

**IN THE ENVIRONMENT COURT  
AT CHRISTCHURCH  
I TE KŌTI TAIAO O AOTEAROA  
KI ŌTAUTAHI**

**Decision No. [2023] NZEnvC 11**

IN THE MATTER of the Resource Management Act 1991

AND of appeals under clause 14 of the First  
Schedule of the Act

BETWEEN AIRBNB AUSTRALIA PTY  
LIMITED

(ENV-2020-CHC-61)

... (continued on separate page)

Appellants

AND QUEENSTOWN LAKES DISTRICT  
COUNCIL

Respondent

Environment Judge J J M Hassan – sitting alone under s279 of the Act

In Chambers at Christchurch

Date of Consent Order: 30 January 2023

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**CONSENT ORDER**

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A: Under s279(1)(b) RMA,<sup>1</sup> the Environment Court, by consent, orders that:

(1) the appeals are allowed to the extent that Queenstown Lakes District

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<sup>1</sup> Resource Management Act 1991.



Council is directed to amend the provisions of Chapters 2, 7, 8, 9, 10, 11, 16, 21, 22, 23, 24, 41, 42 and 43 of the proposed Queenstown Lakes District Plan as set out in Appendix 1, attached to and forming part of this consent order;

- (2) the appeals as they relate to Topics 29 and 30, subtopic 9 (Visitor Accommodation) is dismissed.

B: Under s285 of the RMA, there is no order as to costs.

## **REASONS**

### **Introduction**

[1] This proceeding concerns seven appeals by Airbnb Australia Pty Limited<sup>2</sup> and others<sup>3</sup> that were allocated to Topics 29 and 30, subtopic 9 – Visitor Accommodation. The appeals relate to provisions in chapters 2, 7, 8, 9, 10, 11, 16, 21, 22, 23, 24, 41, 42 and 43 of the proposed Queenstown Lakes District Plan.

[2] A consent order issued 28 May 2021 resolved a number of appeal points allocated to Topics 29 and 30, subtopic 9. I have now read and considered the consent memorandum of the parties dated 9 June 2022 which sets out the agreement reached to resolve the outstanding appeal points allocated to this topic.

### **Other relevant matters**

[3] A number of parties have given notice of an intention to become a party to these appeals under s274 RMA. Several parties subsequently withdrew that interest. I am satisfied that all relevant s274 parties whose interest extends to this

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<sup>2</sup> ENV-2020-CHC-61.

<sup>3</sup> ENV-2019-CHC-66 The Crown Investment Trust, ENV-2019-CHC-78 Glencoe Station Limited, ENV-2019-CHC-79 Mt Christina Limited, ENV-2019-CHC-81 Glendhu Bay Trustees Limited, ENV-2019-CHC-85 Darby Planning Limited Partnership, ENV-2019-CHC-95 Henley Downs Farm Holdings Limited & others.

topic have signed the consent memorandum setting out the relief sought.

[4] Further, I am satisfied that all relevant parties to the May 2021 consent order have also signed the June 2022 consent memorandum. The memorandum outlines that several amendments sought to be endorsed by the court comprise minor changes to the wording previously endorsed by the May 2021 consent order.

[5] No party seeks costs, all parties agreeing that costs should lie where they fall.

### **Outcome**

[6] The court makes this order under s279(1) RMA, such order being by consent rather than representing a decision or determination on the merits pursuant to s297. The court understands for the present purposes that:

- (a) all parties to the proceeding have executed the memorandum requesting this order;
- (b) all parties are satisfied that all matters for the court's endorsement fall within the court's jurisdiction and conform to the relevant requirements and objectives of the RMA, including in particular, pt 2.



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**J J M Hassan**  
**Environment Judge**



**List of Parties**

ENV-2019-CHC-61	Airbnb Australia Pty Limited
ENV-2019-CHC-66	The Crown Investment Trust
ENV-2019-CHC-78	Glencoe Station Limited
ENV-2019-CHC-79	Mt Christina Limited
ENV-2019-CHC- 81	Glendhu Bay Trustees Limited
ENV-2019-CHC-85	Darby Planning Limited Partnership
ENV-2019-CHC-95	Henley Downs Farm Holdings Limited & others



## Appendix 1

**Note:**

- Changes from previous Consent Order dated 28 May 2021 are in [blue underlined text and ~~strikeout~~](#)
- Changes from this Consent Order are in black underlined text and ~~strikeout~~

## 2.1 Definitions

**Please note: Variations to parts of this chapter have been decided by Council on 18 March 2021 as part of Stage 3&3b of the PDP. You can view the Stage 3 Decisions and appeals notices on our website. The appeals and section 274 periods for the Stage 1, 2 and 3&3b Decisions have closed.**

**Notes:**

- a. Unless the context otherwise requires, the definitions in this chapter apply throughout the plan whenever the defined term is used. The reverse applies to the designations in Chapter 37. The definitions in Chapter 2 only apply to designations where the relevant designation says they apply.
- b. Where a term is not defined within the plan, reliance will be placed on the definition in the Act, where there is such a definition.
- c. Chapter 5: Tangata Whenua (Glossary) supplements the definitions within this chapter by providing English translations explanations of Maori words and terms used in the plan
- d. Acoustic terms not defined in this chapter are intended to be used with reference to NZS 6801:2008 Acoustics - Measurement of environmental sound and NZS 6802:2008 Acoustics - Environmental noise.
- e. Any defined term includes both the singular and the plural.
- f. Any notes included within the definitions listed below are purely for information or guidance purposes only and do not form part of the definition.
- g. Where a definition title is followed by a zone or specific notation, the intention is that the application of the definition is limited to the specific zone or scenario described.

Access	Means that area of land over which a site or lot obtains legal vehicular and/or pedestrian access to a legal road. This land may include an access leg, a private way, common land as defined on a cross-lease or company-lease, or common property (as defined in section 2 of the Unit Titles Act 2010).
Access Leg (Rear Lot or rear site)	Means the strip of land, which is included in the ownership of that lot or site, and which provides the legal, physical access from the frontage legal road to the net area of the lot or site.

Access Lot	Means a lot which provides the legal access or part of the legal access to one or more lots, and which is held in the same ownership or by tenancy-in-common in the same ownership as the lot(s) to which it provides legal access.
Accessory Building	Means any detached building the use of which is incidental to the principal building, use or activity on a site, and for residential activities includes a sleep out, garage or carport, garden shed, glasshouse, swimming pool, mast, shed used solely as a storage area, or other similar structure, provided that any garage or carport which is attached to or a part of any building shall be deemed to be an accessory building.
Accessory car park (area)	Means parking that serves a supportive function to the primary activity and is located on the same site as the primary activity.
Accessway	Means any passage way, laid out or constructed by the authority of the council or the Minister of Works and Development or, on or after 1 April 1988, the Minister of Lands for the purposes of providing the public with a convenient route for pedestrians from any road, service lane, or reserve to another, or to any public place or to any railway station, or from one public place to another public place, or from one part of any road, service lane, or reserve to another part of that same road, service lane, or reserve <sup>1</sup> .
Act	Means the Resource Management Act 1991.
Active transport network	The network of commuter and recreational trails, pathways, and footpaths that provide for transport modes that rely on human power, including electric bicycles, primarily walking and cycling, and includes those that are located within and outside of the road network.
Activity Sensitive To Aircraft Noise (ASAN) / Activity Sensitive to Road Noise	Means any residential activity, visitor accommodation activity, residential visitor accommodation activity, homestay activity, community activity and day care facility activity as defined in this District Plan including all outdoor spaces associated with any education activity, but excludes activity in police stations, fire stations, courthouses, probation and detention centres, government and local government offices.
Adjoining Land (Subdivision)	Includes land separated from other land only by a road, railway, drain, water race, river or stream.
Aerodrome	Means a defined area of land used wholly or partly for the landing, departure, and surface movement of aircraft including any buildings, installations and equipment on or adjacent to any such area used in connection with the aerodrome or its administration.

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<sup>1</sup> From section 315 of the Local Government Act 1974

Aircraft	Means any machine that can derive support in the atmosphere from the reactions of the air otherwise than by reactions of the air against the surface of the earth. Excludes remotely piloted aircraft that weigh less than 15 kilograms.
Aircraft Operations	Means the operation of aircraft during landing, take-off and taxiing but excludes: <ul style="list-style-type: none"> <li>a. aircraft operating in an emergency;</li> <li>b. aircraft using the Airport as an alternative to landing at a scheduled airport;</li> <li>c. military aircraft movements; and</li> <li>d. engine testing.</li> </ul>
Air Noise Boundary Queenstown (ANB)	Means a boundary as shown on the District Plan web mapping application, the location of which is based on the predicted day/night sound level of 65 dBLdn from airport operations in 2037.
Airport Activity	Means land used wholly or partly for the landing, departure, and surface movement of aircraft, including: <ul style="list-style-type: none"> <li>a. aircraft operations which include private aircraft traffic, domestic and international aircraft traffic, rotary wing operations;</li> <li>b. aircraft servicing, general aviation, airport or aircraft training facilities and associated offices;</li> <li>c. runways, taxiways, aprons, and other aircraft movement areas;</li> <li>d. terminal buildings, hangars, air traffic control facilities, flight information services, navigation and safety aids, rescue facilities, lighting, car parking, maintenance and service facilities, fuel storage and fuelling facilities and facilities for the handling and storage of hazardous substances.</li> <li>e. catering facilities;</li> <li>f. quarantine and incineration facilities;</li> <li>g. border control and immigration facilities.</li> </ul>
Airport Operator	Means the person or body that has necessary statutory authority for the establishment, maintenance, operation or management of the airport.
Airport Related Activity	Means an ancillary activity or service that provides support to the airport. This includes: <ul style="list-style-type: none"> <li>a. land transport activities;</li> <li>b. buildings and structures;</li> <li>c. servicing and infrastructure;</li> <li>d. police stations, fire stations, medical facilities and education facilities provided they serve an aviation related purpose;</li> <li>e. retail and commercial services and industry associated with the needs of Airport passengers, visitors and employees and/or aircraft movements and Airport businesses;</li> <li>f. administrative offices (provided they are ancillary to an airport or airport related activity).</li> </ul>

All Weather Standard	Means a pavement which has been excavated to a sound subgrade, backfilled and compacted to properly designed drainage gradients with screened and graded aggregate and is usable by motor vehicles under all weather conditions, and includes metalled and sealed surfaces.
Amenity Or Amenity Values	Means those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes <sup>2</sup> .
Antenna	Means telecommunications apparatus, being metal rod, wire or other structure, by which signals are transmitted or received, including any bracket or attachment but not any support mast or similar structure.
Archaeological Site	Means, subject to section 42(3) of the Heritage New Zealand Pouhere Taonga Act 2014: <ul style="list-style-type: none"> <li>a. any place in New Zealand, including any building or structure (or part of a building or structure), that – <ul style="list-style-type: none"> <li>i. was associated with human activity that occurred before 1900 or is the site of the wreck of any vessel where the wreck occurred before 1900; and</li> <li>ii. provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and</li> </ul> </li> <li>b. includes a site for which a declaration is made under section 43(1) of the Heritage New Zealand Pouhere Taonga Act 2014.</li> </ul>
Area Median Income (AMI)	Means the median household income for the Queenstown Lakes District as published by Statistics New Zealand following each census, and adjusted annually by the Consumer Price Index (CPI).
Balcony	Means a floor at other than ground level having at least one side completely open except for a balustrade of a maximum height of 1.2m above balcony floor level. The balcony may be roofed and shall have direct access to the residential unit it serves.
Bar (Hotel or Tavern)	Means any part of a hotel or tavern which is used principally for the sale, supply or consumption of liquor on the premises. Bar area shall exclude areas used for storage, toilets or like facilities and space.
Biodiversity Offsets	Means measurable conservation outcomes resulting from actions designed to compensate for residual adverse biodiversity impacts arising from project development after appropriate avoidance, minimisation, remediation and mitigation measures have been taken. The goal of biodiversity offsets is to achieve no net loss and preferably a net gain of biodiversity on the ground.

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<sup>2</sup> From section 2 of the Act

Biomass Electricity Generation	Means electricity generation derived from biomass systems being recently living organisms such as wood, wood waste, by products of agricultural processes and waste.
Boat	Means any vessel, appliance or equipment used or designed to be used for flotation and navigation on or through the surface of water, other than a wetsuit or lifejacket, and includes any aircraft whilst such aircraft is on the surface of the water. Craft or boating craft shall have the same meaning. Boating activities shall mean activities involving the use of boats on the surface of water.
Boundary	Means any boundary of the net area of a site and includes any road boundary or internal boundary. Site boundary shall have the same meaning as boundary.
Building	<p>Shall have the same meaning as the Building Act 2004, with the following exemptions in addition to those set out in the Building Act 2004:</p> <ul style="list-style-type: none"> <li>a. fences and walls not exceeding 2m in height;</li> <li>b. retaining walls that support no more than 2 vertical metres of earthworks;</li> <li>c. structures less than 5m<sup>2</sup> in area and in addition less than 2m in height above ground level;</li> <li>d. radio and television aerials (excluding dish antennae for receiving satellite television which are greater than 1.2m in diameter), less than 2m in height above ground level;</li> <li>e. uncovered terraces or decks that are no greater than 1m above ground level;</li> <li>f. the upgrading and extension to the Arrow Irrigation Race provided that this exception only applies to upgrading and extension works than involve underground piping of the Arrow Irrigation Race;</li> <li>g. flagpoles not exceeding 7m in height;</li> <li>h. building profile poles, required as part of the notification of Resource Consent applications;</li> <li>i. public outdoor art installations sited on Council owned land;</li> <li>j. pergolas less than 2.5 metres in height either attached or detached to a building;</li> </ul> <p>Notwithstanding the definition set out in the Building Act 2004, and the above exemptions a building shall include:</p> <ul style="list-style-type: none"> <li>a. any vehicle, trailer, tent, marquee, shipping container, caravan or boat, whether fixed or moveable, used on a site for a residential accommodation unit for a period exceeding 2 months.</li> </ul>
Building Coverage	<p>Means that portion of the net area of a site which is covered by buildings or parts of buildings, including overhanging or cantilevered parts of buildings, expressed as a percentage or area. Building coverage shall only apply to buildings at ground, or above ground level. The following shall not be included in building coverage:</p> <ul style="list-style-type: none"> <li>a. pergolas;</li> <li>b. that part of eaves and/or spouting, fire aprons or bay or box windows projecting 600mm or less horizontally from any exterior wall;</li> </ul>

	<ul style="list-style-type: none"> <li>c. uncovered terraces or decks which are not more than 1m above ground level;</li> <li>d. uncovered swimming pools no higher than 1m above ground level;</li> <li>e. fences, walls and retaining walls;</li> <li>f. driveways and outdoor paved surfaces.</li> </ul>
Building Line Restriction	Means a restriction imposed on a site to ensure when new buildings are erected or existing buildings re-erected, altered or substantially rebuilt, no part of any such building shall stand within the area between the building line and the adjacent site boundary.
Building Supplier	<p>Means a business primarily engaged in selling goods for consumption or use in the construction, modification, cladding, fixed decoration or outfitting of buildings and without limiting the generality of this term, includes suppliers of:</p> <ul style="list-style-type: none"> <li>a. glazing;</li> <li>b. awnings and window coverings;</li> <li>c. bathroom, toilet and sauna installations;</li> <li>d. electrical materials and plumbing supplies;</li> <li>e. heating, cooling and ventilation installations;</li> <li>f. kitchen and laundry installations, excluding standalone appliances;</li> <li>g. paint, varnish and wall coverings;</li> <li>h. permanent floor coverings;</li> <li>i. power tools and equipment;</li> <li>j. locks, safes and security installations; and</li> <li>k. timber and building materials.</li> </ul>
Camping Ground	Means any area of land used, or designed or intended to be used, for rent, hire, donation, or otherwise for reward, for the purposes of placing or erecting on the land temporary living places for occupation, or permanent tourist cabins, by 2 or more families or parties (whether consisting of 1 or more persons) living independently of each other, whether or not such families or parties enjoy the use in common of entrances, water supplies, cookhouses, sanitary fixtures, or other premises and equipment; and includes any area of land used as a camping ground immediately before the commencement of the Camping Ground Regulations 1985.
Carriageway	Means the portion of a road devoted particularly to the use of motor vehicles.
Cleanfill	<p>Means material that, when buried, will have no adverse effects on people or the environment. Cleanfill material includes virgin natural materials such as clay, soil and rock, and other inert materials, such as concrete or brick, that are free of:</p> <ul style="list-style-type: none"> <li>a. combustible, putrescible, degradable or leachable components;</li> <li>b. hazardous substances;</li> <li>c. products or materials derived from hazardous waste treatment, hazardous waste stabilisation, or hazardous waste disposal practices;</li> </ul>

	<p>d. materials that may present a risk to human or animal health, such as medical and veterinary waste, asbestos or radioactive substances; or</p> <p>e. liquid waste.</p>
Cleanfill Facility	Means land used solely for the disposal of cleanfill. A cleanfill facility may include stockpiling, rehabilitation and landscaping.
Clearance of Vegetation	<p>Means the removal, trimming, felling, or modification of any vegetation and includes cutting, crushing, cultivation, soil disturbance including direct drilling, spraying with herbicide or burning.</p> <p>Clearance of vegetation includes, the deliberate application of water or oversowing where it would change the ecological conditions such that the resident indigenous plant(s) are killed by competitive exclusion. Includes dryland cushion field species.</p>
Commercial	Means involving payment, exchange or other consideration.
Commercial Activity	Means the use of land and buildings for the display, offering, provision, sale or hire of goods, equipment or services, and includes shops, postal services, markets, showrooms, restaurants, takeaway food bars, professional, commercial and administrative offices, service stations, motor vehicle sales, the sale of liquor and associated parking areas. Excludes recreational, community and service activities, home occupations, visitor accommodation, residential visitor accommodation and homestays.
Commercial Livestock	Means livestock bred, reared and/or kept on a property for the purpose of commercial gain, but excludes domestic livestock.
Commercial Recreational Activities	Means the commercial guiding, training, instructing, transportation or provision of recreation facilities to clients for recreational purposes including the use of any building or land associated with the activity, excluding ski area activities.
Common Property	<p>Means:</p> <p>a. all the land and associated fixtures that are part of the unit title development but are not contained in a principal unit, accessory unit, or future development unit; and</p> <p>b. in the case of a subsidiary unit title development, means that part of the principal unit subdivided to create the subsidiary unit title development that is not contained in a principal unit, accessory unit, or future development unit<sup>3</sup>.</p>
Community Activity	Means the use of land and buildings for the primary purpose of health, welfare, care, safety, education, culture and/or spiritual well being. Excludes recreational activities. A community activity includes day care facilities, education activities,

<sup>3</sup> From the Unit Titles Act 2010



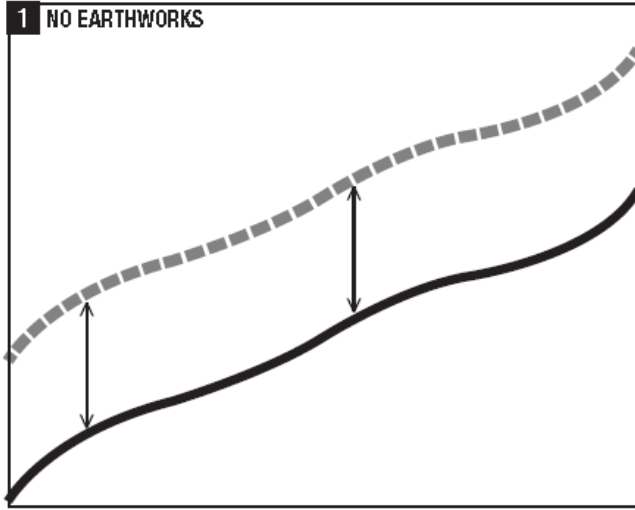
	hospitals, doctors surgeries and other health professionals, churches, halls, libraries, community centres, police purposes, fire stations, courthouses, probation and detention centres, government and local government offices.
Community Housing	Means residential activity that maintains long term affordability for existing and future generations through the use of a retention mechanism, and whose cost to rent or own is within the reasonable means of low and moderate income households.
Comprehensive Development (For the purpose of Chapters 12 and 13 only)	Means the construction of a building or buildings on a site or across a number of sites with a total land area greater than 1400m <sup>2</sup> .
Contributory Buildings (For the purpose of Chapter 26 only)	Means buildings within a heritage precinct that contribute to the significance of a heritage precinct some of which may be listed for individual protection in the Inventory of Listed Heritage Features under Rule 26.8. They may contain elements of heritage fabric, architecture or positioning that adds value to the heritage precinct. They have been identified within a heritage precinct because any future development of the site containing a contributory building may impact on the heritage values of heritage features, or the heritage precinct itself. Contributory buildings are identified on the plans under Section 26.7 'Heritage Precincts'. (Refer also to the definition of Non-Contributory Buildings).
Corporate Colour Scheme	Means the colour or colours which a business or organisation adopts as a key visual element of its corporate identity.
Council	Means the Queenstown Lakes District Council or any Committee, Sub Committee, Community Board, Commissioner or person to whom any of the Council's powers, duties or discretions under this Plan have been lawfully delegated pursuant to the provisions of the Act. District council shall have the same meaning.
Critical Listening Environment	Means any space that is regularly used for high quality listening or communication for example principle living areas, bedrooms and classrooms but excludes non-critical listening environments.
Cultural Impact Assessment	Means a report that sets out Māori perspective on values, interests and associations with an area or resource. These are technical reports for the purposes of an assessment of environmental effects (AEE).
Day Care Facility	Means land and/or buildings used for the care during the day of elderly persons with disabilities and/or children, other than those residing on the site.
Design Sound Level	Means 40 dB Ldn in all critical listening environments.
District	Means Queenstown Lakes District
Domestic Livestock	Means livestock bred, reared and/or kept on a property, excluding that which is for the purpose of commercial gain.

	<p>a. In all zones, other than the Rural, Rural Lifestyle and Rural Residential Zones, it is limited to 5 adult poultry per site, and does not include adult roosters or peacocks; and</p> <p>b. In the Rural, Rural Lifestyle and Rural Residential Zones it includes any number of livestock bred, reared and/or kept on a site for family consumption, as pets, or for hobby purposes and from which no financial gain is derived, except that in the Rural Residential Zone it is limited to only one adult rooster and peacock per site.</p> <p>Note: Domestic livestock not complying with this definition shall be deemed to be commercial livestock and a farming activity.</p>
Earthworks	<p>Means the disturbance of land by the removal or deposition on or change to the profile of land.</p> <p>Earthworks includes excavation, filling, cuts, root raking and blading, firebreaks, batters and the formation of roads, access, driveways, tracks and the deposition and removal of cleanfill.</p>
Ecosystem Services	<p>Means the resources and processes the environment provides that people benefit from e.g. purification of water and air, pollination of plants and decomposition of waste.</p>
Education Activity	<p>Means the use of land and buildings for the primary purpose of regular instruction or training including early childhood education, primary, intermediate and secondary schools, tertiary education. It also includes ancillary administrative, cultural, recreational, health, social and medical services (including dental clinics and sick bays) and commercial facilities.</p>
Electricity Distribution	<p>Means the conveyance of electricity via electricity distribution lines, cables, support structures, substations, transformers, switching stations, kiosks, cabinets and ancillary buildings and structures, including communication equipment, by a network utility operator.</p>
Elderly care home	<p>Means a facility providing rest home care within the meaning of the Health and Disability Services (Safety) Act (2001), or a home for the residential care of older persons and/or any land or buildings used for the care of older persons within a retirement village.</p>
Energy Activities	<p>Means the following activities:</p> <ol style="list-style-type: none"> <li>a. small and community-scale distributed electricity generation and solar water heating;</li> <li>b. renewable electricity generation;</li> <li>c. non-renewable electricity generation;</li> <li>d. wind electricity generation;</li> <li>e. solar electricity generation;</li> <li>f. stand-alone power systems (SAPS);</li> <li>g. biomass electricity generation;</li> <li>h. hydro generation activity;</li> <li>i. mini and micro hydro electricity generation.</li> </ol>

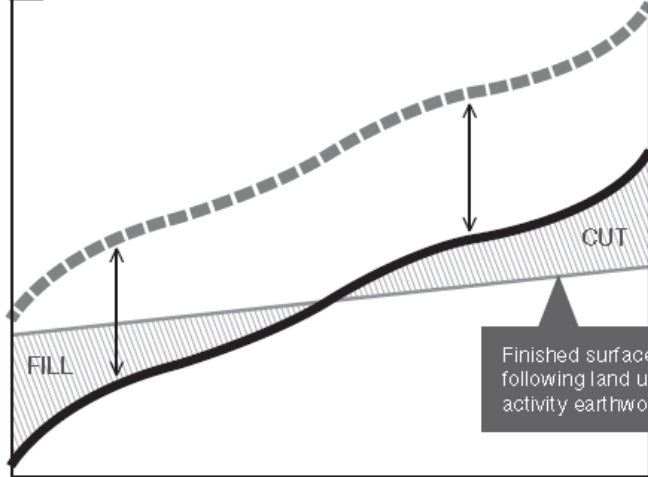
Environmental Compensation	Means actions offered as a means to address residual adverse effects to the environment arising from project development that are not intended to result in no net loss or a net gain of biodiversity on the ground, includes residual adverse effects to other components of the environment including landscape, the habitat of trout and salmon, open space, recreational and heritage values.
Exotic (Trees and Plants)	Means species which are not indigenous to that part of New Zealand.
Extent of Place (For the purpose of Chapter 26 only)	Means the area around and/or adjacent to a heritage feature listed in the Inventory of Listed Heritage Features under Section 26.8 and which is contained in the same legal title as a heritage feature listed in the Inventory, the extent of which is identified in Section 26.8.1.  (Refer also to the definition of Setting).
External Alterations and Additions (For the purpose of Chapter 26 only)	Means undertaking works affecting the external heritage fabric of heritage features, but excludes repairs and maintenance, and partial demolition. External additions includes signs and lighting.
External Appearance (Buildings)	Means the bulk and shape of the building including roof pitches, the materials of construction and the colour of exterior walls, joinery, roofs and any external fixtures.
Factory Farming	Includes: <ul style="list-style-type: none"> <li>a. the use of land and/or buildings for the production of commercial livestock where the regular feed source for such livestock is substantially provided other than from grazing the site concerned;</li> <li>b. boarding of animals;</li> <li>c. mushroom farming.</li> </ul>
Farming Activity	Means the use of land and buildings for the primary purpose of the production of vegetative matters and/or commercial livestock. Excludes residential activity, home occupations, factory farming and forestry activity. Means the use of lakes and rivers for access for farming activities.
Farm Building	Means a building (as defined) necessary for the exercise of farming activities (as defined) and excludes: <ul style="list-style-type: none"> <li>a. buildings for the purposes of residential activities, home occupations, factory farming and forestry activities;</li> <li>b. visitor accommodation and temporary accommodation.</li> </ul>
Flat site	Means a site where the ground slope is equal to or less than 6 degrees (i.e. equal to or less than 1 in 9.5). Ground slope in relation to building height shall be determined by measurement over the extremities of each building elevation. Where all elevations indicate a ground slope of less than 6 degrees (i.e. equal to or less than 1 in 9.5), rules applicable to flat sites will apply.

Flood Protection Work	Means works, structures and plantings for the protection of property and people from flood fairways or lakes, the clearance of vegetation and debris from flood fairways, stop banks, access tracks, rockwork, anchored trees, wire rope and other structures.
Forestry Activity	Means the use of land primarily for the purpose of planting, tending, managing and harvesting of trees for timber or wood production in excess of 0.5ha in area. Plantation Forestry is as defined by the Resource Management (National Environmental Standard for Plantation Forestry) Regulations 2017.
Formed Road	Means a road with a carriageway constructed to an all-weather standard with a minimum width of 3m.
Frontage	Means the road boundary of any site.
Full-Time Equivalent Person	Means the engagement of a person or persons in an activity on a site for an average of 8 hours per day assessed over any 14 day period.
Garage	Is included within the meaning of residential unit, and means a building or part of a building principally used for housing motor vehicles and other ancillary miscellaneous items.
Gross Floor Area (GFA)	Means the sum of the gross area of the several floors of all buildings on a site, measured from the exterior faces of the exterior walls, or from the centre lines of walls separating two buildings.
Ground Floor Area	Means any areas covered by the building or parts of the buildings and includes overhanging or cantilevered parts but does not include pergolas (unroofed), projections not greater than 800mm including eaves, bay or box windows, and uncovered terraces or decks less than 1m above ground level.
Ground Level	Means: The surface of the ground prior to any earthworks on the site, except that where the surface of the ground has been altered through earthworks carried out as part of a subdivision under the Resource Management Act 1991 or Local Government Act 1974 “ground level” means the finished surface of the ground following completion of works associated with the most recently completed subdivision. <ol style="list-style-type: none"> <li>“earthworks” has the meaning given in the definition of that term in this Plan and includes earthworks carried out at any time in the past;</li> <li>“completed subdivision” means a subdivision in respect of which a certificate pursuant to section 224(c) of the Resource Management Act 1991 or a completion certificate under the Local Government Act 1974 has been issued;</li> <li>“earthworks carried out as part of a subdivision” does not include earthworks that are authorized under any land use consent for earthworks, separate from earthworks approved as part of a subdivision consent after 29 April 2016;</li> <li>ground level interpretations are to be based on credible evidence including existing topographical information, site specific topography, adjoining topography and known site history;</li> </ol>

	<p>e. changes to the surface of the ground as a result of earthworks associated with building activity do not affect the “ground level” of a site;</p> <p>f. subdivision that does not involve earthworks has no effect on “ground level”;</p> <p>Notes:</p> <p>a. See interpretive diagrams in the definition of Height;</p> <p>b. Special height rules apply in the Queenstown town centre, where “metres above sea level” is used. This is not affected by the definition of “ground level” above, which applies elsewhere.</p>
Handicrafts	Means goods produced by the use of hand tools or the use of mechanical appliances where such appliances do not produce the goods in a repetitive manner according to a predetermined pattern for production run purpose.
Hangar	Means a structure used to store aircraft, including for maintenance, servicing and/or repair purposes.
Hard Surfacing	<p>Means any part of that site which is impermeable and includes:</p> <p>a. concrete, bitumen or similar driveways, paths or other areas paved with a continuous surface or with open jointed slabs, bricks, gobi or similar blocks; or hardfill driveways that effectively put a physical barrier on the surface of any part of a site;</p> <p>b. any area used for parking, manoeuvring, access or loading of motor vehicles;</p> <p>c. any area paved either with a continuous surface or with open jointed slabs, bricks, gobi or similar blocks;</p> <p>The following shall not be included in hard surfacing:</p> <p>a. paths of less than 1m in width;</p> <p>b. shade houses, glasshouses and tunnel houses not having solid floors.</p>
Hazardous Substance	<p>Means any substance with one or more of the following characteristics:</p> <p>a</p> <ul style="list-style-type: none"> <li>i explosives</li> <li>ii flammability</li> <li>iii a capacity to oxidise</li> <li>iv corrosiveness</li> <li>v toxicity (both acute and chronic)</li> <li>vi ecotoxicity, with or without bio-accumulation; or</li> </ul> <p>b which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any one or more of the properties specified in paragraph a to this definition.</p>
Health Care Facility	Means land and/or buildings used for the provision of services relating to the physical and mental health of people and animals but excludes facilities used for

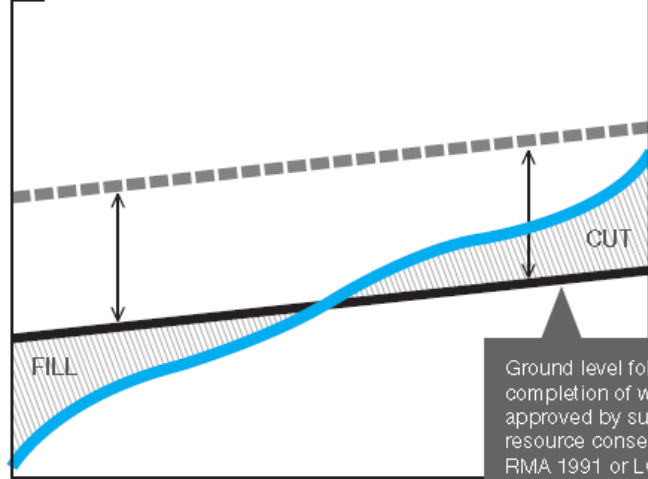
	<p>the promotion of physical fitness or beauty such as gymnasia, weight control clinics or beauticians.</p>
<p>Heavy Vehicle</p>	<p>Means a motor vehicle, other than a motor car that is not used, kept or available for the carriage of passengers for hire or reward, the gross laden weight of which exceeds 3500kg; but does not include a traction engine or vehicle designed solely or principally for the use of fire brigades in attendance at fires. (The Heavy Motor Vehicle Regulation 1974).</p>
<p>Height (Building)</p>	<p>Means the vertical distance between ground level (as defined), unless otherwise specified in a District Plan rule, at any point and the highest part of the building immediately above that point. For the purpose of calculating height in all zones, account shall be taken of parapets, but not of:</p> <ul style="list-style-type: none"> <li>a. aerials and/or antennas, mounting fixtures, mast caps, lightning rods or similar appendages for the purpose of telecommunications but not including dish antennae which are attached to a mast or building, provided that the maximum height normally permitted by the rules is not exceeded by more than 2.5m; and</li> <li>b. chimneys or finials (not exceeding 1.1m in any direction); provided that the maximum height normally permitted by the rules is not exceeded by more than 1.5m.</li> </ul> <p>See interpretive diagrams below and definition of GROUND LEVEL.</p>  <p>The diagram, labeled '1 NO EARTHWORKS', illustrates the measurement of building height. It shows a solid black line representing the ground level and a dashed grey line representing the building's profile. Two vertical double-headed arrows indicate the vertical distance from the ground level to the highest part of the building at two different points along the slope.</p>

**2 EARTHWORKS ASSOCIATED WITH LAND USE / BUILDING ACTIVITY**









\*Note earthworks may require resource consent

**3 EARTHWORKS ASSOCIATED WITH APPROVED SUBDIVISION**



**Legend:**

-  Max height plane
-  Ground level (as per definition)
-  Fill or cut
-  Finished surface of ground
-  Max building height (as specified by zone)  
e.g. 8m
-  Surface of ground prior to any earthworks on site

<p>Heritage Fabric (For the purpose of Chapter 26 only)</p>	<p>Means any physical aspect of a heritage feature which contributes to its heritage values as assessed with the criteria contained in section 26.5. Where a heritage assessment is available on the Council's records this will provide a good indication of what constitutes the heritage fabric of that heritage feature. Where such an assessment is not available, heritage fabric may include, but is not limited to:</p> <ol style="list-style-type: none"> <li>a. original and later material and detailing which forms part of, or is attached to, the interior or exterior of a heritage feature;</li> <li>b. the patina of age resulting from the weathering and wear of construction material over time;</li> <li>c. fixtures and fittings that form part of the design or significance of a heritage feature but excludes inbuilt museum and art work exhibitions and displays, and movable items not attached to a building, unless specifically listed.</li> <li>d. heritage features which may require analysis by archaeological means, which may also include features dating from after 1900.</li> </ol>
<p>Heritage Feature or Features (For the purpose of Chapter 26 only)</p>	<p>Means the collective terms used to describe all heritage features listed in the Inventory of Listed Heritage Features under Section 26.8.</p>
<p>Heritage Significance (For the purpose of Chapter 26 only)</p>	<p>Means the significance of a heritage feature (identified in this Chapter as Category 1, 2, or 3) as evaluated in accordance with the criteria listed in section 26.5. A reduction in heritage significance means where a proposed activity would have adverse effects which would reduce the category that has been attributed to that heritage feature.</p>
<p>Historic Heritage</p>	<p>Means those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities:</p> <ol style="list-style-type: none"> <li>a. archaeological;</li> <li>b. architectural;</li> <li>c. cultural;</li> <li>d. historic;</li> <li>e. scientific;</li> <li>f. technological; and</li> </ol> <p>and includes:</p> <ol style="list-style-type: none"> <li>a. historic sites, structures, places, and areas; and</li> <li>b. archaeological sites; and</li> <li>c. sites of significance to Maori, including wāhi tapu; and</li> <li>d. surroundings associated with natural and physical resources.</li> <li>e. heritage features (including where relevant their settings or extent of place), heritage areas, heritage precincts, and sites of significance to Maori.</li> </ol>
<p>Holding</p>	<p>Means an area of land in one ownership and may include a number of lots and/or titles.</p>



Home Occupation	Means the use of a site for an occupation, business, trade or profession in addition to the use of that site for a residential activity and which is undertaken by person(s) living permanently on the site, but excludes homestay.
Homestay	Means the use of a residential unit including a residential flat by paying guests (where the length of stay by any guest is less than 90 nights) at the same time that either the residential unit or the residential flat is occupied by residents for use as a Residential Activity. Includes bed & breakfasts and farm-stays.  Excludes: Residential Visitor Accommodation and Visitor Accommodation, <a href="#">including where a staff member lives on-site.</a>  <del>Note:</del> <del>Additional requirements of the Building Act 2004 may apply.</del>
Hospital	Means any building in which two or more persons are maintained for the purposes of receiving medical treatment; and where there are two or more buildings in the occupation of the same person and situated on the same piece of land they shall be deemed to constitute a single building.
Hotel	Means any premises used or intended to be in the course of business principally for the provision to the public of:  a. lodging;  b. liquor, meals and refreshments for consumption on the premises.
Household	Means a single individual or group of people, and their dependents who normally occupy the same primary residence.
Household Income	Means all income earned from any source, by all household members.
Hydro Generation Activity	Means activities associated with the generation of hydroelectricity and includes the operation, maintenance, refurbishment, enhancement and upgrade of hydro generation facilities.
Indigenous Vegetation	Means vegetation that occurs naturally in New Zealand, or arrived in New Zealand without human assistance, including both vascular and non-vascular plants.
Indoor Design Sound Level	Means 40 dB Ldn in all critical listening environments.
Industrial Activity	Means the use of land and buildings for the primary purpose of manufacturing, fabricating, processing, packing, or associated storage of goods
Informal Airport	Means any defined area of land or water intended or designed to be used for the landing, departure movement or servicing of aircraft and specifically excludes the designated 'Aerodromes', shown as designations 2, 64, and 239 in the District Plan.  This excludes the airspace above land or water located on any adjacent site over which an aircraft may transit when arriving and departing from an informal airport.

Informal Recreation	Means a pastime, leisure sport or exercise activity that occurs on an ad hoc basis or are regularly and contributes to a person's enjoyment and/or relaxation. Excludes Organised sport and recreation.
Internal Boundary	Means any boundary of the net area of a site other than a road boundary.
Internal Alterations (For the purpose of Chapter 26 only)	Means undertaking works affecting the internal heritage fabric of heritage features, but excludes repairs and maintenance. Internal alterations includes the partial removal and replacement of decoration, windows, ceilings, floors or roofs that only affect the interior of the building.
Kitchen Facility	Means any space, facilities and surfaces for the storage, rinsing preparation and/or cooking of food, the washing of utensils and the disposal of waste water, including a food preparation bench, sink, oven, stove, hot-plate or separate hob, refrigerator, dish-washer and other kitchen appliances.
LAeq (15min)	Means the A frequency weighted time average sound level over 15 minutes, in decibels (dB).
LAFmax	Means the maximum A frequency weighted fast time weighted sound level, in decibels (dB), recorded in a given measuring period.
Ldn	Means the day/night level, which is the A frequency weighted time average sound level, in decibels (dB), over a 24-hour period obtained after the addition of 10 decibels to the sound levels measured during the night (2200 to 0700 hours).
Lake	Means a body of fresh water which is entirely or nearly surrounded by land <sup>4</sup> .
Landfill	Means the use of land for the primary purpose of providing a disposal facility for the controlled deposit of solid wastes, household wastes and green waste onto or into land. Excludes offal pits, silage pits and silage stacks that are part of a farming activity.
Landmark Building (For the purposes of Chapter 12 only)	Means a building that is easily recognisable due to notable physical features including additional height. Landmark buildings provide an external point of reference that helps orientation and navigation through the urban environment and are typically located on corners or at the termination of a visual axis.
Landscaping	Means the provision of tree and/or shrub plantings and may include any ancillary lawn, water, rocks, paved areas or amenity features, the whole of such provision being so arranged as to improve visual amenity, human use and enjoyment and/or to partially or wholly screen activities or buildings, and/or to provide protection from climate.

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<sup>4</sup> From section 2 of the Act

Landside	Means an area of an airport and buildings to which the public has unrestricted access.
Large Format Retail	Means any single retail tenancy which occupies 500m <sup>2</sup> or more of GFA. Refer definition of GFA.
Laundry Facilities	Means facilities for the rinsing, washing and drying of clothes and household linen, and the disposal of waste water, and includes either a washing machine, tub or clothes dryer.
Licensed Premises	Means any premises or part of any premises, in which liquor may be sold pursuant to a licence, and includes any conveyance, or part of any conveyance on which liquor may be sold pursuant to the licence.
Lift Tower	Means a structure used for housing lift machinery and includes both the lift shaft and machinery room.
Liquor	Shall have the same meaning as alcohol as defined in the Sale and Supply of Alcohol Act 2012.
Listed Heritage Feature (For the purpose of Chapter 26 only)	Means the collective terms used to explain all buildings, features, and structures listed in the Inventory of Listed Heritage Features (26.8).
Living Area	Means any room in a residential unit other than a room used principally as a bedroom, laundry or bathroom.
Loading Space	Means a portion of a site, whether covered or not, clear of any road or service lane upon which a vehicle can stand while being loaded or unloaded.
Lot (Subdivision)	Means a lot, two or more adjoining lots to be held together in the same ownership, or any balance area, shown on a subdivision consent plan, except that in the case of land being subdivided under the cross lease or company lease systems or the Unit Titles Act 2010, lot shall have the same meaning as site.
Low Income	Means household income below 80% of the area median Income.
Manoeuvre Area	Means that part of a site used by vehicles to move from the vehicle crossing to any parking, garage or loading space and includes all driveways and aisles, and may be part of an access strip.
Marine retail activities	Means the sale or hire of marine craft and accessories, and retail accessory to marinas and water related sport and recreation activities.
MASL	Means “metres above sea level”.
Mast	Means any pole, tower or similar structured designed to carry antennas or dish antennas or otherwise to facilitate telecommunications.
Mineral	Means a naturally occurring inorganic substance beneath or at the surface of the earth, whether or not under water and includes all metallic minerals, nonmetallic

	minerals, fuel minerals, precious stones, industrial rocks and building stones and a prescribed substance within the meaning of the Atomic Energy Act 1945.
Mineral Exploration	Means any activity undertaken for the purpose of identifying mineral deposits or occurrences and evaluating the feasibility of mining particular deposits or occurrences of 1 or more minerals; and includes any drilling, dredging, or excavations (whether surface or subsurface) that are reasonably necessary to determine the nature and size of a mineral deposit or occurrence; and to explore has a corresponding meaning.
Mineral Prospecting	Means any activity undertaken for the purpose of identifying land likely to contain mineral deposits or occurrences; and includes the following activities: <ul style="list-style-type: none"> <li>a. geological, geochemical, and geophysical surveys;</li> <li>b. the taking of samples by hand or hand held methods;</li> <li>c. aerial surveys.</li> </ul>
Mini and Micro Hydro Electricity Generation	Means conversion of the energy of falling water into electricity. Mini and micro generation may utilise impulse or reaction turbines and include intake or diversion structures, small weir, headrace, penstock, channel, pipes and generator.
Mining	Means to take, win or extract, by whatever means: <ul style="list-style-type: none"> <li>a. a mineral existing in its natural state in land; or</li> <li>b. a chemical substance from a mineral existing in its natural state in land.</li> </ul>
Mining Activity	Means operations in connection with mining for any mineral; and includes, when carried out at or near the site where the mining is undertaken: <ul style="list-style-type: none"> <li>• the extraction, transport, treatment, processing, and separation of any mineral or chemical substance from the mineral; and</li> <li>• the construction, maintenance, and operation of any works, structures, and other land improvements, and of any related machinery and equipment connected with the operations; and</li> <li>• the removal of overburden by mechanical or other means, and the stacking, deposit, storage, and treatment of any substance considered to contain any mineral; and</li> <li>• the deposit or discharge of any mineral, material, debris, tailings, refuse, or wastewater produced from or consequent on the operations.</li> </ul> <p>Mineral extraction, extraction or extractive activities shall have the same meaning.</p>
Minor Alterations and Additions to a Building (For the purposes of Chapter 10 only)	Means the following: <ul style="list-style-type: none"> <li>a. constructing an uncovered deck;</li> <li>b. replacing windows or doors in an existing building that have the same profile, trims and external reveal depth as the existing;</li> <li>c. changing existing materials or cladding with other materials or cladding of the same texture, profile and colour.</li> </ul>

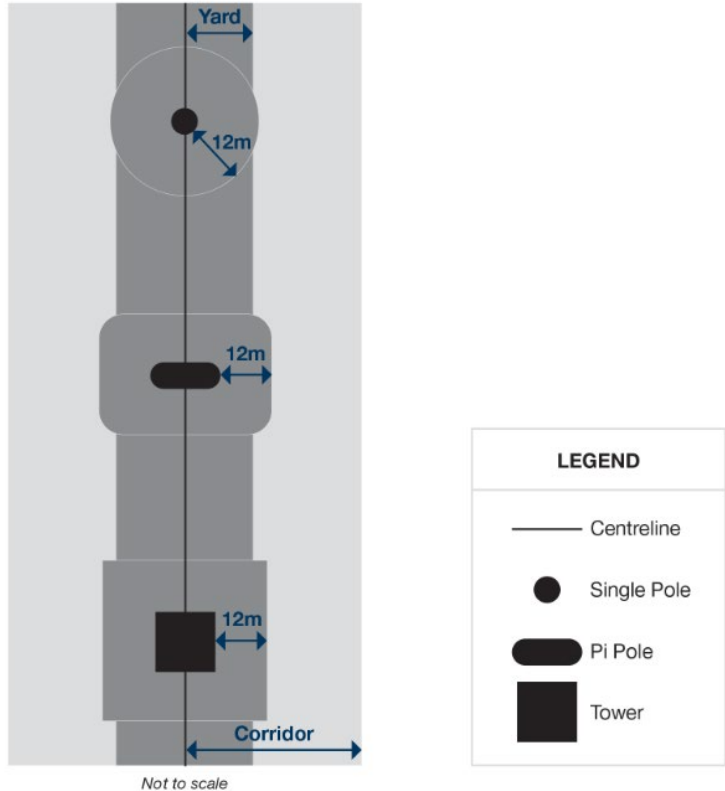
<p>Minor Repairs and Maintenance (For the purpose of Chapter 26 only)</p>	<p>Means repair of building materials and includes replacement of minor components such as individual bricks, cut stone, timber sections, roofing and glazing. The replacement items shall be of the original or closely matching material, colour, texture, form and design, except that there shall be no replacement of any products containing asbestos, but a closely matching product may be used instead.</p> <p>Repairs and maintenance works that do not fall within this definition will be assessed as alterations.</p>
<p>Minor repairs, maintenance and alterations (For the purpose of Chapter 12 only)</p>	<p>Means the repair, maintenance, and alteration of jetties and wharves where the scale and dimensions are not changed by more than 5% and any replacement materials are of the same or a closely matching material or texture and the same or closely matching colour.</p>
<p>Minor Trimming (For the purpose of Chapters 24 and 32 only)</p>	<p>Means the removal of not more than 10% of the live foliage from the canopy of the tree or structural scaffold branches within a single calendar year.</p>
<p>Minor Trimming of a Hedgerow (For the purpose of Chapters 24 and 32 only)</p>	<p>Means the removal of not more than 50% of the live foliage within a single five year period.</p>
<p>Minor Upgrading (For the purpose of Chapter 30 only)</p>	<p>Means an increase in the carrying capacity, efficiency or security of electricity transmission and distribution or telecommunication lines utilising the existing support structures or structures of similar character, intensity and scale and includes the following:</p> <ol style="list-style-type: none"> <li>a. addition of lines, circuits and conductors;</li> <li>b. reconducting of the line with higher capacity conductors;</li> <li>c. re-sagging of conductors;</li> <li>d. bonding of conductors;</li> <li>e. addition or replacement of longer or more efficient insulators;</li> <li>f. addition of electrical fittings or ancillary telecommunications equipment;</li> <li>g. addition of earth-wires which may contain lightning rods, and earth-peaks;</li> <li>h. support structure replacement within the same location as the support structure that is to be replaced;</li> <li>i. addition or replacement of existing cross-arms with cross-arms of an alternative design;</li> <li>j. replacement of existing support structures provided they are the same or similar in height, diameter and are located within 5 metres of the base of the support structure being replaced;</li> <li>k. addition of a single service support structure for the purpose of providing a service connection to a site, except in the Rural zone;</li> </ol>

	<ul style="list-style-type: none"> <li>I. the addition of up to four new support structures extending the length of an existing line provided the line has not been lengthened in the preceding five year period.</li> <li>m. An increase in support structure height required to comply with NZECP34:2001 by not more than 3 metres provided that the support structure has not been replaced within the preceding 10-year period.</li> </ul>
Mobility parking space	Means a parking space designed and reserved for the exclusive use of people whose mobility is restricted and who have a mobility permit issued. It also means 'accessible park/parking' and 'disabled/disability park/parking' as referred to in various external standards and guidance documents.
Moderate Income	Means household income between 80% and 120% of the area median income.
Motorised Craft	Means any boat powered by an engine.
Motor vehicle repair and servicing	Means land and/or buildings used for the servicing, repair (including panel beating and spray painting repair) of motor vehicles, agricultural machinery or boats and ancillary activities (including the sale and/or fitting of accessories).
Municipal infrastructure	<p>Means infrastructure owned and operated by Council for:</p> <ul style="list-style-type: none"> <li>a) Conveyance of untreated water from source to, and including, the point of its treatment to potable standard for an urban environment (see below), but excluding its distribution within that urban environment;</li> <li>b) Treatment of wastewater from a reticulated system in an urban environment (see below) and conveyance for its disposal, but excluding its pre-treatment collection within that urban environment;</li> <li>c) Treatment of stormwater from a reticulated system in an urban environment (see below) and conveyance for its disposal, but excluding its pre-treatment collection within that urban environment.</li> </ul> <p>For the purposes of the definition of Municipal infrastructure, urban environment means:</p> <ul style="list-style-type: none"> <li>I. All land zoned within Part Three – Urban Environment, comprising Chapters 7 to 17 inclusive and Chapter 44 (Coneburn Industrial Zone).</li> <li>II. Any Open Space and Recreation Zone located within an Urban Growth Boundary identified on the District Plan web mapping application.</li> <li>III. Jacks Point Zone Chapter 41.</li> </ul>
National Grid	<p>Means the network that transmits high-voltage electricity in New Zealand and that, at the notification of this Plan, was owned and operated by Transpower New Zealand Limited, including:</p> <ul style="list-style-type: none"> <li>a. transmission lines; and</li> </ul>

	<ul style="list-style-type: none"> <li>b. electricity substations<sup>5</sup>.</li> </ul>
National Grid Subdivision Corridor	<p>Means the area measured either side of the centreline of above ground National Grid transmission line as follows:</p> <ul style="list-style-type: none"> <li>a. 16m for the 110kV lines on pi poles</li> <li>b. 32m for 110kV lines on towers or mono poles</li> <li>c. 37m for the 220kV transmission lines.</li> </ul> <p>Excludes any transmission lines (or sections of line) that are designated.</p>
National Grid Sensitive Activities	<p>Means those activities that are particularly sensitive to National Grid transmission lines. Such activities include buildings or parts of buildings used for, or able to be used for the following purposes:</p> <ul style="list-style-type: none"> <li>a. hospital;</li> <li>b. day care facility;</li> <li>c. educational activity;</li> <li>d. home stay;</li> <li>e. healthcare facility;</li> <li>f. papakainga;</li> <li>g. any residential activity;</li> <li>h. visitor accommodation.</li> </ul>
National Grid Yard	<p>Means:</p> <ul style="list-style-type: none"> <li>a. the area located 12 metres in any direction from the outer edge of a national grid support structure; and</li> <li>b. the area located 12 metres either side of the centreline of any overhead national grid line;</li> </ul> <p>(as shown in dark grey in diagram below)</p>

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<sup>5</sup> Adapted from the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009

	 <p>Not to scale</p> <p>Excludes any transmission lines (or sections of line) that are designated.</p>
<p>Nature Conservation Values</p>	<p>Means the collective and interconnected intrinsic value of indigenous flora and fauna, natural ecosystems (including ecosystem services), and their habitats.</p>
<p>Navigation Infrastructure</p>	<p>Means any permanent or temporary device or structure constructed and operated for the purpose of facilitating navigation by aircraft.</p>
<p>Net Area (Site or Lot)</p>	<p>Means the total area of the site or lot less any area subject to a designation for any purpose, and/or any area contained in the access to any site or lot, and/or any strip of land less than 6m in width.</p>
<p>Net Floor Area</p>	<p>Means the sum of the floor areas, each measured to the inside of the exterior walls of the building, and shall include the net floor area of any accessory building, but it shall exclude any floor area used for:</p> <ul style="list-style-type: none"> <li>a. lift wells, including the assembly area immediately outside the lift doors for a maximum depth of 2m;</li> <li>b. stairwells;</li> <li>c. tank rooms, boiler and heating rooms, machine rooms, bank vaults;</li> <li>d. those parts of any basement not used for residential, retail, office or industrial uses;</li> <li>e. toilets and bathrooms, provided that in the case of any visitor accommodation the maximum area permitted to be excluded for each visitor unit or room shall be 3m<sup>2</sup>;</li> <li>f. 50% of any pedestrian arcade, or ground floor foyer, which is available for public thoroughfare;</li> </ul>



	g. parking areas required by the Plan for, or accessory to permitted uses in the building.
Noise Event	Means an event, or any particular part of an event, whereby amplified sound, music, vocals or similar noise is emitted by the activity, but excludes people noise. Where amplified noise ceases during a particular event, the event is no longer considered a noise event.
Noise Limit	Means a LAeq (15min) or LAFmax sound level in decibels that is not to be exceeded.
Non-accessory parking	Parking that is provided as a principal activity on the site and is not accessory to any of the approved activities on the site. The parking may be: <ul style="list-style-type: none"> <li>• available to members of the public for a charge or fee</li> <li>• reserved or leased.</li> </ul> Excludes: <ul style="list-style-type: none"> <li>• Park and Ride</li> </ul> Includes: <ul style="list-style-type: none"> <li>• short term, long term, and off-site parking</li> </ul>
Non-Contributory Buildings (For the purpose of Chapter 26 only)	Means buildings within a heritage precinct that have no identified heritage significance or fabric and have not been listed for individual protection in the Inventory of Listed Heritage Features under Rule 26.8. They have been identified within a heritage precinct because any future development of a site containing a non-contributory building may impact on the heritage values of heritage features or contributory buildings within the heritage precinct. Non-Contributory Buildings are identified on the plans under Section 26.7 'Heritage Precincts'.
Non Critical Listening Environment	Means any space that is not regularly used for high quality listening or communication including bathroom, laundry, toilet, pantry, walk-in-wardrobe, corridor, hallway, lobby, cloth drying room, or other space of a specialised nature occupied neither frequently nor for extended periods.
No net loss	Means no overall reduction in biodiversity as measured by the type, amount and condition.
Notional Boundary	Means a line 20m from any side of residential unit or the legal boundary whichever is closer to the residential unit.
Office	Means any of the following: <ol style="list-style-type: none"> <li>a. administrative offices where the administration of any entity, whether trading or not, and whether incorporated or not, is conducted;</li> <li>b. commercial offices being place where trade, other than that involving the immediately exchange for goods or the display or production of goods, is transacted;</li> <li>c. professional offices.</li> </ol>

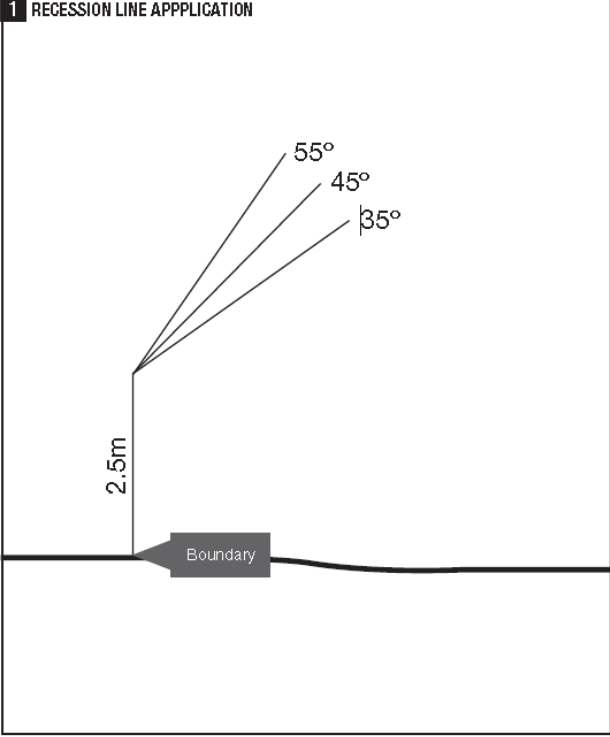
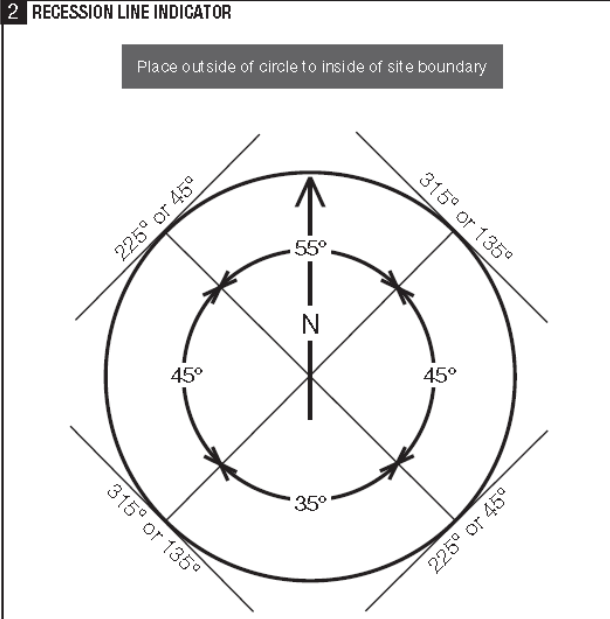
Off-site parking	Parking on a site that is dedicated to the use of an activity taking place on another site and provides parking which would have otherwise been required or permitted on the same site as the activity.
Open Space	Means any land or space which is not substantially occupied by buildings and which provides benefits to the general public as an area of visual, cultural, educational, or recreational amenity values.
Organised sport and recreation	Means activities that require physical effort and skills, are competitive, occur on a regular basis, have formal rules, referees and officials, and are organised within formal structures. The activity typically involves the following: <ul style="list-style-type: none"> <li>• exclusive use of public open space during the course of the activity;</li> <li>• participants and spectators;</li> <li>• use of club rooms, changing facilities;</li> <li>• training and practice sessions;</li> <li>• payment of money to conduct activity;</li> <li>• organised by a club, sporting body or group;</li> <li>• booking and recording system of scheduled hours per week of each sports field by the owner or administrator of the sports field.</li> </ul>
Outdoor Living Space	Means an area of open space to be provided for the exclusive use of the occupants of the residential unit to which the space is allocated.
Outdoor Recreation Activity	Means a recreation activity undertaken entirely outdoors with buildings limited to use for public shelter, toilet facilities, information and ticketing.
Outdoor Storage	Means land used for the purpose of storing vehicles, equipment, machinery, natural and processed products and wastes, outside a fully enclosed building for periods in excess of 4 weeks in any one year.
Outer Control Boundary (OCB)	Means a boundary, as shown on the District Plan web mapping application, the location of which is based on the predicted day/night sound levels of 55 dBA Ldn from airport operations in 2036 for Wānaka Airport and 2037 for Queenstown Airport.
Park and Ride	Means a parking area which is located and purposely designed to support the frequent public transport network and to provide specifically for users of a public transport network who: <ul style="list-style-type: none"> <li>• travel by private vehicle to the park and ride parking area, then</li> <li>• leave their vehicle at the facility and transfer to the frequent public transport network to continue their journey.</li> </ul> Park and Ride includes car parking areas, public transport interchange and associated security measures, bicycle parking, fencing, lighting, ticketing systems, shelter and ticketing structures, landscape planting and earthworks.
Parking Area	Means that part of a site within which vehicle parking spaces are accommodated, and includes all parking spaces, manoeuvre areas and required landscape areas.

Parking Space	Means a space on a site available at any time for accommodating one stationary motor vehicle.
Parks Maintenance	Means maintenance and repair undertaken within Council -controlled reserves, including: <ul style="list-style-type: none"> <li>• maintenance and repair of any buildings and structures;</li> <li>• maintenance and repair of foot paths and tracks;</li> <li>• clearing or reforming drainage channels;</li> <li>• topsoiling, reseeding, sandslitting of sports fields and grassed areas;</li> <li>• Weed management, grass mowing and planting of trees and gardens;</li> <li>• replacement, repairs, maintenance or upgrading of existing bridges, boardwalks and culverts; and resealing and sealing metalled parking and access drives and internal park roads.</li> </ul>
Partial Demolition (For the purpose of Chapter 26 only)	Means the demolition of the heritage fabric of a heritage feature exceeding 30% but less than 70% by volume or area whichever is the greater. Volume is measured from the outermost surface of the heritage feature (including any surfaces below ground) and the area is measured by the footprint of the heritage feature. Partial demolition shall be determined as the cumulative or incremental demolition of the heritage fabric as from 7 May 2018.
Passenger Lift Systems	Means any mechanical system used to convey or transport passengers and other goods within or to a Ski Area Sub-Zone, including chairlifts, gondolas, T-bars and rope tows, and including all moving, fixed and ancillary components of such systems such as towers, pylons, cross arms, pulleys, cables, chairs, cabins, and structures to enable the embarking and disembarking of passengers. Excludes base and terminal buildings.
Photovoltaics (PV)	Means a device that converts the energy in light (photons) into electricity, through the photovoltaic effect. A PV cell is the basic building block of a PV system, and cells are connected together to create a single PV module (sometimes called a 'panel'). PV modules can be connected together to form a larger PV array.
Potable Water Supply	Means a water supply that meets the criteria of the Ministry of Health 'Drinking Water Standards for New Zealand 2005 (revised 2008)'.
Principal Building	Means a building, buildings or part of a building accommodating the activity for which the site is primarily used.
Private Way	Means any way or passage whatsoever over private land within a district, the right to use which is confined or intended to be confined to certain persons or classes of persons, and which is not thrown open or intended to be open to the

	use of the public generally; and includes any such way or passage as aforesaid which at the commencement of this Part exists within any district <sup>6</sup> .
Professional Staff (For the purposes of Chapter 29 only)	Means staff excluding administrative staff in relation to Health Care Services.
Projected Annual Aircraft Noise Contour (AANC)	Means the projected annual aircraft noise contours calculated as specified by the Aerodrome Purposes Designation 2, Condition 15.
Public Amenities	Means, the following facilities established for the convenience and amenity of the public: <ul style="list-style-type: none"> <li>• landscaping and planting</li> <li>• public toilets</li> <li>• street furniture, including seating, and picnic tables</li> <li>• bicycle stands</li> <li>• fountains</li> <li>• drinking fountains</li> <li>• rubbish bins</li> <li>• barbeques</li> <li>• lighting</li> <li>• shelters</li> <li>• post boxes</li> <li>• telephone booths</li> <li>• showers and changing rooms</li> <li>• playgrounds</li> <li>• public artwork</li> </ul>
Public Area	Means any part(s) of a building open to the public, but excluding any service or access areas of the building.
Public Place	Means every public thoroughfare, park, reserve, lake, river or place to which the public has access with or without the payment of a fee, and which is under the control of the council, or other agencies. Excludes any trail as defined in this Plan.
Public Space (For the purposes of Chapter 32 only)	Means the parts of the district that are owned and managed by the Queenstown Lakes District Council, are accessible to the public within the Residential Arrowtown Historic Management Zone including roads, parks and reserves.

<sup>6</sup> From the Local Government Act 1974.

Public Transport Facility	<p>A facility for passenger movements on/off and between public transport services, including:</p> <ul style="list-style-type: none"> <li>• Passenger waiting areas</li> <li>• Shelters</li> <li>• Public ferry terminals</li> <li>• Ticketing and other passenger facilities</li> <li>• Bus interchanges</li> </ul>
Public Water Ferry Service	<p>Means a ferry service for the carriage of passengers for hire or reward, which is available to the public generally and is operated to a fixed regular schedule, including during normal commuting hours, runs between various stops and provides the ability for passengers to embark and disembark from the vessel at those various stops, but does not include any such service that:</p> <ul style="list-style-type: none"> <li>• is contracted or funded by the Ministry of Education for the sole or primary purpose of transporting school children to and from school; or</li> <li>• is operated for the sole or primary purpose of transporting passengers to or from a predetermined event.</li> </ul> <p>The definition is limited to that part of the ferry service that occurs on the surface of the water and excludes any associated activity that occurs on land or on a structure attached to land, including the lake bed.</p>
Radio Communication Facility	<p>Means any transmitting/receiving devices such as aerials, dishes, antennas, cables, lines, wires and associated equipment/apparatus, as well as support structures such as towers, masts and poles, and ancillary buildings.</p>
Rear Site	<p>Means a site which is situated generally to the rear of another site, both sites having access to the same road or private road, and includes sites which have no frontage to a road or private road of 6m or more.</p>
Recession Lines/Recession Plane	<p>Means the lines constructed from points or above a boundary surface or a road surface, the angle of inclination of which is measured from the horizontal, at right angles to a site boundary and in towards the site. See interpretive diagrams below.</p>

	<p><b>1 RECESSION LINE APPLICATION</b></p>  <p><b>2 RECESSION LINE INDICATOR</b></p> <p>Place outside of circle to inside of site boundary</p>  <p><b>NOTE:</b> North is True North. Bearings on the circle increase in a clockwise direction. Where a boundary is on a line between two directions, the more restrictive recession plane shall apply.</p>
<p>Recreation</p>	<p>Means activities which give personal enjoyment, satisfaction and a sense of well being.</p>
<p>Recreational Activity</p>	<p>Means the use of land and/or buildings for the primary purpose of recreation and/or entertainment. Excludes any recreational activity within the meaning of residential activity.</p>

Recreational Tracks	Means a sealed or unsealed pathway or greenway within Council controlled reserves that is used for informal or organised recreational purposes such as walking, cycling, horseriding, or fitness.
Recreation Facility	Means a facility where the primary purpose is to provide for sport and recreation activities and includes recreation centres, swimming pools, fitness centres and indoor sports centres but excludes activities otherwise defined as Commercial Recreation Activities.
Regionally Significant Infrastructure	Means: <ul style="list-style-type: none"> <li>a. renewable electricity generation activities undertaken by an electricity operator; and</li> <li>b. the national grid; and</li> <li>c. telecommunication and radio communication facilities; and</li> <li>d. state highways; and</li> <li>e. Queenstown and Wānaka airports and associated navigation infrastructure; and</li> <li>f. municipal infrastructure.</li> </ul>
Relocated/Relocatable Building	Means a building which is removed and re-erected on another site, but excludes any newly pre-fabricated building which is delivered dismantled to a site for erection on that site. This definition excludes removal and re-siting.
Relocation (For the purpose of Chapter 26 only)	Means the relocation of heritage features, both within, or beyond the site. The definition of Relocation (Buildings) in Chapter 2 (which means the removal of a building from any site to another site) shall not apply to chapter 26.
Relocation (Building)	Means the removal of any building from any site to another site.
Remotely Piloted Aircraft	Means an unmanned aircraft that is piloted from a remote station.
Removal (Building)	Means the shifting of a building off a site and excludes demolition of a building.
Renewable Electricity Generation (REG)	Means generation of electricity from solar, wind, hydro-electricity, geothermal and biomass energy sources.
Renewable Electricity Generation Activities	Means the construction, operation and maintenance of structures associated with renewable electricity generation. This includes small and community-scale distributed renewable generation activities and the system of electricity conveyance required to convey electricity to the distribution network and/or the national grid and electricity storage technologies associated with renewable electricity. Includes research and exploratory scale investigations into technologies, methods and sites, such as masts, drilling and water monitoring. This definition includes renewable electricity generation (REG), solar water

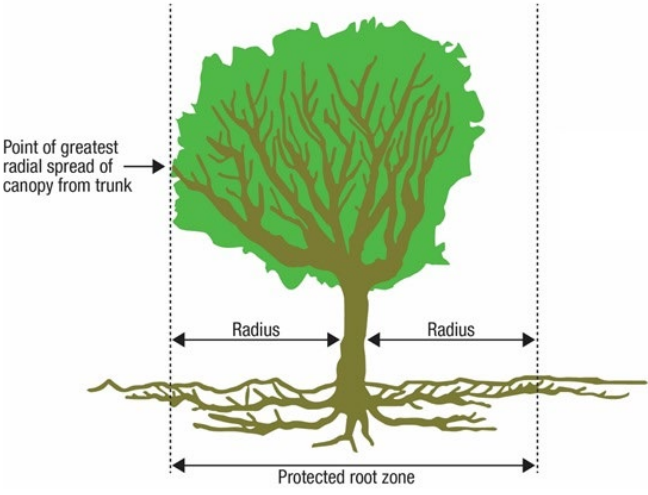
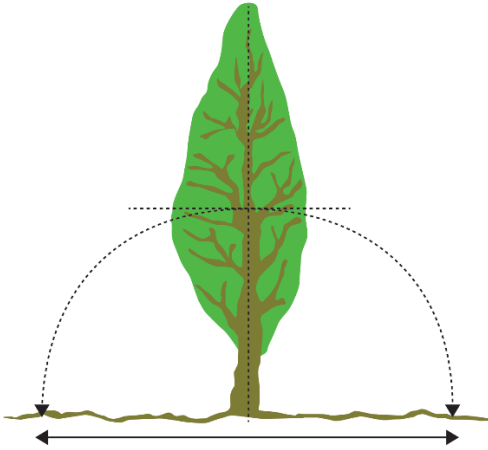
	heating, wind electricity generation, and mini and micro hydro electricity generation (as separately defined).
Renewable Energy	Means energy that comes from a resource that is naturally replenished, including solar, hydro, wind, and biomass energy.
Reserve	Means a reserve in terms of the Reserves Act 1977.
Residential Activity	Means the use of land and buildings by people for the purpose of permanent residential accommodation, including all associated accessory buildings, recreational activities and the keeping of domestic livestock. For the purposes of this definition, residential activity shall include Community Housing, emergency refuge accommodation and the non-commercial use of holiday homes. Excludes visitor accommodation, residential visitor accommodation <del>and homestays</del> .
Residential Visitor Accommodation	Means the use of a <u>building established as a residential unit</u> (including a residential flat) by paying guests where the length of stay by any guest is less than 90 nights. Excludes: Visitor Accommodation and Homestays. Note: Additional requirements of the Building Act 2004 may apply.
Residential Flat	Means a residential activity that comprises a self-contained flat that is ancillary to a residential unit and meets all of the following criteria: <ul style="list-style-type: none"> <li>a. the total floor area does not exceed; <ul style="list-style-type: none"> <li>i. 150m<sup>2</sup> in the Rural Zone, the Rural Lifestyle Zone, the Wakatipu Basin Rural Amenity Zone and the Hills Resort Zone;</li> <li>ii. 70m<sup>2</sup> in any other zone;</li> </ul> not including in either case the floor area of any garage or carport; </li> <li>b. contains no more than one kitchen facility;</li> <li>c. is limited to one residential flat per residential unit; and</li> <li>d. is situated on the same site and held in the same ownership as the residential unit.</li> </ul> Note: A proposal that fails to meet any of the above criteria will be considered as a residential unit.
Residential Unit	Means a residential activity which consists of a single self contained household unit, whether of one or more persons, and includes accessory buildings. Where more than one kitchen and/or laundry facility is provided on the site, other than a kitchen and/or laundry facility in a residential flat, there shall be deemed to be more than one residential unit.
Re-siting (Building)	Means shifting a building within a site.



Resort	Means an integrated and planned development involving low average density of residential development (as a proportion of the developed area) principally providing temporary visitor accommodation and forming part of an overall development focused on onsite visitor activities.
Restaurant	Means any land and/or buildings, or part of a building, in which meals are supplied for sale to the general public for consumption on the premises, including such premises which a licence has been granted pursuant to the Sale and Supply of Alcohol Act 2012.
Retail Sales / Retail / Retailing	Means the direct sale or hire to the public from any site, and/or the display or offering for sale or hire to the public on any site of goods, merchandise or equipment, but excludes recreational activities.
Retirement Village	Means residential units (either detached or attached) and associated facilities for the purpose of accommodating retired persons. This use includes as accessory to the principal use any services or amenities provided on the site such as shops, restaurants, medical facilities, swimming pools and recreational facilities and the like which are to be used exclusively by the retired persons using such accommodation.
Reverse Sensitivity	Means the potential for the operation of an existing lawfully established activity to be constrained or curtailed by the more recent establishment or intensification of other activities which are sensitive to the established activity.
Right of Way	Means an area of land over which there is registered a legal document giving rights to pass over that land to the owners and occupiers of other land.
River	Means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal) <sup>7</sup> .
Road	Means a road as defined in section 315 of the Local Government Act 1974.
Road Boundary	Means any boundary of a site abutting a legal road (other than an accessway or service land) or contiguous to a boundary of a road designation. Frontage or road frontage shall have the same meaning as road boundary.
Root Protection Zone (For the purposes of Chapters 24 and 32 only)	Means for a tree with a spreading canopy, the area beneath the canopy spread of a tree, measured at ground level from the surface of the trunk, with a radius to the outer most extent of the spread of the tree's branches, and for a columnar tree, means the area beneath the canopy extending to a radius half the height of the tree. As demonstrated by the diagrams below.

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<sup>7</sup> From section 2 of the Act.

	<p style="text-align: center;"><b>SPREADING CANOPY</b></p>  <p style="text-align: center;"><b>COLUMNAR CANOPY</b></p> 
<p>Rural Industrial Activity</p>	<p>Means the use of land and buildings for the purpose of manufacturing, fabricating, processing, packing and/or storage of goods and materials grown or sourced within the Rural Zone and the storage of goods, materials and machinery associated with commercial contracting undertaken within the Rural Zone.</p>
<p>Sense of Place  (For the purpose of Chapter 12 only)</p>	<p>Means the unique collection of visual, cultural, social, and environmental qualities and characteristics that provide meaning to a location and make it distinctly different from another. Defining, maintaining, and enhancing the distinct characteristics and quirks that make a town centre unique fosters community pride and gives the town a competitive advantage over others as it provides a reason to visit and a positive and engaging experience. Elements of the Queenstown town centre that contribute to its sense of place are the core of low rise character buildings and narrow streets and laneways at its centre, the pedestrian links, the small block size of the street grid, and its location adjacent to the lake and surrounded by the ever-present mountainous landscape.</p>
<p>Service Activity</p>	<p>Means the use of land and buildings for the primary purpose of the transport, storage, maintenance or repair of goods.</p>
<p>Service Lane</p>	<p>Means any lane laid out or constructed either by the authority of the council or the Minister of Works and Development or, on or after 1 April 1988, the Minister</p>

	of Lands for the purpose of providing the public with a side or rear access for vehicular traffic to any land <sup>8</sup> .
Service Station	<p>Means any site where the dominant activity is the retail sale of motor vehicle fuels, including petrol, LPG, CNG, and diesel, and may also include any one or more of the following:</p> <ol style="list-style-type: none"> <li>a. the sale of kerosene, alcohol based fuels, lubricating oils, tyres, batteries, vehicle spare parts and other accessories normally associated with motor vehicles;</li> <li>b. mechanical repair and servicing of motor vehicles, including motor cycles, caravans, boat motors, trailers, except in any Residential, Town Centre or Settlement Zone;</li> <li>c. inspection and/or certification of vehicles;</li> <li>d. the sale of other merchandise where this is an ancillary activity to the main use of the site.</li> </ol> <p>Excludes:</p> <ol style="list-style-type: none"> <li>i. panel beating, spray painting and heavy engineering such as engine reboring and crankshaft grinding, which are not included within mechanical repairs of motor vehicles and domestic garden equipment for the purposes of b. above.</li> </ol>
Setback	Means the distance between a building and the boundary of its site. Where any building is required to be set back from any site boundary, no part of that building shall be closer to the site boundary than the minimum distance specified. Where any road widening is required by this Plan, the setback shall be calculated from the proposed final site boundary. The setback distance shall only apply to buildings at ground, or above ground level.
Setting (For the purpose of Chapter 26 only)	<p>Means the area around and/or adjacent to a heritage feature listed under the Inventory of Listed Heritage Features in Section 26.8 and defined under 26.8.1, which is integral to its function, meaning, and relationships, and which is contained in the same legal title as the heritage feature listed on the Inventory of Listed Heritage Features.</p> <p>(Refer also to the definition of 'Extent of Place').</p>
Showroom	Means any defined area of land or a building given over solely to the display of goods. No retailing is permitted unless otherwise specifically provided for in the zone in which the land or building is located.

