i>	<i>Costs</i>	<i>Benefits</i>	<i>Other practical options considered</i>
<p>Policy 43.2.1.1 (requirement to develop in accordance with the Structure Plan)</p> <p>Rules: 43.4.8, 43.4.9, 43.4.10, 43.4.11, 43.4.12, 43.4.17, 43.4.18, 43.4.19, 43.4.21, 43,5.2.</p>	<ul style="list-style-type: none"> • Reduces flexibility for the landowner as to where they can develop and what they can develop (although for some activities there is flexibility for an application to be considered on a discretionary basis) • Can (and has in the past) lead to administrative inefficiencies if the Structure Plan does not promote development in the best locations. • Maintaining a maximum number 450 residential units limits the potential for more intensive development, foregoing potential profit for the company 	<ul style="list-style-type: none"> • Provides increased certainty that development will be well planned and managed in a way which accounts appropriately for the resource management issues listed in the objective. • The structure plan locates development and sets out areas where mitigation is expected in order to mitigate adverse effects that could be experience from nearby properties. • The rules prescribing activities and locations are worded differently from the current Plan. (The Millbrook Resort Zone currently prescribes what uses are allowed as opposed to what are not allowed). This format change aligns with the rest of the District Plan and is considered less likely to unintentionally preclude reasonable activities, such as agriculture in those activity areas that are not being developed. • The range of uses enabled in each activity area is fairly narrow. This provides some certainty. It also allows for the activities to be located in certain areas in a manner which achieves the amenity levels anticipated in the different parts of the 	<ul style="list-style-type: none"> • Minimal change to structure plan for existing part of Millbrook • No structure plan • Higher activity statuses for activities outside assigned activity area • Increasing the maximum number of units allowed in the zone • Removing the maximum number of units rule (and possibly applying another control such as minimum lot sizes) • Removing the 5% total maximum site coverage rule

<i>Proposed provisions</i>	<i>Costs</i>	<i>Benefits</i>	<i>Other practical options considered</i>
		<p>Zone. For example, in the Landscape Protection Area, most buildings are non-complying. However farm buildings are provided for as a controlled activity in order to enable the movement of the woolshed to a more practical woolshed location nearer Malaghans Road, which is supported as a positive change in the landscape assessment.</p> <ul style="list-style-type: none"> • Generally the Structure Plan has been amended to reflect existing or consented development patterns which over time have varied considerably from what is anticipated by the Structure Plan anticipated. • The maximum number of 450 residential units gives some assurance (to those who reside in and near the zone) that established amenity levels will not be affected by intensification. The maximum site coverage rule for all buildings in the zone of 5% is also maintained. Coupled with this, the movement of residential activity area boundaries in some areas gives assurances that it is not anticipated that extra houses will be added in some locations where this may have been achievable. Maintaining the overall cap at 450 residential units (as is currently prescribed in the Plan) also maintains a similar level of infrastructure demand to that which has been anticipated and provided for (see the Infrastructure and Flooding Hazard Assessment for more details) 	

Proposed provisions	Costs	Benefits	Other practical options considered
<p>Policy 43.2.1.2 (requirement for buildings to account for landscape and heritage values)</p> <p>Rules: 43.4.1, 43.4.2, 43.4.3, 43.4.5, 43.4.7, 43.4.13</p>	<ul style="list-style-type: none"> • Costs associated with the resource consent process for most buildings 	<ul style="list-style-type: none"> • Establishes a range in activity statuses which is considered to align with the relative sensitivity of the different parts of the Structure Plan (particular with respect to landscape and heritage values). This ensures a high level of scrutiny to design in areas where it is important to protect values • Enables a method for buildings to be constructed as a permitted activity when considered comprehensively with a subdivision which includes proposed design controls. In practice this is how Council has consented development in Millbrook in recent years and it has proven to be an effective and efficient method. The wording seeks to confirm the continuation of this approach. • The application of permitted activities for buildings up to a certain scale associated with utilities or golf course development (as is currently the case in the operative Millbrook Resort Zone) and for structures in the Services Activities will remove unnecessary consents where such activities are anticipated 	<ul style="list-style-type: none"> • Permitted activity for all buildings • Restricted discretionary activity for all buildings • Controlled activity for all buildings • Combinations of the above
<p>Policies: 43.2.1.3 (ecological values), 43.2.1.6 (reduce nutrients into water ways)</p> <p>Rule: 43.5.11</p>	<ul style="list-style-type: none"> • May add to development costs 	<ul style="list-style-type: none"> • Policy 43.2.1.3 and its implementation via Rule 43.5.11 presents an opportunity to protect and enhance the ecological benefits of this site as discussed in the report, 'Review of Ecological Values and Restoration Opportunities for Dalgleish Farm'. 	<ul style="list-style-type: none"> • No requirement to undertake ecological restoration, to submit plans for improving water quality or to address concerns raised in consultation with respect to potential effects on amenity of existing neighbours

Proposed provisions	Costs	Benefits	Other practical options considered
		<ul style="list-style-type: none"> • Policy is a rollover of an existing policy which has been implemented with some success. Rule 12.5.1.11 will promote an integrated approach to stormwater management for the entire Dalgleish Block. • Rule 43.5.11 also seeks that Council consider and approve the details of mitigation to be undertaken to prevent unreasonable disturbance to the amenity enjoyed by neighbours from the proposed new golf holes. This method implements a range of objectives and policies from the Plan. 	
Policy 12.3.1.6 (Air Emissions) And Rule 43.5.12	<ul style="list-style-type: none"> • Could preclude the use of household fireplaces which are otherwise compliant with the Regional Air Plan, limiting individual choice 	<ul style="list-style-type: none"> • A similar rule has been applied under current zoning without apparently causing any particular concern. Provides an extra level of assurance above the Regional Plan. Has been amended to allow small outdoor fires on the basis that such fire places (such as for barbeques) when used occasionally are unlikely to contribute to air emissions if otherwise complying with regional rules and local bylaws. A note is proposed to be added to alert readers to other such regulations. 	<ul style="list-style-type: none"> • Remove provisions relating to air quality • Leave provisions relating to air quality unchanged from operative provisions
Policy 12.3.1.4 (Control of Aircraft landings and take-offs) Rules 12.4.1.14, 12.4.1.14	<ul style="list-style-type: none"> • Restricts flexibility of Millbrook to develop the resort as they wish and of landowners to land private aircraft where they wish (notwithstanding the need to otherwise comply with Civil Aviation Act laws and regulations) • Does not provide Millbrook certainty that 	<ul style="list-style-type: none"> • Provides some assurances to those in and around the zone as to where helicopters can land, which has safety and amenity benefits • Signals Millbrook's preferred future helicopter landing and takeoff area. Moving from the current location would enable the 	<ul style="list-style-type: none"> • Leave helipad location in its current location on the structure plan • Make all helicopter landings and take-offs discretionary, or non-complying, without an identified location on the structure plan.

<i>Proposed provisions</i>	<i>Costs</i>	<i>Benefits</i>	<i>Other practical options considered</i>
	<p>their proposal to move the helicopter pad away from the Village Activity Area will be approved (due to Restricted Discretionary Status)</p>	<p>development of the Village area and is understood to reduce potential conflict between golf and flight paths.</p> <ul style="list-style-type: none"> • Allows for a detailed assessment of effects on amenity and safety in due course should a detailed resource consent application be made, with Council having the ability to decline the application. 	

8. Efficiency and effectiveness of the provisions.

In electing the preferred options regard has been given to their potential effectiveness and efficiency.

Overall, it is considered that the revised Millbrook Resort Zone would:

- would be easier to read, aligning better with the rest of the District Plan
- would reduce the number of unnecessary consents
- be more streamlined, with less provisions and no assessment matters
- would more accurately reflect existing and consented development, and enable development considered to be appropriate. Again, this would reduce the number and breadth of consents required
- would achieve the purpose of the Act and the overarching objectives of the Plan through well managed and located development carried out in a responsible manner.

9. Assessment of benefits and costs

This assessment is based on a comprehensive range of reports. There is considered to be minimal risk of acting on uncertain or insufficient information.

The economic benefits arising from the expansion into the 'Dagleish Farm' and alternatives have been assessed. Readers are referred to the Economic Assessment.

The following is a brief summary of the identified costs and benefits identified as arising from the implementation of the provisions:

Table 6 – Assessment of costs and benefits

	Costs	Benefits
Environmental	Some temporary effects arising from construction can be anticipated – e.g. soil loss, carbon emissions	Improved land management including nutrient run off, weed and pest management Ecological benefits arising from planting, protection and improved riparian management
Economic		Significant wider economic benefits in terms of economic growth and employment as reported and quantified in the Economic Assessment.
Social		Increased recreation opportunities through 9 more holes of golf
Cultural effects	Heritage values, including the established building and vegetation layout of Dagleish Farm will be altered. Well-designed development will however mitigate such effects	Heritage values may be better protected and even enhanced through upgrading and continuing use of the woolshed on Dagleish Farm and, sympathetic alterations to the category 3 listed building on Dagleish Farm. Note – consultation has not identified any concern among takata whenua with respect to this proposal.

10. The risk of not acting.

The changes proposed would enable a number of benefits to Millbrook Country Club, the residents of the Millbrook Resort Zone and the community at large. The changes also reflect the current changing nature of the RMA with its drive to simplify and streamline. Not acting would constitute a missed opportunity to:

- Address anomalies and update zone provisions;
- Enhance golf tourism opportunities; and
- Provide for social, economic and cultural well-being

Appendix 4. Section 32AA Evaluation

Appendix 4
Section 32AA Assessment

Note: The relevant provisions from the revised chapter are set out below, showing additions to the notified text in underlining and deletions in ~~strike-through~~ text (ie as per the Revised Chapter).

The section 32AA assessment then follows in a separate table underneath each of the provisions.

Redraft Rule 43.4.2

Rules – Activities

	Activities – Millbrook	Status
43.4.2	<p>Farm buildings in all activity areas aside from the Landscape Protection Area as set out in rule 43.4.13 <u>and in the E1 and E2 areas as set out in Rule 43.4.24.</u></p> <p>* Council shall exercise c<u>Control</u> is reserved to the over effects on heritage and landscape values</p>	C*

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> No farm buildings can be established in the E1 and E2 areas 	<ul style="list-style-type: none"> Preserves these areas for earthworks for the purposes of mitigating the effects of development within the expanded zone area when viewed from the south. 	<ul style="list-style-type: none"> Effective and efficient as links directly to Rule 43.4.24 and provides clarity as to the application of the rule.

Redraft Rule 43.4.3

Rules – Activities

	Activities – Millbrook	Status
43.4.3	<p>Buildings in:</p> <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 <p>* With the exercise of *Council's c<u>Control is reserved</u> limited to the implementation of <u>Council approved</u> design guidelines and parameters to control:</p> <ul style="list-style-type: none"> ‡<u>The external appearance of the building.</u> and ‡<u>The effect of on</u> visual values of the area including coherence with the surrounding buildings. 	C*

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • None identified. 	<ul style="list-style-type: none"> • Provides clarity to PDP users that the guidelines are Council approved. 	<ul style="list-style-type: none"> • Effective and efficient as ensures the guidelines are approved by Council.

