



Resource Management Act 1991

16

**Queenstown Lakes District Council**

**Proposed Plan Change 16**

**Three Parks Special Zone**

**INCLUDING RECOMEMENDATIONS ON  
SUBMISSIONS**

**Plan Change to amend:**

- (A) Part 12 (special zones) by adding a new zone called the “Three Parks” zone, as attached**
- (B) Part 1 (Introduction) by adding an explanation regarding the use of discretionary activity status in the residential subzone of the Three Parks zone, as**
- (C) Part 10 (Town Centre) by adding a new objective and policies regarding business activity outside of the Wanaka Town Centre, as attached**
- (D) Part 14 (Transport) by adding car parking and cycling provisions relating to the Three Parks zone, as attached**
- (E) Part 15 (Subdivision) by adding subdivision standards relating to the Three Parks zone, as attached**
- (F) Part D – Definitions by adding a number of new definitions, as attached.**

## 12 Special Zones

Note: All the following text is in addition to the District Plan

### 12.25 Three Parks Special Zone

The purpose of this zone is to provide for growth and to give effect to the Wanaka 2020 Community Plan (2002) and the more recent Wanaka Structure Plan (2007) and Wanaka Transport Strategy (2007).

The purpose of the Zone is to provide for a range of activities, including commercial, residential, visitor accommodation, community and recreation activities, as well as an open space network. The purpose of the specific subzones within Three Parks is explained at the start of the provisions for each individual subzone.

#### 12.25.1 The process of applying for resource consents in the zone.

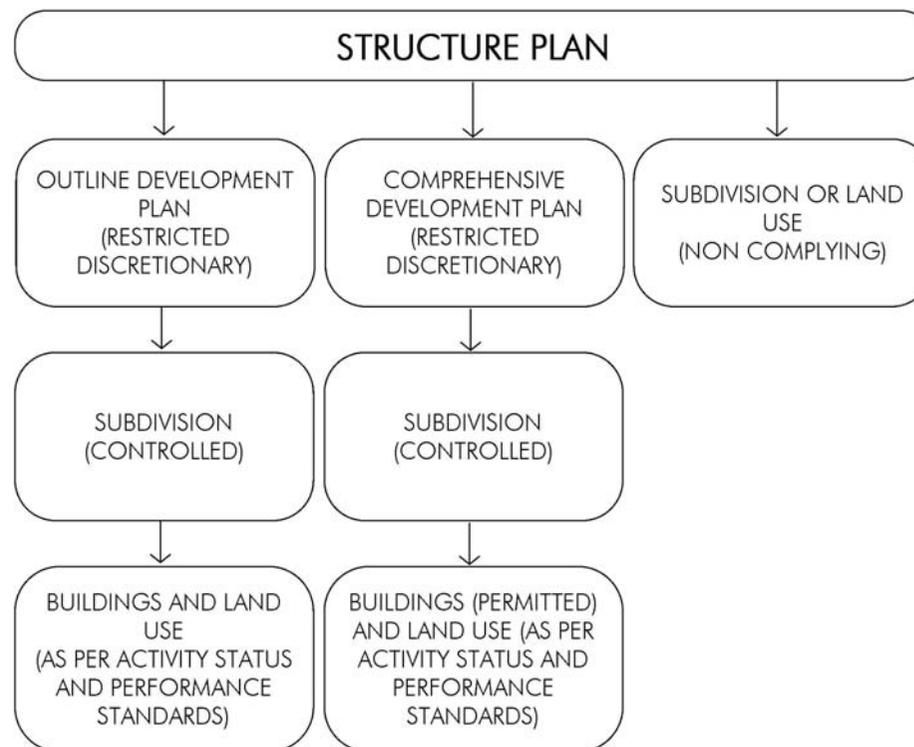
In order to achieve a high quality urban area, all development is expected to be consistent with the Structure Plan and subsequent, more detailed, Outline Development Plans or Comprehensive Development Plans.

The expectation is that applicants obtain a resource consent for an **Outline Development Plan** (ODP) for that area that they intend to develop in any given stage prior to applying for any resource consents for individual developments or subdivisions.

Alternatively, the applicant may chose to apply for a **Comprehensive Development Plan** (CDP) as a restricted discretionary activity which includes all those elements required of an ODP but also includes 3 dimensional detail of the proposed built form. Approval of a CDP will avoid the need for the applicant to then apply for subsequent resource consents for the buildings.

**Resource consent applications for subdivision or landuse** prior to obtaining an approved Outline Development Plan or Comprehensive

Development Plan will be non-complying. The following flow diagram summarises the various options available to the applicant.



The suite of resource consent options available to an applicant and the information requirements for each are further outlined in the following table. This is a guide only and additional information will be required for development within some of the subzones. For a full understanding of the level of information required, you are referred to the matters of discretion for Outline Development Plans and Comprehensive Development Plans within the specific subzones.

# PLAN CHANGE 16 – THREE PARKS ZONE ZONE-WIDE

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Ref	Staging	Structure Plan within the District Plan	Outline Development Plan	Comprehensive Development Plan	Land Use Consent
1	Staging – indicative	X			
2	Staging – fixed		X	X	

Ref	Transportation	Structure Plan within the District Plan	Outline Development Plan	Comprehensive Development Plan	Land Use Consent
3	Arterial roads approximate (+/- 20m)	X			
	Collector Roads (+/- 30m)	X			
4	Main local roads indicative only	X			
5	Location of roads fixed		X	X	
6	Pedestrian and Cycle links fixed		X	X	
7	Street design by type, indicative only	X			
8	Street design and cross sections fixed		X	X	
9	Passenger transport stops and routes (as applicable)		X	X	

Ref	Open Space Networks	Structure Plan within the District Plan	Outline Development Plan	Comprehensive Development Plan	Land Use Consent
10	Indicative key open spaces	X			
11	Detailed location and type of open spaces		X	X	
12	Landscaping, including the location and species of street trees, and in subsequent consent stages, the furnishing detail.		X	X	X
13	Indicative key storm water management open spaces	X			
14	Detailed location and type of storm water management open spaces		X	X	

Ref	Land use mix	Structure Plan within the District Plan	Outline Development Plan	Comprehensive Development Plan	Land Use Consent
15	Activity area boundaries approximate (+/- 20m)	X			
17	Fixed activity area boundaries		X	X	
18	Indicative Lot layouts, building platforms, and land use density		X		

Ref	Land use mix	Structure Plan within the District Plan	Outline Development Plan	Comprehensive Development Plan	Land Use Consent
19	Fixed Lot layouts, building platforms, and land use density			X	
20	Location and quantum of land use types (includes any affordable housing)		X	X	
21	Design guidelines (if being proposed)		X	X	
22	Demonstration of how land use will be intensified in future development stages (where applicable).		X	X	
23	Indicative building design (includes plans, elevations, cross sections etc.)			X	
24	Detailed building design (includes plans, elevations, cross sections etc.)			X	X
25	Floor area, site coverage, car parks, and other ancillary detail supporting building design			X	X

## 12.25.2 The use of discretionary activity status in regard to managing non-residential activities in the residential subzones.

In the residential subzones, all non-residential uses are assessed as fully discretionary activities as opposed to being limited in terms of their nature and scale or being non-complying. This is to enable certain activities to occur provided they do not adversely affect residential amenity whilst providing clear guidance as to what activities or effects would not be considered appropriate. In this context, the discretionary status should not be seen as an indication that non-residential activities will generally be appropriate but, rather, that some will be and that the assessment of effects is more complex than simply whether or not certain standards are met. The assessment matters give clear guidance as to what sorts of activities will be appropriate by stating that activities will not normally be approved unless certain conditions are met or outcomes are achieved.

You are also referred to the Introduction to the District Plan (Section 1.5.3(iii) (vi), which explains the various resource consent classifications.

## 12.25.3 The use of assessment matters

Assessment Matters are included in the District Plan in order to help the Council to implement the Plan's policies and fulfil its functions and duties under the Act. In considering resource consents for land use activities, in addition to the applicable provisions of the Act, the Council shall consider the relevant *Assessment Matters* set out in the zone-wide section and in the various subzones below.