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<sup>8</sup> From section 315 of the Local Government Act 1974

Sign and Signage	<p>Means:</p> <ul style="list-style-type: none"> <li>a. any external name, figure, character, outline, display, excluding a display of physical goods or products available for sale on the premises, delineation, announcement, design, logo, mural or other artwork, poster, handbill, banner, captive balloon, flag, flashing sign, flatboard, free-standing sign, illuminated sign, moving signs, roof sign, sandwich board, streamer, billboard sign or any other thing of a similar nature which is: <ul style="list-style-type: none"> <li>i. intended to attract attention; and</li> <li>ii. visible from a road or any public place;</li> </ul> </li> <li>b. all material and components comprising the sign, its frame, background, structure, any support and any means by which the sign is attached to any other thing:</li> <li>c. corporate colour schemes;</li> <li>d. any sign written vehicle/trailer or any advertising media attached to a vehicle/trailer.</li> </ul>
Sign Area	<p>Means the surface area of a sign, and includes</p> <ul style="list-style-type: none"> <li>a. all the area actually or normally enclosed, as the case may be, by the outside of a line drawn around the sign and enclosing the sign; and</li> <li>b. the entire area coloured with a corporate colour scheme.</li> </ul>

<p>Sign Types</p>	<p><b>Above Ground Floor Sign:</b> means a sign attached to a building above the verandah or above 3 metres in height from the ground.</p> <p><b>Arcade Directory Sign:</b> means an externally located sign which identifies commercial activities that are accessed internally within a building or arcade.</p> <p><b>Banner:</b> means any sign made of flexible material, suspended in the air and supported on more than one side by poles or cables.</p> <p><b>Billboard Sign</b> means any sign, including located in a digital signage platform, that is for purely commercial brand awareness purposes and which does not relate to land use activity conducted on the site.</p> <p><b>Digital Sign:</b> means an internally lit sign that displays electronic messages (text) and/or images.</p> <p><b>Digital Signage Platform:</b> means a physical area specifically for the purpose of displaying digital signage.</p> <p><b>Flag:</b> means any sign made of flexible material attached by one edge to a staff or halyard and includes a flagpole.</p> <p><b>Flashing Sign:</b> means an intermittently illuminated sign. Excludes digital signs.</p> <p><b>Flat Board Sign:</b> means a portable flat board sign which is not self-supporting.</p> <p><b>Free Standing Sign:</b> means any sign which has a structural support or frame that is directly connected to the ground and which is independent of any other building or structure for its support; and includes a sign on a fence (excludes temporary construction signs).</p> <p><b>Moving Sign:</b> means a sign other than a flag or a banner that is intended to physically move. Excludes digital signs.</p> <p><b>Off-Site Sign:</b> means a sign which</p> <ul style="list-style-type: none"> <li>a. does not relate to goods or services available at the site where the sign is located;</li> <li>b. is not a Billboard Sign; and</li> <li>c. is not a Temporary Event Sign.</li> </ul> <p><b>Roof Sign:</b> means any sign painted on or attached to a roof and any sign projecting above the roof line or parapet of the building to which it is attached.</p>
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	<p><b>Sandwich Board:</b> means a self-supporting and portable sign.</p> <p><b>Signage Platform:</b> means a physical area identified for the purpose of signage.</p> <p><b>Static Signage Platform:</b> means a signage platform for the purpose of displaying any sign type other than a digital sign.</p> <p><b>Temporary Construction Sign:</b> Means a sign within a construction site for the purpose of site management, including for directing vehicle movements and site safety, and also includes sign-written fabric or wind-break material attached to a fence within a construction site.</p> <p><b>Temporary Event Sign:</b> means any sign established for the purpose of advertising or announcing a single forthcoming temporary event, function or occurrence including carnivals, fairs, galas, market days, meetings exhibitions, parades, rallies, filming, sporting and cultural events, concerts, shows, musical and theatrical festivals and entertainment; but does not include Electioneering Signs, Real Estate Signs, Temporary Construction Signs, a Temporary Land Development Sign, Off-Site Signs or Temporary Sale Signs.</p> <p><b>Temporary Land Development Sign:</b> means a sign advertising or announcing a new or proposed development or subdivision.</p> <p><b>Temporary Sale Sign:</b> means any sign established for the purpose of advertising or announcing the sale of products at special prices.</p> <p><b>Under Verandah Sign:</b> means a sign attached to the underside of a verandah.</p> <p><b>Upstairs Entrance Sign:</b> means a sign which identifies commercial activities that are located upstairs within a building.</p> <p><b>Wall Sign:</b> means a sign attached to the wall of a building.</p>
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<p>Significant Trimming (For the purposes of Chapters 24 and 32 only)</p>	<p>Means the removal of more than 10% of the live foliage from the canopy of the tree or structural scaffold branches.</p>
<p>Site</p>	<p>Means: Any area of land which meets one of the descriptions set out below:</p> <p>a. An area of land which is:</p> <ul style="list-style-type: none"> <li>i. Comprised of one allotment in one certificate of title, or two or more contiguous allotments held together in one certificate of title, in such a way that the allotments cannot be dealt with separately without the prior consent of the council; or</li> <li>ii. Contained in a single lot on an approved survey plan of subdivision for which a separate certificate of title could be issued without any further consent of the council;</li> </ul> <p>Being in any case the smaller area of clauses i. or ii. above; or</p> <p>b. An area of land which is composed of two or more contiguous lots held in two or more certificates of title where such titles are:</p> <ul style="list-style-type: none"> <li>i. Subject to a condition imposed under section 75 of the Building Act 2004; or</li> <li>ii. Held together in such a way that they cannot be dealt with separately without the prior consent of the council; or</li> </ul> <p>c. An area of land which is:</p> <ul style="list-style-type: none"> <li>i. Partly made up of land which complies with clauses (a) or (b) above; and</li> <li>ii. Partly made up of an interest in any airspace above or subsoil below a road where (a) and (b) are adjoining and are held together in such a way that they cannot be dealt with separately without the prior approval of the council;</li> </ul> <p>Except in relation to each description that in the case of land subdivided under the Unit Titles Act 1972 and 2010, the cross lease system or stratum subdivision, 'site' must be deemed to be the whole of the land subject to the unit development, cross lease or stratum subdivision.</p>
<p>Ski Area Activities</p>	<p>Means the use of natural and physical resources for the purpose of establishing, operating and maintaining the following activities and structures:</p> <ul style="list-style-type: none"> <li>a. recreational activities either commercial or non-commercial;</li> <li>b. passenger lift systems;</li> <li>c. use of snow groomers, snowmobiles and 4WD vehicles for support or operational activities;</li> <li>d. activities ancillary to commercial recreational activities including avalanche safety, ski patrol, formation of snow trails and terrain;</li> <li>e. installation and operation of snow making infrastructure including reservoirs, pumps and snow makers; and</li> </ul>

	<p>f. in the Waiorau Snow Farm Ski Area Sub-Zone vehicle and product testing activities, being activities designed to test the safety, efficiency and durability of vehicles, their parts and accessories.</p>
Ski Area Sub-Zone Accommodation	<p>Means the use of land or buildings for short-term living accommodation for visitor, guest, worker, and</p> <p>a. includes such accommodation as hotels, motels, guest houses, bunkhouses, lodges and the commercial letting of a residential unit; and</p> <p>b. may include some centralised services or facilities such as food preparation, dining and sanitary facilities, conference, bar and recreational facilities if such facilities are ancillary to the accommodation facilities; and</p> <p>c. is limited to visitors, guests or workers, visiting and or working in the respective Ski Area Sub-Zone.</p>
Sloping Site	<p>Means a site where the ground slope is greater than 6 degrees (i.e. greater than 1 in 9.5). Ground slope in relation to building height shall be determined by measurement over the extremities of each building elevation. Where any elevation indicates a ground slope of greater than 6 degrees (i.e. greater than 1 in 9.5), rules applicable to sloping sites will apply.</p>
Small and Community-Scale Distributed Electricity Generation	<p>Means renewable electricity generation for the purpose of using electricity on a particular site, or supplying an immediate community, or connecting into the distribution network.</p>
Small Cells Unit	<p>Means a device:</p> <p>a. that receives or transmits radio communication or telecommunication signals; and</p> <p>b. the volume of which (including any ancillary equipment, but not including any cabling) is not more than 0.11m<sup>3</sup>.</p>
Solar Electricity Generation	<p>Means the conversion of the sun's energy directly into electrical energy. The most common device used to generate electricity from the sun is photovoltaics (PV). This may include free standing arrays, solar arrays attached to buildings or building integrated panels.</p>
Solar Water Heating	<p>Means devices that heat water by capturing the sun's energy as heat and transferring it directly to the water or indirectly using an intermediate heat transfer fluid. Solar water heaters may include a solar thermal collector, a water storage tank or cylinder, pipes, and a transfer system to move the heat from the collector to the tank.</p>
Staff (For the purposes of Chapter 29 only)	<p>Means full time staff or full time staff equivalent. Provision for a full time staff equivalent is based on recognition of the fact that some businesses are operated in shifts.</p>
Stand-Alone Power Systems (SAPS)	<p>Means off-grid generation for activities including residential, visitor and farming activities, on remote sites that do not have connection to the local distribution network. SAP's will usually include battery storage, a backup generator, an inverter and controllers etc., as well as generation technologies such as solar, mini or micro hydro, wind electricity generation or a combination thereof.</p>



Structure	Means any building, equipment device or other facility made by people and which is fixed to land and includes any raft.
Structure Plan	Means a plan included in the district plan, and includes spatial development plans, concept development plans and other similarly titled documents.
Subdivision	Means: <ul style="list-style-type: none"> <li>a. the division of an allotment: <ul style="list-style-type: none"> <li>i. by an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of the allotment; or</li> <li>ii. by the disposition by way of sale or offer for sale of the fee simple to part of the allotment; or</li> <li>iii. by a lease of part of the allotment which, including renewals, is or could be for a term of more than 35 years; or</li> <li>iv. by the grant of a company lease or cross lease in respect of any part of the allotment; or</li> <li>v. by the deposit of a unit plan, or an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of a unit on a unit plan; or</li> </ul> </li> <li>b. an application to the Registrar-General of Land for the issue of a separate certificate of title in circumstances where the issue of that certificate of title is prohibited by section 226.</li> </ul>
Subdivision and Development	Includes subdivision, identification of building platforms, any buildings and associated activities such as roading, earthworks, lighting, landscaping, planting and boundary fencing and access/gateway structures.
Tavern	Means any premises used or intended to be used in the course of business principally for the provision to the public of liquor and other refreshments but does not include an airport bar.
Technical Arborist (For the purposes of Chapter 32 only)	Means a person who: <ul style="list-style-type: none"> <li>a. by possession of a recognised arboricultural degree or diploma and on-the-job experience is familiar with the tasks, equipment and hazards involved in arboricultural operations; and</li> <li>b. has demonstrated proficiency in tree inspection and evaluating and treating hazardous trees; and</li> <li>c. has demonstrated competency to Level 6 NZQA Diploma in Arboriculture standard or Level 4 NZQA Certificate in Horticulture (Arboriculture) standard (or be of an equivalent arboricultural standard).</li> </ul>
Temporary Activities	Means the use of land, buildings, vehicles and structures for the following listed activities of short duration, limited frequency and outside the regular day-to-day use of a site: <ul style="list-style-type: none"> <li>a. temporary events;</li> <li>b. temporary filming;</li> <li>c. temporary activities related to building and construction;</li> </ul>

	<ul style="list-style-type: none"> <li>d. temporary military training;</li> <li>e. temporary storage;</li> <li>f. temporary utilities;</li> <li>g. temporary use of a site as an informal airport as part of a temporary event.</li> </ul>
Temporary Events	<p>Means the use of land, buildings, tents and marquees, vehicles and structures for the following activities:</p> <ul style="list-style-type: none"> <li>a. carnivals;</li> <li>b. fairs;</li> <li>c. festivals;</li> <li>d. fundraisers;</li> <li>e. galas;</li> <li>f. market days;</li> <li>g. meetings;</li> <li>h. exhibitions;</li> <li>i. parades;</li> <li>j. rallies;</li> <li>k. cultural and sporting events;</li> <li>l. concerts;</li> <li>m. shows;</li> <li>n. weddings;</li> <li>o. funerals;</li> <li>p. musical and theatrical entertainment, and</li> <li>q. uses similar in character.</li> </ul> <p>Note: The following activities associated with Temporary Events are not regulated by the PDP:</p> <ul style="list-style-type: none"> <li>a. Food and Beverage;</li> <li>b. Sale of Alcohol.</li> </ul>
Temporary Filming Activity	Means the temporary use of land and buildings for the purpose of commercial video and film production and includes the setting up and dismantling of film sets, and associated facilities for staff.
Temporary Military Training Activity (TMTA)	Means a temporary military activity undertaken for defence purposes. Defence purposes are those in accordance with the Defence Act 1990.
Total Demolition (For the purposes of Chapter 26 only)	Means the demolition of the heritage fabric of a heritage feature equal to or exceeding 70% by volume or area whichever is greater. Volume is measured from the outermost surface of the heritage feature (including any surfaces below ground) and the area is measured by the footprint of the heritage feature.

Trade Supplier	<p>Means a business that is a mixture of wholesaling and retailing goods in one or more of the following categories:</p> <ol style="list-style-type: none"> <li>a. automotive and marine suppliers;</li> <li>b. building suppliers;</li> <li>c. catering equipment suppliers;</li> <li>d. farming and agricultural suppliers;</li> <li>e. garden and patio suppliers</li> <li>f. hire services (except hire or loan of books, video, DVD and other similar home entertainment items);</li> <li>g. industrial clothing and safety equipment suppliers; and</li> <li>h. office furniture, equipment and systems suppliers.</li> </ol>
Trade Wastes	<p>Means any water that is used in a commercial or industrial process, and is then discharged to the Council's waste water system.</p>
Trail	<p>Means any public access route legally created by way of a grant of easement registered after 11 December 2007 for the purpose of providing public access in favour of the Queenstown Lakes District Council, the Crown or any of its entities, and specifically excludes:</p> <ol style="list-style-type: none"> <li>a. roads, including road reserves;</li> <li>b. public access easements created by the process of tenure review under the Crown Pastoral Land Act; and</li> <li>c. public access routes over any reserve administered by Queenstown Lakes District Council, the Crown or any of its entities.</li> </ol>
Transport Infrastructure	<p>Means:</p> <ul style="list-style-type: none"> <li>• footpaths, footways and footbridges, bridges for roads, tunnels, retaining walls for roads;</li> <li>• site access including vehicle crossings;</li> <li>• the road carriageway including widening;</li> <li>• bicycle paths and parking facilities, including electric bicycle and electric vehicle charging stations;</li> <li>• road lighting and support structures;</li> <li>• engineering measures (road markings, rumble strips, removal of roadside hazards, barriers, widened road margins, improving skid resistance, improving road geometry on bends and at intersections, fine tuning of signalised intersections, improving visibility at non-signalised intersections, fencing, speed humps, traffic separators);</li> <li>• public transport facilities and systems and supporting ancillary equipment and structures including seats, shelters, real time information systems and ticketing facilities, bicycle storage, and cabinets;</li> <li>• traffic control devices (including traffic islands, pedestrian crossings and roundabouts and intersection controls), traffic and cycle monitoring devices, traffic signals and support structures, cabinets and ancillary equipment associated with traffic signals;</li> </ul>

	<ul style="list-style-type: none"> <li>• devices and structures to implement regulatory controls (no stopping, no overtaking, parking control, bus lane controls, vehicle restrictions) including parking meters and pay and display kiosks, and speed cameras and red light/traffic cameras;</li> <li>• parking; and</li> <li>• any other structures required for transport activities on land in relation to the establishment of roads, cycleways, walkways, rail, or any other means.</li> </ul>
Transport Network	Means the public roading network, all transport infrastructure, park and ride, public transport facilities, and the on-road and off-road public transport network and active transport network.
Unit	Means any residential unit, or visitor accommodation unit of any type.
Unformed road (For the purposes of Chapter 29 only)	Means land that is vested or dedicated as road that has never been formed in full or in part.
Urban Development	Means development which is not of a rural character and is differentiated from rural development by its scale, intensity, visual character and the dominance of built structures. Urban development may also be characterised by a reliance on reticulated services such as water supply, wastewater and stormwater and by its cumulative generation of traffic. For the avoidance of doubt, a resort development in an otherwise rural area does not constitute urban development, nor does the provision of regionally significant infrastructure within rural areas.
Urban Growth Boundary	Means a boundary shown on the District Plan web mapping application which provides for and contains existing and future urban development within an urban area.
Utility	Means the systems, services, structures and networks necessary for operating and supplying essential utilities and services to the community including: <ul style="list-style-type: none"> <li>a. substations, transformers, lines and necessary and incidental structures and equipment for the transmissions and distribution of electricity;</li> <li>b. pipes and necessary incidental structures and equipment for transmitting and distributing gas;</li> <li>c. storage facilities, pipes and necessary incidental structures and equipment for the supply and drainage of water or sewage;</li> <li>d. water and irrigation races, drains, channels, pipes and necessary incidental structures and equipment (excluding water tanks);</li> <li>e. structures, facilities, plant and equipment for the treatment of water;</li> <li>f. structures, facilities, plant, equipment and associated works for receiving and transmitting telecommunications and radio communications;</li> <li>g. structures, facilities, plant, equipment and associated works for monitoring and observation of meteorological activities and natural hazards;</li> <li>h. structures, facilities, plant, equipment and associated works for the protection of the community from natural hazards;</li> </ul>

	<ul style="list-style-type: none"> <li>i. structures, facilities, plant and equipment necessary for navigation by water or air;</li> <li>j. waste management facilities;</li> <li>k. flood protection works; and</li> <li>l. anything described as a network utility operation in s166 of the Resource Management act 1991.</li> </ul> <p>Utility does not include structures or facilities used for electricity generation, the manufacture and storage of gas, or the treatment of sewage.</p>
Vehicle control point (For the purposes of Chapter 29 only)	Means a point on a vehicle access route controlled by a barrier (or similar means) at which a vehicle is required to stop, or a point where conflict with vehicles already on the site may arise. For example, a point where vehicles on the access route may need to wait for a vehicle reversing from a parking space on the site or queueing for a service station filling point).
Vehicle Crossing	Means the formed and constructed vehicle entry/exit from the carriageway of any road up to and including that portion of the road boundary of any site across which vehicle entry or exit is obtained to and from the site, and includes any culvert, bridge or kerbing.
Verandah	Means a roof of any kind which extends out from a face of a building and continues along the whole of that face of the building.
Visitor Accommodation	<p>Means the use of land or buildings to provide accommodation for paying guests where the length of stay for any guest is less than 90 nights; and</p> <ul style="list-style-type: none"> <li>i. Includes camping grounds, motor parks, hotels, motels, backpackers' accommodation, bunkhouses, tourist houses, lodges, timeshares and managed apartments; and</li> <li>ii. Includes services or facilities that are directly associated with, and ancillary to, the visitor accommodation, such as food preparation, dining and sanitary facilities, conference, bar, recreational facilities and others of a similar nature if such facilities are associated with the visitor accommodation activity. The primary role of these facilities is to service the overnight guests of the accommodation however they can be used by persons not staying overnight on the site.</li> <li>iii. Includes onsite staff accommodation.</li> <li>iv. Excludes Residential Visitor Accommodation and Homestays.</li> </ul>
Visually Permeable	<p>In reference to a wall, gate, door or fence:</p> <p>Means continuous vertical or horizontal gaps of at least 50mm width occupying not less than one third of its face in aggregate of the entire surface or where narrower than 50mm, occupying at least one half of the face in aggregate.</p>
Waste	Means any contaminant, whether liquid solid, gaseous, or radioactive, which is discharged, emitted or deposited in the environment in such volume, constituency or manner as to cause an adverse effect on the environment, and which includes all unwanted and economically unusable by-products at any given place and time, and any other matters which may be discharged accidentally or otherwise, to the environment. Excludes cleanfill.

Waste Management Facility	Means a site used for the deposit of solid wastes onto or into land, but excludes: <ul style="list-style-type: none"> <li>a. sites situated on production land in which the disposal of waste generated from that land takes place, not including any dead animal material or wastes generated from any industrial trade or process on that productive land;</li> <li>b. sites used for the disposal of vegetative material. The material may include soil that is attached to plant roots and shall be free of hazardous substances and wastes; and</li> <li>c. sites for the disposal of clean fill.</li> </ul>
Waterbody	Means fresh water or geothermal water in a river, lake, stream, pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area <sup>9</sup> .
Wetland	Includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions <sup>10</sup> .
Wind Electricity Generation	Means the conversion of the energy from wind into electricity, through the use of the rotational motion. A wind turbine may be attached to a building or freestanding. Wind turbine components may include blades, nacelle, tower and foundation. This definition shall include masts for wind monitoring.
Works Within the Root Protection Zone (For the Purpose of Chapter 32 only)	Means works including paving, excavation, trenching, ground level changes, storage of materials or chemicals, vehicle traffic, vehicle parking, soil compaction, construction activity, whether on the same site or not as the tree.
2037 Noise Contours	Means the predicted airport noise contours for Queenstown airport for the year 2037 in 1dB increments from 70dB Ldn to 55dB Ldn inclusive. Note: These contours shall be available from the council and included in the airport noise management plan.
2037 60 dB Noise Contours	Means the predicted 60 dB Ldn noise contour for Queenstown airport for 2037 based on the 2037 noise contours.

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<sup>9</sup> From Section 2 of the Act

<sup>10</sup> From Section 2 of the Act

## 2.2 Acronyms Used in this Plan

Listed below are acronyms used within the plan. They do not include the acronyms of names of activity areas identified within structure plans adopted under the PDP.

AANC	Projected annual aircraft noise contour
AMI	Area median income
ANB	Air noise boundary
ASAN	Activity sensitive to aircraft noise
C	Controlled
CIA	Cultural Impact Assessment
CPI	Consumer price index
CPTED	Crime prevention through environmental design
dB	Decibels
D	Discretionary
Ecm	Equivalent car movements
GFA	Gross floor area
GHOA	Glenorchy Heritage Overlay Area
HD	Hanley Downs
LAR	Limited access roads
LENZ	Land Environments New Zealand
MHOA	Macetown Heritage Overlay Area
NC	Non-complying
NES	National Environmental Standard
NESETA	Resource Management (National Environmental Standard for Electricity Transmission Activities) Regulations 2009
NOR	Notice of requirement
NZTA	New Zealand Transport Agency

OCB	Outer control boundary
ONF	Outstanding natural feature
ONL	Outstanding natural landscape
P	Permitted
PFA	Public floor area
PR	Prohibited
PV	Photovoltaics
RCL	Rural character landscape
RD	Restricted discretionary
REG	Renewable electricity generation
RMA	Resource Management Act 1991
SAPS	Stand-alone power systems
SEL	Sound exposure level
SHOA	Skippers Heritage Overlay Area
SMLHOA	Sefferton and Moke Lake Heritage Overlay Area
SNA	Significant natural areas
UGB	Urban growth boundary
Vpd	Vehicles per day



## 2.3 Glossary

<b>Ahi kā</b>	Continued occupation according to the customary law of Māori tenure (“keeping the fires burning”).
<b>Ara Tawhito</b>	Trails and routes. A network of trails crossed the region linking the permanent villages with seasonal inland campsites and the coast, providing access to a range of mahika kai resources and inland stone resources, including pounamu and silcrete.
<b>Awa</b>	River.
<b>Hapū</b>	Sub-tribe, extended whanau.
<b>Iwi</b>	Tribe.
<b>Ngāi Tahu/ Kāi Tahu</b>	The collective of individuals who descend from Ngāi Tahu, Kāti Māmoe and Waitaha who are Manawhenua in the Queenstown Lakes District.
<b>Kāika</b>	Settlement
<b>Kaitiaki</b>	Guardian.
<b>Kaitiakitanga/ Kaitiakitaka</b>	The exercise of customary custodianship, in a manner that incorporates spiritual matters, by tangata whenua who hold Manawhenua status for a particular area or resource.
<b>Ki Uta Ki Tai</b>	Mountains to the sea.
<b>Mahinga Kai/ Mahika Kai</b>	Mahinga kai refers to the gathering of food and natural materials, the places where those resources are sourced, and the traditions, customs and collection methods. Mahinga kai remains one of the cornerstones of Ngāi Tahu culture.
<b>Mana</b>	Authority, control, influence, prestige and power.
<b>Manawhenua</b>	Those who exercise customary authority or rangatiratanga.
<b>Mauri</b>	Life supporting capacity.
<b>Maunga/ Mauka</b>	Important mountains. Mountains are of great cultural importance to Ngāi Tahu. Many are places of spiritual presence, and prominent peaks in the District are linked to Ngāi Tahu creation stories, identity and mana.
<b>Mōkihi</b>	Raft made of bundles of raupō, flax stalks or rushes. These were used to navigate the inland lakes and rivers.
<b>Nohoanga/ Nohoaka</b>	A network of seasonal settlements. Ngāi Tahu were based largely on the coast in permanent settlements, and travelled inland on a seasonal basis. Iwi history shows, through place names and whakapapa, continuous occupation of a network of seasonal settlements, which were distributed along the main river systems from the source lakes to the sea.
<b>Pā site</b>	Fortified settlement.
<b>Papakāinga/ Papakāika</b>	Permanent settlement or settlement on traditional land.

<b>Papatipu Rūnanga/ Rūnaka</b>	Local Manawhenua representative group or community system of representation.
<b>Pounamu</b>	Nephrite, greenstone, jade.
<b>Rāhui</b>	Restriction on access to a specific resource for a particular time.
<b>Rangātiratanga/Rakatirataka</b>	Chieftainship, decision-making rights.
<b>Repo Raupo</b>	Wetlands or swamps. These provide valuable habitat for taonga species and mahinga kai resources.
<b>Rohe</b>	Boundary.
<b>Tangata whenua</b>	The iwi or hapū that holds mana whenua in a particular area.
<b>Takiwā</b>	Area, region, district.
<b>Tauranga waka/Tauraka waka</b>	Waka (canoe) mooring site.
<b>Te Ao Tūroa</b>	The natural environment
<b>Tikanga/ Tikaka</b>	Lore and custom, customary values and practices.
<b>Tōpuni</b>	Named for the Tōpuni cloak worn by Ngāi Tahu rangatira.
<b>Tūāhu</b>	Sacred place.
<b>Tuhituhi neherā</b>	Rock art.
<b>Tūpuna/tīpuna</b>	Ancestor.
<b>Umu-tī</b>	Earth oven used for cooking tī kōuka (cabbage tree). These are found in a diversity of areas, including old stream banks and river terraces, on low spurs or ridges, and in association with other features, such as nohoaka/ nohoanga.
<b>Urupā</b>	Burial place.
<b>Wāhi kōhatu</b>	Rock outcrops. Rock outcrops provided shelters and were intensely occupied by Māori from the moa-hunter period into early European settlement during seasonal hikoi. Tuhituhi neherā may be present.
<b>Wāhi taonga/ Wāhi taoka</b>	Resources, places and sites treasured by tangata whenua. These valued places reflect the long history and association of Ngāi Tahu with the Queenstown Lakes District.
<b>Wāhi Tapu</b>	Places sacred to tangata whenua.
<b>Wāhi tohu</b>	Features used as location markers within the landscape. Prominent landforms formed part of the network of trails along the coast and inland. These acted as fixed point locators in the landscape for travellers and are imbued with history.
<b>Wāhi Tūpuna</b>	Landscapes and places that embody the relationship of Manawhenua and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga.

<b>Wāi Māori</b>	Freshwater areas valued by Ngāi Tahu including wai puna (springs), roto (lakes) and awa (rivers).
<b>Wairua</b>	Life principle, spirit.
<b>Wānanga/ Wānaka</b>	Customary learning method.
<b>Whakapapa</b>	Genealogy.
<b>Whānau</b>	Family.

Note:

- Changes from previous Consent Order dated 28 May 2021 are in blue underlined text and ~~strikeout~~
- Changes from this Consent Order are in black underlined text and ~~strikeout~~

## 7 Lower Density Suburban Residential

**Please note: Variations to parts of this chapter have been decided by Council on 18 March 2021 as part of Stage 3&3b of the PDP. You can view the Stage 3 Decisions and appeals notices on our website. The appeals and section 274 periods for the Stage 1 and 2 Decisions have closed.**

### 7.1 Zone Purpose

The Lower Density Suburban Residential Zone is the largest residential zone in the District. The District Plan includes such zoning that is within the urban growth boundaries, and includes land that has already been developed - as well as areas that will continue to be developed over time.

Fundamentally the zone provides for both traditional and modern suburban densities and housing forms. Houses will typically be one to two storeys in height, detached and set on sites between 450 and 1000 square metres in area. In addition, and to help meet the needs of the community, the zone also enables increased density by allowing sites down to 300 square metres in area and larger comprehensively designed developments. In addition, non-subdividable residential flats that can be occupied by an independent household are enabled. The overall range of net household densities (including residential flats) could be as high as 1 unit per 150 square metres or as low as 1 unit per 1,000 square metres (or even less). The zone will help to provide a more diverse and affordable housing stock within the District.

Community activities are anticipated in the zone provided adverse effects can be suitably addressed, as these activities are often best located within the residential communities they serve. Home occupations are also provided for.

Commercial activities are generally not anticipated other than those that are residential-compatible and small-scale, however may be accommodated where necessary to address a demonstrated local need provided residential amenity is not compromised

Visitor accommodation is anticipated in the Visitor Accommodation Sub-Zones shown on the District Plan web mapping application, which have historically provided (and will continue to provide) important locations for visitor accommodation to meet the District's needs. The sub-zones are located in residential areas, and applications for visitor accommodation activities and associated development must address matters that impact on residential amenity, including character, traffic

and noise effects. Visitor accommodation located outside of the Visitor Accommodation Sub-Zones is restricted.

The commercial letting of residential properties as short-term accommodation for paying guests on a year-round or permanent basis is restricted where it would result in a loss of residential character, cohesion and amenity values. Low intensity use of residential units, including residential flats, to accommodate paying guests is enabled where the predominant residential character of the environment is retained and the residential amenity values of nearby residents are maintained.

Visitor Accommodation is defined in the District Plan separately from accommodation activities involving paying guests occurring in residential units and residential flats, which are defined as Residential Visitor Accommodation and Homestay activities.

## **7.2 Objectives and Policies**

### **7.2.1 Objective - Development within the zone provides for a mix of compatible suburban densities and a high amenity low density residential living environment for residents as well as users of public spaces within the zone.**

#### **Policies**

- 7.2.1.1 Ensure the zone and any development within it is located in areas that are well serviced by public infrastructure, and is designed in a manner consistent with the capacity of infrastructure networks.
- 7.2.1.2 Encourage an intensity of development that maximises the efficient use of the land in a way that is compatible with the scale and character of existing suburban residential development, and maintains suburban residential amenity values including predominantly detached building forms, and predominantly one to two storey building heights.
- 7.2.1.3 Ensure that the height, bulk and location of development maintains the suburban-intensity character of the zone, and maintains the amenity values enjoyed by users of neighbouring properties, in particular, privacy and access to sunlight.
- 7.2.1.4 Require, as necessary, all new buildings, relocated buildings and additions and alterations to existing buildings that contain an Activity Sensitive to Road Noise located adjacent to a State Highway to be designed to maintain internal residential amenity values and, in particular provide protection to sleeping occupants from road noise.
- 7.2.1.5 Require consideration of the relevant design elements identified in the Residential Zone Design Guide 2021.
- 7.2.1.6 Require buildings and development within Kawarau Heights to be:
  - a. located in accordance with the Structure Plan contained in Section 27.13.15; and
  - b. consistent with the design outcomes sought by the Kawarau Heights Design Guidelines 2020.
- 7.2.1.7 Require all bedrooms within new or relocated buildings located within 250m of the Riverbank Road frost fan (as identified on the Riverbank Road Structure Plan contained in Section 27.13.18) to be designed to maintain internal residential amenity values and protection to sleeping occupants from frost fan noise.

## PART 3 LOWER DENSITY SUBURBAN RESIDENTIAL 7

**7.2.2 Objective - Development of Activities Sensitive to Aircraft Noise is limited within the Queenstown Airport Air Noise Boundary and Outer Control Boundary in recognition of the amenity (noise) constraints now and also likely in the foreseeable future as a result of its increasing intensity of operation and use.**

### Policies

7.2.2.1 Discourage the creation of any new sites or infill development for Activities Sensitive to Aircraft Noise within the Air Noise Boundary and between the Air Noise Boundary and the Outer Control Boundary on land around Queenstown Airport.

7.2.2.2 Require, as necessary, mechanical ventilation of any Critical Listening Environment within new buildings, relocated buildings, and any alterations and additions to existing buildings that contain an Activity Sensitive to Aircraft Noise within the Queenstown Airport Outer Control Boundary.

7.2.2.3 Require, as necessary, sound insulation and mechanical ventilation of any Critical Listening Environment within new buildings, relocated buildings, and any alterations and additions to existing buildings that contain an Activity Sensitive to Aircraft Noise within the Queenstown Airport Air Noise Boundary.

**7.2.3 Objective - Encourage higher density development where it responds sensitively to the context and character of the locality and is designed to maintain local amenity values.**

### Policies

7.2.3.1 Encourage densities higher than 1:450 square metres per residential unit where this is designed to fit well with the immediate context, with particular significance attached to the way the development:

- a. manages dominance effects on neighbours through measures such as deeper setbacks, sensitive building orientation and design, use of building articulation and landscaping;
- b. achieves a reasonable level of privacy between neighbours through measures such as deeper boundary setbacks, offsetting habitable room windows that face each other, or the use of screening devices or landscaping;
- c. provides activation of streets through the placement of doors, windows and openings that face the street.

7.2.3.2 Limit building height on sites smaller than 900 square metres that are proposed to be developed for two or more principal units (i.e. excluding residential flats) so as to mitigate a reduction in spaciousness around and between buildings that otherwise forms part of suburban residential amenity values.

7.2.3.3 Encourage landscaped areas to be well-designed and integrated into the development layout and design, providing high amenity spaces for recreation and enjoyment, having particular regard to the visual amenity of streets and street frontages.

7.2.3.4 Provide for higher density development within Kawarau Heights that is consistent with the design outcomes sought by the Kawarau Heights Design Guidelines 2020.

**7.2.4 Objective - Residential development in Arrowtown compatible with the town's existing character**

**Policies**

7.2.4.1 Ensure development, including infill housing, community activities and commercial development is of a form that is compatible with the existing character of Arrowtown, guided by the Arrowtown Design Guidelines 2016, with particular regard given to:

- a. building design and form;
- b. scale, layout and relationship of buildings to the street frontage(s);
- c. materials and landscape response(s).

7.2.4.2 Avoid flat roofed dwellings in Arrowtown.

**7.2.5 Objective - Community activities serving the needs of people within the zone locate within the zone on sites where adverse effects are compatible with residential amenity values.**

**Policies**

7.2.5.1 Enable the establishment of community activities where adverse effects on residential amenity values including noise, traffic, lighting, glare and visual impact can be avoided, remedied or mitigated.

7.2.5.2 Ensure any community activities occur in areas which are capable of accommodating traffic, parking and servicing to a level which maintains residential amenity values.

7.2.5.3 Ensure any community activities are of a design, scale and appearance compatible with a residential context.

**7.2.6 Objective - Development efficiently utilises existing infrastructure and minimises impacts on infrastructure networks.**

**Policies**

7.2.6.1 Ensure access and vehicle parking is located and designed to optimise safety and efficiency of the road network and minimises impacts on on-street vehicle parking.

7.2.6.2 Ensure development is designed consistent with the capacity of existing infrastructure networks and, where practicable, incorporates low impact approaches to stormwater management and efficient use of potable water.

7.2.6.3 Integrate development with all transport networks and in particular, and where practicable, improve connections to public transport services and active transport networks (tracks, trails, walkways and cycleways).

**7.2.7 Objective - Commercial development in the zone is small scale and generates minimal amenity value impact**

## PART 3 LOWER DENSITY SUBURBAN RESIDENTIAL 7

### Policies

7.2.7.1 Provide commercial activities, including home occupation activities, that directly serve the day-to-day needs of local residents, or enhance social connection and vibrancy of the residential environment, provided these do not undermine residential amenity values or the viability of any nearby centre.

7.2.7.2 Ensure that any commercial development is of low scale and intensity, and does not undermine the local transport network or availability of on-street vehicle parking for non-commercial use.

7.2.7.3 Ensure that the noise effects from commercial activities are compatible with the surrounding environment and residential amenity values.

7.2.7.4 Ensure that commercial development is of a design, scale and appearance that is compatible with its surrounding residential context.

### **7.2.8 Objective - Visitor accommodation, residential visitor accommodation and homestays are enabled at locations, and at a scale, intensity and frequency, that maintain the residential character and amenity values of the zone.**

### Policies

7.2.8.1 Provide for visitor accommodation and residential visitor accommodation in the Visitor Accommodation Sub-Zones that are appropriate for the low density residential environment, ensuring that adverse effects on residential amenity values are avoided, remedied or mitigated.

7.2.8.2 Restrict the establishment of visitor accommodation in locations outside the Visitor Accommodation Sub-Zones to ensure that the zone maintains a residential character.

7.2.8.3 Ensure that residential visitor accommodation and homestays are of a scale and character that are compatible with the surrounding residential context and maintain residential character and amenity values.

7.2.8.4 Provide opportunities for low intensity residential visitor accommodation and homestays as a contributor to the diversity of accommodation options available to visitors and to provide for social and economic wellbeing.

7.2.8.5 Manage the effects of residential visitor accommodation and homestays outside the Visitor Accommodation Sub-Zone by controlling the scale, intensity and frequency of use and those effects of the activities that differentiate them from residential activities.

## **7.3 Other Provisions and Rules**

### **7.3.1 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 & Rural Character
25. Earthworks	26. Historic Heritage	27. Subdivision



28. Natural Hazards	29. Transport	30. Energy and Utilities
31. Signs	32. Protected Trees	33. Indigenous Vegetation
34. Wilding Exotic Trees	35. Temporary Activities & Relocated Buildings	36. Noise
37. Designations	District Plan web mapping application	

**7.3.2 Interpreting and Applying the Rules**

- 7.3.2.1 A permitted activity must comply with all the rules listed in the Activity and Standards tables, and any relevant district wide rules, otherwise a resource consent will be required.
- 7.3.2.2 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.
- 7.3.2.3 Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.
- 7.3.2.4 Proposals for development resulting in more than one (1) residential unit per site shall demonstrate that each residential unit is fully contained within the identified net area for each unit.
- 7.3.2.5 Each residential unit may include a single residential flat and any other accessory buildings.
- 7.3.2.6 References to the Visitor Accommodation Sub-Zones in this Chapter only apply to the sub-zones within the Lower Density Suburban Residential Zone.
- 7.3.2.7 The status of any Plantation Forestry will be determined by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.
- 7.3.2.8 For sites in Kawarau Heights (as identified in the Structure Plan in Section 27.13.15), the Kawarau Heights Design Guidelines 2020 apply, instead of the Residential Zone Design Guide 2019.
- 7.3.2.9 The following abbreviations are used within this Chapter.

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

- 7.3.2.9A Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances ("NZECP34:2001") is mandatory under the Electricity Act 1992. All activities, such as buildings, earthworks and conductive fences regulated by NZECP34:2001, including any activities that are otherwise permitted by the District Plan must comply with this

## PART 3 LOWER DENSITY SUBURBAN RESIDENTIAL 7

legislation. Chapter 30 Energy and Utilities part 30.3.3.2.c has additional information in relation to activities and obligations under NZECP34:2001.

7.3.2.10 For sites in Arrowtown, the Arrowtown Design Guidelines 2016 apply, instead of the Residential Zone Design Guide 2021.

### 7.4 Rules - Activities

	Activities located in the Lower Density Suburban Residential Zone	Activity status
7.4.1	Home occupations	P
7.4.2	Informal airports for emergency landings, rescues and fire fighting	P
7.4.3	Residential units, where the density of development does not exceed one residential unit per 450m <sup>2</sup> net area	P
7.4.4	Hospital at the 'Lakes District Hospital Site' shown on the District Plan web mapping application	P
7.4.5	Homestays	P
7.4.6	<p>Residential Visitor Accommodation</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> <li>a. The scale of the activity, including the number of guests on site per night;</li> <li>b. The management of noise, use of outdoor areas, rubbish and recycling;</li> <li>c. The location, provision, use and screening of parking and access;</li> <li>d. The compliance of the residential unit with the Building Code as at the date of the consent;</li> <li>e. Health and safety provisions in relation to guests;</li> <li>f. Guest management and complaints procedures;</li> <li>g. The keeping of records of RVA use, and availability of records for Council inspection; and</li> <li>h. Monitoring requirements, including imposition of an annual monitoring charge.</li> </ul>	CP

**PART 3 LOWER DENSITY SUBURBAN RESIDENTIAL 7**

	<b>Activities located in the Lower Density Suburban Residential Zone</b>	<b>Activity status</b>
7.4.6A	<p>Visitor Accommodation in the Visitor Accommodation Sub- Zone</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. The location, nature and scale of activities;</li> <li>b. Parking and access;</li> <li>c. Landscaping;</li> <li>d. Noise generation and methods of mitigation;</li> <li>e. Hours of operation, including in respect of ancillary activities; and</li> <li>f. The external appearance of buildings.</li> </ul>	RD
7.4.7	<p>Commercial activities – 100m<sup>2</sup> or less gross floor area Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. benefits of the commercial activity in servicing the day-to-day needs of local residents;</li> <li>b. hours of operation;</li> <li>c. parking, traffic and access;</li> <li>d. noise;</li> <li>e. design, scale and appearance;</li> <li>f. in Arrowtown, consistency with Arrowtown’s character, as described within the Arrowtown Design Guidelines 2016; and</li> <li>g. where a site is subject to any natural hazard and the proposal results in an increase in gross floor area: <ul style="list-style-type: none"> <li>i. the nature and degree of risk the hazard(s) pose to people and property;</li> <li>ii. whether the proposal will alter the risk to any site; and</li> <li>iii. the extent to which such risk can be avoided or sufficiently mitigated.</li> </ul> </li> </ul>	RD

**PART 3 LOWER DENSITY SUBURBAN RESIDENTIAL 7**

	<b>Activities located in the Lower Density Suburban Residential Zone</b>	<b>Activity status</b>
7.4.8	<p>Residential Units, where the density of development exceeds one residential unit per 450m<sup>2</sup> net area but does not exceed one residential unit per 300m<sup>2</sup> net area, excluding sites located within the Air Noise Boundary or located between the Air Noise Boundary and Outer Control Boundary of Queenstown Airport.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. how the design advances housing diversity and promotes sustainability either through construction methods, design or function;</li> <li>b. privacy for occupants of the subject site and neighbouring sites;</li> <li>c. in Arrowtown, consistency with Arrowtown’s character, as described within the Arrowtown Design Guidelines 2016;</li> <li>d. street activation;</li> <li>e. building dominance;</li> <li>f. parking and access layout: safety, efficiency and impacts on on-street parking and neighbours;</li> <li>g. design and integration of landscaping;</li> <li>h. where a site is subject to any natural hazard and the proposal results in an increase in gross floor area:</li> <li>i. the nature and degree of risk the hazard(s) pose to people and property: <ul style="list-style-type: none"> <li>i. the nature and degree of risk the hazard(s) pose to people and property;</li> <li>ii. whether the proposal will alter the risk to any site; and</li> <li>iii. the extent to which such risk can be avoided or sufficiently mitigated.</li> </ul> </li> <li>j. In Kawarau Heights, consistency with the Kawarau Heights Design Guidelines 2020 and Structure Plan contained in Section 27.13.15.</li> <li>k. Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is located within the adjacent road, any adverse effects on that infrastructure.</li> </ul>	RD
7.4.9	Commercial recreation	D
7.4.10	Community activities, other than the hospital provided for by Rule 7.4.4	D
7.4.11	Retirement villages	D
7.4.12	Activities which are not listed in this table	NC
7.4.13	Commercial activities – greater than 100m <sup>2</sup> gross floor area	NC
7.4.14	Visitor Accommodation not otherwise identified	NC

**PART 3 LOWER DENSITY SUBURBAN RESIDENTIAL 7**

	<b>Activities located in the Lower Density Suburban Residential Zone</b>	<b>Activity status</b>
7.4.15	Airports not otherwise listed in this table	PR
7.4.16	Bulk material storage	PR
7.4.17	Factory Farming	PR
7.4.18	Fish or meat processing	PR
7.4.19	Forestry activities, except for Plantation Forestry where the Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017 prevails.	PR
7.4.20	Manufacturing and/or product assembling activities	PR
7.4.21	Mining	PR
7.4.22	Panel beating, spray painting, motor vehicle repair or dismantling, fibre glassing, sheet metal work, bottle or scrap storage, motor body building	PR
7.4.23	Any activity requiring an Offensive Trade Licence under the Health Act 1956	PR

**7.5A Rules – Standards for Restricted Discretionary and Discretionary Activities under Rules 7.4 and 7.5**

	<b>Standards for activities in the Lower Density Residential Zone</b>	<b>Non-compliance status</b>
7.5A.1	For all restricted discretionary and discretionary activities under Rules 7.4 and 7.5, applications for resource consent shall include a statement confirming that the relevant design elements from the Residential Zone Design Guide 2021 have been considered, including a summary of any particular aspects of the proposal that have resulted from that consideration.	NC

**7.5 Rules - Standards**

	<b>Standards for activities in the Lower Density Suburban Residential Zone</b>	<b>Non-compliance status</b>
7.5.1	<p>Building Height (for flat sites)</p> <p>7.5.1.1 Wānaka and Hāwea: Maximum of 7 metres.</p> <p>7.5.1.2 Arrowtown: Maximum of 6.5 metres.</p>	NC

**PART 3 LOWER DENSITY SUBURBAN RESIDENTIAL 7**

	<b>Standards for activities in the Lower Density Suburban Residential Zone</b>	<b>Non-compliance status</b>
	<p>7.5.1.3 Kawarau Heights: Maximum of 4.5m and 6m as identified on the Structure Plan in 27.13.15.</p> <p>7.5.1.4 All other locations: Maximum of 8 metres.</p>	
7.5.2	<p>Building Height (for sloping sites)</p> <p>7.5.2.1 Arrowtown: Maximum of 6 metres.</p> <p>7.5.2.2 Lake Avenue Height Restriction Area on the District Plan web mapping application: No building or any part of a building shall protrude through 343.50 MASL.</p> <p>7.5.2.3 In all other locations: Maximum of 7 metres.</p>	NC
7.5.3	<p>In addition to Rules 7.5.1 and 7.5.2, where a site is less than 900m<sup>2</sup> net area and more than 1 residential unit will result per site, the following height provisions apply:</p> <p>a. where residential units are proposed in addition to an existing residential unit, then the additional residential unit(s) shall not exceed 5.5m in height;</p> <p>b. where no residential units exist on the site, or where an existing residential unit is being demolished to provide for 2 or more new residential units on the site, then all proposed residential units shall not exceed 5.5m in height;</p> <p>c. items (a) and (b) above do not apply where a second residential unit is being created within an existing residential unit that is taller than 5.5m.</p>	D
7.5.4	<p>Airport Noise – Queenstown Airport (excluding any non-critical listening environments)</p> <p>7.5.4.1 Buildings within the Outer Control Boundary and Air Noise Boundary</p> <p>Buildings and alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise (ASAN) shall be designed to achieve an Indoor Design Sound Level of 40 dB Ldn within any Critical Listening</p>	NC

**PART 3 LOWER DENSITY SUBURBAN RESIDENTIAL 7**

	<b>Standards for activities in the Lower Density Suburban Residential Zone</b>	<b>Non-compliance status</b>
	<p>Environment, based on the 2037 Noise Contours.</p> <p>7.5.4.2 Compliance within the Air Noise Boundary (ANB)</p> <p>Compliance shall be demonstrated by either adhering to the sound insulation requirements in Rule 36.6.1 and installation of mechanical ventilation to achieve the requirements in Rule 36.6.2, or by submitting a certificate to the Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open.</p> <p>7.5.4.3 Compliance between the Outer Control Boundary (OCB) and the Air Noise Boundary (ANB)</p> <p>Compliance shall be demonstrated by either installation of mechanical ventilation to achieve the requirements in Rule 36.6.2 or by submitting a certificate to the Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open.</p>	
7.5.5	<p><b>Building Coverage</b></p> <p>A maximum of 40%.</p>	D
7.5.6	<p><b>Landscaped permeable surface coverage</b></p> <p>At least 30% of the site area shall comprise landscaped (permeable) surface.</p>	NC

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	<b>Standards for activities in the Lower Density Suburban Residential Zone</b>	<b>Non-compliance status</b>
7.5.7	<p>Recession plane:</p> <ul style="list-style-type: none"> <li>a. on flat sites applicable to all buildings;</li> <li>b. on sloping sites only applicable to accessory buildings.</li> </ul> <p>7.5.7.1 Northern boundary: 2.5m and 55 degrees.</p> <p>7.5.7.2 Western and eastern boundaries: 2.5m and 45 degrees.</p> <p>7.5.7.3 Southern boundary: 2.5m and 35 degrees.</p> <p>Exemptions:</p> <ul style="list-style-type: none"> <li>a. gable end roofs may penetrate the building recession plane by no more than one third of the gable height;</li> <li>b. recession planes do not apply to site boundaries adjoining a Town Centre Zone, or fronting a road, or a park or reserve.</li> </ul>	NC
7.5.8	<p>Minimum Boundary Setbacks</p> <p>7.5.8.1 Road boundary: 4.5m</p> <p>7.5.8.2 All other boundaries: 2m</p> <p>Exceptions to boundary setbacks:</p> <ul style="list-style-type: none"> <li>a. accessory buildings for residential activities may be located within the boundary setback distances (other than from road boundaries), where they do not exceed 7.5m in length, there are no windows or openings (other than for carports) along any walls within 1.5m of an internal boundary, and they comply with rules for Building Height and Recession Plane;</li> <li>b. any building may locate within a boundary setback distance by up to 1m for an area no greater than 6m<sup>2</sup> provided the building within the boundary setback area has no windows or openings;</li> <li>c. eaves may be located up to 600mm into any boundary setback distance along eastern, western and southern boundaries;</li> <li>d. eaves may be located up to 1m into any boundary setback distance along northern boundaries.</li> </ul>	D



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	<b>Standards for activities in the Lower Density Suburban Residential Zone</b>	<b>Non-compliance status</b>
7.5.9	<p><b>Building Separation within Sites</b></p> <p>For detached residential units on the same site, a minimum separation distance of 4m between the residential units within the development site applies.</p> <p>Note: This rule does not apply to attached dwellings.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. whether site constraints justify an alternative separation distance;</li> <li>b. whether an overall better amenity values outcome is being achieved, including for off-site neighbours;</li> <li>c. design of the units, with particular regard to the location of windows and doors, so as to limit the potential for adverse effects on privacy between units;</li> <li>d. in Arrowtown, consistency with Arrowtown’s character, as described within the Arrowtown Design Guidelines 2016.</li> </ul>
7.5.10	<p><b>Building Length</b></p> <p>The length of any building facade above the ground floor level shall not exceed 16m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties;</li> <li>b. in Arrowtown, consistency with Arrowtown’s character, as described within the Arrowtown Design Guidelines 2016</li> </ul>
7.5.11	<p><b>Density</b></p> <p>The maximum site density shall be one residential unit or dwelling per 300m<sup>2</sup> net site area.</p>	<p>NC</p>
7.5.12	<p><b>Waste and Recycling Storage Space</b></p> <p>7.5.12.1 Residential activities shall provide, sufficient space for waste and recycling bins per residential unit.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. Effects on amenity values;</li> </ul>

	Standards for activities in the Lower Density Suburban Residential Zone	Non-compliance status
	<p>7.5.12.2 Waste and Recycling bins shall be:</p> <ul style="list-style-type: none"> <li>a. located where it is easy to manoeuvre for kerbside collections and avoid impeding vehicle movements within and through the site; and</li> <li>b. not directly visible from adjacent sites, roads and public spaces; or</li> <li>c. screened with materials that are in keeping with the design of the building.</li> </ul>	<ul style="list-style-type: none"> <li>b. Size, location and access of waste and recycling storage space; and</li> <li>c. Consistency with the Residential Zone Design Guide 2021</li> </ul>
7.5.13	<p>Lighting and Glare</p> <p>7.5.13.1 All exterior lighting shall be directed downward and away from adjacent sites and roads.</p> <p>7.5.13.2 No activity on any site shall result in greater than a 3.0 lux spill (horizontal or vertical) of lights onto any other site measured at any point inside the boundary of the other site.</p>	<p>RD</p> <p>Discretion is restricted to the effects of lighting and glare on:</p> <ul style="list-style-type: none"> <li>a. amenity values of adjoining sites;</li> <li>b. the safety of the Transport Network;</li> <li>c. the night sky; and</li> <li>d. the navigational safety of passenger carrying vessels operating at night.</li> </ul>
7.5.14	<p>Setback of buildings from water bodies</p> <p>The minimum setback of any building from the bed of a river, lake or wetland shall be 7m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. indigenous biodiversity values;</li> <li>b. visual amenity values;</li> <li>c. landscape character;</li> <li>d. open space and the interaction of the development with the water body;</li> <li>e. environmental protection measures (including landscaping and stormwater management);</li> <li>f. whether the waterbody is subject to flooding or natural hazards and any</li> </ul>

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	Standards for activities in the Lower Density Suburban Residential Zone	Non-compliance status
		mitigation to manage the location of the building.
7.5.15	<p>Road Noise - State Highway</p> <p>Any new residential buildings or buildings containing Activities Sensitive to Road Noise, located within:</p> <ul style="list-style-type: none"> <li>a. 80 metres of the boundary of a State Highway that has a speed limit of 70km/h or greater; or</li> <li>b. 40 metres of the boundary of a State Highway that has a speed limit less than 70km/h.</li> </ul> <p>shall be designed, constructed and maintained to ensure that the internal noise levels do not exceed 40dB LAeq(24h) for all habitable spaces including bedrooms.</p>	NC
7.5.16	<p>Building Restriction Area</p> <p>Where a building restriction area is shown on the District Plan web mapping application, no building shall be located within the restricted area.</p>	NC
7.5.17	<p>Home Occupation</p> <p>7.5.17.1 No more than 1 full time equivalent person from outside the household shall be employed in the home occupation activity.</p> <p>7.5.17.2 The maximum number of two-way vehicle trips shall be:</p> <ul style="list-style-type: none"> <li>a. heavy vehicles: none permitted;</li> <li>b. other vehicles: 10 per day.</li> </ul> <p>7.5.17.3 Maximum net floor area of 60m<sup>2</sup>.</p> <p>7.5.17.4 Activities and storage of materials shall be indoors.</p>	D
7.5.18	<p>Residential Visitor Accommodation <u>where:</u></p> <p>7.5.18.1 <u>The total nights of occupation by paying guests on a site do not exceed a cumulative total of 90 nights per annum from the date of initial registration. Must not exceed a cumulative total of 90</u></p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. The location, nature and scale of activities;</li> <li>b. <u>vehicle access and parking;</u></li> </ul>

	Standards for activities in the Lower Density Suburban Residential Zone	Non-compliance status
	<p><del>nights occupation by paying guests on a site per 12 month period.</del></p> <p>7.5.18.2 <u>A single residential unit (inclusive of a residential flat) must be rented to a maximum of one (1) group of guests at any one time. Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</u></p> <p>7.5.18.3 <u>The number of guests must not exceed 2 adults per bedroom and the total number of adults and children must not exceed:</u></p> <ul style="list-style-type: none"> <li>• <u>3 in a one-bedroom residential unit</u></li> <li>• <u>6 in a two-bedroom residential unit.</u></li> <li>• <u>9 in a three-bedroom or more residential unit. Must comply with the minimum parking requirements for a residential unit and/or residential flat (whichever is used for the residential visitor accommodation activity) in Chapter 29 Transport.</u></li> </ul> <p>7.5.18.4 <u>No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated.</u></p> <p>7.5.18.5 <u>Outdoor space is not used between the hours of 10:00pm and 7:00am and sign/s are installed and visible from the outdoor space advising the permitted hours of use.</u></p> <p>7.5.18.6 <u>Rubbish and recycling is not left on/adjacent to the road, except on the day of collection.</u></p> <p>7.5.18.7 <u>The activity is registered with Council prior to commencement.</u></p> <p>7.5.18.8 <u>Council is provided with the following information at the time of registration:</u></p> <p>(a) <u>the contact details of the person and/or organisation responsible for managing the property and responding to any complaints; and</u></p> <p>(b) <u>confirmation that the immediately adjacent neighbouring properties,</u></p>	<p>The location, provision, use and screening of parking and access;</p> <p>c. The management of noise, outdoor lighting, use of outdoor areas, rubbish and recycling. <u>The management of noise, rubbish, recycling and outdoor activities;</u></p> <p>d. <del>The compliance of the residential unit with the Building Code as at the date of the consent</del> <u>Privacy and overlooking;</u></p> <p>e. <del>Health and safety provisions in relation to guests</del> <u>Outdoor lighting;</u></p> <p>f. Guest management and complaints procedures;</p> <p>g. <u>The keeping of records of RVA residential visitor accommodation use, and availability of records for Council inspection; and</u></p> <p>h. Monitoring requirements, including imposition of an annual monitoring charge.</p> <p>All other sites:</p> <p>Standard 7.5.18.1:  91-180 nights — RD  &gt;180 nights — NC</p> <p>All other Standards:  NC</p> <p>For RD non-compliance with Standard 7.5.18.1 discretion is restricted to:</p> <p>i. <del>The nature of the surrounding residential context, including its residential amenity values, cohesion and character, and the effects of the activity on the neighbourhood;</del></p>

	Standards for activities in the Lower Density Suburban Residential Zone	Non-compliance status
	<p><u>including any property with shared access arrangements, have been provided written notice that the property is to be used for residential visitor accommodation and the contact details of the person and/or organisation responsible for managing the property and responding to any complaints.</u></p> <p><u>7.5.18.9 The information required by Standard 8 is reviewed and resubmitted to Council on an annual basis (from the date of registration of the activity), including the annual provision of written notice to neighbours required by Standard 8.b.</u></p> <p><u>7.5.18.10 Up to date records of the activity are kept including:</u></p> <p>(a) <u>a record of the date and duration of guest stays and the number of guests staying per night; and</u></p> <p>(b) <u>a detailed record of any complaints received and remediation actions taken.</u></p> <p><u>7.5.18.11 The records required by Standard 10 are provided to Council on an annual basis from the date of registration and made available for inspection by Council with 24 hours' notice.</u></p> <p>Note: The Council may request that records are made available to the Council for inspection, at 24 hours' notice, in order to monitor compliance with rules 7.5.18.1 to 7.5.18.3.</p>	<p><del>j. The cumulative effect of the activity, when added to the effects of other activities occurring in the neighbourhood;</del></p> <p><del>k. The scale and frequency of the activity, including the number of guests on site per night;</del></p> <p><del>l. The management of noise, use of outdoor areas, rubbish and recycling;</del></p> <p><del>m. The location, provision, use and screening of parking and access;</del></p> <p><del>n. The compliance of the residential unit with the Building Code as at the date of the consent;</del></p> <p><del>o. Health and safety provisions in relation to guests;</del></p> <p><del>p. Guest management and complaints procedures;</del></p> <p><del>q. The keeping of records of RVA use, and availability of records for Council inspection; and</del></p> <p><del>r. Monitoring requirements, including imposition of an annual monitoring charge.</del></p>
7.5.19	<p>Homestay</p> <p>7.5.19.1 <u>The total number of paying guests on a site does not exceed five per night. <del>Must not exceed 5 paying guests on a site per night.</del></u></p> <p>7.5.19.2 <u>No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated. <del>Must comply with minimum parking</del></u></p>	<p>Standards 7.5.19.1 and 7.5.19.2: RD</p> <p>All other Standards: NCRD</p> <p>For non-compliance with Standards 7.5.19.1 and</p>

	Standards for activities in the Lower Density Suburban Residential Zone	Non-compliance status
	<p style="text-align: center;"><del>requirements of standard 29.8.9 in Chapter 29 Transport.</del></p> <p>7.5.19.3 <del>Council is notified in writing prior to the commencement of a Homestay activity. Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</del></p> <p>7.5.19.4 <del>Up to date records of the Homestay activity are kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice. The Council must be notified in writing prior to the commencement of a Homestay activity.</del></p> <p>7.5.19.5 <del>Up to date records of the Homestay activity must be kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</del></p> <p>Note: The Council may request that records are made available to the Council for inspection, at 24 hours' notice, in order to monitor compliance with rules 7.5.19.1 to 7.5.19.5.</p>	<p><del>17.5.19.2 d</del>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. <del>The nature of the surrounding residential context, including its residential amenity values and character, and the effects of the activity on the neighbourhood</del>The location, nature and scale of the activities;</li> <li>b. <del>The cumulative effect of the activity, when added to the effects of other activities occurring in the neighbourhood</del>Privacy and overlooking;</li> <li>c. <del>The scale and frequency of the activity, including the number of nights per year</del>The management of noise, rubbish, recycling and outdoor activities;</li> <li>d. <del>The keeping of records of Homestay use, and availability of records for Council inspection</del>The management of noise, use of outdoor areas, rubbish and recycling;</li> <li>e. <del>Monitoring requirements, including imposition of an annual monitoring charge</del>andThe location, provision, use and screening of parking and access;</li> <li>f. <del>The keeping of records of Homestay use, and availability of records for Council inspection</del>andVehicle access and parking.</li> <li>g. <del>Monitoring requirements, including imposition of an annual monitoring charge.</del></li> </ul>

**PART 3 LOWER DENSITY SUBURBAN RESIDENTIAL 7**

	<b>Standards for activities in the Lower Density Suburban Residential Zone</b>	<b>Non-compliance status</b>
7.5.20	<p>A building or structure located within the Wānaka Substation Building Restriction Area as shown on the District Plan web mapping application and Three Parks Structure Plan (27.13.12).</p> <p>The Building Restriction Area and this standard only apply until 20 September 2024.</p> <p>Advice note: Council will give specific consideration to Aurora Energy Limited as an affected person for the purposes of section 95E of the Act.</p>	NC
7.5.21	<p>Flood Risk – Hāwea only</p> <p>Buildings with a gross floor area greater than 20m2 shall have a ground floor level not less than RL 349.2 masl (449.2 Otago Datum) at Hāwea.</p>	NC
7.5.22	<p>Residential Units – Templeton Street (Lot 1 DP 27171, SO 2440)</p> <p>No residential unit shall be constructed on the land subject to the earthworks shown on the plan contained in Appendix 7.7 prior to:</p> <p>a. the completion of those earthworks in accordance with the fill area and minimum finished ground levels as shown in Appendix 7.7; and</p> <p>b. the top soiling and establishment of permanent vegetation cover on the outer batter (facing the Cardrona River); and</p> <p>c. the establishment of a legal mechanism to protect in perpetuity the finished fill levels and outer batter (including vegetative cover) from interference, removal or damage.</p>	NC
7.5.23	<p>Frost Fan Noise - Riverbank Road</p> <p>7.5.23.1 Any new residential or relocated building located within 250m of the frost fan as identified on the Riverbank Road Structure Plan in Section 27.13.18 shall be designed, constructed and maintained to ensure that, within the external building envelope surrounding any bedroom (when windows are closed), the internal level does not exceed 30dBLAeq(15min), however this</p>	NC

	Standards for activities in the Lower Density Suburban Residential Zone	Non-compliance status
	<p>rule shall not apply if the frost fan is decommissioned.</p> <p>7.5.23.2 Compliance within 250m of the Frost Fan</p> <p>Compliance shall be demonstrated by either adhering to the sound insulation requirements in Rule 36.8.1, or by submitting a certificate to the Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the 30dB LAeq(15min) with the windows closed</p> <p><i>For the purposes of this rule, "external building envelope" means an envelope defined by the outermost physical parts of the building, normally the cladding and roof;</i></p> <p><i>For the purposes of this rule "decommissioned" means that the frost fan is dismantled and/or removed from the site and/or permanently taken out of operation.</i></p>	

## 7.6 Rules - Non-Notification of Applications

### 7.6.1 The following Restricted Discretionary activities shall not require the written approval of affected persons and shall not be notified or limited notified:

- 7.6.1.1 Residential units pursuant to Rule 7.4.8 except where:
- a. vehicle crossing or right of way access on or off a State Highway is sought;
  - b. in relation to the electricity distribution network and where Rule 7.4.8(k) is relevant. the Council will give specific consideration to Aurora Energy Limited as an affected person for the purposes of section 95E of the Act.
- 7.6.1.2 Visitor Accommodation and residential visitor accommodation in the Visitor Accommodation Sub-Zones



7.7 Appendix

7.7 Templeton Street Fill Area Plan



**Note:**

- Changes from previous Consent Order dated 28 May 2021 are in [blue underlined text and ~~strikeout~~](#)
- Changes from this Consent Order are in black underlined text and ~~strikeout~~

## 8 Medium Density Residential

**Please note: Variations to parts of this chapter have been decided by Council on 7 March 2019 as part of Stage 2 of the PDP. You can view the Stage 2 Decisions, appeals and section 274 notices on our website. The appeal and section 274 periods for the Stage 1 and 2 Decisions have closed.**

### 8.1 Zone Purpose

The Medium Density Residential Zone has the purpose of providing land for residential development at greater density than the Lower Density Suburban Residential Zone. In conjunction with the High Density Residential Zone and Lower Density Suburban Residential Zone, this zone will play a key role in minimising urban sprawl and increasing housing supply. The zone will primarily accommodate residential land uses, but may also support limited non-residential activities where these enhance residential amenity or support an adjoining Town Centre, and do not impact on the primary role of the zone to provide housing supply.

The zone is situated in locations in Queenstown, Frankton, Arrowtown and Wānaka that are within identified urban growth boundaries, and easily accessible to local shopping zones, town centres or schools by public transport, cycling or walking. The Medium Density Residential Zone provides for an increased density of housing in locations that are supported by adequate existing or planned infrastructure.

The zone will enable a greater supply of diverse housing options for the District. The main forms of residential development anticipated are terrace housing, semi-detached housing and detached townhouses on small sites of 250m<sup>2</sup> or greater. The zone will undergo changes to existing densities and built from characteristics over time to provide for the social, economic, cultural and environmental wellbeing of the District's community. In particular, the zone will provide a greater diversity of housing options for smaller households including single persons, couples, small young families and older people seeking to downsize. It will also enable more rental accommodation for the growing population of transient workers in the District.

While providing for a higher density of development than is anticipated in the Lower Density Suburban Residential Zone, the zone incorporates development controls to ensure that the reasonable maintenance of amenity values is maintained. Building height will be generally two storeys.

Development will be required to achieve high standards of urban design, providing site responsive built forms and utilising opportunities to create vibrant public spaces and active transport connections (walking and cycling). In Arrowtown, where a resource consent is required, consideration will need to

be given to the town's special character, and the design criteria identified by the Arrowtown Design Guidelines 2016.

Community activities are anticipated given the need for such activities within residential areas and the high degree of accessibility of the zone for residents.

Visitor accommodation is anticipated in the Visitor Accommodation Sub-Zones shown on the District Plan web mapping application, which have historically provided (and will continue to provide) important locations for visitor accommodation to meet the District's needs, and in the Wānaka Town Centre Transition Overlay. The sub-zones are located in residential areas, and applications for visitor accommodation activities and associated development must address matters that impact on residential amenity, including character, traffic and noise effects.

Visitor accommodation located outside of the Visitor Accommodation Sub-Zones and the Wānaka Town Centre Transition Overlay is restricted, although residential visitor accommodation is provided for in proximity to the Wānaka town centre.

The commercial letting of residential properties as short-term accommodation for paying guests on a year-round or permanent basis is restricted, where it would result in a loss of residential character, cohesion and amenity values. Low intensity use of residential units, including residential flats, to accommodate paying guests is enabled, where the predominant residential character of the environment is retained and the residential values amenity of nearby residents are maintained.

Visitor accommodation is defined in the District Plan separately from accommodation activities involving paying guests occurring in residential units and residential flats, which are defined as Residential Visitor Accommodation and Homestay activities.

## 8.2 Objectives and Policies

### 8.2.1 Objective - Medium density development occurs close to employment centres which encourage travel via non-vehicular modes of transport or via public transport.

#### Policies

- 8.2.1.1 Provide opportunities for medium density housing close to town centres, local shopping zones, activity centres and public transport routes.
- 8.2.1.2 Provide for compact development forms that encourage a diverse housing supply and contribute toward containing the outward spread of residential growth away from employment centres.
- 8.2.1.3 Enable increased densities where they are located within easy walking distance of employment centres and public transport routes, subject to environmental constraints including local topography, stability and waterways, that may justify a limitation in density or the extent of development.
- 8.2.1.4 Enable medium density development through a variety of different housing forms including terrace, semi-detached, duplex, townhouse, or small lot detached housing.

### 8.2.2 Objective - Development contributes to the creation of a new, high quality built character within the zone through quality urban design solutions which positively respond to the site, neighbourhood and wider context.

**Policies**

- 8.2.2.1 Ensure buildings address streets and other adjacent public space with limited presentation of unarticulated blank walls or facades to the street(s) or public space(s).
- 8.2.2.2 Require visual connection with the street through the inclusion of windows, outdoor living areas, low profile fencing or landscaping.
- 8.2.2.3 Ensure street frontages are not dominated by garaging through consideration of their width, design and proximity to the street boundary.
- 8.2.2.4 Ensure developments reduce visual dominance effects through variation in facades and materials, roof form, building separation and recessions or other techniques.
- 8.2.2.5 Ensure landscaped areas are well designed and integrated into the design of developments, providing high amenity spaces for residents, and to soften the visual impact of development, with particular regard to any street frontage(s).
- 8.2.2.6 Require consideration of the relevant design elements identified in the Residential Zone Design Guide 2021.

**8.2.3 Objective - Development provides high quality living environments for residents and provides reasonable maintenance of amenity values enjoyed on adjoining sites taking into account the changed future character intended within the zone.**

**Policies**

- 8.2.3.1 Apply permitted activity and resource consent requirements based on recession plane, building height, setbacks and site coverage controls as the primary means of ensuring reasonable maintenance of neighbours' privacy and amenity values.
- 8.2.3.2 Where a resource consent is required for new development, reasonably minimise the adverse effects of the new development on the amenity values enjoyed by occupants of adjoining sites, and have particular regard to the maintenance of privacy for occupants of the development site and neighbouring sites through the application of setbacks, offsetting of habitable room windows from one another, screening or other means.
- 8.2.3.3 Ensure development along the western side of Designation 270<sup>1</sup> has the least possible impact on views from the formed walkway to the west toward Lake Wānaka and beyond, and generally limit development on land immediately adjoining the western side of Designation 270 to the permitted building height, recession plane, site coverage and setback limits (including between units) to achieve this.

**8.2.4 Objective - In Arrowtown medium density development occurs in a manner compatible with the town's character.**

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<sup>1</sup> Running south from Aubrey Road, Wanaka

**Policies**

8.2.4.1 Ensure development, including infill housing, community activities and commercial development is of a form that is compatible with the existing character of Arrowtown guided by the Arrowtown Design Guidelines 2016 with particular regard given to:

- a. building design and form;
- b. scale, layout and relationship of buildings to the street frontage(s);
- c. materials and landscape response(s) including how landscaping softens the building mass relative to any street frontage(s).

8.2.4.2 Avoid flat roofed dwellings in Arrowtown.

**8.2.5 Objective - Development efficiently utilises existing infrastructure and minimises impacts on infrastructure networks.**

**Policies**

8.2.5.1 Ensure access and vehicle parking is located and designed to optimise safety and efficiency of the road network and minimise adverse effects on on-street vehicle parking.

8.2.5.2 Ensure development is designed consistent with the capacity of existing infrastructure networks and where practicable incorporates low impact approaches to stormwater management and efficient use of potable water.

8.2.5.3 Integrate development with all transport networks and in particular, and where practicable, improve connections to public transport services and active transport networks (tracks, trails, walkways and cycleways).

**8.2.6 Objective - Community activities serving the needs of people within the zone locate within the zone on sites where adverse effects are compatible with residential amenity values.**

**Policies**

8.2.6.1 Enable the establishment of community activities where adverse effects on residential amenity values including noise, traffic, lighting, glare and visual impact can be avoided or mitigated.

8.2.6.2 Ensure any community activities occur in areas which are capable of accommodating traffic, parking and servicing to a level which maintains residential amenity values.

8.2.6.3 Ensure any community activities are of a design, scale and appearance compatible with a residential context.

**8.2.7 Objective - Commercial development is small scale and generates minimal adverse effects on residential amenity values.**

**Policies**

8.2.7.1 Provide for commercial activities, including home occupation activities, that directly serve the day-to-day needs of local residents, or enhance social connection and vibrancy

of the residential environment, provided these do not undermine residential amenity values or the viability of any nearby Town Centre.

- 8.2.7.2 Ensure that any commercial development is of low scale and intensity, and does not undermine the local transport network or availability of on-street vehicle parking for non-commercial use.
- 8.2.7.3 Ensure that the noise effects from commercial activities are compatible with the surrounding environment and residential amenity values.
- 8.2.7.4 Ensure that commercial development is of a design, scale and appearance that is compatible with its surrounding residential context.

**8.2.8 Objective - A high quality residential environment at Frankton North that is integrated with the surrounding roading network, pedestrian and cycle access, and appropriate servicing.**

**Policies**

- 8.2.8.1 Ensure subdivision and development is undertaken in accordance with the Frankton North Structure Plan (Schedule 27.13.9) to promote integration and provision of access to and throughout Frankton North.
- 8.2.8.2 Encourage a low impact stormwater design that utilises on-site treatment and storage / dispersal approaches.
- 8.2.8.3 Avoid the impacts of stormwater discharges on the State Highway network.
- 8.2.8.4 Provide for safe transport connections that:
  - a. avoid any new access to the State Highway;
  - b. integrate with the pedestrian and cycle path as shown on the Frankton North Structure Plan (Schedule 27.13.9). and the road network and public transport routes on the southern side of State Highway 6; and
  - c. ensure that, where direct access to the primary road shown on the Frankton North Structure Plan (Schedule 27 .13.9) is not available, the standard and layout of Internal Road connections are of a form that accounts for long-term traffic demand without the need for subsequent retrofitting or upgrade.

Note: Attention is drawn to the need to consult with the New Zealand Transport Agency (NZTA) prior to determining an internal and external road network design under this policy.

Note: Attention is drawn to the need to obtain a Section 93 notice from the NZ Transport Agency for all subdivisions on adjoining State Highways which are declared Limited Access Roads. The NZ Transport Agency should be consulted and a request made for a notice under Section 93 of the Government Roding Powers Act 1989.

**8.2.9 Objective – Non-residential developments which support the role of the Town Centre and are compatible with the transition to residential activities are located within the Wānaka Town Centre Transition Overlay.**



**Policies**

- 8.2.9.1 Enable non-residential activities to establish in a discrete area of residential-zoned land adjoining the Wānaka Town Centre, where these activities suitably integrate with and support the role of the Town Centre.
- 8.2.9.2 Require non-residential and mixed use activities to provide a quality built form which activates the street, minimises the visual dominance of parking and adds visual interest to the urban environment.
- 8.2.9.3 Ensure the amenity values of adjoining residential properties outside of the Wānaka Town Centre Transition Overlay are maintained through design and the application of setbacks.

**8.2.10 Objective – Manage the development of land within noise affected environments to ensure mitigation of noise and reverse sensitivity effects.****Policies**

- 8.2.10.1 Require as necessary all new and altered buildings for Activities Sensitive to Road Noise located close to any State Highway to be designed to provide protection from sleep disturbance and to otherwise maintain reasonable amenity values for occupants.
- 8.2.10.2 Require all new and altered buildings containing an Activity Sensitive to Aircraft Noise (ASAN) located within the Queenstown Airport Air Noise Boundary or Outer Control Boundary to be designed and built to achieve an internal design sound level of 40 dB Ldn.

**8.2.11 Objective - Visitor accommodation, residential visitor accommodation and homestays are enabled at locations, and at a scale, intensity and frequency, that maintain the residential character and amenity values of the zone.**

- 8.2.11.1 Provide for visitor accommodation and residential visitor accommodation in the Visitor Accommodation Sub-Zones and the Wānaka Town Centre Transition Overlay Sub-Zones, and for residential visitor accommodation in proximity to the Wānaka town centre, that are appropriate for the medium density residential environment, ensuring that adverse effects on residential amenity values are avoided, remedied or mitigated.
- 8.2.11.2 Restrict the establishment of visitor accommodation in locations outside the Visitor Accommodation Sub-Zones and the Wānaka Town Centre Transition Overlay to ensure that the zone maintains a residential character.
- 8.2.11.3 Ensure that residential visitor accommodation and homestays are of a scale and character that are compatible with the surrounding residential context and maintain residential character and amenity values.
- 8.2.11.4 Manage the effects of residential visitor accommodation and homestays outside the Visitor Accommodation Sub-Zone by controlling the scale, intensity and frequency of use and those effects that differentiate them from residential activities.

[8.2.11.\[5\] Provide opportunities for low intensity residential visitor accommodation and homestays as a contributor to the diversity of accommodation options available to visitors and to provide for social and economic wellbeing.](#)

### 8.3 Other Provisions and Rules

#### 8.3.1 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 and Rural Character
25 Earthworks	26 Historic Heritage	27 Subdivision
28 Natural Hazards	29 Transport	30 Energy and utilities
31 Signs	32 Protected Trees	33 Indigenous Vegetation
34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings	36 Noise
37 Designations	District Plan web mapping application	

#### 8.3.2 Interpreting and Applying the Rules

- 8.3.2.1 A permitted activity must comply with all the rules listed in the Activity and Standards tables, and any relevant district wide rules, otherwise a resource consent will be required.
- 8.3.2.2 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.
- 8.3.2.3 Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.
- 8.3.2.4 Additional activities are provided for in the Wānaka Town Centre Transition Overlay and apply in addition to the other activities provided for throughout the zone. In the event of any inconsistency arising, the more specific Wānaka Town Centre Transitional Overlay rules shall prevail.
- 8.3.2.5 Proposals for development resulting in more than one (1) residential unit per site shall demonstrate that each residential unit is fully contained within the identified net area for each unit.
- 8.3.2.6 Each residential unit may include a single residential flat and any other accessory buildings.
- 8.3.2.7 References to Visitor Accommodation Sub-Zones in this Chapter only apply to the sub-zones within the Medium Density Residential Zone.
- 8.3.2.8 The status of any Plantation Forestry will be determined by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.
- 8.3.2.9 The following abbreviations are used within this Chapter.