Redraft Rule 43.4.5

Rules – Activities

	Activities – Millbrook	Status
43.4.5	<p>Buildings in R14, R15 and R16 of the Residential Activity Area</p> <p>.* With the exercise of Council’s discretion is limited restricted to: the implementation of design guidelines and parameters to control:</p> <ul style="list-style-type: none"> • <u>Consistency with Council approved design guidelines; and</u> • the external appearance of the building; and • associated landscaping controls; and • the effect of <u>on</u> 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*

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • None identified. 	<ul style="list-style-type: none"> • Provides clarity to PDP users that the guidelines are Council approved. • Removal of assessment matters from this chapter is consistent with the general approach in the PDP. 	<ul style="list-style-type: none"> • Effective and efficient as ensures the guidelines are approved by Council. • Effective and efficient as assessment matters are not generally used in other parts of the PDP. The matters of discretion cover the assessment criteria. Assessment criteria better placed in design guidelines.

Updated Rule 43.4.6

Rules – Activities

	Activities – Millbrook	Status
43.4.6	<p>Buildings in R17 of the Residential Activity Area</p> <p>* With the exercise of Council's discretion limited is restricted to consideration of the following the implementation of design guidelines and parameters to control:</p> <ul style="list-style-type: none"> consistency with Council approved design guidelines; and the external appearance of the building including materials and designs; and the effect on 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> <ul style="list-style-type: none"> 	RD*

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> None identified. 	<ul style="list-style-type: none"> Provides clarity to PDP users that the guidelines are Council approved. Removal of assessment matters from this chapter is consistent with the general approach in the PDP. 	<ul style="list-style-type: none"> Effective and efficient as ensures the guidelines are approved by Council. Effective and efficient as assessment matters are not generally used in other parts of the PDP. The matters of discretion cover the assessment criteria. Assessment criteria better placed in design guidelines.

Updated Rule 43.4.13

Rules – Activities

	Activities – Millbrook	Status
43.4.13	<p>Buildings in the Landscape Protection Activity Area, except for:</p> <ul style="list-style-type: none"> utility buildings up to 25m² in gross floor area; and <p><u>one farm buildings in the (relocated from within the site and restored) in that part of the Landscape Protection Activity Area which fronts Malaghans Road.</u></p>	NC

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • No buildings (with one exception) can occur in the Landscape Protection Activity Area. 	<ul style="list-style-type: none"> • Ensures that the landscape is protected from inappropriate development. • Acknowledges the intent to move one farm building within the area fronting Malaghans Road. 	<ul style="list-style-type: none"> • Effective and efficient as ensures that development in the Landscape Protection Activity Area is managed through a rule.

New Redraft Rule 43.4.24

Rules – Activities

	Activities – Millbrook	Status
<u>43.4.24</u>	<u>Buildings in the E1 and E2 Areas</u>	<u>PR</u>

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • No building can take place in the E1 and E2 Areas. 	<ul style="list-style-type: none"> • No buildings likely to be required here. • Protects these areas for the purpose of earthworks only, to screen residential and golf course activities. 	<ul style="list-style-type: none"> • Effective and efficient as ensures PDP users are aware of the purpose of these areas.

New Redraft Rule 43.4.25

Rules – Activities

	Activities – Millbrook	Status
<u>43.4.25</u>	<u>Buildings other than one residential unit or a farm building in R18 of the Residential Activity Area.</u>	<u>NC</u>

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • No more than one building or a farm building may be established on R18, therefore development is restricted. 	<ul style="list-style-type: none"> • Ensures a development density cap is provided for R18 with respect to buildings other than residential units. 	<ul style="list-style-type: none"> • Effective and efficient as ensures an appropriate level of development occurs within this Residential Activity Area.

New Redraft Rule 43.4.26

Rules – Activities

	Activities – Millbrook	Status
<u>43.4.26</u>	<u>Any development within the Millbrook Resort Zone prior to the approval of Millbrook Design Guidelines by Queenstown Lakes District Council.</u>	<u>NC</u>

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> Requires updated guidelines to be prepared. 	<ul style="list-style-type: none"> Ensures that Council can review and approve the updated guidelines prior to development proceeding and ensure that the appropriate design controls are included with respect to height, landscaping species and other site specific details. 	<ul style="list-style-type: none"> Effective and efficient as the updated guidelines will cover more site specific requirements, that are better placed in the guidelines rather than as individual rules in the PDP.

New Redraft Rule 43.4.27

Rules – Activities

	Activities – Millbrook	Status
<u>43.4.27</u>	<u>Development shall be undertaken in general accordance with the Structure Plan provided at 4.7 and the Council approved design guidelines.</u>	<u>NC</u>

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> None identified. 	<ul style="list-style-type: none"> Ensures that development will proceed in manner that is consistent with the purpose and objective of the zone. Provides a method for achieving Policy 43.2.1.1. 	<ul style="list-style-type: none"> Effective and efficient inclusion of rule makes it explicit that development must occur in general accordance with the structure plan and design guidelines. Notified version was not effective in ensuring this occurred.

Redraft Rule 43.5.1

Rules – Standards

	Rules – Millbrook	Status
43.5.1	<p>Setbacks</p> <p>No building or structure shall be located closer than 6m to the Zone boundary, and in addition:</p> <p>No building shall be located closer than 10m from Malaghan Road or the Arrowtown Lake Hayes Road</p>	RD
	<p><u>On Indicative Residential Sites 14 and 19 no building shall be located within a 7m setback from those boundaries of the Indicative Residential Sites which adjoin the boundary of the Residential Activity Area.</u></p>	<u>D</u>

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • None identified. 	<ul style="list-style-type: none"> • Ensures appropriate setbacks for these more sensitive sites to reduce public visibility of future buildings. 	<ul style="list-style-type: none"> • Effective and efficient inclusion of rule to strengthen the mitigation for visual screening.

Redraft Rule 43.5.3

Rules – Standards

	Rules – Millbrook	Status
43.5.3	<p>Residential density in <u>R13</u>, R14, R15, R16, <u>R17</u> and R18</p> <p>In the following parts of the Residential Activity Area the total number of residential units shall not exceed:</p> <p><u>R13 10 residential units</u></p> <p>R14 6 residential units</p> <p>R15 15 residential units</p> <p>R16 6 residential units</p> <p><u>R17 7 residential units</u></p> <p>R18 1 residential units</p> <p><u>In addition there shall be no more than one residential unit per Indicative Residential Site.</u></p>	NC

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • Reduces the overall level of development density that can be achieved within the site. 	<ul style="list-style-type: none"> • Ensures an appropriate continuation of density west from the already consent R12 Activity Areas. 	<ul style="list-style-type: none"> • Effective and efficient to specify a rule for density for additional areas, to ensure that the MRZ achieves

	<ul style="list-style-type: none"> • For the more sensitive Indicative Residential Sites, providing for only one per site ensures that only single residential units in identified areas area anticipated, which assist in reducing visibility. 	appropriate character and visual screening.
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Redraft Rule 43.5.5

Rules – Standards

	Rules – Millbrook	Status
43.5.5	<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> <p>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</p> <p>And In addition no part of a building shall be situated above the following heights above sea level:</p> <p>Datum (masl) R14 465.5m R15 478.5m R16 483m</p> <p><u>In addition, buildings must comply with the site specific heights and recession planes for each indicative residential site, as specified in the Council approved design guidelines.</u></p>	NC

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • Additional height and recession plane requirements for some buildings in the expanded area of the MRZ. 	<ul style="list-style-type: none"> • Reduces the visual effect of buildings on neighbouring properties. 	<ul style="list-style-type: none"> • Effective and efficient to specify that they are included in the design guidelines, as opposed to providing this level of individual site requirements in the rules.

Rules – Standards

	Rules – Millbrook	Status
43.5.11	<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 <u>through planting</u> in those areas identified within the <u>Gully Planting and Open Planting Overlays</u> 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. • <u>Landscaping plans that include details of how the Gully Planting and Open Planting Overlays will be planted and maintained, utilising plant species outlined in the Council approved design guidelines.</u> • <u>Earthworks to be undertaken in E1 for the purpose of visually screening all residential properties within the R14 and R15 Activity Areas from approved building locations on sites adjoining the South Dalgleish Area of the Millbrook Resort Zone.</u> • <u>Earthworks to be undertaken in E2 for the purpose of mitigating views of golfing activities as viewed from approved building locations on sites adjoining the South Dalgleish Areas of the Millbrook Resort Zone.</u> • <u>Retention and long term replacement (when required) of those trees within the Roadside Planting Overlay.</u> 	NC

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • Requires more specific controls around planting for ecological purposes and planting and earthworks for screening development (financial cost to establish and maintain). 	<ul style="list-style-type: none"> • Ensures appropriate planting occurs in specific areas for ecological restoration. • Ensures planning is retained and maintained for screening purposes. • Ensures appropriate earthworks occur to screen land use and development from neighbouring properties. 	<ul style="list-style-type: none"> • Effective and efficient as the overlays relate to specific identified areas with controls on planting and screening.

Appendix 5. MCCL Revised Package dated 2 December 2016



Landscape Assessment Addendum

Dagleish Farm – Millbrook

November 2016

INTRODUCTION

1. This landscape assessment addendum responds to changes proposed by Millbrook Country Club Ltd (“Millbrook”) in response to submissions made to the Millbrook Resort Zone of the Proposed Queenstown Lakes District Plan (PDP). This report assesses the landscape effects of the proposed amendments.
2. The following are attached for reference:
 - **Attachment A – Structure Plan Zone Changes**
 - **Attachment B – Structure Plan**
 - **Attachment C – Structure Plan – South Dagleish Area**
 - **Attachment E – Viewpoint 1**
 - **Attachment F – Viewpoint 2**
 - **Attachment G – Viewpoints 3 & 4**

BACKGROUND

3. Millbrook seeks to extend the Millbrook Resort Zone into Dagleish Farm. This proposal has been notified as part of the PDP process. Since the notification of the proposal, Millbrook has reflected on particular submissions received and has suggested the following changes to the proposal (**Attachment A**):
 - Portions of the Residential Activity Areas (R) have been amended. These amendments have generally removed residential activity from the more southerly portions of the site and relocated them to the more central parts of the site.
 - A part of the Landscape Protection (LP) Activity Area has been removed to allow for additional Golf Course and Open Space (G) Activity Areas.
 - The Ecological Protection and Restoration Overlay has been removed and a Gully Planting (GP) and Open Planting (OP) overlay is proposed.