## 12.25.4 Objectives and Policies

### Objective 1

***A layout and design of development that demonstrates best practice in terms of achieving environmental sustainability***

## **Policies**

- 1.1 To ensure, through well-planned layouts, that buildings and open spaces are located and orientated in a way that achieves good solar access
- 1.2 To encourage energy efficiency in the design, location, and orientation of buildings.
- 1.3 To require development and subdivision to demonstrate best practice in regard to managing the quantity and quality of stormwater runoff.
- 1.4 To encourage the creation or restoration of wetlands where opportunities exist

## **Objective 2**

**An urban structure, well-considered building design, and other initiatives which, together, help to reduce car use and provide practical alternatives.**

## **Policies**

- 2.1 To require that the urban structure (including road layout, cycle and walking networks, landuse densities, and block sizes) is well-connected and specifically designed to:
  - 2.1.1 Enable public transport to efficiently service the area, now or in the future (which may, in the future, also include the provision of a transport node); and
  - 2.1.2 Ensure that on-street carparking is provided; and
  - 2.1.3 Reduce travel distances through well-connected streets; and
  - 2.1.4 Provide safe, attractive, and practical routes for walking and cycling, which are well-linked to existing or proposed passenger transport and local facilities

and amenities within the zone, and which are well-connected to other areas beyond the zone, particularly the Wanaka Town Centre.

~~2.2 To require an appropriate number of on-site car parks in order to help limit the number of localised car trips (within the zone and from other parts of Wanaka), whilst providing for users from the wider community in most parts of the zone.~~

2.3 To require applications for Outline Development Plans, Comprehensive Development Plans, and larger scale commercial developments to show how they will help reduce private car travel and encourage realistic alternative modes of transport, including through avoiding the excessive provision of car parking

2.4 To encourage large scale developments (i.e. those with at least 150 employees) to prepare voluntary travel plans through the Council providing advocacy and assistance, and considering reductions in parking requirements where travel plans are proposed.

Refer to Council guidelines relating to Travel Plans.

## **Objective 3**

**Staged development which keeps pace with the growth of Wanaka and results in a high quality urban area containing a network of open spaces and a mix of compatible uses.**

## **Policies**

- 3.1 To ensure that development is consistent with the Wanaka Structure Plan (2007) and the Wanaka Transport Study (2007).
- 3.2 To avoid development that is not in accordance with the Three Parks Structure Plan or approved Outline Development Plans or Comprehensive Development Plans.

- 3.3 *To ensure development is staged in a manner which results in a logical progression of development, the cost effective provision of infrastructure, an appropriate mix of uses, and a consolidated urban form.*
- 3.4 *To ensure that issues relating to potentially incompatible landuses are taken into account as part of the Outline Development Plan or Comprehensive Development Plan application.*
- 3.5 *To ensure that development and subdivision does not occur unless appropriate infrastructure is in place to service it.*
- 3.6 *To work with the Ministry of Education to enable a school to be appropriately located within the zone, should the Ministry deem such a facility to be required.*

## Objective 4

***The establishment of a Commercial Core which complements and does not compromise the function, viability, and vitality of the Wanaka Town Centre.***

## Policies

- 4.1 *To enable 12,000m<sup>2</sup> of retail space to be included in the first stage of development in order to meet existing demonstrated demand within the Wanaka area, to encourage the co-location of large format retail operators, and in recognition that it is unlikely large format retail developments will locate in areas within or surrounding the Wanaka Town Centre, and in recognition that it is not feasible for large format retail developments to be located in areas within or surrounding the Wanaka Town Centre.*
- 4.2 *To limit the provision of specialty retail space in the early stages of development in order to protect the vitality and viability of the existing Town Centre.*

- 4.3 *The provision of additional retail space in the Commercial Core beyond the first stage will only be acceptable if it can be demonstrated that:*

- 4.3.1 *The adverse effects on the amenity and function of the Wanaka town centre and the social and economic well-being of the Wanaka community are no more than minor.*

- 4.3.2 *The Wanaka Town Centre is healthy, in terms of its vitality and viability; and*

- 4.3.3 *There is a demonstrated need for more retail; and*

- 4.3.4 *The mix of commercial uses proposed will help to establish the Commercial Core as a viable and vibrant centre in its own right over time.*

- 4.4 *To allow the proportion of specialty retail stores within the Commercial Core subzone (relative to large format retail and other uses) to increase over time in order to meet the local needs of residents within the zone and to help establish a main street, people-orientated environment.*

- 4.5 *To prevent development in the Commercial Core subzone which would be more appropriately located elsewhere (such as large scale residential subdivisions or expansive resort-like Visitor Accommodation developments) in order to ensure that the commercial core is able to provide for Wanaka's long term commercial needs and to avoid premature pressure to establish another commercial centre elsewhere in Wanaka.*

## Objective 5

***A Commercial Core which, over time, will evolve into a high quality mixed use urban centre with a main street character and a strong sense of place.***

## Policies

- 5.1 To ensure that the design of the Commercial Core mitigates the adverse visual effects of large format buildings and that attractive, active street frontages are established over time.
- 5.2 To ensure the area evolves into a people-orientated area which serves as the social hub for residents of the Three Parks zone, as well as serving some of Wanaka’s wider needs.
- 5.3 To ensure that earlier stages of development in the Commercial Core are neither unattractive or promote poor design outcomes in the short term, nor preclude the transition over time into a high quality urban environment. NB – renumbering of the rest – check cross referencing
- 5.4 To avoid or minimise adverse effects arising from the incompatibility of some commercial and residential uses through the appropriate location of activities and controls.
- 5.5 To encourage a built form at the centre of the Commercial Core and along the mainstreet which contributes to a sense of arrival and departure through being notably higher, relative to the rest of the Commercial Core and the surrounding subzones
- 5.6 To accept that, in the early stages of development, the Commercial Core is unlikely to deliver as high a quality urban character as in later stages (as it will initially be predominantly large format retail), on the basis that finer grain retail will occur in later stages which will ‘sleeve’ the larger buildings and deliver a street-focused environment.
- 5.7 To ensure the delivery of a pedestrian-oriented streetscape through techniques such as creating shared space to regulate traffic behavior and avoiding parking forecourts which would dominate mainstreet frontages.

## Objective 6

**A high level of residential amenity and a range of housing types which promote strong, healthy, and inclusive communities.**

## Policies - General

- 6.1 A mixture of residential densities is encouraged in order to provide greater housing choice, a greater range of affordability, and a more diverse resident community.
- 6.2 Residential densities are required to be consistent with those specified in the assessment matters for Outline Development Plans in order to ensure that the various subzones are distinctly different from one another and that an appropriate level of consolidation and open space is achieved in the respective areas.
- 6.3 Neighbourhoods are required to be laid out in a manner which encourages residences to address the street by avoiding long, thin lots with narrow frontages.
- 6.4 A defining character of the residential area is that the dwellings themselves will be located in a relatively consistent line close to the streets, with an absence of high front fences and garages, thereby encouraging a more public realm, greater interaction and passive surveillance between dwellings and the street. NB – consequent renumbering below – check references
- ~~6.5 The provision of Affordable Housing within the Three Parks zone is required which is, commensurate with the level of demand for such housing generated by the zone, with a proportion of that housing secured as Community Housing.~~ NB – consequent renumbering below – check references
- 6.6 Privacy is maintained between residential neighbours in the residential subzones by minimising the degree to which houses overlook one another.
- 6.7 Retirement villages shall be avoided in the residential subzones unless they are identified in an approved Outline Development Plan or Comprehensive Development Plan.

6.8 *Non-residential activities (other than visitor accommodation and retirement villages) shall be avoided in the residential subzones unless:*

6.8.1 *The effects of the activity on residential amenity are consistent with those that would be reasonably anticipated in the respective residential subzone; and*

6.8.2 *It can be demonstrated to be servicing a local neighbourhood need; or*

6.8.3 *It is providing a clear community benefit to the local neighbourhood and, potentially, also to the wider community, such as a school or community hall.*

**Policies Low Density Residential subzone**

In addition to policies 6.1 to 6.7 above:

6.9 *The character shall be defined by 1 and 2 storey dwellings, which, whilst they may be of varying heights, all have a distinctly low density character.*

6.10 *Small clusters of higher density housing is appropriate in the Low Density Residential subzone provided it is identified in an approved Outline Development Plan, is well designed, and is located such that it provides a high level of residential amenity.*

6.11 *Visitor accommodation is avoided in the Low Density Residential subzone in order to enable a strong degree of residential cohesion to establish and to minimise issues arising from the incompatibility of the two uses.*

6.12 *Some variation in densities is ~~encouraged~~ required in the Low Density Residential subzone in order to ~~encourage~~ achieve a more diverse streetscape and resident community.*

**Policies Medium Density Residential Subzone (including the deferred mixed use precinct)**

In addition to policies 6.1 to 6.7 above:

6.13 *A range of compatible commercial activities are enabled within the mixed use precinct in the long term.*

6.14 *The character of the subzone, including the mixed use precinct, will remain predominantly residential with:*

6.14.1 *Commercial uses being secondary to the residential use of a site;*

6.14.2 *Visitor accommodation restricted to appropriately located visitor accommodation precincts in order to achieve a balanced visitor/ resident mix and avoid adverse effects on residential coherence and residential amenity.*

6.14.3 *Terrace houses and duplexes being the predominant building types (in preference to above ground level apartments).*