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

8.3.2.9A Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances ("NZECP34:2001") is mandatory under the Electricity Act 1992. All activities, such as buildings, earthworks and conductive fences regulated by NZECP34: 2001, including any activities that are otherwise permitted by the District Plan must comply with this legislation. Chapter 30 Energy and Utilities part 30.3.3.2.c has additional information in relation to activities and obligations under NZECP34:2001.

8.3.2.10 For sites in Arrowtown, the Arrowtown Design Guidelines 2016 apply, instead of the Residential Design Guide 2021.

## 8.4 Rules - Activities

	Activities located in the Medium Density Residential Zone	Activity Status
8.4.1	Commercial activities in the Wānaka Town Centre Transition Overlay	P
8.4.2	Community activities in the Wānaka Town Centre Transition Overlay	P
8.4.3	Home occupations	P
8.4.4	Informal airports for emergency landings, rescues and fire fighting	P
8.4.5	In the Wānaka Town Centre Transition Overlay, Licenced Premises for the consumption of alcohol on the premises between the hours of 8am and 11pm, and also to: <ul style="list-style-type: none"> <li>i. any person who is residing (permanently or temporarily) on the premises;</li> <li>ii. any person who is present on the premises for the purpose of dining up until 12am.</li> </ul>	P
8.4.6	Residential unit <p>8.4.6.1 One (1) per site in Arrowtown (see Rule 8.4.10.1).</p> <p>8.4.6.2 For all locations outside of Arrowtown, three (3) or less per site.</p> <p>Note: Additional rates and development contributions may apply for multiple units located on one site.</p>	P
8.4.7	Homestays	P

	Activities located in the Medium Density Residential Zone	Activity Status
8.4.7A	<p>Residential Visitor Accommodation</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> <li>a. <del>The scale of the activity, including the number of guests on site per night;</del></li> <li>b. <del>The management of noise, use of outdoor areas, rubbish and recycling;</del></li> <li>c. <del>The location, provision, use and screening of parking and access;</del></li> <li>d. <del>The compliance of the residential unit with the Building Code as at the date of the consent;</del></li> <li>e. <del>Health and safety provisions in relation to guests;</del></li> <li>f. <del>Guest management and complaints procedures;</del></li> <li>g. <del>The keeping of records of RVA use, and availability of records for Council inspection; and</del></li> <li>h. <del>Monitoring requirements, including imposition of an annual monitoring charge.</del></li> </ul>	PC
8.4.8	<p>Buildings in the Wānaka Town Centre Transition Overlay</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. external design and appearance including the achievement of a development that is compatible with the town centre transitional context, integrating any relevant views or view shafts;</li> <li>b. the external appearance of buildings, including that the use of stone, schist, plaster or natural timber be encouraged;</li> <li>c. privacy for occupants of the subject site and neighbouring sites;</li> <li>d. street activation;</li> <li>e. where a site is subject to any natural hazard and the proposal results in an increase in gross floor area: <ul style="list-style-type: none"> <li>i. the nature and degree of risk the hazard(s) pose to people and property;</li> <li>ii. whether the proposal will alter the risk to any site; and</li> <li>iii. the extent to which such risk can be avoided or sufficiently mitigated.</li> </ul> </li> </ul>	RD

	Activities located in the Medium Density Residential Zone	Activity Status
8.4.9	<p>Commercial Activities in Queenstown, Frankton or Wānaka:100m<sup>2</sup> or less gross floor area</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> <li>a. benefits of the commercial activity in servicing the day-to-day needs of local residents;</li> <li>b. hours of operation;</li> <li>c. parking, traffic and access;</li> <li>d. noise;</li> <li>e. design, scale and appearance;</li> <li>f. where a site is subject to any natural hazard and the proposal results in an increase in gross floor area; <ul style="list-style-type: none"> <li>i. the nature and degree of risk the hazard(s) pose to people and property;</li> <li>ii. whether the proposal will alter the risk to any site; and</li> <li>iii. the extent to which such risk can be avoided or sufficiently mitigated.</li> </ul> </li> </ul>	RD

	Activities located in the Medium Density Residential Zone	Activity Status
8.4.10	<p>Residential unit</p> <p>8.4.10.1 One (1) or more per site within the Arrowtown Historic management Transition Overlay Area</p> <p>8.4.10.2 Two (2) or more per site in Arrowtown.</p> <p>8.4.10.3 For all locations outside of Arrowtown, four (4) or more per site.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. location, external appearance, site layout and design of buildings and fences and how the development addresses its context to contribute positively to the character of the area;</li> <li>b. building dominance relative to neighbouring properties and public spaces including roads;</li> <li>c. how the design advances housing diversity and promotes sustainability either through construction methods, design or function;</li> <li>d. privacy for occupants of the subject site and neighbouring sites;</li> <li>e. in Arrowtown, consistency with Arrowtown’s character, utilising the Arrowtown Design Guidelines 2016 as a guide;</li> <li>f. street activation;</li> <li>g. parking and access layout: safety, efficiency and impacts on on-street parking and neighbours;</li> <li>h. design and integration of landscaping;</li> <li>i. for land fronting State Highway 6 between Hansen Road and the Shotover River: <ul style="list-style-type: none"> <li>i. safe and effective functioning of the State Highway network;</li> <li>ii. integration with other access points through the zone to link up to Hansen Road, the Hawthorne Drive/State Highway 6 roundabout and/or Ferry Hill Drive; and</li> <li>iii. integration with pedestrian and cycling networks, including to those across the State Highway.</li> </ul> </li> <li>j. where a site is subject to any natural hazard and the proposal results in an increase in gross floor area: <ul style="list-style-type: none"> <li>i. the nature and degree of risk the hazard(s) pose to people and property;</li> <li>ii. whether the proposal will alter the risk to any site; and</li> <li>iii. the extent to which such risk can be avoided or sufficiently mitigated.</li> </ul> </li> </ul>	RD

	Activities located in the Medium Density Residential Zone	Activity Status
<b>8.4.11</b>	<p>Visitor Accommodation in the Visitor Accommodation Sub-Zone and Wānaka Town Centre Transition Overlay</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. The location, nature and scale of activities;</li> <li>b. Parking and access;</li> <li>c. Landscaping;</li> <li>d. Noise generation and methods of mitigation;</li> <li>e. Hours of operation, including in respect of ancillary activities;</li> <li>f. The external appearance of buildings; and</li> <li>g. Infrastructure, servicing and capacity.</li> </ul>	RD
<b>8.4.12</b>	Commercial recreation	D
<b>8.4.13</b>	Community activities	D
<b>8.4.14</b>	Retirement villages	D
<b>8.4.15</b>	Activities which are not listed in this table	NC
<b>8.4.16</b>	Commercial Activities greater than 100m <sup>2</sup> gross floor area	NC
<b>8.4.17</b>	Visitor Accommodation not otherwise identified	NC
<b>8.4.18</b>	Airports not otherwise defined	PR
<b>8.4.19</b>	Bulk material storage	PR
<b>8.4.20</b>	Factory farming	PR
<b>8.4.21</b>	Fish or meat processing	PR
<b>8.4.22</b>	Forestry activities, except for Plantation Forestry where the Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017 prevails.	PR
<b>8.4.23</b>	Manufacturing and/or product assembling activities	PR
<b>8.4.24</b>	Mining	PR
<b>8.4.25</b>	Panel beating, spray painting, motor vehicle repair or dismantling, fibre glassing, sheet metal work, bottle or scrap storage, motor body building	PR

	Activities located in the Medium Density Residential Zone	Activity Status
8.4.26	Any activity requiring an Offensive Trade Licence under the Health Act 1956	PR

### 8.5A Rules – Standards for Restricted Discretionary and Discretionary Activities under Rules 8.4 and 8.5

	Standards for activities in the Medium Density Residential Zone	Non-compliance status
8.5A.1	For all restricted discretionary and discretionary activities under Rules 8.4 and 8.5, applications for resource consent shall include a statement confirming that the relevant design elements from the Residential Zone Design Guide 2021 have been considered, including a summary of any particular aspects of the proposal that have resulted from that consideration.	NC

### 8.5 Rules - Standards

	Standards for activities located in the Medium Density Residential Zone	Non-compliance status
8.5.1	Building Height (for flat and sloping sites) 8.5.1.1 Wānaka and Arrowtown: A maximum of 7 metres. 8.5.1.2 All other locations: A maximum of 8 metres.	NC
8.5.2	Sound insulation and mechanical ventilation Any residential buildings, or buildings containing an activity sensitive to road noise, and located within 80m of a State Highway shall be designed to achieve an Indoor Design Sound Level of 40Db LAeq24h. Compliance with this rule can be demonstrated by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level.	NC
8.5.3	Development on land at Frankton North shall be undertaken in accordance with the Frankton North Structure Plan (Schedule 27.13.9), including:	NC

	Standards for activities located in the Medium Density Residential Zone	Non-compliance status
	<ul style="list-style-type: none"> <li>a. Providing for a primary road that links State Highway 6 to Quail Rise;</li> <li>b. Providing for internal connections from the primary road that ensure vehicle access to all sites;</li> <li>c. Precluding any new vehicular access to the State Highway network; and</li> <li>d. Providing for a pedestrian and cycle path along the boundary with State Highway 6. This is intended to provide a minimum path width of 2.5 metres, within the existing State Highway corridor, or where there is insufficient land within the State Highway corridor, within adjacent private land.</li> </ul>	
<b>8.5.4</b>	<p>Building Coverage</p> <p>8.5.4.1 A maximum of 45%.</p> <p>8.5.4.2 For the zone at Frankton North located adjacent to Quail Rise, a maximum of 50%.</p>	<p>RD</p> <p>Discretion is restricted to the following:</p> <ul style="list-style-type: none"> <li>a. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties;</li> <li>b. external amenity values for future occupants of buildings on the site;</li> <li>c. effects on views, sunlight and shading on adjacent properties;</li> <li>d. parking and access layout: safety, efficiency and impacts on on-street parking and neighbours;</li> <li>e. in Arrowtown, consistency with Arrowtown's character, as described within the Arrowtown Design Guidelines 2016.</li> </ul>
<b>8.5.5</b>	<p>Density</p> <p>The maximum site density shall be one residential unit per 250m<sup>2</sup> net site area.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties;</li> </ul>

	Standards for activities located in the Medium Density Residential Zone	Non-compliance status
		<ul style="list-style-type: none"> <li>b. internal and external amenity values for future occupants of buildings on the site;</li> <li>c. privacy for occupants of the subject site and neighbouring sites, including cumulative privacy effects resulting from several household units enabling overlooking of another unit or units;</li> <li>d. parking and access layout: safety, efficiency and impacts on on-street parking and neighbours;</li> <li>e. noise;</li> <li>f. servicing including waste storage and collection;</li> <li>g. in Arrowtown, consistency with Arrowtown's character, as described within the Arrowtown Design Guidelines 2016.</li> </ul>
8.5.6	<p>Recession plane</p> <ul style="list-style-type: none"> <li>a. On flat sites applicable to all buildings;</li> <li>b. On sloping sites only applicable to accessory buildings.</li> </ul> <ul style="list-style-type: none"> <li>8.5.6.1 Northern Boundary: 2.5m and 55 degrees.</li> <li>8.5.6.2 Western and Eastern Boundaries: 2.5m and 45 degrees.</li> <li>8.5.6.3 Southern Boundaries: 2.5m and 35 degrees.</li> <li>8.5.6.4 Gable end roofs may penetrate the building recession plane by no more than one third of the gable height.</li> <li>8.5.6.5 Recession planes do not apply to site boundaries adjoining a town centre zone, fronting the road, or a park or reserve.</li> </ul>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. any sunlight, shading or privacy effects created by the proposal on adjacent sites and/or their occupants;</li> <li>b. effects on any significant public views (based on an assessment of public views undertaken at the time of the proposal, in addition to any specified significant public views identified within the District Plan);</li> <li>c. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties;</li> <li>d. in Arrowtown, consistency with Arrowtown's character, as described within the Arrowtown Design Guidelines 2016.</li> </ul>



	Standards for activities located in the Medium Density Residential Zone	Non-compliance status
		e. Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is located within the adjacent road, any adverse effects on that infrastructure.
<b>8.5.7</b>	<p>Landscaped permeable surface</p> <p>At least 25% of site area shall comprise landscaped permeable surface.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. stormwater related effects including flooding and water nuisance;</p> <p>b. visual amenity and the mitigation of the visual effects of buildings and any vehicle parking areas, particularly in relation to any streets or public spaces;</p> <p>c. in Arrowtown, consistency with Arrowtown’s character, as described within the Arrowtown Design Guidelines 2016.</p>
<b>8.5.8</b>	<p>Minimum Boundary Setback</p> <p>a. road boundary setback: 3m minimum, except for:</p> <p style="padding-left: 40px;">i. State Highway boundaries, where the setback shall be 4.5m minimum;</p> <p style="padding-left: 40px;">ii. garages, where the setback shall be 4.5m minimum;</p> <p>b. all other boundaries: 1.5m.</p> <p>Exceptions to setback requirements other than any road boundary setback.</p> <p>Accessory buildings for residential activities may be located within the setback distances, where they do not exceed 7.5m in length, there are no windows or openings (other than for carports) along any walls within 1.5m of an internal boundary, and they comply with rules for Building Height and Recession Plane.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties;</p> <p>b. streetscape character and amenity;</p> <p>c. any sunlight, shading or privacy effects created by the proposal on adjacent sites and/or their occupants;</p> <p>d. effects on any significant public views (based on an assessment of public views undertaken at the time of the proposal, in addition to any specified significant public views identified within the District Plan);</p> <p>e. parking and access layout: safety, efficiency and impacts on on-street parking and neighbours;</p> <p>f. in Arrowtown, consistency with Arrowtown’s character, as</p>

	Standards for activities located in the Medium Density Residential Zone	Non-compliance status
		described within the Arrowtown Design Guidelines 2016. g. Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is located within the adjacent road, any adverse effects on that infrastructure.
<b>8.5.9</b>	<p>Building Length</p> <p>The length of any building facade above the ground floor level shall not exceed 24m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties;</li> <li>in Arrowtown, consistency with Arrowtown's character, as described</li> </ol>
<b>8.5.10</b>	<p>Waste and Recycling Storage Space</p> <p>8.5.10.1 Residential activities shall provide, a minimum of 2m<sup>2</sup> space for waste and recycling storage per residential unit or flat.</p> <p>8.5.10.2 Waste and recycling bins shall be:</p> <ol style="list-style-type: none"> <li>Located where it is easy to manoeuvre for kerbside collections and avoiding impeding vehicle movements within and through the site; and</li> <li>Not directly visible from adjacent sites, roads and public spaces; or</li> <li>Screened with materials that are in keeping with the design of the building</li> </ol>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>Effects on amenity values;</li> <li>Size, location and access of waste and recycling storage space; and</li> <li>Consistency with the Residential Zone Design Guide 2021.</li> </ol>
<b>8.5.11</b>	<p>Lighting and Glare</p> <p>8.5.11.1 All exterior lighting shall be directed downward and away from the adjacent sites and roads.</p> <p>8.5.11.2 No activity on any site shall result in greater than a 3.0 lux spill (horizontal or vertical) of lights onto any other site measured at any point inside the boundary of the other site.</p>	<p>RD</p> <p>Discretion is restricted to the effects of lighting and glare on:</p> <ol style="list-style-type: none"> <li>amenity values of adjoining sites;</li> <li>the safety of the Transport Network;</li> <li>the night sky; and</li> </ol>

	Standards for activities located in the Medium Density Residential Zone	Non-compliance status
		d. the navigational safety of passenger carrying vessels operating at night.
<b>8.5.12</b>	<p>Setback of buildings from water bodies</p> <p>The minimum setback of any building from the bed of a river, lake or wetland shall be 7m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. indigenous biodiversity values;</li> <li>b. visual amenity values;</li> <li>c. landscape character;</li> <li>d. open space and the interaction of the development with the water body;</li> <li>e. environmental protection measures (including landscaping and stormwater management);</li> <li>f. whether the waterbody is subject to flooding or natural hazards and any mitigation to manage the location of the building.</li> </ul>
<b>8.5.13</b>	<p>Garages</p> <p>Garage doors and their supporting structures (measured parallel to the road) shall not exceed 50% of the width of the front elevation of the building which is visible from the street.</p>	D
<b>8.5.14</b>	<p>Home Occupation</p> <p>8.5.14.1 No more than 1 full time equivalent person from outside the household shall be employed in the home occupation activity.</p> <p>8.5.14.2 The maximum number of two-way vehicle trips shall be:</p> <ul style="list-style-type: none"> <li>a. heavy vehicles: none permitted;</li> <li>b. other vehicles: 10 per day.</li> </ul> <p>8.5.14.3 Maximum net floor area of 60m<sup>2</sup>.</p> <p>8.5.14.4 Activities and storage of materials shall be indoors.</p>	D
<b>8.5.15</b>	Building Restriction Area	NC

	Standards for activities located in the Medium Density Residential Zone	Non-compliance status
	No building shall be located within a building restriction area as identified on the District Plan web mapping application.	
<b>8.5.16</b>	<p>Residential Visitor Accommodation <u>where:</u></p> <p>8.5.16.1 <u>The total nights of occupation by paying guests on a site do not exceed a cumulative total of 90 nights per annum from the date of initial registration. Must not exceed a cumulative total of 90 nights occupation by paying guests on a site per 12 month period.</u></p> <p>8.5.16.2 <u>A single residential unit (inclusive of a residential flat) must be rented to a maximum of one (1) group of guests at any one time. Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</u></p> <p>8.5.16.3 <u>The number of guests must not exceed 2 adults per bedroom and the total number of adults and children must not exceed:</u></p> <ul style="list-style-type: none"> <li>• <u>3 in a one-bedroom residential unit</u></li> <li>• <u>6 in a two-bedroom residential unit.</u></li> <li>• <u>9 in a three-bedroom or more residential unit</u></li> </ul> <p>8.5.16.4 <u>No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated.</u></p> <p>8.5.16.5 <u>Outdoor space is not used between the hours of 10:00pm and 7:00am and sign/s are installed and visible from the outdoor space advising the permitted hours of use.</u></p> <p>8.5.16.6 <u>Rubbish and recycling is not left on/adjacent to the road, except on the day of collection.</u></p> <p>8.5.16.7 <u>The activity is registered with Council prior to commencement.</u></p>	<p>Sites within the Visitor Accommodation Sub-Zone and/or the MDRZ in Central Wānaka as shown on the District Plan web mapping application:</p> <p style="text-align: center;">RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>a. The location, nature and scale of activities;</li> <li>b. <u>Vehicle access and parking;</u>The location, provision, use and screening of parking and access;</li> <li>c. <u>The management of noise, rubbish, recycling and outdoor activities;</u>The management of noise, outdoor lighting, use of outdoor areas, rubbish and recycling.</li> <li>d. <u>Privacy and overlooking;</u>The compliance of the residential unit with the Building Code as at the date of the consent;</li> <li>e. <u>Outdoor lighting;</u>Health and safety provisions in relation to guests;</li> <li>f. Guest management and complaints procedures;</li> <li>g. The keeping of records of <u>residential visitor accommodation RVA</u> use, and availability of records for Council inspection; and</li> <li>h. Monitoring requirements, including imposition of an annual monitoring charge.</li> </ol> <p style="text-align: center;">All other sites:</p> <p style="text-align: center;">Standard 8.5.17.1: 91-180 nights...RD &gt;180 nights...NC</p> <p>All other Standards:</p>

	Standards for activities located in the Medium Density Residential Zone	Non-compliance status
	<p>8.5.16.8 <u>Council is provided with the following information at the time of registration:</u></p> <p>(a) <u>the contact details of the person and/or organisation responsible for managing the property and responding to any complaints; and</u></p> <p>(b) <u>confirmation that the immediately adjacent neighbouring properties, including any property with shared access arrangements, have been provided written notice that the property is to be used for residential visitor accommodation and the contact details of the person and/or organisation responsible for managing the property and responding to any complaints.</u></p> <p>8.5.16.9 <u>The information required by Standard 8 is reviewed and resubmitted to Council on an annual basis (from the date of registration of the activity), including the annual provision of written notice to neighbours required by Standard 8.b.</u></p> <p>8.5.16.10 <u>Up to date records of the activity are kept including:</u></p> <p>(a) <u>a record of the date and duration of guest stays and the number of guests staying per night; and</u></p> <p>(b) <u>a detailed record of any complaints received and remediation actions taken.</u></p> <p>8.5.16.11 <u>The records required by Standard 10 are provided to Council on an annual basis from the date of registration and made available for inspection by Council with 24 hours' notice.</u></p> <p>Note: The Council may request that records are made available to the Council for inspection, at 24 hours' notice, in order to monitor compliance with</p>	<p>NC</p> <p>For RD non-compliance with Standard 8.5.17.1 discretion is restricted to:</p> <p>i. The nature of the surrounding residential context, including its residential amenity values and character, and the effects of the activity on the neighbourhood;</p> <p>j. The cumulative effect of the activity, when added to the effects of other activities occurring in the neighbourhood;</p> <p>k. The scale and frequency of the activity, including the number of nights per year;</p> <p>l. The management of noise, use of outdoor areas, rubbish and recycling;</p> <p>m. The location, provision, use and screening of parking and access;</p> <p>n. The compliance of the residential unit with the Building Code as at the date of the consent;</p> <p>o. Health and safety provisions in relation to guests;</p> <p>p. Guest management and complaints procedures;</p> <p>q. The keeping of records of RVA use, and availability of records for Council inspection; and</p> <p>r. Monitoring requirements, including imposition of an annual monitoring charge.</p>

	Standards for activities located in the Medium Density Residential Zone	Non-compliance status
	rules 8.5.17.1 to 8.5.17.211.	
<b>8.5.17</b>	<p>Homestay</p> <p>8.5.17.1 <u>The total number of paying guests on a site does not exceed five per night. Must not exceed 5 paying guests on a site per night.</u></p> <p>8.5.17.2 <u>No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated. Must comply with minimum parking requirements of standard 29.8.9 in Chapter 29 Transport.</u></p> <p>8.5.17.3 <u>Council is notified in writing prior to the commencement of a Homestay activity. Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</u></p> <p>8.5.17.4 <u>Up to date records of the Homestay activity are kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the council at 24 hours' notice. The Council must be notified in writing prior to the commencement of a Homestay activity.</u></p> <p><del>8.5.17.5 Up to date records of the Homestay activity must be kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</del></p> <p>Note: The Council may request that records are made available to the Council for inspection, at 24 hours' notice, in order to monitor compliance with rules 8.5.18.1 to 8.5.18.45.</p>	<p><del>Standards 8.5.18.1 and 8.5.18.2: RD</del></p> <p>All other Standards: NC</p> <p><del>For non-compliance with Standards 8.5.18.1 and 8.5.18.2 dDiscretion is restricted to</del></p> <p>a. <u>The location, nature and scale of the activities;</u>The nature of the surrounding residential context, including its residential amenity values and character, and the effects of the activity on the neighbourhood;</p> <p>b. <u>Privacy and overlooking;</u>The cumulative effect of the activity, when added to the effects of other activities occurring in the neighbourhood;</p> <p>c. <u>The management of noise, rubbish, recycling and outdoor activities;</u>The scale and frequency of the activity, including the number of nights per year;</p> <p>d. <u>The keeping of records of Homestay use, and availability of records for Council inspection;</u>The management of noise, use of outdoor areas, rubbish and recycling;</p> <p>e. <u>Monitoring requirements, including imposition of an annual monitoring charge; and</u>The location, provision, use and screening of parking and access;</p> <p>f. <u>Vehicle access and parking.</u>The keeping of records of Homestay use, and availability of records for Council inspection; and</p>

	Standards for activities located in the Medium Density Residential Zone	Non-compliance status
		<del>g. Monitoring requirements, including imposition of an annual monitoring charge.</del>
<b>8.5.18</b>	No fencing shall be constructed in a building restriction area adjoining Hayes Creek and the Outstanding Natural Landscape at Bridesdale.	RD Discretion is restricted to: a. Visual amenity values; b. Landscape character.

## 8.6 Rules - Non-Notification of Applications

**8.6.1 The following Restricted Discretionary activities shall not require the written approval of affected persons and shall not be notified or limited notified except where vehicle crossing or right of way access on or off a State Highway is sought.**

8.6.1.1 Residential units which comply with Rule 8.4.10 and all of the standards in Rule 8.5.

8.6.1.2 Visitor Accommodation and residential visitor accommodation within the Visitor Accommodation Sub-Zone and Wānaka Town Centre Transition Overlay.

**Note:**

- Changes from previous Consent Order dated 28 May 2021 are in [blue underlined text and ~~strikeout~~](#)
- Changes from this Consent Order are in black underlined text and ~~strikeout~~

## 9 High Density Residential

**Please note: Variations to parts of this chapter have been decided by Council on 18 March 2021 as part of Stage 3&3b of the PDP. You can view the Stage 3 Decisions and appeals notices on our website. The appeals and section 274 periods for the Stage 1 and 2 Decisions have closed.**

### 9.1 Zone Purpose

The High Density Residential Zone provides for efficient use of land within close proximity to town centres and Arthurs Point that is easily accessible by public transport, cycle and walk ways. In conjunction with the Medium Density Residential Zone, the zone plays a key planning role in minimising urban sprawl and consolidating growth in existing urban areas.

In Queenstown, the High Density Residential zone enables taller buildings than in the other residential zones, subject to high design quality. In Wānaka, lower building heights are anticipated, accounting for its distinctive urban character, however relatively high densities are still achievable. Such development will result in a greater diversity of housing supply, help support the function and vibrancy of town centres, and reduce reliance on private transport. Over time, low-rise apartments and terraced housing are envisaged to become commonplace within the zone.

The High Density Residential Zone at Three Parks Wānaka provides for a distinctive urban character at the entranceway to Wānaka through taller buildings and landscaped areas adjacent to State Highway 84.

Development in the zone will facilitate effective non-vehicular connections and access to high quality public open space.

Development controls provide minimum protections for existing amenity values, and are otherwise prioritised towards enabling the community's wellbeing by promoting growth and development. Given the focus on intensification, moderate to substantial change is anticipated including to both public and private views as the character of land within the zone develops into one that is characteristically urban.

Small scale commercial activities are enabled, either to support larger residential developments, or to provide low impact local services.

Small scale community facilities are anticipated, given the need for community activities within residential areas. However, large scale community facilities are not anticipated as this will reduce the effectiveness of the zone at its primary purpose of accommodating housing.



Visitor accommodation, residential visitor accommodation and homestays are anticipated and enabled in this zone, which is located near the town centres and within Arthurs Point, to respond to projected growth in visitor numbers, provided that adverse effects on the residential amenity values of nearby residents is avoided, remedied or mitigated.

## 9.2 Objectives and Policies

**9.2.1 Objective – High density housing development occurs in urban areas close to town centres, to provide greater housing diversity and respond to expected population growth.**

### Policies

9.2.1.1 Provide sufficient high density zoned land that enables diverse housing supply and visitor accommodation close to town centres.

9.2.1.2 Promote high density development close to town centres to reduce private vehicle movements, maximise walking, cycling and public transport patronage and reduce the need for capital expenditure on infrastructure.

**9.2.2 Objective - High density residential development provides a positive contribution to the environment through quality urban design.**

### Policies

9.2.2.1 Require that development within the zone responds to its context, with a particular emphasis on the following essential built form outcomes:

- a. achieving high levels of visual interest and avoiding blank or unarticulated walls or facades;
- b. achieving well-overlooked, activated streets and public open spaces, including by not visually or spatially dominating street edges with garaging, parking or access ways;
- c. achieving a variation and modulation in building mass, including roof forms;
- d. use landscaped areas to add to the visual amenity values of the development for on-site residents or visitors, neighbours, and the wider public.

9.2.2.2 Support greater building height where development is designed to achieve an exemplary standard of quality, including its environmental sustainability.

9.2.2.3 Promote a distinct streetscape for the Arthurs Point High Density Residential neighbourhood that is based upon a shared and integrated public realm.

9.2.2.4 Require consideration of the relevant design elements identified in the Residential Zone Design Guide 2021.

**9.2.3 Objective – High density residential development maintains a minimum of existing amenity values for neighbouring sites as part of positively contributing to the urban amenity values sought within the zone.**

**Policies**

- 9.2.3.1 Apply recession plane, building height, yard setback and site coverage controls as the primary means of ensuring a minimum level of neighbours' outlook, sunshine and light access, and privacy will be maintained, while acknowledging that through an application for land use consent an outcome superior to that likely to result from strict compliance with the controls may well be identified.
- 9.2.3.2 Ensure the amenity values of neighbours are adequately maintained.
- 9.2.3.3 Ensure built form achieves privacy for occupants of the subject site and neighbouring residential sites and units, including through the use of building setbacks, offsetting habitable windows from one another, screening, or other means.
- 9.2.4 Objective – Small-scale community activities are provided for where they are best located in a residential environment close to residents.**

**Policies**

- 9.2.4.1 Enable the establishment of small-scale community activities where adverse effects on residential amenity values such as noise, traffic and visual impact can be avoided or mitigated.
- 9.2.5 Objective – Commercial development is small-scale and generates minimal amenity value impacts.**

**Policies**

- 9.2.5.1 Ensure that any commercial development is of low scale and intensity, and does not undermine the local transport network or availability of on-street vehicle parking for non-commercial use.
- 9.2.5.2 Ensure that any commercial development is of a design, scale and appearance compatible with its surrounding context.
- 9.2.6 Objective - High-density residential development will efficiently utilise existing infrastructure and minimise impacts on infrastructure and roading networks.**

**Policies**

- 9.2.6.1 Require development to provide or enhance connections to public places and active transport networks (walkways, trails and cycleways) where appropriate.
- 9.2.6.2 Require development to provide facilities to encourage walking and cycling where appropriate.
- 9.2.6.3 Ensure access and parking is located and designed to optimise the connectivity, efficiency and safety of the district's transport networks, including the consideration of a reduction in required car parking where it can be demonstrated that this is appropriate.
- 9.2.6.4 Require the site layout and design of development provides low impact approaches to stormwater management through providing permeable surface areas on site and the use of a variety of stormwater management measures.
- 9.2.6.5 A reduction in parking requirements may be considered in Queenstown and Wānaka where a site is located within 800m of a bus stop or the edge of a Town Centre Zone.

**9.2.7 Objective – Manage the development of land within noise affected environments to ensure mitigation of noise and reverse sensitivity effects.**

9.2.7.1 Require as necessary all new and altered buildings for Activities Sensitive to Road Noise located close to any State Highway to be designed to provide protection from sleep disturbance and to otherwise maintain reasonable amenity values for occupants.

**9.2.8 Objective – Visitor accommodation, residential visitor accommodation and homestays are enabled in urban areas close to town centres to respond to strong projected growth in visitor numbers, whilst ensuring that adverse effects on residential amenity values and traffic safety are avoided, remedied or mitigated.**

9.2.8.1 Provide sufficient high density zoned land to enable a range of accommodation options for visitors to establish close to town centres.

9.2.8.2 Enable a range of accommodation options which positively contribute to residential amenity values by ensuring that adverse effects on residential amenity values are avoided, remedied or mitigated.

9.2.8.3 Ensure that visitor accommodation development utilises existing infrastructure and minimise impacts on infrastructure and roading networks.

9.2.8.4 Ensure that the design of buildings for visitor accommodation contributes positively to the visual quality of the environment through the use of connection to the street, interesting built forms, landscaping, and response to site context.

**9.2.9 Objective – High quality residential development of the land on the northern side of State Highway 6 at Frankton, that is integrated with a primary road that connects State Highway 6 at Hawthorne Drive to Quail Rise, pedestrian and cycle access, and appropriate servicing.**

9.2.9.1 Ensure subdivision and development at Frankton North is undertaken in accordance with the Frankton North Structure Plan (Schedule 27.13.9) to promote integration and provision of access to and throughout Frankton North.

9.2.9.2 Ensure safe transport connections by:

- a. avoiding any new access to State Highway 6;
- b. limiting new access to the land at Frankton North to: Hawthorne Drive/SH6 roundabout, Hansen Road and Ferry Hill Drive;
- c. providing the primary road connection between State Highway 6 at Hawthorne Drive and Quail Rise;
- d. providing access to the primary road connection from all sites within Frankton North; and
- e. providing internal road, pedestrian and cycle connections that are of a form that accounts for long-term traffic demand for the area between Hansen Road and Ferry Hill Drive without the need for subsequent retrofitting or upgrade.
- f. ensuring that road frontages are not dominated by vehicular access and parking; and

- g. integrating with the pedestrian and cycle path and the road network and public transport routes on the southern side of State Highway 6, including pedestrian and cycle access across State Highway 6.

9.2.9.3 Encourage low impact stormwater design that utilises on-site treatment and storage or dispersal approaches.

9.2.9.4 Avoid the impacts of stormwater discharges on the State Highway network.

Note: Attention is drawn to the need to consult with the New Zealand Transport Agency (NZTA) prior to determining an internal and external road network design under these policies.

Note: Attention is drawn to the need to obtain a Section 93 notice from the NZ Transport Agency for all subdivisions on adjoining State Highways which are declared Limited Access Roads. The NZ Transport Agency should be consulted and a request made for a notice under Section 93 of the Government Roadings Powers Act 1989.

### 9.2.10 **Objective – The High Density Residential Zone at Three Parks Wānaka contributes to a quality environment at the entranceway to Wānaka.**

9.2.10.1 Avoid buildings within the Building Restriction Area so as to:

- a. minimise adverse effects of road noise on residential amenity; and
- b. ensure the land adjacent to State Highway 84 be landscaped so as to provide a high amenity sense of arrival into Wānaka.

## 9.3 Other Provisions and Rules

### 9.3.1 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 and Rural Character
25 Earthworks	26 Historic Heritage	27 Subdivision
28 Natural Hazards	29 Transport	30 Energy and Utilities
31 Signs	32 Protected Trees	33 Indigenous Vegetation
34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings	36 Noise
37 Designations	District Plan web mapping application	

### 9.3.2 Interpreting and Applying the Rules

- 9.3.2.1 A permitted activity must comply with all the rules listed in the Activity and Standards tables, and any relevant district wide rules, otherwise a resource consent will be required.
- 9.3.2.2 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.
- 9.3.2.3 Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.
- 9.3.2.4 Each residential unit may include a single residential flat and any other accessory buildings.
- 9.3.2.5 The status of any Plantation Forestry will be determined by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.
- 9.3.2.6 The following abbreviations are used within this Chapter.

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

- 9.3.2.6A Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances ("NZECP34:2001") is mandatory under the Electricity Act 1992. All activities, such as buildings, earthworks and conductive fences regulated by NZECP34: 2001, including any activities that are otherwise permitted by the District Plan must comply with this legislation. Chapter 30 Energy and Utilities part 30.3.3.2.c has additional information in relation to activities and obligations under NZECP34:2001.

## 9.4 Rules - Activities

	Activities located in the High Density Residential Zone	Activity status
<b>9.4.1</b>	<p>Commercial activities comprising no more than 100m<sup>2</sup> of gross floor area</p> <p>At 158, 164, 170 and 172 Arthurs Point Road, Commercial Activities comprising between 101m<sup>2</sup> and 200m<sup>2</sup> gross floor area.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. Economic impact on the Queenstown town centre;</li> <li>b. Effects on residential amenity;</li> <li>c. Hours of operation;</li> <li>d. Traffic generation and access;</li> <li>e. Location, design, scale and appearance.</li> </ul>	<p>P</p> <p>RD</p>
<b>9.4.2</b>	Home Occupation	P

	Activities located in the High Density Residential Zone	Activity status
9.4.3	Residential Unit comprising three (3) or less per site	P
9.4.4	Residential Visitor Accommodation and Homestays	P
9.4.5	<p>Residential Unit comprising four (4) or more per site</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. location, external appearance, site layout and design of buildings and fences and how the development addresses its context to contribute positively to the character of the area;</li> <li>b. building dominance and sunlight access relative to neighbouring properties and public spaces including roads;</li> <li>c. how the design advances housing diversity and promotes sustainability either through construction methods, design or function;</li> <li>d. privacy for occupants of the subject site and neighbouring sites;</li> <li>e. street activation;</li> <li>f. parking and access layout: safety, efficiency and impacts on on-street parking and neighbours;</li> <li>g. design and integration of landscaping;</li> <li>h. where a site is subject to any natural hazard and the proposal results in an increase in gross floor area:</li> </ul>	RD

	Activities located in the High Density Residential Zone	Activity status
	<ul style="list-style-type: none"> <li>a. the nature and degree of risk the hazard(s) pose to people and property;</li> <li>b. whether the proposal will alter the risk to any site; and</li> <li>c. the extent to which such risk can be avoided or sufficiently mitigated.</li> <li>i. The location, size, access, design and screening of waste and recycling storage space; and</li> <li>j. Consistency with the Residential Zone Design Guide 2021.</li> <li>k. Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is located within the adjacent road and any proposed building is located within 9.5 meters of that road boundary, any adverse effects on that infrastructure.</li> </ul>	
<b>9.4.6</b>	<p>Visitor Accommodation including licensed premises within a visitor accommodation development</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. The location, nature and scale of activities;</li> <li>b. Parking and access;</li> <li>c. Landscaping;</li> <li>d. Noise;</li> <li>e. Hours of operation, including in respect of ancillary activities; and</li> <li>f. The external appearance of buildings.</li> </ul>	RD
<b>9.4.7</b>	Commercial recreation	D
<b>9.4.8</b>	Community activities	D
<b>9.4.9</b>	Retirement village	D
<b>9.4.10</b>	Activities which are not listed in this table	NC
<b>9.4.11</b>	Commercial activities not otherwise identified	NC
<b>9.4.12</b>	Panel beating, spray painting, motor vehicle repair or dismantling, fibre glassing, sheet metal work, bottle or scrap storage, motor body building.	PR
<b>9.4.13</b>	Manufacturing and/or product assembling activities	PR

	Activities located in the High Density Residential Zone	Activity status
9.4.14	Mining	PR
9.4.15	Factory Farming	PR
9.4.16	Fish or meat processing	PR
9.4.17	Forestry activities, except for Plantation Forestry where the Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017 prevails.	PR
9.4.18	Any activity requiring an Offensive Trade License under the Health Act 1956	PR
9.4.19	Airports other than the use of land and water for emergency landings, rescues and fire fighting	PR
9.4.20	Bulk material storage	PR

### 9.5A Rules – Standards for Restricted Discretionary and Discretionary Activities under Rules 9.4 and 9.5

	Standards for activities in the High Density Residential Zone	Non-compliance status
9.5A.1	For all restricted discretionary and discretionary activities under Rules 9.4 and 9.5, applications for resource consent shall include a statement confirming that the relevant design elements from the Residential Zone Design Guide 2021 have been considered, including a summary of any particular aspects of the proposal that have resulted from that consideration.	NC

### 9.5 Rules – Standards

	Standards for activities located in the High Density Residential Zone	Non-compliance status
9.5.1	<p>Building Height – Flat Sites in Queenstown</p> <p>9.5.1.1 A height of 12 metres except where specified in Rules 9.5.1.2, 9.5.1.3 or 9.5.1.4.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>building design and appearance, including roof form articulation and the avoidance of large, monolithic building forms;</li> <li>building dominance and sunlight access relative to neighbouring</li> </ol>



	Standards for activities located in the High Density Residential Zone	Non-compliance status
	<p>9.5.1.2 In the High Density Residential Zone immediately west of the Kawarau Falls Bridge the maximum building height shall be 10m provided that in addition no building shall protrude above a horizontal line orientated due north commencing 7m above any given point along the required boundary setbacks at the southern zone boundary.</p> <p>9.5.1.3 Within the area specified on the District Plan web mapping application on the south side of Frankton Road (SH6A), the highest point of any building shall not exceed the height above sea level of the nearest point of the road carriageway centreline.</p> <p>9.5.1.4 Maximum building height of 15m.</p> <p>9.5.1.5 Rules 9.5.1.1 to 9.5.1.4 do not apply to the land at Frankton North.</p>	<p>properties and public spaces including roads;</p> <p>c. how the design advances housing diversity and promotes sustainability either through construction methods, design or function;</p> <p>d. privacy for occupants of the subject site and neighbouring sites;</p> <p>e. effects on significant public views (based on an assessment of public views undertaken at the time of the proposal, in addition to any specified significant public views identified within the District Plan);</p> <p>f. the positive effects of enabling additional development intensity within close proximity to town centres.</p> <p>D</p> <p>D</p> <p>D</p>
9.5.2	<p><b>Building Height – Flat Sites in Wānaka</b></p> <p>9.5.2.1 A height of 8m except where specified in Rule 9.5.2.2 and 9.5.2.3.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. building design and appearance, including roof form articulation and the avoidance of large, monolithic building forms;</p>

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	<p>9.5.2.2 Maximum building height of 10m.</p> <p>9.5.2.3 In Three Parks Wānaka the maximum building height shall be 12m.</p>	<p>b. building dominance and sunlight access relative to neighbouring properties and public spaces including roads;</p> <p>c. how the design advances housing diversity and promotes sustainability either through construction methods, design or function;</p> <p>d. privacy for occupants of the subject site and neighbouring sites;</p> <p>e. effects on significant public views, in particular from Lismore Park (based on an assessment of public views undertaken at the time of the proposal, in addition to any specified significant public views identified within the District Plan);</p> <p>f. the positive effects of enabling additional development intensity within close proximity to town centres.</p> <p>D</p> <p>D</p>
<p><b>9.5.3</b></p>	<p>Building Height – Sloping Sites in Queenstown and Wānaka</p> <p>9.5.3.1 A height of 7m, except as specified in Rules 9.5.3.2, 9.5.3.3 and 9.5.3.4</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. building design and appearance, including roof form articulation and the avoidance of large, monolithic building forms;</p> <p>b. building dominance and sunlight access relative to neighbouring properties and public spaces including roads;</p> <p>c. how the design advances housing diversity and promotes sustainability either through construction methods, design or function;</p> <p>d. how the design responds to the sloping landform so as to integrate with it;</p> <p>e. privacy for occupants of the subject site and neighbouring sites;</p> <p>f. effects on significant public views, in particular from Lismore Park (based on an assessment of public views</p>

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	<p>9.5.3.2 Immediately west of the Kawarau Falls Bridge the maximum building height shall be 10m provided that in addition no building shall protrude above a horizontal line orientated due north commencing 7m above any given point along the required boundary setbacks at the southern zone boundary.</p> <p>9.5.3.3 Within the area specified on the District Plan web mapping application on the south side of Frankton Road (SH6A), the highest point of any building shall not exceed the height above sea level of the nearest point of the road carriageway centreline</p> <p>9.5.3.4 Maximum building height of 10m.</p> <p>9.5.3.5 Rules 9.5.3.1 to 9.5.3.4 do not apply to the land at Frankton North.</p>	<p>undertaken at the time of the proposal, in addition to any specified significant public views identified within the District Plan);</p> <p>g. the positive effects of enabling additional development intensity within close proximity to town centres.</p> <p>D</p> <p>D</p> <p>D</p>
<p><b>9.5.4</b></p>	<p>Building Height - Frankton North</p> <p>9.5.4.1 Building height of 12m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. building design and appearance, including roof form articulation and the avoidance of large, monolithic building forms;</p> <p>b. building dominance and sunlight access relative to neighbouring properties and public spaces including roads;</p> <p>c. how the design advances housing diversity and promotes sustainability either through construction methods, design or function;</p>

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	<p>9.5.4.2 Maximum building height of 20m.</p>	<p>d. privacy and outlook for occupants of the subject site and neighbouring sites;</p> <p>e. Crime Prevention Through Environmental Design considerations;</p> <p>f. the positive effects of enabling additional development intensity within close proximity to town centres;</p> <p>NC</p>
<p><b>9.5.5</b></p>	<p>Building Coverage</p> <p>9.5.5.1 A maximum of 70% site coverage</p> <p>9.5.5.2 Within Frankton North a maximum of 75% building coverage.</p> <p>Exclusions:</p> <p>a. building coverage does not include any veranda over public space and does not apply to underground structures, which are not visible from ground level and which are landscaped to appear as recreational or planted (including grassed) areas.</p>	<p>NC</p>
<p><b>9.5.6</b></p>	<p>Recession plane (applicable to all buildings, including accessory buildings)</p> <p>9.5.6.1 For Flat Sites from 2.5 metres above ground level a 45 degree recession plane applies to all boundaries, other than the northern boundary of the site where a 55 degree recession plane applies.</p> <p>Exclusions:</p>	<p>RD – for boundaries where the High Density Residential zone applies on each side of the boundary.</p> <p>Discretion is restricted to:</p> <p>a. any sunlight, shading or privacy effects created by the proposal on adjacent sites and/or their occupants;</p> <p>b. effects on any significant public views (based on an assessment of public views undertaken at the time of the proposal, in addition to any specified significant public views identified within the District Plan);</p>

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	<p>a. gable end roofs may penetrate the building recession plane by no more than one third of the gable height;</p> <p>b. recession planes do not apply to site boundaries adjoining a Town Centre Zone, fronting a road, or adjoining a park or reserve.</p> <p>9.5.6.2 No recession plane for sloping sites</p> <p>9.5.6.3 Rules 9.5.6.1 and 9.5.6.2 do not apply at Frankton North.</p> <p>9.5.6.4 At Frankton North all buildings, including accessory buildings, along the northern boundary of the zone where it adjoins the Rural Zone, Open Space Zone and Quail Rise Special Zone: For flat and sloping sites from 3 metres above ground a 45 degree recession plane applies.</p>	<p>c. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties.</p> <p>d. Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is located within the adjacent road and any proposed building is located within 9.5 meters of that road boundary, any adverse effects on that infrastructure.</p> <p>NC – for boundaries where there is a change of zone other than as specified in the exclusions.</p>
<b>9.5.7</b>	<p>Landscaped permeable surface coverage</p> <p>At least 20% of site area shall comprise landscaped (permeable) surface.</p>	NC
<b>9.5.8</b>	<p>Building Length</p> <p>The length of any building facade above the ground floor level shall not exceed 30m.</p> <p>Rule 9.5.8 does not apply at Frankton North.</p>	<p>RD</p> <p>Discretion is restricted to the following:</p> <p>a. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties.</p>
<b>9.5.9</b>	<p>Minimum Boundary Setbacks</p> <p>9.5.9.1 All boundaries 2 metres except for State Highway road boundaries where the minimum setback shall be 4.5m.</p> <p>9.5.9.2 Garages shall be at least 4.5m back from a road boundary.</p> <p>9.5.9.3 Rules 9.5.9.1 and 9.5.9.2 do not apply at Frankton North.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties;</p> <p>b. streetscape character and amenity;</p> <p>c. any sunlight, shading or privacy effects created by the proposal on adjacent sites and/or their occupants;</p> <p>d. effects on any significant public views (based on an assessment of public views undertaken at the time of the proposal, in addition to any specified</p>

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	<p>Exceptions to setback requirements other than any road boundary setbacks:</p> <p>Accessory buildings for residential activities may be located within the setback distances, where they do not exceed 7.5m in length, there are no windows or openings (other than for carports) along any walls within 1.5m of an internal boundary, and comply with rules for Building Height and Recession Plane.</p>	<p>significant public views identified within the District Plan).</p> <p>e. Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is located within the adjacent road and any proposed building is located within 9.5 meters of that road boundary, any adverse effects on that infrastructure.</p>
<b>9.5.10</b>	<p>Waste and Recycling Storage Space</p> <p>9.5.10.1 Residential activities of three units or less shall provide, a minimum of 2m<sup>2</sup> waste and recycling storage per residential unit or flat.</p> <p>9.5.10.2 Waste and recycling bins shall be:</p> <ol style="list-style-type: none"> <li>Located where it is easy to manoeuvre for kerbside collections and avoid impeding vehicle movements within and through the site; and</li> <li>Not directly visible from adjacent sites, roads and public spaces; or</li> <li>Screened with materials that are in keeping with the design of the building.</li> </ol>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>Effects on amenity values;</li> <li>Size, location and access of waste and recycling storage space; and</li> <li>Consistency with the Residential Zone Design Guide 2021.</li> </ol>
<b>9.5.11</b>	<p>Lighting and Glare</p> <p>9.5.11.1 All exterior lighting shall be directed downward and away from adjacent sites and roads.</p> <p>9.5.11.2 No activity on any site shall result in greater than a 3.0 lux spill (horizontal or vertical) of lights onto any other site measured at any point inside the boundary of the other site.</p>	<p>RD</p> <p>Discretion is restricted to the effects of lighting and glare on:</p> <ol style="list-style-type: none"> <li>amenity values of adjoining sites;</li> <li>the safety of the Transport Network;</li> <li>the night sky; and</li> <li>the navigational safety of passenger carrying vessels operating at night.</li> </ol>
<b>9.5.12</b>	<p>Sound Insulation and Mechanical Ventilation</p> <p>For buildings located within 80m of a State Highway.</p>	<p>NC</p>

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	<p>Any residential buildings, or buildings containing an Activity Sensitive to Road Noise, and located within 80m of a State Highway shall be designed to achieve an Indoor Design Sound Level of 40dB LAeq24h.</p> <p>Compliance with this rule can be demonstrated by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the internal design sound level.</p>	
9.5.13	<p>Building Restriction Area</p> <p>No building shall be located within a building restriction area as identified on the District Plan web mapping application.</p>	NC
9.5.14	<p>Flood Risk</p> <p>The construction or relocation of buildings with a gross floor area greater than 20m<sup>2</sup> and having a ground floor level less than:</p> <p>9.5.14.1 RL 312.0 masl at Queenstown and Frankton.</p> <p>9.5.14.2 RL 281.9 masl at Wānaka.</p>	PR
9.5.15	<p>Residential Visitor Accommodation <u>where:</u></p> <p>9.5.15.1 <u>The total nights of occupation by paying guests on a site do not exceed a cumulative total of 90 nights per annum from the date of initial registration. Must not exceed a cumulative total of 90 nights occupation by paying guests on a site per 12 month period.</u></p> <p>9.5.15.2 <u>The number of guests must not exceed 2 adults per bedroom and the total number of adults and children must not exceed: Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</u></p> <ul style="list-style-type: none"> <li><u>3 in a one-bedroom residential unit;</u></li> </ul>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>The location, nature and scale of activities;</li> <li><u>Vehicle access and parking;</u>The location, provision, and screening of parking and access;</li> <li><u>Privacy and overlooking</u>The management of noise, rubbish and outdoor activities;</li> <li><u>Outdoor lighting;</u>The compliance of the residential unit with the Building Code as at the date of the consent;</li> <li><u>The management of noise, rubbish, recycling and outdoor activities;</u>Health and safety provisions in relation to guests;</li> <li><u>Guest management and complaints procedures;</u>Guest management and complaints procedures;</li> <li><u>The keeping of records of the Residential Visitor Accommodation use, and availability of records for</u></li> </ol>

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	<ul style="list-style-type: none"> <li>• <u>6 in a two-bedroom residential unit; and</u></li> <li>• <u>9 in a three-bedroom or more residential unit.</u></li> </ul> <p>9.5.15.3 <u>No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated. <del>Must comply with the minimum parking requirements for a residential unit and/or residential flat (whatever is used for the residential visitor accommodation activity) in Chapter 29 Transport</del></u></p> <p>9.5.15.4 <del>The Council must be notified in writing prior to the commencement of a Residential Visitor Accommodation activity.</del></p> <p>9.5.15.5 <del>Up to</del> <u>The activity is registered with Council prior to commencement.</u> <del>date records of the Residential Visitor Accommodation activity must be kept, including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</del></p> <p>9.5.15.6 <u>Up to date records of the Residential Visitor Accommodation activity must be kept including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made available for inspection by Council with 24 hours' notice.</u> <del>Smoke alarms must be provided in accordance with clause 5 of the Residential Tenancies (Smoke Alarms and Insulation) Regulations 2016.</del></p> <p>Note: The Council may request that records are made available to the Council for inspection</p>	<p><del>Council inspection; and</del> <u>The keeping of records of RVA use, and availability of records for Council inspection; and</u></p> <p>h. Monitoring requirements, including imposition of an annual monitoring charge.</p>



	Standards for activities located in the High Density Residential Zone	Non-compliance status
	at 24 hours' notice, in order to monitor compliance with rules 9.5.15.1 to 9.5.15.5.	
<b>9.5.16</b>	<p>Homestay</p> <p>9.5.16.1 <u>The total number of paying guests on a site does not exceed five per night.</u><del>Must not exceed 5 paying guests on a site per night.</del></p> <p>9.5.16.2 <u>No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated.</u><del>Must comply with minimum parking requirements of standard 29.8.9 in Chapter 29 Transport.</del></p> <p>9.5.16.3 <u>Council is notified in writing prior to the commencement of a Homestay activity.</u><del>Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</del></p> <p>9.5.16.4 <u>Up to date records of the Homestay activity are kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the council at 24 hours' notice.</u><del>The Council must be notified in writing prior to the commencement of a Homestay activity.</del></p> <p><del>Up to date records of the Homestay activity must be kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</del></p> <p>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 9.5.16.1 to 9.5.16.45.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>The location, nature and scale of activities;</li> <li><del>The location, provision, and screening of parking and access</del><u>Privacy and overlooking;</u></li> <li>The management of noise, rubbish, recycling and outdoor activities;</li> <li>The keeping of records of Homestay use, and availability of records for Council inspection; and</li> <li>Monitoring requirements, including imposition of an annual monitoring charge; and</li> <li><u>Vehicle access and parking.</u></li> </ol>
<b>9.5.17</b>	Development on land at Frankton North shall be undertaken in accordance with the Frankton	NC

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	<p>North Structure Plan (Schedule 27.13.9), including:</p> <ul style="list-style-type: none"> <li>a. Providing for a primary road that links State Highway 6 to Quail Rise;</li> <li>b. Providing for internal connections from the primary road that ensure vehicle access to all sites;</li> <li>c. Precluding any new vehicular access to the State Highway network; and</li> <li>d. Providing for a pedestrian and cycle path along the boundary with State Highway 6. This is intended to provide a minimum path width of 2.5 metres, within the existing State Highway corridor, or where there is insufficient land within the State Highway corridor, within adjacent private land.</li> </ul>	

## 9.6 Rules - Non-Notification of Applications

**9.6.1 The following Restricted Discretionary activities shall not require the written approval of affected persons and shall not be notified or limited notified except where vehicle crossing or right of way access on or off a State Highway is sought:**

9.6.1.1 Residential development involving the development of 4 or more residential units where the standards in Rule 9.5 are complied with.

9.6.1.2 Building Heights between 12m and 20m at Frankton North as identified in Rule 9.5.4.1.

**9.6.2 The following Restricted Discretionary activities will 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:**

9.6.2.1 Restricted Discretionary building height (except at Frankton North as identified in Rule 9.6.1.2) and recession plane contraventions.

9.6.2.2 Boundary setback contraventions of up to 0.6m into the required setback depth of the yard (for unlimited length of the boundary).

9.6.2.3 Visitor accommodation and residential visitor accommodation.

9.6.2.4 Where the matters of discretion include effects on the Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure, Council will give specific consideration to Aurora Energy Limited as an affected person for the purposes of section 95E of the Act.

**Note:**

- Changes from previous Consent Order dated 28 May 2021 are in [blue underlined text and ~~strikeout~~](#)
- Changes from this Consent Order are in black underlined text and ~~strikeout~~

## 10 ARROWTOWN RESIDENTIAL HISTORIC MANAGEMENT ZONE

**Please Note: Variations to parts of this chapter have been decided by Council on 7 March 2019 as part of Stage 2 of the PDP. You can view the Stage 2 Decisions, appeals and section 274 notices on our website. The appeal and section 274 periods for the Stage 1 and 2 Decisions have closed.**

### 10.1.1

## 10.2 Zone Purpose

This zone covers the older part of the residential settlement of Arrowtown. The area has a distinctive character and atmosphere which has evolved from the development pattern set at the time of early gold mining in the District.

The purpose of this zone is to allow for the continued sensitive development of the historic area of residential Arrowtown in a way that will protect and enhance those characteristics that make it a valuable part of the town for local residents and for visitors attracted to the town by its historic associations and unique character.

In particular the zone seeks to retain the early subdivision pattern and streetscape, and ensure future development is of a scale and design sympathetic to the present character.

Unlike other residential zones, infill housing is not anticipated. However, as with the remainder of the District's residential zones, Residential Flats are provided for as a fundamental part of a standard residential unit to increase the diversity of residential accommodation in the zone as well as recognise the diverse household types and preferences within the District.

The Town Centre Transition Overlay provides for limited expansion of commercial activities in an identified location adjoining the town centre. Any modifications to existing buildings or properties are expected to retain the historical character and qualities of the Old Town Residential Area.

Visitor accommodation is anticipated in the Visitor Accommodation Sub-Zones shown on the District Plan web mapping application, which have historically provided (and will continue to provide) important locations for visitor accommodation to meet the District's needs, and in the Arrowtown

Town Centre Transition Overlay. The sub-zones are located in residential areas, and applications for visitor accommodation activities and associated development must address matters that impact on residential amenity, including character, traffic and noise effects.

Visitor accommodation outside of the Arrowtown Town Centre Transition Overlay and the Visitor Accommodation Sub-Zone is restricted.

The commercial letting of residential properties as short-term accommodation for paying guests on a year-round or permanent basis, is restricted, where it would result in a loss of residential character, cohesion and amenity values. Low intensity use of residential units, including residential flats, to accommodate paying guests is enabled, where the predominant residential character of the environment is retained and the residential amenity values of nearby residents is maintained.

Visitor accommodation is defined in the District Plan separately from accommodation activities involving paying guests occurring in residential units and residential flats, which are defined as Residential Visitor Accommodation and Homestay activities.

### 10.3 Objectives and Policies

**10.3.1 Objective – Development retains or enhances the historic character and amenity values of the zone, which is characterised by larger sites, low scale and single storey buildings, the presence of trees and vegetation and limited hard paving.**

#### Policies

10.3.1.1 Apply development controls around building location, scale and appearance, and landscaped areas, to ensure the special character of the area is retained or enhanced.

10.3.1.2 Encourage buildings to be located and designed in a manner that complements the character of the area guided by the Arrowtown Design Guidelines 2016.

10.3.1.3 Control the subdivision of land and regulate density to ensure the character resulting from the existing large lot sizes and historical subdivision pattern is retained.

10.3.1.4 Ensure that any commercial and non-residential activities, including restaurants, maintain or enhance the amenity, quality and character of the zone and surrounding area.

10.3.1.5 Avoid non-residential activities that would undermine the amenity of the zone or the vitality of Arrowtown's commercial zone.

**10.3.2 Objective - Community activities that are best suited to a location within a residential environment close to residents are provided for.**

#### Policies

10.3.2.1 Enable the establishment of small scale community activities where adverse effects on the character and amenity values of the area in terms of noise, traffic and visual impact can be avoided or mitigated.

**10.3.3 Objective - Development efficiently utilises existing infrastructure and otherwise minimises impacts on infrastructure and road networks**

**Policies**

10.3.3.1 Ensure vehicle access and parking is located and designed to optimise efficiency and safety, and designed in sympathy with the character of the area.

10.3.3.2 Encourage low impact approaches to stormwater management.

**10.3.4 Objective - The Arrowtown Town Centre Transition Overlay provides for non-residential activities that provide local employment and commercial services to support the role of the Town Centre Zone.**

**Policies**

10.3.4.1 Provide for commercial activities that are compatible with the established residential scale, character and historical pattern of development within the Arrowtown Town Centre Transition Overlay.

10.3.4.2 Limit retailing in the Town Centre Transition Overlay to ensure that the Town Centre Zone remains the principal focus for Arrowtown's retail activities.

10.3.4.3 Ensure that the licenced premises within the Arrow Lane, Wiltshire Street and Berkshire Street Town Centre Transition Overlay protect the amenity of adjoining residential properties.

**10.3.5 Objective –Visitor accommodation, residential visitor accommodation and homestays are enabled at locations, and at a scale, intensity and frequency, that maintain the residential character and amenity values of the zone.**

**Policies**

10.3.5.1 Provide for visitor accommodation and residential visitor accommodation that is appropriate for the low density residential environment in the Arrowtown Town Centre Transition Overlay and the Visitor Accommodation Sub-Zone.

10.3.5.2 Restrict the establishment of visitor accommodation in locations outside the Arrowtown Town Centre Transition Overlay and the Visitor Accommodation Sub-Zone to ensure that the zone maintains a residential character.

10.3.5.3 Ensure that residential visitor accommodation and homestays are of a scale and character that are compatible with the surrounding residential context and maintain residential character and amenity values.

10.3.5.4 Provide opportunities for low intensity residential visitor accommodation and homestays as a contributor to the diversity of accommodation options available to visitors and to provide for social and economic wellbeing.

10.3.5.5 Manage the effects of residential visitor accommodation and homestays outside the Visitor Accommodation Sub-Zone by controlling the scale, intensity and frequency of use and those effects of the activities that differentiate them from residential activities.

**10.4 Other Provisions and Rules**

**10.4.1 District Wide Rules**

Attention is drawn to the following District wide chapters.

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata whenua	6 Landscapes and Rural Character
25 Earthworks	26 Historic Heritage	27 Subdivision
28 Natural Hazards	29 Transport	30 Energy and Utilities
31 Signs	32 Protected Trees	Indigenous Vegetation
34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings	36 Noise
37 Designations	District Plan web mapping application	

**10.4.2 Interpreting and Applying the Rules**

- 10.4.2.1 A permitted activity must comply with all the rules listed in the Activity and Standards tables, and any relevant district wide rules, otherwise a resource consent will be required.
- 10.4.2.2 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.
- 10.4.2.3 Where an activity breaches more than one Standard, the most restrictive status shall
- 10.4.2.4 Each residential unit may include a single residential flat and any other accessory buildings.
- 10.4.2.5 References to the Visitor Accommodation Sub-Zones in this Chapter only apply to the sub-zones within the Arrowtown Residential Historic Management Zone.
- 10.4.2.6 The status of any Plantation Forestry will be determined by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.
- 10.4.2.7 The following abbreviations are used within this Chapter.

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

**10.5 Rules - Activities**

<b>Table 1</b>	<b>Activities located in the Arrowtown Residential Historic Management Zone</b>	<b>Activity Status</b>
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10.4.1	Home occupation	P
10.4.2	Minor Alterations and Additions to a Building	P
10.4.3	Recreational Activity	P
10.4.4	Residential Unit  Note: Refer to Rule 10.4.6 for construction of new, and alterations and additions to existing, buildings.	P
10.4.5	Homestays	P
10.4.5A	Residential Visitor Accommodation  <del>Control is reserved to:</del>  <ul style="list-style-type: none"> <li><del>a. The scale of the activity, including the number of guests on site per night;</del></li> <li><del>b. The management of noise, use of outdoor areas, rubbish and recycling;</del></li> <li><del>c. The location, provision, use and screening of parking and access;</del></li> <li><del>d. The compliance of the residential unit with the Building Code as at the date of the consent;</del></li> <li><del>e. Health and safety provisions in relation to guests;</del></li> <li><del>f. Guest management and complaints procedures;</del></li> <li><del>g. The keeping of records of RVA use, and availability of records for Council inspection; and</del></li> <li><del>h. Monitoring requirements, including imposition of an annual monitoring charge.</del></li> </ul>	<u>PC</u>
10.4.6	The Construction or external alteration of any buildings  This rule does not apply to Minor Alterations and Additions to a Building provided for by Rule 10.4.2.  Discretion is restricted to the following with the Arrowtown Design guidelines 2016 being the principal tool to be used in considering the merit of proposals (within the restrictions of discretion):  <ul style="list-style-type: none"> <li>a. how new or altered buildings make a positive contribution to the heritage character of the zone;</li> <li>b. building form, appearance, scale and layout including the height to the eaves, ridge, roof shape and pitch;</li> <li>c. exterior materials and colour;</li> <li>d. landscaping and fencing;</li> </ul>	RD

	<p>e. where a site is subject to any natural hazard and the proposal results in an increase in gross floor area:</p> <ul style="list-style-type: none"> <li>i. the nature and degree of risk the hazard(s) pose to people and property;</li> <li>ii. whether the proposal will alter the risk to any site; and</li> <li>iii. the extent to which such risk can be avoided or sufficiently mitigated.</li> </ul> <p>The following additional restriction of discretion also applies within the Arrowtown Town Centre Transition Overlay:</p> <ul style="list-style-type: none"> <li>a. retention and enhancement of pedestrian linkages between Buckingham Street and Romans Lane.</li> </ul>	
10.4.7	<p>Visitor Accommodation in the Arrowtown Town Centre Transition Overlay and the Visitor Accommodation Sub-Zone</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. The location, nature and scale of activities;</li> <li>b. Parking and access;</li> <li>c. Landscaping;</li> <li>d. Noise generation and methods of mitigation;</li> <li>e. Hours of operation, including in respect of ancillary activities; and</li> <li>f. The external appearance of buildings.</li> </ul>	RD
10.4.8	Community activities	D
10.4.9	Any Activity not listed in Table 1	NC
10.4.10	Commercial activities	NC
10.4.11	Visitor Accommodation not otherwise identified	NC
10.4.12	Panel beating, spray painting, motor vehicle repair or dismantling, fibre glassing, sheet metal work, bottle or scrap storage, motor body building.	PR

<b>Table 2</b>	<b>Activities within the Arrowtown Town Centre Transition Overlay Additional to or in Place of those in Table 1</b>	<b>Activity Status</b>
10.4.13	Commercial activities (except where specified for retail activities)	P
10.4.14	Community Activities	P



10.4.15	<p>Licensed Premises (except where specified in Rule 10.4.15A)</p> <p>Premises licensed for the consumption of alcohol on the premises between the hours of 8am and 11pm.</p>	P
10.4.15A	<p>Licensed Premises in the area located between Arrow Lane, Wiltshire Street and Berkshire Street</p> <p>Premises licensed for the consumption of alcohol on the premises between the hours of 8am and 11pm, provided that this rule shall not apply to the sale of liquor:</p> <ul style="list-style-type: none"> <li>a. to any person who is residing (permanently or temporarily) on the premises;</li> <li>b. to any person who is present on the premises for the purpose of dining up until 12am.</li> </ul> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. the scale of the activity;</li> <li>b. car parking and traffic generation;</li> <li>c. effects on amenity values;</li> <li>d. noise</li> <li>e. hours of operation;</li> <li>f. where a site is subject to any natural hazard and the proposal results in an increase in gross floor area; <ul style="list-style-type: none"> <li>i. the nature and degree of risk the hazard(s) pose to people and property;</li> <li>ii. whether the proposal will alter the risk to any site; and</li> <li>iii. the extent to which such risk can be avoided or sufficiently mitigated.</li> </ul> </li> </ul>	RD
10.4.16	<p>Licensed Premises</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 of liquor:</p> <ul style="list-style-type: none"> <li>a. to any person who is residing (permanently or temporarily) on the premises;</li> <li>b. to any person who is present on the premises for the purpose of dining up until 12am. Discretion is restricted to:</li> <li>c. the scale of the activity;</li> <li>d. car parking and traffic generation;</li> <li>e. effects on amenity values;</li> <li>f. noise;</li> <li>g. hours of operation;</li> <li>h. where a site is subject to any natural hazard and the proposal results in an increase in gross floor area; <ul style="list-style-type: none"> <li>i. the nature and degree of risk the hazard(s) pose to people and property;</li> </ul> </li> </ul>	RD

	<p>ii. whether the proposal will alter the risk to any site; and</p> <p>iii. the extent to which such risk can be avoided or sufficiently mitigated.</p>	
10.4.17	<p>Retail Activities</p> <p>Retailing restricted to goods manufactured on site and ancillary products, and comprising no more than 10% of the gross floor area</p>	D
10.4.18	<p>Any activity not listed in both Table 1 and Table 2, except for Plantation Forestry where the Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017 prevails.</p>	NC

## 10.6 Rules – Standards for Activities

Table 2	Standards for Activities: Arrowtown Residential Historic Management Zone	Non-compliance status
10.5.1	<p>Building Height</p> <p>A maximum height limit of 5 metres.</p>	NC
10.5.2	<p>Density</p> <p>Not more than one Residential Unit per 650 square metres of net site area.</p>	NC
10.5.3	<p>Building Coverage</p> <p>The maximum building coverage shall be 30% of the net site area.</p>	NC
10.5.4	<p>Combined Building Coverage and Impervious Surfaces</p> <p>The total area covered by building coverage and impervious surfaces on any site shall not exceed 35% of the net site area.</p>	NC
10.5.5	<p>Road Boundary Setbacks</p> <p>Where existing buildings (other than accessory buildings) are already located on the site - the shortest distance from the road boundary to the building (other than an accessory building) measured at right angles to the front boundary; or</p> <p>Where no existing buildings (other than accessory buildings) are located on the site the mean of the setback of any buildings</p>	<p>RD</p> <p>Discretion is restricted to the following with the Arrowtown Design guidelines 2016 being the principal tool to be used in considering the merit of proposals (within the matters of discretion):</p> <p>a. streetscape character and amenity values, including the extent to which the building(s) sit compatibly with</p>

Table 2	Standards for Activities: Arrowtown Residential Historic Management Zone	Non-compliance status
	(other than accessory buildings) located on the immediately adjoining lots or 6.0m, whichever is the greater.	<p>neighbours to the side and across the street;</p> <p>b. building dominance on neighbouring properties and the street;</p> <p>c. landscaping;</p> <p>d. parking and manoeuvring.</p>
10.5.6	<p>Side and Rear Boundary Setbacks</p> <p>10.5.6.1 Side and rear boundary setbacks: 3.0m.</p> <p>10.5.6.2 Exceptions to side and rear boundary setbacks:</p> <p>a. accessory buildings for residential activities are permitted within the setback distance, providing they do not exceed 7.5m in length and comply with a recession plane of 2.5m vertical measured at the boundary, and a 35 degree plane inwards;</p> <p>b. gable end roofs may penetrate above the building recession plane by no more than one third of the gable height;</p> <p>c. recession planes do not apply to site boundaries fronting the street or a reserve.</p> <p>Note: Refer to the recession planes interpretive diagram in Chapter 2 Definitions.</p>	<p>RD</p> <p>Discretion is restricted to the following with the Arrowtown Design guidelines 2016 being the principal tool to be used in considering the merit of proposals (within the matters of discretion):</p> <p>a. effects on open space, privacy sunlight access and amenity values of neighbouring properties;</p> <p>b. building dominance.</p>
10.5.7	<p>Glare</p> <p>a. all exterior lighting shall be directed downward and away from the adjacent sites and roads;</p> <p>b. no activity on any site shall result in greater than a 3.0 lux spill (horizontal or vertical) of lights onto any other site measured at any point inside the boundary of the other site.</p>	NC

Table 2	Standards for Activities: Arrowtown Residential Historic Management Zone	Non-compliance status
10.5.8	<p>Building Restriction Area</p> <p>No building shall be located within a building restriction area as identified on the District Plan web mapping application.</p>	NC
10.5.9	<p>Residential Visitor Accommodation <u>where:</u></p> <p>10.5.9.1 <u>The total nights of occupation by paying guests on a site do not exceed a cumulative total of 90 nights per annum from the date of initial registration. Must not exceed a cumulative total of 90 nights occupation by paying guests on a site per 12 month period.</u></p> <p>10.5.9.2 <u>A single residential unit (inclusive of a residential flat) must be rented to a maximum of one (1) group of guests at any one time. Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</u></p> <p>10.5.9.3 <u>The number of guests must not exceed 2 adults per bedroom and the total number of adults and children must not exceed:</u></p> <ul style="list-style-type: none"> <li>• <u>3 in a one-bedroom residential unit;</u></li> <li>• <u>6 in a two-bedroom residential unit;</u></li> <li>• <u>9 in a three-bedroom residential unit;</u></li> </ul> <p>10.5.9.4 <u>No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated.</u></p> <p>10.5.9.5 <u>Outdoor space is not used between the hours of 10:00pm and 7:00am and sign/s are</u></p>	<p><del>Sites within the Visitor Accommodation Sub-Zone and/or Town Centre Transition Overlay:</del></p> <p><del>RD*RD</del></p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li><del>a. The location, nature and scale of activities;</del></li> <li><del>b. <u>Vehicle access and parking;</u>The location, provision, use and screening of parking and access;</del></li> <li><del>c. <u>The management of noise, rubbish, recycling and outdoor activities;</u>The management of noise, outdoor lighting, use of outdoor areas, rubbish and recycling.</del></li> <li><del>d. <u>Privacy and overlooking;</u>The compliance of the residential unit with the Building Code as at the date of the consent;</del></li> <li><del>e. <u>Outdoor lighting;</u> Health and safety provisions in relation to guests;</del></li> <li><del>f. <u>Guest management and complaints procedures;</u>Guest management and complaints procedures;</del></li> <li><del>g. <u>The keeping of records of residential visitor accommodation use, and availability of records for Council inspection;</u> andThe keeping of records of RVA use, and availability of records for Council inspection; and</del></li> <li><del>h. <u>Monitoring requirements, including imposition of an annual monitoring charge.</u>Monitoring requirements, including imposition of an annual monitoring charge.</del></li> </ol> <p>All other sites:</p> <p style="text-align: right;"><del>Standard 10.5.9.1: 91-180 nights—RD &gt;180 nights—NC</del></p>

Table 2	Standards for Activities: Arrowtown Residential Historic Management Zone	Non-compliance status
	<p><u>installed and visible from the outdoor space advising the permitted hours of use.</u></p> <p>10.5.9.6 <u>Rubbish and recycling is not left on/adjacent to the road, except on the day of collection.</u></p> <p>10.5.9.7 <u>The activity is registered with Council prior to commencement.</u></p> <p>10.5.9.8 <u>Council is provided with the following information at the time of registration:</u></p> <p>(a) <u>the contact details of the person and/or organisation responsible for managing the property and responding to any complaints; and</u></p> <p>(b) <u>confirmation that the immediately adjacent neighbouring properties, including any property with shared access arrangements, have been provided written notice that the property is to be used for residential visitor accommodation and the contact details of the person and/or organisation responsible for managing the property and responding to any complaints.</u></p> <p>10.5.9.9 <u>The information required by Standard 8 is reviewed and resubmitted to Council on an annual basis (from the date of registration of the activity), including the annual provision of</u></p>	<p>All other Standards: NC</p> <p>For RD non-compliance with Standard 10.5.9.1 discretion is restricted to:</p> <p>i. ——— The nature of the surrounding residential context, including its residential amenity values, cohesion and character, and the effects of the activity on the neighbourhood;</p> <p>j. ——— The cumulative effect of the activity, when added to the effects of other activities occurring in the neighbourhood;</p> <p>k. ——— The scale and frequency of the activity, including the number of guests on site per night;</p> <p>l. ——— The management of noise, use of outdoor areas, rubbish and recycling;</p> <p>m. ——— The location, provision, use and screening of parking and access;</p> <p>n. ——— The compliance of the residential unit with the Building Code as at the date of the consent;</p> <p>o. ——— Health and safety provisions in relation to guests;</p> <p>p. ——— Guest management and complaints procedures;</p> <p>q. ——— The keeping of records of RVA use, and availability of records for Council inspection; and</p> <p>r. ——— Monitoring requirements, including imposition of an annual monitoring charge</p>

Table 2	Standards for Activities: Arrowtown Residential Historic Management Zone	Non-compliance status
	<p><u>written notice to neighbours required by Standard 8.b.</u></p> <p>10.5.9.10 <u>Up to date records of the activity are kept including:</u></p> <p>(a) <u>a record of the date and duration of guest stays and the number of guests staying per night; and</u></p> <p>(b) <u>a detailed record of any complaints received and remediation actions taken.</u></p> <p>10.5.9.11 <u>The records required by Standard 10 are provided to Council on an annual basis from the date of registration and made available for inspection by Council with 24 hours' notice.</u></p> <p>Note: The Council may request that records are made available to the Council for inspection, at 24 hours' notice, in order to monitor compliance with rules 10.5.9.1 to 10.5.9.2<u>11</u>.</p>	
10.5.10	<p>Homestay</p> <p>10.5.10.1 <u>The total number of paying guests on a site does not exceed five per night.</u><del>Must not exceed 5 paying guests on a site per night.</del></p> <p>10.5.10.2 <u>No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated.</u><del>Must comply with minimum parking requirements of standard 29.8.9 in Chapter 29 Transport.</del></p> <p>10.5.10.3 <u>Council is notified in writing prior to the commencement of a Homestay activity.</u><del>Must not generate any vehicle</del></p>	<p><del>Standards 10.5.10.1 and 10.5.10.2:</del> RD</p> <p><del>All other Standards:</del> NCRD</p> <p><del>For non-compliance with Standards 10.5.10.1 and 10.5.10.2 d</del>Discretion is restricted to:</p> <p>a. <u>The location, nature and scale of the activities;</u><del>The nature of the surrounding residential context, including its residential amenity values and character, and the effects of the activity on the neighbourhood;</del></p> <p>b. <u>Privacy and overlooking</u><del>The cumulative effect of the activity, when added to the effects of other</del></p>

Table 2	Standards for Activities: Arrowtown Residential Historic Management Zone	Non-compliance status
	<p><del>movements by heavy vehicles, coaches or buses to and from the site.</del></p> <p>10.5.10.4 <del>Up to date records of the Homestay activity are kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the council at 24 hours' notice. The Council must be notified in writing prior to the commencement of a Homestay activity.</del></p> <p>10.5.10.5 <del>Up to date records of the Homestay activity must be kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</del></p> <p>Note: The Council may request that records are made available to the Council for inspection, at 24 hours' notice, in order to monitor compliance with rules 10.5.10.1 to 10.5.10.54.</p>	<p><del>activities occurring in the neighbourhood;</del></p> <p>c. <del>The management of noise, rubbish, recycling and outdoor activities; The scale and frequency of the activity, including the number of nights per year;</del></p> <p>d. <del>The keeping of records of Homestay use, and availability of records for Council inspection; The management of noise, use of outdoor areas, rubbish and recycling;</del></p> <p>e. <del>Monitoring requirements, including imposition of an annual monitoring charge; and The location, provision, use and screening of parking and access;</del></p> <p>f. <del>Vehicle access and parking. The keeping of records of Homestay use, and availability of records for Council inspection; and</del></p> <p>g. <del>Monitoring requirements, including imposition of an annual monitoring charge.</del></p>

## 10.7 Rules – Non-Notification of Applications

10.7.1 The following Restricted Discretionary activities shall not require the written consent of other persons and shall not be notified or limited-notified:

10.7.1.1 Visitor Accommodation and residential visitor accommodation in the Arrowtown Town Transition Overlay and the Visitor Accommodation Sub-Zone.