- Earthworks Overlays (E1 and E2) are proposed to indicate where earthworks will be undertaken to mitigate against effects of development on neighboring properties.
 - Specific height controls have been added for “indicative residential sites” in much of the more elevated R14, R15 and R16 areas to provide more certainty as to built form outcomes.
 - A recession plane rule has been added and RL’s have been set for the more northerly lots to reduce the public visibility of future buildings in the R16 Activity Area.
 - A setback rule has been added to the R15 area and additional planting is proposed to the north to reduce the public visibility of future buildings in this Activity Area.
4. As part of this proposal, Millbrook seeks to amend the existing Structure Plan to reflect its recently consented stage 3D development which has been consented since notification of the PDP (**Attachment B**).
 5. The combined changes have resulted in an overall reduction in Residential Activity Areas by 1.88ha.
 6. Overall this proposal seeks to establish a resort area characterised by large amounts of open space in proportion to built form. For a full description of the changes to the proposal please refer to the amended chapter 43 Millbrook Resort Zone and the proposed South Dalgleish Structure Plan (**Attachment C**).

LANDSCAPE AND VISUAL ASSESSMENT

OVERVIEW

7. A full and detailed evaluation accompanied the original proposal as notified. This original evaluation assessed the receiving landscape under the Amended Pigeon Bay Criteria. The subject site has also been part of other documents adopted by Council including The *Wharehuanui Landscape Study* and The *Wakatipu Basin Residential Subdivision and Development: Landscape Character Assessment*.
8. Overall it is widely recognised that the subject site is not part of an Outstanding Natural Landscape or Feature and has the ability to absorb some appropriate development.
9. The Proposed District Plan (PDP) provisions describe the purpose for the Millbrook Resort Zone as follows:

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.

10. The following portion of this report considers the effects of the suggested changes to the zone proposal on the landscape and visual amenity. This report is intended to be read in conjunction with the 2015 assessment that accompanied the original proposal and provides additional comment to the original report, specifically addressing the effects of the proposed changes. It assess the proposal in the frame of the PDP's Objectives, Policies and Assessment Matters contained in Chapter 3 – *Strategic Direction*, Chapter 5, *Strategic Direction, Landscape* and Chapter 13 – *Rural Zone, 13.6 Assessment Matters*.

VISIBILITY

11. The full assessment which accompanied the notified review identified several areas where the proposal will be visible and the level of effects of the proposal's visibility from those locations. The public locations where the proposal would have been visible to some degree include:
 - Malaghans Road,
 - Dennison Way (being the first 75m from Malaghans Road),
 - Feeley Hill,
 - Cotter Avenue,
 - North Lake Hayes Recreation Area Access,
 - Tobins Track,
 - The Crown Range Zig Zag,
 - Coronet Peak Ski Area and access road.
12. It is considered that the amendments to the proposal will marginally reduce the effects of the proposal's visibility as viewed from more distant places, especially from places to the east and south. It is considered that the effects of the revised proposal on the lower portion of Dennison Way will be very low to negligible as the existing vegetation and LP zone will provide a significant visual screen between this part of Dennison Way and the proposed development.
13. The following assessment concentrates on the effect of the proposal as viewed from **Malaghans Road** as it is considered this is public place where a change in effect is most likely.

Malaghans Road

14. Malaghans Road is considered to be the public place where the site is most often experienced. Much of the southern boundary of Malaghans Road is densely planted in mature exotic trees which screen views into Millbrook and Dagleish Farm. There are two places along Malaghans Road where the proposal can be viewed. They are from a short (approximately 500m) portion of road northwest of the subject site (**Attachments D & E**) and through a small gap in the vegetation near the site's northeastern boundary (**Attachment F, Viewpoint 3**).
15. The suggested amendments to the structure plan will bring proposed Residential Activity Areas on the upper plateau slightly farther north, closer to Malaghans Road. This has the potential to increase the presence of visible built form.
16. To mitigate the potential increase in visual effects of relocating the R Activity Area, a recession plane control and specific RL height limit rules have been added to the R16 Activity Area. Similarly

a setback rule and specific RL height limit rules have been added to the R15 Activity Area. Additional amenity planting is also proposed to the north of the R15 activity area.

17. No change has been proposed to the R Activity Areas on the lower slopes which are in closer proximity to Malaghans Road.
18. There is potential for future buildings on the upper plateau to break the line of the ridge as viewed from Malaghans Road. This potential existed with the notified plan but has slightly increased with the reorientation of the R15 area.
19. As the new proposal risked increasing the potential for future buildings to be visible on the ridgeline, additional mitigation and avoidance measures are proposed. There are new controls on the previously proposed R16 area which will provide increased assurance that building here will not be visually prominent. Buildings in the R15 area will be setback from the Activity Area's more visible boundary by 7m. Proposed planting on the northern edge of the R15 Activity Area will provide a level of screening and a vegetative context to visually absorb future buildings. These buildings are required to be recessively clad and coloured as part of the assessment criteria within the proposed zone provisions.
20. It is considered that new proposed controls on building height, location and proposed planting will reduce the visual effects of future buildings as viewed from Malaghans Road. Any breach in the ridgeline will be seen in the context of a dark grey backdrop provided by the distant slopes of the Remarkables. Amenity planting to the north of the R15 area will provide a level of screening and a vegetative context to allow a future, recessively clad and coloured building to be visually absorbed. Future buildings will be a considerable distance apart with landforms and vegetation breaking the form of the buildings and providing a foreground of views from Malaghans Road.
21. The more sensitive skyline and ridgeline to the west of the subject area will not be breached by built form.
22. Taking the above into account it is considered that the amended proposal will slightly increase the visibility of development as seen from a small window to the south of Malaghans Road. Additional mitigation controls have appropriately addressed this potential. It is considered that the amended proposal will have a very low change in effects on the visual amenity as experienced from Malaghans Road when compared to the notified version.

Private Places

23. Most of the proposed changes have been driven by responses to submitters toward the south of the Dagleish land and as such, potential effects on those properties are significantly reduced by the amended proposal.
24. It is understood that after a short distance along the formed portion of Dennison Way, the formed road does not follow the legal road and therefore the upper reaches cannot be easily reached without traversing private property. Accordingly, it is understood that the upper sections of Dennison Way have limited relevance in an assessment of public places. But, as acknowledged in the original landscape assessment there are some private properties from where development proposed will be visible in this area. It is therefore considered a relevant vantage point from which to assess any change in effects resulting from the new proposal.

25. From these more elevated portions of Dennison Way which are not accessible by vehicle via the legal road, much of the proposed development will be visible (**Attachment F, Viewpoint 4**). The amended proposal has brought development on the upper portions of the subject site closer to Dennison Way. However in the context of the other development that will be visible, the effects of the amended proposal are considered to be very low. While the amended proposal will locate residential development farther north towards Dennison Way, this will result in a negligible increase in the overall effects of the proposal on the upper part of Dennison Way and adjacent private properties.

STRATEGIC DIRECTION, LANDSCAPE

26. The proposal recognises the finite capacity of the landscape to absorb change. Development is concentrated in areas where the landscape can more readily accept change while retaining areas which may be adversely affected by change. While the amended proposal will locate development closer to Malaghans Road, resulting in at least some increased potential for buildings to be visible on the ridgeline, it leaves the more outstanding and natural portions of the site in their existing state and significantly reduces the overall Residential Activity Area.
27. The portions of the site and surrounding landscape which contribute to the visual amenity values will be largely unaffected by the changes to the proposal. It is considered that the more elevated portions of the site to the west of the development and the craggy face of the escarpments farther west (intended Landscape Protection Activity Areas) are the main contributors to the visual amenity. These high value areas will experience a negligible change in effect with respect to the proposed changes.
28. Overall it is considered that the proposed changes will have a very low adverse effect on the landscape character.

RURAL ZONE – 13.6 ASSESSMENT MATTERS (LANDSCAPE)

Landscape Character

29. The changes to the structure plan may result in a very low increase in effects on the rural character of the landscape as experienced from Malaghans Road. While buildings will be controlled in terms of their external appearance so that they appear sympathetic to the landscape's natural and rural character, the increase in visible built form will have a very low incremental adverse effect on the rural character as viewed from Malaghans Road relative to what was notified.
30. The internal, southern lands of the subject site will be more open as a result of this amended proposal. This will have the effect of increasing the site's rural character by increasing its degree of openness. This increase in openness however will not be widely perceived from public places.
31. It is considered that the rural character of the landscape will be maintained to a high degree. The scale and nature of the proposal will display an appropriate rural density of buildings within large areas of open space. The more open lands to the west and south will provide sufficient openness which will ensure the landscape's rural character is maintained to a high degree.

Visual Amenity

32. As stated above, the increase in visibility of built form will result a very small increase in the proposal's adverse visual effects. As covered in the landscape assessments in the notified proposal and the Wharehuanui Landscape Study, the visual amenity values of the site are in part derived from its location toward the edge of a landscape unit which has the potential to absorb such development. It is considered that the proposal is appropriately sited and controlled to ensure it has no more than a very low adverse effect on these visual amenity values.

Design and Density of Development

33. The amended proposal presents no additional new effects which are relevant to the design and density of development.

Cumulative Effects

34. The amended proposal will slightly increase the presence of domestic elements in the more rural landscape as experienced from Malaghans Road. However the amended proposal has reduced the overall Residential Activity Areas of the western part of the Resort Zone by 2.24ha from what was notified. This will reduce the potential for the proposal to contribute to adverse cumulative effects of development on the landscape.
35. It is considered that this increase in visual built form as experienced from Malaghans Road will not significantly alter the character or limit the appreciation of the landscape.
36. This amended proposal will not cross a threshold with respect to the landscape's ability to absorb further development. It is considered that the landscape is nearing that threshold but that there is capacity for additional, appropriate development to occur within discrete pockets of land.

Positive Effects

37. The amended proposal will increase the openness of the overall site, which will have a small positive effect in terms of rural character. Additional planting is also proposed which will have a very low increase in the positive effects of the proposal. The proposal does not significantly increase any other positive effects already provided for and discussed in the notified application.

CONCLUSION

38. The proposal seeks to amend the notified Millbrook Resort Zone to include revised provisions and a new structure plan. These changes are the result of a dialogue between submitters. The changes would shift development away from the site's more southern lands and locate it more towards the center of the site.
39. It is considered that these changes will slightly increase the proposal's adverse effects on visual amenity. There will be opportunities for an increase in ridgeline breaks as viewed from Malaghans Road. These views will be fleeting and visible from only a short portion of Malaghans Road. The amended structure plan and zone provisions introduce new mitigation measures to address the potential adverse effects of an increase in visual built form. It is considered that these controls and

measures will appropriately mitigate the potential for adverse visual effects and that the proposal will have a very low change in effect from what was notified.

40. Built development will slightly reduce the perceived openness of the landscape as viewed from the north. However, the overall openness has been increased as a result of these amendments. It is considered that the amendments to the proposal will increase the perceived adverse effects of the landscape's rural character to a very low degree, but will increase the overall rural character of the landscape by reducing the area of Residential Activity Areas which in turn will increase the landscape's openness.
41. Overall it is considered that the landscape has the ability to absorb the proposed development as the design will enhance the site's natural values and is located in a portion of land which can absorb such development. The amended proposal will have a very low change in effect on the landscape character and visual amenity from what was notified.

