

Appendix A

Xx Walter Peak Tourism Zone

X.1 Purpose

The purpose of the Walter Peak Tourism Zone is to complement the existing range of Visitor Industry opportunities in the District and provide for increased opportunities for people to experience the rural character, heritage and amenity of the rural area. The Zone provides for a range of accommodation, entertainment, cultural and recreational activities.

The Walter Peak Tourist Zone applies to an area of land which is recognised as having visitor interest, is isolated from town centres and can make a significant contribution to the range of accommodation and activities available within the District.

The principal activities in the Zone support mixed tourism activities, including visitor accommodation, commercial activities, commercial recreation, recreation activities and associated infrastructure and indigenous vegetation restoration and enhancement. Onsite staff accommodation ancillary to visitor industry activities is anticipated to support employment opportunities.

X.2 Objective and Policies

X.2.1 Objective

The growth, development and consolidation of visitor industry activities and associated buildings, while adverse effects on the environment are avoided, remedied or mitigated and nature conservation values are restored and enhanced.

Policies

X.2.1.1 Protect the existing transport and tourism facilities to and at Walter Peak and enable their diversification and expansion.

X.2.1.2 Enable visitor accommodation and commercial recreational activities within the zone, including ancillary onsite staff accommodation, where the landscape values of the Outstanding Natural Landscape surrounding the zone are protected.

X.2.1.3 Ensure the location, nature, scale and intensity of visitor accommodation, commercial recreation activities, and associated aspects such as traffic generation, access and parking, an informal airport, noise, and lighting, maintain amenity values beyond the Zone and do not compromise the operation of existing activities or those enabled by the surrounding Rural Zone.

X.2.1.4 Enable the ongoing development and use of trails throughout the Zone

X.2.1.5 Enhance nature conservation values as part of the use and development of the Zone and enable development which is associated with restoration and enhancement of indigenous vegetation.

X.2.1.6 Recognise the remote location of the Walter Peak Tourism Zone and the need for visitor industry activities to be self-reliant by providing for infrastructure, services or facilities that are directly associated with, and ancillary to, visitor industry activities, including onsite staff accommodation.

X.2.1.7 Enable visitors to access and appreciate the Zone's nature conservation values and the surrounding Outstanding Natural Landscape values.

X.2.1.8 Ensure that any land use or development not otherwise anticipated in the Zone, protects or enhances landscape values and nature conservation values.

X.2.1.9 Control the visual impact of roads, buildings and infrastructure associated with visitor industry activities.

X.2.2.10 Manage the effects of buildings and development on landscape values, landscape character and visual amenity values by:

- a. controlling the colour, scale, design and height of buildings and associated infrastructure, vegetation and landscape elements; and
- b. in the immediate vicinity of the Homestead Area, provide for a range of external building colours that are not recessive as required generally for rural environments, but are sympathetic to existing development; and
- c. providing for building and landscape controls which recognise the existing developed facilities and are reflective of the Zone's farming and visitor heritage.
- d. Away from the vicinity of the Homestead Area (where exotic heritage gardens predominate), encourage indigenous vegetation restoration and enhancement in conjunction with new building and development.

X.2.1.11 Manage the location and direction of lights to ensure they do not cause glare or reduce the quality of views of the night sky beyond the boundaries of the Zone.

X.2.1.12 Ensure development can be adequately serviced through:

- a. the method, capacity and design of wastewater treatment and disposal;
- b. adequate and potable provision of water;
- c. adequate firefighting water and regard taken in the design of development to fire risk from vegetation, both existing and proposed vegetation; and
- d. provision of safe vehicle access, water-based transport, and associated infrastructure.

X.2.1.13 Within the Walter Peak Water Transport Infrastructure overlay, provide for a jetty, wharf, pier or marina, mooring, weather protection features, ancillary infrastructure, signage, storage, water transport and water recreation activities at Beach Bay while:

- a. maintaining as far as practicable natural character and landscape values of Beach Bay while recognising the functional need for water transport infrastructure and water based recreation to locate on the margin of and on Lake Wakatipu;
- b. minimising the loss of public access to the lake margin; and
- c. encouraging enhancement of nature conservation and natural character values.

X.3 Other Provisions and Rules

X.3.1 District Wide

Attention is drawn to the following District Wide chapters.

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
25 Earthworks	26 Historic Heritage	27 Subdivision

28 Natural Hazards	30 Energy and Utilities	31 Signs
32 Protected Trees	33 Indigenous Vegetation and Biodiversity	34 Wilding Exotic Trees
35 Temporary Activities and Relocated Buildings	36 Noise	37 Designations
39 Wāhi Tūpuna	Planning Maps	

X.3.2 Interpreting and Applying the Rules

X.3.2.1 A permitted activity must comply with all the rules (in this case Chapter X) and any relevant district wide rules).

X.3.2.2 Where an activity does not comply with a standard listed in the standards tables, 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.

X.3.3.3 For controlled and restricted discretionary activities, the Council shall restrict the exercise of its discretion to the matters listed in the rule.