**Note:**

- Changes from previous Consent Order dated 28 May 2021 are in [blue underlined text and ~~strikeout~~](#)
- Changes from this Consent Order are in black [underlined text and ~~strikeout~~](#)

## 11.1 Zone Purpose

**Please Note: Variations to parts of this chapter have been decided by Council on 7 March 2019 as part of Stage 2 of the PDP. You can view the Stage 2 Decisions, appeals and section 274 notices on our website. The appeal and section 274 periods for the Stage 1 and 2 Decisions have closed.**

The Large Lot Residential Zone provides low density living opportunities within defined urban growth Boundaries. The zone also serves as a buffer between higher density residential areas and rural areas that are located outside of urban growth Boundaries.

The zone generally provides for a density of one residence every 2000m<sup>2</sup> to provide for a more efficient development pattern to utilise the Council's water and wastewater services while maintaining opportunities for a variety of housing options, landscaping and open space. Identified areas have a residential density of one residence every 4000m<sup>2</sup> reflecting landscape or topographical constraints such as around Mt Iron in Wānaka.

The potential adverse effects of buildings are controlled by bulk and location, colour and lighting standards and in respect of the lower density (4,000m<sup>2</sup>) part of the zone, design and landscaping controls imposed at the time of subdivision.

Community activities and low intensity forms of visitor accommodation may be appropriate provided the low density development character, and amenity for residents is maintained and there is a demonstrated need to locate in the zone.

While development is anticipated in the zone, some areas are subject to natural hazards and, where applicable, it is anticipated that development will recognise and manage the risks of natural hazards at the time of subdivision.

Visitor accommodation is anticipated in the Visitor Accommodation Sub-Zones and shown on the District Plan web mapping application, which have historically provided (and will continue to provide) important locations for visitor accommodation to meet the District's needs. The sub-zones are located in residential areas, and applications for visitor accommodation activities and associated development must address matters that impact on residential amenity, including character, traffic and noise effects.

Visitor accommodation outside of the Visitor Accommodation Sub-Zones is restricted.



The commercial letting of residential properties as short-term accommodation for paying guests on a year-round or permanent basis, is restricted, where it would result in a loss of residential character, cohesion and amenity values. Low intensity use of residential units, including residential flats, to accommodate paying guests is enabled, where the predominant residential character of the environment is retained and the residential amenity values of nearby residents are maintained.

Visitor accommodation is defined in the District Plan separately from accommodation activities involving paying guests occurring in residential units and residential flats, which are defined as Residential Visitor Accommodation and Homestay activities.

## 11.2 Objectives and Policies

### 11.2.1 Objective - A high quality of residential amenity values are maintained within the Large Lot Residential Zone.

#### Policies

- 11.2.1.1 Maintain low density residential character and amenity through minimum allotment sizes that efficiently utilise the land resource and infrastructure (Area A), and require larger allotment sizes in those parts of the zone that are subject to significant landscape and/or topographical constraints (Area B).
- 11.2.1.2 Maintain or enhance residential character and high amenity values by controlling the scale, location and height of buildings and in addition within Area B by requiring landscaping, colour and vegetation controls.
- 11.2.1.3 Control lighting to avoid glare to other properties, roads, public places and views of the night sky.
- 11.2.1.4 Have regard to hazards and human safety, including fire risk from vegetation and the potential risk to people and buildings, when assessing subdivision, development and any landscaping in Area B.

### 11.2.2 Objective - Predominant land uses are residential. Where appropriate, community and recreational activities also occur.

#### Policies

- 11.2.2.1 Provide for residential and home occupation as permitted activities, and recognise that depending on the location, scale and type, community activities may be compatible with and enhance the zone's amenity values.
- 11.2.1.2 Commercial or other non-residential activity located on the periphery of residential and township areas shall avoid undermining the integrity of the town centres, urban rural edge and where applicable, the Urban growth Boundaries.
- 11.2.1.3 Ensure that any commercial and non-residential activities, including restaurants, maintain or enhance the amenity, quality and character of the zone.

**11.2.3 Objective – Visitor accommodation, residential visitor accommodation and homestays are enabled at locations, and at a scale, intensity and frequency, that maintain the residential character and amenity values of the zone.**

#### **Policies**

- 11.2.3.1 Provide for visitor accommodation and residential visitor accommodation that are appropriate for the low density residential environment in the Visitor Accommodation Sub-Zones, while ensuring that adverse effects on residential amenity values are avoided, remedied or mitigated.
- 11.2.3.2 Restrict the establishment of visitor accommodation in locations outside the Visitor Accommodation Sub-Zones to ensure that the zone maintains a residential character.
- 11.2.3.3 Ensure that residential visitor accommodation and homestays are of a scale and character that are compatible with the surrounding residential context and maintain residential character and amenity values.
- 11.2.3.4 Provide opportunities for low intensity residential visitor accommodation and homestays as a contributor to the diversity of accommodation options available to visitors and to provide for social and economic wellbeing.
- 11.2.3.5 Manage the effects of residential visitor accommodation and homestays outside the Visitor Accommodation Sub-Zone by controlling the scale, intensity and frequency of the use and those effects of the activities that differentiate them from residential activities.

### **11.3 Other Provisions and Rules**

#### **11.3.1 District Wide Rules**

Attention is drawn to the following District Wide chapters.

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes and Rural Character
25 Earthworks	26 Historic Heritage	27 Subdivision
28 Natural Hazards	29 Transport	30 Energy and Utilites
31 Signs	32 Protected Trees	33 Indigenous Vegetation
34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings	36 Noise
37 Designations	District Plan web mapping application	

#### **11.3.2 Interpreting and Applying the Rules**

- 11.3.2.1 A permitted activity must comply with all the rules listed in the Activity and Standards tables, and any relevant district wide rules, otherwise a resource consent will be required.

- 11.3.2.2 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.
- 11.3.2.3 Where an activity breaches more than one Standard, the most restrictive status shall apply to the activity.
- 11.3.2.4 Each residential unit may include a single residential flat and any other accessory buildings.
- 11.3.2.5 References to the Visitor Accommodation Sub-Zones in this Chapter only apply to the sub-zones within the Large Lot Residential Zone.
- 11.3.2.6 The status of any Plantation Forestry will be determined by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.
- 11.3.2.7 The following abbreviations are used within this Chapter.

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

- 11.3.2.7A Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances ("NZECP34:2001") is mandatory under the Electricity Act 1992. All activities, such as buildings, earthworks and conductive fences regulated by NZECP34: 2001, including any activities that are otherwise permitted by the District Plan must comply with this legislation. Chapter 30 Energy and Utilities part 30.3.3.2.c has additional information in relation to activities and obligations under NZECP34:2001.

## 11.4 Rules – Activities

Table 1	Activities located in the Large Lot Residential Zone	Activity status
11.4.1	Residential Unit	P
11.4.2	Recreational Activity	P
11.4.3	Home occupation	P
11.4.4	Homestays	P

Table 1	Activities located in the Large Lot Residential Zone	Activity status
11.4.5	Residential Visitor Accommodation  Control is reserved to: <ul style="list-style-type: none"> <li>a. <del>The scale of the activity, including the number of guests on-site per night;</del></li> <li>b. <del>The management of noise, use of outdoor areas, rubbish and recycling;</del></li> <li>c. <del>The location, provision, use and screening of parking and access;</del></li> <li>d. <del>The compliance of the residential unit with the Building Code as at the date of the consent;</del></li> <li>e. <del>Health and safety provisions in relation to guests;</del></li> <li>f. <del>Guest management and complaints procedures;</del></li> <li>g. <del>The keeping of records of RVA use, and availability of records for Council inspection; and</del></li> <li>h. <del>Monitoring requirements, including imposition of an annual monitoring charge.</del></li> </ul>	PC
11.4.5A	Visitor Accommodation in the Visitor Accommodation Sub-Zone`  Discretion is restricted to: <ul style="list-style-type: none"> <li>a. The location, nature and scale of activities;</li> <li>b. Parking and access;</li> <li>c. Landscaping;</li> <li>d. Noise generation and the methods of mitigation;</li> <li>e. Hours of operation, including in respect of ancillary activities; and</li> <li>f. The external appearance of buildings.</li> </ul>	RD
11.4.6	Community activities	D
11.4.7	Commercial recreational activity	D
11.4.8	Any activity not listed in Table 1, except for Plantation Forestry where the Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017 prevails.	NC
11.4.9	Licensed Premises	NC

Table 1	Activities located in the Large Lot Residential Zone	Activity status
11.4.10	Visitor Accommodation not otherwise identified	NC
11.4.11	Panel beating, spray painting, motor vehicle repair or dismantling, fibre glassing, sheet metal work, bottle or scrap storage, motor body building.	PR

## 11.5 Rules - Standards for Activities

Table 2	Standards for Activities	Non-compliance status
<b>11.5.1</b>	<b>Building Height</b>	NC
	11.5.1.1 Except where limited by Rules 11.5.1.2 to 11.5.1.4 a maximum height limit of 8 metres.	
	11.5.1.2 A maximum height of 7 metres:	NC
	a. on sites located between Beacon Point Road and the margins of Lake Wānaka; and	
	b. on sites located between Studholme Road and Meadowstone Drive.	
	11.5.1.3 A maximum height of 6 metres:	NC
	a. on sites located at Mt Iron West (as identified on the District Plan web mapping application)	
	11.5.1.4 A maximum height of 5.5 metres above a floor level of 283 masl:	NC
	a. on the site(s) located at the northern end of Beacon Point Road (as identified on the District Plan web mapping application).	
<b>11.5.2</b>	<b>Building Coverage</b>	RD
	11.5.2.1 The maximum building coverage shall be 15% of the net site area.	Discretion is restricted to:
	11.5.2.2 The maximum building coverage at Mt Iron West (as identified on the District Plan web mapping application) shall be 500m <sup>2</sup> net site area.	a. the effect on openness and spaciousness;
		b. effects on views and outlook from neighbouring properties;
		c. visual dominance of buildings;
		d. landscaping.

Table 2	Standards for Activities	Non-compliance status
11.5.3	<p><b>Setback from internal boundaries</b></p> <p>11.5.3.1 Large Lot Residential Area A: the minimum setback of any building from internal boundaries shall be 4 metres.</p> <p>11.5.3.2 Large Lot Residential Area B: the minimum setback of any building from internal boundaries shall be 6 metres.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. the effect on openness and spaciousness;</li> <li>b. effects on privacy, views and outlook from neighbouring properties;</li> <li>c. visual dominance of buildings;</li> <li>d. landscaping.</li> </ul>
11.5.4	<p><b>Setback from roads</b></p> <p>The minimum setback of any building from a road boundary shall be 10m.</p>	<p>NC</p>
11.5.5	<p><b>Setback of buildings from water bodies</b></p> <p>The minimum setback of any building from the bed of a river, lake or wetland shall be 20m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. any indigenous biodiversity values;</li> <li>b. visual amenity values;</li> <li>c. landscape character;</li> <li>d. open space including public access;</li> <li>e. whether the waterbody is subject to flooding or natural hazards and any mitigation to manage the location of the building.</li> </ul>
11.5.6	<p><b>Building Length</b></p> <p>The length of any facade above the ground floor level shall not exceed 20m.</p>	<p>RD</p> <p>Discretion shall be restricted to:</p> <ul style="list-style-type: none"> <li>a. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties.</li> </ul>
11.5.7	<p><b>Home Occupation</b></p> <p>Home occupation activities shall comply with the following:</p>	<p>D</p>

Table 2	Standards for Activities	Non-compliance status
	<p>11.5.7.1 No more than 1 full time equivalent person from outside the household shall be employed in the home occupation activity.</p> <p>11.5.7.2 The maximum number of vehicle trips shall be:</p> <ul style="list-style-type: none"> <li>a. heavy Vehicles: 2 per week;</li> <li>b. other vehicles: 10 per day.</li> </ul> <p>11.5.7.3 Maximum net floor area of not more than 60m<sup>2</sup>.</p> <p>11.5.7.4 Activities and the storage of materials shall be indoors.</p>	
<b>11.5.8</b>	<p><b>Glare</b></p> <ul style="list-style-type: none"> <li>a. All exterior lighting shall be directed away from the adjacent sites and roads and downward to limit effects on the night sky.</li> <li>b. No activity on any site shall result in greater than a 3.0 lux spill (horizontal or vertical) of lights onto any other site measured at any point inside the boundary of the other site.</li> </ul>	D
<b>11.5.9</b>	<p><b>Residential Density</b></p> <p>11.5.9.1 Large Lot Residential Area A: (a) a maximum of one residential unit per site; or (b) a maximum of one residential unit per 2000m<sup>2</sup> (total area).</p> <p>11.5.9.2 Large Lot Residential Area B: a maximum of one residential unit per 4000m<sup>2</sup> net site area.</p> <p>11.5.9.3 In addition to Rule 11.5.9.2, at Mr Iron West (as identified on the District Plan web mapping application), a maximum of four residential units.</p>	D
<b>11.5.10</b>	<p><b>Building Materials and Colours</b></p> <p>For sites within Large Lot Residential Area B:</p> <ul style="list-style-type: none"> <li>a. all exterior surfaces shall be coloured in the range of black, browns, greens or greys;</li> <li>b. pre-painted steel, and all roofs shall have a reflectance value not greater than 20%;</li> <li>c. surface finishes shall have a reflectance value of not greater than 30%.</li> </ul>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. landscape and visual effects, including the extent to which the physical scale of the building(s) make a proposed building's materials and colours more or less visually prominent.</li> </ul>
<b>11.5.11</b>	<b>Recession plane</b>	NC

Table 2	Standards for Activities	Non-compliance status
	<p>The following applies to all sites with a net site area less than 4000m<sup>2</sup>.</p> <p>11.5.11.1 Northern boundary: 2.5m and 55 degrees.</p> <p>11.5.11.2 Western and eastern boundaries: 2.5m and 45 degrees.</p> <p>11.5.11.3 Southern boundary: 2.5m and 35 degrees.</p> <p>Exemptions:</p> <p>a. gable end roofs may penetrate the building recession plane by no more than one third of the gable height.</p> <p>b. recession planes do not apply to site boundaries fronting a road or a reserve.</p>	
<b>11.5.12</b>	<p>Building Restriction Area</p> <p>No building shall be located within a building restriction area as identified on the District Plan web mapping application.</p>	NC
<b>11.5.13</b>	<p>Residential Visitor Accommodation <u>where</u></p> <p>11.5.13.1 <u>The total nights of occupation by paying guests on a site do not exceed a cumulative total of 90 nights per annum from the date of initial registration. Must not exceed a cumulative total of 90 nights occupation by paying guests on a site per 12 month period.</u></p> <p>11.5.13.2 <u>A single residential unit (inclusive of a residential flat) must be rented to a maximum of one (1) group of guests at any one time. Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</u></p> <p>11.5.13.3 <u>The number of guests must not exceed 2 adults per bedroom and the total number of adults and children must not exceed: Must comply with the minimum parking requirements for a residential unit and/or residential flat (whichever is used for the residential visitor accommodation activity) in Chapter 29 Transport.</u></p> <ul style="list-style-type: none"> <li>• <u>3 in a one-bedroom residential unit</u></li> <li>• <u>6 in a two-bedroom residential unit</u></li> <li>• <u>9 in a three-bedroom or more residential unit</u></li> </ul>	<p><u>Sites within the Visitor Accommodation Sub-Zone:</u></p> <p>RD</p> <p>Discretion is restricted to:</p> <p>a. <u>The location, nature and scale of activities;</u></p> <p>b. <u>Vehicle access and parking; The location, provision, use and screening of parking and access;</u></p> <p>c. <u>The management of noise, rubbish, recycling and outdoor activities; The management of noise, outdoor lighting, use of outdoor areas, rubbish and recycling.</u></p> <p>d. <u>Privacy and overlooking; The compliance of the residential unit with the Building Code as at the date of the consent;</u></p>



Table 2	Standards for Activities	Non-compliance status
	<p>11.5.13.4 <u>No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated.</u></p> <p>11.5.13.5 <u>Outdoor space is not used between the hours of 10:00pm and 7:00am and sign/s are installed and visible from the outdoor space advising the permitted hours of use.</u></p> <p>11.5.13.6 <u>Rubbish and recycling is not left on/adjacent to the road, except on the day of collection.</u></p> <p>11.5.13.7 <u>The activity is registered with Council prior to commencement.</u></p> <p>11.5.13.8 <u>Council is provided with the following information at the time of registration:</u></p> <p style="padding-left: 20px;"><u>(a) the contact details of the person and/or organisation responsible for managing the property and responding to any complaints; and</u></p> <p style="padding-left: 20px;"><u>(b) confirmation that the immediately adjacent neighbouring properties, including any property with shared access arrangements, have been provided written notice that the property is to be used for residential visitor accommodation and the contact details of the person and/or organisation responsible for managing the property and responding to any complaints.</u></p> <p>11.5.13.9 <u>The information required by Standard 8 is reviewed and resubmitted to Council on an annual basis (from the date of registration of the activity), including the annual provision of written notice to neighbours required by Standard 8.b.</u></p> <p>11.5.13.10 <u>Up to date records of the activity are kept including:</u></p> <p style="padding-left: 20px;"><u>(a) a record of the date and duration of guest stays and the number of guests staying per night; and</u></p> <p style="padding-left: 20px;"><u>(b) a detailed record of any complaints received and remediation actions taken.</u></p> <p>11.5.13.11 <u>The records required by Standard 10 are provided to Council on an annual basis from the</u></p>	<p>e. <del>Outdoor lighting; Health and safety provisions in relation to guests;</del></p> <p>f. Guest management and complaints procedures;</p> <p>g. The keeping of records of <u>residential visitor accommodation</u> RVA-use, and availability of records for Council inspection; and</p> <p>h. Monitoring requirements, including imposition of an annual monitoring charge.</p> <p style="padding-left: 40px;">All other sites:</p> <p style="padding-left: 40px;">Standard 11.5.13.1:</p> <p style="padding-left: 80px;"><del>91-180 nights – RD</del></p> <p style="padding-left: 80px;">&gt;180 nights – NC</p> <p>All other Standards:</p> <p>NC</p> <p>For RD non-compliance with Standard 11.5.13.1 discretion is restricted to:</p> <p>i. <del>The nature of the surrounding residential context, including its residential amenity values, cohesion and character, and the effects of the activity on the neighbourhood;</del></p> <p>j. <del>The cumulative effect of the activity, when added to the effects of other activities occurring in the neighbourhood;</del></p> <p>k. <del>The scale and frequency of the activity, including the number of guests on-site per night;</del></p>

Table 2	Standards for Activities	Non-compliance status
	<p><u>date of registration and made available for inspection by Council with 24 hours' notice.</u></p> <p>Note: The Council may request that records are made available to the Council for inspection, at 24 hours' notice, in order to monitor compliance with rules 11.5.13.1 to 11.5.13.3<u>11</u>.</p>	<p><del>l. The management of noise, use of outdoor areas, rubbish and recycling;</del></p> <p><del>m. The location, provision, use and screening of parking and access;</del></p> <p><del>n. The compliance of the residential unit with the Building Code as at the date of the consent;</del></p> <p><del>o. Health and safety provisions in relation to guests;</del></p> <p><del>p. Guest management and complaints procedures;</del></p> <p><del>q. The keeping of records of RVA use, and availability of records for Council inspection; and</del></p> <p><del>r. Monitoring requirements, including imposition of an annual monitoring charge.</del></p>
<p><b>11.5.14</b></p>	<p>Homestay</p> <p>11.5.14.1 <u>The total number of paying guests on a site does not exceed five per night.</u><del>Must not exceed 5 paying guests on a site per night.</del></p> <p>11.5.14.2 <u>No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated.</u><del>Must comply with minimum parking requirements of standard 29.8.9 in Chapter 29 Transport.</del></p> <p>11.5.14.3 <u>Council is notified in writing prior to the commencement of a Homestay activity.</u><del>Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</del></p> <p>11.5.14.4 <u>Up to date records of the Homestay activity are kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the council at 24 hours' notice.</u><del>The Council must be notified in writing prior to the commencement of a Homestay activity.</del></p>	<p>Standards 11.5.14.1 and 11.5.14.2:</p> <p>RD</p> <p>All other Standards: NC</p> <p>For non-compliance with Standards 11.5.14.1 and 11.5.14.2 d) Discretion is restricted to:</p> <p>a. <u>The location, nature and scale of the activities;</u><del>The nature of the surrounding residential context, including its residential amenity values and character, and the effects of the activity on the neighbourhood;</del></p> <p>b. <u>Privacy and overlooking</u><del>The cumulative effect of the activity, when added to the effects of other activities occurring in the neighbourhood;</del></p>

Table 2	Standards for Activities	Non-compliance status
	<p><del>11.5.14.5 Up to date records of the Homestay activity must be kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</del></p> <p>Note: The Council may request that records are made available to the Council for inspection, at 24 hours' notice, in order to monitor compliance with rules 11.5.14.1 to 11.5.14.54.</p>	<p>c. <u>The management of noise, rubbish, recycling and outdoor activities;</u>The scale and frequency of the activity, including the number of nights per year;</p> <p>d. <u>The keeping of records of Homestay use, and availability of records for Council inspection;</u>The management of noise, use of outdoor areas, rubbish and recycling;</p> <p>e. <u>Monitoring requirements, including imposition of an annual monitoring charge</u>The location, provision, use and screening of parking and access;; and</p> <p>f. <u>Vehicle access and parking.</u>The keeping of records of Homestay use, and availability of records for Council inspection; and</p> <p><del>g. Monitoring requirements, including imposition of an annual monitoring charge.</del></p>

## 11.6 Rules – Non-Notification of Applications

**11.6.1 The following Restricted Discretionary activities shall not require the written consent of other persons and shall not be notified or limited-notified:**

11.6.1.1 Visitor Accommodation and residential visitor accommodation in the Visitor Accommodation Sub-Zone.

## Note:

- Changes from previous Consent Order dated 28 May 2021 are in blue underlined text and ~~strikeout~~
- Changes from this Consent Order are in black underlined text and ~~strikeout~~

## 16 Business Mixed Use

**Please note: Variations to parts of this chapter have been decided by Council on 18 March 2021 as part of Stage 3&3b of the PDP. You can view the Stage 3 Decisions and appeals notices on our website. The appeals and section 274 periods for the Stage 1 and 2 Decisions have closed.**

### 16.1 Purpose

The intention of this zone is to provide for complementary commercial, business, retail and residential uses that supplement the activities and services provided by town centres. Higher density living opportunities close to employment and recreational activities are also enabled. Significantly greater building heights are enabled in the business mixed use Zone in Queenstown, provided that high quality urban design outcomes are achieved

### 16.2 Objectives and Policies

**16.2.1 Objective – An area comprising a high intensity mix of compatible residential and non-residential activities is enabled.**

#### Policies

16.2.1.1 Accommodate a variety of activities while managing the adverse effects that may occur and potential reverse sensitivity.

16.2.1.2 Enable a range and mix of compatible business, residential and other complementary activities to achieve an urban environment that is desirable to work and live in.

16.2.1.3 Avoid activities that have noxious, offensive, or undesirable qualities from locating within the business mixed use Zone to ensure that a high quality urban environment is maintained.

- 16.2.1.4 For sites adjoining Gorge Road in Queenstown and Sir Tim Wallis Drive in Three Parks Wānaka, discourage the establishment of high density residential and visitor accommodation activities at ground floor level, except where commercial and/or business activities continue to have primacy at the interface with the street.
- 16.2.1.5 Provide appropriate noise limits to minimise adverse noise effects received within the business mixed use Zone and by nearby properties.
- 16.2.1.6 Ensure that residential development and visitor accommodation provide acoustic insulation over and above the minimum requirements of the building Code to limit the potential for reverse sensitivity effects.
- 16.2.1.7 Ensure that the location and direction of lights does not cause significant glare to other properties, roads and public places and promote lighting design that mitigates adverse effects on views of the night sky and provide a safe and well-lit environment for pedestrians.
- 16.2.1.8 Ensure that outdoor storage areas are appropriately located and screened to limit any adverse visual effects on public places and adjoining residential zones.
- 16.2.1.9 Minimise opportunities for criminal activity through incorporating Crime Prevention through Environmental Design (CPTED) principles as appropriate in the design of lot configuration and the street network, carparking areas, public and semi-public spaces, accessways/pedestrian links/lanes, and landscaping.
- 16.2.2 **Objective – New development achieves high quality building and urban design outcomes that minimises adverse effects on adjoining residential areas and public spaces.**

### Policies

- 16.2.2.1 Require the design of buildings to contribute positively to the visual quality, vitality, safety and interest of streets and public spaces by providing active and articulated building frontages, and avoid large expanses of blank walls fronting public spaces.
- 16.2.2.2 Require development close to residential zones to provide suitable screening to mitigate adverse visual effects, loss of privacy, and minimise overlooking and shading effects to residential neighbours.
- 16.2.2.3 Require a high standard of amenity, and manage compatibility issues of activities within and between developments through site layout, landscaping and design measures.
- 16.2.2.4 Utilise and, where appropriate, link with public open space nearby where it would mitigate any lack of open space provision on the development site.
- 16.2.2.5 Incorporate design treatments to the form, colour or texture of buildings to add variety, moderate their scale and provide visual interest from a range of distances.
- 16.2.2.6 Where large format retail is proposed, it should be developed in association with a variety of integrated, outward facing uses to provide reasonable activation of building facades.
- 16.2.2.7 Allow buildings between 12m and 20m heights in the Queenstown (Gorge Road) and Frankton North business mixed use Zone in situations when:

- a. the outcome is of high quality design;
  - b. the additional height would not result in shading that would adversely impact on adjoining Residential zoned land and/or public space; and
  - c. the increase in height would facilitate the provision of residential activity.
- 16.2.2.8 Apply consideration of the operational and functional requirements of non-residential activities as part of achieving high quality building and urban design outcomes.
- 16.2.2.9 Encourage the layout and design of new buildings and landscaping to integrate with Horne Creek where feasible.
- 16.2.2.10 Require consideration of the relevant design elements identified in the Business Mixed Use Design Guide 2021.
- 16.2.3 **Objective – A high quality, well designed urban environment on the northern side of State Highway 6 at Frankton, that is integrated with a primary road that connects State Highway 6 at Hawthorne Drive to Quail Rise, pedestrian and cycle access, and appropriate servicing.**
- 16.2.3.1 Ensure subdivision and development at Frankton North is undertaken in accordance with the Frankton North Structure Plan (Schedule 27.13.9) to promote integration and provision of access to and throughout Frankton North.
- 16.2.3.2 Encourage a low impact stormwater design that utilises on-site treatment and storage/dispersal approaches.
- 16.2.3.3 Avoid the impacts of stormwater discharges on the State Highway network.
- 16.2.3.4 Ensure safe transport connections by:
- a. avoiding any new access to State Highway 6;
  - b. limiting access to the land at Frankton North to: Hawthorne Drive/SH6 roundabout, Hansen Road and Ferry Hill Drive;
  - c. providing the primary road connection between State Highway 6 and Quail Rise;
  - d. providing access to the primary road connection from all sites within Frankton North:
  - e. providing internal road, pedestrian and cycle connections that are of a form that accounts for long-term traffic demands for the area between Hansen Road and Ferry Hill Drive without the need for subsequent retrofitting or upgrade; and
  - f. ensuring that road frontages are not dominated by vehicular access and parking; and
  - g. integrating with the pedestrian and cycle path and the road network and public transport routes on the southern side of State Highway 6, including pedestrian and cycle access across State Highway 6.

Note: Attention is drawn to the need to consult with the New Zealand Transport Agency (NZTA) prior to determining an internal and external road network design under this policy.

Note: Attention is drawn to the need to obtain a Section 93 notice from the NZ Transport Agency for all subdivisions on adjoining State Highways which are declared Limited Access Roads. The NZ Transport Agency should be consulted and a request made for a notice under Section 93 of the Government Roading Powers Act 1989.

- 16.2.3.5 Within Area A as shown on the District Plan web mapping application, require, sound insulation and mechanical ventilation of any critical listening environment within new buildings, relocated buildings, and any alterations and additions to existing buildings that contain an Activity Sensitive to Road Noise to be designed to provide protection from sleep disturbance and to otherwise maintain reasonable amenity values for occupants.
- 16.2.4 **Objective –The development of land at Frankton Marina (Sugar Lane) provides for a range of activities, while restricting the scale of office and retail activities, to achieve a high quality environment that is compatible with its location adjacent to Frankton Marina, Lake Wakatipu and Frankton Road.**
- 16.2.4.1 Restrict the scale of office and retail activities so that the function and viability of the Queenstown Town Centre and Frankton commercial area are not undermined.
- 16.2.4.2 Allow buildings between 12m and 15m heights when the additional height:
- Does not result in significant adverse shading effects on adjoining residential zoned land; and
  - Does not dominate the Frankton Road streetscape.
- 16.2.4.3 Ensure all new and altered buildings intended for Activities Sensitive to Road Noise are designed to provide protection from sleep disturbance and to otherwise maintain reasonable amenity values for occupants.
- 16.2.5 **Objective – The commercial function and viability of other commercial areas are not undermined by any new office and retail activities within Area A at Frankton North (shown on the District Plan web mapping application).**
- 16.2.5.1 Within Area A at Frankton North, as shown on the planning maps, provide for office and retail activities where they are ancillary, or where they will not undermine the function and viability of Queenstown Town Centre, Frankton urban areas (including Remarkables Park mixed use centre, Frankton Flats A and B Zones, and the Local Shopping Centre at Frankton North

### 16.3 Other Provisions and Rules

#### 16.3.1 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 and Rural Character
25 Earthworks	26 Historic Heritage	27 Subdivision

28 Natural Hazards	29 Transport	30 Energy and utilities
31 Signs	32 Protected Trees	33 Indigenous Vegetation
34 Wilding Exotic Trees	35 Temporary Activities and Relocated buildings	36 Noise
37 Designations	District Plan web mapping application	

### 16.3.2 Interpreting and Applying the Rules

16.3.2.1 A permitted activity must comply with all the rules listed in the Activity and Standards tables.

16.3.2.2 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 unless otherwise specified.

16.3.2.3 Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.

16.3.2.4 The status of any Plantation Forestry will be determined by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.

16.3.2.5 The following abbreviations are used within this Chapter.

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

16.3.2.SA Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances ("NZECP34:2001") is mandatory under the Electricity Act 1992. All activities, such as buildings, earthworks and conductive fences regulated by NZECP34: 2001, including any activities that are otherwise permitted by the District Plan must comply with this legislation. Chapter 30 Energy and Utilities part 30.3.3.2.c has additional information in relation to activities and obligations under NZECP34:2001.

## 16.4 Rules - Activities

	Activities located in the Business Mixed Use Zone	Activity status
16.4.1	Activities which are not listed in this table and comply with all standards	P
16.4.2	Residential Visitor Accommodation and Homestays	P



	Activities located in the Business Mixed Use Zone	Activity status
16.4.3	<p>Visitor Accommodation</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> <li>a. the location, provision, and screening of access and parking and traffic generation;</li> <li>b. landscaping;</li> <li>c. the location, nature and scale of visitor accommodation and ancillary activities relative to one another within the site and relative to neighbouring uses;</li> <li>d. the location and screening of bus and car parking from public places; and</li> <li>e. where the site adjoins a residential zone: <ul style="list-style-type: none"> <li>i. noise generation and methods of mitigation; and</li> <li>ii. hours of operation, in respect of ancillary activities.</li> </ul> </li> </ul>	C
16.4.4	<p>Buildings</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. building materials;</li> <li>b. glazing treatment;</li> <li>c. symmetry;</li> <li>d. vertical and horizontal emphasis;</li> <li>e. location of storage;</li> <li>f. signage platforms;</li> <li>g. landscaping;</li> <li>h. where residential units are proposed as part of a development, provision made for open space on site whether private or communal;</li> <li>i. where applicable, integration of the development with Horne Creek, including site layout and landscaping; and</li> <li>j. where a site is subject to any natural hazard and the proposal results in an increase in gross floor area: <ul style="list-style-type: none"> <li>i. the nature and degree of risk the hazard(s) pose to people and property;</li> <li>ii. whether the proposal will alter the risk to any site; and</li> </ul> </li> </ul>	RD

	Activities located in the Business Mixed Use Zone	Activity status
	<p>iii. the extent to which such risk can be avoided or sufficiently mitigated.</p> <p>k. Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is located within the adjacent road and any proposed building is located within 9.5m of that road boundary, any adverse effects on that infrastructure.</p> <p>Assessment matters relating to buildings:</p> <p>a. the impact of the building on the streetscape including whether it contributes positively to the visual quality, vitality, safety and interest of streets and public places by providing active and articulated street frontages and avoids large expanses of blank walls fronting public spaces;</p> <p>b. whether the design of the building blends well with and contributes to an integrated built form and is sympathetic to the surrounding natural environment.</p>	
16.4.5	<p>Licensed Premises</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 of liquor:</p> <p>This rule shall not apply to the sale and supply of alcohol:</p> <p>a. to any person who is residing (permanently or temporarily) on the premises; and/or</p> <p>b. to any person who is present on the premises for the purpose of dining up until 12am.</p> <p>Discretion is restricted to consideration of the following:</p> <p>a. the scale of the activity;</p> <p>b. car parking and traffic generation;</p> <p>c. effects on amenity (including that of adjoining residential zones and public reserves);</p> <p>d. the configuration of activities within the building and site (e.g. outdoor seating, entrances);</p> <p>e. noise issues; and</p> <p>f. hours of operation.</p>	RD

	Activities located in the Business Mixed Use Zone	Activity status
16.4.6	<p><b>Daycare Facilities</b></p> <p><b>Discretion is restricted to:</b></p> <ul style="list-style-type: none"> <li>a. the compatibility of the development with respect to existing land uses on the subject site and nearby properties;</li> <li>b. potential reverse sensitivity issues;</li> <li>c. traffic, parking and access limitations; and</li> <li>d. noise.</li> </ul>	RD
16.4.7	<p>Warehousing, Storage &amp; Lock-up Facilities (including vehicle storage) and Trade Suppliers except as provided for by Rule 16.4.19</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. the impact of buildings on the streetscape and neighbouring properties in terms of dominance impacts from large, utilitarian buildings;</li> <li>b. the provision, location and screening of access, parking and traffic generation; and</li> <li>c. landscaping; and</li> <li>d. at Frankton North, effects on adjoining residential areas and activities.</li> </ul>	RD
16.4.8	Community Activities at Sugar Lane	D
16.4.9	<p>Office and retail activities at Frankton North within Area A as shown on the District Plan web mapping application, except for:</p> <ul style="list-style-type: none"> <li>a. retailing associated with trade suppliers (as provided for by rule 16.4.7);</li> <li>b. administrative offices that are ancillary to the principal use of the site; and</li> <li>c. retail activities that are ancillary to the principal use of the site and not greater than 50m<sup>2</sup> GFA.</li> </ul>	D
16.4.10	Industrial Activities not otherwise provided for in this Table	NC
16.4.11	Service Stations	NC
16.4.12	Panelbeating, spray painting, motor vehicle repair or dismantling.	NC
16.4.13	Fibreglassing, sheet metal work, bottle or scrap storage, motorbody building or wrecking.	PR

	Activities located in the Business Mixed Use Zone	Activity status
16.4.14	Fish or meat processing (excluding that which is ancillary to a retail premises such as a butcher, fishmonger or supermarket).	PR
16.4.15	Factory Farming	PR
16.4.16	Mining Activities	PR
16.4.17	Forestry Activities, except for Plantation Forestry where the Resource Management (Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017) Regulation 2017 prevails.	PR
16.4.18	Airport	PR
16.4.19	Activities Sensitive to Aircraft Noise within the Queenstown Airport Outer Control boundary	PR
16.4.20	Warehousing and Lock-up Facilities (including vehicle storage) in the zone at Frankton North	PR
16.4.21	Cemeteries and Crematoria	PR

### 16.5A Rules – Standards for Restricted Discretionary and Discretionary Activities under Rules 16.4 and 16.5

	Standards for activities in the Business Mixed Use Zone	Non-compliance status
16.5A.1	For all restricted discretionary and discretionary activities under Rules 16.4 and 16.5, applications for resource consent shall include a statement confirming that the relevant design elements from the Business Mixed Use Design Guide 2021 have been considered, including a summary of any particular aspects of the proposal that have resulted from that consideration.	NC

### 16.5 Rules - Standards

	Standards for activities located in the Business Mixed Use Zone	Non-compliance status
16.5.1	<p>Setbacks and sunlight access – sites adjoining a Residential zone or separated by a road from a Residential zone</p> <p>16.5.1.1 Buildings on sites adjoining, or separated by a road from, a Residential zone shall not project beyond a recession line constructed at the following angles inclined towards the site from points 3m above the Residential zone boundary.</p> <p>a. 45° applied on the northern boundary; and</p> <p>b. 35° applied on all other boundaries</p> <p>16.5.1.2 Where a site adjoins a Residential Zone all buildings shall be set back not less than 3m.</p> <p>16.5.1.3 For 30-46 Gorge Road (as shown on the District Plan web mapping application):</p> <p>a. Standards 16.5.1.1 and 16.5.1.2 only apply to the boundary with 10A-10B Boundary Street; and</p> <p>b. Buildings shall be set back not less than 4.5m from the property boundary adjacent to Horne Creek.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. the visual effects of the height, scale, location and appearance of the building, in terms of visual dominance and loss of residential privacy on adjoining properties and any resultant shading effects; and</p> <p>b. For 30-46 Gorge Road (as shown on the District Plan web mapping application) integration of the development with Horne Creek, including site layout and landscaping.</p>

	Standards for activities located in the Business Mixed Use Zone	Non-compliance status
16.5.2	<p>Storage</p> <p>Outdoor storage and storage of waste and recycling shall be screened from public places and adjoining Residential zones.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>the effects on visual amenity;</li> <li>the location relative to the public realm and adjoining residential properties;</li> <li>consistency with the character of the locality; and</li> <li>whether pedestrian and vehicle access is compromised.</li> </ol>
16.5.3	<p>Residential and visitor accommodation activities</p> <p>All residential activities and visitor accommodation;</p> <p>16.5.3.1 on sites adjoining Gorge Road in Queenstown located within 10m of the boundary adjoining Gorge Road, or</p> <p>16.5.3.2 on sites adjoining Sir Tim Wallis Drive in Three Parks Wānaka located within 10m of the boundary adjoining Sir Tim Wallis Drive;</p> <p>shall be restricted to first floor level or above, with the exception of foyer and stairway spaces at ground level to facilitate access to upper levels.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>the effects of residential and visitor accommodation activities at ground floor level on surrounding buildings and activities;</li> <li>the location of residential and visitor accommodation activities at ground floor level relative to the public realm;</li> <li>the maintenance of active and articulated street frontages.</li> </ol>
16.5.4	<p>Building Coverage</p> <p>Maximum building coverage of 75%</p>	D
16.5.5	<p>Acoustic insulation</p> <p>For all residential development and visitor accommodation the following shall apply:</p> <p>16.5.5.1 A mechanical ventilation system shall be installed for all critical listening environments in accordance with Table 5 in Chapter 36; and</p>	D

	Standards for activities located in the Business Mixed Use Zone	Non-compliance status
	16.5.5.2 All elements of the façade of any critical listening environment shall have an airborne sound insulation of at least 40 db Rw+Ctr determined in accordance with ISO 10140 and ISO 717-1.	
16.5.6	Fencing  A solid fence of 1.8m shall be erected on the boundary of any residential zone, except for 30-46 Gorge Road (as shown on the District Plan web mapping application) where no fence is required along the property boundary adjacent to Horne Creek.	D
16.5.7	Commercial Activities within 30-46 Gorge Road (as shown on the District Plan web mapping application):  a. shall not exceed 100m <sup>2</sup> GFA per site; and  b. Shall only occur at ground floor or street level.	D
16.5.8	Discretionary building Height (Queenstown, Frankton Marina (Sugar Lane) and Frankton North Only)  Building height of 12m.	RD  Discretion is restricted to:  a. the design and quality of the building, including the use of articulated facades, active street frontages and the treatment of corner sites;  b. modulated roof forms, including screening of plant and services;  c. material use and quality;  d. the avoidance of large monolithic buildings;  e. the impact on the street scene;  f. privacy and outlook for residential uses;  g. sunlight access to adjoining Residential zoned land and/or public space;  h. Crime Prevention Through Environmental

	Standards for activities located in the Business Mixed Use Zone	Non-compliance status
		<p>Design (CPTED) considerations;</p> <p>i. where appropriate, the integration of Horne Creek into the development and landscaping; and</p> <p>j. facilitation of the provision of residential activities.</p>
16.5.9	<p>Maximum building height</p> <p>16.5.9.1 Maximum building height shall be:</p> <p>a. Queenstown - 20m</p> <p>b. Wānaka - 12m</p> <p>c. Frankton Marina – 15m</p> <p>d. Frankton North – 20m</p> <p>16.5.9.2 Any fourth storey (excluding basements) and above shall be set back a minimum of 3m from the building frontage.</p>	NC
16.5.10	<p>Noise</p> <p>16.5.10.1 Sound* from activities shall not exceed the following noise limits at any point within any other site in this zone:</p> <p>a. Daytime (0800 to 2200hrs) 60 dB <math>L_{Aeq(15\text{ min})}</math></p> <p>b. Night-time (2200 to 0800hrs) 50 dB <math>L_{Aeq(15\text{ min})}</math></p> <p>c. Night-time (2200 to 0800hrs) 75 dB <math>L_{AFmax}</math></p> <p>*measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008</p> <p>Exemptions:</p> <p>a. the noise limits in rule 16.5.10.1 shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999.</p>	NC



	Standards for activities located in the Business Mixed Use Zone	Non-compliance status
	Note: Sound from activities in this zone which is received in another zone shall comply with the noise limits set out in Chapter 36 standards for that zone.	
16.5.11	<p>Lighting and Glare</p> <p>16.5.11.1 All exterior lighting, other than footpath or pedestrian link amenity lighting, installed on sites or buildings within the zone shall be directed away from adjacent sites, roads and public places, and so as to limit the effects on the amenity of adjoining sites, the safety of the transport network and the effects on the night sky.</p> <p>16.5.11.2 No activity shall result in a greater than 10 lux spill (horizontal or vertical) of light onto any adjoining property within the Zone, measured at any point inside the boundary of any adjoining property.</p> <p>16.5.11.3 No activity shall result in a greater than 3 lux spill (horizontal or vertical) of light onto any adjoining property which is zoned residential measured at any point more than 2m inside the boundary of the adjoining property.</p>	<p>RD</p> <p>Discretion is restricted to the effects of lighting and glare on:</p> <ol style="list-style-type: none"> <li>amenity values of adjoining sites;</li> <li>the safety of the Transport Network; and</li> <li>the night sky.</li> </ol>
16.5.12	<p>Development on land at Frankton North shall be undertaken in accordance with the Frankton North Structure Plan (Schedule 27.13.9):</p> <ol style="list-style-type: none"> <li>Providing for a primary road that links State Highway 6 to Quail Rise;</li> <li>Providing for internal connections from the primary road that ensure vehicle access to all sites;</li> <li>Precluding any new vehicular access to the State Highway network; and</li> <li>Providing for a pedestrian and cycle path along the boundary with State Highway 6. This is intended to provide a minimum path width of 2.5 metres, within the existing State Highway corridor, or where there is insufficient land within the State Highway corridor, within adjacent private land.</li> </ol>	NC
16.5.13	<p>Residential Visitor Accommodation <u>where</u></p> <p>16.5.13.1 <u>The total nights of occupation by paying guests on a site do not exceed a cumulative total of</u></p>	<p>C</p> <p>Control is reserved to:</p>

	Standards for activities located in the Business Mixed Use Zone	Non-compliance status
	<p><del>120 nights</del> per annum from the date of initial registration. <del>Must not exceed a cumulative total of 90 nights occupation by paying guests on a site per 12 month period.</del></p> <p>16.5.13.2 <u>No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated.</u> <del>Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</del></p> <p>16.5.13.3 <u>The activity is registered with Council prior to commencement. <a href="#">Must comply with the minimum parking requirements for a residential unit and/or residential flat (whichever is used for the residential visitor accommodation activity) in Chapter 29 Transport</a></u></p> <p>The Council must be notified in writing prior to the commencement of a Residential Visitor Accommodation activity.</p> <p>16.5.13.4 Up to date records of the Residential Visitor Accommodation activity must be kept, including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</p> <p>16.5.13.5 <del>Smoke alarms must be provided in accordance with clause 5 of the Residential Tenancies (Smoke Alarms and Insulation) Regulations 2016.</del></p> <p>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 16.5.13.1 to 16.5.13.4.</p>	<p>a. The location, nature and scale of activities;</p> <p>b. <u>Vehicle access and parking;</u> <del>The location, provision, and screening of parking and access:</del></p> <p>c. <u>The management of noise, rubbish, recycling and outdoor activities;</u> <del>The management of noise, rubbish and outdoor activities;</del></p> <p>d. <u>Guest management and complaints procedures;</u> <del>The compliance of the residential unit with the Building Code as at the date of the consent;</del></p> <p>e. <u>The keeping of records of the Residential Visitor Accommodation use, and availability of records for Council inspection; and</u> <del>Health and safety provisions in relation to guests;</del></p> <p>f. <u>Monitoring requirements, including imposition of an annual monitoring charge.</u> <del>Guest management and complaints procedures;</del></p> <p>g. <del>The keeping of records of RVA use, and availability of records for Council inspection; and</del></p> <p>h. <del>Monitoring requirements, including imposition of an annual monitoring charge.</del></p>
16.5.14	<p><u>Homestay where:</u></p> <p>16.5.14.1 <u>The total number of paying guests on a site does not exceed five per night.</u> <del>Must not exceed 5 paying guests on a site per night.</del></p> <p>16.5.14.2 <u>No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated.</u> <del>Must comply with <a href="#">minimum parking requirements of standard 29.8.9 in Chapter 29 Transport.</a></del></p> <p>16.5.14.3 <u>Council is notified in writing prior to the commencement of a Homestay activity. Must</u></p>	<p>C</p> <p>Control is reserved to:</p> <p>a. The location, nature and scale of activities;</p> <p>b. <u>The management of noise, rubbish, recycling and outdoor activities;</u> <del>The location, provision, and screening of parking and access:</del></p>

	Standards for activities located in the Business Mixed Use Zone	Non-compliance status
	<p><del>not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</del></p> <p><del>16.5.14.4 The Council must be notified in writing prior to the commencement of a Homestay activity.</del></p> <p>16.5.14.5<del>4</del> Up to date records of the Homestay activity must be kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</p> <p>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 16.5.14.1 to 16.5.14.5.</p>	<p>c. <u>The keeping of records of homestay use and availability of records for council inspection</u><del>The management of noise, rubbish and outdoor activities;</del></p> <p>d. <u>Monitoring requirements, including imposition of an annual monitoring charge</u><del>The keeping of records of Homestay use, and availability of records for Council inspection;</del></p> <p>e. <u>Vehicle access and parking</u><del>Monitoring requirements, including imposition of an annual monitoring charge.</del></p>
16.5.15	<p>At Frankton Marina (Sugar Lane) the following limits on office and retail activities apply:</p> <p>16.5.15.1 1000m<sup>2</sup> GFA for retail activities; and</p> <p>16.5.15.2 1000m<sup>2</sup> GFA for office activities; and</p> <p>16.5.15.3 300m<sup>2</sup> GFA for individual tenancies for retail activities.</p> <p>16.5.15.4 200m<sup>2</sup> GFA for individual tenancies for office activities.</p> <p>Exemption:</p> <p>a. The retail limits in 16.5.14.1 and 16.5.14.3 do not apply to marine retail activities.</p>	D
16.5.16	<p>Sound Insulation and Mechanical Ventilation</p> <p>Within Area A as shown on the District Plan web mapping application any buildings containing an Activity Sensitive to Road Noise, within 80m of the State Highway, shall be designed to achieve an Indoor Design Sound Level of 40dB LAeq24h.</p> <p>Compliance with this rule can be demonstrated by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the internal design sound level.</p>	NC

**16.6 Rules - Non-Notification of Applications**

- 16.6.1 **Applications for Controlled activities shall not require the written approval of other persons and shall not be notified or limited-notified.**
- 16.6.2 **The following Restricted Discretionary activities shall not require the written approval of other persons and shall not be notified or limited- notified:**
- 16.6.2.1 Buildings.
- 16.6.2.2 Building Heights between 12m and 20m in the Business Mixed Use Zone in Queenstown, except:
- a. for 30-46 Gorge Road (as shown on the District Plan web mapping application) where applications may be limited notified to the adjoining properties along the Horne Creek boundary; and
  - b. except for the Frankton Marina (Sugar Lane) Business Mixed Use Zone.
- 16.6.3 **The following Restricted Discretionary activities will 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:**
- 16.6.3.1 Setbacks and sunlight access – sites adjoining, or separated by a road from, a Residential zone. In relation to the electricity distribution network and where Rule 16.4.4(k) is relevant, the Council will give specific consideration to Aurora Energy Limited as an affected person for the purposes of section 95E of the Act.

## Note:

- Changes from previous Consent Order dated 28 May 2021 are in [blue underlined text and ~~strikeout~~](#)
- Changes from this Consent Order are in black underlined text and ~~strikeout~~

## 21 Rural

**Please note: Variations to parts of this chapter have been decided by Council on 18 March 2021 as part of Stage 3&3b of the PDP. You can view the Stage 3 Decisions and appeals notices on our website. The appeals and section 274 periods for the Stage 1 and 2 Decisions have closed.**

### 21.1 Zone Purpose

There are four rural zones in the District. The Rural Zone is the most extensive of these. The Gibbston Valley is recognised as a special character area for viticulture production and the management of this area is provided for in Chapter 23: Gibbston Character Zone.

Opportunities for rural living activities are provided for in the Rural-Residential and Rural Lifestyle Zones (Chapter 22).

The purpose of the Rural Zone is to enable farming activities and provide for appropriate other activities that rely on rural resources while protecting, maintaining and enhancing landscape values, ecosystem services, nature conservation values, the soil and water resource and rural amenity.

A wide range of productive activities occur in the Rural Zone and because the majority of the District's distinctive landscapes comprising open spaces, lakes and rivers with high visual quality and cultural value are located in the Rural Zone, there also exists a wide range of living, recreation, commercial and tourism activities and the desire for further opportunities for these activities.

Ski Area Sub-Zones are located within the Rural Zone. These Sub-Zones recognise the contribution tourism infrastructure makes to the economic and recreational values of the District. The purpose of the Ski Area Sub-Zones is to enable the continued development of Ski Areas as year round destinations for ski area, tourism and recreational activities within the identified Sub-Zones where the effects of the development are cumulatively minor.

In addition, the Rural Industrial Sub-Zone includes established industrial activities that are based on rural resources or support farming and rural productive activities.

A substantial proportion of the Outstanding Natural Landscapes of the district comprises private land managed in traditional pastoral farming systems. Rural land values tend to be driven by the high landscape and amenity values in the district. The long term sustainability of pastoral farming will depend upon farmers being able to achieve economic returns from utilising the natural and physical

resources of their properties. For this reason, it is important to acknowledge the potential for a range of alternative uses of rural properties that utilise the qualities that make them so valuable.

The Rural Zone is divided into two areas. The first being the area for Outstanding Natural Landscapes and Outstanding Natural Features. The second area being the Rural Character Landscape. These areas give effect to Chapter 3 – Strategic Direction: Objectives 3.2.5.1 and 3.2.5.2, and the policies in Chapters 3 and 6 that implement those objectives.

## 21.2 Objectives and Policies

**21.2.1 Objective - A range of land uses, including farming and established activities, are enabled while protecting, maintaining and enhancing landscape, ecosystem services, nature conservation and rural amenity values.**

### Policies

- 21.2.1.1 Enable farming activities while protecting, maintaining and enhancing the values of indigenous biodiversity, ecosystem services, recreational values, the landscape and surface of lakes and rivers and their margins.
- 21.2.1.2 Allow Farm Buildings associated with landholdings of 100 hectares or more in area while managing effects of the location, scale and colour of the buildings on landscape values.
- 21.2.1.3 Require buildings to be set back a minimum distance from internal boundaries and road boundaries in order to mitigate potential adverse effects on landscape character, visual amenity, outlook from neighbouring properties and to avoid adverse effects on established and anticipated activities.
- 21.2.1.4 Minimise the dust, visual, noise and odour effects of activities by requiring them to locate a greater distance from formed roads, neighbouring properties, waterbodies and zones that are likely to contain residential and commercial activity.
- 21.2.1.5 Have regard to the location and direction of lights so they do not cause glare to other properties, roads, public places or views of the night sky.
- 21.2.1.6 Avoid adverse cumulative impacts on ecosystem services and nature conservation values.
- 21.2.1.7 Have regard to the spiritual beliefs, cultural traditions and practices of Tangata whenua.
- 21.2.1.8 Have regard to fire risk from vegetation and the potential risk to people and buildings, when assessing subdivision and development in the Rural Zone.
- 21.2.1.9 Provide adequate firefighting water and fire service vehicle access to ensure an efficient and effective emergency response.
- 21.2.1.10 Commercial activities in the Rural Zone should have a genuine link with the rural land or water resource, farming, horticulture or viticulture activities, or recreation activities associated with resources located within the Rural Zone.
- 21.2.1.11 Provide for the establishment of commercial, retail and industrial activities only where these would protect, maintain or enhance rural character, amenity values and landscape values.

- 21.2.1.12 Encourage production forestry to be consistent with topography and vegetation patterns, to locate outside of the Outstanding Natural Features and Landscapes and outside of significant natural areas, and ensure production forestry does not degrade the landscape character or visual amenity values of the Rural Character Landscape.
- 21.2.1.13 Ensure forestry harvesting avoids adverse effects with regards to siltation and erosion and sites are rehabilitated to minimise runoff, erosion and effects on landscape values.
- 21.2.1.14 Limit exotic forestry to species that do not have potential to spread and naturalise.
- 21.2.1.15 Ensure traffic from new commercial activities does not diminish rural amenity or affect the safe and efficient operation of the roading and trail network, or access to public places.
- 21.2.1.16 Provide for a range of activities that support the vitality, use and enjoyment of the Queenstown Trail and Upper Clutha Tracks networks on the basis that landscape and rural amenity is protected, maintained or enhanced and established activities are not compromised.

#### **21.2.2 Objective - The life supporting capacity of soils is sustained.**

##### **Policies**

- 21.2.2.1 Allow for the establishment of a range of activities that utilise the soil resource in a sustainable manner.
- 21.2.2.2 Maintain the productive potential and soil resource of Rural Zoned land and encourage land management practices and activities that benefit soil and vegetation cover.
- 21.2.2.3 Protect the soil resource by controlling activities including earthworks, indigenous vegetation clearance and prohibit the planting and establishment of identified wilding exotic trees with the potential to spread and naturalise.

#### **21.2.3 Objective - The life supporting capacity of water is safeguarded through the integrated management of the effects of activities.**

##### **Policies**

- 21.2.3.1 In conjunction with the Otago Regional Council, regional plans and strategies:
  - a. encourage activities that use water efficiently, thereby conserving water quality and quantity;
  - b. discourage activities that adversely affect the potable quality and life supporting capacity of water and associated ecosystems.

#### **21.2.4 Objective - Situations where sensitive activities conflict with existing and anticipated activities are managed to minimise conflict between incompatible land uses.**

##### **Policies**

- 21.2.4.1 New activities must recognise that permitted and established activities in the Rural Zone may result in effects such as odour, noise, dust and traffic generation that are reasonably expected to occur and will be noticeable to residents and visitors in rural areas.

21.2.4.2 Control the location and type of non-farming activities in the Rural Zone, so as to minimise conflict between permitted and established activities and those that may not be compatible with such activities

**21.2.5 Objective - Mineral extraction opportunities are provided for on the basis the location, scale and effects would not degrade amenity, water, wetlands, landscape and indigenous biodiversity values.**

**Policies**

21.2.5.1 Have regard to the importance and economic value of locally mined high-quality gravel, rock and other minerals including gold and tungsten.

21.2.5.2 Provide for prospecting and small scale mineral exploration and recreational gold mining as activities with limited environmental impact.

21.2.5.3 Ensure that during and following the conclusion of mineral extractive activities, sites are progressively rehabilitated in a planned and co-ordinated manner, to enable the establishment of a land use appropriate to the area.

21.2.5.4 Ensure potentially significant adverse effects of extractive activities (including mineral exploration) are avoided, or remedied particularly where those activities have potential to degrade landscape quality, character and visual amenity, indigenous biodiversity, lakes and rivers, potable water quality and the life supporting capacity of water.

21.2.5.5 Avoid or mitigate the potential for other land uses, including development of other resources above, or in close proximity to mineral deposits, to adversely affect the extraction of known mineral deposits.

21.2.5.6 Encourage use of environmental compensation as a means to address unavoidable residual adverse effects from mineral extraction.

**21.2.6 Objective - The future growth, development and consolidation of Ski Areas Activities within identified Ski Area Sub-Zones, is provided for, while adverse effects on the environment are avoided, remedied or mitigated.**

21.2.6.1 Identify Ski Area Sub-Zones and encourage Ski Area Activities and complementary tourism activities to locate and consolidate within the Sub-Zones.

21.2.6.2 Control the visual impact of roads, buildings and infrastructure associated with Ski Area Activities.

21.2.6.3 Provide for the continuation of existing vehicle testing facilities within the Waiorau Snow Farm Ski Area Sub- Zone on the basis that the landscape and indigenous biodiversity values are not further degraded.

21.2.6.4 Provide for appropriate alternative (non-road) means of transport to and within Ski Area Sub-Zones, by way of passenger lift systems and ancillary structures and facilities.

21.2.6.5 Provide for Ski Area Sub-Zone Accommodation activities within Ski Area Sub-Zones, which are complementary to outdoor recreation activities within the Ski Area Sub-Zone, that can realise landscape and conservation benefits and that avoid, remedy or mitigate adverse effects on the environment.



**21.2.7 Objective - An area that excludes activities which are sensitive to aircraft noise, is retained within an airport's Outer Control Boundary, to act as a buffer between airports and Activities Sensitive to Aircraft Noise.**

**Policies**

21.2.7.1 Prohibit all new activities sensitive to aircraft noise on Rural Zoned land within the Outer Control Boundary at Queenstown Airport and Wānaka Airport to avoid adverse effects arising from aircraft operations on future activities sensitive to aircraft noise.

21.2.7.2 Identify and maintain areas containing activities that are not sensitive to aircraft noise, within an airport's outer control boundary, to act as a buffer between the airport and activities sensitive to aircraft noise.

21.2.7.3 Retain open space within the outer control boundary of airports in order to provide a buffer, particularly for safety and noise purposes, between the airport and other activities.

21.2.7.4 Require as necessary mechanical ventilation for any alterations or additions to Critical Listening Environment within any existing buildings containing an Activity Sensitive to Aircraft Noise within the Queenstown Airport Outer Control Boundary and require sound insulation and mechanical ventilation for any alterations or additions to Critical Listening Environment within any existing buildings containing an Activity Sensitive to Aircraft Noise within the Queenstown Airport Air Noise Boundary.

**21.2.8 Objective - Subdivision, use and development in areas that are unsuitable due to identified constraints not addressed by other provisions of this Plan, is avoided, or the effects of those constraints are remedied or mitigated.**

**Policies**

21.2.8.1 Prevent subdivision and development within the building restriction areas identified on the District Plan web mapping application, in particular:

- a. in the Glenorchy area, protect the heritage value of the visually sensitive Bible Face landform from building and development and to maintain the rural backdrop that the Bible Face provides to the Glenorchy Settlement;
- b. in Ferry Hill, within the building line restriction identified on the District Plan web mapping application.

**21.2.9 Objective - Provision for diversification of farming and other rural activities that protect landscape and natural resource values and maintains the character of rural landscapes.**

**Policies**

21.2.9.1 Encourage revenue producing activities that can support the long-term sustainability of the rural areas of the district and that maintain or enhance landscape values and rural amenity.

21.2.9.2 Ensure that revenue producing activities utilise natural and physical resources (including existing buildings) in a way that maintains and enhances landscape quality, character, rural amenity, and natural resources

- 21.2.9.3 Provide for the establishment of activities such as tourism, commercial recreation or visitor accommodation located within farms where these enable landscape values and indigenous biodiversity to be sustained in the longer term.

[21.2.9.\[4\] Provide for residential visitor accommodation and homestays within residential units without compromising the surrounding rural character and amenity and minimising conflict with surrounding activities, by limiting the scale, intensity and frequency of these activities.](#)

**21.2.10 Objective – Commercial Recreation in the Rural Zone is of a nature and scale that is commensurate to the amenity values of the location.**

**Policies**

- 21.2.10.1 The group size of commercial recreation activities will be managed so as to be consistent with the level of amenity anticipated in the surrounding environment.
- 21.2.10.2 To manage the adverse effects of commercial recreation activities so as not to degrade rural quality or character or visual amenities and landscape values.
- 21.2.10.3 To avoid, remedy or mitigate any adverse effects commercial activities may have on the range of recreational activities available in the District and the quality of the experience of the people partaking of these opportunities.
- 21.2.10.4 To ensure the scale and location of buildings, noise and lighting associated with commercial recreation activities are consistent with the level of amenity existing and anticipated in the surrounding environment.

**21.2.11 Objective - The location, scale and intensity of informal airports is managed to maintain amenity values while protecting informal airports from incompatible land uses.**

**Policies**

- 21.2.11.1 Provide for informal airports as an appropriate activity within the Rural Zone, provided the informal airport is located, operated and managed to maintain the surrounding rural amenity.
- 21.2.11.2 Ensure informal airports are located, operated and managed so as to maintain the surrounding rural amenity including through managing frequency of flights, separation distance, flight paths, reverse sensitivity and cumulative effects.
- 21.2.11.3 Protect rural amenity values, and amenity of other zones from the adverse effects that can arise from informal airports.
- 21.2.11.4 Protect lawfully established and anticipated permitted informal airports from the establishment of incompatible activities in the immediate vicinity.

**21.2.12 Objective - The natural character of lakes and rivers and their margins is protected, maintained or enhanced, while providing for appropriate activities on the surface of lakes and rivers, including recreation, commercial recreation and public transport.**

**Policies**

- 21.2.12.1 Have regard to statutory obligations, wāhi Tūpuna and the spiritual beliefs, and cultural traditions of tangata whenua where activities are undertaken on the surface of lakes and rivers and their margins.
  - 21.2.12.2 Enable people to have access to a wide range of recreational experiences on the lakes and rivers, based on the identified characteristics and environmental limits of the various parts of each lake and river.
  - 21.2.12.3 Avoid or mitigate the adverse effects of frequent, large-scale or intrusive commercial activities such as those with high levels of noise, vibration, speed and wash, in particular motorised craft, in areas of high passive recreational use, significant nature conservation values and wildlife habitat.
  - 21.2.12.4 Have regard to the whitewater values of the District's rivers and, in particular, the values of parts of the Kawarau, Nevis and Shotover Rivers as three of the few remaining major unmodified whitewater rivers in New Zealand, and to support measures to protect this characteristic of rivers.
  - 21.2.12.5 Protect, maintain or enhance the natural character and nature conservation values of lakes, rivers and their margins from inappropriate activities with particular regard to nesting and spawning areas, the intrinsic value of ecosystem services and areas of indigenous fauna habitat and recreational values.
  - 21.2.12.6 Recognise and provide for the maintenance and enhancement of public access to and enjoyment of the margins of the lakes and rivers.
  - 21.2.12.7 Ensure that the location, design and use of structures and facilities are such that any adverse effects on visual qualities, safety and conflicts with recreational and other activities on the lakes and rivers are avoided, remedied or mitigated.
  - 21.2.12.8 Encourage development and use of water based public ferry systems including necessary infrastructure and marinas, in a way that avoids adverse effects on the environment as far as possible, or where avoidance is not practicable, remedies and mitigates such adverse effects.
  - 21.2.12.9 Take into account the potential adverse effects on nature conservation values from the boat wake of commercial boating activities, having specific regard to the intensity and nature of commercial jet boat activities and the potential for turbidity and erosion.
  - 21.2.12.10 Ensure that the nature, scale and number of commercial boating operators and/or commercial boats on waterbodies do not exceed levels such that the safety of passengers and other users of the water body cannot be assured.
- 21.2.13 Objective - Rural industrial activities and infrastructure within the Rural Industrial Sub-Zones will support farming and rural productive activities, while protecting, maintaining and enhancing rural character, amenity and landscape values.**

**Policies**

- 21.2.13.1 Provide for rural industrial activities and buildings within established nodes of industrial development while protecting, maintaining and enhancing landscape and amenity values.

- 21.2.13.2 Provide for limited retail and administrative activities within the Rural Industrial Sub-Zone on the basis it is directly associated with and ancillary to the Rural Industrial Activity on the site.
- 21.2.13.3 Manage activities and development within areas of the Rural Industrial Sub-Zone in Luggate by:
- a. applying development controls and landscaping requirements within Activity Areas and Building Restriction Areas that are spatially defined on the District Plan web mapping application to avoid adverse effects on landscape values and visual amenity, and
  - b. applying development controls in relation to the scale of activities within Activity Areas that are spatially defined on the District Plan web mapping application to avoid adverse effects on the adjoining road and the transport network.

## 21.3 Other Provisions and Rules

### 21.3.1 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 and Rural Character
25 Earthworks	26 Historic Heritage	27 Subdivision
28 Natural Hazards	29 Transport	30 Energy and Utilities
31 Signs	32 Protected Trees	33 Indigenous Vegetation
34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings	36 Noise
37 Designations	District Plan web mapping application	

### 21.3.2 Interpreting and Applying the Rules

- 21.3.2.1 A permitted activity must comply with all the rules listed in the Activity and Standards tables, and any relevant district wide rules.
- 21.3.2.2 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.
- 21.3.2.3 For controlled and restricted discretionary activities, the Council shall restrict the exercise of its control or discretion to the matters listed in the rule.
- 21.3.2.4 Development and building activities are undertaken in accordance with the conditions of resource subdivision consent and may be subject to monitoring by the Council.

- 21.3.2.5 The existence of a farm building either permitted or approved by resource consent under Rule 21.4.2 or Table 5 – Standards for Farm Buildings shall not be considered the permitted baseline for residential or other non- farming activity development within the Rural Zone.
- 21.3.2.6 The Ski Area and Rural Industrial Sub-Zones, being Sub-Zones of the Rural Zone, require that all rules applicable to the Rural Zone apply unless stated to the contrary.
- 21.3.2.7 Building platforms identified on a site’s computer freehold register shall have been registered as part of a resource consent approval by the Council.
- 21.3.2.8 The surface and bed of lakes and rivers are zoned Rural, unless otherwise stated.
- 21.3.2.9 Internal alterations to buildings including the replacement of joinery is permitted.
- 21.3.2.10 The status of any Plantation Forestry will be determined by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 except where the land is an ONL, ONF or contains an SNA.
- 21.3.2.11 These abbreviations are used in the following tables. Any activity which is not permitted (P) or prohibited (PR) requires resource consent.

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

### 21.3.3 Advice Notes

- 21.3.3.1 Compliance with any of the following standards, in particular the permitted standards, does not absolve any commitment to the conditions of any relevant resource consent, consent notice or covenant registered on the computer freehold register of any property.
- 21.3.3.2 In addition to any rules for mining, the Otago Regional Plan: Water, also has rules related to suction dredge mining.
- 21.3.3.3 Applications for building consent for permitted activities shall include information to demonstrate compliance with the following standards, and any conditions of the applicable resource consent conditions.
- 21.3.3.4 Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances ("NZECP34:2001") is mandatory under the Electricity Act 1992. All activities, such as buildings, earthworks and conductive fences regulated by NZECP34: 2001, including any activities that are otherwise permitted by the District Plan must comply with this legislation. Chapter 30 Energy and Utilities part 30.3.3.2.c has additional information in relation to activities and obligations under NZECP34:2001.

## 21.4 Rules – Activities

All activities, including any listed permitted activities shall be subject to the rules and standards contained in Tables 1 to 15.