By email: craig.barr@qldc.govt.nz

Dear Craig

2 December 2016

Revised Position of Millbrook Country Club Ltd in Relation to the Proposed Queenstown Lakes District Plan

As discussed, Millbrook Country Club Ltd (Millbrook – submitter number 696) has been consulting with other submitters on the notified changes to the Millbrook Resort Zone in the Proposed District Plan. Those submitters are X-Ray Trust Limited (submitter number 356), an immediate neighbour on Speargrass Flat Road with two approved residential building platforms and Donaldson (submitter 446), also an immediate neighbour. Both submitters have direct views across the rural land which is the subject of the zone extension (the Dalgleish Farm)

As a direct response to the X-Ray Trust and Donaldson submissions, Millbrook has reviewed options for a different design of open space, golf and residential activities.

Attached are the suggested changes.

In summary those changes involve:

- Portions of the Residential Activity Areas (R) have been amended to remove residential activity from the more southerly portions of the site and relocate them to the more central parts of the site;
- Earthworks Overlays (E1 and E2) are proposed to indicate where re-contouring will be undertaken to mitigate against effects of development on neighbouring properties;
- A part of the Landscape Protection (LP) Activity Area has been removed to allow for additional Golf Course and Open Space (G) Activity Areas;
- The Ecological Protection and Restoration Overlay has been replaced with more detailed Gully Planting (GP) and Open Planting (OP) overlays;
- Specific height controls have been added for “indicative residential sites” in much of the more elevated R14, R15 and R16 areas to provide more certainty as to built form outcomes;
- A recession plane rule for sites in R16, a setback rule for sites in R15, and RL height limits in R15 and R16 have been added to reduce the visibility of future buildings on the more northerly lots from public places to the north (Malaghans Road).

As part of this proposal, Millbrook seeks to amend the existing Structure Plan to reflect its recently consented stage 3D development which has been consented since notification of the PDP.

The combined changes would result in an overall reduction in Residential Activity Areas by 1.88ha.

The suggested re-design and its integrated mitigation meets all of the concerns raised by X-Ray Trust and addresses concerns raised by Donaldson (submitter 446) as to amenity. There will also be a small improvement in visual amenity for submitters to the east of Dalgleish Farm including, Siddall and Tweedie (submitter number 14), Egerton (234), Egerton (346), Spruce Grove Trust (558 & 559) and Boundary Trust (541).

The re-design has been assessed for landscape effects and an addendum to the original landscape assessment has been undertaken (attached). It concludes that:

- There are no more than “very low” additional effects as experienced from any particular public or private view point; and
- Overall the revised proposal results in effects on landscape and visual amenity values of a similar nature and scale to the notified version. If there is an increase in effects in this regard, it is to a very small degree.

I have evaluated how the proposal addresses the objectives relevant to landscape and visual amenity values in the District Plan as required by Section 32 of the RMA. The relevant objectives can be found in Sections 3 and 6 of the Proposed Plan, as well as the objective in the Proposed Millbrook Resort Zone (Section 43). Due to the nature and scale of changes proposed (as described in the attached landscape assessment) an assessment against these objectives does not in my opinion result in different conclusions to an assessment of the original proposal.

I also consider that there are no other effects beyond landscape and visual amenity values of note, and none that would alter the conclusions reached in the original Section 32 assessment. As a result of further work in consultation with X-Ray Trust, more precise provisions in relation indigenous planting are now proposed. While the area shown in the newly proposed Gully Planting (GP) and Open Planting (OP) overlays is smaller than that was shown in the previously proposed Ecological Protection and Restoration Overlay, there is more certainty as to the nature and scale of such planting required and as such I consider that the outcomes will result in positive ecological effects to a similar if not greater degree to what was previously proposed.

We have also liaised with the author of the Economic Assessment which formed part of the original section 32 documentation, who has advised that the economic implications are very similar to the original report.

I am satisfied that my further evaluation meets the requirements of section 32AA of the RMA.

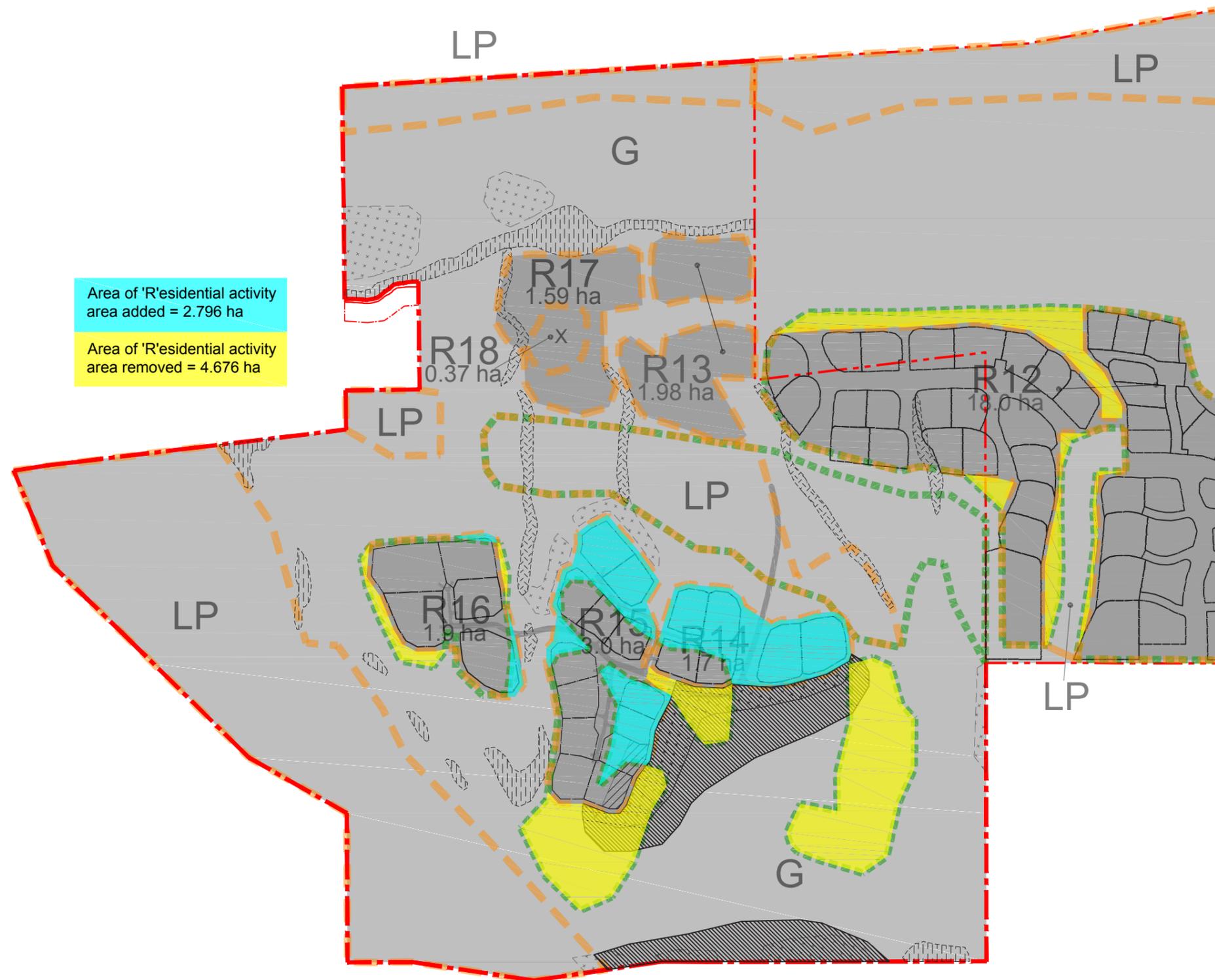
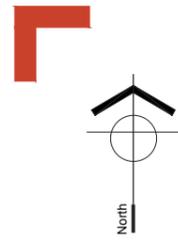
I would be grateful if this letter and accompanying information could be made available to the s42A reporters and the Hearings Panel, for the further dissemination.

I am available to discuss and further assist as needed.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Dan Wells', with a long horizontal flourish extending to the right.

Dan Wells
Consultant Planner
John Edmonds and Associates Ltd



Area of 'R' residential activity area added = 2.796 ha

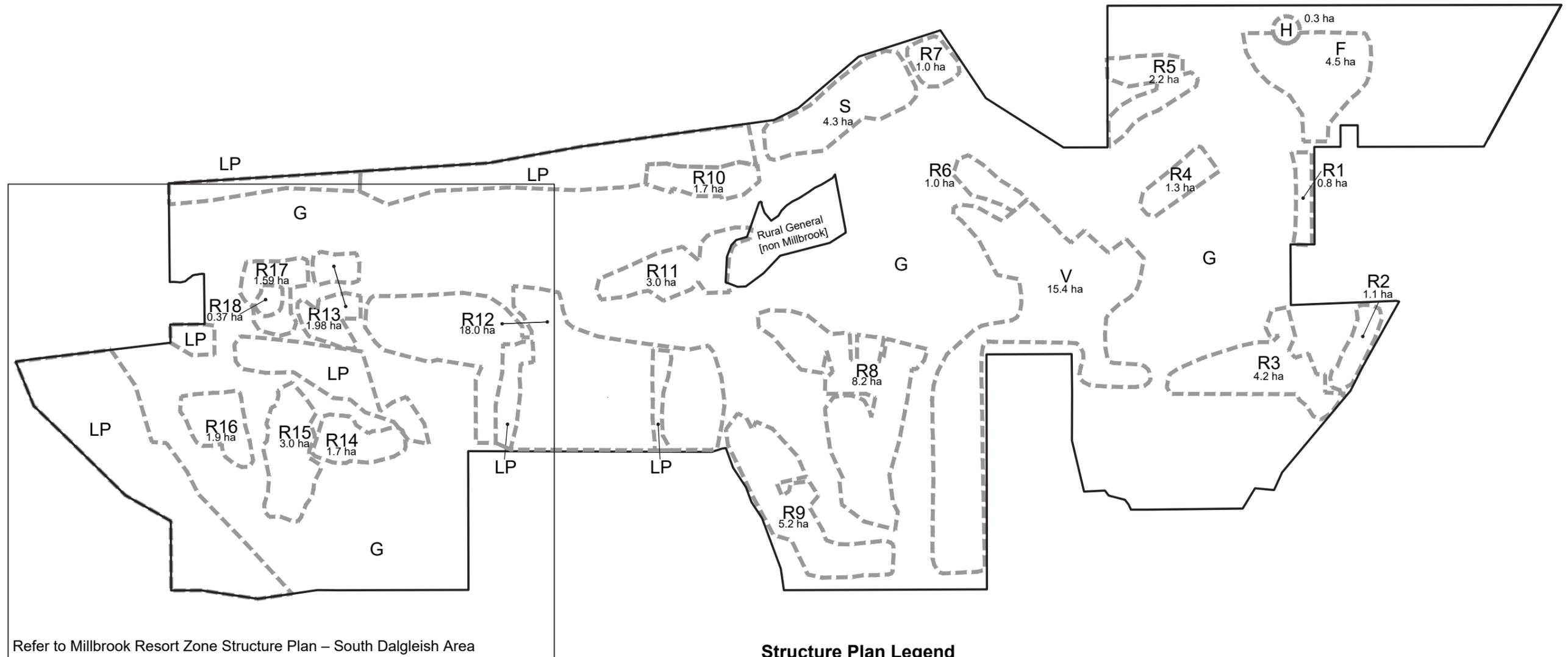
Area of 'R' residential activity area removed = 4.676 ha