X.3.3.4 These abbreviations are used in the following tables. Any activity which is not permitted (P) or prohibited (PR) requires resource consent.

X.3.3.5 The surface of lakes and rivers are zoned Rural, except for the area identified on the District Plan maps as Walter Peak Water Transport Infrastructure Overlay for the purpose of Rule XXX

X.3.3 Advice Notes - General

X.3.3.1 On-site wastewater treatment is also subject to the Otago Regional Plan: Water. In particular, Rule 12.A.1.4 of the Otago Regional Plan: Water.

X.4 Rules – Activities

	TableX.4 – Activities	Activity Status
1.	Farming	P
2.	Visitor Accommodation	P
3.	Construction and use of trails	P
4.	Recreational Activity (including commercial recreation)	P
5.	Commercial activity ancillary to Visitor Accommodation, Commercial Recreation, and Recreational Activities	P
6.	Residential activity ancillary to Visitor Accommodation, Commercial Recreation, Recreation and Recreational Activities	P
7.	Informal Airports	P
8.	Industrial Activity ancillary to, or that supports farming, visitor accommodation, construction of trails, recreation, commercial recreation and informal airports.	P
9.	Structures, facilities, plant, equipment and associated works including earthworks for the protection of people, buildings and infrastructure from natural hazards.	P
10.	Restoration and enhancement of indigenous vegetation	P
11.	Planting and maintenance of exotic trees and plants excluding wilding exotic trees covered by rules 34.4.1 and 34.4.2.	P
12.	<p>Construction, relocation, addition or alteration of Buildings (other than identified in Rules X and X)</p> <p>Control is reserved to:</p> <ol style="list-style-type: none"> a. The compatibility of the building design, density, scale and location with landscape, cultural and heritage and visual amenity values; b. Landform modification, landscaping and planting; c. Lighting; d. Servicing including water supply, fire-fighting, stormwater and wastewater; e. Natural Hazards; and f. Design and layout of site access, on-site parking, manoeuvring and traffic generation. 	C

13.	<p>Within the Water Transport Infrastructure Overlay as identified on the District Plan maps, a jetty, wharf, quay or pier, marina, mooring, weather protection features, signage and ancillary infrastructure:</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Effects on natural character b. Effects on landscape values and amenity values c. Lighting d. Effects on public access to and along the lake margin; and e. External appearance, colour and materials f. Functional need for location g. Benefits/positive effects h. Navigational safety 	RD
14.	Buildings within the Building Restriction Area that follows the Lake shore	D
15.	Buildings within any other Building Restriction Area	NC
16.	<p>Farm Building</p> <p>The construction, replacement or extension of a farm building is a permitted activity subject to the standards provided for in 21.8 of Chapter 21 (Rural Zone)</p>	P
17.	Industrial Activity	NC
18.	<p>Residential Activity</p> <p>Residential activities not permitted by rule X above, or which do not comply with the standards listed in Table 1 of Chapter 21 (Rural Zone)</p>	D
19.	Mining	NC
20.	Any other activity not listed in Table X.4	D

X.5 Rules - Standards

	Table X.5 - Standards	Non-compliance status
1.	<p>Building Height</p> <p>The maximum height of buildings shall be 8m, with the exception of wind turbines which shall be 15m.</p>	RD

	Table X.5 - Standards	Non-compliance status
2.	<p>Glare</p> <p>X: All exterior lighting shall be directed downward and away from adjacent sites and public places including roads and Lake Wakatipu.</p> <p>X: No activity shall result in greater than a 3.0 lux spill (horizontal and vertical) of light onto any other site measured at any point inside the boundary of the other site, except this rule shall not apply to exterior lighting within the Walter Peak Water Transport Infrastructure Overlay.</p>	NC
3.	<p>Setback of buildings from waterbodies</p> <p>The minimum setback of any building from the bed of a river, lake or wetland shall be 20m, except this rule shall not apply to structures or buildings identified in rule X located within the Walter Peak Water Transport Infrastructure Overlay.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Indigenous biodiversity values; b. Visual amenity values; c. landscape; d. open space e. environmental protection measures (including landscaping and stormwater management); f. natural hazards; and g. Effects on cultural values of manawhenua.

X.6 Non-Notification of Applications

Any application for resource consent for controlled, restricted discretionary or discretionary activities shall not require the written consent of other persons and shall not be notified or limited-notified, with the exception of the following:

- a. Rule X.5.3 setback of buildings from waterbodies, where Council may determine Ngā Rūnanga to be an affected party.