Table 1 – Activities Generally

Table 2 – Standards Applying Generally in the Zone

Table 3 – Standards for Farm Activities (additional to those in Table 2)

Table 4 – Standards for Structures and Buildings (other than Farm Buildings) (additional to those in Table 2)

Table 5 – Standards for Farm Buildings (additional to those in Table 2)

Table 6 – Standards for Commercial Activities (additional to those in Table 2)

Table 7– Standards for Informal Airports (additional to those in Table 2)

Table 8 – Standards for Mining and Extraction Activities (additional to those in Table 2)

Table 9 – Activities in the Ski Area Sub-Zone (additional to those listed in Table 1)

Table 9A – Standards for activities in the Ski Area Sub-Zone (additional to those in Table 2)

Table 10 - Activities in Rural Industrial Sub-Zone (additional to those listed in Table 1)

Table 11 – Standards for Rural Industrial Sub-Zone

Table 12 – Activities on the Surface of Lakes and Rivers

Table 13 – Standards for Activities on the Surface of Lakes and Rivers

Table 14 – Closeburn Station Activities

Table 15 – Closeburn Station: Standards for Buildings and Structures

	<b>Table 1 – Activities – Rural Zone</b>	<b>Activity Status</b>
	<b>Farming Activities</b>	
<b>21.4.1</b>	Farming Activity that complies with the standards in Table 2 and Table 3.	P
<b>21.4.2</b>	Construction of or addition to farm buildings that comply with the standards in Table 5.	P
<b>21.4.3</b>	Factory Farming limited to factory farming of pigs or poultry that complies with the standards in Table 2 and Table 3.	P
<b>21.4.4</b>	Factory Farming animals other than pigs or poultry.	NC
	<b>Residential Activities, Subdivision and Development</b>	
<b>21.4.5</b>	One residential unit, which includes a single residential flat for each residential unit and any other accessory buildings, within any building platform approved by resource consent.	P

	<b>Table 1 – Activities – Rural Zone</b>	<b>Activity Status</b>
<b>21.4.6</b>	The construction and exterior alteration of buildings located within a building platform approved by resource consent, or registered on the applicable computer freehold register, subject to compliance with the standards in Table 2 and Table 4.	P
<b>21.4.7</b>	The exterior alteration of any lawfully established building where there is not an approved building platform on the site, subject to compliance with the standards in Table 2 and Table 4.	P
<b>21.4.8</b>	Domestic Livestock.	P
<b>21.4.9</b>	The use of land or buildings for residential activity except as provided for in any other rule.	D
<b>21.4.10</b>	The identification of a building platform not less than 70m <sup>2</sup> and not greater than 1000m <sup>2</sup> .	D
<b>21.4.11</b>	The construction of any building including the physical activity associated with buildings including roading, access, lighting, landscaping and earthworks, not provided for by any other rule.	D
	<b>Commercial Activities</b>	
<b>21.4.12</b>	Home Occupation that complies with the standards in Table 6.	P
<b>21.4.13</b>	Commercial recreational activities that comply with the standards in Table 6.	P
<b>21.4.14</b>	Roadside stalls that meet the standards in Table 6.	P
<b>21.4.15</b>	Residential Visitor Accommodation and Homestays	P
<b>21.4.16</b>	Retail sales of farm and garden produce and wine grown, reared or produced on-site or handicrafts produced on the site and that comply with the standards in Table 6, not undertaken through a roadside stall under Rule 21.4.14.  Control is reserved to:  a. the location of the activity and buildings; b. vehicle crossing location, car parking; c. rural amenity and landscape character.	C
<b>21.4.17</b>	Commercial activities ancillary to and located on the same site as commercial recreational or recreational activities.	D
<b>21.4.18</b>	Cafes and restaurants located in a winery complex within a vineyard.	D
<b>21.4.19</b>	Visitor Accommodation outside of a Ski Area Sub-Zone.	D

	<b>Table 1 – Activities – Rural Zone</b>	<b>Activity Status</b>
<b>21.4.20</b>	Forestry activities within the Rural Character Landscapes, except for Plantation Forestry where the Resource Management (Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017) Regulation 2017 prevails.	D
<b>21.4.21</b>	Retail Sales  Retail sales where the access is onto a State Highway, with the exception of the activities provided for by Rule 21.4.14 or Rule 21.4.16.	NC
	<b>Other Activities</b>	
<b>21.4.22</b>	Recreation and/or Recreational Activity.	P
<b>21.4.23</b>	Informal Airports that comply with Table 7.	P
<b>21.4.24</b>	<p>Passenger Lift Systems not located within a Ski Area Sub-Zone Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. the impact on landscape values from any alignment, earthworks, design and surface treatment, including measures to mitigate landscape effects including visual quality and amenity values;</li> <li>b. the route alignment and the whether any system or access breaks the line and form of skylines, ridges, hills and prominent slopes;</li> <li>c. earthworks associated with construction of the Passenger Lift System;</li> <li>d. the materials used, colours, lighting and light reflectance;</li> <li>e. geotechnical matters;</li> <li>f. ecological values and any proposed ecological mitigation works.;</li> <li>g. balancing environmental considerations with operational requirements of Ski Area Activities;</li> <li>h. the positive effects arising from providing alternative non-vehicular access and linking Ski Area Sub-Zones to the roading network.</li> </ul>	RD



	<b>Table 1 – Activities – Rural Zone</b>	<b>Activity Status</b>
<b>21.4.25</b>	<p>Ski Area Activities not located within a Ski Area Sub-Zone, with the exception of:</p> <ul style="list-style-type: none"> <li>a. non-commercial skiing which is permitted as recreation activity under Rule 21.4.22;</li> <li>b. commercial heli skiing not located within a Ski Area Sub-Zone is a commercial recreation activity and Rule 21.4.13 applies;</li> <li>c. Passenger Lift Systems to which Rule 21.4.24 applies.</li> </ul>	NC
<b>21.4.26</b>	Any building within a Building Restriction Area identified on the District Plan web mapping application.	NC
	<b>Activities within the Outer Control Boundary at Queenstown Airport and Wānaka Airport</b>	
<b>21.4.27</b>	<p>New Building Platforms and Activities Sensitive to Aircraft Noise within the Outer Control Boundary - Wānaka Airport</p> <p>On any site located within the Outer Control Boundary, any new activity sensitive to aircraft noise or new building platform to be used for an activity sensitive to aircraft noise (except an activity sensitive to aircraft noise located on a building platform approved before 20 October 2010).</p>	PR
<b>21.4.28</b>	<p>Activities Sensitive to Aircraft Noise within the Outer Control Boundary - Queenstown Airport</p> <p>On any site located within the Outer Control Boundary, which includes the Air Noise Boundary, as indicated on the District Plan web mapping application, any new Activity Sensitive to Aircraft Noise.</p>	PR
	<b>Mining Activities</b>	

	<b>Table 1 – Activities – Rural Zone</b>	<b>Activity Status</b>
<b>21.4.29</b>	The following mining and extraction activities that comply with the standards in Table 8 are permitted: <ul style="list-style-type: none"> <li>a. mineral prospecting;</li> <li>b. mining by means of hand-held, non-motorised equipment and suction dredging, where the total motive power of any dredge does not exceed 10 horsepower (7.5 kilowatt); and</li> <li>c. the mining of aggregate for farming activities provided the total volume does not exceed 1000m<sup>3</sup> in any one year.</li> </ul>	P
<b>21.4.30</b>	Mineral exploration that does not involve more than 20m <sup>3</sup> in volume in any one hectare.  Control is reserved to: <ul style="list-style-type: none"> <li>a. the adverse effects on landscape, nature conservation values and water quality;</li> <li>b. ensuring rehabilitation of the site is completed that ensures: <ul style="list-style-type: none"> <li>i. the long-term stability of the site;</li> <li>ii. that the landforms or vegetation on finished areas are visually integrated into the landscape;</li> <li>iii. water quality is maintained;</li> <li>iv. that the land is returned to its original productive capacity;</li> </ul> </li> <li>c. that the land is rehabilitated to indigenous vegetation where the pre-existing land cover immediately prior to the exploration, comprised indigenous vegetation as determined utilising Section 33.3.3 of Chapter 33.</li> </ul>	C
<b>21.4.31</b>	Any mining activity or mineral prospecting other than provided for in Rules 21.4.29 and 21.4.30.	D
	<b>Industrial Activities outside the Rural Industrial Sub-Zone</b>	
<b>21.4.32</b>	Industrial Activities directly associated with wineries and underground cellars within a vineyard.	D
<b>21.4.33</b>	Industrial Activities outside the Rural Industrial Sub-Zone other than those provided for by Rule 21.4.32.	NC
	<b>Default Activity Status When Not Listed</b>	
<b>21.4.34</b>	Any activity not otherwise provided for in Tables 1, 9, 10, 12 or 14.	NC

## 21.5 Rules – General Standards

	<b>Table 2 - Standards Applying Generally in the Zone.</b>	<b>Non-compliance Status</b>
	<b>The following standards apply to any of the activities described in Tables 1, 9, 10, 12 and 14 in addition to the specific standards in Tables 3- 8, 11, 13 and 15 unless otherwise stated.</b>	
<b>21.5.1</b>	<p>Setback from Internal Boundaries</p> <p>The setback of any building from internal boundaries shall be 15m.</p> <p>Except this rule shall not apply within the Rural Industrial Sub-Zone. Refer to Table 11.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>rural amenity and landscape character;</li> <li>privacy, outlook and amenity from adjoining properties.</li> </ol>
<b>21.5.2</b>	<p>Setback from Roads</p> <p>The setback of any building from a road boundary shall be 20m, except, the minimum setback of any building from State Highway 6 between Lake Hayes and the Shotover River shall be 50m. The minimum setback of any building for other sections of State Highway 6 where the speed limit is 70 km/hr or greater shall be 40m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>rural Amenity and landscape character;</li> <li>open space;</li> <li>the adverse effects on the proposed activity from noise, glare and vibration from the established road.</li> <li>Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is located within the adjacent road, any adverse effects on that infrastructure.</li> </ol>
<b>21.5.3</b>	<p>Setback from Neighbours of Buildings Housing Animals</p> <p>The setback from internal boundaries for any building housing animals shall be 30m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>odour;</li> <li>noise;</li> <li>dust;</li> <li>vehicle movements.</li> </ol>
<b>21.5.4</b>	<p>Setback of buildings from Water bodies</p> <p>The minimum setback of any building from the bed of a wetland, river or lake shall be 20m.</p>	<p>RD</p> <p>Discretion is restricted to:</p>

	<p><b>Table 2 - Standards Applying Generally in the Zone.</b></p> <p><b>The following standards apply to any of the activities described in Tables 1, 9, 10, 12 and 14 in addition to the specific standards in Tables 3- 8, 11, 13 and 15 unless otherwise stated.</b></p>	<p><b>Non-compliance Status</b></p>
		<ul style="list-style-type: none"> <li>a. indigenous biodiversity values;</li> <li>b. visual amenity values;</li> <li>c. landscape and natural character;</li> <li>d. open space;</li> <li>e. whether the waterbody is subject to flooding or natural hazards and any mitigation to manage the adverse effects of the location of the building.</li> </ul>
<p><b>21.5.5</b></p>	<p>Airport Noise – Wānaka Airport</p> <p>Alterations or additions to existing buildings, or construction of a building on a building platform approved before 20 October 2010, that contain an Activity Sensitive to Aircraft Noise and are within the Outer Control Boundary, must be designed to achieve an internal design sound level of 40 dB Ldn, based on the 2036 noise contours, at the same time as meeting the ventilation requirements in Rule 36.6.2, Chapter 36. Compliance can either be demonstrated by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the internal design sound level, or by installation of mechanical ventilation to achieve the requirements in Rule 36.6.2, Chapter 36.</p>	<p>NC</p>
<p><b>21.5.6</b></p>	<p>Airport Noise – Alteration or Addition to Existing Buildings (excluding any alterations of additions to any non-critical listening environment) within the Queenstown Airport Noise Boundaries</p> <ul style="list-style-type: none"> <li>a. Within the Queenstown Airport Air Noise Boundary (ANB) - Alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise must be designed to achieve an Indoor Design Sound Level of 40 dB Ldn, within any Critical Listening Environment, based on the 2037 Noise Contours. Compliance must be demonstrated by either adhering to the sound insulation requirements in Rule 36.6.1 of Chapter 36 and installation of mechanical ventilation to achieve the requirements in Rule 36.6.2 of Chapter 36, or</li> </ul>	<p>NC</p>

	<p><b>Table 2 - Standards Applying Generally in the Zone.</b></p> <p><b>The following standards apply to any of the activities described in Tables 1, 9, 10, 12 and 14 in addition to the specific standards in Tables 3- 8, 11, 13 and 15 unless otherwise stated.</b></p>	<p><b>Non-compliance Status</b></p>
	<p>by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open.</p> <p>b. Between the Queenstown Airport Outer Control Boundary and the ANB – Alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise must be designed to achieve an Indoor Design Sound Level of 40 dB Ldn within any Critical Listening Environment, based on the 2037 Noise Contours. Compliance must be demonstrated by either installation of mechanical ventilation to achieve the requirements in Rule 36.6.2 of Chapter 36 or by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open.</p> <p>Standards (a) and (b) exclude any alterations or additions to any non-critical listening environment.</p>	
<p><b>21.5.7</b></p>	<p>Lighting and Glare</p> <p>21.5.7.1 All fixed exterior lighting must be directed away from adjoining sites and roads; and</p> <p>21.5.7.2 No activity on any site will 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, provided that this rule shall not apply where it can be demonstrated that the design of adjacent buildings adequately mitigates such effects.</p> <p>21.5.7.3 There must be no upward light spill.</p> <p>Except this rule shall not apply within the Ski Area Sub-Zones.</p>	<p>NC</p>

**21.6 Rule – Standards for Farm Activities**

	<b>Table 3 – Standards for Farm Activities.</b> <b>The following standards apply to Farm Activities.</b>	<b>Non- compliance Status</b>
<b>21.6.1</b>	Dairy Farming (Milking Herds, Dry Grazing and Calf Rearing)  All effluent holding tanks, effluent treatment and effluent storage ponds, must be located at least 300 metres from any formed road or adjoining property.	RD  Discretion is restricted to:  a. odour; b. visual prominence; c. landscape character; d. effects on surrounding properties.
<b>21.6.2</b>	Factory Farming (excluding the boarding of animals)  Factory farming (excluding the boarding of animals) must be located at least 2 kilometres from a Residential, Rural Residential, Rural Lifestyle, Town Centre, Local Shopping Centre Zone, Millbrook Resort Zone, Waterfall Park Zone or Jacks Point Zone.	D
<b>21.6.3</b>	Factory Farming of Pigs  21.6.3.1 The number of housed pigs must not exceed 50 sows or 500 pigs of mixed ages;  21.6.3.2 Housed pigs must not be located closer than 500m from a property boundary;  21.6.3.3 The number of outdoor pigs must not exceed 100 pigs and their progeny up to weaner stage;  21.6.3.4 Outdoor sows must be ringed at all times; and/or  21.6.3.5 The stocking rate of outdoor pigs must not exceed 15 pigs per hectare, excluding progeny up to weaner stage.	NC
<b>21.6.4</b>	Factory farming of poultry  21.6.4.1 The number of birds must not exceed 10,000 birds.  21.6.4.2 Birds must be housed at least 300m from a site boundary.	NC

## 21.7 Rules – Standards for Buildings

	<b>Table 4 – Standards for Structures and Buildings</b> <b>The following standards apply to structures and buildings, other than Farm Buildings.</b>	<b>Non-compliance Status</b>
<b>21.7.1</b>	<p>Structures</p> <p>Any structure which is greater than 5 metres in length, and between 1 metre and 2 metres in height must be located a minimum distance of 10 metres from a road boundary, except for:</p> <p>21.7.1.1 Post and rail, post and wire and post and mesh fences, including deer fences;</p> <p>21.7.1.2 Any structure associated with farming activities as defined in this plan.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>effects on landscape character, views and amenity, particularly from public roads;</li> <li>the materials used, including their colour, reflectivity and permeability;</li> <li>whether the structure will be consistent with traditional rural elements.</li> <li>Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is located within the adjacent road, any adverse effects on that infrastructure.</li> </ol>
<b>21.7.2</b>	<p>Buildings</p> <p>Any building, including any structure larger than 5m<sup>2</sup>, that is new, relocated, altered, reclad or repainted, including containers intended to, or that remain on site for more than six months, and the alteration to any lawfully established building, are subject to the following:</p> <p>All exterior surfaces* must be coloured in the range of browns, greens or greys, including;</p> <p>21.7.2.1 Pre-painted steel and all roofs must have a light reflectance value not greater than 20%; and</p> <p>21.7.2.2 All other surface ** finishes except for schist, must have a light reflectance value of not greater than 30%.</p> <p>21.7.2.3 In the case of alterations to an existing building not located within a building</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>external appearance;</li> <li>visual prominence from both public places and private locations;</li> <li>landscape character;</li> <li>visual amenity.</li> </ol>

	<b>Table 4 – Standards for Structures and Buildings</b> <b>The following standards apply to structures and buildings, other than Farm Buildings.</b>	<b>Non-compliance Status</b>
	<p>platform, it does not increase the ground floor area by more than 30% in any ten year period.)</p> <p>Except this rule does not apply within the Ski Area Sub-Zones.</p> <p>* Excludes soffits, windows and skylights (but not glass balustrades).</p> <p>** Includes cladding and built landscaping that cannot be measured by way of light reflectance value but is deemed by the Council to be suitably recessive and have the same effect as achieving a light reflectance value of 30%.</p>	
<b>21.7.3</b>	<p><b>Building size</b></p> <p>The ground floor area of any building must not exceed 500m<sup>2</sup>.</p> <p>Except this rule does not apply to buildings specifically provided for within the Ski Area Sub-Zones.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>external appearance;</li> <li>visual prominence from both public places and private locations;</li> <li>landscape character;</li> <li>visual amenity;</li> <li>privacy, outlook and amenity from adjoining properties.</li> </ol>
<b>21.7.4</b>	<p><b>Building Height</b></p> <p>The maximum height shall be 8m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>rural amenity and landscape character;</li> <li>privacy, outlook and amenity from adjoining properties;</li> <li>visual prominence from both public places and private locations.</li> </ol>
<b>21.7.5</b>	<p><b>Firefighting water and access</b></p> <p>New buildings for residential activities, where there is no reticulated water supply, or any reticulated water supply is not sufficient for fire-fighting, must have one of the following:</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>the extent to which SNZ PAS 4509: 2008 can be met including the</li> </ol>



	<b>Table 4 – Standards for Structures and Buildings</b> <b>The following standards apply to structures and buildings, other than Farm Buildings.</b>	<b>Non-compliance Status</b>
	<p>either a sprinkler system installed and plumbed with a maintained static water storage supply of at least 7,000 litres available to the system, or</p> <p>water supply and access for firefighting that meets the following requirements:</p> <p>21.7.5.1 Water storage of at least 45,000 litres shall be maintained (excluding potable water storage for domestic use) with an outlet connection point that can provide 1500L/min (25 L/s) and any necessary couplings.</p> <p>21.7.5.2 A hardstand area with a minimum width of 4.5m and length of 11m located within 6m of the firefighting water supply connection point and capable of supporting a 20 tonne fire service vehicle.</p> <p>21.7.5.3 The connection point for the firefighting water supply must be located more than 6m and less than 90m from the building for residential activities and be accessible by emergency service vehicles during fire events.</p> <p>21.7.5.4 Access from the property road boundary to the hardstand area capable of accommodating a 20 tonne fire service vehicle.</p>	<p>adequacy of the water supply;</p> <p>b. the accessibility of the firefighting water connection point for fire service vehicles;</p> <p>c. whether and the extent to which the building is assessed as a low fire risk.</p>

## 21.8 Rules – Standards for Farm Buildings

	<b>Table 5 - Standards for Farm Buildings</b> <b>The following standards apply to Farm Buildings.</b>	<b>Non- Compliance Status</b>
<b>21.8.1</b>	<p>Construction, Extension or Replacement of a Farm Building</p> <p>The construction, replacement or extension of a farm building is a permitted activity subject to the following standards:</p> <p>21.8.1.1 The landholding the farm building is located within must be greater than 100ha; and</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. the extent to which the scale and location of the Farm Building is appropriate in terms of:</p> <p>i. rural amenity values;</p>

	<b>Table 5 - Standards for Farm Buildings</b>	<b>Non- Compliance Status</b>
	<b>The following standards apply to Farm Buildings.</b>	
	<p>21.8.1.2 The density of all buildings on the landholding, inclusive of the proposed building(s) must not exceed one farm building per 50 hectares; and</p> <p>21.8.1.3 The farm building must not be located within or on an Outstanding Natural Feature (ONF); and</p> <p>21.8.1.4 If located within the Outstanding Natural Landscape (ONL) the farm building must not exceed 4 metres in height and the ground floor area must not exceed 100m<sup>2</sup>; and</p> <p>21.8.1.5 The farm building must not be located at an elevation exceeding 600 masl; and</p> <p>21.8.1.6 If located within the Rural Character Landscape (RCL), the farm building must not exceed 5m in height and the ground floor area must not exceed 300m<sup>2</sup>; and</p> <p>21.8.1.7 Farm buildings must not protrude onto a skyline or above a terrace edge when viewed from adjoining sites, or formed roads within 2km of the location of the proposed building.</p> <p>21.8.1.8 Farm Buildings must be located a minimum distance of 10m either side from Electricity Sub-transmission Infrastructure lines or 5m from Significant Electricity Distribution Infrastructure lines as shown on the District Plan web mapping application. The setback distance shall be measured from the centre of the support structure.</p>	<p>ii. landscape character;</p> <p>iii. privacy, outlook and rural amenity from adjoining properties;</p> <p>iv. visibility, including lighting.</p> <p>v. Where non-compliance is pursuant to Rule 21.8.1.8, maintaining access to the infrastructure for operation, maintenance and minor upgrading.</p>
<b>21.8.2</b>	<p>Exterior colours of farm buildings</p> <p>21.8.2.1 All exterior surfaces, except for schist, must be coloured in the range of browns, greens or greys (except soffits).</p> <p>21.8.2.2 Pre-painted steel, and all roofs must have a reflectance value not greater than 20%.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. external appearance;</p> <p>b. visual prominence from both public places and private locations;</p> <p>c. landscape character.;</p> <p>d. visual amenity.</p>

	<b>Table 5 - Standards for Farm Buildings</b>	<b>Non- Compliance Status</b>
	<b>The following standards apply to Farm Buildings.</b>	
	21.8.2.3 Surface finishes, except for schist, must have a reflectance value of not greater than 30%.	
<b>21.8.3</b>	<p>Building Height</p> <p>The height of any farm building must not exceed 10m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. rural amenity values;</li> <li>b. landscape character;</li> <li>c. privacy, outlook and amenity from adjoining properties.</li> </ul>
<b>21.8.4</b>	<p>Dairy Farming (Milking Herds, Dry Grazing and Calf Rearing)</p> <p>All milking sheds or buildings used to house, or feed milking stock must be located at least 300 metres from any adjoining property, lake, river or formed road.</p>	D

## 21.9 Rules – Standards for Commercial Activities

	<b>Table 6 - Standards for Commercial Activities</b>	<b>Non-Compliance Status</b>
<b>21.9.1</b>	Commercial recreational activities must be undertaken on land, outdoors and must not involve more than 12 persons in any one group	D
<b>21.9.2</b>	<p>Home Occupation</p> <p>21.9.2.1 The maximum net floor area of home occupation activities must not exceed 150m<sup>2</sup>.</p> <p>21.9.2.2 Goods materials or equipment must not be stored outside a building.</p> <p>21.9.2.3 All manufacturing, altering, repairing, dismantling or processing of any goods or articles must be carried out within a building.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. the nature, scale and intensity of the activity in the context of the surrounding rural area;</li> <li>b. visual amenity from neighbouring properties and public places;</li> <li>c. noise, odour and dust;</li> <li>d. the extent to which the activity requires a rural location because of its link to any rural resource in the Rural Zone;</li> <li>e. access safety and transportation effects.</li> </ul>

	Table 6 - Standards for Commercial Activities	Non-Compliance Status
21.9.3	<p>Roadside Stalls</p> <p>21.9.3.1 The ground floor area of the roadside stall must not exceed 5m<sup>2</sup>.</p> <p>21.9.3.2 The height must not exceed 2m2;</p> <p>21.9.3.3 The minimum sight distance from the roadside stall access must be at least 200m;</p> <p>21.9.3.4 The roadside stall must not be located on legal road reserve</p>	D
21.9.4	<p>Retail Sales</p> <p>Buildings that have a gross floor area that is greater than 25m2 to be used for retail sales identified in Table 1 must be setback from road boundaries by at least 30m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>landscape character and visual amenity;</li> <li>access safety and transportation effects;</li> <li>on-site parking.</li> </ol>
21.9.5	<p>Residential Visitor Accommodation <u>where:</u></p> <p>21.9.5.1 <u>The total nights of occupation by paying guests on a site do not exceed a cumulative total of 120 nights per annum from the date of initial registration; Must not exceed a cumulative total of 90 nights occupation by paying guests on a site per 12 month period.</u></p> <p>21.9.5.2 <u>The activity is registered with Council prior to commencement; The Council must be notified in writing prior to the commencement of a Residential Visitor Accommodation activity.</u></p> <p>21.9.5.3 Up to date records of the Residential Visitor Accommodation activity must be kept, including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</p> <p><u>Smoke alarms must be provided in accordance with clause 5 of the Residential Tenancies (Smoke Alarms and Insulation) Regulations 2016.</u></p>	<p>C</p> <p>Control is reserved to:</p> <ol style="list-style-type: none"> <li><u>The location, nature and scale of the activities; The scale of the activity, including the number of guests per night and the number guest nights the activity operates in a 12 month period;</u></li> <li><u>The management of noise, rubbish, recycling and outdoor activities; The management of noise, rubbish and outdoor activities;</u></li> <li><u>Guest management and complaints procedures; The compliance of the residential unit with the Building Code as at the date of the consent;</u></li> <li><u>The keeping of records of the Residential Visitor Accommodation use, and</u></li> </ol>

	Table 6 - Standards for Commercial Activities	Non-Compliance Status
	<p>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 21.9.5.1 to 21.9.5.34.</p>	<p><u>availability of records for Council inspection;</u>  <del>and Health and safety provisions in relation to guests;</del></p> <p>e- <u>Monitoring requirements, including imposition of an annual monitoring charge.</u><del>Guest management and complaints procedures;</del></p> <p>f- <del>The keeping of records of RVA use, and availability of records for Council inspection; and</del></p> <p><u>Monitoring requirements, including imposition of an annual monitoring charge.</u></p>
<p><b>21.9.6</b></p>	<p>Homestay</p> <p>21.9.6.1 <u>The total number of paying guests on a site does not exceed five per night.</u><del>Must not exceed 5 paying guests per night.</del></p> <p>21.9.6.2 <u>The Council is notified in writing prior to the commencement of a Homestay activity.</u><del>The Council must be notified in writing prior to the commencement of a Homestay activity</del></p> <p>21.9.6.3 Up to date records of the Homestay activity must be kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</p> <p>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 21.9.6.1 to 21.9.6.3.</p>	<p>C</p> <p>Control is reserved to:</p> <p>a. <u>The location, nature and scale of the activities;</u><del>The scale of the activity, including the number of guests per night and the number guest nights the activity operates in a 12 month period;</del></p> <p>b. <u>The management of noise, rubbish, recycling and outdoor activities</u><del>The management of noise, rubbish and outdoor activities;</del></p> <p>c. The keeping of records of Homestay use, and availability of records for Council inspection; and</p> <p>d. Monitoring requirements, including imposition of an annual monitoring charge.</p>

**21.10 Rules – Standards for Informal Airports**

	<b>Table 7 - Standards for Informal Airports</b>	<b>Non-compliance Status</b>
<b>21.10.1</b>	<p>Informal Airports Located on Public Conservation and Crown Pastoral Land</p> <p>21.10.1.1 Informal airports for emergency landings, rescues, fire-fighting and activities ancillary to farming activities, or the Department of Conservation or its agents are permitted activities and rules 21.10.1.2 to 21.10.1.4 do not apply.</p> <p>Informal airports that comply with the following standards shall be permitted activities:</p> <p>21.10.1.2 Informal airports located on Public Conservation Land where the operator of the aircraft is operating in accordance with a Concession issued pursuant to Section 17 of the Conservation Act 1987.</p> <p>21.10.1.3 Informal airports located on Crown Pastoral Land where the operator of the aircraft is operating in accordance with a Recreation Permit issued pursuant to Section 66A of the Land Act 1948.</p> <p>21.10.1.4 In relation to Rules 21.10.1.2 and 21.10.1.3, the informal airport shall be located a minimum distance of 500 metres from any other zone or the notional boundary of any residential unit or approved building platform not located on the same site.</p>	D
<b>21.10.2</b>	<p>Informal Airports Located on other Rural Zoned Land</p> <p>21.10.2.1 Informal airports for emergency landings, rescues, fire-fighting and activities ancillary to farming activities are permitted activities and Rules 21.10.2.2 to 21.10.2.4 do not apply.</p> <p>Informal Airports that comply with the following standards shall be permitted activities and Rule 36.5.11 shall not apply:</p>	D

	Table 7 - Standards for Informal Airports	Non-compliance Status
	<p>21.10.2.2 Use of the informal airport must not exceed any of the following:<sup>1</sup></p> <ul style="list-style-type: none"> <li>a. 2 flights per day;</li> <li>b. 5 flights per week; or</li> <li>c. 12 flights per month.</li> </ul> <p>21.10.2.3 The informal airport must be located a minimum distance of 275 metres from any other zone or the notional boundary of any residential unit or approved building platform not located on the same site.</p> <p>21.10.2.4 Within 275 metres of the informal airport, flight paths must be a minimum of 250 metres from the notional boundary of any residential unit or approved building platform not located on the same site.<sup>2</sup></p> <p>Notes:</p> <ul style="list-style-type: none"> <li>1 For the purposes of this Rule a flight includes two aircraft movements i.e. an arrival and departure.</li> <li>2 Refer to the interpretative diagram in Schedule 21.22.</li> </ul>	
<b>21.10.3</b>	<p>Informal Airports associated with 'Fly-in' Events</p> <p>Informal airports that comply with the following standard are permitted activities and are not subject to Rules 21.10.1, 21.10.2 and 36.5.10:</p> <p>21.10.3.1 Informal airports associated with "fly-in" events<sup>1</sup> administered by the Aircraft Owners and Pilots Association of New Zealand (AOPA) provided the following standards are met:</p> <ul style="list-style-type: none"> <li>a. there are not more than 6 events per calendar year;</li> <li>b. there is not more than 1 event at any Informal Airport per month;</li> </ul>	D

	<b>Table 7 - Standards for Informal Airports</b>	<b>Non-compliance Status</b>
	<p>c. the AOPA has notified the Council's Planning Department of the event;<sup>2</sup> and</p> <p>d. Informal airports are located within the Outstanding Natural Landscape as identified on the District Plan web mapping application.</p> <p>Notes:</p> <p>1 An event can include informal airports at more than one location.</p> <p>2 AOPA must notify the Council at least 10 working days before each fly-in event.</p>	

### 21.11 Rules – Standards for Mining

	<b>Table 8 – Standards for Mining and Extraction Activities</b>	<b>Non- Compliance Status</b>
<b>21.11.1</b>	<p>21.11.1.1 The activity will not be undertaken on an Outstanding Natural Feature.</p> <p>21.11.1.2 The activity will not be undertaken in the bed of a lake or river.</p>	NC

### 21.12 Rules- Ski Area and Sub-Zone

	<b>Table 9 - Activities in the Ski Area Sub-Zone Additional to those activities listed in Table 1.</b>	<b>Activity Status</b>
<b>21.12.1</b>	Ski Area Activities	P
<b>21.12.1A</b>	Night lighting other than for night skiing	P
<b>21.12.2</b>	<p>Construction, relocation, addition or alteration of a building</p> <p>Control is reserved to:</p> <p>a. location, external appearance and size, colour, visual dominance;</p> <p>b. associated earthworks, access and landscaping;</p> <p>c. provision of water supply, sewage treatment and disposal, electricity and communication services (where necessary);</p> <p>d. lighting.</p>	C
<b>21.12.3</b>	<p>Passenger Lift Systems</p> <p>Control is reserved to:</p>	C



	<b>Table 9 - Activities in the Ski Area Sub-Zone</b> <b>Additional to those activities listed in Table 1.</b>	<b>Activity Status</b>
	<ul style="list-style-type: none"> <li>a. the extent to which the passenger lift system breaks the line and form of the landscape with special regard to skylines, ridges, hills and prominent slopes;</li> <li>b. whether the materials and colour to be used are consistent with the rural landscape of which passenger lift system will form a part;</li> <li>c. the extent of any earthworks required to construct the passenger lift system, in terms of the limitations set out in Chapter 25 Earthworks;</li> <li>d. balancing environmental considerations with operational characteristics.</li> </ul>	
<b>21.12.4</b>	<p>Night lighting for the purposes of night skiing</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> <li>a. hours of operation;</li> <li>b. duration and intensity;</li> <li>c. impact on surrounding properties.</li> </ul>	C
<b>21.12.5</b>	<p>Vehicle Testing</p> <p>In the Waiorau Snow Farm Ski Area Activity Sub-Zone; the construction of access ways and tracks associated with the testing of vehicles, their parts and accessories.</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> <li>a. gravel and silt run off;</li> <li>b. stormwater, erosion and siltation;</li> <li>c. the sprawl of tracks and the extent to which earthworks modify the landform;</li> <li>d. stability of over-steepened embankments.</li> </ul>	C
<b>21.12.6</b>	<p>Retail activities ancillary to Ski Area Activities</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> <li>a. location;</li> <li>b. hours of operation with regard to consistency with ski-area activities;</li> <li>c. amenity effects, including loss of remoteness or isolation;</li> <li>d. traffic congestion, access and safety;</li> <li>e. waste disposal;</li> <li>f. cumulative effects.</li> </ul>	C
<b>21.12.7</b>	<p>Ski Area Sub-Zone Accommodation</p> <p>Comprising a duration of stay of up to 6 months in any 12-month period and including worker accommodation.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. scale and intensity and whether these would have adverse effects on amenity, including loss of remoteness or isolation;</li> </ul>	RD

	<b>Table 9 - Activities in the Ski Area Sub-Zone</b> <b>Additional to those activities listed in Table 1.</b>	<b>Activity Status</b>
	<ul style="list-style-type: none"> <li>b. location, including whether that because of the scale and intensity the visitor accommodation should be located near the base building area (if any);</li> <li>c. parking;</li> <li>d. provision of water supply, sewage treatment and disposal;</li> <li>e. cumulative effects;</li> <li>f. natural hazards.</li> </ul>	
<b>21.12.8</b>	Earthworks, buildings and infrastructure within the No Building and Earthworks Line in the Remarkables Ski Area Sub-Zone	PR

### 21.12A Standards for activities within the Ski Area Sub-Zone

	<b>Table 9A – Standards for activities within the Ski Area Sub-Zone</b> <b>These Standards apply to activities listed in Table 9.</b>	<b>Non-Compliance Status</b>
<b>21.12A.1</b>	<p>Night lighting other than for night skiing</p> <p>All fixed exterior lighting other than for night skiing as identified in Rule 21.12.4:</p> <p>21.12A.1.1 Must be directed away from adjoining sites and roads</p> <p>21.12A.1.2 Must not result in greater than 3.0 lux spill (horizontal and vertical) of light onto any other site measured at any point inside the boundary of the other site, provided that this rule shall not apply where it can be demonstrated that the design of adjacent buildings adequately mitigates such effects.</p> <p>21.12A.1.3 There must be no upward light spill</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. hours of operation;</li> <li>b. duration and intensity;</li> <li>c. impact on surrounding properties;</li> <li>d. effect on views of the night sky.</li> </ul>

### 21.13 Rules – Activities in Rural Industrial Sub-Zone

	<b>Table 10 – Activities in Rural Industrial Sub-Zone</b> <b>Additional to those activities listed in Table 1.</b>	<b>Activity Status</b>
<b>21.13.1</b>	Retail activities within the Rural Industrial Sub-Zone that involve the sale of goods produced, processed or manufactured on site or ancillary to Rural Industrial activities that comply with Table 11.	P

<b>21.13.2</b>	Administrative offices ancillary to and located on the same site as Rural Industrial activities being undertaken within the Rural Industrial Sub-Zone that comply with Table 11.	P
<b>21.13.3</b>	Rural Industrial Activities within a Rural Industrial Sub-Zone that comply with Table 11.	P
<b>21.13.4</b>	Buildings for Rural Industrial Activities within the Rural Industrial Sub-Zone that comply with Table 11.	P
<b>21.13.5</b>	Landscaping within the Building Restriction Areas identified on the District Plan web mapping application at Luggate	RD  Discretion is restricted to:  a. The development of a landscape planting plan identifying the proposed species, their height at planting and maturity, density and coverage;  b. The extent to which any landscaping will screen building and activities, including any goods, materials, vehicles or machinery when viewed from public places;  c. The development of a landscape management and maintenance plan identifying the programme of maintenance, including ownership, over no less than a 5 year timeframe; and  d. The need for breaks in screening to facilitate access into the site from Church Road.
<b>21.13.6</b>	Any Building, Outdoor Storage or Outdoor Waste Storage within a Building Restriction Area that is identified on the District Plan web mapping application at Luggate	NC
<b>21.13.7</b>	Buildings within Activity Area 1 identified on the District Plan web mapping application at Luggate	NC

## 21.14 Rules – Standards for Activities within Rural Industrial Sub-Zone

	<b>Table 11 – Standards for activities within the Rural Industrial Sub Zone</b>  <b>These Standards apply to activities listed in Table 1 and Table 10.</b>	<b>Non Compliance Status</b>
<b>21.14.1</b>	<p>Buildings</p> <p>Any building, including any structure larger than 5m<sup>2</sup>, that is new, relocated, altered, reclad or repainted, including containers intended to, or that remain on site for more than six months, and the alteration to any lawfully established building are subject to the following:</p> <p>All exterior surface must be coloured in the range of browns, greens or greys (except soffits), including;</p> <p>21.14.1.1 Pre-painted steel and all roofs must have a reflectance value not greater than 20%; and,</p> <p>21.14.1.2 All other surface finishes must have a reflectance value of not greater than 30%.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. external appearance;</li> <li>b. visual prominence from both public places and private locations;</li> <li>c. landscape character.</li> </ul>
<b>21.14.2</b>	<p>Building size</p> <p>The ground floor area of any building must not exceed 500m<sup>2</sup>.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. external appearance;</li> <li>b. visual prominence from both public places and private locations;</li> <li>c. visual amenity;</li> <li>d. privacy, outlook and amenity from adjoining properties.</li> </ul>
<b>21.14.3</b>	<p>Building Height</p> <ul style="list-style-type: none"> <li>a. The height for of any industrial building must not exceed 10m, except as specified below.</li> <li>b. Within Activity Area 2 identified on the District Plan web mapping application at Luggate <ul style="list-style-type: none"> <li>i. Maximum building height of 6m.</li> </ul> </li> <li>c. Within Activity Area 3 identified on the District Plan web mapping application at Luggate <ul style="list-style-type: none"> <li>i. Maximum building height of 10m.</li> </ul> </li> </ul>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. rural amenity and landscape character; and</li> <li>b. privacy, outlook and amenity from adjoining properties.</li> </ul>
<b>21.14.4</b>	<p>Setback from Sub-Zone Boundaries</p> <p>The minimum setback of any building within the Rural Industrial Sub-Zone shall be 10m from the Sub-Zone boundaries.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. the requirement for landscaping to act as a buffer between the</li> </ul>

		<p>Rural Industrial Sub-Zone and neighbouring properties and whether there is adequate room for landscaping within the reduced setback;</p> <p>b. rural amenity and landscape character;</p> <p>c. Privacy, outlook and amenity from adjoining properties.</p>
<b>21.14.5</b>	<p>Retail Activities</p> <p>Retail activities including the display of items for sale must be undertaken within a building and must not exceed 10% of the building's total floor area.</p>	NC
<b>21.14.6</b>	<p>Development of Land Uses</p> <p>Prior to the construction of any building, or commencement of any activity within Activity Areas 1, 2 or 3 identified on the District Plan web mapping application at Luggate, the landscaping specified in Rule 21.13.5 must be undertaken.</p>	NC
<b>21.14.7</b>	<p>Number of Buildings and Total Building Coverage (for landscape and visual amenity related matters)</p> <p>a. There shall be no more than five (5) buildings in total within Activity Areas 2 and 3 identified on the District Plan web mapping application at Luggate; and</p> <p>b. The maximum ground floor area of any building within Activity Areas 2 or 3 identified on the District Plan web mapping application at Luggate shall be 500m<sup>2</sup>.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. External appearance; and</p> <p>b. Landscape effects; and</p> <p>c. Visual amenity effects of the height, scale, location and appearance of the buildings when viewed from adjacent sites, roads and public places; and</p> <p>d. Privacy, outlook and amenity from adjoining properties.</p>
<b>21.14.8</b>	<p>Total Building Coverage (for transport related matters)</p> <p>Total building coverage within the Activity Areas 1, 2 or 3 identified on the District Plan web mapping application at Luggate shall not exceed a cumulative total Gross Floor Area of 10,000m<sup>2</sup>.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. Effects on the transport network;</p>

		<p>b. Access, onsite manoeuvring and loading; and</p> <p>c. Any necessary roading upgrades.</p>
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## 21.15 Rules – Activities on the Surface of Lakes and Rivers

	Table 12 - Activities on the Surface of Lakes and Rivers	Activity Status
21.15.1	Activities on the surface of lakes and river not otherwise controlled or restricted by rules in Table 13.	P
21.15.2	<p>Motorised Recreational and Commercial Boating Activities</p> <p>The use of motorised craft for the purpose of emergency search and rescue, hydrological survey, public scientific research, resource management monitoring or water weed control, or for access to adjoining land for farming activities.</p>	P
21.15.3	<p>Motorised Recreational Boating Activities</p> <p>Hāwea River, motorised recreational boating activities on no more than six (6) days in each year subject to the following conditions:</p> <ol style="list-style-type: none"> <li>at least four (4) days of such activity are to be in the months January to April, November and December;</li> <li>the Jet Boat Association of New Zealand (“JBANZ”) (JBANZ or one of the Otago and Southland Branches as its delegate) administers the activity on each day;</li> <li>the prior written approval of Central Otago Whitewater Inc is obtained if that organisation is satisfied that none of its member user groups are organising activities on the relevant days; and</li> <li>JBANZ gives two (2) calendar months written notice to the Council’s Harbour-Master of both the proposed dates and the proposed operating schedule;</li> <li>the Council’s Harbour-Master satisfies himself that none of the regular kayaking, rafting or other whitewater (non-motorised) river user groups or institutions (not members of Central Otago Whitewater Inc) were intending to use the Hāwea River on that day, and issues an approved operating schedule;</li> <li>JBANZ carries out, as its expense, public notification on two occasions 14 and 7 days before the proposed jet boating;</li> <li>public notification for the purposes of (f) means a public notice with double-size font heading in both the Otago Daily Times and the Southland Times, and written notices posted at the regular entry points to the Hāwea River.</li> </ol>	P
21.15.4	Jetboat Race Events	C

	<p>Jetboat Race Events on the Clutha River, between the Lake Outlet boat ramp and the Albert Town road bridge not exceeding 6 race days in any calendar year.</p> <p>Control is reserved to:</p> <ol style="list-style-type: none"> <li>a. the date, time, duration and scale of the jetboat race event, including its proximity to other such events, such as to avoid or mitigate adverse effects on residential and recreational activities in the vicinity;</li> <li>b. the adequacy of public notice of the event;</li> <li>c. public safety.</li> </ol>	
<b>21.15.5</b>	<p>Public water ferry services</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>• Effects on the transport network.</li> <li>• Effects on navigational safety.</li> <li>• Location, scale, and intensity of the activity.</li> <li>• Effects on landscape and amenity values.</li> <li>• Congestion and safety, including effects on other commercial operators and recreational users.</li> <li>• Waste disposal.</li> <li>• Cumulative effects.</li> </ul>	RD
<b>21.15.6</b>	<p>Jetties and Moorings in the Frankton Arm</p> <p>Jetties and moorings in the Frankton Arm, identified as the area located to the east of the Outstanding Natural Landscape line as shown on the District Plan web mapping application.</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>a. whether they are dominant or obtrusive elements in the shore scape or lake view, particularly when viewed from any public place, including whether they are situated in natural bays and not headlands;</li> <li>b. whether the structure causes an impediment to craft manoeuvring and using shore waters.</li> <li>c. the degree to which the structure will diminish the recreational experience of people using public areas around the shoreline;</li> <li>d. the effects associated with congestion and clutter around the shoreline. Including whether the structure contributes to an adverse cumulative effect;</li> <li>e. whether the structure will be used by a number and range of people and craft, including the general public;</li> <li>f. the degree to which the structure would be compatible with landscape and amenity values, including colour, materials, design.</li> </ol>	RD
<b>21.15.7</b>	Structures and Moorings	D

	Subject to Rule 21.15.8 any structure or mooring that passes across or through the surface of any lake or river or is attached to the bank of any lake and river, other than where fences cross lakes and rivers.	
<b>21.15.8</b>	Structures and Moorings  Any structures or mooring that passes across or through the surface of any lake or river or attached to the bank or any lake or river in those locations on the District Plan web mapping application where such structures or moorings are shown as being non-complying.	NC
<b>21.15.9</b>	Motorised and non-motorised Commercial Boating Activities  Except where otherwise limited by a rule in Table 12.  Note: Any person wishing to commence commercial boating activities could require a concession under the QLDC Navigation Safety Bylaw. There is an exclusive concession currently granted to a commercial boating operator on the Shotover River between Edith Cavell Bridge and Tucker Beach until 1 April 2009 with four rights of renewal of five years each	D
<b>21.15.10</b>	Motorised Recreational and Commercial Boating Activities  The use of motorised craft on the following lakes and rivers is prohibited except as provided for under Rules 21.15.2 or 21.15.3.  21.15.10.1 Hāwea River.  21.15.10.2 Lake Hayes - Commercial boating activities only.  21.15.10.3 Any tributary of the Dart and Rees rivers (except the Beansburn and Rockburn tributaries of the Dart River) or upstream of Muddy Creek on the Rees River.  21.15.10.4 Young River or any tributary of the Young or Wilkin Rivers and any other tributaries of the Makarora River.  21.15.10.5 Dingle Burn and Timaru Creek.  21.15.10.6 The tributaries of the Hunter River.  21.15.10.7 Hunter River during the months of May to October inclusive.  21.15.10.8 Motatapu River.  21.15.10.9 Any tributary of the Matukituki River.  21.15.10.10 Clutha River - More than six jet boat race days per year as allowed by Rule 21.15.4	PR

## 21.16 Rules – Standards for Surface of Lakes and Rivers

<b>Table 13 - Standards for Surface of Lakes and Rivers</b>  <b>These Standards apply to the Activities listed in Table 12.</b>	<b>Non Compliance Status</b>
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<b>21.16.1</b>	<p>Boating craft used for Accommodation</p> <p>Boating craft on the surface of the lakes and rivers may be used for accommodation, providing that:</p> <p>21.16.1.1 The craft must only be used for overnight recreational accommodation; and</p> <p>21.16.1.2 The craft must not be used as part of any commercial activity; and</p> <p>21.16.1.3 All effluent must be contained on board the craft and removed ensuring that no effluent is discharged into the lake or river.</p>	NC
<b>21.16.2</b>	<p>Jetties and Moorings in the Frankton Arm</p> <p>Jetties and moorings in the Frankton Arm, identified as the area located to the east of the Outstanding Natural Landscape line as shown on the District Plan web mapping application.</p> <p>No new jetty within the Frankton Arm identified as the area east of the Outstanding Natural Landscape Line shall:</p> <p>21.16.2.1 Be closer than 200 metres to any existing jetty;</p> <p>21.16.2.2 Exceed 20 metres in length;</p> <p>21.16.2.3 Exceed four berths per jetty, of which at least one berth is available to the public at all times;</p> <p>21.16.2.4 Be constructed further than 200 metres from a property in which at least one of the registered owners of the jetty reside</p>	NC
<b>21.16.3</b>	<p>The following activities are subject to compliance with the following standards:</p> <p>21.16.3.1 Kawarau River, Lower Shotover River downstream of Tucker Beach and Lake Wakatipu within Frankton Arm - Commercial motorised craft, other than public transport ferry activities, may only operate between the hours of 0800 to 2000.</p> <p>21.16.3.2 Lake Wānaka, Lake Hāwea and Lake Wakatipu - Commercial jetski operations must only be undertaken between the hours of 0800 to 2100 on Lakes Wānaka and Hāwea and 0800 and 2000 on Lake Wakatipu.</p> <p>21.16.3.3 Dart and Rees Rivers - Commercial motorised craft must only operate between the hours of 0800 to 1800, except that above the confluence with the Beansburn on the Dart River commercial motorised</p>	NC

	craft must only operate between the hours of 1000 to 1700.	
21.16.3.4	Dart River – The total number of commercial motorised boating activities must not exceed 26 trips in any one day. No more than two commercial jet boat operators may operate upstream of the confluence of the Beansburn, other than for tramper and angler access only.	

## 21.17 Rules – Closeburn Station Activities

	Table 14 – Closeburn Station: Activities	Activities
21.17.1	<p>The construction of a single residential unit and any accessory building(s) within lots 1 to 6, 8 to 21 DP 26634 located at Closeburn Station.</p> <p>Control is reserved to:</p> <ol style="list-style-type: none"> <li>external appearances and landscaping, with regard to conditions 2.2(a), (b), (e) and (f) of resource consent RM950829;</li> <li>associated earthworks, lighting, access and landscaping;</li> <li>provision of water supply, sewage treatment and disposal, electricity and telecommunications services.</li> </ol>	C

## 21.18 Rules – Closeburn Station Standards

	Table 15 – Closeburn Station: Standards for Buildings and Structures	Non Compliance Status
21.18.1	<p>Setback from Internal Boundaries</p> <p>21.18.1.1 The minimum setback from internal boundaries for buildings within lots 1 to 6 and 8 to 21 DP 26634 at Closeburn Station shall be 2 metres.</p> <p>21.18.1.2 There shall be no minimum setback from internal boundaries within lots 7 and 22 to 27 DP300573 at Closeburn Station.</p>	D
21.18.2	Building Height	NC

	<p>21.18.2.1 The maximum height of any building, other than accessory buildings, within Lots 1 and 6 and 8 to 21 DP 26634 at Closeburn Station shall be 7m.</p> <p>21.18.2.2 The maximum height of any accessory building within Lots 1 to 6 and 8 to 21 DP 26634 at Closeburn Station shall be 5m.</p> <p>21.18.2.3 The maximum height of any building within Lot 23 DP 300573 at Closeburn Station shall be 5.5m.</p> <p>21.18.2.4 The maximum height of any building within Lot 24 DP 300573 at Closeburn Station shall be 5m.</p>	
<b>21.18.3</b>	<p>Residential Density</p> <p>In the Rural Zone at Closeburn Station, there shall be no more than one residential unit per allotment (being lots 1-27 DP 26634); excluding the large rural lots (being lots 100 and 101 DP 26634) held in common ownership.</p>	NC
<b>21.18.4</b>	<p>Building Coverage</p> <p>In lots 1-27 at Closeburn Station, the maximum residential building coverage of all activities on any site shall be 35%.</p>	NC

## 21.19

### 21.20 Rules Non-Notification of Applications

Any application for resource consent for the following matters shall not require the written approval of other persons and shall not be notified or limited-notified:

- 21.20.1 Controlled activity retail sales of farm and garden produce and handicrafts grown or produced on site (Rule 21.4.16), except where the access is onto a State highway.
- 21.20.2 Controlled activity mineral exploration (Rule 21.4.30).
- 21.20.3 Controlled activity buildings at Closeburn Station (Rule 21.17.1).

### 21.21 Assessment Matters (Landscape)

#### 21.21.1 Outstanding Natural Features and Outstanding Natural Landscapes (ONF and ONL).

The assessment matters set out below are derived from Policies 3.3.30, 6.3.10 and 6.3.12 to 6.3.18 inclusive. Applications shall be considered with regard to the following assessment matters:

- 21.21.1.1 In applying the assessment matters, the Council will work from the presumption that in or on Outstanding Natural Features and Landscapes, the applicable activities are inappropriate in almost all locations and that successful applications will be exceptional cases where the landscape or feature can absorb the change and where the buildings and structures and associated roading and boundary changes are reasonably difficult to see from beyond the boundary of the site the subject of application.

## 21.21.1.2 Existing vegetation that:

- a. was either planted after, or, self-seeded and less than 1 metre in height at 28 September 2002; and,
- b. obstructs or substantially interferes with views of the proposed development from roads or other public places, shall not be considered:
  - i. as beneficial under any of the following assessment matters unless the Council considers the vegetation (or some of it) is appropriate for the location in the context of the proposed development; and
  - ii. as part of the permitted baseline.

## 21.21.1.3 Effects on landscape quality and character

In considering whether the proposed development will maintain or enhance the quality and character of Outstanding Natural Features and Landscapes, the Council shall be satisfied of the extent to which the proposed development will affect landscape quality and character, taking into account the following elements:

- a. Physical attributes:
  - i. geological, topographical, geographic elements in the context of whether these formative processes have a profound influence on landscape character;
  - ii. vegetation (exotic and indigenous);
  - iii. the presence of waterbodies including lakes, rivers, streams, wetlands.
- b. Visual attributes:
  - i. legibility or expressiveness – how obviously the feature or landscape demonstrates its formative processes;
  - ii. aesthetic values including memorability and naturalness;
  - iii. transient values including values at certain times of the day or year;
  - iv. human influence and management – settlements, land management patterns, buildings,
- c. Appreciation and cultural attributes:
  - i. Whether the elements identified in (a) and (b) are shared and recognised;
  - ii. Cultural and spiritual values for tangata whenua;
  - iii. Historical and heritage associations.

The Council acknowledges that Tangata Whenua beliefs and values for a specific location may not be known without input from iwi.

- d. In the context of (a) to (c) above, the degree to which the proposed development will affect the existing landscape quality and character, including whether the proposed development accords with or degrades landscape quality and character, and to what degree.
- e. any proposed new boundaries will not give rise to artificial or unnatural lines (such as planting and fence lines) or otherwise degrade the landscape character.

## 21.21.1.4 Effects on visual amenity

In considering whether the potential visibility of the proposed development will maintain and enhance visual amenity, values the Council shall be satisfied that:

- a. the extent to which the proposed development will not be visible or will be reasonably difficult to see when viewed from public roads and other public places. In the case of proposed development in the vicinity of unformed legal roads, the Council shall also consider present use and the practicalities and likelihood of potential use of unformed legal roads for vehicular and/or pedestrian, cycling, equestrian and other means of access;
- b. the proposed development will not be visually prominent such that it detracts from public or private views of and within Outstanding Natural Features and Landscapes;
- c. the proposal will be appropriately screened or hidden from view by elements that are in keeping with the character of the landscape;
- d. the proposed development will not reduce the visual amenity values of the wider landscape (not just the immediate landscape);
- e. structures will not be located where they will break the line and form of any ridges, hills and slopes;
- f. any roads, access, lighting, earthworks and landscaping will not reduce the visual amenity of the landscape.

#### 21.21.1.5 Design and density of Development

In considering the appropriateness of the design and density of the proposed development, whether and to what extent:

- a. opportunity has been taken to aggregate built development to utilise common access ways including roads, pedestrian linkages, services and open space (i.e. open space held in one title whether jointly or otherwise);
- b. there is merit in clustering the proposed building(s) or building platform(s) within areas that are least sensitive to change;
- c. development, including access, is located within the parts of the site where it would be least visible from public and private locations;
- d. development, including access, is located in the parts of the site where it has the least impact on landscape character.

#### 21.21.1.6 Cumulative effects of subdivision and development on the landscape

Taking into account whether and to what extent existing, consented or permitted development (including unimplemented but existing resource consent or zoning) may already have degraded:

- a. the landscape quality or character; or,
- b. the visual amenity values of the landscape.

The Council shall be satisfied the proposed development, in combination with these factors will not further adversely affect the landscape quality, character, or visual amenity values.

### 21.21.2 Rural Character Landscape (RCL)

The assessment matters below have been derived from Policies 3.3.32, 6.3.10 and 6.3.19 to 6.3.29 inclusive. Applications shall be considered with regard to the following assessment matters because in the Rural Character Landscapes the applicable activities are unsuitable in many locations.

#### 21.21.2.1 Existing vegetation that:

- a. was either planted after, or, self seeded and less than 1 metre in height at 28 September 2002; and,

- b. obstructs or substantially interferes with views of the proposed development from roads or other public places, shall not be considered:
  - i. as beneficial under any of the following assessment matters unless the Council considers the vegetation (or some of it) is appropriate for the location in the context of the proposed development; and
  - ii. as part of the permitted baseline

#### 21.21.2.2 Effects on landscape quality and character:

The following shall be taken into account:

- a. where the site is adjacent to an Outstanding Natural Feature or Landscape, whether and the extent to which the proposed development will adversely affect the quality and character of the adjacent Outstanding Natural Feature or Landscape;
- b. whether and the extent to which the scale and nature of the proposed development will degrade the quality and character of the surrounding Rural Character Landscape;
- c. whether the design and any landscaping would be compatible with or would enhance the quality and character of the Rural Character Landscape.

#### 21.21.2.3 Effects on visual amenity:

Whether the development will result in a loss of the visual amenity of the Rural Character Landscape, having regard to whether and the extent to which:

- a. the visual prominence of the proposed development from any public places will reduce the visual amenity of the Rural Character Landscape. In the case of proposed development which is visible from unformed legal roads, regard shall be had to the frequency and intensity of the present use and, the practicalities and likelihood of potential use of these unformed legal roads as access;
- b. the proposed development is likely to be visually prominent such that it detracts from private views;
- c. any screening or other mitigation by any proposed method such as earthworks and/or new planting will detract from or obstruct views of the Rural Character Landscape from both public and private locations;
- d. the proposed development is enclosed by any confining elements of topography and/or vegetation and the ability of these elements to reduce visibility from public and private locations;
- e. any proposed roads, boundaries and associated planting, lighting, earthworks and landscaping will reduce visual amenity, with particular regard to elements which are inconsistent with the existing natural topography and patterns;
- f. boundaries follow, wherever reasonably possible and practicable, the natural lines of the landscape or landscape units.

#### 21.21.2.4 Design and density of development:

In considering the appropriateness of the design and density of the proposed development, whether and to what extent:

- a. opportunity has been taken to aggregate built development to utilise common access ways including roads, pedestrian linkages, services and open space (i.e. open space held in one title whether jointly or otherwise);

- b. there is merit in clustering the proposed building(s) or building platform(s) having regard to the overall density and intensity of the proposed development and whether this would exceed the ability of the landscape to absorb change;
- c. development, including access, is located within the parts of the site where they will be least visible from public and private locations;
- d. development, including access, is located in the parts of the site where they will have the least impact on landscape character.

21.21.2.5 Tangata Whenua, biodiversity and geological values:

- a. whether and to what extent the proposed development will degrade Tangata Whenua values including Tōpuni or nohoanga, indigenous biodiversity, geological or geomorphological values or features and, the positive effects any proposed or existing protection or regeneration of these values or features will have.

The Council acknowledges that Tangata Whenua beliefs and values for a specific location may not be known without input from iwi.

21.21.2.6 Cumulative effects of development on the landscape:

Taking into account whether and to what extent any existing, consented or permitted development (including unimplemented but existing resource consent or zoning) has degraded landscape quality, character, and visual amenity values. The Council shall be satisfied;

- a. the proposed development will not further degrade landscape quality, character and visual amenity values, with particular regard to situations that would result in a loss of valued quality, character and openness due to the prevalence of residential or non-farming activity within the Rural Landscape.
- b. where in the case resource consent may be granted to the proposed development but it represents a threshold to which the landscape could absorb any further development, whether any further cumulative adverse effects would be avoided by way of imposing a covenant, consent notice or other legal instrument that maintains open space.

**21.21.3 Other factors and positive effects, applicable in all the landscape categories (ONF, ONL and RCL)**

21.21.3.1 In the case of a proposed residential activity or specific development, whether a specific building design, rather than nominating a building platform, helps demonstrate whether the proposed development is appropriate.

21.21.3.2 Other than where the proposed development is a subdivision and/or residential activity, whether the proposed development, including any buildings and the activity itself, are consistent with rural activities or the rural resource and would maintain or enhance the quality and character of the landscape.

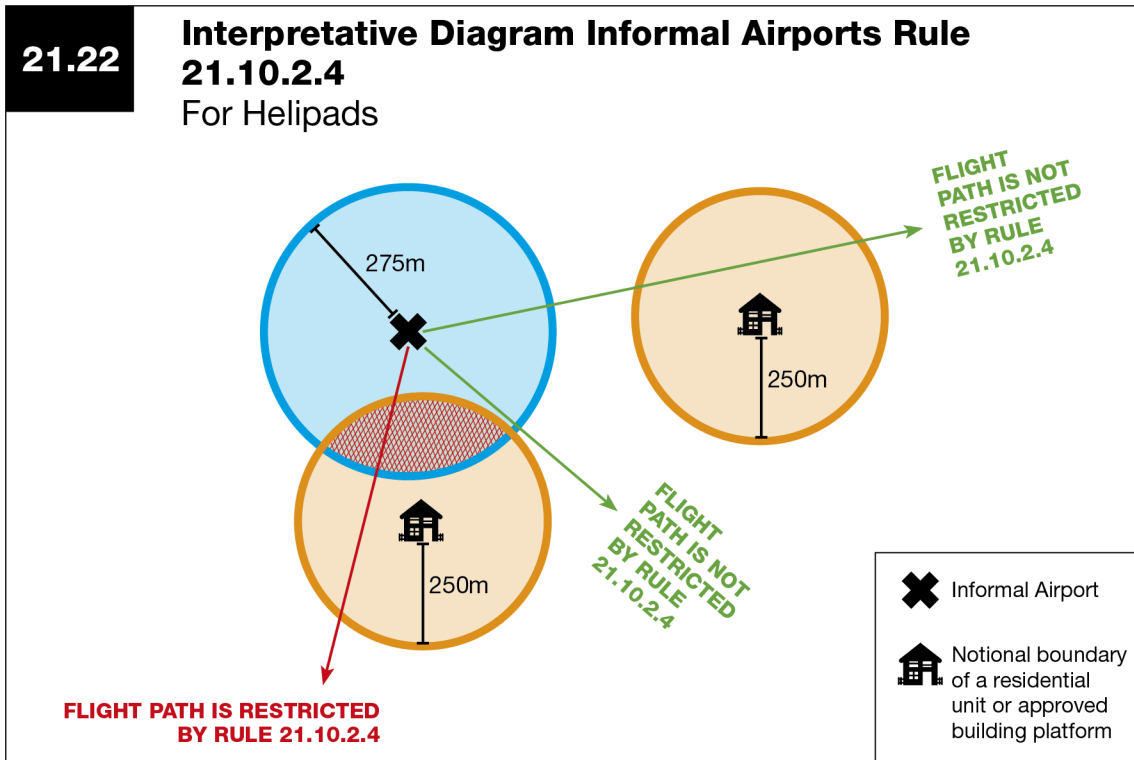
21.21.3.3 In considering whether there are any positive effects in relation to the proposed development, or remedying or mitigating the continuing adverse effects of past subdivision or development, the Council shall take the following matters into account:

- a. whether the proposed subdivision or development provides an opportunity to protect the landscape from further development and may include open space covenants or esplanade reserves;

- b. whether the proposed subdivision or development would enhance the character of the landscape, or protects and enhances indigenous biodiversity values, in particular the habitat of any threatened species, or land environment identified as chronically or acutely threatened on the Land Environments New Zealand (LENZ) threatened environment status;
- c. any positive effects including environmental compensation, easements for public access such as walking, cycling or bridleways or access to lakes, rivers or conservation areas;
- d. any opportunities to retire marginal farming land and revert it to indigenous vegetation;
- e. where adverse effects cannot be avoided, mitigated or remedied, the merits of any compensation;
- f. whether the proposed development assists in retaining the land use in low intensity farming where that activity maintains the valued landscape character.



Schedule 21.22: Interpretative Diagram Informal Airports



Note:

- Changes from previous Consent Order dated 28 May 2021 are in [blue underlined text and ~~strikeout~~](#)
- Changes from this Consent Order are in black underlined text and ~~strikeout~~

## 22 Rural Residential and Rural Lifestyle

**Please note: Variations to parts of this chapter have been decided by Council on 18 March 2021 as part of Stage 3&3b of the PDP. You can view the Stage 3 Decisions and appeals notices on our website. The appeals and section 274 periods for the Stage 1 and 2 Decisions have closed.**

### 22.1 Zone Purpose

There are four rural zones in the District. The Rural Zone is the most extensive of these. The Gibbston Valley is recognised as a special character area for viticulture production and the management of this area is provided for in Chapter 23: Gibbston Character Zone. Opportunities for rural living activities are provided for in the Rural-Residential and Rural Lifestyle Zones.

The Rural Residential and Rural Lifestyle zones provide residential living opportunities on the periphery of urban areas and within specific locations amidst the Rural Zone. In both zones a minimum allotment size is necessary to maintain the character and quality of the zones and the open space, rural and natural landscape values of the surrounding Rural Zone.

While development is anticipated in the Rural Residential and Rural Lifestyle zones, the district is subject to natural hazards and, where applicable, it is anticipated that development will recognise and manage the risks of natural hazards at the time of subdivision or the identification of building platforms.

#### Rural Residential Zone

The Rural Residential zone generally provides for development at a density of up to one residence every 4000m<sup>2</sup>. Some Rural Residential areas are located within visually sensitive landscapes. Additional provisions apply to development in some areas to enhance landscape values, indigenous vegetation, the quality of living environments within the zone and to manage the visual effects of the anticipated development from outside the zone, particularly from surrounding rural areas, lakes and rivers. The potential adverse effects of buildings are controlled by bulk and location, colour and lighting standards and, where required, design and landscaping controls imposed at the time of subdivision.

#### Rural Lifestyle Zone

The Rural Lifestyle zone provides for rural living opportunities with an overall density of one residential unit per two hectares across a subdivision. Building platforms are identified at the time of subdivision to manage the sprawl of buildings, manage adverse effects on landscape values and to manage other identified constraints such as natural hazards and servicing. The potential adverse effects of buildings are controlled by height, colour and lighting standards.

## **PART 4      RURAL RESIDENTIAL & RURAL LIFESTYLE 22**

Many of the Rural Lifestyle zones are located within sensitive parts of the district’s distinctive landscapes. While residential development is anticipated within these zones, provisions are included to manage the visual prominence of buildings, control residential density and generally discourage commercial activities. Building location is controlled by the identification of building platforms, bulk and location standards and, where required, design and landscaping controls imposed at the time of subdivision.

**22.2 Objectives and Policies**

- 22.2.1 Objective - Rural living opportunities are enabled in areas that can absorb development, on the basis that the density, scale and form of the development:**
- a. Protects the landscape values of the District’s Outstanding Natural Features and Outstanding Natural Landscapes;**
  - b. Maintains the landscape character and maintains or enhances the visual amenity values of the District’s Rural Character Landscapes.**

**Policies**

- 22.2.1.1 Ensure the visual prominence of buildings is avoided, remedied or mitigated particularly development and associated earthworks on prominent slopes, ridges and skylines.
- 22.2.1.2 Set density and building coverage standards in order to maintain rural living character and amenity values and the open space and rural qualities of the District’s landscapes.
- 22.2.1.3 Allow for flexibility of the density provisions, where design-led and innovative patterns of subdivision and residential development, roading and planting would enhance the character and amenity values of the zone and the District’s landscapes.
- 22.2.1.4 Manage anticipated activities that are located in proximity to Outstanding Natural Features or Outstanding Natural Landscapes so that they do not compromise the landscape values of that Feature or Landscape.
- 22.2.1.5 Maintain and enhance landscape values and amenity values within the zones by controlling the colour, scale, location and height of permitted buildings and in certain locations or circumstances require landscaping and vegetation controls.
- 22.2.1.6 Lights be located and directed so as to avoid glare to other properties, roads, and other public places and to avoid degradation of views of the night sky.
- 22.2.1.7 Have regard to fire risk from vegetation and the potential risk to people and buildings, when assessing subdivision, development and any landscaping.
- 22.2.1.8 Provide adequate firefighting water and fire service vehicle access to ensure an efficient and effective emergency response.

- 22.2.2 Objective - The predominant land uses within the Rural Residential and Rural Lifestyle Zones are rural and residential activities.**

**Policies**

- 22.2.2.1 Enable residential and farming activities in both zones, and provide for community and visitor accommodation activities which, in terms of location, scale and type, community are compatible with and enhance the predominant activities of the relevant zone.
- 22.2.2.2 Any development, located on the periphery of residential and settlement areas, shall avoid undermining the integrity of the urban rural edge and where applicable, the urban growth boundaries by complying with relevant density requirements.

## PART 4 RURAL RESIDENTIAL & RURAL LIFESTYLE 22

22.2.2.3 Discourage commercial, community and other non-residential activities, including restaurants, visitor accommodation and industrial activities that would diminish amenity values and the quality and character of the rural living environment.

22.2.2.4 The bulk, scale and intensity of buildings used for visitor accommodation, ~~residential visitor accommodation and homestay activities~~ are to be commensurate with the anticipated development of the zone and surrounding residential activities.

22.2.2.5 Enable residential visitor accommodation and homestays in conjunction with in residential units ~~(including residential flats)~~ without compromising the surrounding character and amenity and minimising conflict with surrounding activities by whilst limiting the scale, intensity and frequency of these activities.

**22.2.3 Objective - New development does not exceed available capacities for servicing and infrastructure.**

### Policies

22.2.3.1 Discourage new development that requires servicing and infrastructure at a cost to the community.

22.2.3.2 Ensure traffic generated by new development does not compromise road safety or efficiency.

**22.2.4 Objective - Sensitive activities conflicting with existing and anticipated rural activities are managed.**

### Policies

22.2.4.1 Recognise existing and permitted activities, including activities within the surrounding Rural Zone might result in effects such as odour, noise, dust and traffic generation that are established, or reasonably expected to occur and will be noticeable to residents and visitors in rural areas.

**22.2.5 Objective - Bob's Cove Rural Residential Sub-Zone - Residential Development is comprehensively-planned with ample open space and a predominance of indigenous vegetation throughout the zone.**

22.2.5.1 Ensure at least 75% of the zone is retained as undomesticated area and at least 50% of this area is established and maintained in indigenous species such that total indigenous vegetation cover is maintained over that area.

22.2.5.2 Ensure there is open space in front of buildings that remains generally free of vegetation to avoid disrupting the open pastoral character of the area and the lake and mountain views.

**22.2.6 Objective - Bob's Cove Rural Residential Zone - The ecological and amenity values of the Bob's Cove Rural Residential zone are maintained and enhanced.**

22.2.6.1 To ensure views of Lake Wakatipu and the surrounding landforms from the Glenorchy-Queenstown Road are retained through appropriate landscaping and the retention of view shafts.

## PART 4 RURAL RESIDENTIAL & RURAL LIFESTYLE 22

22.2.6.2 To ensure the ecological and amenity values of Bob’s Cove are retained and, where possible, enhanced through:

- a. appropriate landscaping using native plants;
- b. restricting the use of exotic plants;
- c. removing wilding species;
- d. providing guidance on the design and colour of buildings;
- e. maintaining view shafts from the Queenstown-Glenorchy Road.

**22.2.7 Objective - Criffel Station Rural Lifestyle Zone - The long-distance visual values of the Criffel Station Rural Lifestyle zone (upper terrace) are maintained.**

22.2.7.1 Ensure that built form is reasonably inconspicuous when viewed from State Highway 6 to the north by:

- a. Avoiding development over the more sensitive parts of the zone via Building Restriction Areas;
- b. Ensuring the Building Restriction Areas (excluding vehicle accessways) are maintained in open pasture (except for landscaping and land management approved by way of subdivision consent);
- c. Restricting the height and coverage of buildings to encourage low, single storey built form.

### 22.3 Other Provisions and Rules

#### 22.3.1 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 and Rural Character
25 Earthworks	26 Historic Heritage	27 Subdivision
28 Natural Hazards	29 Transport	30 Energy and Utilities
31 Signs	32 Protected Trees	33 Indigenous Vegetation
34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings	36 Noise
37 Designations	District Plan web mapping application	

## PART 4 RURAL RESIDENTIAL & RURAL LIFESTYLE 22

### 22.3.2 Interpreting and Applying the Rules

- 22.3.2.1 A permitted activity must comply with all the rules listed in the Activity and Standards tables, and any relevant district wide rules.
- 22.3.2.2 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.
- 22.3.2.3 Compliance with any of the following standards, in particular the permitted standards, does not absolve any commitment to the conditions of any relevant land use consent, consent notice or covenant registered on the site's computer freehold register.
- 22.3.2.4 Development and building activities are to be undertaken in accordance with the conditions of resource and subdivision consent and may be subject to monitoring by the Council.
- 22.3.2.5 Applications for building consent for permitted activities shall include information to demonstrate compliance with the following standards, and any conditions of the applicable resource consent or subdivision.
- 22.3.2.6 For controlled and restricted discretionary activities, the Council shall restrict the exercise of its control and discretion to the matters listed in the rule.
- 22.3.2.7 Building platforms identified on a site's computer freehold register must have been registered as part of a resource consent approval by the Council.
- 22.3.2.8 Sub-Zones, being a subset of the respective Rural Residential and Rural Lifestyle zones require that all rules applicable to the respective zone apply, unless specifically stated to the contrary.
- 22.3.2.9 In addition to Tables 1 and 2, the following standards apply to the areas specified:
- Table 3: Rural Residential Zone at Forest Hill.
  - Table 4: Rural Residential Bob's Cove and Sub Zone.
  - Table 5: Rural Residential Zone at Camp Hill.
  - Table 6: Wyuna Station Rural Lifestyle Zone.
  - Table 7: Criffel Station Rural Lifestyle Zone (upper terrace).
- 22.3.2.10 The status of any Plantation Forestry will be determined by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.
- 22.3.2.11 These abbreviations are used in the following tables.

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

## PART 4 RURAL RESIDENTIAL & RURAL LIFESTYLE 22

22.3.2.11A Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances ("NZECP34:200111) is mandatory under the Electricity Act 1992. All activities, such as buildings, earthworks and conductive fences regulated by NZECP34: 2001, including any activities that are otherwise permitted by the District Plan must comply with this legislation. Chapter 30 Energy and Utilities part 30.3.3.2.c has additional information in relation to activities and obligations under NZECP34:2001.

### 22.3.3 Exemptions

22.3.3.1 The standards pertaining to the colours and materials of buildings in Table 2 do not apply to soffits or, doors that are less than 1.8m wide.

22.3.3.2 Internal alterations to buildings including the replacement of joinery is permitted.

## 22.4 Rules - Activities

Table 1	Activities - Rural Residential and Rural Lifestyle Zones	Activity Status
22.4.1	Rural Residential Zone The construction and exterior alteration of buildings.	P
22.4.2	Rural Lifestyle Zone 22.4.2.1 The construction and exterior alteration of buildings located within a building platform approved by resource consent, or registered on the applicable computer freehold register. 22.4.2.2 Where there is not an approved building platform on the site the exterior alteration of existing buildings located outside of a building platform not exceeding 30% of the ground floor area of the existing building in any ten year period. 22.4.2.3 Where there is not an approved building platform on the site the exterior alteration of existing buildings located outside of a building platform that do not comply with Rule 22.4.2.2. Discretion is restricted to: a. external appearance; b. visibility from public places; c. landscape character; d. visual amenity. 22.4.2.4 The identification of a building platform not less than 70m <sup>2</sup> and not greater than 1000m <sup>2</sup> for the purposes of a residential unit except where identified by Rule 27.7.28.	P  P  RD  D



## PART 4 RURAL RESIDENTIAL & RURAL LIFESTYLE 22

<b>Table 1</b>	<b>Activities - Rural Residential and Rural Lifestyle Zones</b>	<b>Activity Status</b>
	Rural Residential and Rural Lifestyle Zones	
<b>22.4.3</b>	Residential Activity	P
<b>22.4.4</b>	Residential Flat (activity only, the specific rules for the construction of any buildings apply).	P
<b>22.4.5</b>	Farming Activity	P
<b>22.4.6</b>	Home Occupation that complies with the standards in Table 2.	P
<b>22.4.7</b>	Residential Visitor Accommodation and Homestays	P
<b>22.4.8</b>	Informal Airports for emergency landings, rescues, fire-fighting and activities ancillary to farming activities.	P
<b>22.4.9</b>	Home Occupation activity involving retail sales limited to handicrafts or items grown or produced on the site.  Control is reserved to: <ul style="list-style-type: none"> <li>a. privacy on neighbouring properties;</li> <li>b. scale and intensity of the activity;</li> <li>c. traffic generation, parking, access;</li> <li>d. noise;</li> <li>e. signs and lighting.</li> </ul>	C
<b>22.4.10</b>	Visitor accommodation including the construction or use of buildings for visitor accommodation.	D
<b>22.4.11</b>	Informal airports in the Rural Lifestyle Zone, except as provided for by Rule 22.4.8.	D
<b>22.4.12</b>	Any building within a Building Restriction Area that is identified on the District Plan web mapping application.	NC
<b>22.4.13</b>	Any other activity not listed in Table 1, except for Plantation Forestry where the Resource Management (Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017) Regulation 2017 prevails.	NC
<b>22.4.14</b>	Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building or any activity requiring an Offensive Trade Licence under the Health Act 1956 except where such activities are undertaken as part of a Farming Activity, Residential Activity or a permitted Home Occupation.	PR

**22.5 Rules - Standards**

Table 2	Standards - Rural Residential and Rural Lifestyle Zones	Non-compliance Status
<p><b>22.5.1</b></p>	<p><b>Building Materials and Colours</b></p> <p>All buildings, including any structure larger than 5m<sup>2</sup>, new, relocated, altered, re clad or repainted, are subject to the following in order to ensure they are visually recessive within the surrounding landscape.</p> <p>All exterior surfaces* must be coloured in the range of browns, greens or greys including:</p> <p>22.5.1.1 Pre-painted steel and all roofs must have a light reflectance value not greater than 20%; and</p> <p>22.5.1.2 All other surface** finishes except for schist, must have a light reflectance value of not greater than 30%.</p> <p>* Excludes soffits, windows and skylights (but not glass balustrades).</p> <p>** Includes cladding and built landscaping that cannot be measured by way of light reflectance value but is deemed by the Council to be suitably recessive and have the same effect as achieving a light reflectance value of 30%.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>a. whether the building would be visually prominent, especially in the context of the wider landscape, rural environment and as viewed from neighbouring properties;</li> <li>b. whether the proposed colour is appropriate given the existence of established screening or in the case of alterations, if the proposed colour is already present on a long established building;</li> <li>c. the size and height of the building where the subject colours would be applied.</li> </ol>
<p><b>22.5.2</b></p>	<p><b>Building Coverage (Rural Residential Zone only)</b></p> <p>The maximum ground floor area of any building must not exceed 15% of the net site area.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>a. the effect on open space, character and amenity;</li> <li>b. effects on views and outlook from neighbouring properties;</li> <li>c. ability of stormwater and effluent to be disposed of on-site.</li> </ol>
<p><b>22.5.3</b></p>	<p><b>Building Size</b></p> <p>The maximum ground floor area of any individual building must not exceed 500m<sup>2</sup>.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>a. visual dominance;</li> </ol>

**PART 4 RURAL RESIDENTIAL & RURAL LIFESTYLE 22**

Table 2	Standards - Rural Residential and Rural Lifestyle Zones	Non- compliance Status
		<ul style="list-style-type: none"> <li>b. the effect on open space, rural living character and amenity;</li> <li>c. effects on views and outlook from neighbouring properties;</li> <li>d. building design.</li> </ul>
<p><b>22.5.4</b></p>	<p>Setback from internal boundaries</p> <p>The minimum setback of any building from internal boundaries shall be:</p> <p>22.5.4.1 Rural Residential Zone: 6m</p> <p>22.5.4.2 Rural Lifestyle Zone: 10m</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. visual dominance;</li> <li>b. The effect on open space, rural living character and amenity;</li> <li>c. effects on privacy, views and outlook from neighbouring properties;</li> <li>d. reverse sensitivity effects on adjacent properties;</li> <li>e. landscaping.</li> </ul>
<p><b>22.5.5</b></p>	<p>Setback from roads</p> <p>The minimum setback of any building from a road boundary shall be:</p> <p>22.5.5.1 Rural Lifestyle Zone: 20m</p> <p>22.5.5.2 Rural Residential Zone: 10m</p> <p>22.5.5.3 Rural Residential Zone where the road is a State Highway: 15m</p>	<p>NC</p>
<p><b>22.5.6</b></p>	<p>Setback of buildings from water bodies</p> <p>The minimum setback of any building from the bed of a river, lake or wetland shall be 20m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. any indigenous biodiversity values;</li> <li>b. visual amenity values;</li> <li>c. landscape character;</li> <li>d. open space;</li> <li>e. whether the waterbody is subject to flooding or</li> </ul>

## PART 4 RURAL RESIDENTIAL & RURAL LIFESTYLE 22

Table 2	Standards - Rural Residential and Rural Lifestyle Zones	Non- compliance Status
		natural hazards and any mitigation to manage the location of the building.
22.5.7	<p>Home Occupation</p> <p>Home occupation activities must comply with the following:</p> <p>22.5.7.1 No more than one full time equivalent person from outside the household may be employed in the home occupation activity.</p> <p>22.5.7.2 The maximum number of vehicle trips* shall be:</p> <ul style="list-style-type: none"> <li>a. heavy vehicles: 2 per week;</li> <li>b. other vehicles: 10 per day.</li> </ul> <p>22.5.7.3 The net floor area must not exceed:</p> <ul style="list-style-type: none"> <li>a. Rural Residential Zone: 60m<sup>2</sup>;</li> <li>b. Rural Lifestyle Zone: 150m<sup>2</sup>.</li> </ul> <p>22.5.7.4 Activities and the storage of materials must be indoors.</p> <p>*A vehicle trip is two movements, generally to and from a site.</p>	D
22.5.8	<p>Building Height</p> <p>The maximum height shall be 8 metres.</p>	NC
22.5.9	<p>Lighting and Glare</p> <p>22.5.9.1 All fixed exterior lighting must be directed away from adjacent roads and sites.</p> <p>22.5.9.2 Activities on any site must not result in more than a 3 lux spill (horizontal and vertical) of light to any other site, measured at any point within the boundary of the other site.</p> <p>22.5.9.3 There must be no upward light spill.</p>	NC
22.5.10	Heavy Vehicle Storage	NC

**PART 4 RURAL RESIDENTIAL & RURAL LIFESTYLE 22**

Table 2	Standards - Rural Residential and Rural Lifestyle Zones	Non- compliance Status
	No more than one heavy vehicle shall be stored or parked outside, overnight on any site for any activity.	
22.5.11	Residential Density: Rural Residential Zone 22.5.11.1 Not more than one residential unit per 4000m <sup>2</sup> net site area.	NC
22.5.12	Residential Density: Rural Lifestyle Zone 22.5.12.1 One residential unit located within each building platform. 22.5.12.2 On sites less than 2ha there must be only one residential unit. 22.5.12.3 On sites equal to or greater than 2 hectares there must be no more than one residential unit per two hectares on average with a minimum of 1 residential unit per one hectare. For the purpose of calculating any average, any allotment greater than 4 hectares, including the balance, is deemed to be 4 hectares.	NC
22.5.13	Firefighting water and access New buildings for residential activities, where there is no reticulated water supply, or any reticulated water supply is not sufficient for firefighting must have one of the following: either a sprinkler system installed and plumbed with a maintained static water storage supply of at least 7,000 litres available to the system, or water supply and access for firefighting that meets the following requirements: 22.5.13.1 Water storage of at least 45,000 litres shall be maintained (excluding potable water storage for domestic use) with an outlet connection point that can provide 1500L/min (25 L/s) and any necessary couplings. 22.5.13.2 A hardstand area with a minimum width of 4.5m and length of 11m located within 6m of the firefighting water supply connection point and	RD Discretion is restricted to: a. the extent to which SNZ PAS 4509: 2008 can be met including the adequacy of the water supply; b. the accessibility of the firefighting water connection point for fire service vehicles; c. whether and the extent to which the building is assessed as a low fire risk.