STRUCTURE PLAN LEGEND:

- R : Residential
- V : Village
- F : Recreational Facilities
- S : Resort Services
- G : Golf Course and Open Space
- H : Helipad
- LP : Landscape Protection
- Activity Boundary Existing
- Activity Boundary Proposed
- Zone Boundary
- Zone Boundary Changes
- Previous R and LP boundaries
- R difference -4.676 ha
- LP difference -2.10 ha

Overlays

- 5.5m max.height on residential areas Refer to rules for height restrictions
- Amenity Landscaping
- Gully Planting
- Open Planting
- Earth mounding for general amenity
- Protected feature. Refer Heritage Chapter



Structure Plan Legend

- R : Residential
- V : Village
- F : Recreational Facilities
- S : Resort Services
- G : Golf Course and Open Space
- H : Helipad
- LP : Landscape Protection
- Activity Area Boundary



Zone Boundary



MILLBROOK RESORT ZONE - STRUCTURE PLAN

REFERENCE 2423-SK40 - SCALE = 1:5000 AT A1 - 1:10000 AT A3 - 02 Dec 2016

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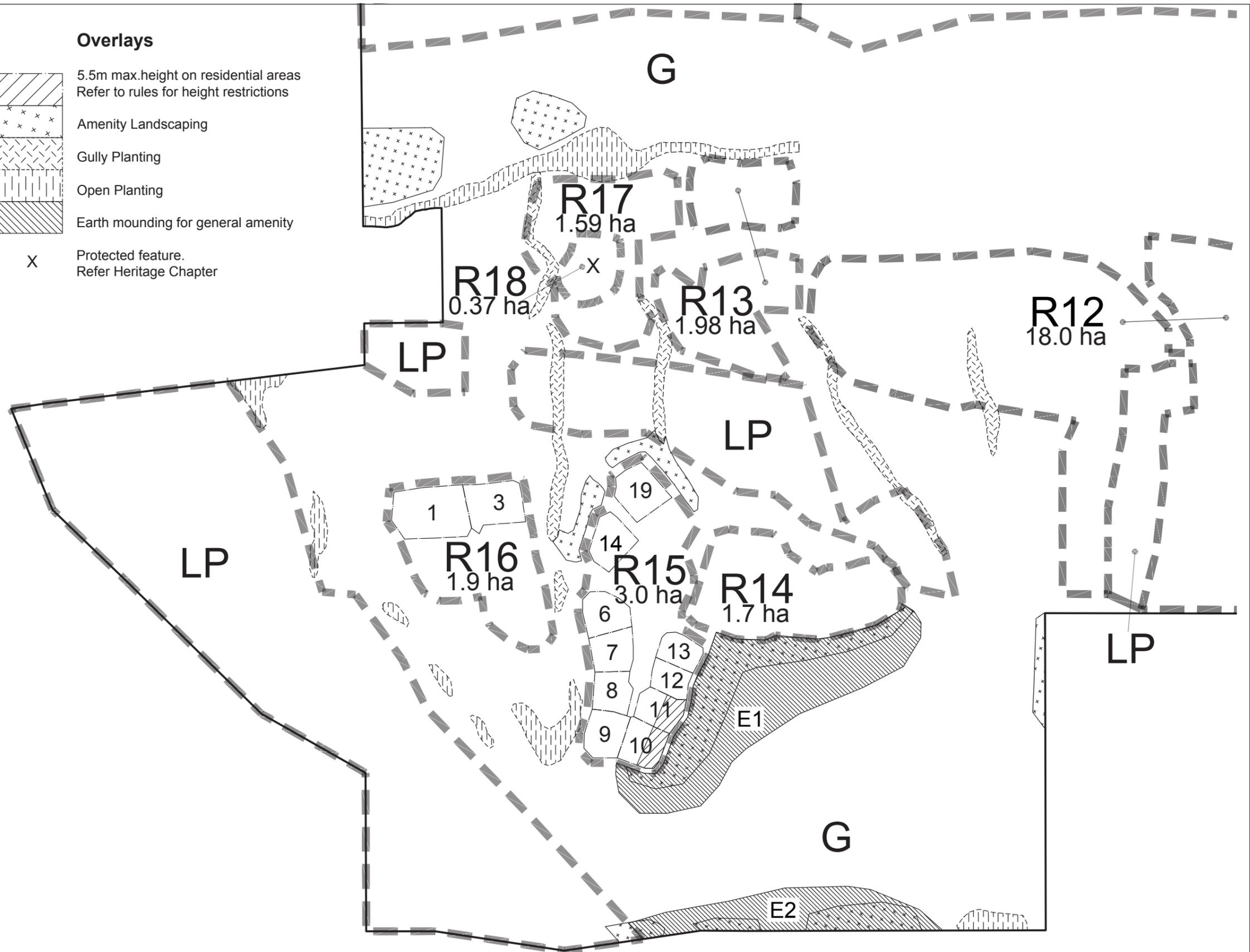


Structure Plan Legend

- R : Residential
- V : Village
- F : Recreational Facilities
- S : Resort Services
- G : Golf Course and Open Space
- H : Helipad
- LP : Landscape Protection
- Activity Area Boundary
- Indicative Residential Site Boundary
- Zone Boundary

Overlays

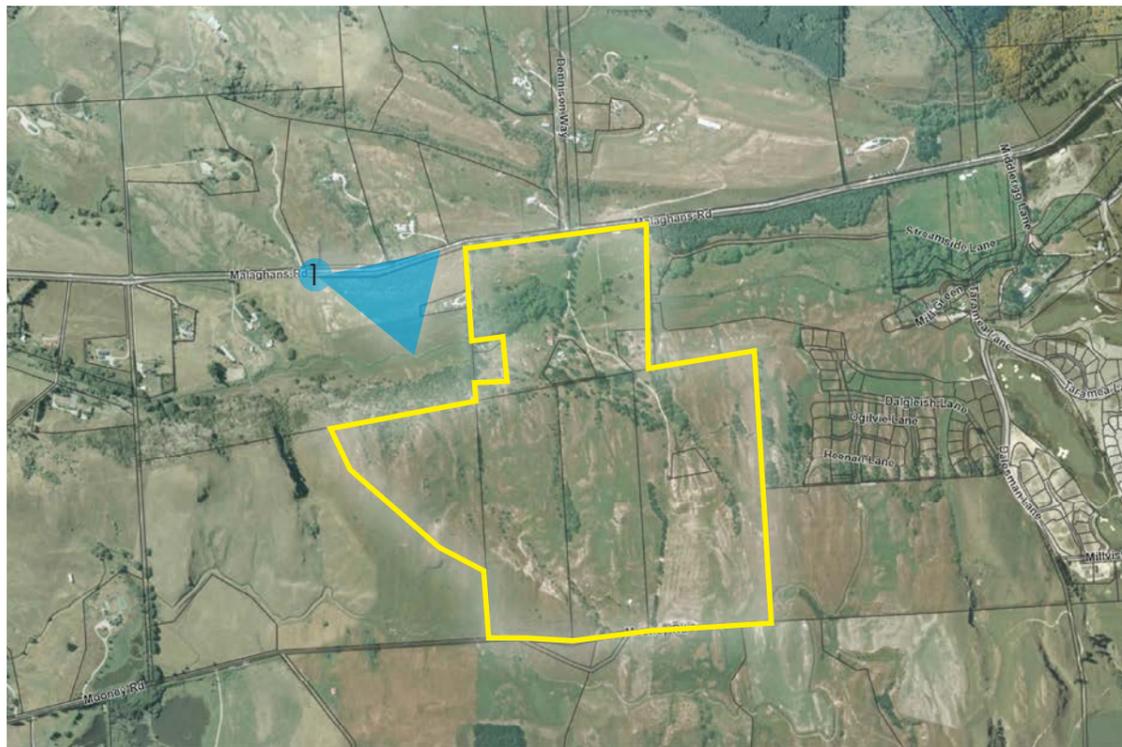
- 5.5m max.height on residential areas
Refer to rules for height restrictions
- Amenity Landscaping
- Gully Planting
- Open Planting
- Earth mounding for general amenity
- X Protected feature.
Refer Heritage Chapter