6.15 *Whilst a certain level of privacy and private outdoor living is considered important in the Medium Density Residential subzone, the controls are set lower than in the Low Density Residential subzone, in recognition of its higher density character and close proximity to public open space, and amenities such as shops and public transport.*

6.16 *Medium density housing is well designed, ensuring a quality residential living environment and attractive streetscape.*

**Objective 7**

***Establishment of a high quality, functional business area which provides for a wide range of light industrial, service and trade-related activities whilst protecting it from residential and inappropriate retail uses.***

**Policies**

7.1 *Other than those types of retail which are specifically permitted in the subzone, all other retail shall be avoided in the business zone in order to:*

7.1.1 *Preserve the business subzone for those uses that are specifically enabled; and*

7.1.2 *Ensure that the Commercial Core subzone establishes as the vibrant centre of the zone over time*

7.2 *Offices (other than ancillary to an on-site use) shall be allowed to occur in the business (mainstreet precinct) subzone but shall be avoided in the remainder of the subzone.*

7.3 *Residential activities shall be avoided in the subzone in order to avoid reverse sensitivity and future incompatibility issues between residential and business uses and to preserve the subzone for those uses that are specifically enabled*

7.4 *The design of buildings and site developments is of a high quality, particularly within the mainstreet precinct, where smaller buildings with more attractive frontages are expected.*

7.5 *Reverse sensitivity and future incompatibility issues between the business subzone and residential uses within the LDR subzone are minimised through the location of compatible activities at the interface and controls on effects.*

7.6 *Reverse sensitivity issues within the business subzone are minimised through avoiding residential uses within the subzone; restricting offices (other than ancillary) to the mainstreet precinct only; and avoiding those activities most likely to result in offsite effects from locating in the mainstreet precinct.*

7.7 *Small lot subdivision shall be avoided unless combined with a landuse Resource Consent, which illustrates how a complying business development can occur on the site(s).*

## **Objective 8 Tourism and community facilities subzone**

***A high quality, attractively landscaped entrance into the Three Parks zone within which quality Visitor Accommodation, places of public assembly such as conference venues, and community facilities are the predominant use.***

### **Policies**

8.1 *To require a high quality of built form and landscaping, which contribute to the visual amenity of the area, particularly when viewed from arterial roads, state highways, and elevated public areas.*

8.2 *To require building setbacks and landscape treatment along the Mainstreet arterial road, which contribute to a sense of arrival at the Commercial Core.*

8.3 *To minimise reverse sensitivity issues by avoiding low density residential development from locating in the Tourism and Community Facilities subzone.*

8.4 *To protect the sense of arrival into Wanaka by preventing buildings from locating immediately adjacent to the state highway and through careful landscaping.*

### **Objective 9**

***High quality and well-designed buildings that reflect and contribute to the evolving character for the area***

### **Policies**

9.1 *To require a high standard of building design, including:*

9.1.1 *Diverse and well-articulated built forms, which avoid excessive repetition of the same or similar unit forms and the creation of homogeneous neighbourhoods.*

9.1.2 *Interesting roofscapes, and some variation in form and scale (including the height) of buildings in the ~~Commercial Core and business~~ all subzones*

9.1.3 *The inclusion of crime prevention principles in the design of buildings and in the location of specific uses, particularly in the Commercial Core;*

9.2 *To encourage designs which enable the flexible re-use and staged development of buildings*

9.3 *To encourage designs to incorporate green building principles.*

9.4 *To ensure that the buildings do not exceed the maximum number of storeys permitted in each subzone, regardless of whether the maximum height limit is able to be met whilst providing for more storeys.*

*street network, carparking areas, public and semi-public spaces, accessways, landscaping, and the location of compatible uses.*

10.2 *To encourage pedestrian and cycle links to be located within the public street, whilst acknowledging that off-street links are also appropriate provided they offer a good level of safety and amenity for users.*

10.3 *To encourage pedestrian and cycle links to provide for both the commuter and recreational needs of residents within the zone and the wider community.*

10.4 *To require well-located and well-designed open spaces that encourage high levels of usage, including an appropriately scaled public square in the Commercial Core, which provides a focal point for social interaction and contributes to a sense of place*

10.5 *To require a network of well connected, usable, and safe open spaces.*

10.6 *To encourage, where feasible, local reserves to be located and designed such that they can provide for stormwater disposal as well as providing for open space and/ or recreational needs.*

10.7 *To ensure that subdivision and development account for public infrastructure shown on the Three Parks Zone Structure Plan ~~for the Sothom Wanaka~~ and ensure that ongoing access will be easily facilitated.*

10.8 *To recognise that the relocation of a collector or arterial road by more than 50 metres (from that shown on the Structure Plan) is likely to significantly affect the integrity of the Structure Plan and should be avoided.*

**Objective 10** *A high quality urban fabric, which is consistent with the vision set out in the Wanaka Structure Plan (2007) and the subsequent Structure Plan for the Three Parks Zone.*

## **Policies**

10.1 *To require street layouts and design to:*

10.1.1 *Have an informal character in the Low Density residential subzone, including elements such as open swales where appropriate.*

10.1.2 *Be well-connected, with cul-de-sacs being avoided wherever connected streets would offer greater efficiency and amenity*

10.1.3 *Minimise the creation of rear sites.*

10.1.4 *Be safe for vehicles, cyclists, and pedestrians.*

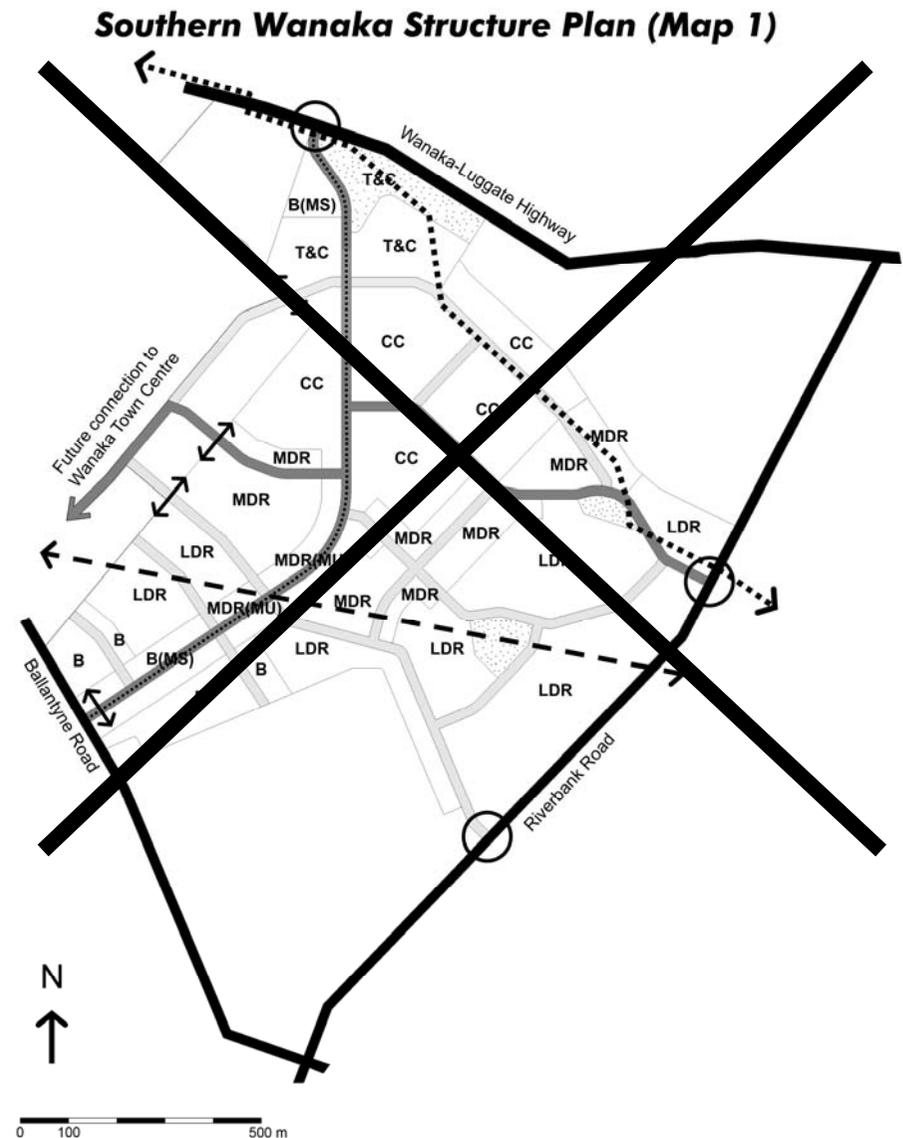
10.1.5 *Minimise opportunities for criminal activity through incorporating Crime Prevention Through Environmental Design (CPTED) principles as appropriate in the design of lot configuration and the*

**Objective 11** *An urban area that is free of contaminated sites or appropriately deals with them so that adverse effects on human health and the environment do not arise.*

11.1 To require the consideration of whether contaminated sites exist and ensure that, if they do, development and subdivision does not proceed without an assurance that they will be remediated or managed in a satisfactory manner.