Variation to Strategic Direction Chapter 3:

(Using Environment Court Interim Decision version as base)

In 3.18.6 and SO 3.2.5.1A, 'Exception Zone' means any of the following to the extent that the Zone (or Sub-Zone) is depicted on the planning maps:

- a. The Ski Area Sub-zone;
- b. The Rural Residential Zone and Rural Lifestyle Zone (Chapter 22);
- c. The Gibbston Character Zone (Chapter 23);
- d. Jacks Point Special Zone (Chapter 41).
- e. Walter Peak Tourism Zone

Variation to Landscape and Rural Character Chapter 6

New Policy:

Provide a separate regulatory regime for the Walter Peak Tourism Zone and exclude the Walter Peak Tourism Zone from the Outstanding Natural Landscape classification and from the policies of this chapter related to that classification. (3.2.1.1, 3.2.1.7, 3.2.1.8, ~~3.2.5.2~~ , 3.2.5.1A, 3.2.5.2B, 3.3.20-24, 3.3.32)

Variation to Earthworks Chapter 25:

Underlined text for additions and ~~strike through~~ text for deletions.

Amend Chapter 25 by inserting the following into Rule 25.5.5 (Table 25.2 – Maximum Volume)

25.5.5	Queenstown Town Centre Zone	500m ³
	Wanaka Town Centre Zone	

	Local Shopping Centre Zone	
	Business Mixed Use Zone	
	Airport Zone (Queenstown)	
	Millbrook Resort Zone	
	<u>Walter Peak Tourism Zone</u>	

25.6 Non-Notification of Applications

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25.6.2 All application for resource consent for earthworks in the Walter Peak Tourism Zone shall not be publicly notified but notice will be served on those persons considered to be adversely affected if those persons have not given their written approval.

Variation to Subdivision and Development Chapter 27:

Underlined text for additions and ~~strike through~~ text for deletions.

Amend Chapter 27 by amending Rule 27.5.5 as follows:

27.5.5	<p>Where land use consent is approved for a multi unit commercial or residential development, <u>or visitor accommodation development, or development in the Walter Peak Tourism Zone</u> and a unit title or leasehold (including cross lease) subdivision is subsequently undertaken in accordance with the approved land use consent, provided:</p> <p>a. all buildings must be in accordance with an approved land use resource consent;</p> <p>b. all areas to be set aside for the exclusive use of each building or unit must be shown on the survey plan, in addition to any areas to be used for common access or parking or other such purpose;</p> <p>c. all service connections and on-site infrastructure must be located within the boundary of the site they serve or have access provided by an appropriate legal mechanism.</p> <p>Control is reserved to:</p>	D C
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	<p>a. the effect of the site design, size, shape, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces;</p> <p>b. the effects of and on infrastructure provision.</p> <p>This rule does not apply a subdivision of land creating a separate fee simple title. The intent is that it applies to subdivision of a lot containing an approved land use consent, in order to create titles in accordance with that consent</p>	
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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
<u>Walter Peak Tourism Zone</u>		<u>No Minimum</u>

Variation to Energy and Utilities Chapter 30

30.4.1.2	<p>Small and Community-Scale Distributed Wind Electricity Generation within the Rural Zone, Gibbston Character Zone, <u>Walter Peak Tourism Zone</u> and Rural Lifestyle Zone that complies with Rule 30.4.2.3 Control is reserved to the following:</p> <p>a. noise;</p> <p>b. visual effects;</p> <p>c. colour;</p> <p>d. vibration.</p>	C

Variation to Signs Chapter 31:

Underlined text for additions and ~~strike through~~ text for deletions.

31.14 Rules – Activity Status of Signs in Special Zones

The rules relating to signs in this table are additional to those in Table 31.4 and are subject to the standards in Table 31.15. If there is a conflict between the rules in Table 31.4 and the rules in this table, the rules in this table apply.

Table 31.14 – Activity Status of signs in Special Zones		Jacks Point Zone outside of Village Activity Areas and residential Activity Areas	Waterfall Park Zone	Walter Peak Tourism Zone	Millbrook Resort Zone Rural Visitor Zone
31.14.1	Signs for commercial activities and community activities Control is reserved to the matters set out in Rule 31.17.	C	C	IC	C
31.14.2	Identification of a signage platform for a commercial activity or community activity	C	C	IC	C

	Control is reserved to the matters set out in Rule 31.17.				
31.14.3	Signs for visitor accommodation Control is reserved to the matters set out in Rule 31.17.	D	D	<u>C</u>	C
31.14.4	Signs not associated with commercial activities, community activities or visitor accommodation	P	P	<u>P</u>	P
31.14.5	<u>Interpretive signs and signs for health and safety purposes</u>			<u>P</u>	
31.14.6	Any sign activity which is not listed in Table 31.4 or Rules 31.14.1 to 31.14.4 inclusive	D	D		D

Variation to Chapter 36 Noise:

Underlined text for additions and ~~strike through~~ text for deletions.

36.5 Rules – Standards

Table 2: General Standards

	Standard				Non-Compliance Status
	Zones sound is received in	Assessment location	Time	Noise limits	
36.5.X	<u>Walter Peak Tourism Zone</u> <u>Zone</u>	<u>At the notional boundary of any residential unit in the Rural Zone</u>	<u>0800h to 2000h</u>	<u>50 dB L_{dn} L_{Aeq(15 min)}</u>	<u>NC</u>
			<u>2000h to 0800h</u>	<u>40 dB L_{dn} L_{Aeq(15 min)}</u>	<u>NC</u>