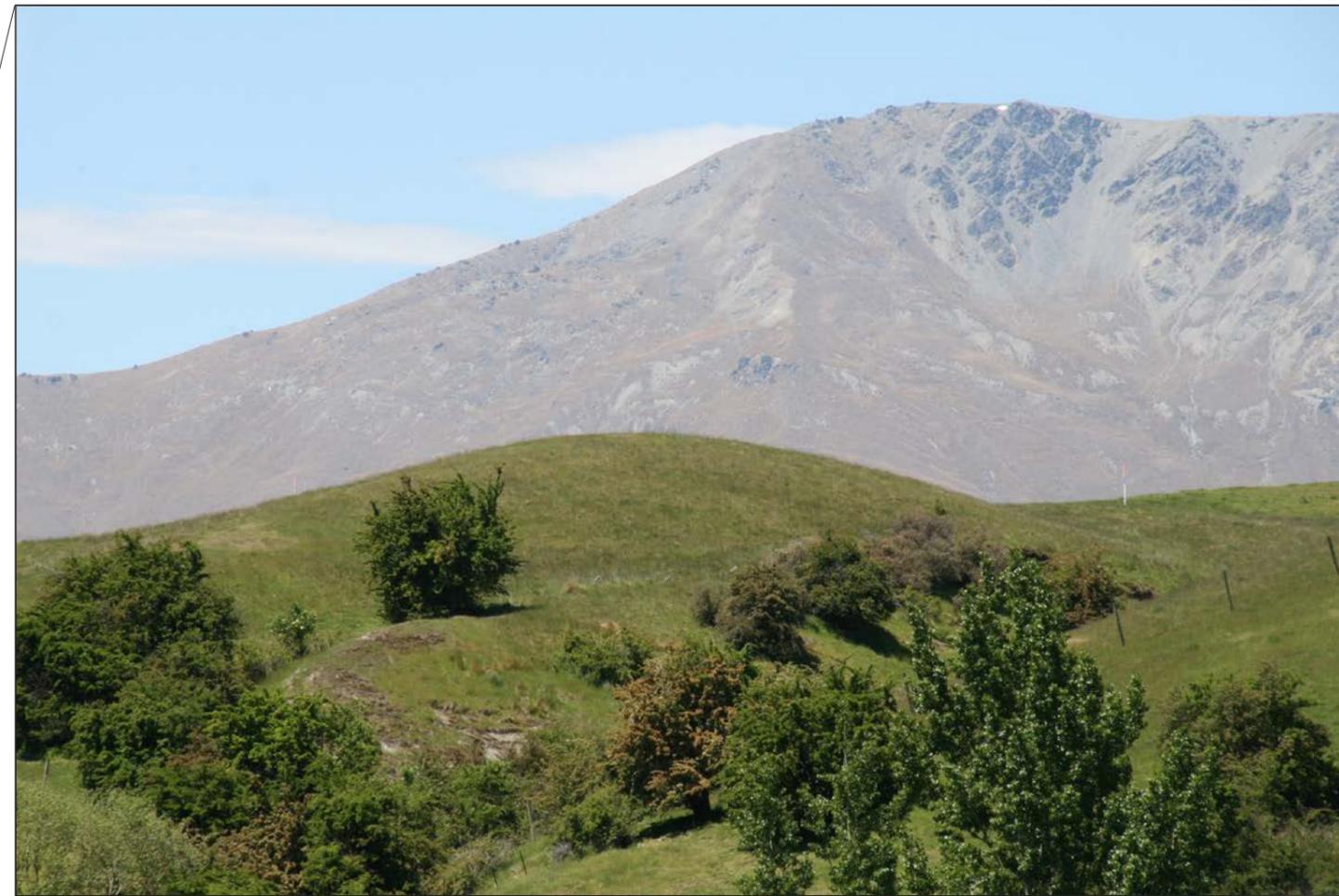
MILLBROOK RESORT ZONE - STRUCTURE PLAN – SOUTH DALGLEISH AREA

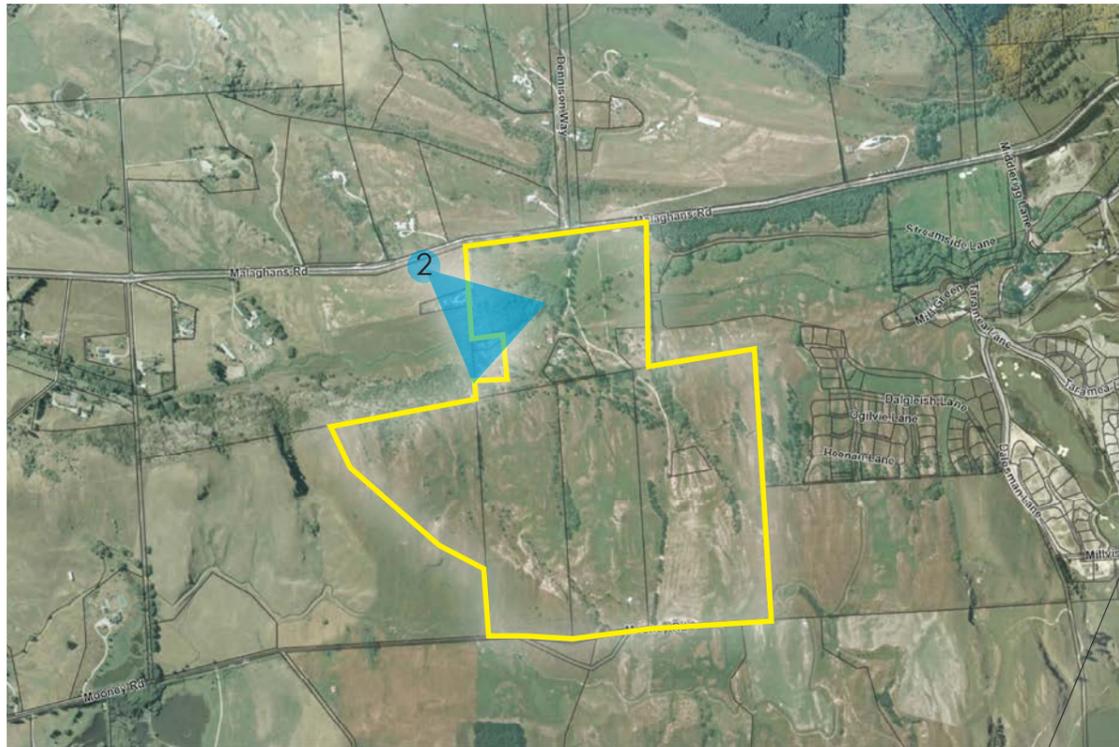
REFERENCE 2423-SK65 - SCALE = 1:2000 AT A1 - 1:4000 AT A3 - 02 Dec 2016

j:\2423 - millbrook.macauley\cad\2423-sk65 - millbrook dalgleish farm - structure plan - south dalgleish area.dwg - SK65



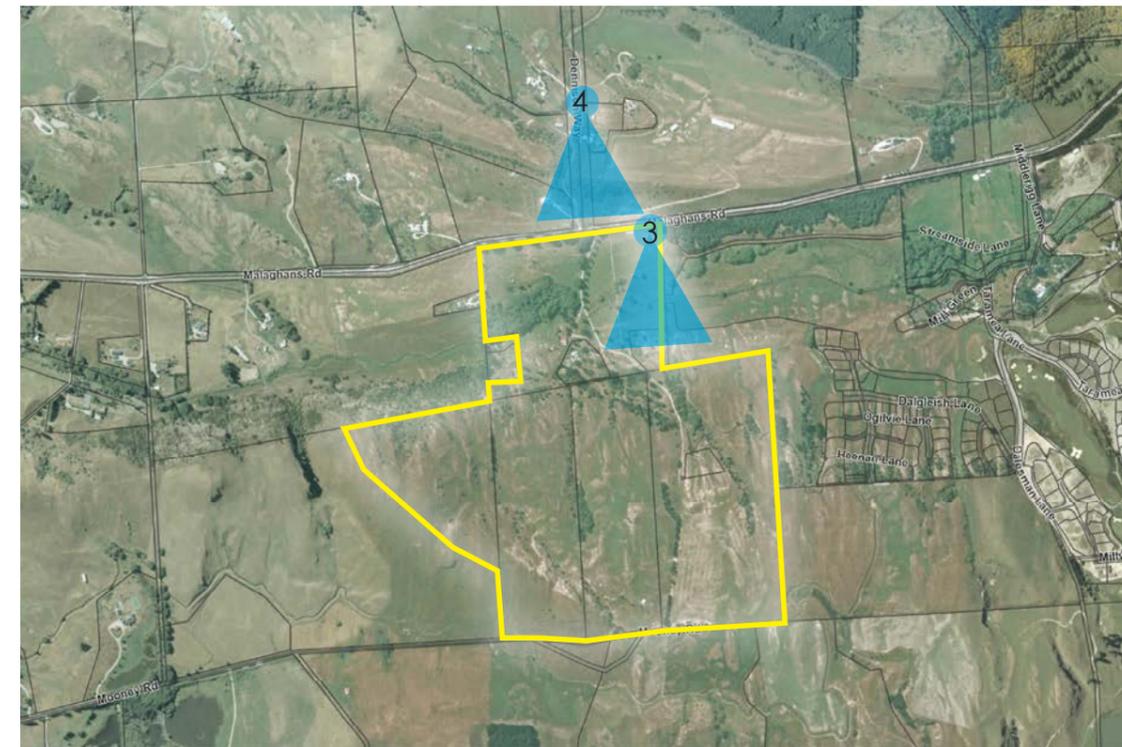
Viewpoint 1. Image below is a composite of 5 images shot with a 50mm lens. Image to the right is a single image using a 300mm zoom. All images taken on November 22, 2016 and are for reference only.





Viewpoint 2. Image below is a composite of 5 images shot with a 50mm lens. Image to the right is a single image using a 300mm zoom. All images taken on November 22, 2016 and are for reference only.





Viewpoint 3 (left). Image is a single shot taken with a 50mm lens.

Viewpoint 4 (below). Image is a composite of 5 images shot with a 50mm lens.

All images taken on November 22, 2016 and are for reference only.



43 Millbrook Resort Zone

43.1 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 Landscape Overlay (AMAL) – 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~~ specific height rules apply.
- Earthworks Overlays (E1 and E2) – to identify specific areas of earthworks to be undertaken for the purposes of mitigating effects from development and use of land on properties neighbouring the Dalgleish area of the Zone, and prevent buildings in those areas.
- Gully Planting (GP) and Open Planting (OP) Overlays – to specify approximate locations of and the nature and scale of planting expected for ecological restoration purposes in the South Dalgleish area of the Zone.
- Indicative Residential Sites establish locations where future buildings will be located and to establish specific height limits for each such site. The boundary of these sites is also used to set a recession plane controlling building height near ridgelines.

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 RESORT ZONE 43

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.

43.2 Objectives and Policies

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

Policies

- 43.2.1.1 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.
- 43.2.1.2 Require the external appearance of buildings to have appropriate regard to landscape and heritage values.
- 43.2.1.3 Protect valuable ecological remnants and promote the enhancement of ecological values where reasonably practical.
- 43.2.1.4 Control the take-off and landing of aircraft.
- 43.2.1.5 Control air emissions for visual amenity purposes.
- 43.2.1.6 Reduce nutrient levels and other pollutants generally and within Mill Creek and improve and protect the water quality of Lake Hayes.

43.3 Other Provisions and Rules

43.3.1 District Wide

Attention is drawn to the following District Wide chapters. All provisions referred to are within Stage 1 of the Proposed District Plan, unless marked as Operative District Plan (ODP).

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
24 Signs (ODP)	25 Earthworks (ODP)	26 Historic Heritage
27 Subdivision	28 Natural Hazards	29 Transport (ODP)
30 Utilities and Renewable Energy	31 Hazardous Substances (ODP)	32 Protected Trees
33 Indigenous Vegetation	34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings
36 Noise	37 Designations	Planning Maps

43.3.2 Clarification

Where an activity does not comply with a Standard listed in the Standards table, the activity status identified by the 'Non-Compliance Status' column shall apply. Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.

MILLBROOK RESORT ZONE 43

Development resulting in more than one (1) residential unit per lot shall show each residential unit contained within the net area. For the purposes of this rule net area means an area of land shown on a plan with defined boundaries (legally defined or otherwise), less any area for shared access or any strip of land less than 6m in width.

The following abbreviations are used within this Chapter.