## 12.25.5 Structure Plan for Three Parks Zone

The following two maps, together, form the “Structure Plan” for the Three Parks Zone and should be used to interpret the rules set out in this section.



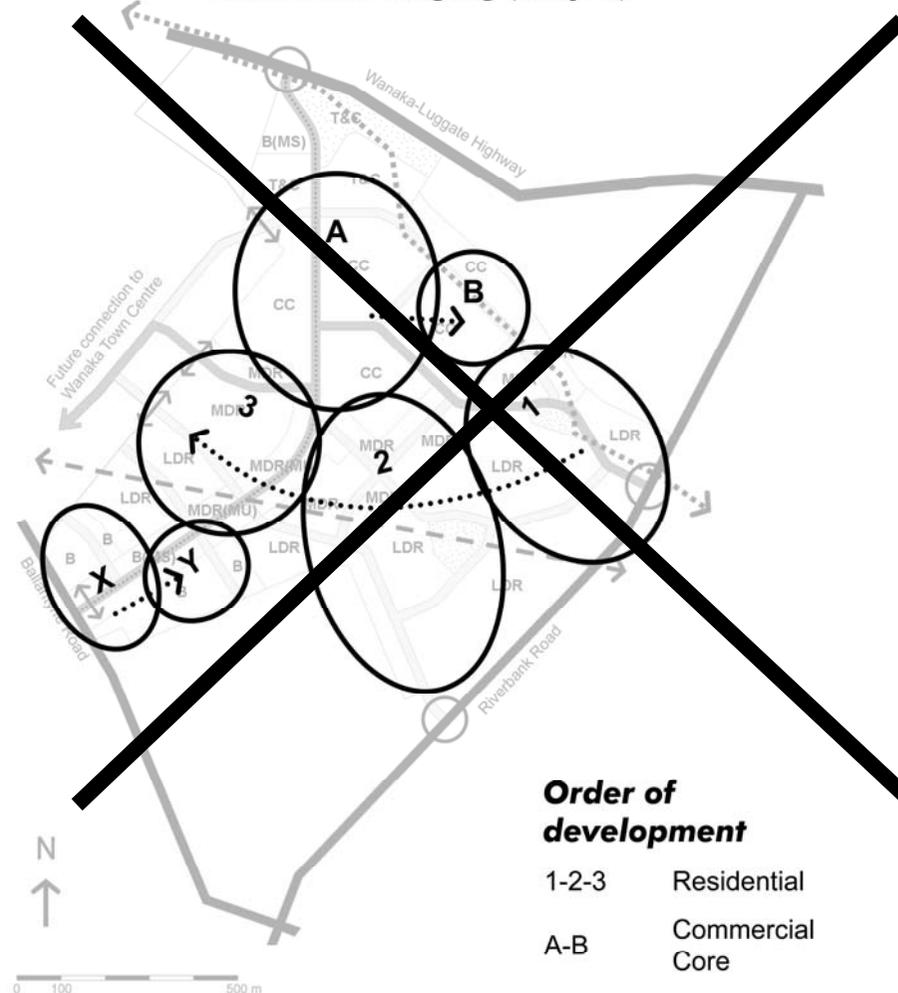
## Southern Wanaka Structure Plan Indicative Staging (Map 2)

### Legend

- CC Commercial Core
- MDR Medium Density Residential
- LDR Low Density Residential
- MDR(MU) Medium Density Residential (Mixed Use Precinct)
- B Business
- B (MS) Business Main Street Precinct
- T&C Tourism and Community Facilities
-  Open Space (forms part of the residential subzones unless otherwise stated)
-  New Arterial Road - max. 30m variation in centre line
-  New 'Mainstreet Arterial' Road - max. 20m variation in centre line
-  New Collector Road - max. 30m variation in centre line
-  Existing Road
-  Fixed connection point - max. 20m variation
-  Flexible connection point - max. 30m variation
-  Transmission Line through site (approx.)
-  Storm Water Main through site (approx.)

**Note:**

- All local roads and parks are to be confirmed through Outline Development Plans or Concept Development Plans
- All land use areas can shift with the roads



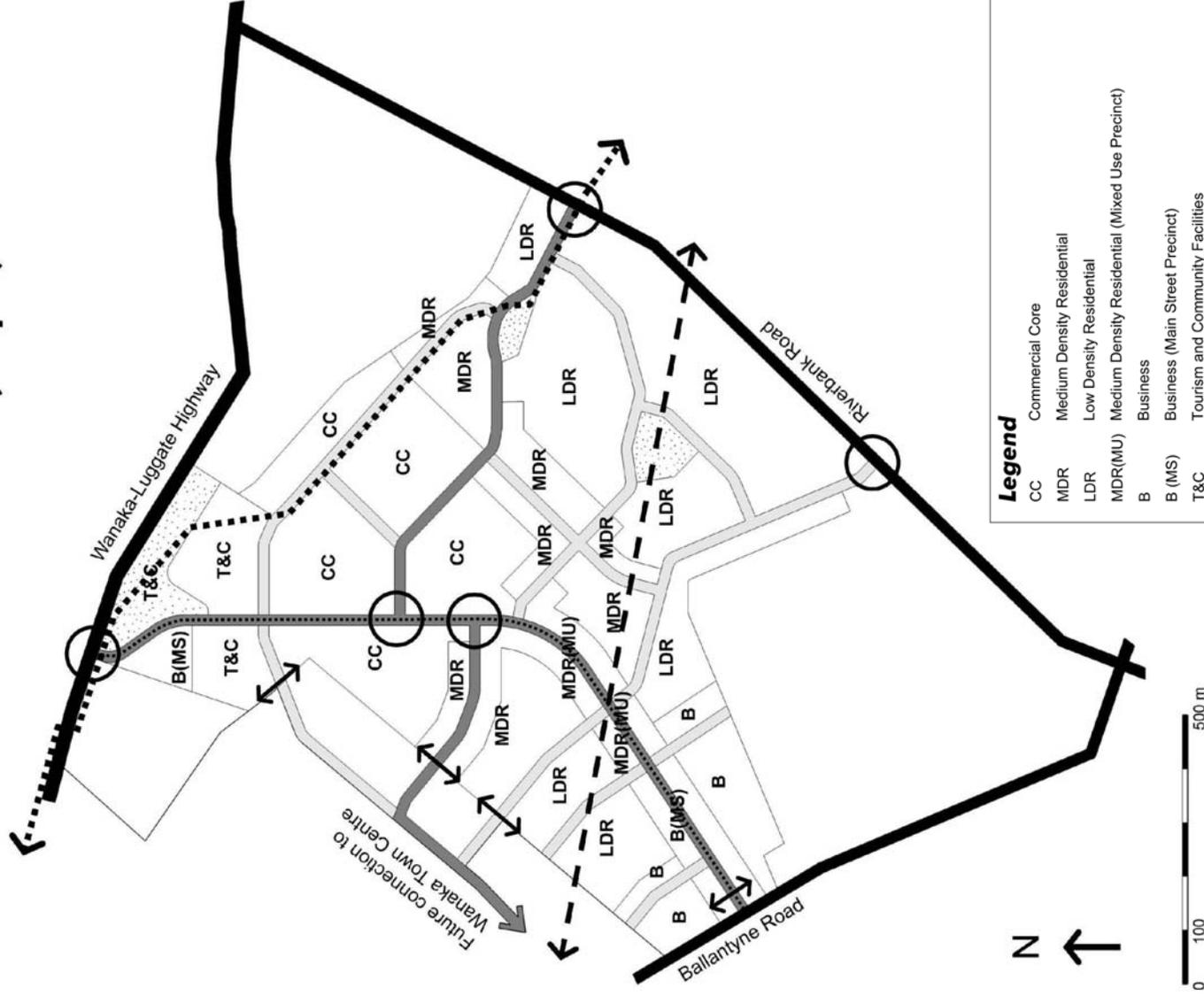
### Order of development

- 1-2-3 Residential
- A-B Commercial Core
- X-Y Business

**Note** -The staging of residential, commercial core, and business is not linked and is independent of one another

# PLAN CHANGE 16 – THREE PARKS ZONE ZONE-WIDE

## Three Parks Structure Plan (Map 1)



### Legend

- CC Commercial Core
- MDR Medium Density Residential
- LDR Low Density Residential
- MDR(MU) Medium Density Residential (Mixed Use Precinct)
- B Business
- B (MS) Business (Main Street Precinct)
- T&C Tourism and Community Facilities
- Open Space (form part of the residential subzones unless otherwise stated)
- New Arterial Road - max. 20m variation in centre line
- New 'Mainstreet Arterial' Road - max. 20m variation in centre line
- New Collector Road - max. 30m variation in centre line
- Existing Road
- Fixed connection point - max. 20m variation
- Flexible connection point - max. 30m variation
- Transmission Line through site (approx.)
- Storm Water Main through site (approx.)