Table 2	Standards - Rural Residential and Rural Lifestyle Zones	Non- compliance Status
	<p>capable of supporting a 20 tonne fire service vehicle.</p> <p>22.5.13.3 The connection point for the firefighting water supply must be located more than 6m and less than 90m from the building for residential activities and be accessible by emergency service vehicles during fire events.</p> <p>22.5.13.4 Access from the property road boundary to the handstand area capable of accommodating a 20 tonne fire service vehicle.</p>	
<b>22.5.14</b>	<p>Residential Visitor Accommodation</p> <p>22.5.14.1 <u>The total nights of occupation by paying guests on a site do not exceed a cumulative total of 120 nights per annum from the date of initial registration. <del>Must not exceed a cumulative total of 90 nights occupation by paying guests on a site per 12 month period.</del></u></p> <p>22.5.14.2 <u>The number of guests must not exceed of 2 adults per bedroom and the total number of adults and children must not exceed:</u></p> <ul style="list-style-type: none"> <li>• <u>3 in a 1-bedroom residential unit;</u></li> <li>• <u>6 in a 2-bedroom residential unit;</u></li> <li>• <u>9 in a 3-bedroom residential unit.</u></li> </ul> <p><del>The Council must be notified in writing prior to the commencement of a Residential Visitor Accommodation activity.</del></p> <p>22.5.14.3 <u>The activity is registered with Council prior to commencement.</u></p> <p>22.5.14.4 Up to date records of the Residential Visitor Accommodation activity must be kept, including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be</p>	<p><u>RD</u></p> <p><u>Discretion is restricted to:</u></p> <ol style="list-style-type: none"> <li><u>a. the location, nature and scale of activities;</u></li> <li><u>b. the management of noise, rubbish, recycling and outdoor activities;</u></li> <li><u>c. privacy and overlooking;</u></li> <li><u>d. outdoor lighting;</u></li> <li><u>e. guest management and complaints procedures;</u></li> <li><u>f. the keeping of records of residential visitor accommodation use, and availability of records for Council inspection; and</u></li> <li><u>g. monitoring requirements, including imposition of an annual monitoring charge.</u></li> </ol>

Table 2	Standards - Rural Residential and Rural Lifestyle Zones	Non- compliance Status
	<p>made available for inspection by the Council at 24 hours' notice.</p> <p>22.5.14.5 <del>Smoke alarms must be provided in accordance with clause 5 of the Residential Tenancies (Smoke Alarms and Insulation) Regulations 2016.</del></p> <p>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 22.5.14.1 to 22.5.14.4.</p>	
<b>22.5.15</b>	<p>Homestay</p> <p>22.5.15.1 <del>The total number of paying guests on a site does not exceed five per night. Must not exceed 5 paying guests on a site per night.</del></p> <p>22.5.15.2 <del>Council is notified in writing prior to the commencement of a Homestay activity. The Council must be notified in writing prior to the commencement of a Homestay activity.</del></p> <p>22.5.15.3 Up to date records of the Homestay activity must be kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</p> <p>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 22.5.15.1 to 22.5.15.3.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. <u>the location, nature and scale of activities;</u></p> <p>b. <u>privacy and overlooking;</u></p> <p>c. <u>the management of noise, rubbish, recycling and outdoor activities;</u></p> <p>d. <u>the keeping of records of Homestay use, and availability of records for Council inspection; and</u></p> <p>e. <u>monitoring requirements, including imposition of an annual monitoring charge.</u></p>

Table 3	Rural Residential Forest Hill	Non-compliance Status:
<b>22.5.16</b>	<p>Indigenous Vegetation</p> <p>The minimum area on any site to be retained or reinstated in indigenous vegetation shall be 70 percent of the net site area. For the purpose of this rule net area shall exclude access to the site, consideration of the risk of fire and the building restriction area.</p>	NC

## PART 4 RURAL RESIDENTIAL & RURAL LIFESTYLE 22

<b>22.5.17</b>	<p>Building Restriction</p> <p>The building restriction area adjoining the Queenstown-Glenorchy Road, shall be retained and/or reinstated in indigenous vegetation.</p>	NC
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<b>Table 4</b>	<b>Rural Residential Bob's Cove and Sub-Zone</b>	<b>Non- compliance Status</b>
<b>22.5.18</b>	<p>Building Height (Sub-Zone only)</p> <p>Maximum building height is 6m.</p>	<p>RD</p> <p>The matters of discretion are listed in provision 22.5.29</p>
<b>22.5.19</b>	<p>Setback from roads</p> <p>Buildings shall be setback a minimum of 10m from roads, and 15m from Glenorchy – Queenstown Road.</p>	NC
<b>22.5.20</b>	<p>Open space (Sub-Zone only)</p> <p>Those areas that are set aside as “open space” shall not contain any vegetation of a height greater than 2 metres, such that the vegetation does not disrupt the open pastoral character or the views of the lake and mountains beyond.</p>	<p>RD</p> <p>The matters of discretion are listed in provision 22.5.29</p>
<b>22.5.21</b>	<p>Residential Density</p> <p>The maximum average density of residential units shall be 1 residential unit per 4000m<sup>2</sup> calculated over the total area within the zone.</p>	D
<b>22.5.22</b>	<p>Boundary Planting Sub-Zone only</p> <p>22.5.25.1 Where the 15 metre Building Restriction Area adjoins a development area, it shall be planted in indigenous tree and shrub species common to the area, at a density of one plant per square metre.</p> <p>22.5.25.2 Where a building is proposed within 50 metres of the Glenorchy-Queenstown Road, such indigenous planting shall be established to a height of 2 metres and have survived for at least 18 months prior to any residential buildings being erected.</p>	<p>RD</p> <p>The matters of discretion are listed in provision 22.5.29</p>
<b>22.5.23</b>	<p>Building setbacks</p> <p>Buildings shall be located a distance of 10m from internal boundaries.</p>	<p>RD</p> <p>The matters of discretion are listed in provision 22.5.29</p>



Table 4	Rural Residential Bob's Cove and Sub-Zone	Non- compliance Status
22.5.24	<p>Building setbacks and landscaping</p> <p>Where a building is proposed within 50 metres of the Glenorchy-Queenstown Road, all landscaping to be undertaken within this distance on the subject property shall consist of native species in accordance with the assessment criteria in provision 22.5.32, subject to the requirement below:</p> <p>22.5.24.1 All landscaping within 15 metres of the Glenorchy-Queenstown Road shall be planted prior to the commencement of the construction of the proposed building.</p> <p>22.5.24.2 All landscaping from 15 metres to 50 metres from the Glenorchy-Queenstown Road shall be established within the first planting season after the completion of the building on the site.</p>	<p>RD</p> <p>The matters of discretion are listed in provision 22.5.29</p>
22.5.25	<p>Building setbacks: Sub-Zone only</p> <p>No building shall be erected within an area that has been identified as Undomesticated Area.</p>	NC
22.5.26	<p>Landscaping: Sub-Zone only</p> <p>Where development areas and undomesticated areas have not been identified as part of a previous subdivision, at least 75% of the total area of the zone shall be set aside as "Undomesticated Area" and the remainder as "Development Area"; and at least 50% of the 'undomesticated area' shall be retained, established, and maintained in indigenous vegetation with a closed canopy such that this area has total indigenous litter cover.</p> <p>This rule shall be given effect to by consent notice registered against the title of the lot created, to the benefit of the lot holder and the Council.</p> <p>Such areas shall be identified and given effect to by way of covenant, as part of any land use consent application.</p>	NC
22.5.27	<p>Indigenous vegetation: Sub-Zone only</p> <p>At least 50% of the undomesticated area within the zone shall be retained, established, and maintained in indigenous vegetation with a closed</p>	NC

Table 4	Rural Residential Bob's Cove and Sub-Zone	Non- compliance Status
	<p>canopy, such that complete indigenous litter cover is maintained over the area; and</p> <p>The landscaping and maintenance of the undomesticated area shall be detailed in a landscaping plan that is provided as part of any subdivision application. This landscaping plan shall identify the proposed species and shall provide details of the proposed maintenance programme to ensure a survival rate of at least 90% within the first 5 years.</p>	
<b>22.5.28</b>	<p>Definitions that apply within the Bob's Cove Rural-Residential Sub-Zone:</p> <p>Development Area</p> <p>Means all that land used for:</p> <ol style="list-style-type: none"> <li>a. buildings;</li> <li>b. outdoor living areas;</li> <li>c. pathways and accessways, but excluding the main accessway leading from the Glenorchy Queenstown Road to the development areas;</li> <li>d. private garden; and</li> <li>e. mown grass surfaces, but excluding large areas of commonly-owned mown pasture or grazed areas that are to be used for recreational purposes.</li> </ol> <p>Undomesticated Area</p> <p>Means all other land not included in the definition of "Development Area".</p>	
<b>22.5.29</b>	<p>Matters of discretion for restricted discretionary activities:</p> <p>22.5.29.1 The form and density of development (including buildings and associated accessways) are designed to:</p> <ol style="list-style-type: none"> <li>a. compliment the landscape and the pattern of existing and proposed vegetation; and</li> <li>b. mitigate the visual impact of the development when viewed from Lake Wakatipu and the Glenorchy-Queenstown Road.</li> </ol>	

## PART 4 RURAL RESIDENTIAL & RURAL LIFESTYLE 22

Table 4	Rural Residential Bob's Cove and Sub-Zone	Non-compliance Status
	<p>22.5.29.2 The vegetation is, or is likely to be, of sufficient maturity to effectively minimise the impact of the proposed building when viewed from Lake Wakatipu and the Glenorchy-Queenstown Road.</p> <p>22.5.29.3 The development provides for 75% of the zone to be established and maintained as undomesticated, such that there is a predominance of indigenous vegetation.</p> <p>22.5.29.4 The form of development mitigates the visual impact from Lake Wakatipu and the Glenorchy-Queenstown Road.</p> <p>22.5.29.5 Whether and the extent to which the proposed landscaping contains predominantly indigenous species (comprising a mix of trees, shrubs, and grasses) that are suited to the general area, such as red beech, native tussocks, hebes, pittosporum, coprosmas, cabbage trees, and lancewoods.</p>	

Table 5	Rural Residential Camp Hill	Non-compliance Status
<b>22.5.30</b>	<p>Zone Boundary Setback</p> <p>The minimum setback of any building from the zone boundary, or the top of the escarpment where this is located within the zone boundary, shall be 20m.</p>	NC
<b>22.5.31</b>	<p>Building Height</p> <p>The maximum height of any building shall be 5.5m.</p>	NC
<b>22.5.32</b>	<p>Maximum Number of Residential Units</p> <p>There shall be no more than 36 residential units within the Rural Residential Zone Camp Hill.</p>	NC

Table 6	Wyuna Station Rural Lifestyle Zone	Non-compliance Status
<b>22.5.33</b>	<p>The identification of any building platforms or construction of dwellings prior to the granting of subdivision consent that has assessed policies 27.3.5.1, 27.3.6.1 and 27.3.6.2.</p>	PR

<b>Table 7</b>	<b>Criffel Station Rural Lifestyle Zone (upper terrace only)</b>	<b>Non- compliance Status</b>
<b>22.5.34</b>	<p>Maximum Number of Residential Units</p> <p>There shall be no more than 6 residential units within the Criffel Station Rural Lifestyle Zone (upper terrace).</p>	NC
<b>22.5.35</b>	<p>Building Height</p> <p>The maximum height of any building shall be 5.5m within the Criffel Station Rural Lifestyle Zone (upper terrace).</p>	NC
<b>22.5.36</b>	<p>Building Restriction Area</p> <p>a. No building shall be located within the Building Restriction Area identified within the Criffel Station Rural Lifestyle Zone (upper terrace) of the District Plan web mapping application.</p> <p>b. The Building Restriction Area (excluding vehicle accessways) within the Criffel Station Rural Lifestyle Zone (upper terrace) shall be maintained in open pasture except for landscaping and land management approved in subsequent subdivision consent.</p> <p>Note: Refer to Chapter 27 Subdivision and Development Policies 27.3.13.1 and 27.3.13.2, and Rule 27.7.11</p>	NC
<b>22.5.37</b>	<p>Building Coverage</p> <p>The total building coverage per site or approved building platform shall not exceed 600m<sup>2</sup>.</p>	NC

**22.6 Rules – Non-notification of Application**

Any application for resource consent for the following matters shall not require the written approval of other persons and shall not be notified or limited-notified:

**22.6.1** Controlled activity Home occupation (Rule 22.4.9). Except where the access is onto a State Highway.

**22.6.2** The following Restricted Discretionary activities will 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:

- (a) Rule 22.5.14 Residential Visitor Accommodation
- (b) Rule 22.5.15 Homestay.



## Note:

- Changes from previous Consent Order dated 28 May 2021 are in [blue underlined text and ~~strikeout~~](#)
- Changes from this Consent Order are in black underlined text and ~~strikeout~~

## 23 Gibbston Character Zone

**Please note: Variations to parts of this chapter have been decided by Council on 18 March 2021 as part of Stage 3&3b of the PDP. You can view the Stage 3 Decisions and appeals notices on our website. The appeals and section 274 periods for the Stage 1 and 2 Decisions have closed.**

### 23.1 Zone Purpose

The purpose of the Gibbston Character zone is to provide primarily for viticulture and commercial activities with an affiliation to viticulture within the confined space of the Gibbston Valley.

The zone is recognised as having a distinctive character and sense of place. It incorporates terraced areas above the Kawarau River, lying between and including Chard Farm and Waitiri. Soils, the microclimate within this area and availability of water have enabled development for viticulture to the extent that this is an acclaimed wine producing area.

The zone has experienced residential subdivision and development. This creates the potential to degrade the distinctive character and create conflict with established and anticipated intensive viticultural activities.

### 23.2 Objectives and Policies

**23.2.1 Objective - The economic viability, character and landscape values of the Gibbston Character Zone are protected by enabling viticulture and other appropriate activities that rely on the rural resource of the Gibbston Valley and managing the adverse effects resulting from other activities locating in the Zone.**

#### Policies

23.2.1.1 Enable viticulture activities and provide for other appropriate activities that rely on the rural resource of the Gibbston Valley while protecting, maintaining or enhancing the values of indigenous biodiversity, ecosystems services, the landscape and surface of lakes and rivers and their margins.

23.2.1.2 Ensure land with potential value for rural productive activities is not compromised by the inappropriate location of other developments and buildings.

- 23.2.1.3 Ensure activities not based on the rural resources of the area occur only where the character and productivity of the Gibbston Character zone and wider Gibbston Valley will not be adversely impacted.
- 23.2.1.4 Provide for a range of buildings allied to rural productive activity and worker accommodation.
- 23.2.1.5 Avoid or mitigate adverse effects of development on the landscape and economic values of the Gibbston Character zone and wider Gibbston Valley.
- 23.2.1.6 Protect, maintain and enhance landscape values by ensuring all structures are located in areas with the potential to absorb change.
- 23.2.1.7 Avoid the location of structures, including water tanks, other than regionally significant infrastructure, on skylines, ridges, hills and prominent slopes.
- 23.2.1.8 Locate, design, operate and maintain regionally significant infrastructure so as to seek to avoid significant adverse effects on the character of the landscape, while acknowledging that location constraints and/or the nature of the infrastructure may mean that this is not possible in all cases.
- 23.2.1.9 In cases where it is demonstrated that regionally significant infrastructure cannot avoid significant adverse effects on the character of the landscape, such adverse effects shall be minimised.
- 23.2.1.10 Provide for the establishment of activities such as commercial recreation, visitor accommodation and rural living that are complementary to the character and viability of the Gibbston Character zone, providing they do not impinge on rural productive activities.
- 23.2.1.11 The location and direction of lights do not cause glare to other properties, roads, public places or degrade views of the night sky.
- 23.2.1.12 Avoid adverse cumulative impacts on ecosystem and nature conservation values.
- 23.2.1.13 Have regard to the risk of fire from vegetation and the potential risk to people and buildings, when assessing subdivision and development.
- 23.2.1.14 Provide adequate firefighting water and fire service vehicle access to ensure an efficient and effective emergency response.

**23.2.2 Objective - The life supporting capacity of soils is sustained.**

**Policies**

- 23.2.2.1 Avoid the adverse effects of subdivision and development on the life-supporting capacity of soil.
- 23.2.2.2 Enable a range of activities to utilise the range of soil types and microclimates.
- 23.2.2.3 Protect the soil resource by controlling activities including earthworks and indigenous vegetation clearance.
- 23.2.2.4 Encourage land management practices and activities that benefit soil and vegetation cover.

## PART 4 GIBBSTON CHARACTER ZONE 23

**23.2.3 Objective - The life supporting capacity of water is safeguarded through the integrated management of the effects of activities.**

### Policy

In conjunction with the Otago Regional Council, regional plans and strategies:

- a. encourage activities, that use water efficiently, thereby conserving water quality and quantity;
- b. discourage activities that adversely affect the potable quality and life supporting capacity of water and associated ecosystems.

**23.2.4 Objective - Land management practices that recognise and accord with the environmental sensitivity and amenity values of the Gibbston Character Zone are encouraged.**

### Policies

23.2.4.1 Encourage appropriate management of vegetation cover and development including earthworks to prevent siltation and sedimentation effects on water resources.

23.2.4.2 Noise levels should not be inconsistent with rural productive activities and the character and rural amenity of the Gibbston area.

23.2.4.3 Control access and egress to ensure safe and efficient movement of traffic on roads and for users of trails, walkways and cycleways.

23.2.4.4 Manage forestry and farm-forestry activities to avoid adverse effects on landscape, amenity and viticulture production.

## 23.3 Other Provisions and Rules

### 23.3.1 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 and Rural Character
25 Earthworks	26 Historic Heritage	27 Subdivision
28 Natural hazards	29 Transport	30 Energy and Utilities
31 Signs	32 Protected Trees	33 Indigenous Vegetation
34 Wilding Exotic Trees	35 Temporary activities and Relocated buildings	36 Noise
37 Designations	District Plan web mapping application	

### 23.3.2 Interpreting and Applying the Rules



- 23.3.2.1 A permitted activity must comply with all the rules listed in the activity and Standards tables, and any relevant district wide rules.
- 23.3.2.2 Compliance with any of the following standards, in particular the permitted standards, does not absolve any commitment to the conditions of any relevant land use consent, consent notice or covenant registered on the site’s computer freehold register.
- 23.3.2.3 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.
- 23.3.2.4 The Council reserves the right to ensure development and building activities are undertaken in accordance with the conditions of resource and subdivision consent through monitoring.
- 23.3.2.5 Applications for building consent for permitted activities shall include information to demonstrate compliance with the following standards, and any conditions of the applicable resource consent subdivision conditions.
- 23.3.2.6 For controlled and restricted discretionary activities, the Council shall restrict the exercise of its discretion to the matters listed in the rule.
- 23.3.2.7 Building platforms identified on a site’s computer freehold register shall have been registered as part of a resource consent approval by the Council.
- 23.3.2.8 Internal alterations to buildings including the replacement of joinery are permitted.
- 23.3.2.9 The status of any Plantation Forestry will be determined by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.
- 23.3.2.10 These abbreviations are used in the following tables. Any activity which is not permitted (P) or prohibited (PR) requires resource consent.

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

**23.4 Rules - Activities**

## PART 4 GIBBSTON CHARACTER ZONE 23

All activities, including any listed permitted activities shall be subject to the rules and standards contained in Tables 1 to 3.

Table 1 – Activities

Table 2 – Buildings

Table 3 – Commercial activities

Rule	Table 1 - Activities	Activity
	<b>Farming Activities</b>	
<b>23.4.1</b>	Farming activity (includes viticulture).	P
<b>23.4.2</b>	Domestic Livestock.	P
<b>23.4.3</b>	Factory Farming.	NC
	<b>Residential Activity, Subdivision and Development</b>	
<b>23.4.4</b>	The construction and exterior alteration of residential buildings located within a building platform approved by resource consent, or registered on the applicable computer freehold register, subject to compliance with Table 2.	P
<b>23.4.5</b>	The exterior alteration of any lawfully established building located outside of a building platform, subject to compliance with the standards in Table 2.	P
<b>23.4.6</b>	One residential unit within any building platform approved by resource consent.	P
<b>23.4.7</b>	Residential Flat (activity only, the specific rules for the construction of any buildings apply).	P
<b>23.4.8</b>	The use of land or buildings for Residential activity except as provided for by any other rule.	D
<b>23.4.9</b>	The identification of a building platform not less than 70m <sup>2</sup> and not greater than 1000m <sup>2</sup> .	D
<b>23.4.10</b>	The construction of any building including the physical activity associated with buildings including roading, access, lighting, landscaping and earthworks, not provided for by any other rule.	D
	<b>Commercial Activities</b>	
<b>23.4.11</b>	Home Occupation that complies with the standards in Table 3.	P
<b>23.4.12</b>	Industrial activities limited to wineries and underground cellars, not exceeding 300m <sup>2</sup> .	P
<b>23.4.13</b>	Commercial recreation activities that comply with the standards in Table 3.	P

Rule	Table 1 - Activities	Activity
23.4.14	<p>Retail sales of farm and garden produce, handicrafts and wine that is grown, reared or produced on the site and that comply with the standards in Table 3.</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> <li>a. the location of the activity and buildings;</li> <li>b. access, vehicle crossing location, car parking;</li> <li>c. screening and location of storage areas for waste materials, outdoor display areas and parking;</li> <li>d. signage;</li> <li>e. lighting.</li> </ul>	C
23.4.15	<p><b>Winery and Farm Buildings</b></p> <p>The construction, addition or alteration of a farm building or winery with control reserved to:</p> <ul style="list-style-type: none"> <li>a. location, scale, height and external appearance, as it effects the Gibbston Valley's landscape and amenity values;</li> <li>b. landscaping;</li> <li>c. parking and access, in respect of earthworks and the impact on the safety and efficiency of State highway 6;</li> <li>d. the location, scale and functional need of car parking;</li> <li>e. associated earthworks;</li> <li>f. provision of water supply, sewage treatment and disposal;</li> <li>g. lighting, including car parking areas;</li> <li>h. screening and location of storage areas for waste materials, outdoor display and signage areas and parking.</li> </ul>	C
23.4.16	Visitor accommodation.	D
	<b>Other Activities</b>	
23.4.17	Non-commercial recreation and recreational activity.	P
23.4.18	Informal airports for emergency landings, rescues, fire-fighting and activities ancillary to farming activities.	P
23.4.19	Informal airports, except as provided for in 23.4.18.	D
23.4.20	Any other activity not listed in Table 1, except for Plantation Forestry where the Resource Management (Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017) Regulation 2017 prevails.	NC
23.4.21	Residential Visitor Accommodation and Homestays.	P

## 23.5 Rules - Standards

	Table 2: Standards for buildings	Non- compliance
23.5.1	<p><b>Buildings , Materials and Colours</b></p> <p>Any building, including any structure larger than 5m<sup>2</sup>, that is new, relocated, altered, reclad or repainted, including containers intended to, or that remain on site for more than six months, and the alteration to any lawfully established building are subject to the following:</p> <p>All exterior surfaces shall be coloured in the range of browns, greens or greys (except soffits), including;</p> <p>23.5.1.1 Pre-painted steel, and all roofs must have a light reflectance value not greater than 20%.</p> <p>23.5.1.2 all other surface** finishes except for schist must have a light reflectance value of not greater than 30%.</p> <p>23.5.1.3 23.5.1.3 In the case of alterations to an existing building where there is not an approved building platform on the site, it does not increase the building coverage by more than 30% in a ten year period.</p> <p>Control is reserved to all of the following:</p> <p>Except these standards do not apply to the blades of frost fighting devices.</p> <p>* Excludes soffits, windows and skylights (but not glass balustrades).</p> <p>** Includes cladding and built landscaping that cannot be measured by way of light reflectance value but is deemed by the Council to be suitably recessive and have the same effect as achieving a light reflectance value of 30%.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>external appearance;</li> <li>visibility from public places and surrounding properties;</li> <li>lighting;</li> <li>landscape character;</li> <li>visual amenity.</li> </ol>
23.5.2	<p><b>Building size</b></p> <p>The ground floor area of any building must not exceed 500m<sup>2</sup>.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>external appearance;</li> <li>visibility from public places;</li> <li>landscape character;</li> <li>visual amenity;</li> <li>privacy, outlook and amenity from adjoining properties.</li> </ol>

23.5.3	<p><b>Building Height</b></p> <p>The maximum height of any residential building, residential accessory building or commercial building other than for a farming or winery building shall be 8m.</p>	NC
23.5.4	<p><b>Building Height</b></p> <p>The maximum height of any farming or winery building shall be 10m, other than frost fighting towers which must not exceed 12m in height.</p>	NC
23.5.5	<p><b>Setback from Internal Boundaries (any building)</b></p> <p>The minimum setback of buildings from internal boundaries shall be 6m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. rural amenity;</li> <li>b. landscape character;</li> <li>c. privacy, outlook and amenity from adjoining properties.</li> </ul>
23.5.6	<p><b>Setback from Roads (any building)</b></p> <p>The minimum setback of buildings from road boundaries shall be 20m, except the minimum setback of any building for sections of State highway 6 where the speed limit is 70 km/hr or greater shall be 40m.</p>	NC
23.5.7	<p><b>Setback of buildings from Water bodies</b></p> <p>The minimum setback of any building from the bed of a water body shall be 20m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. any indigenous biodiversity values;</li> <li>b. visual amenity values;</li> <li>c. landscape character;</li> <li>d. open space;</li> <li>e. whether the waterbody is subject to flooding or natural hazards and any mitigation to manage the location of the building.</li> </ul>
23.5.8	<p>All fixed exterior lighting must be directed away from adjacent sites and roads.</p>	NC
23.5.9	<p><b>Firefighting water and access</b></p> <p>New buildings for residential activities and visitor accommodation, where there is no reticulated water supply, or any reticulated water supply is not sufficient for firefighting, must have one of the following:</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. the extent to which SNZ PAS 4509: 2008 can be met</li> </ul>

	<p>either a sprinkler system installed and plumbed with a maintained static water storage supply of at least 7,000 litres available to the system, or</p> <p>water supply and access for firefighting that meets the following requirements:</p> <p>23.5.9.1 Water storage of at least 45,000 litres shall be maintained (excluding potable water storage for domestic use) with an outlet connection point that can provide 1500L/min (25 L/s) and any necessary couplings.</p> <p>23.5.9.2 The connection point for the firefighting water supply must be located more than 6m and less than 90m from the building for residential activities or visitor accommodation and be accessible by emergency service vehicles during fire events.</p> <p>23.5.9.3 A hardstand area with a minimum width of 4.5m and length of 11m located within 6m of the firefighting water supply connection point and capable of supporting a 20 tonne fire service vehicle.</p> <p>23.5.9.4 Access from the property road boundary to the handstand area capable of accommodating a 20 tonne fire service vehicle.</p>	<p>including the adequacy of the water supply;</p> <p>b. the accessibility of the firefighting water connection point for fire service vehicles;</p> <p>c. whether and the extent to which the building is assessed as a low fire risk.</p>
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	Table 3: Standards for Commercial Activities	Non - Compliance
23.5.10	<p><b>Commercial Recreation Activities</b></p> <p>Commercial recreation activity undertaken outdoors and involving not more than 10 persons in any one group.</p>	D
23.5.11	<p><b>Retail Sales</b></p> <p>Buildings in excess of 25m<sup>2</sup> gross floor area to be used for retail sales identified in Table 1 must be setback from road boundaries by a minimum distance of 30m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. landscape character and visual amenity;</p> <p>b. access;</p> <p>c. on-site parking.</p>

	Table 3: Standards for Commercial Activities	Non - Compliance
23.5.12	<p><b>Home Occupation</b></p> <p>23.5.12.1 The maximum net floor area of home occupation activities must not exceed 100m<sup>2</sup>.</p> <p>23.5.12.2 Goods, materials or equipment must not be stored outside a building.</p> <p>23.5.12.3 All manufacturing, altering, repairing, dismantling or processing of any goods or articles must be carried out within a building.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>the nature, scale and intensity of the activity in the context of the surrounding rural area;</li> <li>visual amenity from neighbouring properties and public places;</li> <li>noise, odour and dust;</li> <li>the extent to which the activity requires a rural location because of its affiliation to rural resources;</li> <li>screening and location of storage areas for waste materials, lighting, outdoor display areas and parking;</li> <li>access safety and transportation effects.</li> </ol>
23.5.13	<p><b>Residential Visitor Accommodation</b></p> <p>23.5.13.1 <del>The total nights of occupation by paying guests on a site do not exceed a cumulative total of 120 nights per annum from the date of initial registration. Must not exceed a cumulative total of 90 nights occupation by paying guests on a site per 12 month period.</del></p> <p>23.5.13.2 <u>The number of guests must not exceed 2 adults per bedroom and the total number of adults and children must not exceed:</u><del>The Council must be notified in writing prior to the commencement of a Residential Visitor Accommodation activity.</del></p> <ul style="list-style-type: none"> <li>• <u>3 in a 1-bedroom residential unit;</u></li> <li>• <u>6 in a 2-bedroom residential unit;</u></li> <li>• <u>9 in a 3-bedroom residential unit.</u></li> </ul> <p>23.5.13.3 <u>The activity is registered with Council prior to commencement.</u></p> <p>23.5.13.4 Up to date records of the Residential Visitor Accommodation activity must be kept, including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</p>	<p>RD</p> <p><u>Discretion is restricted to:</u></p> <ol style="list-style-type: none"> <li><u>the location, nature and scale of activities;</u></li> <li><u>the management of noise, rubbish, recycling and outdoor activities;</u></li> <li><u>privacy and overlooking;</u></li> <li><u>outdoor lighting;</u></li> <li><u>guest management and complaints procedures;</u></li> <li><u>the keeping of records of residential visitor accommodation use, and availability of records for Council inspection; and</u></li> <li><u>monitoring requirements, including imposition of an annual monitoring charge.</u></li> </ol>

	Table 3: Standards for Commercial Activities	Non - Compliance
	<p>23.5.13.5 <del>Smoke alarms must be provided in accordance with clause 5 of the Residential Tenancies (Smoke Alarms and Insulation) Regulations 2016.</del></p> <p>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 23.5.132.1 to 23.5.132.4.</p>	
<b>23.5.14</b>	<p><b>Homestay</b></p> <p>23.5.14.1 <del>The total number of paying guests on a site does not exceed five per night. Must not exceed 5 paying guests on a site per night.</del></p> <p>23.5.14.2 <del>Council is notified in writing prior to commencement of a Homestay activity. The Council must be notified in writing prior to the commencement of a Homestay activity.</del></p> <p>23.5.14.3 Up to date records of the Homestay activity must be kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</p> <p>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 23.5.143.1 to 23.5.143.3.</p>	<p>RD</p> <p><u>Discretion is restricted to:</u></p> <p>a. <u>the location, nature and scale of activities;</u></p> <p>b. <u>privacy and overlooking;</u></p> <p>c. <u>the management of noise, rubbish, recycling and outdoor activities;</u></p> <p>d. <u>the keeping of records of Homestay use, and availability of records for Council inspection; and</u></p> <p>e. <u>monitoring requirements, including imposition of an annual monitoring charge.</u></p>

## 23.6 Rules - Non-Notification of Applications

Any application for resource consent for the following matters shall not require the written approval of other persons and shall not be notified or limited notified:

- 23.6.1** Controlled activity retail sales of farm and garden produce and handicrafts grown or produced on site (Rule 23.4.14), except where the access is directly onto a State highway.
- 23.6.2** Controlled activity winery and farm buildings (Rule 23.4.15) except where the access is directly onto a State highway

## 23.7 Rules - Assessment Matters (Landscape)

The following assessment matters apply to any discretionary or activity within the Gibbston Character zone where landscape is relevant

### 23.7.1 Effects on landscape character:



The following shall be taken into account:

- 23.7.1.1 Where the activity is adjacent to an Outstanding Natural Feature or Landscape, whether and the extent to which the proposed development will adversely affect the quality or character of the adjacent Outstanding Natural Landscape or Feature.
- 23.7.1.2 Whether and the extent to which the scale and nature of the proposed development will degrade the character of the surrounding landscape.
- 23.7.1.3 Whether the design and landscaping would be compatible with or would enhance the character of the landscape.

#### **23.7.2 Effects on visual amenity**

Whether the development will result in a loss of the visual amenity of the Gibbston Valley landscape, having regard to whether and the extent to which:

- 23.7.2.1 The visual prominence of the proposed development from any public places, in particular State highway 6, cycleways and bridleways.
- 23.7.2.2 The proposed development is likely to be visually prominent such that it detracts from private views.
- 23.7.2.3 Any screening or other mitigation by any proposed method such as earthworks and/or new planting will detract from the landscape character or obstruct views of the landscape from both public and private locations.
- 23.7.2.4 The proposed development is enclosed by any confining elements of topography and/or vegetation and the ability of these elements to reduce visibility from public and private locations.
- 23.7.2.5 Any roads, access boundaries and associated planting, earthworks and landscaping will reduce visual amenity, with particular regard to elements that are inconsistent with the existing natural topography and patterns.
- 23.7.2.6 Boundaries follow, wherever reasonably possible and practicable, the natural lines of the landscape or landscape units.

#### **23.7.3 Design and density of development**

In considering the appropriateness of the design and density of proposed development, whether and to what extent:

- 23.7.3.1 Opportunity has been taken to aggregate built development to utilise common access ways including roads, pedestrian linkages, services and open space (i.e. open space held in one title whether jointly or otherwise).
- 23.7.3.2 There is merit in clustering the proposed building(s) or building platform(s) having regard to the overall density of the proposed development and whether this would exceed the ability of the landscape to absorb change.
- 23.7.3.3 Development is located within the parts of the site where they will be least visible from public and private locations.

23.7.3.4 Development is located in the parts of the site where they will have the least impact on landscape character.

#### **23.7.4 Tangata Whenua, biodiversity and geological values**

23.7.4.1 Whether and to what extent the proposed development will degrade Tangata Whenua values including Tōpuni or nohoanga, indigenous biodiversity, geological or geomorphological values or features and, the positive effects any proposed or existing protection or regeneration of these values or features.

The Council acknowledges that Tangata Whenua beliefs and values for a specific location may not be known without input from iwi.

#### **23.7.5 Cumulative effects of development on the landscape**

Taking into account whether and to what extent any existing, consented or permitted development (including unimplemented but existing resource consent or zoning) has degraded landscape quality, character, and visual amenity values, the Council shall be satisfied:

23.7.5.1 The proposed development will not further degrade landscape quality and character and visual amenity values, with particular regard to situations that would result in a loss of rural character and openness due to the prevalence of residential activity within the Gibbston Valley landscape.

23.7.5.2 Where in the case resource consent may be granted to the proposed development but it represents a threshold to which the landscape could absorb any further development. Whether any further cumulative adverse effects would be avoided by way of imposing a covenant, consent notice or other legal instrument that maintains open space.

#### **23.7.6 Other Factors and positive effects**

In considering whether there are any positive effects in relation to the proposed development, or remedying or mitigating the continuing adverse effects of past subdivision or development, the Council shall take the following matters into account:

23.7.6.1 Whether the proposed subdivision or development provides an opportunity to protect the landscape from further development and may include open space covenants or esplanade reserves.

23.7.6.2 Whether the proposed subdivision or development would enhance the character of the landscape, or protects and enhances indigenous biodiversity values, in particular the habitat of any threatened species, or land environment identified as chronically or acutely threatened on the Land Environments New Zealand (LENz) threatened environment status.

23.7.6.3 Any positive effects including environmental compensation, easements for public access to lakes, rivers or conservation areas.

23.7.6.4 Any opportunities to retire marginal farming land and revert it to indigenous vegetation.

23.7.6.5 Where adverse effects cannot avoided, mitigated or remedied, the merits of any compensation.

23.7.6.6 In the case of a proposed residential activity or specific development, whether a specific building design, rather than nominating a building platform, helps demonstrate the

proposed development would maintain or enhance the character of the Gibbston Valley landscape.

**Note:**

- Changes from previous Consent Order dated 28 May 2021 are in [blue underlined text and ~~strikeout~~](#)
- Changes from this Consent Order are in black underlined text and ~~strikeout~~

## 24. Wakatipu Basin

**Please note: Variations to parts of this chapter have been decided by Council on 18 March 2021 as part of Stage 3&3b of the PDP. You can view the Stage 3 Decisions and appeals notices on our website. The appeals and section 274 periods for the Stage 1, 2 and 3&3b Decisions have closed.**

### 24.1 Zone Purpose

This chapter applies to the Wakatipu Basin Rural Amenity Zone (Rural Amenity Zone) and its sub-zone, the Wakatipu Basin Lifestyle Precinct (Precinct). The purpose of the Zone is to maintain or enhance the character and amenity of the Wakatipu Basin, while providing for rural living and other activities.

The Precinct is applied to specific areas of land within the broader Rural Amenity Zone that have capacity to absorb rural living development. These areas have a variety of existing lot sizes and patterns of development, with landscape character also varying across the Precinct. This includes existing vegetation, including shelterbelts, hedgerows and exotic amenity plantings, which characterise certain areas. Within the Precinct, sympathetically located and well-designed rural living development. Which achieves minimum and average lot sizes, is anticipated, while still achieving the overall objectives of the Rural Amenity Zone.

While the Rural Amenity Zone does not contain Outstanding Natural Features or Outstanding Natural Landscapes, it is a distinctive and high amenity value landscape located adjacent to, or nearby to, Outstanding Natural Features and Outstanding Natural Landscapes. There are no specific setback rules for development adjacent to Outstanding Natural Features or Outstanding Natural Landscapes. However, all buildings (except small farm buildings) and subdivision require resource consent to ensure that inappropriate buildings and/or subdivision does not occur adjacent to those features and landscapes.

Escarpment, ridgeline and river cliff features are identified on the web mapping application. Buildings proposed within the prescribed setback of these features require assessment to ensure the values of these landscape features are maintained.

Integral to the management of the Rural Amenity Zone and Precinct is Schedule 24.8, which defines 24 Landscape Character Units. These Landscape Character Units are a tool that assists with the identification of the landscape character and amenity values that are to be maintained or enhanced. Controls on the location, scale and visual effects of buildings are used to provide a design led response to the character and values.

## 24.2 Objectives and Policies

Objectives 24.2.1 to 24.2.4 and related policies apply to both the Rural Amenity Zone and the Precinct except the following policies do not apply to the Precinct; 24.2.1.1. 24.2.1.3. 24.2.1.6. 24.2.1.9, 24.2.1.11 and 24.2.1.14. Objective 24.2.5 and related policies apply to the Precinct only.

### 24.2.1 Objective - Landscape character and visual amenity values in the Wakatipu Basin are maintained or enhanced.

#### Policies

- 24.2.1.1 Require an 80 hectare minimum net site area be maintained within the Wakatipu Basin Rural Amenity Zone outside of the Precinct.
- 24.2.1.2 Ensure subdivision and development is designed (including accessways, services, utilities and building platforms) to minimise inappropriate modification to the natural landform.
- 24.2.1.3 Ensure that subdivision and development maintains or enhances the landscape character and visual amenity values identified in Schedule 24.8 - Landscape Character Units.
- 24.2.1.4 Maintain or enhance the landscape character and visual amenity values of the Rural Amenity Zone including the Precinct and surrounding landscape context by:
  - a. controlling the colour, scale, form, coverage, location (including setbacks) and height of buildings and associated infrastructure, vegetation and landscape elements.
- 24.2.1.5 Require all buildings to be located and designed so that they do not compromise the landscape and amenity values and the natural character of Outstanding Natural Features and Outstanding Natural Landscapes that are either adjacent to the building or where the building is in the foreground of views from a public road or reserve of the Outstanding Natural Landscape or Outstanding Natural Feature.
- 24.2.1.6 Provide for farming, commercial, community, recreation, tourism related and other non-residential activities that rely on the rural land resource, subject to maintaining or enhancing landscape character and visual amenity values.
- 24.2.1.7 Locate, design operate and maintain regionally significant infrastructure so as to seek to avoid significant adverse effects on the character of the landscape, while acknowledging that location constraints and/or the nature of the infrastructure may mean that this is not possible in all cases.
- 24.2.1.8 In cases where it is demonstrated that regionally significant infrastructure cannot avoid significant adverse effects on the character of the landscape, such adverse effects shall be minimised.
- 24.2.1.9 Control earthworks and vegetation clearance to minimise adverse effects on landscape character and visual amenity values.

- 24.2.1.10 Enable residential activity within approved and registered building platforms subject to achieving appropriate standards.
- 24.2.1.11 Provide for activities that maintain a sense of spaciousness in which buildings are subservient to natural landscape elements.
- 24.2.1.12 Manage lighting so that it does not cause adverse glare to other properties, roads or public places, or degrade views of the night sky.
- 24.2.1.13 Have regard to the spiritual beliefs, cultural traditions and practices of Tangata Whenua in the manner directed in Chapter 5: Tangata Whenua.
- 24.2.1.14 Ensure subdivision and development maintains a defensible edge between areas of rural living in the Precinct and the balance of the Rural Amenity Zone.
- 24.2.1.15 Require buildings, or building platforms identified through subdivision, to maintain views from roads to Outstanding Natural Features and the surrounding mountain Outstanding Natural Landscape context, where such views exist; including by:
- implementing road setback standards; and
  - ensuring that earthworks and mounding, and vegetation planting within any road setback, particularly where these are for building mitigation and/or privacy, do not detract from views to Outstanding Natural Features or Outstanding Natural Landscapes; while
  - recognising that for some sites, compliance with a prescribed road setback standard is not practicable due to the site size and dimensions, or the application of other setback requirements to the site.

## **24.2.2 Objective – Non-residential activities maintain or enhance amenity values.**

### **Policies**

- 24.2.2.1 Ensure traffic, noise and the scale and intensity of non-residential activities do not have an adverse impact on landscape character and amenity values, or affect the safe and efficient operation of the roading and trail network or access to public places.
- 24.2.2.2 Ensure the effects generated by non-residential activities (e.g. traffic, noise, hours of operation) are compatible with surrounding uses.
- 24.2.2.3 Ensure non-residential activities other than farming, with the potential for nuisance effects from dust, visual, noise or odour effects, are located a sufficient distance from formed roads, neighbouring properties, waterbodies and any residential activity.
- 24.2.2.4 Ensure informal airports are located, operated and managed to maintain the surrounding rural amenity.

[24.2.2.X Provide for residential visitor accommodation and homestays within residential units without compromising the surrounding character and amenity and minimising conflict with surrounding activities by limiting the scale, intensity and frequency of these activities.](#)

**24.2.3 Objective – Reverse sensitivity effects are avoided or mitigated where rural living opportunities, visitor and tourism activities, community and recreation activities occur.**

**Policies**

- 24.2.3.1 Ensure informal airports are not compromised by the establishment of incompatible activities.
- 24.2.3.2 Ensure reverse sensitivity effects on rural living and non-residential activities are avoided or mitigated.
- 24.2.3.3 Support productive farming activities such as agriculture, horticulture and viticulture in the Rural Amenity Zone by ensuring that reverse sensitivity issues do not constrain productive activities.

**24.2.4 Objective – Subdivision and development, and use of land, maintains or enhances water quality, ecological quality, and recreation values while ensuring the efficient provision of infrastructure.**

**Policies**

- 24.2.4.1 Avoid adverse cumulative impacts on ecosystem services and nature conservation values.
- 24.2.4.2 Restrict the subdivision, development and use of land in the Lake Hayes catchment, unless it can contribute to water quality improvement in the catchment commensurate with the nature, scale and location of the proposal.
- 24.2.4.3 Provide for improved public access to, and the maintenance and enhancement of, the margins of waterbodies including Mill Creek and Lake Hayes.
- 24.2.4.4 Provide adequate firefighting water and emergency vehicle access to ensure an efficient and effective emergency response.
- 24.2.4.5 Ensure development has regard to servicing and infrastructure costs that are not met by the developer.
- 24.2.4.6 Facilitate the provision of walkway and cycleway networks and consider opportunities for the provision of bridle path networks.
- 24.2.4.7 Ensure traffic generated by non-residential development does not individually or cumulatively compromise road safety or efficiency.
- 24.2.4.8 Encourage the removal of wilding exotic trees.
- 24.2.4.9 Encourage the planting, retention and enhancement of indigenous vegetation that is appropriate to the area and planted at a scale, density, pattern and composition that enhances indigenous biodiversity values, particularly in locations such as gullies and riparian areas, or to provide stability.

**24.2.5 Objective – Rural living opportunities in the Precinct are enabled, provided landscape character and visual amenity values are maintained or enhanced.**

**Policies**

- 24.2.5.1 Provide for rural living, subdivision, development and use of land in a way that maintains or enhances the landscape character and visual amenity values identified in Schedule 24.8 - Landscape Character Units.
- 24.2.5.2 Ensure that any development or landscape modification occurs in a sympathetic manner in both developed and undeveloped areas, by promoting design-led and innovative patterns of subdivision and development that maintain or enhance the landscape character and visual amenity values of the Wakatipu Basin overall.
- 24.2.5.3 Provide for non-residential activities, including restaurants, visitor accommodation, commercial recreation, and recreation activities while ensuring these are appropriately located and of a scale and intensity that ensures that the character and visual amenity values of the Precinct are maintained or enhanced.
- 24.2.5.4 Implement lot size and development standards that provide for subdivision and development while ensuring the landscape character and visual amenity values of the Precinct, as identified in Schedule 24.8 – Landscape Character Units, are not compromised by the cumulative adverse effects of development.
- 24.2.5.5 Encourage the retention and planting of vegetation that contributes to landscape character and visual amenity values of the Precinct, particularly where vegetation is identified as an important element in Schedule 24.8, provided it does not present a high risk of wilding spread.
- 24.2.5.6 Require buildings, or building platforms identified through subdivision, or any vehicle access located within a prescribed Escarpment. Ridgeline and River Cliff Features setback as identified on the web mapping application, to maintain the values of those features, including by:
  - a. ensuring that any buildings, earthworks and landform modification are located and designed so that the values of the feature are maintained; while
  - b. recognising that for some sites compliance with the prescribed setback is not practicable due to the site size and dimensions, presence of existing buildings, or the application of other setback requirements.

**24.3 Other Provisions and Rules**

**24.3.1 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	29 Transport	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	District Plan web mapping application	

**24.3.2 Interpreting and Applying the Rules**

24.3.2.1 A permitted activity must comply with all of the rules (in this case of Chapter 24) and any relevant district wide rules.

24.3.2.2 The surface of lakes and rivers are zoned Rural.

24.3.2.3 Guiding Principle: Previous Approvals

- a. Requirements relating to building platforms and conditions of consents, including landscaping or other visual mitigation, that are registered on a site’s computer freehold register as part of a resource consent approval by the Council are considered by the Council to remain relevant and will remain binding unless altered or cancelled.
- b. Applicants may apply to alter or cancel any conditions of an existing resource consent as a component of an application for resource consent for development. Whether it may be appropriate for the Council to maintain, or to alter or cancel these conditions shall be assessed against the extent to which a resource consent application accords with the objectives and provisions of the Wakatipu Basin Rural Amenity Zone and Wakatipu Basin Lifestyle Precinct (as applicable).

24.3.2.4 These abbreviations for the class of activity status are used in the following tables. Any activity which is not permitted (P) or prohibited (PR) requires resource consent.

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

24.3.2.5 The Wakatipu Basin Lifestyle Precinct is a sub-zone of the Wakatipu Basin Rural Amenity Zone and all rules in Table 24.1 apply to the Precinct. Where specific rules and standards are identified for the Precinct, these prevail over the Rural Amenity Zone rules in Table 24.1.

24.3.2.6 All activities, including any listed permitted activities are subject to the rules and standards contained in Tables 24.1 and 24.2.

24.3.2.7 For Plantation Forestry the Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017 prevails.

24.3.2.8 Rules 24.5.1.1 to 24.5.1.5 do not apply to residential units, including residential flats, located within a building platform approved by resource consent, and registered on the applicable record of title.

### 24.3.3 Advice Notes

24.3.3.1 Clarifications of the meaning of root protection zone, minor trimming of a hedgerow, minor trimming and significant trimming are provided in Chapter 2 – Definitions.

24.3.3.2 On-site wastewater treatment is subject to the Otago Regional Plan: Water. In particular, Rule 12.A.1.4 of the Otago Regional Plan: Water requires that within the Lakes Hayes Catchment all on-site wastewater treatment systems are operated in accordance with a resource consent obtained from the Otago Regional Council. The Lake Hayes Catchment is identified in Schedule 24.9.

24.3.3.3 All objectives, policies and assessment matters will be applicable as part of any subdivision application, to the extent that they are relevant, despite policies 24.2.1.15 and 24.2.5.6 referring to the terms subdivision and building platform specifically.

## 24.4 Rules – Activities

	<b>Table 24.1 – Activities</b>	<b>Activity Status</b>
<b>24.4.1</b>	Any activity not listed in Tables 24.1.	NC
<b>24.4.2</b>	Farming activity.	P
	<b>Residential activities and buildings</b>	
<b>24.4.3</b>	The use of land or buildings for residential activity except as otherwise provided for in Table 24.1 and subject to the standards in Table 24.2.	P
<b>24.4.4</b>	The alteration of any lawfully established building used for residential activity.	P
<b>24.4.5</b>	The construction of buildings for residential activity, including residential flats, that are located within a building platform approved by a resource consent and registered on the applicable record of title.  Control is reserved over: <ul style="list-style-type: none"> <li>a. Effects on landscape character associated with the bulk and external appearance of buildings;</li> <li>b. Access;</li> <li>c. Infrastructure;</li> </ul>	C

	<b>Table 24.1 – Activities</b>	<b>Activity Status</b>
	<p>d. Landform modification, exterior lighting, landscaping and planting (existing and proposed).</p> <p>e. Where the site is located within the Lake Hayes Catchment as identified in Schedule 24.9, the contribution of, and methods adopted by, the proposal to improving water quality within the Lake Hayes Catchment.</p>	
<b>24.4.6</b>	<p>The construction of buildings for residential activity not provided for by Rule 24.4.5 or Rule 24.4.7.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. Effects on landscape character associated with the bulk and external appearance of buildings;</li> <li>b. Access;</li> <li>c. Infrastructure;</li> <li>d. Landform modification, exterior lighting, landscaping and planting (existing and proposed);</li> <li>e. Natural hazards.</li> <li>f. Where the site is located within the Lake Hayes Catchment as identified in Schedule 24.9, the contribution of, and methods adopted by, the proposal to improving water quality within the Lake Hayes Catchment.</li> </ul>	RD
<b>24.4.7</b>	The construction of buildings for residential activity outside a building platform approved by a resource consent and registered on the applicable record of title on a site where there is such a building platform.	NC
	<b>Non-residential activities and buildings</b>	
<b>24.4.8</b>	Farm buildings.	P
<b>24.4.9</b>	Roadside stall buildings.	P
<b>24.4.10</b>	Home occupation.	P
<b>24.4.11</b>	The alteration of any lawfully established building used for a non-residential activity.	P
<b>24.4.12</b>	<p>24.4.12.1 Informal airports in the Wakatipu Basin Rural Amenity Zone.</p> <p>24.4.12.2 Informal airports in the Lifestyle Precinct.</p>	<p>P</p> <p>D</p>
<b>24.4.13</b>	Retail sales of farm and garden produce and wine grown, reared or produced on-site or handicrafts produced on the site.	P

	<b>Table 24.1 – Activities</b>	<b>Activity Status</b>
<b>24.4.14</b>	Commercial recreational activities that are undertaken on land, outdoors and involve not more than 12 persons in any one group.	P
<b>24.4.15</b>	Residential visitor accommodation and homestays.	P
<b>24.4.16</b>	Retail sales of farm and garden produce and wine grown, reared or produced on-site or handicrafts produced on the site where the access is onto a State Highway.  Discretion is restricted to: <ul style="list-style-type: none"> <li>a. Access to, and safety of, the transport network;</li> <li>b. On-site parking in relation to safety and manoeuvring.</li> </ul>	RD
<b>24.4.17</b>	Industrial activities directly associated with wineries and underground cellars within a vineyard.  Discretion is restricted to: <ul style="list-style-type: none"> <li>a. Noise;</li> <li>b. Access and parking in relation to safety and manoeuvring;</li> <li>c. Traffic generation;</li> <li>d. Odour;</li> <li>e. Hours of operation;</li> <li>f. Waste treatment and disposal.</li> </ul>	RD
<b>24.4.18</b>	The construction of buildings for non-residential activities, not otherwise provided for in Table 24.1.  Discretion is restricted to: <ul style="list-style-type: none"> <li>a. Landscape character;</li> <li>b. Visual amenity;</li> <li>c. Access;</li> <li>d. Natural hazards;</li> <li>e. Infrastructure;</li> <li>f. Landform modification, landscaping and planting (existing and proposed).</li> <li>g. Where the site is located within the Lake Hayes Catchment as identified in Schedule 24.9, the contribution of, and methods adopted by, the proposal to improving water quality within the Lake Hayes Catchment.</li> </ul>	RD
<b>24.4.19</b>	Commercial recreational activities that are undertaken on land, outdoors and involve more than 12 persons in any one group.	D
<b>24.4.20</b>	Cafes and restaurants.	D
<b>24.4.21</b>	Visitor accommodation.	D

	Table 24.1 – Activities	Activity Status
24.4.22	Community activities.	D
24.4.23	Any commercial or Industrial activity not otherwise provided for in Table 24.1 including those associated with farming.	NC
24.4.24	Panelbeating, spray painting, motor vehicle repair or dismantling, fibre glassing, sheet metal work, bottle or scrap storage, motorbody building, or any activity requiring an Offensive Trade Licence under the Health Act 1956 except where such activities are undertaken as part of a farming activity, residential activity or as a permitted home occupation.  24.4.24.1 Within the Wakatipu Basin Rural Amenity Zone 24.4.24.2 Within the Lifestyle Precinct	NC PR
24.4.25	Buildings, associated infrastructure and earthworks within any Building Restriction Area.	NC

## 24.5 Rules - Standards

The following standards apply to all activities.

	Table 24.2 - Standards	Non-compliance status
24.5.1	<b>Residential Density</b>	
24.5.1.1	For sites with a net site area of 1 hectare or less and zoned in part or whole Wakatipu Basin Lifestyle Precinct, a maximum of one residential unit per site.	NC
24.5.1.2	For sites with a net site area greater than 1 hectare and zoned in part or whole Wakatipu Basin Lifestyle Precinct, no more than one residential unit per hectare on average of the net site area zoned Wakatipu Basin Lifestyle Precinct.	NC
24.5.1.3	Where Rule 24.5.1.1 or Rule 24.5.1.2 applies, all residential units (including residential flats) must be located within the	NC

	Table 24.2 - Standards	Non-compliance status
	area zoned Wakatipu Basin Lifestyle Precinct.	
24.5.1.4	Any site in the Wakatipu Basin Rural Amenity Zone located wholly outside the Precinct in respect of which resource consent creating the site was granted before 21 March 2019, and a record of title subsequently issued, and with an area less than 80 hectares, a maximum of one residential unit per site.	NC
24.5.1.5	For that part of all other sites in the Wakatipu Basin Rural Amenity Zone wholly located outside of the Precinct, a maximum of one residential unit per 80 hectares net site area.	NC
24.5.2	<p><b>Residential Flats</b></p> <p>24.5.2.1 Within the Wakatipu Basin Lifestyle Precinct, any residential flat must be separated from the principal residential unit by no more than 10 metres.</p> <p>24.5.2.2 Rule 24.5.2.1 does not apply to a residential flat located within a building platform approved by a resource consent, and registered on the applicable record of title.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. Effects on landscape character associated with the location of buildings and cumulative adverse effects.</p>
24.5.3	<p><b>Alterations to buildings for residential activities not located within a building platform</b></p> <p>Alterations to a building not located within a building platform must not increase the ground floor area by more than 30% in any ten year period.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. Effects on landscape character associated with the bulk and external appearance of buildings;</p> <p>b. Landform modification, landscaping and planting (existing and proposed);</p> <p>c. Infrastructure.</p>
24.5.4	<p><b>Building Material and Colours</b></p> <p>Any building and its alteration, including shipping containers that remain on site for</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. Effects on landscape character associated with the bulk and external appearance of buildings;</p>

	Table 24.2 - Standards	Non-compliance status
	<p>more than six months, are subject to the following:</p> <p>All exterior surfaces* must be coloured in the range of browns, greens or greys including;</p> <p>24.5.4.1 Pre-painted steel and all roofs must have a light reflectance value not greater than 20%; and</p> <p>24.5.4.2 All other exterior surface** finishes, except for schist, must have a light reflectance value of not greater than 30%.</p> <p>* Excludes soffits, windows and skylights (but not glass balustrades).</p> <p>** Includes cladding and built landscaping that cannot be measured by way of light reflectance value but is deemed by the Council to be suitably recessive and have the same effect as achieving a light reflectance value of 30%.</p>	<p>b. Visual prominence from both public places and private locations.</p>
24.5.5	<p><b>Building Ground Floor Area</b></p> <p>Where a residential building is constructed within a building platform under Rule 24.4.5, the ground floor area of all buildings must not exceed 500m<sup>2</sup>.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>Building scale and form;</li> <li>Visual prominence from both public places and private locations.</li> </ol>
24.5.6	<p><b>Building coverage</b></p> <p>The building coverage of all buildings on a site not subject to Rule 24.5.5 must not exceed 15% of net site area, or 500m<sup>2</sup>, whichever is the lesser.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>Building scale and form;</li> <li>Visual prominence from both public places and private locations.</li> </ol>
24.5.7	<p><b>Setback from internal boundaries</b></p> <p>The minimum setback of any building from internal boundaries shall be 10m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>Building location, character, scale and form;</li> </ol>

	Table 24.2 - Standards	Non-compliance status
		<p>b. External appearance including materials and colours;</p> <p>c. Landform modification/planting (existing and proposed).</p>
<b>24.5.8</b>	<b>Height of buildings</b>	
<b>24.5.8.1</b>	The maximum height of buildings shall be 6.5m.	<p>RD</p> <p>For buildings with a height greater than 6.5m and no more than 8m, discretion is restricted to:</p> <p>a. Visual prominence from both public places and private locations;</p> <p>b. External appearance including materials and colours;</p> <p>c. Landform modification/planting (existing and proposed).</p> <p>Note: 24.5.8.2 applies to buildings with a height greater than 8m.</p>
<b>24.5.8.2</b>	The maximum height of buildings shall be 8m.	NC
<b>24.5.9</b>	<b>Setback from roads</b>	RD
	<p>24.5.9.1 The minimum setback of any building from any road boundary (other than an unformed road) shall be 75m in the Precinct and 20m in the Rural Amenity Zone.</p> <p>24.5.9.2 The minimum setback of any building from any unformed road shall be 20m in the Rural Amenity Zone and Lifestyle Precinct.</p> <p>24.5.9.3 Rules 24.5.9.1 and 24.5.9.2 do not apply to the construction of buildings for residential activity pursuant to Rule 24.4.5.</p>	<p>Discretion is restricted to:</p> <p>a. Building location, character, scale and form;</p> <p>b. External appearance including materials and colours;</p> <p>c. Landscaping/planting (existing and proposed).</p>
<b>24.5.10</b>	<b>Setback from Escarpment, Ridgeline and River Cliff Features</b>	RD
	24.5.10.1 Within the Lifestyle Precinct only, any building or vehicle	Discretion is restricted to:



	Table 24.2 - Standards	Non-compliance status
	<p>access shall be located a minimum of 50m from the boundary of any Escarpment, Ridgeline or River Cliff Feature shown on the District Plan web mapping application.</p> <p>24.5.10.1 Rule 24.5.10.1 does not apply to the construction of buildings for residential activity pursuant to Rule 24.4.5.</p>	<p>a. Building location, character, scale and form;</p> <p>b. External appearance including materials and colours;</p> <p>c. Landform modification/planting (existing and proposed).</p>
24.5.11	<p><b>Setback from boundaries of non-residential buildings housing animals</b></p> <p>The minimum setback from boundaries for any building whose primary purpose is to house animals shall be 30m.</p>	<p>RD</p> <p>Discretion is restricted to the following:</p> <p>a. Open space, rural living character and amenity;</p> <p>b. Privacy, views and outlook from neighbouring properties and public places;</p> <p>c. Reverse sensitivity effects on adjacent properties including odour and noise;</p> <p>d. Landform modification/planting (existing and proposed).</p>
24.5.12	<p><b>Setback of buildings from waterbodies</b></p> <p>The minimum setback of any building from the bed of a wetland, river or lake shall be 30m.</p> <p>This rule does not apply to:</p> <p>a. waterbodies that have been built as part of a subdivision or development for the primary purpose of treating and disposing of stormwater, or</p> <p>b. the construction of buildings for residential activities pursuant to Rule 24.4.5.</p>	<p>RD</p> <p>Discretion is restricted to the following:</p> <p>a. Biodiversity values;</p> <p>b. Natural Hazards;</p> <p>c. Visual and recreational amenity values;</p> <p>d. Landscape and natural character;</p> <p>e. Open space.</p> <p>f. Where the site is located within the Lake Hayes Catchment as identified in Schedule 24.9, the contribution of, and methods adopted by, the proposal to</p>

	Table 24.2 - Standards	Non-compliance status
		improving water quality within the Lake Hayes Catchment.
<b>24.5.13</b>	<p><b>Farm buildings</b></p> <p>a. The maximum gross floor area of any farm building shall be 50m<sup>2</sup>.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. Building location, character, scale and form;</p> <p>b. External appearance including materials and colours; and</p> <p>c. Landform modification/planting (existing and proposed).</p>
<b>24.5.14</b>	<p><b>Home occupations</b></p> <p>a. The maximum net floor area of home occupation activities shall be 150m<sup>2</sup>.</p> <p>b. No goods materials or equipment shall be stored outside a building.</p> <p>c. All manufacturing, altering, repairing, dismantling or processing of any goods or articles shall be carried out within a building.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. The nature, scale and intensity of the activity;</p> <p>b. Visual amenity from neighbouring properties and public places;</p> <p>c. Noise, odour and dust;</p> <p>d. Access, safety and transportation.</p>
<b>24.5.15</b>	<p><b>Roadside stalls</b></p> <p>a. The maximum ground floor area shall be 5m<sup>2</sup>.</p> <p>b. Stalls shall not be higher than 2.0m from ground level.</p> <p>c. The minimum sight distance along the road from the stall or stall access shall be 250m.</p> <p>d. The minimum distance of the stall or stall access from an intersection shall be 100m; and, the stall shall not be located on the legal road reserve.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. Building location, character, scale and form;</p> <p>b. External appearance including materials and colours;</p> <p>c. Access and safety;</p> <p>d. Parking in relation to safety and manoeuvring.</p>
<b>24.5.16</b>	<p><b>Retail Sales</b></p> <p>The maximum gross floor area of buildings shall be 25m<sup>2</sup> for retail sales of farm and garden produce and wine grown, reared or produced on-site or handicrafts produced on the site.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. Building location, character, scale and form;</p>

	Table 24.2 - Standards	Non-compliance status
		<ul style="list-style-type: none"> <li>b. External appearance including materials and colours;</li> <li>c. Access safety and transportation effects;</li> <li>d. Parking and access in relation to safety and manoeuvring.</li> </ul>
24.5.17	<p><b>Glare</b></p> <ul style="list-style-type: none"> <li>a. All fixed exterior lighting shall be directed away from adjacent roads and sites.</li> <li>b. Activities on any site shall not result in more than a 3 lux spill (horizontal and vertical) of light to any other site, measured at any point within the boundary of the other site.</li> <li>c. There shall be no upward light spill.</li> </ul>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. Lighting location and number of lights;</li> <li>b. Proximity to roads, public places and neighbours;</li> <li>c. Height and direction of lights;</li> <li>d. Lux levels.</li> </ul>
24.5.18	<p><b>Informal airports</b></p> <p>Other than in the case of informal airports for emergency landings, rescues, fire-fighting and activities ancillary to farming activities:</p> <ul style="list-style-type: none"> <li>a. Informal airports shall not exceed a frequency of use of 2 flights per day;</li> <li>b. Informal airports shall be located a minimum distance of 500 metres from any other zone or the notional boundary of any residential dwelling not located on the same site;</li> </ul> <p><b>Advice note:</b> For the purpose of this rule a flight includes two aircraft movements i.e. an arrival and a departure.</p>	<p>D</p>
24.5.19	<p><b>Firefighting water and access</b></p> <p>New buildings for residential activities where there is no reticulated water supply, or any reticulated water supply is not sufficient for firefighting must have one of the following:</p> <p>either a sprinkler system installed and plumbed with a maintained static water</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. the extent to which SNZ PAS 4509: 2008 can be met including the adequacy of the water supply;</li> <li>b. the accessibility of the firefighting water connection point for fire service vehicles;</li> </ul>

	Table 24.2 - Standards	Non-compliance status
	<p>storage supply of at least 7,000 litres available to the system, or</p> <p>water supply and access for firefighting that meets the following requirements:</p> <ul style="list-style-type: none"> <li>a. Water storage of at least 45,000 litres shall be maintained (excluding potable water storage for domestic use) with an outlet connection point that can provide 1500L/min (25 L/s) and any necessary couplings;</li> <li>b. A hardstand area with a minimum width of 4.5m and length of 11m located within 6m of the firefighting water supply connection point and capable of supporting a 20 tonne fire service vehicle;</li> <li>c. The connection point for the firefighting water supply must be located more than 6m and less than 90m from the building for residential activities and be accessible by emergency service vehicles during fire events;</li> <li>d. Access from the property road boundary to the hardstand area capable of accommodating a 20 tonne fire service vehicle.</li> </ul>	<ul style="list-style-type: none"> <li>c. whether and the extent to which the building is assessed as a low fire risk.</li> </ul>
<p><b>24.5.20</b></p>	<p><b>Residential visitor accommodation</b></p> <p>Residential visitor accommodation – Excluding the Lifestyle Precinct</p> <p>24.5.20.1 <u>The total nights of occupation by paying guests on a site do not exceed a cumulative total of 120 nights per annum from the date of initial registration. Must not exceed a cumulative total of 90 nights occupation by paying guests on a site per 12 month period.</u></p>	<p>C</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> <li>a. <u>The location, nature and scale of the activities;</u></li> <li>b. <u>The management of noise, rubbish, recycling and outdoor activities;</u></li> <li>c. <u>Guest management and complaints procedures;</u></li> <li>d. <u>The keeping of records of the Residential Visitor Accommodation</u></li> </ul>

	Table 24.2 - Standards	Non-compliance status
	<p>24.5.20.2 <del>The activity is registered with Council prior to commencement. The Council must be notified in writing prior to the commencement of a Residential Visitor Accommodation activity.</del></p> <p>24.5.20.3 Up to date records of the Residential Visitor Accommodation activity must be kept, including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</p> <p>24.5.20.4 <del>Smoke alarms must be provided in accordance with clause 5 of the Residential Tenancies (Smoke Alarms and Insulation) Regulations 2016.</del></p> <p>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 24.5.20.1 to 24.5.20.4.</p>	<p><del>use, and availability of records for Council inspection; and</del></p> <p><del>e. Monitoring requirements, including imposition of an annual monitoring charge. The scale of the activity, including the number of guests per night and the number of guest nights the activity operates in a 12 month period;</del></p> <p><del>a. The management of noise, rubbish and outdoor activities;</del></p> <p><del>b. The compliance of the residential unit with the Building Code as at the date of the consent;</del></p> <p><del>c. Health and safety provisions in relation to guests;</del></p> <p><del>d. Guest management and complaints procedures;</del></p> <p><del>e. The keeping of records of RVA use, and availability of records for Council inspection; and</del></p> <p><del>f. Monitoring requirements, including imposition of an annual monitoring charge.</del></p>
<p><b>24.5.21</b></p>	<p>Residential visitor accommodation – Lifestyle Precinct only</p> <p>24.5.21.1 <del>The total nights of occupation by paying guests on a site do not exceed a cumulative total of 120 nights per annum from the date of initial registration. Must not exceed a cumulative total of 90 nights occupation by paying guests on a site per 12 month period.</del></p>	<p><u>RD</u></p> <p><u>Discretion is restricted to:</u></p> <p><u>a. the location, nature and scale of activities;</u></p> <p><u>b. the management of noise, rubbish, recycling and outdoor activities;</u></p> <p><u>c. privacy and overlooking;</u></p> <p><u>d. outdoor lighting;</u></p> <p><u>e. guest management and complaints procedures;</u></p> <p><u>f. the keeping of records of residential visitor accommodation use, and</u></p>

	Table 24.2 - Standards	Non-compliance status
	<p>24.5.21.2 The number of guests must not exceed 2 adults per bedroom and the total number of adults and children must not exceed:<del>The Council must be notified in writing prior to the commencement of a Residential Visitor Accommodation activity.</del></p> <ul style="list-style-type: none"> <li>• <u>3 in a 1-bedroom residential unit;</u></li> <li>• <u>6 in a 2-bedroom residential unit;</u></li> <li>• <u>9 in a 3-bedroom residential unit.</u></li> </ul> <p>24.5.21.3 <u>The activity is registered with Council prior to commencement.</u></p> <p>24.5.21.4 <u>Up to date records of the Residential Visitor Accommodation activity must be kept, including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</u><del>Smoke alarms must be provided in accordance with clause 5 of the Residential Tenancies (Smoke Alarms and Insulation) Regulations 2016.</del></p> <p>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 24.5.21.1 to 24.5.21.4</p>	<p><u>availability of records for Council inspection; and</u></p> <p>g. <u>monitoring requirements, including imposition of an annual monitoring charge.</u></p>
<p><b>24.5.22</b></p>	<p><b>Homestay</b></p> <p>Homestay – Excluding the Lifestyle Precinct</p>	<p>C</p> <p>Control is reserved to:</p> <p>a. <u>The location, nature and scale of the activities;</u><del>The scale of</del></p>

	Table 24.2 - Standards	Non-compliance status
	<p>24.5.22.1 <del>The total number of paying guests on a site does not exceed five per night. Must not exceed 5 paying guests on a site per night.</del></p> <p>24.5.22.2 <del>The Council is notified in writing prior to the commencement of a Homestay activity. The Council must be notified in writing prior to the commencement of a Homestay activity.</del></p> <p>24.5.22.3 Up to date records of the Homestay activity must be kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</p> <p>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 24.5.22.1 to 24.5.22.3.</p>	<p><del>the activity, including the number of guests per night and the number guest nights the activity operates in a 12 month period;</del></p> <p>b. The management of noise, rubbish, <u>recycling</u> and outdoor activities;</p> <p>c. The keeping of records of Homestay use, and availability of records for Council inspection; and</p> <p>d. Monitoring requirements, including imposition of an annual monitoring charge.</p>
<p><b>24.5.23</b></p>	<p>Homestay – Lifestyle Precinct only</p> <p>24.5.23.1 <del>The total number of paying guests on a site does not exceed five per night. Must not exceed 5 paying guests on a site per night.</del></p> <p>24.5.23.2 The Council <del>must be</del> <u>is</u> notified in writing prior to the commencement of a Homestay activity.</p>	<p><u>RD</u></p> <p><u>Discretion is restricted to:</u></p> <p>a. <u>the location, nature and scale of activities;</u></p> <p>b. <u>privacy and overlooking;</u></p> <p>c. <u>the management of noise, rubbish, recycling and outdoor activities;</u></p> <p>d. <u>the keeping of records of residential visitor accommodation use, and availability of records for Council inspection; and</u></p> <p>e. <u>monitoring requirements, including imposition of an annual monitoring charge.</u></p>

	Table 24.2 - Standards	Non-compliance status
	<p>24.5.23.3 Up to date records of the Homestay activity must be kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</p> <p>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 24.5.23.1 to 24.5.23.3.</p>	
<b>24.5.24</b>	<p>Alterations to buildings used for non-residential activities, not located within a building platform.</p> <p>Alterations to a building not located within a building platform must not increase the ground floor area by more than 10% in any ten year period.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. Landscape character;</li> <li>b. Visual amenity;</li> <li>c. Infrastructure;</li> <li>d. Landform modification, landscaping and planting (existing and proposed).</li> </ul>
<b>24.5.25</b>	<p>Exotic vegetation within landscape Character Unit 5: Dalefield</p> <p>24.5.25.1 Clearance, works within the root protection zone or significant trimming of exotic vegetation that is of a height greater than 4.6 metres.</p> <p>24.5.25.2 Rule 24.5.25.1 does not apply if:</p> <ul style="list-style-type: none"> <li>a. The vegetation is identified as a wilding exotic tree in Chapter 34 (Wilding Exotic Trees).</li> <li>b. The vegetation is either dead, diseased or damaged, or likely to cause an imminent hazard to life or property. To ensure compliance with b: <ul style="list-style-type: none"> <li>i Council must be notified in writing prior to the works commencing; and</li> </ul> </li> </ul>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. The extent of clearance or works within the root protection zone;</li> <li>b. Effects on landscape character and visual amenity associated with the removal of the vegetation;</li> <li>c. Replacement planting;</li> <li>d. Risk to health and safety arising from the vegetation.</li> </ul>



	Table 24.2 - Standards	Non-compliance status
	<p>ii Following the works, Council must be provided with a report or written statement from a qualified arborist confirming that the vegetation was dead, diseased or damaged or likely to cause an imminent hazard to life or property.</p>	

## 24.6 Non-notification of applications

24.6.1 Any application for resource consent for controlled or restricted 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 24.5.5 Building ground floor area.
- b. Rule 24.5.6 Building coverage.
- c. Rule 24.5.7 Setback from internal boundaries.
- d. Rule 24.5.8.1 Height of buildings.
- e. Rule 24.5.9 Setback from roads.
- f. Rule 24.5.10 Setback from Escarpment, Ridgeline or River Cliff Feature.
- g. Rule 24.4.16 Retail sales of farm and garden produce and wine, where the access is onto a State Highway.
- h. Rule 24.5.2 Residential Flat separated from the principal residential unit by more than 10 metres, within the Lifestyle Precinct.
- i. Rule 24.5.23 Homestay within the Lifestyle Precinct.

24.6.2 The following Restricted Discretionary activities will 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:

- a. Rule 24.5.21 Residential Visitor Accommodation within the Lifestyle Precinct.

## 24.7 Assessment Matters

**24.7.1** In considering whether or not to grant consent and/or impose conditions on a resource consent, regard shall be had to the assessment matters set out at 24.7.3 to 24.7.15.