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

43.4 Rules – Activities

	Activities – Millbrook	Status
43.4.1	Any activity which complies with the rules for permitted activities and is not listed as a controlled, discretionary, non-complying or prohibited activity	P
43.4.2	Farm buildings in all activity areas aside from the Landscape Protection Area as set out in rule 43.4.13 and the E1 and E2 Areas as set out in rule 43.4.24. * Council shall exercise control over effects on heritage and landscape values	C*
43.4.3	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 * With the exercise of Council's control limited to the implementation of design guidelines and parameters to control: <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*
43.4.4	Licensed Premises in 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 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. *Control is in respect to consideration of: <ul style="list-style-type: none"> The scale of the activity Car parking and traffic generation Effects on amenity (including that of adjoining residential zones and public 	C*

MILLBROOK RESORT ZONE 43

	Activities – Millbrook	Status
	<p>reserves)</p> <ul style="list-style-type: none"> • The configuration of activities within the building and site (e.g. outdoor seating, entrances) • Noise issues and hours of operation. 	
43.4.5	<p>Buildings in R14, R15 and R16 of the Residential Activity Area</p> <p>* With the exercise of Council's discretion limited to the implementation of design guidelines and parameters to control:</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*
43.4.6	<p>Buildings in R17 of the Residential Activity Area</p> <p>* With the exercise of Council's discretion limited to the implementation of design guidelines and parameters to control:</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*
43.4.7	Buildings in the Golf Course and Open Space Activity Area, except for utilities, service and accessory buildings up to 40m ² in gross floor area.	D
43.4.8	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
43.4.9	Visitor Accommodation outside of the Village Activity Area	D

MILLBROOK RESORT ZONE 43

	Activities – Millbrook	Status
43.4.10	<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 43.5.8 (retail sales) 	D
43.4.11	<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
43.4.12	Golf courses in the Landscape Protection Activity Area	NC
43.4.13	<p>Buildings <u>in</u> the Landscape Protection Activity Area, except for:</p> <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 <u>Landscape Protection</u> Activity Area which fronts Malaghans Road. 	NC
43.4.14	<p>Helicopter landing and take-off areas in the Helicopter Landing and Take-off Activity Area</p> <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*
43.4.15	<p>Airports, aside from:</p> <ul style="list-style-type: none"> • Helicopter landings and takeoffs approved under rule 43.4.14 (above); or • the use of land and water for an emergency landings, rescues and fire-fighting. 	NC
43.4.16	Mining	NC

MILLBROOK RESORT ZONE 43

	Activities – Millbrook	Status
43.4.17	<p>Service Activities, except for:</p> <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
43.4.18	<p>Industrial Activities; except for:</p> <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
43.4.19	<p>Licensed Premises outside of 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. 	NC
43.4.20	<p>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.</p>	NC
43.4.21	Forestry Activities	NC
43.4.22	<p>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.</p>	PR
43.4.23	Factory Farming	PR
43.4.24	<u>Buildings in the E1 and E2 Overlay Areas</u>	<u>PR</u>

43.5 Rules- Standards

	Rules – Millbrook	Non-compliance status
43.5.1	<p>Setbacks</p> <p>No building or structure shall be located closer than 6m to the Zone boundary, and <u>in addition</u>:</p> <p>No building shall be located closer than 10m from Malaghan Road or the</p>	RD

MILLBROOK RESORT ZONE 43

	Rules – Millbrook	Non-compliance status
	<p>Arrowtown Lake Hayes Road</p> <p><u>On Indicative Residential Sites 14 and 19 no building shall be located within a 7m setback from those boundaries of the Indicative Residential Sites which adjoin the boundary of the Residential Activity Area.</u></p>	D
43.5.2	<p>Residential Density</p> <p>In the Millbrook Resort Zone the maximum number of residential units shall be limited to 450.</p>	NC
43.5.3	<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> <p style="padding-left: 40px;">R14 6 residential units</p> <p style="padding-left: 40px;">R15 15 residential units</p> <p style="padding-left: 40px;">R16 6 residential units</p> <p style="padding-left: 40px;">R18 1 residential units</p> <p><u>In addition there shall be no more than one residential unit per Indicative Residential Site.</u></p>	NC
43.5.4	<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, R17 and R17)- 8m • Filming towers - 12m • All other buildings and structures (except in R14, R15, R16 and R17)- 4m 	NC
43.5.5	<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> <p style="padding-left: 40px;">R14 6.5m</p> <p style="padding-left: 40px;">R15 6.5m except within those parts subject to the Height Restriction Overlay where the height limit shall be 5.5m.</p> <p style="padding-left: 40px;">R16 6.5m.</p> <p style="padding-left: 40px;">R17 5.5m</p> <p>And in addition no part of <u>the height of</u> a building shall be situated above the following heights above sea level:</p>	NC

MILLBROOK RESORT ZONE 43

	Rules – Millbrook	Non-compliance status																																
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;"><u>Indicative Residential Site as shown on the Structure Plan</u></th> <th style="width: 70%;"><u>Datum (masl) using the “Mt Nic 2000 & MSL” datum</u></th> </tr> </thead> <tbody> <tr><td style="text-align: center;"><u>1</u></td><td style="text-align: center;"><u>481.8</u></td></tr> <tr><td style="text-align: center;"><u>3</u></td><td style="text-align: center;"><u>478.8</u></td></tr> <tr><td style="text-align: center;"><u>6</u></td><td style="text-align: center;"><u>475.8</u></td></tr> <tr><td style="text-align: center;"><u>7</u></td><td style="text-align: center;"><u>475.8</u></td></tr> <tr><td style="text-align: center;"><u>8</u></td><td style="text-align: center;"><u>475.8</u></td></tr> <tr><td style="text-align: center;"><u>9</u></td><td style="text-align: center;"><u>475.8</u></td></tr> <tr><td style="text-align: center;"><u>10</u></td><td style="text-align: center;"><u>475.8</u></td></tr> <tr><td style="text-align: center;"><u>11</u></td><td style="text-align: center;"><u>475.8</u></td></tr> <tr><td style="text-align: center;"><u>12</u></td><td style="text-align: center;"><u>475.8</u></td></tr> <tr><td style="text-align: center;"><u>13</u></td><td style="text-align: center;"><u>475.8</u></td></tr> <tr><td style="text-align: center;"><u>14</u></td><td style="text-align: center;"><u>476.8</u></td></tr> <tr><td style="text-align: center;"><u>19</u></td><td style="text-align: center;"><u>472.8</u></td></tr> </tbody> </table> <p>Datum (masl)</p> <p>R14—465.5m</p> <p>R15—478.5m</p> <p>R16—483m</p> <p><u>In addition no part of a building on Indicative Residential Sites 1 and 3 as shown on the Structure Plan shall protrude through a recession plane running due southward at an angle of 30 degrees commencing at the boundary of the indicative residential sites noted below and as measured from the following heights above sea level:</u></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;"><u>Indicative Residential Site as shown on the structure plan</u></th> <th style="width: 70%;"><u>Datum (masl) using the “Mt Nic 2000 & MSL” datum</u></th> </tr> </thead> <tbody> <tr><td style="text-align: center;"><u>1</u></td><td style="text-align: center;"><u>478</u></td></tr> <tr><td style="text-align: center;"><u>3</u></td><td style="text-align: center;"><u>475</u></td></tr> </tbody> </table>	<u>Indicative Residential Site as shown on the Structure Plan</u>	<u>Datum (masl) using the “Mt Nic 2000 & MSL” datum</u>	<u>1</u>	<u>481.8</u>	<u>3</u>	<u>478.8</u>	<u>6</u>	<u>475.8</u>	<u>7</u>	<u>475.8</u>	<u>8</u>	<u>475.8</u>	<u>9</u>	<u>475.8</u>	<u>10</u>	<u>475.8</u>	<u>11</u>	<u>475.8</u>	<u>12</u>	<u>475.8</u>	<u>13</u>	<u>475.8</u>	<u>14</u>	<u>476.8</u>	<u>19</u>	<u>472.8</u>	<u>Indicative Residential Site as shown on the structure plan</u>	<u>Datum (masl) using the “Mt Nic 2000 & MSL” datum</u>	<u>1</u>	<u>478</u>	<u>3</u>	<u>475</u>	
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43.5.6	Glare	NC																																

MILLBROOK RESORT ZONE 43

	Rules – Millbrook	Non-compliance status
	<p>43.5.6.1 All fixed lighting shall be directed away from adjacent roads and properties.</p> <p>43.5.6.2 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>43.5.6.3 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>	
43.5.7	<p>Nature and Scale of Activities</p> <p>Except within the Village and Resort Services Activity Areas:</p> <p>43.5.7.1 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>43.5.7.2 All manufacturing, altering, repairing, dismantling or processing of any materials, goods or articles shall be carried out within a building</p>	NC
43.5.8	<p>Retail Sales</p> <p>43.5.8.1 No goods or services shall be displayed, sold or offered for sale from a site except:</p> <p style="margin-left: 40px;">a. goods grown, reared or produced on the site; or</p> <p style="margin-left: 40px;">b. 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 style="margin-left: 40px;">c. Within the Village Activity Area</p>	NC
43.5.9	<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
43.5.10	<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
43.5.11	<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 these areas identified within the Ecological Protection and 	NC