Note:

- All local roads and parks are to be confirmed through Outline Development Plans or Concept Development Plans
- All land use areas can shift with the roads

## Three Parks Structure Plan Indicative Staging (Map 2)



### Order of development

- 1-2 Residential
- A-B Commercial Core
- X-Y Business

Note -The staging of residential, commercial core, and business is not linked and is independent of one another

## 12.26 Three Parks Special Zone - Rules

### 12.26.1 Structure of the Rules section

The Activity Tables for the Three Parks Zone describes the status of activities in the various subzones. The Performance Standards Tables outline the performance standards and the activity status if they are not met.

As well as the zone-wide rules that relate to all subzones, each subzone has self-contained rules, performance standards, and assessment matters.

#### 12.26.1.1 Zone wide rules

- i Performance Standards table
- ii Assessment matters relating to performance standards
- iii Non-notification

#### 12.26.1.2 Low Density Residential (LDR) & Medium Density Residential (MDR) subzones

- i Activity table
- ii Performance Standards table
- iii Controlled activities – matters over which control is reserved and Assessment matters
- iv Restricted discretionary activities – matters over which discretion is reserved and Assessment matters
- v Assessment matters relating to performance standards
- vi Non-notification

#### 12.26.1.3 Tourism and Community Facilities subzone

- i Activity table
- ii Performance Standards table
- iii Controlled activities – matters over which control is reserved and Assessment Matters
- iv Restricted discretionary activities – matters over which discretion is reserved and Assessment Matters
- v Assessment matters relating to performance standards
- vi Non-notification

#### 12.26.1.4 Business subzone

- i Activity table
- ii Performance Standards table
- iii Controlled activities – matters over which control is reserved and Assessment Matters
- iv Restricted discretionary activities – matters over which discretion is reserved and Assessment Matters
- v Assessment matters relating to performance standards
- vi Non-notification

#### 12.26.1.5 Commercial Core subzone

- i Activity table
- ii Performance Standards table

- iii Controlled activities – matters over which control is reserved and Assessment matters
- iv Restricted discretionary activities – matters over which discretion is reserved and Assessment matters
- v Assessment matters relating to performance standards
- vi Non-notification

## 12.26.2 District Rules

The following District Wide Rules apply unless inconsistent with any particular Three Parks Zone provision, in which case the latter shall prevail.

- i Heritage Protection - Refer Part 13
- ii Transport - Refer Part 14
- iii Subdivision, Development and Financial Contributions - Refer Part 15
- iv Hazardous Substances - Refer Part 16
- v Utilities - Refer Part 17
- vi Signs - Refer Part 18
- vii Relocated Buildings and Temporary Activities - Refer Part 19

## 12.26.3 Zone-Wide Rules

### 12.26.3.1 Zone-Wide Performance Standards

#### Key and notes

CON	Controlled Activity	N-C	Non-Complying Activity
PERM	Permitted Activity	DIS	Discretionary Activity
RDIS	Restricted discretionary Activity	PRO	Prohibited Activity
N/A	Performance standard not applicable in the particular subzone.		

Notes: Failure to comply with a standard will result in the need to obtain either a restricted discretionary or non complying resource consent, as specified in this table. Where failure to comply with a performance standard results in a restricted discretionary consent being required, the Council's discretion is restricted only to that or those standards that are not complied with.

Ref	Standard – Zone-Wide	Status
1	<p><b>Earthworks</b></p> <p>The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.</p> <p>i Earthworks</p> <p>(a) Any earthworks for which the total volume exceeds <b>100m<sup>3</sup></b> per site (within a 12 month period). For clarification of “volume”, see interpretative diagram 5.</p> <p>(b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed <b>200m<sup>2</sup></b> in area within that site (within a 12 month period).</p> <p>(c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed <b>20m<sup>3</sup></b> (notwithstanding provision 17.2.2).</p> <p>(d) No earthworks shall:</p> <p>(i) expose any groundwater aquifer;</p>	RDIS

Ref	Standard – Zone-Wide	Status
	<ul style="list-style-type: none"> <li>(ii) cause artificial drainage of any groundwater aquifer;</li> <li>(iii) cause temporary ponding of any surface water.</li> </ul> <p>Height of cut and fill and slope</p> <ul style="list-style-type: none"> <li>(e) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.</li> <li>(f) The maximum height of any cut shall not exceed 2.4 metres.</li> </ul> <p>ii The maximum height of any fill shall not exceed 2 metres. Environmental Protection Measures</p> <ul style="list-style-type: none"> <li>(a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.</li> <li>(b) Any person carrying out earthworks shall:                             <ul style="list-style-type: none"> <li>(i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.</li> <li>(ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.</li> </ul> </li> <li>(c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.</li> </ul> <p>iii Protection of Archaeological sites and sites of cultural heritage</p> <ul style="list-style-type: none"> <li>(a) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.</li> </ul> <p><b>The activity shall not affect Ngai Tahu’s cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.</b></p>	
2	Lighting and Glare	RDIS

Ref	Standard – Zone-Wide	Status
	<p>i Any activity that does not comply with the following standards:</p> <ul style="list-style-type: none"> <li>(a) All fixed exterior lighting shall be directed away from adjacent sites and roads; and</li> <li>(b) No activity on any site shall result in greater than a 3.0 lux spill (horizontal and vertical) of light onto any other site measured at any point inside the boundary of the other site, provided that this rule shall not apply where it can be demonstrated that the design of adjacent buildings adequately mitigates such effects.</li> <li>(c) There should be no upward light spill</li> </ul> <p>Note: You are also referred to Part 18 of the District Plan relating to the lighting of signage.</p>	
3	<p><b>Waste and Recycling Storage Space</b></p> <ul style="list-style-type: none"> <li>(a) Offices shall provide a minimum of 2.6 m<sup>3</sup> of waste and recycling storage for every 1,000 m<sup>2</sup> gross floor space, or part thereof.</li> <li>(b) Retail activities shall provide a minimum of 5m<sup>3</sup> of waste and recycling storage for every 1,000 m<sup>2</sup> gross floor space, or part thereof.</li> <li>(c) Food and beverage outlets shall provide a minimum of 1.5m<sup>3</sup> of waste and recycling storage per 20 dining spaces, or part thereof.</li> <li>(d) Residential and Visitor Accommodation activities shall provide a minimum of 80 litres of waste and recycling storage per bedroom, or part thereof.</li> </ul>	RDIS
5	<p><b>All <del>places of employment, including non-residential and commercial buildings</del> - The provision of facilities to encourage people to travel to work using modes other than cars</b></p> <p>All <del>places of work</del> <u>non-residential and commercial buildings</u> shall provide the following:</p> <ul style="list-style-type: none"> <li>i <b>Lockers</b> - Individual clothes lockers shall be provided for 20% of all on-site workers. These shall be located convenient to the any showers and bicycle parking facilities.</li> </ul> <p>Note: Refer to Section D for a definition of ‘on site workers’.</p> <ul style="list-style-type: none"> <li>ii <b>Showers</b> - Showers shall be provided at the following ratios and these shall be located close to the bicycle parking and lockers</li> </ul>	RDIS