Assessment Matters-Controlled Activities Rule 24.4.5	
<b>24.7.3</b>	<p>The construction of buildings for residential activity within an approved building platform pursuant to Rule 24.4.5:</p> <p><b>Landscape character including external appearance associated with the bulk of the building, access, landform modification, exterior lighting, landscaping and planting</b></p> <ol style="list-style-type: none"> <li>a. Whether the external appearance including colours of the building(s) adequately responds to the identified values set out in Schedule 24.8 – Landscape Character Units and the criteria set out below.</li> <li>b. The extent to which the buildings, ancillary elements and any landscape treatment complements the existing landscape character, including consideration of: <ol style="list-style-type: none"> <li>i. building colours and materials;</li> <li>ii. the design and location of landform modification, retaining, fencing, gates, vehicle access (including paving materials), external lighting, domestic infrastructure (including water tanks), vegetation removal, and proposed planting;</li> <li>iii. the retention of existing vegetation and landform patterns;</li> <li>iv. earth mounding and framework planting to integrate buildings and accessways;</li> <li>v. planting of appropriate species that are suited to the general area having regard to the matters set out in Schedule 24.8 - Landscape Character Units;</li> </ol> </li> <li>c. The extent to which existing covenants or consent notice conditions need to be retained or otherwise integrated into the proposed development.</li> <li>d. The extent to which the building is designed to avoid, remedy or mitigate adverse effects on the features, elements and patterns that contribute to the value of adjacent or nearby ONLs and ONFs.</li> <li>e. Whether mitigation elements such as a landscape management plan or proposed plantings should be subject to bonds or covenants.</li> <li>f. The merit of the removal of wilding exotic trees at the time of development.</li> </ol>
<b>24.7.4</b>	<p><b>Infrastructure and access</b></p> <ol style="list-style-type: none"> <li>a. The extent to which the proposal provides for adequate access, and wastewater disposal and water supply. The provision of shared infrastructure servicing to more than one property is preferred in order to minimise environmental effects.</li> </ol>
<b>24.7.4A</b>	<p><b>Lake Hayes Catchment</b></p> <ol style="list-style-type: none"> <li>a. The extent to which the proposal minimises erosion or sediment during construction, having regard to the provisions of Chapter 25 Earthworks, in particular Policies 25.2.1.1 and 25.2.1.7 and Assessment Matters 25.8.2 and 25.8.6.</li> <li>b. The extent to which the proposal avoids or mitigates any potential adverse effects on surface waterbodies and ecological values through the adoption of measures to reduce stormwater runoff adverse effects from the site, including the implementation of low impact design techniques.</li> </ol>

<b>Assessment Matters-Controlled Activities Rule 24.4.5</b>	
	<p>c. Where a waterbody is located on the site, the effectiveness of riparian planting to filter sediment and reduce sediment concentrations in stormwater runoff.</p> <p>d. The extent to which erosion and sediment management and/or on-site stormwater management systems are commensurate with the nature, scale and location of the activity.</p> <p>e. The extent to which the proposal contributes to water quality improvement, including by:</p> <ul style="list-style-type: none"> <li>i. stabilising the margins of waterways, riparian planting and ongoing management;</li> <li>ii. Reducing inputs of phosphorus and nitrogen into the catchment;</li> <li>iii. Implementing a nutrient management plan;</li> <li>iv. Restoring, maintaining, and constructing new, wetlands for stormwater management;</li> <li>v. Offering any voluntary contribution (including financial) to water quality improvement works off-site in the catchment.</li> </ul> <p>f. Practicable constraints limited to situations where no further improvements to stormwater runoff management can be achieved.</p> <p>g. Whether new development can be connected to reticulated services, or if connections are not available, whether onsite systems provide for the safe disposal of stormwater and wastewater without adversely affecting natural water systems and ecological values.</p>

<b>Assessment Matters- Restricted Discretionary Activities</b>	
<b>24.7.5</b>	<p>New buildings (and alterations to existing buildings) including farm buildings and residential flats, and infringements of the standards for building coverage, building size, building material and colours, and building height:</p> <p>Landscape character</p> <p>a. The extent to which the building, ancillary elements and landscaping responds to the identified values set out in Schedule 24.8 – Landscape Character Units for the relevant landscape unit, and the following assessment matters.</p> <ul style="list-style-type: none"> <li>i. building height;</li> <li>ii. building colours and materials;</li> <li>iii. building coverage;</li> <li>iv. design, size and location of accessory buildings;</li> <li>v. the design and location of landform modification, retaining, fencing, gates, vehicle access (including paving materials), external lighting, domestic infrastructure (including water tanks);</li> <li>vi. the retention of existing vegetation and landform patterns, and proposed new planting;</li> </ul>

Assessment Matters- Restricted Discretionary Activities	
	<ul style="list-style-type: none"> <li>vii. earth mounding and framework planting to integrate buildings and vehicle access;</li> <li>viii. planting of appropriate species that are suited to the general area including riparian restoration planting;</li> <li>ix. the retirement of steep slopes over 15° and restoration planting to promote slope stabilisation and indigenous vegetation enhancement; and</li> <li>x. the integration of existing and provision for new public walkways and cycleways/bridlepaths.</li> </ul> <p>b. The extent to which existing covenants or consent notice conditions need to be retained or are otherwise integrated into the conditions governing the proposed development.</p> <p>c. The extent to which the development maintains visual amenity in the landscape, particularly from public places.</p> <p>d. In the case of multiple buildings or residential units not otherwise addressed as part of a previous subdivision, the extent to which a sense of spaciousness is maintained, and whether the buildings are integrated with existing landform, vegetation or settlement patterns.</p> <p>e. Where a residential flat is not located adjacent to the residential unit, the extent to which this could give rise to sprawl of buildings and cumulative effects.</p> <p>f. Where the site adjoins an ONF or ONL, the extent to which the development affects the values of that ONF or ONL.</p> <p>g. Whether mitigation elements such as a landscape management plan or proposed plantings should be subject to bonds or covenants.</p> <p>h. The merit of the removal of wilding exotic trees at the time of development.</p> <p>i. Whether the proposed development provides an opportunity to maintain landscape character and visual amenity through the registration of covenants requiring open space to be maintained.</p>
<b>24.7.6</b>	<p><b>Servicing, firefighting water, natural hazards, infrastructure and access</b></p> <ul style="list-style-type: none"> <li>a. The extent to which the proposal provides for adequate on-site wastewater disposal and water supply. The provision of shared infrastructure servicing to more than one property is preferred in order to minimise environmental effects.</li> <li>b. The extent to which the proposed access utilises an existing access or provides for a common access in order to reduce visual and environmental effects, including traffic safety, minimising earthworks and vegetation removal.</li> <li>c. Whether adequate provision is made for firefighting activities and provision for emergency vehicles.</li> <li>d. The extent to which the objectives and policies set out in Chapter 28, Natural Hazards, are achieved.</li> </ul>
<b>24.7.7</b>	<p><b>Non-residential activities</b></p>

<b>Assessment Matters- Restricted Discretionary Activities</b>	
	<p>Whether the proposal achieves:</p> <ul style="list-style-type: none"> <li>a. An appropriate scale and intensity of the activity in the context of the amenity and character of the surrounding area including reference to the identified elements set out in Schedule 24.8 – Landscape Character Units for the relevant landscape character unit.</li> <li>b. Adequate visual amenity for neighbouring properties and from public places.</li> <li>c. Minimisation of any noise, odour and dust.</li> <li>d. Access that maintains the safety and efficiency of the roading and trail network.</li> </ul>
<b>24.7.8</b>	<p><b>Setback from boundaries</b></p> <p>Whether the proposal achieves:</p> <ul style="list-style-type: none"> <li>a. The maintenance of the identified landscape character and visual amenity values with reference to the identified elements set out in Schedule 24.8 - Landscape Character Units for the relevant landscape unit.</li> <li>b. Adequate privacy, outlook and amenity for adjoining properties.</li> </ul>
24.7.8B	<p><b>Setback from roads and Escarpments, Ridgeline and River Cliff Features</b></p> <ul style="list-style-type: none"> <li>a. Whether the proposal achieves: <ul style="list-style-type: none"> <li>i. The maintenance of the identified landscape character and visual amenity values set out in Schedule 24.8 - Landscape Character Units for the relevant landscape unit, while having regard to the site constraints identified in (b).</li> <li>ii. For roads, maintenance of views to Outstanding Natural Features and the surrounding Outstanding Natural Landscape mountain context.</li> <li>iii. For Escarpments, Ridgeline and River Cliff Features, development that is not visually prominent.</li> </ul> </li> <li>b. Where a site is located wholly within any prescribed setback, or involves a proposal to alter, or redevelop, an existing building that is within any prescribed setback. Regard shall be had to mitigating or remedying as far as practicable any adverse effects arising from the visibility of the building, while acknowledging the existing constraints of the site and presence of existing buildings within the prescribed setback.</li> </ul>
<b>24.7.9</b>	<p><b>Setback from boundaries of non-residential buildings housing animals</b></p> <p>Whether the proposal achieves:</p> <ul style="list-style-type: none"> <li>a. The maintenance of landscape character and visual amenity including reference to the identified elements set out in Schedule 24.8 – Landscape Character Units for the relevant landscape character unit.</li> <li>b. Minimisation of adverse odour, dust and/or noise effects on any neighbouring properties.</li> </ul>
<b>24.7.10</b>	<p><b>Setback of buildings from waterbodies</b></p> <p>Whether the proposal achieves:</p>

	<b>Assessment Matters- Restricted Discretionary Activities</b>
	<ul style="list-style-type: none"> <li>a. The maintenance or enhancement of biodiversity values.</li> <li>b. The maintenance or enhancement of landscape character and visual amenity values including reference to the identified elements set out in Schedule 24.8 – Landscape Character Units for the landscape character unit that the proposal falls into.</li> <li>c. The maintenance or enhancement of open space.</li> <li>d. Mitigation to manage any adverse effects of the location of the building including consideration of whether the waterbody is subject to flooding or natural hazards.</li> </ul>
<b>24.7.11</b>	<p><b>Roadside stalls</b></p> <p>Whether the proposal achieves:</p> <ul style="list-style-type: none"> <li>a. An appropriate scale and intensity of the activity in the context of the surrounding landscape character and visual amenity values.</li> <li>b. Preservation of visual amenity for neighbouring properties and from public places.</li> <li>c. Minimisation of any noise, odour and dust.</li> <li>d. Adequate parking, access safety and avoids adverse transportation effects.</li> </ul>
<b>24.7.12</b>	<p><b>Retail sales</b></p> <p>Whether the proposal ensures:</p> <ul style="list-style-type: none"> <li>a. An appropriate scale and intensity of the activity in the context of the surrounding landscape character and visual amenity values.</li> <li>b. Preservation of visual amenity for neighbouring properties and from public places.</li> <li>c. Minimisation of any noise, odour and dust.</li> <li>d. Adequate parking, access safety and avoids adverse transportation effects.</li> </ul>
<b>24.7.13</b>	<p><b>Glare</b></p> <ul style="list-style-type: none"> <li>a. The effects on adjacent roads and neighbouring sites.</li> <li>b. The extent of likely visual dominance from light fixtures, poles and lux levels.</li> <li>c. The nature and extent of any effects on character and amenity, including the night sky.</li> <li>d. The nature and extent of any effects on privacy, views and outlook from neighbouring properties.</li> <li>e. Whether there will be any reverse sensitivity effects on adjacent properties.</li> </ul>
<b>24.7.14</b>	<p><b>Clearance, works within the root protection zone or significant trimming of exotic vegetation over 6m in height in Landscape Character Unit 5: Dalefield</b></p>

Assessment Matters- Restricted Discretionary Activities	
	<ul style="list-style-type: none"> <li>a. The degree to which the vegetation contributes to the landscape character and visual amenity values, and the extent to which the clearance or significant trimming would reduce those values.</li> <li>b. The potential for buildings and development to become more visually prominent.</li> <li>c. The merits of any proposed mitigation or replacement plantings.</li> <li>d. The effects on the health and structural stability of the vegetation.</li> <li>e. Whether the works are reasonably necessary to enable the efficient use of the site.</li> </ul>
<b>24.7.15</b>	<p><b>Lake Hayes Catchment</b></p> <ul style="list-style-type: none"> <li>a. The extent to which the proposal minimises erosion or sediment during construction, having regard to the provisions of Chapter 25 Earthworks, in particular Policies 25.2.1.1 and 25.2.1.7 and Assessment Matters 25.8.2 and 25.8.6.</li> <li>b. The extent to which the proposal avoids or mitigates any potential adverse effects on surface waterbodies and ecological values through the adoption of measures to reduce stormwater runoff adverse effects from the site, including the implementation of low impact design techniques.</li> <li>c. Where a waterbody is located on the site, the effectiveness of riparian planting to filter sediment and reduce sediment concentrations in stormwater runoff.</li> <li>d. The extent to which erosion and sediment management and/or on-site stormwater management systems are commensurate with the nature, scale and location of the activity.</li> <li>e. The extent to which the proposal contributes to water quality improvement, including by:               <ul style="list-style-type: none"> <li>i. stabilising the margins of waterways, riparian planting and ongoing management;</li> <li>ii. Reducing inputs of phosphorus and nitrogen into the catchment;</li> <li>iii. Implementing a nutrient management plan;</li> <li>iv. Restoring, maintaining, and constructing new, wetlands for stormwater management;</li> <li>v. Offering any voluntary contribution (including financial) to water quality improvement works off-site in the catchment.</li> </ul> </li> <li>f. Practicable constraints limited to situations where no further improvements to stormwater runoff management can be achieved.</li> <li>g. Whether new development can be connected to reticulated services, or if connections are not available, whether onsite systems provide for the safe disposal of stormwater and wastewater without adversely affecting natural water systems and ecological values.</li> </ul>

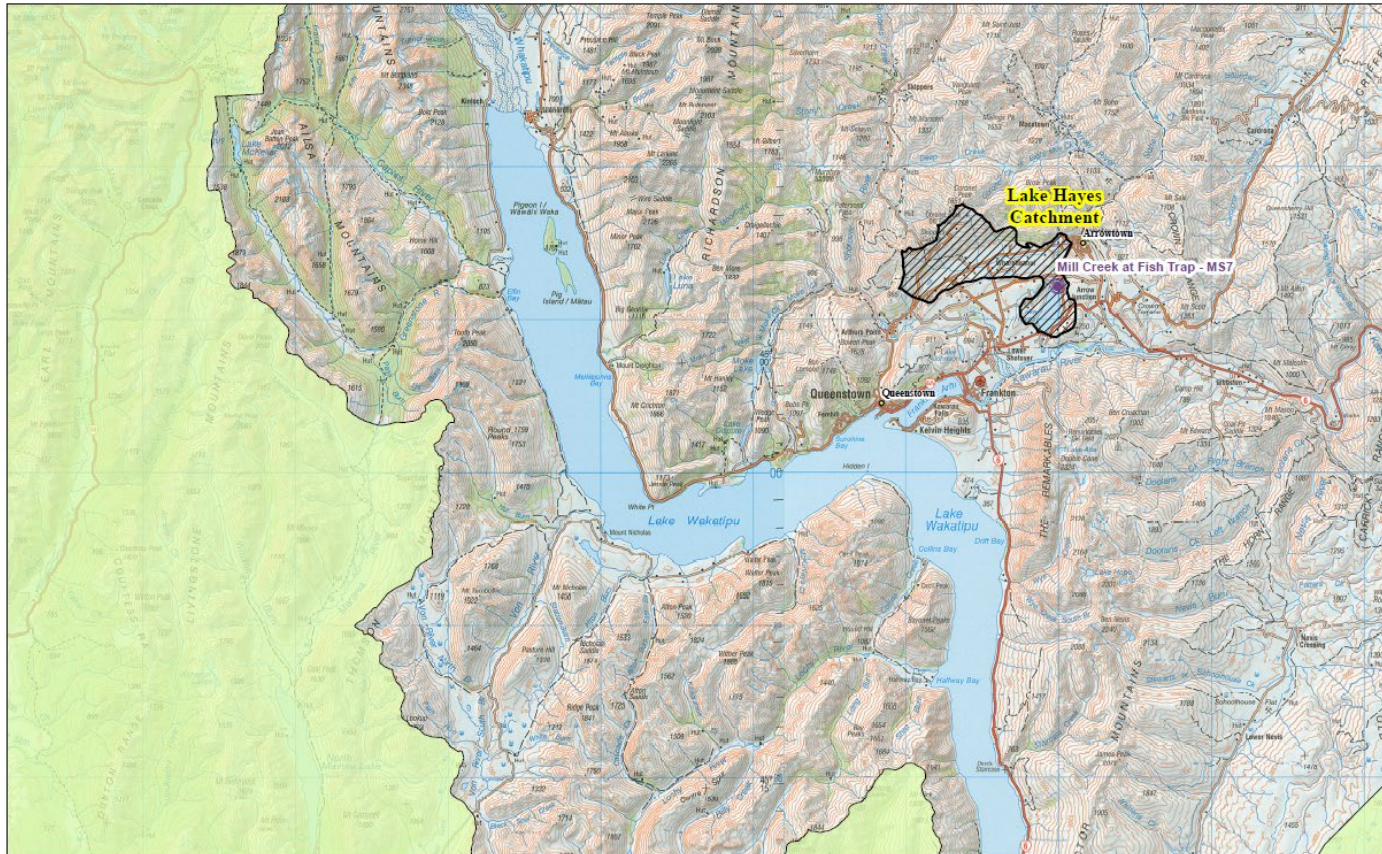


# PART 4

# WAKATIPU BASIN 24

Schedule 24.8 Landscape Character Units *please refer to separate document*

## Schedule 24.9 Lake Hayes Catchment



Basemap: Land Information New Zealand Topo50 Maps  
1 June 2015

B1	B2	<b>Key</b> ● Minimum Flow Monitoring Site ▭ Regional Boundary ▨ Minimum Flow Catchment
B3	B4	
B5	B6	
B7	B8	
B9	B10	
B11	B12	
B13	B14	
B15	B16	

Scale: 0 2.5 5 10 Kilometres  
Sourced from LINZ data. Crown Copyright reserved.

### Minimum Flow Catchments and Monitoring Sites

### Map B6





## Note:

- Changes from previous Consent Order dated 28 May 2021 are in [blue underlined text and ~~strikeout~~](#)
- Changes from this Consent Order are in black [underlined text](#) and ~~strikeout~~

## 41 Jacks Point

**Please Note: Variations to parts of this chapter have been decided by Council on 7 March 2019 as part of Stage 2 of the PDP. You can view the Stage 2 Decisions, appeals and section 274 notices on our website. The appeal and section 274 periods for the Stage 1 and 2 Decisions have closed.**

### 41.1 Zone Purpose

The purpose of the Jacks Point Zone is to provide for residential, rural living, commercial, community and visitor accommodation in a high quality sustainable environment comprising residential areas, two mixed use villages and a variety of recreation opportunities and community benefits including access to public open space and amenities.

The village areas and associated residential activities at Jacks Point will be sustainable in their nature, constituting mixed density development, best practice methods of waste disposal and longevity in their quality and built form. The preparation of development controls and non-regulatory design guidelines, in conjunction with provisions of the District Plan and other methods, will ensure provision for the social, economic and cultural wellbeing of the wider community, while also assisting in ecological enhancement and the seamless integration of the built and natural environment.

In addition, the zoning anticipates an 18-hole championship golf course, a luxury lodge, small-scale commercial activities, provision for community facilities, craft and winery activities, outdoor recreation and enhanced access to and enjoyment of Lake Wakatipu.

### 41.2 Objectives and Policies

**41.2.1 Objective - The establishment of an integrated community, incorporating residential living, visitor accommodation, community, and small-scale commercial activities with appropriate regard for landscape and visual amenity values, and within a framework of open space and recreation amenities.**

#### Policies

##### General - Zone Wide

41.2.1.1 Require activities to be located in accordance with the Structure Plan (41.7) to establish the spatial layout of development within the zone and diversity of living and complementary activities, taking into account:

- a. integration of activities;

- b. landscape and amenity values;
  - c. road, open space and trail networks;
  - d. visibility from State Highway 6 and from Lake Wakatipu.
- 41.2.1.2 Provide public access from the State Highway to the lake foreshore and to facilitate increased use and enjoyment of the margin and waters of Lake Wakatipu.
- 41.2.1.3 Provide safe and efficient road access from State Highway 6.
- 41.2.1.4
- a. Ensure subdivision and development incorporates the design elements shown on the Structure Plan, namely roads, road connections, open space, access connections and trails.
  - b. Ensure the efficient provision of servicing infrastructure, roading and vehicle access.
  - c. Ensure efficient provision of sewage disposal, water supply and refuse disposal services which do not adversely affect water quality or other environmental values.
- 41.2.1.5 Control the take-off and landing of aircraft within the zone.
- 41.2.1.6 Avoid industrial activities.
- 41.2.1.7 Maintain and protect views into the Jacks Point Zone of a predominantly rural and open character when viewed from the lake, and to maintain and protect views across the site to the mountain peaks beyond the lake when viewed from the State Highway.

#### **Residential**

- 41.2.1.8
- a. Provide for a diversity of living accommodation, including opportunities for farm and rural living at low densities.
  - b. Provide for medium density and small lot housing subject to ensuring the scale and form of built development provides an appropriate standard of residential amenity and design.
- 41.2.1.9 Require that any conventional low density residential development in the Residential Hanley Downs (R(HD)) and Jacks Point (R(JP)) Activity Areas be offset by higher density residential development and common open spaces in order to achieve efficient use of land and infrastructure.
- 41.2.1.10 Maintain or enhance the character and amenity values that exist in the established Jacks Point Residential Activity Areas (R(JP)) as at 31 August 2016, including the high standard of design and landscape elements incorporated into communal open space areas, transport corridors and private lots, and lower average densities compared to the Hanley Downs Residential Activity Areas.
- 41.2.1.11 Enable medium density housing development within the established Jacks Point Residential Activity Areas (R(JP)) subject to the scale and form of built development being appropriate to the character of the Activity Area.
- 41.2.1.12 Recognise the (Hanley Downs) Residential Activity Areas (R(HD)) as being appropriate to accommodate residential development at a greater scale and intensity than elsewhere in the zone.

- 41.2.1.13 Apply residential development controls to protect privacy and amenity, provide access to sunlight, to achieve design cohesion, and to provide appropriate opportunities outdoor living, consistent with the residential density anticipated in that Activity Area.
- 41.2.1.14 Enable commercial activities on primary roads within the Hanley Downs Residential Activity Areas (R(HD)) of a scale limited to servicing the needs of the local community.
- 41.2.1.15 Provide for predominantly low density residential development in the Residential - State Highway Activity Areas ((R(HD-SH) and (R(JP-SH))), and appropriately mitigated through landscaping and the provision of open space.
- 41.2.1.16 Ensure that residential development in the Jacks Point Zone does not dominate views from the State Highway and that any adverse visual impacts are mitigated through landscaping, building design and provision of open space.

### Villages and Education

- 41.2.1.17
  - a. Enable the Jacks Point Village Activity Area (V(JP)) to develop as the vibrant mixed use hub of the Jacks Point Zone, comprising a range of activities including:
    - i. high and medium density residential housing;
    - ii. a small local shopping centre that services the needs of Jacks Point residents and provides for small scale destination shopping and office space;
    - iii. visitor accommodation, [residential visitor accommodation and homestay](#);
    - iv. education facilities, community activities, healthcare, and commercial recreation activities;
    - v. technology and innovation-based business.
  - b. Enable the Homestead Bay Village Activity Area (V(HB)) to develop as a secondary commercial and mixed use centre supporting aquatic activities and the needs of residential activity around Homestead Bay.
- 41.2.1.18 Enable commercial and community activities and visitor accommodation in the Jacks Point Village (V(JP) and Homestead Bay Village (V(HB)) Activity Areas, provided residential amenity, health, and safety are protected or enhanced through:
  - a. compatible hours of operation and noise;
  - b. a high standard of building design;
  - c. the location and provision of open space, buffers and setbacks;
  - d. appropriate landscape mitigation;
  - e. efficient design of vehicle access and car parking; and
  - f. an appropriate scale of activity, and form of building development.
- 41.2.1.19 Encourage high quality urban design throughout the Jacks Point Village (V(JP) and Homestead Bay Village (V(HB)) Activity Areas by:
  - a. requiring all subdivision and development to be in accordance with a Comprehensive Development Plan incorporated in the District Plan, which shall establish an integrated and coordinated layout of open space; built form; roading patterns; pedestrian, cycle access, and carparking; the land uses enabled within the buildings; streetscape design;

design controls in relation to buildings and open space; and an appropriate legal mechanism to ensure their implementation;

- b. requiring the street and block layouts and the bulk, location, and design of buildings to minimise the shading of public spaces and to avoid the creation of wind tunnels;
- c. encouraging generous ground floor ceiling heights for commercial buildings that are relatively consistent with others in the village; and
- d. encouraging the incorporation of parapets, corner features for landmark sites, and other design elements in order to achieve a positive design outcome and providing for a 3 storey building height in the Jacks Point Village Activity Area and 2 storey commercial building height in the Homestead Bay Village Activity Area.

41.2.1.20 Enable the development of education and associated activities and day care facilities within the Education Activity (E) Area, subject to achieving a high standard of urban design.

### Open Space

41.2.1.21 Recognise the important contribution that the open space areas that adjoin the residential and village areas make to the identity, character, amenity, and outlook of the Jacks Point Zone for residents and visitors.

41.2.1.22 Avoid all buildings in the Open Space Golf (OSG) and Open Space Residential Amenity (OSA) Activity Areas, other than ancillary small scale recreational buildings that are of a design that is sympathetic to the landscape. The "small scale" restriction does not apply to a single clubhouse or golf cart storage facility associated with the existing 18 hole Jacks Point golf course, that are located within the OSG Activity Area where it is not overlaid by the Tablelands Landscape Protection Area.

41.2.1.23 Provide for farming and associated activities, while ensuring that the scale of building and other development associated with those activities does not result in over-domestication of the landscape.

41.2.1.24 Enable mining activities within the Open Space Golf (OSG) Activity Area for the development of the Jacks Point Zone provided the adverse environmental effects of the activity are managed.

41.2.1.25 Provide for local biodiversity through:

- a. the protection and enhancement of existing ecological values, in a holistic manner;
- b. reduction in grazing around wetland areas; and
- c. the provision of links between grey shrublands, wetlands and the lakeshore escarpment, including indigenous vegetation links between Activity Areas where appropriate.

41.2.1.26 Ensure that development within the ecologically sensitive areas of the zone results in a net environmental gain.

41.2.1.27 Ensure that subdivision, development and ancillary activities within the Tablelands Landscape Protection Area maintain the character of the landscape.

41.2.1.28 Ensure substantial native revegetation of the gully within the Open Space Foreshore (OSF) Activity Area within Homestead Bay and the Homesite (HS) Activity Areas.

- 41.2.1.29 Ensure that use and development within Homesites HS<sub>38</sub> to HS<sub>56</sub> and any adjoining area of OSL or OSG, maintains and enhances the indigenous biodiversity, ecological values landscape character, and visual amenity values of these Homesites and this part of the Tablelands Landscape Protection Area through the implementation of a Vegetation Management Strategy.
- 41.2.1.30 Encourage native planting of the Open Space Activity Areas (OSF, OSL and OSG).
- 41.2.1.31 Provide for the development of lakeside activities and low density residential development in the Homestead Bay area, in a manner which complements and enhances amenity values.
- 41.2.1.32 Ensure that use and development within Homesite Activity Areas HS<sub>39</sub> and HS<sub>40</sub> maintains or enhances the landscape character and visual amenity values of the Tablelands Landscape Protection Area, and protects the values of the Outstanding Natural Landscape, by:
- Ensuring building development is not visually prominent when viewed from State Highway 6, other Homesites within the Tablelands Landscape Protection Area, the access road to the Homesites, the Lodge Activity Areas, the Queenstown Trail, and the Jacks Point residential activity areas, recognising that buildings will be visible from these areas;
  - Ensuring vehicle access harmonises with the landform, including by establishing native tree and shrub planting to mitigate visibility and utilising shared accessways as much practical;
  - Avoiding light spill beyond the Homesite;
  - Requiring the planting of predominantly indigenous vegetation species to enhance indigenous biological diversity, and build on existing ecological patterns, including wetland and grey shrubland habitats in accordance with Vegetation Management Strategy; and
  - Requiring that buildings do not detract from the landscape values of the adjacent Peninsula Hill Outstanding Natural Landscape.

### Lodge

- 41.2.1.33 To provide for visitor accommodation and ancillary facilities within the Lodge (L) Activity Areas in a manner that does not adversely affect the open character and amenity of the surrounding Open Space Golf (OSG) Activity Areas.

### Homesite 58

- 41.2.1.34 Ensure that use and development within Homesite 58:
- Does not detract from the visual amenity and open space values when viewed from the urban areas of Queenstown; is not visible from within residential activity areas of the Jacks Point Zone; and that the visual effects of effects of building development from Lake Wakatipu are restricted to views obtained from a distance of greater than 1.4 km;
  - Is accessed by the private accessway shown on the Structure Plan (41.7) which is consistent in appearance to a simple farm type accessway, which incorporates native tree and shrub planting that screens it from views beyond Homesite 58;
  - Avoids light spill beyond Homesite 58; and

- d. Enhances the nature conservation values, landscape values, and biodiversity values of HS58 and the adjoining OSL Activity Area through planting designed to reinforce existing landform and vegetation patterns.

### 41.3 Other Provisions and Rules

#### 41.3.1 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 and Rural Character
25 Earthworks	26 Historic Heritage	27 Subdivision
28 Natural Hazards	29 Transport	30 Energy and Utilities
31 Signs	32 Protected Trees	33 Indigenous Vegetation
34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings	36 Noise
37 Designations	District Plan web mapping application	

#### 41.3.2 Interpreting and Applying the Rules

- 41.3.2.1 Any activity which is not provided for within the list of activities below or which is not provided a specific activity status through any other rule within Rule 41.4 Tables 1 - 5 'Activities located in Jacks Point Zone' shall be a discretionary activity.
- 41.3.2.2 The existence of a farm building either permitted or approved by resource consent under Rule 41.5.4.10 shall not be considered the permitted baseline for residential or other non-farming activity development within the Open Space Activity Areas of the Jacks Point Zone.
- 41.3.2.3 Where provisions refer to the Structure Plan, this shall be taken to mean the Structure Plan contained in Rule 41.7 and Rule 41.4 (Rules – Activities) and Rule 41.5 (Standards for Activities). References to the Structure Plan and to Activity Areas are references to the Jacks Point Zone Structure Plan and the Activity Areas identified on that Structure Plan.
- 41.3.2.4 A permitted activity must comply with all the rules listed in the Activity and Standards tables, and any relevant district wide rules.
- 41.3.2.5 Where an activity does not comply with a Standard in Rule 41.5 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.
- 41.3.2.6 The following abbreviations are used within this Chapter.

P Permitted

C Controlled

RD Restricted Discretionary

D Discretionary      NC Non-Complying      PR Prohibited

41.3.2.7 Rule 33.5.2 does not apply within the Jacks Point Zone.

**41.4 Rules – Activities**

Table 1	Activities Located in the Jacks Point Zone	Activity Status
<b>41.4.1</b>	Residential Activity (R) Areas and the Rural Living Activity Area	
	Residential Activities Areas (R) 41.4.1.1 Residential activities – all Residential Activities Areas unless specified otherwise.	P
	Residential State Highway Activity Areas R(SH) 41.4.1.2 Residential activities and works for the visual mitigation of the effects of development as viewed from the State Highway	P
	Rural Living (RL) Activity Area 41.4.1.3 Residential activities.  Control is reserved to: a. the external appearance of buildings with respect to the effect on visual and landscape values of the area; b. the adequacy of infrastructure and servicing; c. the effects of associated earthworks and landscaping; d. access and parking provision; e. the bulk and location of buildings; f. the effects of exterior lighting.	C
	Residential R(HD) Activity Areas 41.4.1.4 Educational and Day Care Facilities.  Control is reserved to: a. the location and external appearance of buildings; b. setback from roads; c. setback from internal boundaries; d. traffic generation, access and parking; e. provision of outdoor space; f. street scene including landscaping; g. provision for walkways, cycle ways and pedestrian linkages;	C

Table 1	Activities Located in the Jacks Point Zone	Activity Status
	<ul style="list-style-type: none"> <li>h. potential noise impacts;</li> <li>i. infrastructure and servicing, including traffic effects.</li> </ul>	
	<p>41.4.1.5 Residential Activity Areas R(HD) A – E, R(HD-SH) 1, and R(HD-SH)-3</p> <p>Any residential activity which results in either:</p> <ul style="list-style-type: none"> <li>i. three or more attached residential units; or</li> <li>ii. density of more than one residential unit per 380 m<sup>2</sup> of net site area.</li> </ul> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. external appearance;</li> <li>b. access and car parking;</li> <li>c. traffic generation effects;</li> <li>d. associated earthworks;</li> <li>e. landscaping;</li> <li>f. effects on adjacent sites that are not part of the medium density residential development being applied for;</li> <li>g. bulk and location;</li> <li>h. legal mechanisms proposed in relation to building bulk and location.</li> </ul> <p>Except that this rule shall not apply to residential units located on sites smaller than 380m<sup>2</sup> created pursuant to subdivision rule 27.7.5.2.</p>	RD
	<p>Residential R(JP) 1 - 3 and R(JP-SH) 4 Activity Areas</p> <p>41.4.1.6 Any residential activity which results in either:</p> <ul style="list-style-type: none"> <li>i. three or more attached residential units; or</li> <li>ii. density of more than one residential unit per 380 m<sup>2</sup> of net site area.</li> </ul> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. external appearance;</li> <li>b. residential amenity values;</li> <li>c. access and car parking;</li> <li>d. associated earthworks.;</li> <li>e. landscaping;</li> </ul>	RD



Table 1	Activities Located in the Jacks Point Zone	Activity Status
	<ul style="list-style-type: none"> <li>f. effects on adjacent sites that are not part of a medium density residential development subject to the application;</li> <li>g. bulk and location;</li> <li>h. legal mechanisms proposed in relation to building bulk and location.</li> </ul>	
	<p>Residential R(HD)A - D and R(SH-HD)1 - 3 Activity Areas</p> <p>41.4.1.7 Commercial activities and Community activities including the addition, alteration or construction of associated buildings.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. location, scale and external appearance of buildings;</li> <li>b. setback from roads;</li> <li>c. setback from internal boundaries;</li> <li>d. vehicle access, street layout and car parking;</li> <li>e. street scene including landscaping;</li> <li>f. enhancement of ecological and natural values;</li> <li>g. provision for walkways, cycle ways and pedestrian linkages;</li> <li>h. scale of the activity;</li> <li>i. noise;</li> <li>j. hours of operation.</li> </ul> <p>Except that this rule shall not apply to:</p> <ul style="list-style-type: none"> <li>a. a single residential unit on any site contained within a separate computer freehold register;</li> <li>b. residential units located on sites smaller than 380 m<sup>2</sup> created pursuant to subdivision rules 27.5.5 or 27.7.5.2.</li> </ul>	RD
	<p>Residential R(HD)- E Activity Area</p> <p>41.4.1.8 Commercial activities, community activities, and visitor accommodation including the addition, alteration or construction of associated buildings.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. location, scale and external appearance of buildings;</li> <li>b. setback from roads;</li> <li>c. setback from internal boundaries;</li> </ul>	RD

Table 1	Activities Located in the Jacks Point Zone	Activity Status
	<ul style="list-style-type: none"> <li>d. traffic generation;</li> <li>e. vehicle access, street layout and car parking;</li> <li>f. street scene including landscaping;</li> <li>g. enhancement of ecological and natural values;</li> <li>h. provision for walkways, cycle ways and pedestrian linkages;</li> <li>i. scale of the activity;</li> <li>j. noise;</li> <li>k. hours of operation.</li> </ul>	
	<p>All Residential (R) Activity Areas and Rural Living (RL) Activity Area</p> <p>41.4.1.9 Residential Visitor Accommodation and Homestays</p>	P

Table 2	Activities Located in the Jacks Point Zone – Village and Education Activity Areas	Activity Status
41.4.2	Village and Education (V), V(HB) and (E) Activity Areas	
	<p><a href="#">Village Activity (V) and V(HB) Areas</a></p> <p><a href="#">41.4.2.X Residential Visitor Accommodation and Homestay</a></p>	<u>P</u>
	<p>Village Activity (V) and V(HB) Areas</p> <p>41.4.2.1 Any commercial, community, residential, <del>residential—visitor accommodation, homestay</del>, or visitor accommodation activity within the Jacks Point (V) or Homestead Bay (HB) Village Activity Areas, including the addition, alteration or construction of associated buildings, provided the application is in accordance with a Comprehensive Development Plan incorporated in the District Plan, which applies to the whole of the relevant Village Activity Area and is sufficiently detailed to enable the matters of control listed below to be fully considered.</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> <li>a. the layout and orientation of built form, open spaces, roading pattern, car parking, and pedestrian and cycle access;</li> <li>b. the bulk, location and external appearance of buildings and associated including the creation of active frontages adjacent to roads and public spaces;</li> <li>c. the density and location of any proposed residential activity;</li> </ul>	C

Table 2	Activities Located in the Jacks Point Zone – Village and Education Activity Areas	Activity Status
	<ul style="list-style-type: none"> <li>d. the location of any proposed commercial and community activity;</li> <li>e. landscaping;</li> <li>f. streetscape design;</li> <li>g. the formulation of design controls in relation to buildings, open space, and streetscapes and an appropriate legal mechanism to ensure their implementation;</li> <li>h. the adequate provision of storage and loading/ servicing areas;</li> <li>i. traffic effects.</li> </ul>	
	<p>Education (E) Activity Area</p> <p>41.4.2.2 Educational and Day Care Facilities.</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> <li>a. location and external appearance of buildings;</li> <li>b. setback from roads;</li> <li>c. setback from internal boundaries;</li> <li>d. provision of outdoor space;</li> <li>e. street scene including landscaping;</li> <li>f. provision for walkways, cycle ways and pedestrian linkages;</li> <li>g. noise;</li> <li>h. infrastructure and servicing, including traffic effects.</li> </ul>	C

Table 3	Activities Located in the Jacks Point Zone – Lodge Activity Area	Activity Status
41.4.3	Lodge (L) Activity Areas – L(1), L(2) and L(P)	
	<p>Lodge Activity Areas (L)(1) and L(2)</p> <p>41.4.3.1 Visitor accommodation activities, restaurants, and conference facilities.</p> <p>Lodge Activity Area (L)(P)</p> <p>41.4.3.2 Parking associated with visitor accommodation activities, restaurants and conference facilities undertaken within L(1) and L(2).</p>	<p>P</p> <p>P</p>
	<p>Buildings</p> <p>41.4.3.3 Buildings (including the addition, alteration or construction of buildings).</p>	RD

Table 3	Activities Located in the Jacks Point Zone – Lodge Activity Area	Activity Status
	<p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. the external appearance of buildings with respect to the effect on visual and landscape values of the area;</li> <li>b. infrastructure and servicing;</li> <li>c. associated earthworks and landscaping;</li> <li>d. access and parking;</li> <li>e. bulk and location;</li> <li>f. exterior lighting.</li> </ul>	
	<p>41.4.3.4 Any tennis court (including fencing) located within Lodge Area 2, and any outdoor swimming pool (including fencing) located within any Lodge Area (except spa pools less than 9m<sup>2</sup> and located within any Lodge Activity Area) provided:</p> <ul style="list-style-type: none"> <li>i. the tennis court surfaces are either dark green or grey in colour; and</li> <li>ii. any tennis court fencing is chain mesh or similar, and grey in colour.</li> </ul> <p>Control is reserved to:</p> <ul style="list-style-type: none"> <li>a. associated earthworks and landscaping;</li> <li>b. colour;</li> <li>c. fencing, including any glare resulting from the location and orientation of glass pool fencing.</li> </ul>	C
	<p>41.4.3.5 Any tennis court (including fencing) located within Lodge Area 2 and any outdoor swimming pool (including fencing) located within any Lodge Area that does not comply with Rule 41.4.3.4(i) and (ii), with discretion restricted to those matters listed in Rule 41.4.3.4 (a) - (c).</p>	RD
	<p>41.4.3.6 Except as provided for in Rules 41.4.3.4 and 41.4.3.5, any outdoor tennis court located within the Lodge Activity Areas.</p>	NC

Table 4	Activities Located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Activity Status
41.4.4	Open Space (OS) and Homesite (HS) Activity Areas	
	<p>Open Space Golf (OSG) Activity Area</p> <p>41.4.4.1 Indigenous revegetation and outdoor recreation activities, including the development and operation of golf courses, associated</p>	P

Table 4	Activities Located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Activity Status
	earthworks, green keeping, driving range, administrative offices associated with golf, sales, and commercial instruction.	
	<p>Open Space Golf (OSG) Activity Area, except within the Lake Shore Landscape Protection Area</p> <p>41.4.4.2 Any administrative offices and buildings ancillary to outdoor recreation activities.</p> <p>Control is reserved to:</p> <ol style="list-style-type: none"> <li>a. the external appearance of buildings with respect to the effect on visual and landscape values of the area;</li> <li>b. the adequacy of Infrastructure and servicing;</li> <li>c. the effects of associated earthworks and landscaping;</li> <li>d. access and parking provision;</li> <li>e. the bulk and location of buildings;</li> <li>f. the effects of exterior lighting.</li> </ol>	C
	<p>Open Space Golf (OSG) Activity Area</p> <p>41.4.4.3 Any buildings within a Landscape Protection Area, or any buildings other than administrative offices and buildings ancillary to outdoor recreation activity; and any activities other than those specified under Rules 41.4.4.2 and 41.4.4.4.</p>	D
	<p>Open Space Golf (OSG) Activity Area</p> <p>41.4.4.4 The mining of rock and aggregate and/or gravel for use anywhere within the Jacks Point Zone.</p>	D
	<p>Open Space Landscape (OSL) Activity Area</p> <p>41.4.4.5 Pastoral and arable farming, endemic revegetation, and pedestrian and cycle trails.</p>	P
	<p>Open Space Landscape (OSL) (Highway Buffer) Activity Area</p> <p>41.4.4.6 Sheep farming, endemic revegetation, and pedestrian and cycle trails.</p>	P
	<p>Open Space Landscape (OSL) Activity Area</p> <p>41.4.4.7</p> <ol style="list-style-type: none"> <li>a. Any building within a Landscape Protection Area;</li> <li>b. Any building other than a building ancillary to farming activity.</li> </ol>	D
	<p>Any farm building other than within a Landscape Protection Area.</p> <p>41.4.4.8 Control is reserved to:</p>	C

Table 4	Activities Located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Activity Status
	<ul style="list-style-type: none"> <li>a. the external appearance of buildings with respect to the effect on visual and landscape values of the area;</li> <li>b. the adequacy of Infrastructure and servicing;</li> <li>c. the effects of associated earthworks and landscaping;</li> <li>d. access and parking provision;</li> <li>e. the bulk and location of buildings;</li> <li>f. the effects of exterior lighting.</li> </ul>	
	<p>Open Space Residential Amenity (OSA) Activity Area</p> <p>41.4.4.9 Recreation amenities, playgrounds, landscaping, pedestrian and cycle trails, lighting, stormwater retention, and underground services.</p>	P
	<p>Open Space Residential Amenity (OSA) Activity Area</p> <p>41.4.4.10 Any buildings ancillary to outdoor recreation activity.</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> <li>a. the external appearance of buildings with respect to the effect on visual and landscape values of the area;</li> <li>b. the adequacy of Infrastructure and servicing;</li> <li>c. the effects of associated earthworks and landscaping;</li> <li>d. access and parking provision;</li> <li>e. the bulk and location of buildings;</li> <li>f. the effects of exterior lighting.</li> </ul>	C
	<p>Open Space Residential Amenity (OSA) Activity Area</p> <p>41.4.4.11 Any building other than those ancillary to outdoor recreation activity.</p>	D
	<p>Open Space – Horticultural (OSH) Activity Area</p> <p>41.4.4.12 Horticultural activities and accessory buildings and activities, and residential activities.</p>	D
	<p>Open Space – Residential (OSR) Activity Areas</p> <p>41.4.4.13 OSR South</p> <p>No more than 39 residential units.</p> <p>41.4.4.14 OSR North</p> <p>No more than 10 residential units.</p>	D

Table 4	Activities Located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Activity Status
	<p>Open Space Boating Facilities Activity Area OS (BFA)</p> <p>41.4.4.15 A double boat ramp, jetty, a weather protection feature or breakwater, a boat shed and associated boat/trailer/car parking and public facilities, provided that all facilities are available for public use.</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>a. effects on natural character;</li> <li>b. effects on landscape and amenity values;</li> <li>c. effects on public access to and along the lake margin;</li> <li>d. external appearance, colours and materials;</li> <li>e. location.</li> </ol>	RD
	<p>Open Space Wetland (OSW) Activity Area</p> <p>41.4.4.16 Structures restricted to those necessary to develop pedestrian access (e.g. boardwalks), fences, or other structures relating to the protection and enhancement of biodiversity and ecological values.</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>a. bulk and location;</li> <li>b. lighting;</li> <li>c. biodiversity values (temporary during construction and long term);</li> <li>d. external appearance (including colour and materials);</li> <li>e. amenity values;</li> <li>f. stormwater disposal; and</li> <li>g. landscaping in relation to any structures.</li> </ol>	RD
	<p>Homesite (HS) Activity Area</p> <p>41.4.4.17 No more than one residential building located within a Homesite (HS) Activity Area.</p> <p>Control is reserved to:</p> <ol style="list-style-type: none"> <li>a. the external appearance of buildings with respect to the effect on visual and landscape values of the area;</li> <li>b. infrastructure and servicing;</li> <li>c. associated earthworks and landscaping;</li> <li>d. access and parking;</li> </ol>	C

Table 4	Activities Located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Activity Status
	<ul style="list-style-type: none"> <li>e. bulk and location;</li> <li>f. exterior lighting;</li> <li>g. the protection and enhancement of the wetland areas adjacent to the Homesite (HS) Activity Area;</li> <li>h. the implementation and maintenance of a Vegetation Management Strategy established through Rule 27.7.5.4.</li> </ul> <p>Except that this rule shall not apply to residential units located on Homesite Activity Areas HS39, HS40 and HS58 pursuant to Rules 41.4.4.18 and 41.4.4.19.</p>	
	<p>41.4.4.18 No more than one residential unit located within Homesite Activity Area HS<sub>58</sub>.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. The external appearance of buildings with respect to the effect on visual and landscape values of the area;</li> <li>b. Infrastructure and servicing, including firefighting water supply;</li> <li>c. Associated earthworks and landscaping;</li> <li>d. The visual effects of building and associated lighting and access, including in views from within the Tablelands, residential areas and walkways areas of the Jacks Point Zone;</li> <li>e. Any mitigation and its impact on the character of the landscape;</li> <li>f. Consistency with the Structure Plan for the alignment of vehicle access to the Homesites;</li> <li>g. Light spill beyond the Homesite Activity Area;</li> <li>h. Enhancing nature conservation values, including where appropriate extending into the surrounding OSL Activity Area.</li> </ul>	RD
	<p>41.4.4.19 No more than one residential unit located within Homesite Activity Areas HS<sub>39</sub> and HS<sub>40</sub>.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. The external appearance of buildings with respect to the effect on visual amenity and landscape values of the area;</li> <li>b. Infrastructure and servicing;</li> <li>c. Associated earthworks and landscaping;</li> <li>d. The visual effects of building and associated lighting and access;</li> <li>e. Light spill beyond the homesite activity area;</li> <li>f. Nature conservation values, consistent with any Vegetation Management Strategy;</li> </ul>	RD



Table 4	Activities Located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Activity Status
	g. implementation and maintenance of any Vegetation Management Strategy established through Rule 27.7.5.4.	
	<p>41.4.4.20 Any tennis court (including fencing) and any outdoor swimming pool (including fencing) located within a Homesite Area (except spa pools less than 9m<sup>2</sup>) provided:</p> <ul style="list-style-type: none"> <li>i. the tennis court surfaces are either dark green or grey in colour; and</li> <li>ii. any tennis court fencing is chain mesh or similar, and grey in colour.</li> </ul> <p>Control is reserved to:</p> <ul style="list-style-type: none"> <li>a. associated earthworks and landscaping;</li> <li>b. colour;</li> <li>c. fencing, including any glare resulting from the location and orientation of glass pool fencing.</li> </ul>	C
	41.4.4.21 Any tennis court (including fencing) and any outdoor swimming pool (including fencing) located in a Homesite Area that does not comply with Rule 41.4.4.20(i) and (ii), with discretion restricted to those matters listed in Rule 41.4.4.20 (a) - (c).	RD
	41.4.4.22 Except as provided for in Rules 44.4.4.20 and 44.4.4.21, any outdoor tennis court located within a Homesite Area or the Tablelands Landscape Protection Area.	NC
	<p>Open Space Foreshore (OSF) Activity Area</p> <p>41.4.4.23 The regeneration of native endemic species and retention of open space</p>	P

Table 5	Activities Located in the Jacks Point Zone – Zone Wide Activities	Activity Status
41.4.5	Jacks Point Zone – Zone Wide Rules	
	<p>41.4.5.1 Sale of Liquor</p> <p>Premises licensed for the sale of liquor (including both off-licenses and on- licenses).</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. location;</li> <li>b. scale of the activity;</li> <li>c. residential amenity values;</li> <li>d. noise;</li> </ul>	RD

Table 5	Activities Located in the Jacks Point Zone – Zone Wide Activities	Activity Status
	<ul style="list-style-type: none"> <li>e. hours of operation;</li> <li>f. car parking and vehicle generation.</li> </ul>	
41.4.5.2	<p>State Highway Mitigation</p> <p>Mitigation works undertaken within the location shown on the Structure Plan.</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> <li>a. the creation of a comprehensively designed landscape edge to the northern part of the zone within the OSA and R (HD – SH) 1 Activity Areas;</li> <li>b. mitigation of the visual impacts of potential buildings when viewed from State Highway 6 through earth contouring and vegetation (at maturity), within Activity Areas R(HD-SH) – 1 and R(HD-SH)- 2 and RHD-SH) 3;</li> <li>c. maintaining views across the zone to the mountains located against the western shores of Lake Wakatipu;</li> <li>d. appropriate plant species, height at planting and at maturity; and</li> <li>e. provision for on-going maintenance and ownership.</li> </ul>	C
41.4.5.3	<p>Aircraft</p> <ul style="list-style-type: none"> <li>a. Emergency landings, rescues, firefighting and activities ancillary to farming activities;</li> <li>b. Informal Airports limited to the use of helicopters.</li> <li>c. The establishment and operation of Airport Activity or Aerodrome other than those allowed by Rules 41.4.5.3(a) and 41.4.5.3(b), including Informal Airports used by fixed wing aircraft.</li> </ul>	<p>P</p> <p>D</p> <p>NC</p>
41.4.5.4	Factory Farming	NC
41.4.5.5	<p>Forestry activity, including plantation forestry within an OSL or ONL.</p> <p>For any Plantation Forestry outside an OSL or ONL the Resource Management (Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017 shall prevail.</p> <p>All forestry activities, excluding harvesting of forestry which existed as at 31 August 2016.</p>	NC
41.4.5.6	<p>Mining Activities</p> <p>With the exception of the mining of rock and/or aggregate and/or gravel provided for by Rule 41.4.4.4.</p>	NC

Table 5	Activities Located in the Jacks Point Zone – Zone Wide Activities	Activity Status
	41.4.5.7 Industrial Activities	NC
	41.4.5.8 Landfill	NC
	41.4.5.9 Panelbeating, spraypainting, motor vehicle, repair or dismantling fibreglassing, sheet metal work, bottle or scrap storage, motorbody building, fish or meat processing.	PR
	41.4.5.10 Any activity requiring an Offensive Trade Licence under the Health Act 1956.	PR

## 41.5 Rules - Activity Standards

Table 6	Standards for activities located in the Jacks Point Zone - Residential Activity Areas	Non-compliance Status																																				
<b>41.5.1</b>	Residential Activity Area																																					
	<p>Density</p> <p>41.5.1.1 The average density of residential units within each of the Residential Activity Areas shall be as follows:</p> <table border="0"> <tbody> <tr> <td>R(JP) – 1</td> <td>13 – 19 per Ha</td> </tr> <tr> <td>R(JP) – 2A</td> <td>14 – 33 per Ha</td> </tr> <tr> <td>R(JP) – 2B</td> <td>14 – 15 per Ha</td> </tr> <tr> <td>R(JP) – 3</td> <td>14 per Ha</td> </tr> <tr> <td>R(JP-SH) – 1</td> <td>10 per Ha</td> </tr> <tr> <td>R(JP-SH) – 2</td> <td>9 per Ha</td> </tr> <tr> <td>R(JP-SH) – 3</td> <td>5 – 27 per Ha</td> </tr> <tr> <td>R(JP-SH) – 4</td> <td>5 – 12 per Ha</td> </tr> <tr> <td>R(HD-SH) – 1</td> <td>12 – 22 per Ha</td> </tr> <tr> <td>R(HD-SH) – 2</td> <td>2 – 10 per Ha</td> </tr> <tr> <td>R(HD-SH) – 3</td> <td>12-22 per Ha</td> </tr> <tr> <td>R(HD) – A</td> <td>17 – 26 per Ha</td> </tr> <tr> <td>R(HD) – B</td> <td>17 – 26 per Ha</td> </tr> <tr> <td>R(HD) – C</td> <td>15 -22 per Ha</td> </tr> <tr> <td>R(HD) – D</td> <td>17 – 26 per Ha</td> </tr> <tr> <td>R(HD) – E</td> <td>25 – 45 per Ha</td> </tr> <tr> <td>R(HD) – F</td> <td>2 – 10 per Ha</td> </tr> <tr> <td>RL – 1, 2, 3</td> <td>2 per Ha</td> </tr> </tbody> </table> <p>Density shall be calculated on the net area of land available for development and excludes land vested or held as reserve, open space, public access routes or roading and excludes sites used for non-residential activities. Within the Residential Areas of Hanley Downs, if part of an Activity Area is to be developed or subdivided, compliance must be achieved within that part and measured cumulatively with any preceding subdivision or development which has occurred with</p>	R(JP) – 1	13 – 19 per Ha	R(JP) – 2A	14 – 33 per Ha	R(JP) – 2B	14 – 15 per Ha	R(JP) – 3	14 per Ha	R(JP-SH) – 1	10 per Ha	R(JP-SH) – 2	9 per Ha	R(JP-SH) – 3	5 – 27 per Ha	R(JP-SH) – 4	5 – 12 per Ha	R(HD-SH) – 1	12 – 22 per Ha	R(HD-SH) – 2	2 – 10 per Ha	R(HD-SH) – 3	12-22 per Ha	R(HD) – A	17 – 26 per Ha	R(HD) – B	17 – 26 per Ha	R(HD) – C	15 -22 per Ha	R(HD) – D	17 – 26 per Ha	R(HD) – E	25 – 45 per Ha	R(HD) – F	2 – 10 per Ha	RL – 1, 2, 3	2 per Ha	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>residential amenity values;</li> <li>traffic, access, parking;</li> <li>adequacy of infrastructure.</li> </ol>
R(JP) – 1	13 – 19 per Ha																																					
R(JP) – 2A	14 – 33 per Ha																																					
R(JP) – 2B	14 – 15 per Ha																																					
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R(JP-SH) – 4	5 – 12 per Ha																																					
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R(HD-SH) – 2	2 – 10 per Ha																																					
R(HD-SH) – 3	12-22 per Ha																																					
R(HD) – A	17 – 26 per Ha																																					
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R(HD) – E	25 – 45 per Ha																																					
R(HD) – F	2 – 10 per Ha																																					
RL – 1, 2, 3	2 per Ha																																					

Table 6	Standards for activities located in the Jacks Point Zone - Residential Activity Areas	Non-compliance Status
	<p>that Activity Area. Within the Jacks Point Residential Activity Areas, density shall be calculated and applied to the net area of land across the whole Activity Area, as defined in 41.5.1.1 above.</p>	
	<p>41.5.1.2 Building Height</p> <p>The maximum height of buildings shall be:</p> <ul style="list-style-type: none"> <li>a. Residential (R) Activity Areas 8m</li> <li>b. Rural Living Activity Areas 5m</li> <li>c. All other buildings and structures 4m</li> </ul>	NC
	<p>41.5.1.3 Notwithstanding Rule 41.5.1.2, where</p> <ul style="list-style-type: none"> <li>a. any medium density residential housing development has been consented under Rules 41.4.1.5 or 41.4.1.6; or</li> <li>b. on sites smaller than 380m<sup>2</sup> created by subdivision;</li> </ul> <p>The maximum height of buildings may exceed the maximum height stated in Rule 41.5.1.2, up to a maximum of 3 storeys or 10m (whichever is lesser).</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. visual dominance;</li> <li>b. external appearance;</li> <li>c. the scale and extent of building portions that exceed three stories or 10m.</li> </ul>
	<p>41.5.1.4 Recession Planes (applicable to flat sites only)</p> <p>Within the R(HD) and R(HD-SH) Activity Areas:</p> <p>In addition to the maximum height of buildings specified under Rule 41.5.1.2, buildings shall comply with the following recession plane requirements:</p> <ul style="list-style-type: none"> <li>a. No part of any building shall protrude through the following recession lines inclined towards the site at: <ul style="list-style-type: none"> <li>i. Northern Boundary: 55 degrees;</li> <li>ii. Western and Eastern Boundaries: 45 degrees;</li> <li>iii. Southern Boundaries: 35 degrees;</li> </ul> <p>Commencing at:</p> <ul style="list-style-type: none"> <li>iv. 3.5m above ground level at any given point along any internal site boundary up to a distance of 12m from a rear internal boundary; and</li> <li>v. 2.5m above ground level at any given point along any internal site boundary within 12m of a rear internal boundary</li> </ul> </li> </ul>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. privacy effects;</li> <li>b. access to sunlight and the impacts of shading;</li> <li>c. effects upon access to views of significance;</li> <li>d. visual dominance and external appearance.</li> </ul>

Table 6	Standards for activities located in the Jacks Point Zone - Residential Activity Areas	Non-compliance Status
	<p>or any internal site boundary of a rear site;</p> <p>Except that within the Residential Hanley Downs (R (HD)) Activity areas, this rule shall not apply to:</p> <ul style="list-style-type: none"> <li>i. Sites smaller than 380m<sup>2</sup> created by subdivision;</li> <li>ii. A medium density residential development consented under Rule 41.4.1.5;</li> </ul> <p>b. In addition to a. above and notwithstanding the height limit of accessory buildings imposed by Rule 41.5.18(i), the maximum height of any part of a building located within 2m of an internal boundary is 4m.</p> <p>c. Application of recession line rules – clarification:</p> <ul style="list-style-type: none"> <li>i. Gable end roofs may penetrate the building recession plane by no more than one third of the gable height;</li> </ul> <p>d. A recession line restriction shall not apply to accessory buildings nor common walls shared at a boundary and parts of buildings that do not extend beyond the length of that wall.</p> <p>Advice Notes: Refer to Definitions for detail of the interpretation of recession planes, rear sites, and flat sites.</p> <p>For corner sites, being sites that have a frontage to more than one road, the shortest internal site boundary shall be considered the rear internal boundary.</p>	
	<p>Window Sill Heights</p> <p>41.5.1.5 Within the R(HD) and the R(HD-SH) Activity Areas, window sill heights above the first storey shall not be set lower than 1.5m above the floor level where the external face of the window is within 4m of an internal site boundary, except where buildings face reserves or where opaque glass is used for windows.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. privacy effects.</li> </ul>
	<p>41.5.1.6 Building Coverage</p>	<p>RD</p> <p>Discretion is restricted to:</p>

Table 6	Standards for activities located in the Jacks Point Zone - Residential Activity Areas	Non-compliance Status
	<p>a. on any site within the R(JP), R(JP-SH) Activity Areas, buildings shall not exceed a maximum site coverage of 45%; and</p> <p>b. (on any site within the R(HD) and R(HD-SH) Activity Areas, buildings shall not exceed a maximum site coverage of 50%.</p> <p>Except that:</p> <p>Residential activity in the R(JP), R(JP-SH), R(HD), and R(HD-SH) Activity Areas consented under Rule 41.4.6 (medium density residential development) or under Rule 27.7.5.2 or 27.5.5, shall not exceed a maximum site coverage of 60%.</p>	<p>a. urban design;</p> <p>b. effects on amenity values for neighbours;</p> <p>c. the character of the Activity Area;</p> <p>d. stormwater management.</p>
	<p>41.5.1.7 Building Setbacks (except in the Residential Hanley Downs area)</p> <p>Buildings for all activities, except for buildings located on sites created pursuant to subdivision Rules 27.5.18, shall be subject to the following minimum setback rules:</p> <p>a. two setbacks of 4.5m, with all remaining setbacks of 2m; or</p> <p>b. one setback of 6m, one setback of 3.5m and all other setbacks of 2m;</p> <p>Except that:</p> <p>i. any residential unit may encroach into a setback by up to 1m for an area no greater than 6m<sup>2</sup> provided the component of the building infringing the setback has no windows or openings;</p> <p>ii. accessory buildings for residential activities, including garages, may encroach into the setback where they are no more than 3.5m in height and where no windows or openings are orientated toward an internal boundary;</p> <p>iii. no setbacks are required when buildings share a common wall at the boundary.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. bulk, height and proximity of the building façade to the boundary;</p> <p>b. the impact on neighbours' amenity values;</p> <p>c. loss of daylight;</p> <p>d. access to sunlight.</p>
	<p>41.5.1.8</p> <p>a. In the Residential (Hanley Downs) Activity Areas, buildings for all activities, except for buildings located on sites smaller than 380m<sup>2</sup> and created</p>	<p>RD</p> <p>Discretion is restricted to:</p>

Table 6	Standards for activities located in the Jacks Point Zone - Residential Activity Areas	Non-compliance Status
	<p>pursuant to subdivision Rule 27.7.5.2, shall be subject to the following minimum setback rules:</p> <ul style="list-style-type: none"> <li>i. one internal setback of 3m;</li> <li>ii. a road set back of at least 3m, provided that any garage is set back at least 4.5m from the road boundary;</li> <li>iii. for sites fronting a single road and with a frontage exceeding 12.5m, one internal setback of 1.5m from an internal boundary that intersects with a road boundary; and</li> <li>iv. all remaining internal setbacks of 1m; and all remaining internal setbacks on rear sites of 1.5m.</li> </ul> <p>Except that:</p> <ul style="list-style-type: none"> <li>i. Accessory buildings for residential activities, including garages, may encroach into any 1m internal setback described in 41.5.1.8(a)(iv) where the buildings are no more than 3.5m in height and where no windows or openings are orientated toward an internal boundary;</li> <li>ii. The eaves of any residential unit may encroach into the setback by no more than 400mm;</li> <li>iii. No setbacks are required when buildings share a common wall at the boundary.</li> </ul>	<ul style="list-style-type: none"> <li>a. bulk, height and proximity of the building façade to the boundary;</li> <li>b. the impact on neighbours' amenity values;</li> <li>c. shading and access to sunlight.</li> </ul>
	<p>Retail Activities</p> <p>41.5.1.9 Retail activities within the R(HD) Activity Areas shall be located within 120 metres of the Primary Road shown on the Structure Plan or within 120 metres of its final formed location.</p>	NC
	<p>41.5.1.10 The total gross floor area of all commercial activities, excluding associated car parking, in the R(HD)A - E Activity Areas shall not exceed 550m<sup>2</sup> across all Activity Areas.</p>	NC
	<p>State Highway Noise</p> <p>41.5.1.11 Any residential activities located within 80 m of the seal edge of State Highway 6, shall be designed and constructed to meet noise performance standards for noise from traffic on the State Highway that will not exceed 35dBA Leq(24 hour) in bedrooms and 40 dBA (Leq (24 hour) for other habitable rooms in accordance with the satisfactory sound levels</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. residents' health and residential amenity.</li> </ul>

Table 6	Standards for activities located in the Jacks Point Zone - Residential Activity Areas	Non-compliance Status
	recommended by Australian and New Zealand Standard AS/NZ2107:2000 Acoustics Recommended design sound levels and reverberation times for building interiors.	
	<p>Planting – Jacks Point Residential Activity Areas</p> <p>41.5.1.12 On any site within a Residential Jacks Point R (JP) Activity Area at least 75% of all trees and shrubs planted shall be from the species identified on the Jacks Point plant list contained within Part 41.8. Percentages are in terms of overall plant numbers.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>any effects on nature conservation values;</li> <li>effects on landscape character and visual amenity.</li> </ol>
	<p>41.5.1.13 Residential Visitor Accommodation where:</p> <p>41.5.1.13.1 <del>Must be limited to one residential unit or residential flat per site not exceeding a cumulative total of 42 nights occupation by paying guests on a site per 12 month period. The total nights of occupation by paying guests on a site do not exceed a cumulative total of 42 nights per annum from the date of initial registration.</del></p> <p>41.5.1.13.2 <del>Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site. A single residential unit (inclusive of a residential flat) must be rented to a maximum of one (1) group of guests at any one time.</del></p> <p>41.5.1.13.3 <del>Must comply with the minimum parking requirements for a residential unit and/or residential flat (whichever is used for the residential visitor accommodation activity) in Chapter 29 Transport. The number of guests must not exceed 2 adults per bedroom and the total number of adults and children must not exceed:</del></p> <ul style="list-style-type: none"> <li><del>• 3 in a 1 bedroom</del></li> <li><del>• 6 in a two bedroom</del></li> <li><del>• 9 in a three bedroom or more</del></li> </ul> <p>41.5.1.13.4 <del>The Council must be notified in writing prior to the commencement of a Residential Visitor Accommodation activity. No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated.</del></p>	<p><del>D</del></p> <p><del>Restricted discretionary</del></p> <p><del>Discretion is restricted to:</del></p> <ol style="list-style-type: none"> <li><del>The location, nature and scale of activities;</del></li> <li><del>Vehicle access and parking;</del></li> <li><del>The management of noise, rubbish, recycling and outdoor activities;</del></li> <li><del>Privacy and overlooking;</del></li> <li><del>Outdoor lighting;</del></li> <li><del>Guest management and complaints procedures.</del></li> <li><del>The keeping of records of residential visitor accommodation use, and availability of records for Council inspection; and</del></li> <li><del>Monitoring requirements, including imposition of an annual monitoring charge.</del></li> </ol>



Table 6	Standards for activities located in the Jacks Point Zone - Residential Activity Areas	Non-compliance Status
	<p>41.5.1.13.5 <del>Up to date records of the Residential Visitor Accommodation activity must be kept, including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice. <u>Outdoor space is not used between the hours of 10:00pm and 7:00am and sign/s are installed and visible from the outdoor space advising the permitted hours of use.</u></del></p> <p>41.5.1.13.6 <del>Smoke alarms must be provided in accordance with clause 5 of the Residential Tenancies (Smoke Alarms and Insulation) Regulations 2016. Rubbish and recycling is not left on/adjacent to the road, except on the day of collection.</del></p> <p>41.5.1.13.7 <del>The activity is registered with Council prior to commencement.</del></p> <p>41.5.1.13.8 <del>Council is provided with the following information at the time of registration:</del></p> <p style="padding-left: 20px;"><del>(a) the contact details of the person and/or organisation responsible for managing the property and responding to any complaints; and</del></p> <p style="padding-left: 20px;"><del>(b) confirmation that the immediately adjacent neighbouring properties, including any property with shared access arrangements, have been provided written notice that the property is to be used for residential visitor accommodation and the contact details of the person and/or organisation responsible for managing the property and responding to any complaints.</del></p> <p>41.5.1.13.9 <del>The information required by Standard 8 is reviewed and resubmitted to Council on an annual basis (from the date of registration of the activity), including the annual provision of written notice to neighbours required by Standard 8.b.</del></p> <p>41.5.1.13.10 <del>Up to date records of the activity are kept including:</del></p> <p style="padding-left: 20px;"><del>(a) a record of the date and duration of guest stays and the number of guests staying per night; and</del></p>	

Table 6	Standards for activities located in the Jacks Point Zone - Residential Activity Areas	Non-compliance Status
	<p><u>(b) a detailed record of any complaints received and remediation actions taken.</u></p> <p><u>41.5.1.13.11 The records required by Standard 10 are provided to Council on an annual basis from the date of registration and made available for inspection by Council with 24 hours' notice.</u></p> <p><del>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 41.5.1.13.1 to 41.5.1.13.6.</del></p> <p><u>Advice Note: The 42 nights standard set by rule 45.5.1.13 reflects a requirement of the Jacks Point Constitution – Version 15, June 2022.</u></p>	
	<p>41.5.1.14 Homestay</p> <p><del>41.5.1.14.1 May occur within either an occupied residential unit or an occupied residential flat on a site, and must not occur within both on a site.</del></p> <p><del>41.5.1.14.2 Must not exceed 3-5 paying guests on a site per night. The total number of paying guests on a site does not exceed five per night.</del></p> <p><del>41.5.1.14.3 Must comply with minimum parking requirements of standard 29.8.9 in Chapter 29-Transport.</del></p> <p><del>41.5.1.14.24 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site. No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated.</del></p> <p><del>41.5.1.14.35 The Council must be is notified in writing prior to the commencement of a Homestay activity.</del></p> <p><del>41.5.1.14.46 Up to date records of the Homestay activity must be kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</del></p> <p>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 41.5.1.14.1 to 41.5.1.14.46.</p>	<p>∅</p> <p>Restricted discretionary</p> <p>Discretion is restricted to:</p> <p><u>(a) The location, nature and scale of the activities;</u></p> <p><u>(b) Privacy and overlooking</u></p> <p><u>(c) The management of noise, rubbish, recycling and outdoor activities;</u></p> <p><u>(d) The keeping of records of Homestay use, and availability of records for Council inspection; and</u></p> <p><u>(e) Monitoring requirements, including imposition of an annual monitoring charge.</u></p> <p><u>(f) Vehicle access and parking.</u></p>

Table 7	Standards for activities located in the Jacks Point Zone – Village and Education Activity Areas	Non-compliance Status
41.5.2	Village and Education Activity Areas	
	<p>41.5.2.1 Scale of Commercial Activity</p> <p>The maximum net floor area for any single commercial activity (as defined in chapter 2) shall be 200m<sup>2</sup>.</p> <p>For the purpose of Rule 41.5.2.1, commercial activities are as defined in Chapter 2, but excludes markets, showrooms, professional, commercial and administrative offices, service stations, and motor vehicle sales.</p>	D
	<p>Building Coverage</p> <p>41.5.2.2 On any site within the (E) Activity Area, buildings shall not exceed a maximum site coverage of 45%.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. urban design;</li> <li>b. effects on amenity values for neighbours (particularly in adjoining residential activity areas) and the character of the (E) Activity Area;</li> <li>c. stormwater management.</li> </ul>
	<p>41.5.2.3 Within the Jacks Point Village JP(V) Activity Area the maximum building coverage, calculated across the total Activity Area, shall not exceed 60%.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. urban design;</li> <li>b. effects on amenity values for neighbours and the character of the Activity Area;</li> <li>c. stormwater management.</li> </ul>
	<p>Building coverage in the Homestead Bay Village</p> <p>41.5.2.4 Within the Homestead Bay V(HB) Activity Area, the maximum building coverage, calculated across the total Activity Area, shall not exceed 60%.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. urban design;</li> <li>b. effects on amenity values for neighbours and the character of the Activity Area;</li> </ul>

Table 7	Standards for activities located in the Jacks Point Zone – Village and Education Activity Areas	Non-compliance Status
		c. stormwater management.
	<p>Building Height</p> <p>41.5.2.5 The maximum height of buildings shall be:</p> <ul style="list-style-type: none"> <li>a. Homestead Bay Village (V-HB) Activity Area 10m</li> <li>b. Jacks Point Village (V-JP) Activity Area 12m and comprising no more than 3 storeys</li> <li>c. Education Precinct (E) Activity Area 10m</li> <li>d. all other buildings and structures 4m</li> </ul>	NC
	<p>Residential Units</p> <p>41.5.2.6 In the V(HB) Activity Area, no residential units may be constructed until 80% of the freehold land within the Open Space Foreshore Activity Area has been planted with native endemic species</p>	NC
	<p><u>Village Activity (V) and V(HB) Areas</u></p> <p><u>41.4.2.7 Homestay where</u></p> <ul style="list-style-type: none"> <li>a. <u>The total number of paying guests on a site does not exceed five per night. <del>Must not exceed 5 paying guests on a site per night.</del></u></li> <li>b. <u>No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated. <del>Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</del></u></li> <li>c. <u>The Council <del>must be</del> is notified in writing prior to the commencement of a Homestay activity.</u></li> <li>d. <u>Up to date records of the Homestay activity must be kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</u></li> </ul> <p><u>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 41.4.2.7(a) to (d).</u></p>	<p><u>C</u></p> <p><u>Control is reserved to:</u></p> <ul style="list-style-type: none"> <li>a. <u>The location, nature and scale of activities;</u></li> <li>b. <u>The location and screening of parking and access;</u></li> <li>b. <u>The management of noise, rubbish, recycling and outdoor activities;</u></li> <li>c. <u>The keeping of records of Homestay use, and availability of records for Council inspection;</u></li> <li>d. <u>Monitoring requirements, including imposition of an annual monitoring charge</u></li> <li>e. <u>Vehicle parking and access.</u></li> </ul>

Table 7	Standards for activities located in the Jacks Point Zone – Village and Education Activity Areas	Non-compliance Status
	<p><u>Village Activity (V) and V(HB) Areas</u></p> <p><u>41.4.2.8 Residential Visitor Accommodation where</u></p> <p><u>a. No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated. <del>Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</del></u></p> <p><u>b. The activity is registered with Council prior to commencement.<del>The Council must be notified in writing prior to the commencement of a Residential Visitor Accommodation activity.</del></u></p> <p><u>c. Up to date records of the Residential Visitor Accommodation activity must be kept, including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours’ notice.</u></p> <p><u>Note: The Council may request that records are made available to the Council for inspection at 24 hours’ notice, in order to monitor compliance with rules 41.4.2.8(a) to (c).</u></p>	<p><u>C</u></p> <p><u>Control is reserved to:</u></p> <p><u>a. The nature and scale of activities;</u></p> <p><u>b. The location and screening of parking and access;</u></p> <p><u>c. The management of noise, rubbish, recycling and outdoor activities;</u></p> <p><u>d. <del>The compliance of the residential unit with the Building Code as at the date of the consent;</del></u></p> <p><u>e. <del>Health and safety provisions in relation to guests;</del></u></p> <p><u>e. Guest management and complaints procedures;</u></p> <p><u>g. The keeping of records of Residential Visitor Accommodation <del>Homestay</del> use, and availability of records for Council inspection;</u></p> <p><u>h. Monitoring requirements, including imposition of an annual monitoring charge.</u></p>

Table 8	Standards for activities located in the Jacks Point Zone – Lodge Activity Area	Non-compliance Status
41.5.3	Lodge Activity Areas	
	<p>Building Setback</p> <p>41.5.3.1 In Lodge Activity Area denoted as L(P) on the Structure Plan, buildings and structures shall be set back a minimum of 10m from the activity area boundary.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. the outdoor car parking areas with respect to the effects on visual and landscape values;</p> <p>b. the effectiveness of mounding and planting at screening buildings and car parking and the</p>

<b>Table 8</b>	<b>Standards for activities located in the Jacks Point Zone – Lodge Activity Area</b>	<b>Non-compliance Status</b>
		shape and design of earthworks, including their relationship to existing landforms.
	<p><b>Building Height</b></p> <p>41.5.3.2 In the Lodge (L) Activity Areas, the maximum height of any building shall be 5.0m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. visual dominance;</li> <li>b. external appearance;</li> <li>c. the scale and extent of the portions that exceed 5m.</li> </ul>
	<p>41.5.3.3 In the Lodge (L) Activity Area, the maximum height of any building shall be 7.5m.</p>	NC

<b>Table 9</b>	<b>Standards for activities located in the Jacks Point Zone – Open Space and Homesite Activity Areas</b>	<b>Non-compliance Status</b>
<b>41.5.4</b>	Open Space (OS) and Homesite (HS) Activity Areas	
	<p>41.5.4.1 Boundaries of Open Space Activity Areas</p> <p>The boundaries of Open Space Activity Areas are shown indicatively and may be varied by up to 20m and the exact location and parameters are to be established through the subdivision process. Development prior to such subdivision occurring, which would preclude the creation of these open spaces, shall be contrary to this rule.</p>	D
	<p>Open Space - Subdivision</p> <p>41.5.4.2 Within any open space area created by subdivision, in accordance with (Rules 41.5.4.1 and 27.7.5.1), there shall be no building.</p>	D
	<p>Building Coverage – Homesite (HS) Activity Area</p> <p>41.5.4.3 Within any Homesite (HS) Activity Area, buildings shall not exceed a total building footprint of 1,000m<sup>2</sup> within each homesite.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. the external appearance of buildings with respect to the effect on visual and landscape values of the area.;</li> <li>b. associated earthworks and landscaping;</li> <li>c. bulk and location;</li> </ul>

Table 9	Standards for activities located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Non-compliance Status																																																																																																																		
		d. visibility of the building from State Highway 6 and Lake Wakatipu.																																																																																																																		
	<p>Building height relative to ground level – Homesite (HS) Activity Area</p> <p>41.5.4.4 The maximum height for any building shall be 5m above the datum level specified for each Homesite, as follows:</p> <table border="0" data-bbox="478 604 1037 1545"> <thead> <tr> <th>Homesite Datum (mas)</th> <th>Homesite Datum (mas)</th> </tr> </thead> <tbody> <tr><td>HS1</td><td>372.0</td></tr> <tr><td>HS2</td><td>381.0</td></tr> <tr><td>HS3</td><td>381.0</td></tr> <tr><td>HS4</td><td>377.0</td></tr> <tr><td>HS5</td><td>388.0</td></tr> <tr><td>HS6</td><td>382.0</td></tr> <tr><td>HS7</td><td>379.0</td></tr> <tr><td>HS8</td><td>386.5</td></tr> <tr><td>HS9</td><td>389.0</td></tr> <tr><td>HS10</td><td>395.0</td></tr> <tr><td>HS11</td><td>396.0</td></tr> <tr><td>HS12</td><td>393.0</td></tr> <tr><td>HS13</td><td>399.0</td></tr> <tr><td>HS14</td><td>403.0</td></tr> <tr><td>HS15</td><td>404.0</td></tr> <tr><td>HS16</td><td>399.5</td></tr> <tr><td>HS17</td><td>394.5</td></tr> <tr><td>HS18</td><td>392.5</td></tr> <tr><td>HS19</td><td>372.0</td></tr> <tr><td>HS20</td><td>377.2</td></tr> <tr><td>HS21</td><td>372.5</td></tr> <tr><td>HS22</td><td>374.0</td></tr> <tr><td>HS23</td><td>371.5</td></tr> <tr><td>HS24</td><td>372.4</td></tr> <tr><td>HS25</td><td>373.0</td></tr> <tr><td>HS26</td><td>378.1</td></tr> <tr><td>HS27</td><td>388.0</td></tr> <tr><td>HS28</td><td>392.6</td></tr> <tr><td>HS29</td><td>385.5</td></tr> <tr><td>HS30</td><td>395.9</td></tr> <tr><td>HS31</td><td>393.7</td></tr> <tr><td>HS32</td><td>384.8</td></tr> <tr><td>HS33</td><td>385.8</td></tr> <tr><td>HS34</td><td>399.0</td></tr> <tr><td>HS35</td><td>405.0</td></tr> <tr><td>HS36</td><td>400.3</td></tr> <tr><td>HS38</td><td>398.3</td></tr> <tr><td>HS39</td><td>399.0</td></tr> <tr><td>HS40</td><td>392.8</td></tr> <tr><td>HS41</td><td>388.8</td></tr> <tr><td>HS42</td><td>392.1</td></tr> <tr><td>HS43</td><td>394.0</td></tr> <tr><td>HS44</td><td>384.7</td></tr> <tr><td>HS45</td><td>382.1</td></tr> <tr><td>HS46</td><td>356.2</td></tr> <tr><td>HS47</td><td>376.6</td></tr> <tr><td>HS48</td><td>357.0</td></tr> <tr><td>HS49</td><td>367.0</td></tr> <tr><td>HS50</td><td>364.0</td></tr> <tr><td>HS51</td><td>387.0</td></tr> <tr><td>HS52</td><td>366.9</td></tr> <tr><td>HS53</td><td>381.3</td></tr> <tr><td>HS54</td><td>351.6</td></tr> <tr><td>HS55</td><td>351.1</td></tr> <tr><td>HS56</td><td>352.2</td></tr> <tr><td>HS58</td><td>506.0</td></tr> </tbody> </table>	Homesite Datum (mas)	Homesite Datum (mas)	HS1	372.0	HS2	381.0	HS3	381.0	HS4	377.0	HS5	388.0	HS6	382.0	HS7	379.0	HS8	386.5	HS9	389.0	HS10	395.0	HS11	396.0	HS12	393.0	HS13	399.0	HS14	403.0	HS15	404.0	HS16	399.5	HS17	394.5	HS18	392.5	HS19	372.0	HS20	377.2	HS21	372.5	HS22	374.0	HS23	371.5	HS24	372.4	HS25	373.0	HS26	378.1	HS27	388.0	HS28	392.6	HS29	385.5	HS30	395.9	HS31	393.7	HS32	384.8	HS33	385.8	HS34	399.0	HS35	405.0	HS36	400.3	HS38	398.3	HS39	399.0	HS40	392.8	HS41	388.8	HS42	392.1	HS43	394.0	HS44	384.7	HS45	382.1	HS46	356.2	HS47	376.6	HS48	357.0	HS49	367.0	HS50	364.0	HS51	387.0	HS52	366.9	HS53	381.3	HS54	351.6	HS55	351.1	HS56	352.2	HS58	506.0	NC
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	<p>41.5.4.5 Building within any Homesite where a requirement to comply with the Preserve Design Guidelines has not been registered on the title for the Site.</p> <p>Discretion is restricted to the matters of discretion listed in 41.4.4.17.</p>	RD																																																																																																																		
	<p>41.5.4.6 The formation of any vehicle accessway to Homesite Activity Area HS<sub>58</sub> shall not:</p> <p>a. Within Section (S1) exceed 3m in carriageway width and shall not include the passing bays;</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. Visual impacts;</p> <p>b. Landscape character.</p>																																																																																																																		

Table 9	Standards for activities located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Non-compliance Status
	<p>b. Within Sections (S2) and (S3) exceed 3m in carriageway width, except to provide for passing bays;</p> <p>c. Within all Sections (S1 - S3) be formed in any other surface than a loose gravel finish and shall not include lighting.</p>	
	<p>Revegetation – Homesite (HS) Activity Area</p> <p>41.5.4.7 No buildings shall be erected within a Homesite (HS) Activity Area unless and until an area as specified within this rule has been re-vegetated with native vegetation. The area required to be re-vegetated for the purposes of this rule shall be the greater of 3,000m<sup>2</sup> or 20 per cent of the area of the lot or title within which the Homesite (HS) Activity Area is situated, whichever is greater. For the purposes of this rule no account shall be taken of any native vegetation existing at the date of application for subdivision consent to create the lot or title within which the Homesite (HS) Activity Area is located.</p> <p>41.5.4.8 Within the area of the Site containing Homesite Activity Areas HS<sub>38</sub> to HS<sub>56</sub>, development shall provide for implementation of the Vegetation Management Strategy established through Rule 27.7.5.4, prior to the occupation of any residential unit.</p>	<p>D</p> <p>NC</p>
	<p>Building Height</p> <p>41.5.4.9 The maximum height of buildings shall be:</p> <p>a. Homesite Activity Area 5 m</p> <p>b. all other buildings and structures 4 m</p>	NC
	<p>Residential Units</p> <p>41.5.4.10 In the OSH, OSR, and OS Activity Areas, no residential units may be constructed until 80% of the freehold land within the Open Space Foreshore Activity Area has been planted with native endemic species.</p>	NC
	<p>Standards for Building</p> <p>41.5.4.11 Within the Open Space - Horticultural (OSH) Activity Area:</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. the external appearance of buildings with respect</p>



Table 9	Standards for activities located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Non-compliance Status
	<ul style="list-style-type: none"> <li>a. there shall be no more than 15 building platforms;</li> <li>b. those 15 building platforms referred to in (a) above are confined to 3 or 4 clusters; and</li> <li>c. no building is to be erected prior to the horticultural activity being planted.</li> </ul>	<ul style="list-style-type: none"> <li>to the effect on visual and landscape values of the area;</li> <li>b. associated earthworks and landscaping;</li> <li>c. bulk and location;</li> <li>d. visibility of the building from State Highway 6 and Lake Wakatipu.</li> </ul>
	<p>Farm buildings within the Open Space Landscape (OSL) Activity Area and not within a Landscape Protection Area</p> <p>41.5.4.12 The construction, replacement or extension of a farm building within the Open Space Landscape Activity Area shall meet the following standards:</p> <ul style="list-style-type: none"> <li>a. the landholding the farm building shall be located within is greater than 100 ha; and</li> <li>b. the density of all buildings on the landholding site, inclusive of the proposed building(s) does not exceed one farm building per 50 hectares on the site; and</li> <li>c. the farm building shall be less than 5m in height and the ground floor area shall be no greater than 300m<sup>2</sup>; and</li> <li>d. farm buildings shall not protrude onto a skyline or above a terrace edge when viewed from adjoining sites, or formed roads within 2km of the location of the proposed building.</li> </ul>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. the extent to which the scale and location of the farm building is appropriate in terms of: <ul style="list-style-type: none"> <li>i. rural amenity values;</li> <li>ii. landscape character;</li> <li>iii. privacy, outlook, and rural amenity from adjoining properties;</li> <li>iv. visibility, including lighting;</li> <li>v. scale;</li> <li>vi. location.</li> </ul> </li> </ul>
	<p>Planting and Cultivation – Landscape Protection and Tablelands Areas</p> <p>41.5.4.13 Within the Highway Landscape Protection Area (refer Structure Plan 41.7) the planting and/or growing of any tree shall not obscure views from the State Highway to the mountain peaks beyond the zone.</p>	<p>D</p>
	<p>41.5.4.14 Within the Peninsula Hill Landscape Protection Area (refer Structure Plan 41 7) the planting and/or cultivation of any tree or shrub shall be indigenous and characteristic of the Peninsula Hill escarpment (i.e. grey shrubland and tussock grassland on exposed sites and beech forest on sheltered sites).</p>	<p>D</p>

Table 9	Standards for activities located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Non-compliance Status
	41.5.4.15 Within the Lakeshore Landscape Protection Area (refer Structure Plan 41.7) the planting and/or cultivation of any tree or shrub shall be indigenous and characteristic of the Lake Wakatipu foreshore (i.e. broadleaf forest, grey shrubland and tussock grassland plant communities).	D
	41.5.4.16 Within the Tablelands Area (refer Structure Plan 41.7), there shall be no exotic vegetation planted and/or cultivated, with the exception of: <ul style="list-style-type: none"> <li>a. grass species if local and characteristic of the area; and</li> <li>b. other vegetation if it is: <ul style="list-style-type: none"> <li>i. less than 0.5 metres in height; and</li> <li>ii. less than 20 square metres in area; and within 10 metres of a building; and</li> <li>iii. intended for domestic consumption.</li> </ul> </li> </ul>	D
	41.5.4.17 Within the OSR Activity Area, at least 50% of any site shall be planted in native vegetation, prior to building.	RD Discretion is restricted to any effects on nature conservation values.
	Open Space Wetlands (OSW) Activity Area 41.5.4.18 There shall be no development or landscaping, within 7 metres of any wetland located within a Wetland Activity area identified on the Structure Plan, except to enable development of pedestrian access (including boardwalks), the erection of fences to control stock or other structures related to the protection of these areas, or to undertake ecological enhancement, including the removal of plant pests.	NC
	Fencing 41.5.4.19 There shall be no fences or walls within the boundary of any lot or title within the Tablelands Landscape Protection Area (refer Structure Plan) outside of any Homesite (HS) Activity Area or approved building platform, except for fencing between stock managed areas and areas retired from stock and for the	D

Table 9	Standards for activities located in the Jacks Point Zone – Open Space and Homesite Activity Areas	Non-compliance Status
	<p>purpose of demarcating private land from land accessible to the public as a result of the creation of public walkways additional to those walkways identified as “Public Access Route” on the Structure Plan. Any such fencing shall be post and wire only.</p>	
	<p>Temporary and Permanent Storage of Vehicles</p> <p>41.5.4.20 Within the Tablelands Landscape Protection Area (refer Structure Plan), but excluding the Homesite (HS) Activity Areas, there shall be no temporary or permanent siting of:</p> <ul style="list-style-type: none"> <li>a. motor vehicles, trailers, caravans, boats or similar objects;</li> <li>b. storage containers, workshops, offices, sheds, huts or similar structures (other than public toilets and shelter); and</li> <li>c. scaffolding or similar construction materials.</li> </ul> <p>Except for temporary filming towers erected during an event and for no more than 7 days either side of an event.</p>	NC

Table 10	Standards for activities located in the Jacks Point Zone – Zone Wide Standards	Non-compliance Status
41.5.5	General Zone Wide Standards	
	<p>Structure Plan</p> <p>41.5.5.1 Development shall be undertaken in general accordance with the Structure Plan in Part 41.7. For the purposes of interpreting this rule, the following shall apply:</p> <ul style="list-style-type: none"> <li>a. a variance of up to 120m from the location and alignment shown on the Structure Plan of the Primary Roads, and their intersections with State Highway 6, shall be acceptable;</li> <li>b. Public Access Routes and Secondary Roads, except as provided for in d. below, may be otherwise located and follow different alignments provided that any such alignment enables a similar journey;</li> </ul>	D

	<p>c. development shall facilitate a road connection at each Key Road Connection shown on the Structure Plan to enable vehicular access to roads which connect with the Primary Roads, provided that a variance of up to 50m from the location of the connection shown on the Structure Plan shall be acceptable;</p> <p>d. The following variances in the alignment of the secondary road access to Homesite HS58 shall be acceptable:</p> <p>i. Section 1 (S1) shall be aligned along the existing farm track with no variance allowed;</p> <p>ii. Section 2 (S2) shall be aligned within 5m of the identified access;</p> <p>iii. Section 3 (S3) shall be aligned within 20m of the identified access.</p>	
	<p>Setbacks from the zone boundary</p> <p>41.5.5.2 Buildings or structures shall be set back a minimum of 20m from the zone boundary, except this rule shall not apply to the Boating Facilities (BFA) Activity Area.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. bulk, height and proximity of the building facade to the boundary;</p> <p>b. the impact on neighbours amenity values;</p> <p>c. shading and access to sunlight.</p>
	<p>Access to the State Highway</p> <p>41.5.5.3 Access from State Highway 6 shall be only at the intersections at Maori Jack Road, and Woolshed Road and in a third location as approved by RM160562, as shown on the Structure Plan.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. the safe and efficient functioning of the road network.</p>
	<p>41.5.5.4 The scale of use of the Woolshed Road access shall not increase until an amended design for that road's intersection with State Highway 6 has been upgraded, completed and available for use, except as provided for through the approval of a Traffic Management Plan by the NZ Transport Agency (refer Advisory Note below).</p> <p>Advice Notes:</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. the safe and efficient functioning of the road network.</p>

	<p>a. a 'Traffic Management Plan' is required to be submitted to the NZ Transport Agency from any person/s using Woolshed Road in relation to construction within the Jacks Point Resort Zone;</p> <p>b. the upgrade of the intersection of Woolshed Road and State Highway 6 will require approval from the NZ Transport Agency.</p>	
	<p>Building Colours</p> <p>41.5.5.5 Any building shall result in:</p> <p>a. at least 70% of the total painted or galvanised external surface of buildings (excluding roofs and windows) with a reflectance value of between 0 and 35% ;</p> <p>b. roof colours with a light reflectance value of 20% or less, and in the range of browns, greys and black;</p> <p>c. All external surfaces within Homesites HS38 - HS58, shall have a reflectance value of between 0 and 30% and also be in the range of browns, greys, and green</p>	D
	<p>Glare</p> <p>41.5.5.6 All fixed lighting shall be directed away from adjacent roads and properties.</p>	NC
	<p>41.5.5.7 No activity shall result in a greater than 3.0 lux spill, horizontal and vertical, of light onto any property located outside of the Zone, measured at any point inside the boundary of the adjoining property.</p>	NC
	<p>Outside storage and non-residential activities</p> <p>41.5.5.8 In relation to non-residential activities, no goods, materials or equipment shall be stored outside a building, except for vehicles associated with the activity parked on the site overnight.</p>	NC
	<p>41.5.5.9 All manufacturing, altering, repairing, dismantling or processing of any materials, goods or articles shall be carried out within a building except in relation to farming.</p> <p>Except within the Village Activity Areas, where outside storage and activities are permitted.</p>	NC

	<p>Servicing</p> <p>41.5.5.10 All dwellings shall connect to reticulated infrastructure for the provision of a water supply, wastewater disposal, power and telecommunications.</p> <p>(Except this Standard shall not apply within any Homesite Activity Area)</p> <p>41.5.5.11 All services, with the exception of stormwater systems, shall be reticulated underground.</p>	<p>NC</p>
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**41.6 Rules - Non-Notification of Applications**

**41.6.1 Any application for resource consent for a controlled activity shall not require the written approval of other persons and shall not be notified.**

**41.6.2 Any application for the following activities shall not require the written approval of other persons and shall not be notified.**

- a. Rules 41.4.3.3 and 41.4.3.5 Buildings and tennis courts (including the addition to or construction of buildings) within the Lodge (L) Activity Areas.