MILLBROOK RESORT ZONE 43

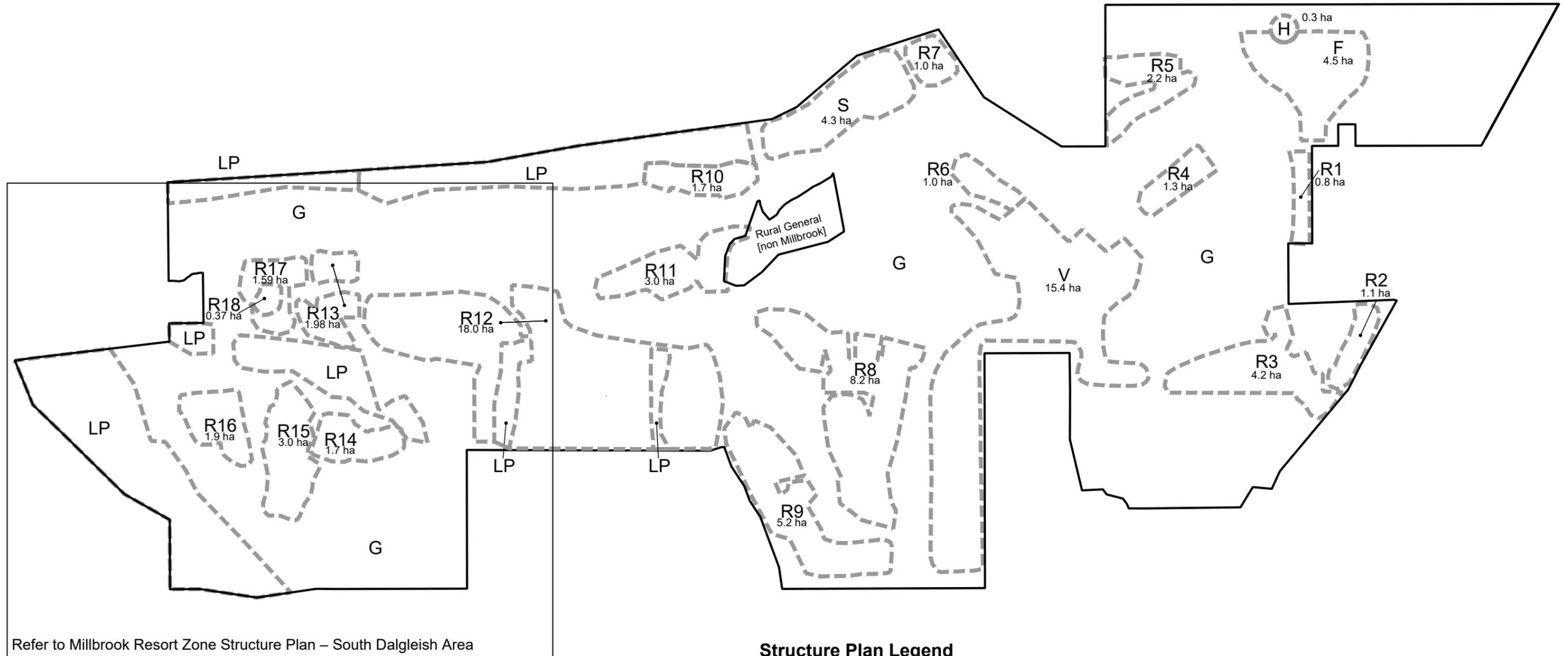
	Rules – Millbrook	Non-compliance status
	<p><u>Restoration Overlay; and</u></p> <ul style="list-style-type: none"> • Practical and reasonable measures within the Amenity Landscaping overlay to mitigate or avoid adverse effects on the amenity values enjoyed within properties beyond the Zone boundary, <u>including planting utilising the species lists for the Gully Planting and Open Planting Overlays set out below; and</u> • An overview of measures that shall be employed to maintain or enhance the quality of water within Mill Creek and Lake Hayes. • <u>Landscaping plans which include details of how the approximate locations shown as Gully Planting and Open Planting Overlays (being at a minimum equal or greater than the combined area shown) will be planted and maintained with at least 90 % of plants from the following lists:</u> <p><u>Gully Planting Overlay:</u></p> <ul style="list-style-type: none"> - <u>Carex cecta</u> - <u>Hebe salicifolia</u> - <u>Aristotelia serrata</u> - <u>Coprosma Lucida</u> - <u>Coprosma Propinqua</u> - <u>Nothofagus solandri var. cliffortioides</u> - <u>Olearia lineata</u> - <u>Cortaderia richardii</u> - <u>Phormium tenax</u> <p><u>Open Planting Overlay:</u></p> <ul style="list-style-type: none"> - <u>Festuca novae-zelandiae</u> - <u>Coprosma propinqua</u> - <u>Leonohebe cupressoides</u> - <u>Olearia odorata</u> - <u>Melicytus alpinus</u> - <u>Sophora microphylla</u> - <u>Olearia avicenniifolia</u> - <u>Carmichaelia petriei</u> - <u>Poa colensoi</u> - <u>Hebe subalpina</u> <p><u>Landscaping plans shall include details on and commitments to prompt establishment, density of planting, replacement of dead and diseased plants, restrictions on removal of other vegetation, irrigation, fertiliser, composting, rabbit control and use of gender dimorphic stock, sourced from local seeds.</u></p> <ul style="list-style-type: none"> • <u>Removal of all Pinus, Pseudotsuga and Cystisus from the E1, E2, Open Planting, Gully Planting and Amenity Landscaping overlay areas.</u> • <u>Earthworks to be undertaken in E1 for the purpose of visually screening all residential properties within the R14 and R15 Activity Areas from approved building locations on sites adjoining the South Dalgleish Area of the Millbrook Resort Zone.</u> 	

MILLBROOK RESORT ZONE 43

	Rules – Millbrook	Non-compliance status
	<ul style="list-style-type: none"> <u>Earthworks to be undertaken in E2 for the purpose of mitigating views of golfing activities as viewed from approved building locations on sites adjoining the South Dalgleish Area of the Millbrook Resort Zone</u> 	
43.5.12	<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
43.5.13	<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

43.6 Non-Notification of Applications

- 43.6.1 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.



Structure Plan Legend

- R : Residential
- V : Village
- F : Recreational Facilities
- S : Resort Services
- G : Golf Course and Open Space
- H : Helipad
- LP : Landscape Protection
- Activity Area Boundary

Zone Boundary

MILLBROOK RESORT ZONE - STRUCTURE PLAN

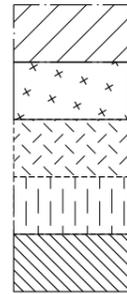
REFERENCE 2423-SK40 - SCALE = 1:5000 AT A1 - 1:10000 AT A3 - 02 Dec 2016

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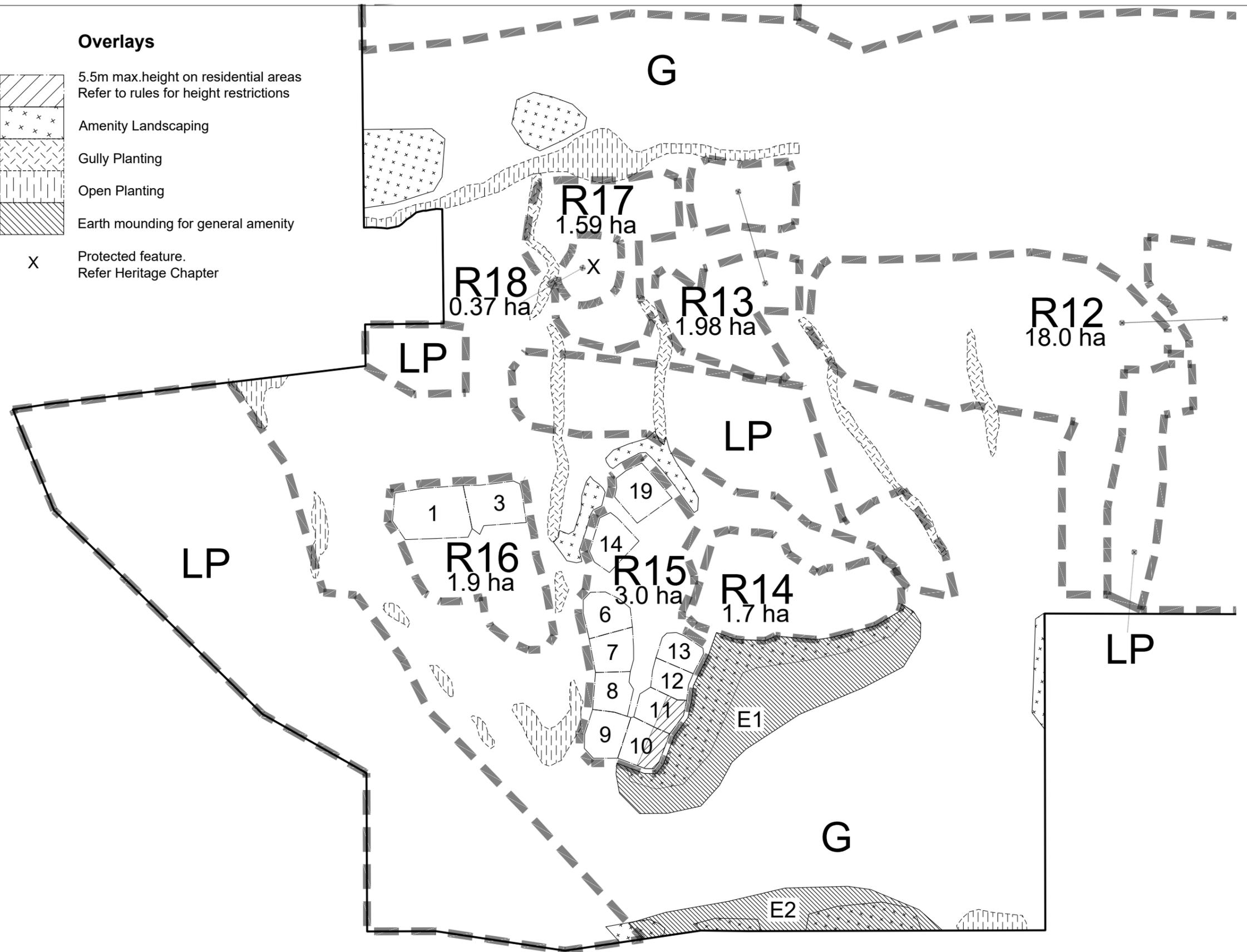
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- Activity Area Boundary
- Indicative Residential Site Boundary
- Zone Boundary



Overlays

- 5.5m max.height on residential areas
Refer to rules for height restrictions
- Amenity Landscaping
- Gully Planting
- Open Planting
- Earth mounding for general amenity
- X Protected feature.
Refer Heritage Chapter



MILLBROOK RESORT ZONE - STRUCTURE PLAN – SOUTH DALGLEISH AREA

REFERENCE 2423-SK65 - SCALE = 1:2000 AT A1 - 1:4000 AT A3 - 02 Dec 2016

J:\2423 - millbrook, macauley\cad\2423-sk65 - millbrook dalgleish farm - structure plan - south dalgleish area.dwg - SK65

Appendix 6. Correspondence from X-Ray Trust Limited (Submitter 356)

22 December 2016

The Acting Policy Manager
Queenstown Lakes District Council
Private Bag 50072
QUEENSTOWN 9348

Attention: Craig Barr**E-Mail: craig.barr@qldc.govt.nz**

Dear Craig

MILLBROOK RESORT ZONE - EXTENSION OVER DALGLEISH FARM (Our Ref: 410623-11)

1. We act for X-Ray Trust Limited.
2. We have been provided with a copy of a letter dated 2 December 2016 to yourself from Dan Wells, of John Edmonds and Associates, together with the attachments referred to therein.
3. We confirm that Millbrook and X-Ray Trust have been working together in an effort to address the concerns in the submission lodged by X-Ray Trust (#356) to the proposed rezoning of Dalglish Farm Millbrook Resort Zone.
4. We are writing to confirm that the Millbrook Resort Zone – Structure Plan – South Dalglish Area, Reference 2423 – SK65, Dated 02 December 2016 is supported by X-Ray Trust Limited, together with the Zone provisions filed with the Council on 2 December 2016 by Mr Wells (together called “the Revised Package”).
5. X-Ray Trust Limited is not withdrawing submission #356, but wishes to make it clear to the Council that the Revised Package has its support, as opposed to the provisions as notified.
6. The Revised Package addresses the concerns raised in the X-Ray Trust submission and is an appropriate outcome.

Yours faithfully

MACALISTER TODD PHILLIPS**J E Macdonald**

Partner

cc: r.evans@harrisingrierson.com

louise.taylor@mitchelldaysh.co.nz

E-Mail: jmacdonald@mactodd.co.nz

Mobile: 027 473 0874

Direct Dial: 03 441 0127



The Partners and Staff of MACTODD would like to wish you a very Merry Christmas and prosperous New Year.
Our Christmas break will commence from 12 noon on Friday 23rd December 2016.
During the holiday period, we will be available by phone and the office will reopen as normal on Monday 9th January 2017.