Ref	Standard – Zone-Wide	Status										
	<p>and at least one shower shall be a wheelchair accessible shower compartment:</p> <table border="1" data-bbox="257 351 1209 678"> <thead> <tr> <th data-bbox="257 351 918 438">Number of on-site workers (building design occupancy)</th> <th data-bbox="927 351 1209 438">Number of Showers</th> </tr> </thead> <tbody> <tr> <td data-bbox="257 445 918 502"><u>1-9</u></td> <td data-bbox="927 445 1209 502"><u>Nil</u></td> </tr> <tr> <td data-bbox="257 509 918 566">4<u>10</u> - 39</td> <td data-bbox="927 509 1209 566">1</td> </tr> <tr> <td data-bbox="257 572 918 630">40-100</td> <td data-bbox="927 572 1209 630">2</td> </tr> <tr> <td data-bbox="257 636 918 678">&gt;100</td> <td data-bbox="927 636 1209 678">3 and add 1 per 100</td> </tr> </tbody> </table> <p>Notes:</p> <ul style="list-style-type: none"> <li>• <u>The “building design occupancy “ calculation is based on the entire building or building complex for which Resource Consent is being applied for, rather than for individual office spaces/ tenancies within a larger building. This may mean that there is one shower provided within a communal space which can be shared by a number of small individual offices.</u></li> <li>• Refer to Section D for a definition of ‘on site workers’.</li> <li>• These shower ratios do not supersede the requirements of the Building Code.</li> <li>• These rules do not apply to home occupations.</li> </ul>	Number of on-site workers (building design occupancy)	Number of Showers	<u>1-9</u>	<u>Nil</u>	4 <u>10</u> - 39	1	40-100	2	>100	3 and add 1 per 100	
Number of on-site workers (building design occupancy)	Number of Showers											
<u>1-9</u>	<u>Nil</u>											
4 <u>10</u> - 39	1											
40-100	2											
>100	3 and add 1 per 100											
6	<p><b>Rear Sites shown on an Outline Development Plan or Comprehensive Development Plan</b></p> <p><b>i</b> In any subzone other than the Medium Density Residential subzone, no more than 10% of all sites shown on the indicative subdivision layout provided as part of an Outline Development Plan or Comprehensive Development Plan may be “rear sites”; and</p> <p><b>ii</b> In the Medium Density Residential subzone, there shall be no rear sites shown on the indicative subdivision layout provided as part of an Outline Development Plan or Comprehensive Development Plan; provided that</p> <p><b>iii</b> Any rear sites resulting from the subdivision of an existing building shall not be deemed to be ‘rear sites’ for the purpose of either standard 12.26.3.1 (6)(i) or 12.26.3.1 (6)(ii).</p>	N-C										

Ref	Standard – Zone-Wide	Status
	Note: Refer Section D for a definition of ‘rear site’.	
7	<p><b>Outline Development Plans and Comprehensive Development Plans</b></p> <p>i All activities and development shall be in accordance with an approved Outline Development Plan or Comprehensive Development Plan.</p>	N-C
8	<p><b>Structure Plan (comprising the two plans showing the subzones, roading, open spaces, and indicative staging)</b></p> <p>All activities and development (including buildings and applications for ODP’s and CDP’s) shall be in accordance with the <b>Structure Plan</b>, except that:</p> <ul style="list-style-type: none"> <li>i All <del>arterial roads</del>, subzone boundaries, and key connection points shown as ‘fixed’ on the Structure Plan may be moved up to 20 metres and <u>all arterial and</u> collector roads shown on the Structure Plan may be moved up to <del>30 metres</del> <u>50 metres</u> in any direction in order to enable more practical construction or improved layouts and/ or to allow for minor inaccuracies in the plan drafting.</li> <li>ii All roads and other elements shown as ‘indicative’ on the Structure Plan may be moved or varied provided they are generally in accordance with and achieve the Structure Plan and the relevant objectives and policies.</li> <li>iii All Open Spaces shown on the Structure Plan may be moved or varied provided they are generally in the same location; are of the same or greater scale; provide the same or an improved level of landscape mitigation (particularly in respect of ensuring a green buffer from SH 84); and provide the same or an improved level of functionality.</li> <li>iv Where a boundary (or boundaries) has been expressly approved as part of a subsequent, more detailed ODP or CDP, then that subsequent boundary (or boundaries) shall take precedence over that shown in the Structure Plan.</li> </ul> <p><u>Note: For the avoidance of doubt, an Outline Development Plan or Comprehensive Development Plan which in any way obstructs or does not specifically provide for the roading connections to land or roads adjoining the zone, in the manner shown on the Structure Plan will be processed as a non complying activity.</u></p>	N-C
9	<p><b>Staging</b></p> <p>The staging of development shall be in accordance with the indicative staging shown on the Structure Plan, and no activity or development shall occur within a particular stage until previous stages have been substantially given effect to.</p>	N-C
10	<p><b>Access</b></p> <p>Each unit shall have legal access to a formed road.</p>	N-C

## 12.26.3.2 Zone-Wide Assessment matters

### i Earthworks

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) Environmental Protection Measures
  - (i) Whether and to what extent proposed sediment/erosion control techniques are adequate to ensure that sediment remains on-site.
  - (ii) Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.
  - (iii) Whether earthworks will be completed within a short period, reducing the duration of any adverse effects.
  - (iv) Where earthworks are proposed on a site with a gradient >18.5 degrees (1 in 3), whether a geotechnical report has been supplied to assess the stability of the earthworks.
  - (v) Whether appropriate measures to control dust emissions are proposed.
  - (vi) Whether any groundwater is likely to be affected, and any mitigation measures are proposed to deal with any effects. NB: Any activity affecting groundwater may require resource consent from the Otago Regional Council.
- (b) Effects on landscape and visual amenity values
  - (i) Whether the scale and location of any cut and fill will adversely affect:
    - (iii) the natural landform of any ridgeline or visually prominent areas;
    - (iv) the visual amenity values of surrounding sites
  - (ii) the visual quality and amenity values of the landscape;
- (c) Effects on adjacent sites:
  - (i) Whether the earthworks will adversely affect the stability of neighbouring sites.
  - (ii) Whether the earthworks will change surface drainage, and whether the adjoining land will be at a higher risk of inundation, or a raised water table.
  - (iii) Whether cut, fill and retaining are done in accordance with engineering standards.
- (d) General amenity values
  - (i) Whether the removal of soil to or from the site will affect the surrounding roads, and neighbourhood through the deposition of sediment, particularly where access to the site is gained through residential areas.
  - (ii) Whether the activity will generate noise, vibration and dust effects, which could detract from the amenity values of the surrounding area.
  - (iii) Whether natural ground levels will be altered.
- (e) Impacts on sites of cultural heritage value:
  - (v) Whether the earthworks will take into account the sensitivity of the landscape.
  - (vi) The potential for cumulative effects on the natural form of existing landscapes.
  - (vii) The proposed rehabilitation of the site.

- (i) Whether the subject land contains Waahi Tapu or Waahi Taoka, or is adjacent to a Statutory Acknowledgement Area, and whether tangata whenua have been notified.
- (ii) Whether the subject land contains a recorded archaeological site, and whether the NZ Historic Places Trust has been notified.

## ii Non-Notification of Applications

- (a) Except as provided for by Section 94C(2) and pursuant to Section 94D of the Act, all applications for **controlled activities** will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons and will be assessed according to matters the Council has reserved control over in the Plan.
- (b) Except as provided for by Section 94C(2) and pursuant to Section 94D of the Act, the following restricted discretionary activities will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons. The Council will restrict the exercise of its discretion for those matters specified in the Plan for each particular activity:
  - (i) All applications for **earthworks** undertaken in relation to otherwise controlled activities in the Three Parks Zone provided the earthworks **are not within 5m** of the site or zone boundary.
  - (ii) All restricted discretionary applications for **Outline Development Plans or Comprehensive Development Plans** in this subzone; except as specifically provided for in 12.26.3.2(c)(ii) below.

Note: If the Outline Development Plan or Comprehensive Development Plan is non-complying due to the fact it is not in accordance with the Structure Plan (refer Rule 12.26.3.1 (8), for example) then it may be notified.

- (c) Except as provided for by Section 94C(2) and pursuant to Section 94D of the Act, the following restricted discretionary activities will be considered without public notification. Service of notice will not be required if all persons who may be adversely affected have given their written approval. The Council will restrict the exercise of its discretion for those matters specified in the Plan for each particular activity.

- (i) All applications for **earthworks** undertaken in relation to otherwise controlled activities in the Three Parks Zone where the earthworks **are within 5m** of the site or zone boundary.
- (ii) All restricted discretionary applications for **Outline Development Plans or Comprehensive Development Plans** which adjoin land beyond the Three Parks Zone or which propose that a collector or arterial road connect to adjoining land (including roads) beyond the Three Parks Zone, in respect of utilities, servicing, roading, and intersection design.

## **12.26.4 Low Density Residential, Medium Density Residential, And Medium Density Residential (Mixed Use Precinct) Subzones – Rules**

### **12.26.4.1 Purpose of the Residential Subzones**

#### **i Low Density Residential (LDR) subzone**

The Low Density Residential (LDR) subzone will provide a range of housing densities, including clusters of higher density housing located adjacent to open spaces and within walking distance of other amenities in order to provide for a range of residents and levels of affordability. Non-residential activities will generally not be appropriate, other than those which clearly service the local neighbourhood and would not effectively fulfil their function if they were located elsewhere.

#### **ii Medium Density Residential (MDR) subzone**

The Medium Density residential (MDR) subzone provides for a mixture of medium density housing types such as duplexes and terrace houses whilst discouraging apartments, except in the mixed use precinct, where they may be appropriate in order to provide a greater diversity of housing types. Whilst private amenity (such as outdoor living, solar access and privacy) is lower than in the LDR subzone, this is compensated for by the benefits of higher density living (such as the close proximity to parks, retail, public amenities, and public transport). The MDR subzone also includes a deferred mixed use precinct, which will, in time, enable small scale commercial activities which are compatible with residential activity. The domestic scale and residential character of the subzone will remain the dominant features in the mixed use area with Visitor Accommodation only being allowed within specific precincts established through the Outline Development Plan process.