**41.6.3 Any application for resource consent for the following restricted discretionary activities shall be considered without public notification but notice shall be served on those persons considered to be adversely affected if written approval has not been obtained.**

- a. Rule 41.4.1.8 Commercial activities, community and visitor accommodation.
- b. Rule 41.4.5.1 Sale of Liquor.
- c. Rule 41.5.1.7 Setbacks from Roads and Internal Boundaries.
- d. Rules 41.5.5.3 and 41.5.5.4 Access to the State Highway.

**41.7 Structure Plan** Refer to Consent Order: <https://www.qldc.govt.nz/media/ijqeizuk/2020-05-21-consent-order-topic-22-jacks-point.pdf>

# Jacks Point Resort Zone Structure Plan

## LEGEND

-  Outstanding Natural Landscape Line
-  Activity Area
-  Public Access Route (location indicative)
-  Secondary Road Access (location indicative)
-  Primary Road Access (location indicative)
-  Key Road Connections (location indicative)
-  State Highway Mitigation

## OVERLAYS

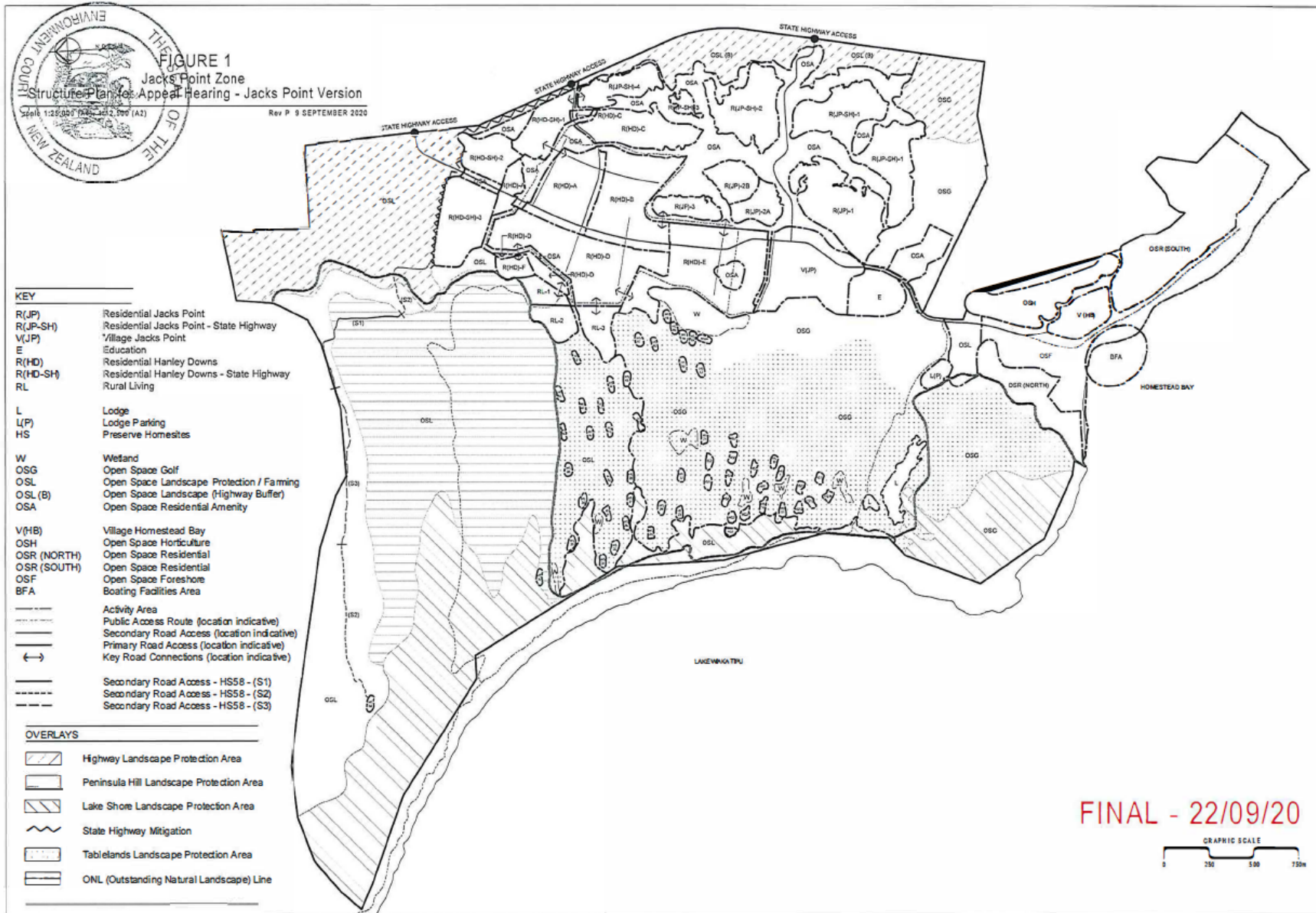
-  Highway Landscape Protection Area
-  Peninsula Hill Landscape Protection Area
-  Lake Shore Landscape Protection Area
-  Tablelands Landscape Protection Area

## KEY

- R(JP) Residential Jacks Point Activity Areas
- R(HD) Residential Hanley Downs Activity Areas
- R(JP-SH) Residential Jacks Point - State Highway Activity Areas
- R(HD-SH) Residential Hanley Downs - State Highway Activity Areas
- RL Rural Living Activity Area
- V(JP) Village Jacks Point Activity Area
- V(HB) Village Homestead Bay Activity Area
- E Education Activity Area
- OSG Open Space Golf Activity Area
- OSL Open Space Landscape Activity Area
- OSA Open Space Residential Activity Area
- OS(W) Open Space Wetland Activity Area
- OSH Open Space Horticulture Activity Area
- OSR Open Space Residential Activity Areas
- OSF Open Space Foreshore Activity Area
- OS(BFA) Open Space Boating Facilities Area
- L Lodge Activity Area

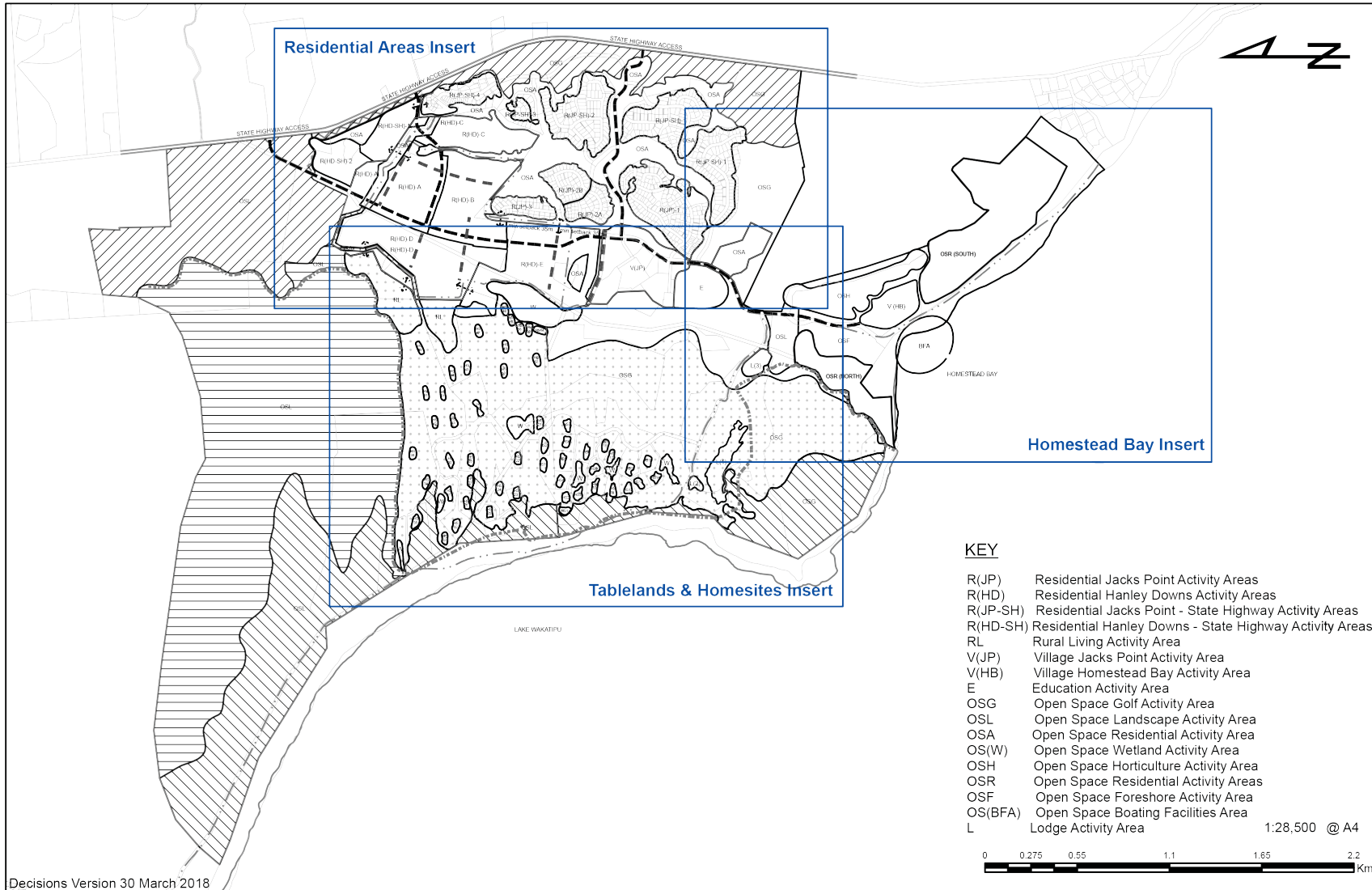
Decisions Version 30 March 2018



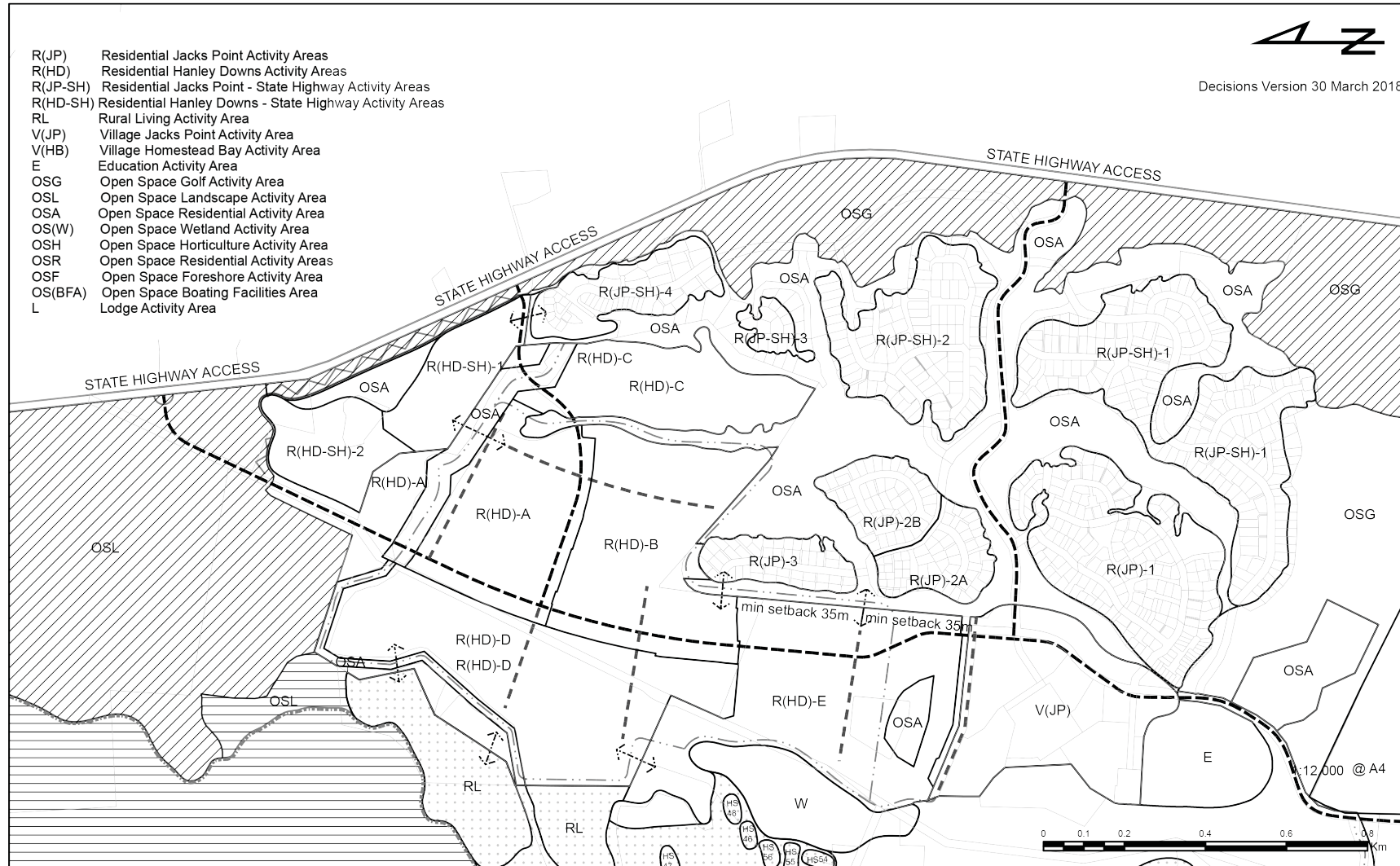




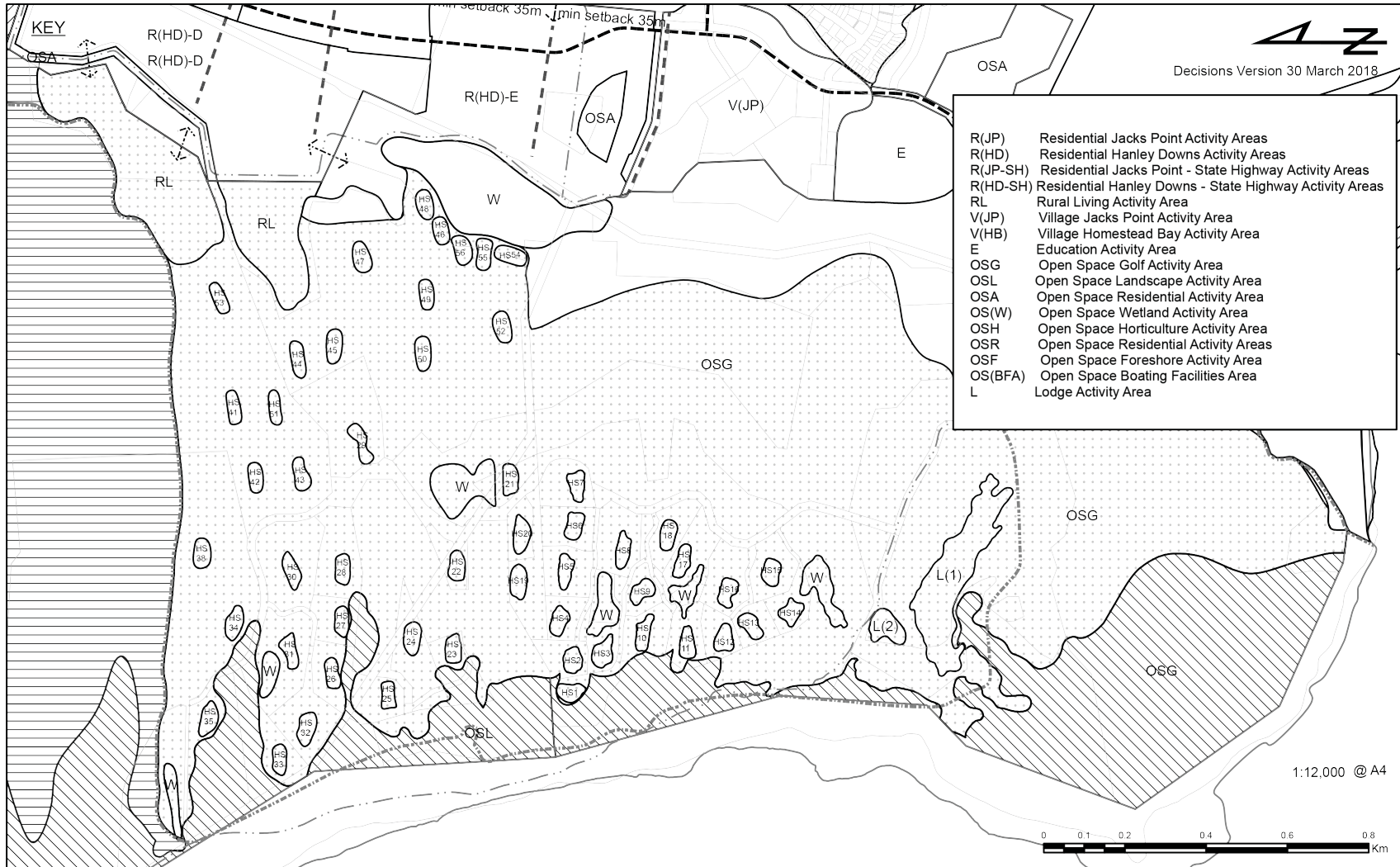
Jacks Point Resort Zone Structure Plan



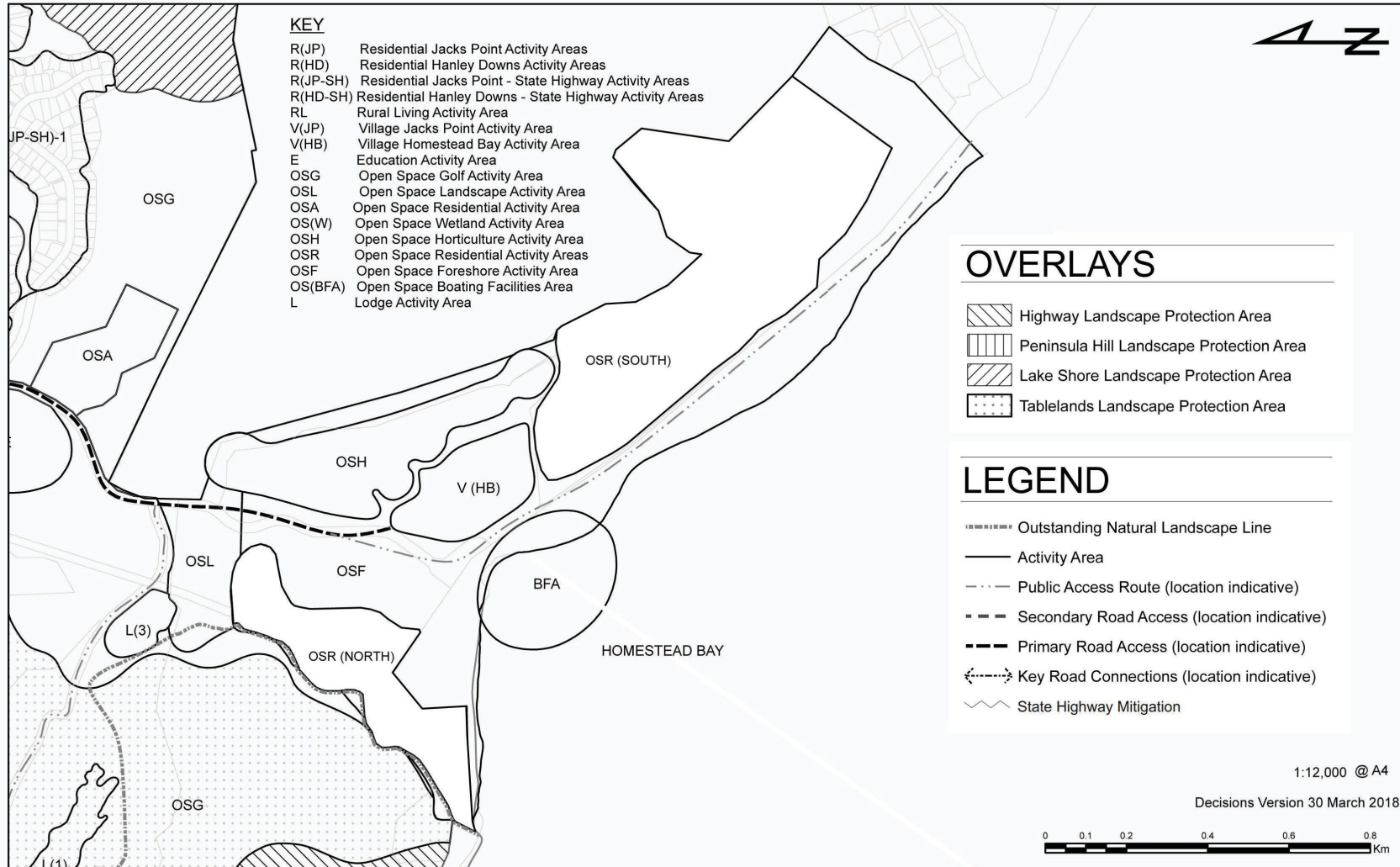
Jacks Point Resort Zone Structure Plan  
Residential Areas Insert



Jacks Point Resort Zone Structure Plan  
 Tablelands & Homesites Insert



Jacks Point Resort Zone Structure Plan  
Homestead Bay Insert





## 41.8 Jacks Point Plant List

## Trees

Botanical Name	Common Name	Sun	Mid Sun	Shade	Moist	Dry	Sheltered	Exposed
<i>Aristotelia serrata</i>	Wineberry	x	x		x	x		x
<i>Carpodetus serratus</i>	Putaputaweta / marbleleaf	x	x		x		x	
<i>Coprosma linariifolia</i>	Mikimiki	x	x		x	x		x
<i>Cordyline australis</i>	Ti kouka / cabbage tree	x	x		x	x		x
<i>Fuchsia excorticata</i>	Kotukutuku / tree fuchsia		x		x		x	
<i>Elaeocarpus hookerianus</i>	Pokaka		x		x		x	
<i>Griselinia littoralis</i>	Kapuka / broadleaf	x	x		x	x		x
<i>Hoheria lyallii</i>	Mountain ribbonwood	x			x			x
<i>Melicytus lanceolatus</i>	Mahoe wao	x	x		x		x	
<i>Melicytus ramiflorus</i>	Mahoe / whiteywood	x	x		x	x		x
<i>Metrosideros umbellata</i>	Southern rata	x	x		x	x		x
<i>Myrsine australis</i>	Mapou	x	x	x	x	x		x
<i>Nothofagus fusca</i>	Red beech	x	x		x	x	x	
<i>Nothofagus solandri</i> var. <i>cliffortioides</i>	Mountain beech	x	x		x	x	x	
<i>Pennantia corymbosa</i>	Kaikomako	x	x		x	x		x
<i>Pittosporum eugeniioides</i>	Tarata / lemonwood	x	x		x	x		x
<i>Pittosporum tenuifolium</i>	Kohuhu	x	x		x	x		x
<i>Podocarpus hallii</i>	Hall's Totara	x	x		x	x		x
<i>Prumnopitys taxifolia</i>	Matai		x	x	x	x	x	
<i>Pseudopanax crassifolius</i>	Lancewood	x	x		x	x		x
<i>Sophora microphylla</i>	Kowhai	x	x		x	x	x	

## Shrubs

Botanical Name	Common Name	Sun	Mid Sun	Shade	Moist	Dry	Sheltered	Exposed
<i>Aristotelia fruticosa</i>	Mountain wineberry	x			x			x
<i>Carmichaelia petriei</i>	NZ broom	x	x	x	x			x
<i>Coprosma crassifolia</i>	NZ Coprosma	x	x		x	x		x
<i>Coprosma lucida</i>	Shining Karamu		x	x	x	x		x
<i>Coprosma propinqua</i>	Mingimingi	x			x	x		x
<i>Coprosma rugosa</i>	Needle-leaved Mt Coprosma	x	x		x	x		x
<i>Corokia cotoneaster</i>	Korokia	x	x		x	x		x
<i>Cyathodes juniperina</i>	Mingimingi	x	x			x		x
<i>Discaria toumatou</i>	Matagouri	x			x	x		x
<i>Dracophyllum longifolium</i>	Inaka	x	x			x		x
<i>Dracophyllum uniflorum</i>	Turpentine shrub	x	x		x			x
<i>Gaultheria antipoda</i>	Tall snowberry	x		x	x	x	x	
<i>Hebe cupressoides</i>	Cypress Hebe	x				x		x
<i>Hebe odora</i>		x			x			x

Botanical Name	Common Name	Sun	Mid Sun	Shade	Moist	Dry	Sheltered	Exposed
<i>Hebe rakaiensis</i>		x			x	x		x
<i>Hebe salicifolia</i>	South Island Koromiko	x			x			x
<i>Hebe subalpina</i>		x			x	x		x
<i>Leptospermum scoparium</i>	Manuka	x	x		x	x		x
<i>Melicytus alpinus</i>	Porcupine shrub	x	x		x	x		x
<i>Myrsine divaricata</i>	Weeping mapou	x	x		x	x		x
<i>Olearia arborescens</i>	Southern Tree Daisy	x	x		x	x		x
<i>Olearia avicenniifolia</i>	Tree Daisy	x				x		x
<i>Olearia bullata</i>		x			x	x		x
<i>Olearia cymbifolia</i>		x	x		x	x		x
<i>Olearia fragrantissima</i>		x				x	x	
<i>Olearia hectori</i>		x			x	x		x
<i>Olearia lineata</i>	Tree Daisy	x	x		x	x		x
<i>Olearia nummulariaefolia</i>	Tree Daisy	x				x		x
<i>Olearia odorata</i>	Tree Daisy	x			x		x	
<i>Ozothamnus</i> sp.	Cottonwood	x			x	x		x
<i>Pimelea aridula</i>	NZ daphne	x			x	x		x
<i>Pseudopanax colensoi</i> var. <i>ternatus</i>	Mountain three finger		x	x	x	x		x

## Grasses

Botanical Name	Common Name	Sun	Mid Sun	Shade	Moist	Dry	Sheltered	Exposed
<i>Aciphylla aurea</i>	Golden speargrass	x				x		x
<i>Aciphylla glaucescens</i>	Blue speargrass	x				x		x
<i>Astelia fragrans</i>	Bush lily		x	x	x		x	
<i>Astelia nervosa</i>	Mountain Astelia		x	x	x	x		x
<i>Carex coriacea</i>	NZ swamp sedge	x			x			x
<i>Carex maorica</i>	Carex	x	x		x			x
<i>Carex secta</i>	Purei	x	x		x			x
<i>Chionochloa conspicua</i>	Bush tussock	x	x		x	x		x
<i>Chionochloa rigida</i>	Narrow-leaved snow tussock	x			x	x		x
<i>Chionochloa rubra</i>	Red Tussock	x			x	x		x
<i>Cortaderia richardii</i>	South Island Toetoe	x			x	x		x
<i>Festuca novae zelandiae</i>	Hard tussock	x				x		x
<i>Juncus distegus</i>	Wiwi		x		x			x
<i>Juncus gregiflorus</i>	NZ soft rush		x		x			x
<i>Juncus sarophorus</i>	Wiwi	x	x		x			x
<i>Phormium cookianum</i>	Mountain flax	x			x	x		x
<i>Phormium tenax</i>	Harakeke/swamp flax	x			x	x		x
<i>Poa cita</i>	Silver tussock	x			x	x		x
<i>Schefflera digitata</i>	Seven finger	x	x		x	x	x	
<i>Schoenus pauciflorus</i>	Bog rush	x			x		x	
<i>Typha orientalis</i>	Raupo / bullrush	x			x			x

## Note:

- Changes from previous Consent Order dated 28 May 2021 are in blue underlined text and ~~strikeout~~
- Changes from this Consent Order are in black underlined text and ~~strikeout~~

## 42 Waterfall Park

**Please Note: Variations to parts of this chapter have been decided by Council on 7 March 2019 as part of Stage 2 of the PDP. You can view the Stage 2 Decisions, appeals and section 274 notices on our website. The appeal and section 274 periods for the Stage 1 and 2 Decisions have closed.**

### 42.1 Purpose

The purpose of the Waterfall Park Zone is to provide for the development of a visitor resort comprising a range of visitor, residential and recreational facilities, sympathetic to the natural setting. The site lies within a high quality scenic environment adjacent to the Millbrook Resort Zone.

In terms of natural features the focus of the site is the waterfall located towards the centre of the site. The existing recreational areas and amphitheatre are located adjacent to the waterfall and continue along part of Mill Creek. Development limits are imposed in the zone given its scenic and environmental qualities. Development shall conserve and enhance the natural and scenic values contained within the property and its setting.

### 42.2 Objectives and Policies

**42.2.1 Objective – Visitor, residential and recreation facilities and activities developed in an integrated manner with particular regard for the natural and scenic values of the setting.**

#### Policies

42.2.1.1 Ensure that the external appearance of buildings and other structures are appropriate to the location with particular regard to the site's natural and scenic values.

42.2.1.2 Require all development to be located in accordance with the Structure Plan.

42.2.1.3 Protect and enhance the important natural features on the site.

**42.2.2 Objective – Development avoids adverse effects on Mill Creek and ecological values.**

#### Policies

42.2.2.1 Ensure sewage disposal, water supply and refuse disposal services are provided so as not to adversely impact on water or other environmental qualities on or off the site.

42.2.2.2 Protect and enhance Mill creek as an important brown trout spawning habitat.

### 42.3 Other Provisions and Rules

#### 42.3.1 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 and Rural Character
25 Earthworks	26 Historic Heritage	27 Subdivision
28 Natural Hazards	29 Transport	30 Energy and Utilities
31 Signs	32 Protected Trees	33 Indigenous Vegetation
43 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings	36 Noise
37 Designations	District Plan web mapping application	

#### 42.3.2 Interpreting and Applying the Rules

42.3.2.1 A permitted activity must comply with all the rules listed in the activity and standards tables, and any relevant district wide rules.

42.3.2.2 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.

42.3.2.3 The following abbreviations are used within this Chapter.

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

### 42.4 Rules - Activities

	Activities located in the Waterfall Park Zone	Activity status
<b>42.4.1</b>	Activities which are not listed in this table, except for Plantation Forestry where the Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017 prevails.	NC
<b>42.4.2</b>	<b>In the Residences Area (R) of the Structure Plan</b> <b>Dwelling, Residential Unit</b>	P



	Activities located in the Waterfall Park Zone	Activity status
42.4.3	Dwelling, Residential Unit, Residential Flat not otherwise identified	D
42.4.4	<p><b>In all Structure Plan Activity Areas</b></p> <p><b>Recreation Facilities</b> (noting that in areas shown as O/P on the Structure Plan recreation facilities shall not include buildings or structures)</p> <p><b>Administration activities</b> for administering and servicing of other facilities within the zone, including storage, maintenance and depot facilities</p> <p><b>Structures for the retention of water (not located within a waterbody)</b></p> <p>Control is reserved:</p> <p>a. general:</p> <ol style="list-style-type: none"> <li>i. location and external appearance of buildings;</li> <li>ii. setback from roads;</li> <li>iii. setback from internal boundaries;</li> <li>iv. vehicle access and street layout;</li> <li>v. outdoor living space;</li> <li>vi. street scene including landscaping;</li> <li>vii. enhancement of ecological and natural values;</li> <li>viii. provision for internal walkways, cycle ways and pedestrian linkages; and</li> <li>ix. noise.</li> </ol> <p>b. natural hazards where the proposal results in an increase in gross floor area:</p> <ol style="list-style-type: none"> <li>i. the nature and degree of risk the hazard(s) pose to people and property;</li> <li>ii. whether the proposal will alter the risk to any site; and</li> <li>iii. the extent to which such risk can be avoided or sufficiently mitigated.</li> </ol>	C
42.4.5	<p><b>In all Structure Plan Activity Areas (except for the Open Space, Landscaping and Passive Recreation Activity Area O/P)</b></p> <p>Buildings</p> <p>Control is reserved:</p> <ol style="list-style-type: none"> <li>a. the external appearance of the building and coherence with surrounding buildings;</li> <li>b. natural hazards where the proposal results in an increase in gross floor area: <ol style="list-style-type: none"> <li>i. the nature and degree of risk the hazard(s) pose to people and property;</li> </ol> </li> </ol>	C

	Activities located in the Waterfall Park Zone	Activity status
	<ul style="list-style-type: none"> <li>ii. whether the proposal will alter the risk to any site; and</li> <li>iii. the extent to which such risk can be avoided or sufficiently mitigated.</li> </ul>	
42.4.6	<p><b>In the Village Area (V) of the Structure Plan:</b></p> <p><b>Visitor Accommodation</b></p> <p><b>Licensed Premises integrated with Visitor Accommodation</b></p> <p><b>Theatres, conference, cultural and resort facilities and office and administration activities that are ancillary to Visitor Accommodation</b></p> <p><b>Community Activities</b> (limited to creches and other child care facilities integrated with Visitor Accommodation)</p> <p><b>Educational Facilities</b></p> <p>Control is reserved to all:</p> <ul style="list-style-type: none"> <li>a. general: <ul style="list-style-type: none"> <li>x. location and external appearance of buildings;</li> <li>xi. setback from roads;</li> <li>xii. setback from internal boundaries;</li> <li>xiii. vehicle access and street layout;</li> <li>xiv. outdoor living space;</li> <li>xv. street scene including landscaping;</li> <li>xvi. enhancement of ecological and natural values;</li> <li>xvii. provision for internal walkways, cycle ways and pedestrian linkages; and</li> <li>xviii. noise.</li> </ul> </li> <li>b. natural hazards where the proposal results in an increase in gross floor area: <ul style="list-style-type: none"> <li>i. the nature and degree of risk the hazard(s) pose to people and property;</li> <li>ii. whether the proposal will alter the risk to any site; and</li> <li>iii. the extent to which such risk can be avoided or sufficiently mitigated.</li> </ul> </li> </ul>	C
42.4.7	<b>Licensed Premises not otherwise identified</b>	PR
42.4.8	<b>Manufacturing and/or product assembling activities</b>	PR
42.4.9	<b>Fish or meat processing</b>	PR
42.4.10	<b>Fibreglassing, sheet metal work, bottle or scrap storage, motorbody building or wrecking, fish or meat processing (excluding that which is ancillary to a retail</b>	PR

	Activities located in the Waterfall Park Zone	Activity status
	premises such as a butcher, fishmonger or supermarket), or any activity requiring an Offensive Trade Licence under the Health Act 1956.	
42.4.11	Factory Farming	PR
42.4.12	Any activity requiring an Offensive Trade Licence under the Health Act 1956	PR
42.4.13	In the Residences Area (R) of the Structure Plan Residential Visitor Accommodation and Homestays	P

## 42.5 Rules - Standards

	Standards for activities located in the Waterfall Park Zone	Non-compliance Status
42.5.1	<p><b>Setbacks</b></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 7m to Mill Creek.</p>	D
42.5.2	<p><b>Residential Capacity</b></p> <p>In the Waterfall Park Zone the maximum number of residential units shall be limited to 100.</p>	NC
42.5.3	<p><b>Building Height</b></p> <p>The maximum height of buildings shall be:</p> <ol style="list-style-type: none"> <li>visitor accommodation, (including facilities integrated with and ancillary to Visitor Accommodation) – 8 m;</li> <li>residential buildings - 8m;</li> <li>all other buildings and structures - 4m.</li> </ol>	NC

	Standards for activities located in the Waterfall Park Zone	Non-compliance Status
42.5.4	<p><b>Glare shall comply with all of the following:</b></p> <p>42.5.4.1 All fixed lighting shall be directed away from adjacent roads and properties, and so as to limit effects on the night sky.</p> <p>42.5.4.2 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>42.5.4.3 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>	NC
42.5.5	<p><b>Maximum Total Site Coverage</b></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 excludes bridges and roads and parking areas.</p>	NC
42.5.6	<p><b>Fire Fighting</b></p> <p>A fire fighting reserve of water shall be maintained of a capacity sufficient to service the Zone. The storage shall meet the New Zealand Fire Service Firefighting Water Supplies Code of Practice 2008.</p>	NC
42.5.7	<p><b>Atmospheric Emissions</b></p> <p>There shall be no indoor solid fuel fires, except for:</p> <p>a. feature open fireplaces in the clubhouse and other communal buildings including bars and restaurants.</p> <p>Note – Council bylaws and Regional Plan rules may also apply to indoor and outdoor fires.</p>	NC
42.5.8	<p><b>Retail sales</b></p> <p>No goods shall be displayed, sold or offered for sale from a site except:</p> <p>a. goods grown, reared or produced on the site;</p> <p>b. within those areas of the Structure Plan identified as the Village Centre.</p>	NC

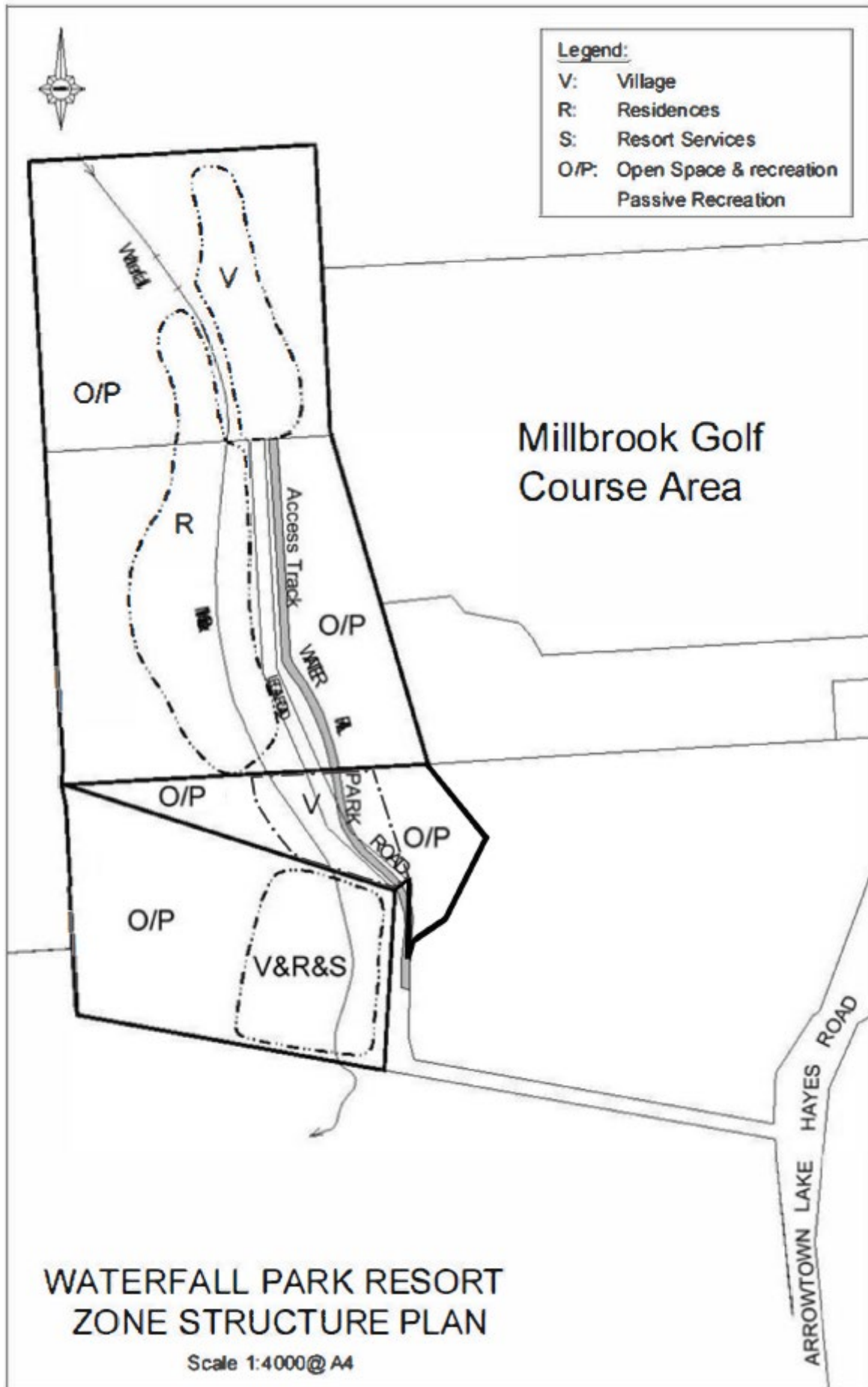
	Standards for activities located in the Waterfall Park Zone	Non-compliance Status
42.5.9	<p><b>Residential Visitor Accommodation</b></p> <p>42.5.9.1 <u>The total nights of occupation by paying guests on site do not exceed a cumulative total of 179 nights per annum from the date of initial registration</u><del>Must be limited to one residential unit or residential flat per site not exceeding a cumulative total of 179 nights occupation by paying guests on a site per 12 month period.</del></p> <p><del>Must comply with the minimum parking requirements for a residential unit and or residential flat (whichever is used for the residential visitor accommodation activity) in Chapter 29 Transport)</del></p> <p>42.5.9.2 <u>No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated</u> <del>Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</del></p> <p>42.5.9.3 <u>The activity is registered with Council prior to commencement</u><del>The Council must be is notified in writing prior to the commencement of a Residential Visitor Accommodation activity.</del></p> <p>42.5.9.4 Up to date records of the Residential Visitor Accommodation activity must be kept, including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</p> <p><del>42.5.9.5 <u>Smoke alarms must be provided in accordance with clause 5 of the Residential Tenancies (Smoke Alarms and Insulation) Regulations 2016.</u></del></p> <p>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 42.5.9.1 to 42.5.9.5.</p>	<p>C</p> <p>Control is reserved to:</p> <ol style="list-style-type: none"> <li>a. The location, nature and scale of activities;</li> <li>b. <u>Vehicle access and parking</u><del>The location, provision, and screening of parking and access;</del></li> <li>c. The management of noise, rubbish, <u>recycling</u> and outdoor activities;</li> <li><del>d. The compliance of the residential unit with the Building Code as at the date of the consent;</del></li> <li><del>e. Health and safety provisions in relation to guests;</del></li> <li>d. Guest management and complaints procedures;</li> <li>e. The keeping of records of <u>RVA Residential Visitor Accommodation</u> use, and availability of records for Council inspection; and</li> <li>f. Monitoring requirements, including imposition of an annual monitoring charge.</li> </ol>

	Standards for activities located in the Waterfall Park Zone	Non-compliance Status
42.5.10	<p><b>Homestay</b></p> <p>42.5.10.1 <del>The total number of paying guests on a site does not exceed five per night. May occur within either an occupied residential unit or an occupied residential flat on a site, and must not occur within both on a site.</del></p> <p>42.5.10.2 <u>No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated</u><del>Must not exceed 5 paying guests on a site per night.</del></p> <p><del>42.5.10.3 Must comply with minimum parking requirements of standard 29.8.9 in Chapter 29 Transport.</del></p> <p>42.5.10.4 <del>Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</del></p> <p>42.5.10.53 The Council <del>must be</del> <u>is</u> notified in writing prior to the commencement of a Homestay activity.</p> <p>42.5.10.6 Up to date records of the Homestay activity must be kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</p> <p>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 42.5.10.1 to 42.5.10.6.</p>	<p>C</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> <li>a. The location, nature and scale of activities;</li> <li><del>b. The location, provision, and screening of parking and access;</del></li> <li>c. The management of noise, rubbish, <u>recycling</u> and outdoor activities;</li> <li>d. The keeping of records of Homestay use, and availability of records for Council inspection; and</li> <li>e. Monitoring requirements, including imposition of an annual monitoring charge; <u>and</u></li> <li>f. <u>Vehicle access and parking.</u></li> </ul>

**42.6 Rules - Non-Notification of Applications**

**42.6.1 All applications for Controlled activities and Restricted Discretionary shall not require the written consent of other persons and shall not be notified or limited-notified.**

42.7 Structure Plan



## Note:

- Changes from previous Consent Order dated 28 May 2021 are in blue underlined text and ~~strikeout~~
- Changes from this Consent Order are in black underlined text and ~~strikeout~~

## 43 Millbrook

Please note: Variations to parts of this chapter have been decided by Council on 18 March 2021 as part of Stage 3&3b of the PDP. You can view the Stage 3 Decisions and appeals notices on our website. The appeals and section 274 periods for the Stage 1 and 2 Decisions have closed.

### 43.1 Resort Zone Purpose

**43.1.1** 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.

**43.1.2** 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 Activity Area (LP) – to manage sensitive landscape areas in a manner which prevents inappropriate development.
- Landscape Protection (Malaghans) Activity Area (LPM) - to maintain a mature tree lined edge to Malaghans Road.
- Resort Services Activity Area (S): to provide for service and maintenance activities which support the functioning of a resort.
- Helicopter Landing and Take Off Activity Area (H) – to enable the consideration of applications for helicopter landings and take offs from this location.



**43.1.3 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 Landscaping Overlay (L) – to identify those locations where measures will be undertaken to avoid adverse effects on landscape amenity.
- Height Restriction Overlay (HR) – used to specify height restrictions on Indicative Residential Sites 10 and 11.
- Earthworks Overlays (E1 and E2) - to identify where earthworks will be undertaken to mitigate effects on neighbouring properties, and prevent buildings in those areas.
- Gully Planting (GP) and Open Planting (OP) Overlays - to specify where landscape planting is required for ecological restoration purposes.
- Indicative Residential Sites - to identify locations of future buildings and specify height limits and recession plane controls.

## **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, and water 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 buildings and associated landscaping to have 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 Require the take-off and landing of aircraft to be controlled.
- 43.2.1.5 Require an integrated landscape management plan for the South Dalglish part of the zone
- 43.2.1.6 Reduce nutrient levels and other pollutants entering Mill Creek.

## **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 shown in italics.

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes

24 Signs	25 Earthworks	26 Historic Heritage
27 Subdivision	28 Natural Hazards	29 Transport
30 Utilities and Renewable Energy	31 Hazardous Substances	32 Protected Trees
33 Indigenous Vegetation	34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings
36 Noise	37 Designations	District Plan web mapping application

### 43.3.2 Explanatory Rules

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.

43.3.2.2 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	Activity Status
<b>43.4.1</b>	Any activity which complies with the standards for permitted activities and is not listed as a controlled, discretionary, non-complying or prohibited activity.	P
<b>43.4.2</b>	Residential Activity <ul style="list-style-type: none"> <li>a. Resort Services Activity Area, except for residential activity ancillary to a permitted or approved activity</li> <li>b. Golf / Open Space Activity Area, except for residential activity ancillary to a permitted or approved activity</li> <li>c. Recreational Facilities Activity Areas, except for residential activity ancillary to a permitted or approved activity</li> </ul>	D
<b>43.4.3</b>	Visitor Accommodation outside of the Village Activity Area	D
<b>43.4.4</b>	Golf Courses	NC

	<b>Activities – Millbrook</b>	<b>Activity Status</b>
	<ul style="list-style-type: none"> <li>a. In the Landscape Protection Activity Area</li> <li>b. In the Landscape Protection (Malaghans) Activity Area</li> </ul>	
<b>43.4.5</b>	<p>Commercial and Community Activities, except for:</p> <ul style="list-style-type: none"> <li>a. Commercial recreation activities</li> <li>b. 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</li> <li>c. Bars, restaurants, theatres, conference, cultural and community facilities in the Village Activity Area</li> <li>d. Retail activities which comply with rule 43.5.10 (Retail Sales)</li> </ul>	D
<b>43.4.6</b>	<p>Commercial Recreation Activities, except for:</p> <ul style="list-style-type: none"> <li>a. Golf courses; or</li> <li>b. Within the Recreation Facilities Activity Area or Village Activity Area</li> </ul>	D
<b>43.4.7</b>	<p>Licensed Premises in the Village Activity Area</p> <p>Premises licensed for the consumption of alcohol on the premises between the hours of 11pm and 8am, provided that this rule shall not apply to the sale and supply of alcohol to any person who is residing (permanently or temporarily) on the premises or to any person who is present on the premises for the purpose of dining up until 12am.</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> <li>a. The scale of the activity</li> <li>b. Car parking and traffic generation</li> <li>c. Effects on amenity (including that of adjoining residential zones and public reserves)</li> <li>d. The configuration of activities within the building and site (e.g. outdoor seating, entrances)</li> <li>e. Noise issues and hours of operation</li> </ul>	C
<b>43.4.8</b>	<p>Licensed Premises Outside 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>	NC

	<b>Activities – Millbrook</b>	<b>Activity Status</b>
	<ul style="list-style-type: none"> <li>a. To any person who is residing (permanently or temporarily) on the premises</li> <li>b. To any person who is present on the premises for the purpose of dining up until 12am</li> </ul>	
<b>43.4.9</b>	<p>Farm Buildings</p> <p>All Activity Areas except for the Landscape Protection (Malaghans) Activity Area.</p> <p>Control is reserved to effects on heritage and landscape values.</p>	C
<b>43.4.10</b>	<p>Buildings</p> <ul style="list-style-type: none"> <li>a. Village Activity Area</li> <li>b. R1 to R13 and R19 of the Residential Activity Area</li> <li>c. The Recreational Facilities Activity Area</li> </ul> <p>Control is reserved to:</p> <ul style="list-style-type: none"> <li>i. The appearance of the building</li> <li>ii. Effects on visual and landscape amenity of the area including coherence with the surrounding buildings</li> </ul>	C
<b>43.4.11</b>	<p>Buildings</p> <ul style="list-style-type: none"> <li>a. R14, R15, R16 and R20 of the Residential Activity Area</li> </ul> <p>Discretion is restricted to the following:</p> <ul style="list-style-type: none"> <li>i. The appearance of the building</li> <li>ii. Associated landscaping controls</li> <li>iii. The effects on visual and landscape amenity values of the area including coherence with the surrounding buildings</li> </ul>	RD
<b>43.4.12</b>	<p>Buildings</p> <ul style="list-style-type: none"> <li>a. R17 and R18 of the Residential Activity Area</li> </ul> <p>Discretion is restricted to the following:</p> <ul style="list-style-type: none"> <li>i. The appearance of the building</li> <li>ii. Effects on visual and landscape amenity of the area including coherence with the surrounding buildings and heritage values</li> </ul>	RD
<b>43.4.13</b>	Buildings	D

	<b>Activities – Millbrook</b>	<b>Activity Status</b>
	a. Golf Course and Open Space Activity Area, except for utilities, service and accessory buildings up to 40m <sup>2</sup> in gross floor area	
<b>43.4.14</b>	Buildings in the Landscape Protection and Landscape Protection (Malaghans) Activity Area, except for: <ul style="list-style-type: none"> <li>a. One farm building relocated from within the zone and restored the Landscape Protection (Malaghans) Activity Area (refer Rule 43.4.9)</li> <li>b. Utility buildings up to 25m<sup>2</sup> in gross floor area</li> </ul>	NC
<b>43.4.15</b>	Buildings in the E1 and E2 Earth Moulding Overlay Areas	PR
<b>43.4.16</b>	Amenity Landscaping Works <p>Landscaping works within the Gully Planting Overlay, the Open Planting Overlay the Amenity Landscaping Overlay, the Earth Moulding Overlay, the Landscape Protection (Malaghans) Activity Area and the Landscape Protection Activity Area.</p> <p>Discretion is restricted to the following:</p> <ul style="list-style-type: none"> <li>a. An integrated landscape management plan that incorporates: <ul style="list-style-type: none"> <li>i. Landscape designs and planting plans that indicate how the Gully Planting and Open Planting Overlays will be planted and maintained with at least 90 % of plants listed in Appendix 1</li> <li>ii. Practical and reasonable measures within the Amenity Landscaping overlay to avoid or mitigate adverse effects on the amenity values enjoyed within properties beyond the Zone boundary, utilising the species lists for the Gully Planting and Open Planting Overlays in Appendix 1</li> <li>iii. Removal of all Pinus, Pseudotsuga and Cystisus from the E1, E2, Open Planting, Gully Planting and Amenity Landscaping overlay areas</li> <li>iv. Earthworks to be undertaken in E1 for the purpose of visually screening all residential properties within the R14 and R15 Residential Activity Areas from approved Residential Building Platforms on Lot 1 DP 475822 and Lot 2 DP 475822</li> <li>v. Earthworks to be undertaken in E2 for the purpose of mitigating views of golfing activities as viewed from approved Residential Building Platforms on Lot 1 DP 475822 and Lot 2 DP 475822</li> <li>vi. Details on and commitments to prompt establishment, density of planting, replacement of dead and diseased plants, restrictions on removal of other vegetation,</li> </ul> </li> </ul>	RD

	<b>Activities – Millbrook</b>	<b>Activity Status</b>
	<p>irrigation, fertiliser, composting, rabbit control and use of gender dimorphic stock sourced from local seeds where practical</p> <p>vii. The measures that shall be employed to maintain or enhance the quality of water within Mill Creek</p> <p>viii. Landscape designs and planting plans for the Landscape Protection (Malaghans) Activity Area that ensures a predominantly screened effect when viewed from the road</p>	
<b>43.4.17</b>	<p>Helicopter Landing and Take Off</p> <p>a. Helicopter Landing and Take-off Activity Area</p> <p>Discretion is restricted to the following:</p> <p>i. Safety</p> <p>ii. Effects on amenity values</p>	RD
<b>43.4.18</b>	<p>Airports, except for:</p> <p>a. Helicopter landings and take-offs approved under rule 43.4.17</p> <p>b. The use of land and water for any emergency landings, rescues and fire-fighting.</p>	NC
<b>43.4.19</b>	<p>Service Activities, except where:</p> <p>a. Directly related to other approved or permitted activities within the Zone and located within the Resort Services Activity Area; or</p> <p>b. Located within the Golf / Open Space Activity Area and which have a gross floor area of no more than 40m<sup>2</sup></p>	NC
<b>43.4.20</b>	<p>Industrial Activities; except for:</p> <p>a. Activities directly related to other approved or permitted activities within the Zone</p> <p>b. Activities located within the Resort Services Activity Area</p>	NC
<b>43.4.21</b>	Mining	NC
<b>43.4.22</b>	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
<b>43.4.23</b>	Forestry activities, except for Plantation Forestry where the Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017 prevails.	NC

	Activities – Millbrook	Activity Status
43.4.24	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
43.4.25	Factory Farming	PR
43.4.26	Residential Visitor Accommodation and Homestays in the Residential Activity Area	P

### 43.5 Rules- Standards

	Rules – Millbrook	Non-compliance status
43.5.1	Structure Plan  Development shall be undertaken in general accordance with the Structure Plan.	D
43.5.2	Setbacks  a. No building or structure shall be located closer than 6m to the Zone boundary  b. No building shall be located closer than 10m from Malaghans Road or the Arrowtown Lake Hayes Road  c. On Residential Activity Sites 14 and 19 buildings shall be located at least 7m from the Residential Activity Area boundary	RD  Discretion is restricted to:  i. Effects on amenity values;  ii. Building design;  iii. Landscape treatment; and  iv. Outlook and privacy of neighbours  With respect to Rule 43.S.2(b), discretion is limited to the following:  The effects of the proposed building on the Electricity Sub-transmission Infrastructure as shown on the District Plan web mapping application, including whether NZECP34:2001 can be complied with.
43.5.3	Building Colours and Materials in Residential Activity Areas R14, R15, R16	RD

	Rules – Millbrook	Non-compliance status
	<p>a. Roof materials and colours will be limited to:</p> <ul style="list-style-type: none"> <li>i. Dark grey corrugated iron</li> <li>ii. Dark grey tray profile</li> <li>iii. Slate</li> <li>iv. Copper (left to weather)</li> <li>v. Gutters and downpipes to match the roof colour</li> </ul> <p>b. Claddings will be limited to:</p> <ul style="list-style-type: none"> <li>i. Millbrook quarry stone</li> <li>ii. Painted or stained weatherboards</li> <li>iii. Steel sheeting</li> <li>iv. Textured concrete</li> <li>v. Painted plaster</li> </ul> <p>c. Paint colours and external joinery shall have a maximum 30% light reflectancy value</p> <p>*Council’s discretion is restricted to:</p> <ul style="list-style-type: none"> <li>i. Effects on amenity and landscape values</li> <li>ii. Building design</li> <li>iii. the degree to which the colours and materials are recessive within the context of the building</li> </ul>	
<b>43.5.4</b>	<p>Residential Density</p> <p>The maximum number of residential units in the Millbrook Resort Zone shall be limited to 458.</p>	NC
<b>43.5.5</b>	<p>Residential Density</p> <p>a. In the following parts of the Residential Activity Area the total number of residential units shall not exceed:</p> <ul style="list-style-type: none"> <li>i. R13 10 residential units</li> <li>ii. R14 6 residential units</li> </ul>	NC



	Rules – Millbrook	Non-compliance status
	<ul style="list-style-type: none"> <li>iii. R15 15 residential units</li> <li>iv. R16 6 residential units</li> <li>v. R17 7 residential units</li> <li>vi. R18 1 residential unit</li> <li>vii. R19 4 residential units</li> <li>viii. R20 4 residential units</li> </ul> <p>b. In addition there shall be no more than one residential unit per Indicative Residential Site</p>	
<b>43.5.6</b>	<p>Building Height</p> <p>The maximum height of buildings shall be:</p> <ul style="list-style-type: none"> <li>a. Visitor accommodation, clubhouses, conference and theatre facilities restaurants, retail and residential buildings except in R14, R15, R16, R17 - 8m</li> <li>b. Filming towers - 12m</li> <li>c. All other buildings and structures except in R14, R15, R16, R17 - 4m</li> </ul>	NC
<b>43.5.7</b>	<p>Building Height – Residential Activity Areas R14, R15, R16 and R17</p> <ul style="list-style-type: none"> <li>a. In the following parts of the Residential Activity Area the following maximum building heights shall apply: <ul style="list-style-type: none"> <li>i. R14 6.5m</li> <li>ii. R15 6.5m except within those parts subject to the Height Restriction Overlay where the height limit shall be 5.5m</li> <li>iii. R16 6.5m</li> <li>iv. R17 5.5m</li> </ul> </li> <li>b. No part of a building shall exceed the following heights above sea level (excluding chimneys which may exceed the height control by 2.0m with a maximum horizontal dimension of 1.5m):</li> </ul>	NC

	Rules – Millbrook	Non-compliance status																		
	<table border="1" data-bbox="387 264 892 748"> <thead> <tr> <th data-bbox="387 264 644 427">Indicative Residential Site as shown on the Structure Plan</th> <th data-bbox="644 264 892 427">Datum (masl) using the “Mt Nic 2000 &amp; MSL” datum</th> </tr> </thead> <tbody> <tr> <td data-bbox="387 427 644 495">1</td> <td data-bbox="644 427 892 495">481.8</td> </tr> <tr> <td data-bbox="387 495 644 562">3</td> <td data-bbox="644 495 892 562">478.8</td> </tr> <tr> <td data-bbox="387 562 644 629">6-13</td> <td data-bbox="644 562 892 629">475.8</td> </tr> <tr> <td data-bbox="387 629 644 696">14</td> <td data-bbox="644 629 892 696">475.8</td> </tr> <tr> <td data-bbox="387 696 644 748">19</td> <td data-bbox="644 696 892 748">472.8</td> </tr> </tbody> </table> <p data-bbox="387 815 938 1093">c. No part of a building on Indicative Residential Sites 1 and 3 shall protrude through a recession plane running due south 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:</p> <table border="1" data-bbox="387 1312 892 1608"> <thead> <tr> <th data-bbox="387 1312 644 1478">Indicative Residential Site as shown on the Structure Plan</th> <th data-bbox="644 1312 892 1478">Datum (masl) using the “Mt Nic 2000 &amp; MSL” datum</th> </tr> </thead> <tbody> <tr> <td data-bbox="387 1478 644 1545">1</td> <td data-bbox="644 1478 892 1545">478</td> </tr> <tr> <td data-bbox="387 1545 644 1608">3</td> <td data-bbox="644 1545 892 1608">475</td> </tr> </tbody> </table>	Indicative Residential Site as shown on the Structure Plan	Datum (masl) using the “Mt Nic 2000 & MSL” datum	1	481.8	3	478.8	6-13	475.8	14	475.8	19	472.8	Indicative Residential Site as shown on the Structure Plan	Datum (masl) using the “Mt Nic 2000 & MSL” datum	1	478	3	475	
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3	475																			
<p><b>43.5.8</b></p>	<p>Glare</p> <ul style="list-style-type: none"> <li>a. All fixed lighting shall be directed away from adjacent roads and properties</li> <li>b. Any building or fence constructed or clad in metal, or material with reflective surfaces shall be painted or otherwise coated with a non-reflective finish</li> <li>c. No activity shall result in a greater than 3.0 lux spill, horizontal and vertical, of light onto any property located outside of the Zone, measured at any point</li> </ul>	<p>NC</p>																		

	Rules – Millbrook	Non-compliance status
	<p>inside the boundary of the adjoining property</p> <p>External lighting shall be limited to down lighting only, not more than 1.5 metres above the finished floor level of the dwelling with the light source shielded from horizontal view.</p>	
<b>43.5.9</b>	<p>Nature and Scale of Activities</p> <p>a. Except within the Village and Resort Services Activity Areas:</p> <p>i. 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>ii. All manufacturing, altering, repairing, dismantling or processing of any materials, goods or articles shall be carried out within a building</p>	NC
<b>43.5.10</b>	<p>Retail Sales</p> <p>No goods or services shall be displayed, sold or offered for sale from a site except:</p> <p>a. goods grown, reared or produced on the site</p> <p>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>c. Within the Village Activity Area</p>	NC
<b>43.5.11</b>	<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
<b>43.5.12</b>	<p>Golf Course Development</p> <p>Development of:</p>	NC

	Rules – Millbrook	Non-compliance status
	<p>a. more than 27 holes of golf without prior certification by the Council of the plans for the Gully Planting Overlay, Open Planting Overlay, Earthworks Mounding Overlay and Amenity Landscaping areas (refer Rule 43.4.16); or</p> <p>b. residential units in the South Dalgliesh part of the zone without prior certification by the Council of the implemented plans for the Gully Planting Overlay, Open Planting Overlay, Earthworks Mounding Overlay and Amenity Landscaping areas (refer Rule 43.4.16).</p>	
<b>43.5.13</b>	<p>Helicopter Landing Areas</p> <p>More than one permanent helicopter landing area within the Zone.</p>	NC
<b>43.5.14</b>	<p>Residential Visitor Accommodation</p> <p>43.5.14.1 <del>The total nights of occupation by paying guests on site do not exceed a cumulative total of 179 nights per annum from the date of initial registration. Must be limited to one residential unit or residential flat per site</del> not exceeding a cumulative total of 179 nights occupation by paying guests on a site per 12 month period.</p> <p>43.5.14.2 <del>No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated. Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</del></p> <p><del>Must comply with the minimum parking requirements for a residential unit and/or residential flat (whichever is used for the residential visitor accommodation activity) in Chapter 29 Transport</del></p> <p>43.5.14.3 <del>The activity is registered with Council prior to commencement</del>The Council</p>	<p>C</p> <p>Control is reserved to:</p> <p>a. The location, nature and scale of activities;</p> <p>b. <del>Vehicle access and parking</del>The location, provision, and screening of parking and access;</p> <p>c. The management of noise, rubbish, recycling and outdoor activities;</p> <p>d. <del>The compliance of the residential unit with the Building Code as at the date of the consent;</del></p> <p>e. <del>Health and safety provisions in relation to guests;</del></p> <p>f. Guest management and complaints procedures;</p> <p>g. The keeping of records of <u>RVA Residential Visitor Accommodation</u> use, and</p>

	Rules – Millbrook	Non-compliance status
	<p><del>must be notified in writing prior to the commencement of a Residential Visitor Accommodation activity.</del></p> <p>43.5.14.4 Up to date records of the Residential Visitor Accommodation activity must be kept, including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours’ notice.</p> <p><del>Smoke alarms must be provided in accordance with clause 5 of the Residential Tenancies (Smoke Alarms and Insulation) Regulations 2016.</del></p> <p>Note: The Council may request that records are made available to the Council for inspection at 24 hours’ notice, in order to monitor compliance with rules 43.5.14.1 to 43.5.14.54.</p>	<p>availability of records for Council inspection; and</p> <p>h. Monitoring requirements, including imposition of an annual monitoring charge</p>
<p><b>43.5.15</b></p>	<p><b>Homestay</b></p> <p>43.5.15.1 <del>The total number of paying guests on a site does not exceed five per night. May occur within either an occupied residential unit or an occupied residential flat on a site, and must not occur within both on a site.</del></p> <p>43.5.15.2 <u>No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated</u><del>Must not exceed 5 paying guests on a site per night.</del></p> <p>43.5.15.3 <u>Council is notified in writing prior to the commencement of a Homestay activity</u><del>Must comply with minimum parking requirements of standard 29.8.9 in Chapter 29 Transport.</del></p> <p>43.5.15.4 <del>Must not generate any vehicle movements by heavy vehicles;</del></p>	<p>C</p> <p>Control is reserved to:</p> <p>a. The location, nature and scale of activities;</p> <p><del>b. The location, provision, and screening of parking and access;</del></p> <p>c. The management of noise, rubbish, recycling and outdoor activities;</p> <p>d. The keeping of records of Homestay use, and availability of records for Council inspection; and</p> <p>e. Monitoring requirements, including imposition of an annual monitoring charge; and</p> <p>f. <u>Vehicle access and parking.</u></p>

	Rules – Millbrook	Non-compliance status
	<p><del>coaches or buses to and from the site.</del></p> <p>43.5.15.5 <del>The Council must be notified in writing prior to the commencement of a Homestay activity.</del></p> <p>43.5.15.6 Up to date records of the Homestay activity must be kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours’ notice.</p> <p>Note: The Council may request that records are made available to the Council for inspection at 24 hours’ notice, in order to monitor compliance with rules 43.5.15.1 to 43.5.15.6<u>4</u>.</p>	

## APPENDIX 1

Overlay Area	Plant List
Gully Planting Overlay	Carex secta Hebe salicifolia Aristotelia serrata Coprosma lucida Coprosma propingua Fluscopora solandri var. cliffortioides Olearia lineata Cortaderia richardii Phormium tenax
Opening Planting Overlay	Festuca novae-zelandiae Coprosma propingua Leonohebe cupressoides Olearia odorata Melicyrus alpin us Sophora microphylla Olearia avicenniifolia Carmichaelia petriei Poa colensoi Hebe subalpina

## 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.

**43.6.2** Notwithstanding Rule 43.6.1 above, any application for resource consent where Rule 43.5.2(b) is relevant, Council will give specific consideration to Aurora Energy Limited as an affected person for the purposes of section 95E of the Resource Management Act 1991.

43.7 Structure Plans