## 12.26.4.2 Activity Table - Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones

### Key and notes

CON	Controlled Activity	N-C	Non-Complying Activity
PERM	Permitted Activity	DIS	Discretionary Activity
RDIS	Restricted discretionary Activity	PRO	Prohibited Activity
N/A	Performance standard not applicable in the particular subzone.		

Note: Where a proposed activity could possibly be captured by more than one activity/ classification, the most specifically defined activity shall override any other. For example, where both retail and commercial are both listed the classification for retail over-rides that for commercial as it is more specifically defined.

Ref	Activity – Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential ( <u>deferred</u> mixed use precinct) Subzones	Activity status (provided all Performance Standards are met)		
		LDR	MDR	Deferred MDR ( <u>deferred</u> mixed use)
1	Any Activity which complies with all the relevant Performance Standards and is not listed as a Controlled, Discretionary, Non-Complying or Prohibited Activity.	PERM	PERM	PERM
2	Home occupations (except for those that involve an activity which is specifically listed as a prohibited activity in this table).	PERM	PERM	PERM
3	Residential units and residential flats in the LDR subzone	PERM	N/A (refer Rule11 below)	N/A (refer Rule11 below)
4	Buildings approved by a Comprehensive Development Plan (CDP)	PERM	PERM	PERM
5	Visitor Accommodation in a location that is identified on an approved Outline Development Plan (ODP).	N-C	CON	CON
6	Retirement Villages in a location identified on an approved ODP or CDP. Note: If approved as part of a CDP the matters of control do not include the external appearance of the building.	CON	CON	CON

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Ref	Activity – Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential ( <u>deferred mixed use precinct</u> ) Subzones	Activity status (provided all Performance Standards are met)		
		LDR	MDR	Deferred MDR ( <u>deferred mixed use</u> )
7	Buildings for non-residential activities, visitor accommodation, and retirement villages, except those already approved by a CDP.  Note: Where any element of an application for a CDP is a non-complying activity (for example, an over height building is proposed), then the CDP application becomes non-complying.	RDIS	RDIS	RDIS
8	Outline Development Plan (ODP) or variation to an approved ODP. Note: Where any element of an application for an ODP is a non-complying activity (for example, more than <del>5</del> <u>10</u> % of sites are 'rear sites'), then the ODP application becomes non-complying.	RDIS	RDIS	RDIS
9	Comprehensive Development Plan (Comprehensive Development Plan) or variation to an approved CDP	RDIS	RDIS	RDIS
10	Non-residential activities (including day car centres, dairies, places of public assembly, community activities, and places of entertainment), except those specifically listed in this table.	DIS	DIS	CON
11	All residential units and flats (including mixed use buildings) <u>in the MDR subzone</u> and multi-unit developments (including the activity and the building) <u>in the LDR subzone</u> , except those already approved by a CDP (which are permitted).  Refer to Section D for the definition of "multi unit developments".	RDIS (multi unit developments)	RDIS (all residential buildings)	RDIS (all residential buildings)
12	Industrial Activities	N-C	N-C	N-C
13	Service Activities	N-C	N-C	N-C
14	Visitor Accommodation in a location <u>not</u> identified on an approved ODP.	N-C	N-C	N-C
15	Retirement Village in a location <u>not</u> identified on an approved Outline Development Plan	N-C	N-C	N-C
16	Premises licensed for the sale of liquor (including both on-licences and off-licences) :	N-C	N-C	N-C

Ref	Activity – Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential ( <u>deferred mixed use</u> precinct) Subzones	Activity status (provided all Performance Standards are met)		
		LDR	MDR	Deferred MDR ( <u>deferred mixed use</u> )
	<p>(a) <u>In the MDR (deferred mixed use) subzone between the hours of 10 pm and 7 am or outside of these hours where those being served do not reside on the premise (temporarily or permanently) and are not on the premises for the purpose of dining; and</u></p> <p>(b) <u>In the LDR and MDR subzones (excluding the deferred mixed use precinct).</u></p>			
17	<p><u>Premises licensed for the sale and onsite consumption of liquor in the MDR (deferred mixed use) subzone between the hours of 7 am and 10 pm provided those being served either reside (temporarily or permanently) on the premises or are on the premises for the purpose of dining.</u></p> <p><b>NB – consequent renumbering and cross refs to be checked</b></p>	N/A	N/A	CON
17	Factory Farming, Forestry Activities, mining	N-C	N-C	N-C
18	Airports/ take-off or landing of aircraft other than the use of land and water for emergency landings, rescues and fire fighting.	N-C	N-C	N-C
19	Planting of any wilding species (as identified in Part 5 of the District Plan)	PRO	PRO	PRO
20	Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building, fish or meat processing, or any activity requiring an Offensive Trade Licence under the Health Act 1956.	PRO	PRO	PRO

### 12.26.4.3 Performance Standards

Failure to comply with a standard will result in the need to obtain either a restricted discretionary or non complying resource consent, as specified in this table. Where failure to comply with a performance standard results in a restricted discretionary consent being required, the Council's discretion is restricted only to that or those standards, which are not complied with.

Refer also to the zone-wide standards in Section 12.30.3.1 relating to:

- (a) Earthworks (RDIS)
- (b) Lighting and Glare (RDIS)
- (c) Waste and Recycling Storage Space (RDIS)
- (d) The creation of Rear Sites (N-C)
- (e) Compliance with an approved Outline Development Plans and Comprehensive Development Plans (N-C)
- (f) Compliance with the Structure Plan (N-C)
- (g) Staging of development (N-C)
- (h) Access (N-C)

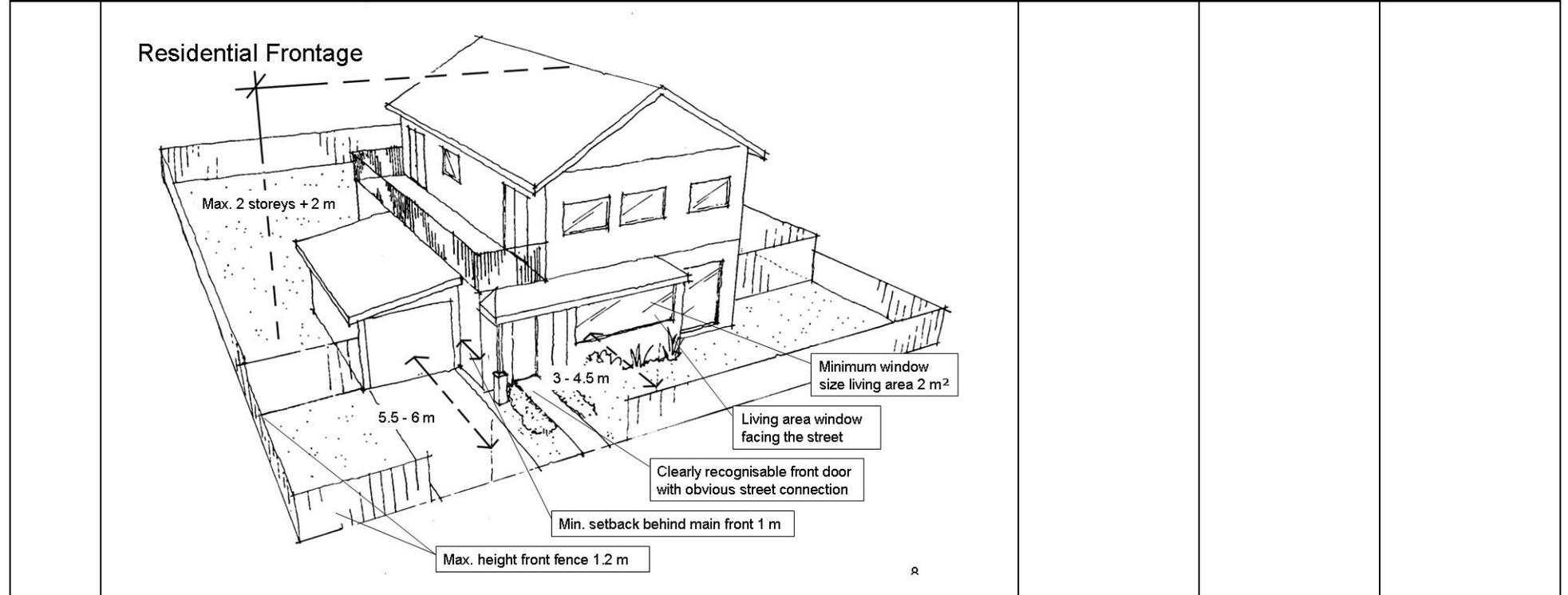
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	Resource consent status if standard not met – All residential subzones, including deferred mixed use		
		LDR	MDR	Deferred MDR (mixed use)
1	<p><b>Nature and scale of non-residential uses</b></p> <ul style="list-style-type: none"> <li>i No more than 50% or 80m<sup>2</sup> (whichever is the lesser) of the GFA of the building shall be for non-residential purposes, with the remainder being used for residential activities</li> <li>ii There shall be no commercial activity above the ground floor.</li> </ul>	N/A – Refer Activity Table	N/A – Refer Activity Table	RDIS
2	<p><b>Street Scene and setback from roads – Residential buildings - including mixed use buildings (i.e. those which comprise both residential and non-residential uses), visitor accommodation, and retirement villages, except where located on rear sites:</b></p> <ul style="list-style-type: none"> <li>i Residential units, residential flats, mixed use buildings, visitor accommodation, and retirement villages shall be setback from the road boundary a minimum of 3 metres and a maximum of 4.5 metres; except that</li> </ul>	RDIS	RDIS	RDIS

		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
	<p>(a) Garages shall be setback from the road boundary a minimum of 5.5 metres; and</p> <p>ii There shall be at least one area of glazing from a living <del>room</del> <u>area</u> or, in the case of mixed use buildings from a main office or reception area of at least 2 m<sup>2</sup> facing the street.</p> <p>Note: For the purpose of this rule, the term “living <del>room</del> <u>area</u>” is as defined in Section D but for the purpose of this rule, it relates to residential flats as well as units and excludes hallways, entries, and lobbies.</p> <p>iii Fences and/or landscaping having the effect of a fence within the road setback shall be no higher than 1.2m in height, <u>except that for dwellings on the south side of streets (which are generally along an east-west axis), a fence of up to 1.8 m in height may be erected within the road setback for a maximum of 1/2 of the length of the road boundary of the site, provided the fence does not extend in front of the front façade of the dwelling or in front of that part of the dwelling which provides the required glazing (pursuant to standard (i) above).</u></p> <p><u>Note1: A road will be construed to be “along an east-west axis”, where at least half of the road boundary runs east-west, +/- 20 degrees.</u></p> <p><u>Note 2: The exemption to standard (iii) is for the express purpose of enabling a larger private, north-facing outdoor living space for such dwellings</u></p> <p>iv For mixed use buildings, the residential entrance to the building shall be clearly distinct and separate from the public entrance. Separate doors and separate pedestrian connections to footpaths shall be provided. Note: This excludes home occupations.</p> <p>Note: Visitor accommodation and retirement villages are also subject to a restricted discretionary resource consent application pursuant to Rule 12.26.4.2 (7).</p>			

# PLAN CHANGE 16 – THREE PARKS ZONE RESIDENTIAL SUBZONES

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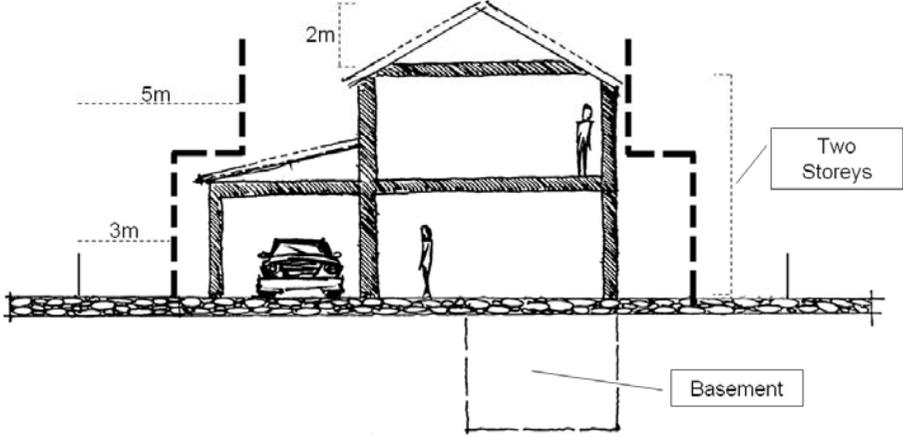
Resource consent status if standard not met – All residential subzones, including deferred mixed use				
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)



3	<p><b>Street scene - Non-residential buildings, except where located on rear sites:</b></p> <ul style="list-style-type: none"> <li>i Non-residential buildings shall be setback from the road boundary a minimum of 3 metres – perhaps remove this and in turn add ass matter to non res buildings</li> <li>ii There shall be at least one area of glazing from a main office, lobby, or reception area of at least 2 m<sup>2</sup> facing the street.</li> </ul>	RDIS	RDIS	RDIS
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		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
	Note: Such buildings are also subject to a restricted discretionary resource consent application pursuant to Rule 12.26.4.2 (7).			
4	<p><b><u>Setback from internal boundaries in the MDR subzone and on approved multi unit development sites in the LDR subzone.</u></b></p> <p>i Buildings shall be set back a minimum of 1.5m from the internal boundaries at ground and above-ground levels, except for:</p> <p>ii Eaves up to 0.6m into the setback;</p> <p>iii Terraced housing (including duplexes) where no setback is required from a side boundary where buildings share a common wall on that boundary;</p> <p>iv Back lane sites, where the setback from the rear lane may be reduced to 1.0m for a ground level garage only. Any office or habitable space above the garage shall be setback at least 3.0 m from the rear lane boundary.</p> <p>Refer to Section D for definitions of a “Back lane site”, “habitable space”, and “internal boundary”.</p>	RDIS	RDIS	RDIS
5	<p><b><u>Setback from Internal Boundaries in the LDR subzone (excluding approved multi unit development sites)</u></b></p> <p>i The ground floor level of buildings shall be set back from internal boundaries a minimum of 3 metres, except that:</p> <p>(a) Eaves may protrude up to 0.6m into the setback</p> <p>(b) Accessory buildings, other than sleepouts or those used for the housing of animals, may be located within the setback distances from internal boundaries, provided a) the total length of the walls of accessory buildings within the setback does not exceed 7.5m in length, and b) there are no windows or openings, other</p>	RDIS	N/A – Refer above standard	N/A – Refer above standard

		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
	<p>than for carports, along any walls within 2m of an internal boundary; and</p> <p>(c) Bathrooms, laundries, or storage (including wardrobes) may be located within the setback provided a) it is at least 1.5m from the boundary, and b) the written approval of the affected neighbour has been obtained, and (c) the design of those rooms is such that all of the following have been avoided:</p> <ul style="list-style-type: none"> <li>(i) Vents, air conditioning units, or fan outlets facing the neighbouring property; and</li> <li>(ii) Doors facing and opening out to the neighbouring property; and</li> <li>(iii) Windows facing the neighbouring property, which are not frosted (or similarly treated) and double-glazed (or acoustic glass).</li> </ul> <p>Note: The purpose of this rule is to ensure that rooms which generate user noise and other nuisances are kept back from boundaries, whilst enabling emptier, less used and quieter spaces to encroach, as this is unlikely to create adverse nuisance on neighbours.</p> <p>ii The above ground floor of buildings shall be set back from internal boundaries a minimum of 5 m. This includes any stairwells, decks, or balconies.</p> <p>iii No setback is required from an internal boundary where buildings share a common wall on that boundary.</p> <p>iv To ensure that the upper levels of buildings do not create opportunities for adverse overlooking and dominance of adjacent outdoor living and amenity spaces by neighbours. While the avoidance of windows may achieve this, the result may be low amenity, poorly lit (internally), blank building forms. The 5.0m setback will protect privacy and the residential amenity (for both the unit being developed and neighbours) while helping to ensure quality building designs with good internal sunlight access and well-placed and well-designed windows; and</p>			

		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
v	<p>To protect neighbours' access to sunlight.</p> <p>Frontage Widths Close Up</p> 			

		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
	<p>Frontage Widths</p> <p>The diagram illustrates four residential units on a street frontage. Each unit is shown with its footprint and a 'Theoretical building envelope' indicated by a dashed line. The frontage widths are labeled as follows: the first unit is 5 m wide, the second is 3 m wide, and the third and fourth units are 2 storeys + 2 m wide. The ground level is indicated by a hatched line.</p>			
6	<p><b>Pedestrian access</b></p> <p>Every unit shall have a distinct separate pedestrian access to a door that is visible from the street, except where located on a rear site.</p>	RDIS	RDIS	RDIS
7	<p><b>Outdoor Living Space</b></p> <p>i Every residential activity shall have an area of outdoor living space with a minimum area of:</p> <ul style="list-style-type: none"> <li>(a) 30 m<sup>2</sup> in the <u>LDR</u> subzone; and</li> <li>(b) 24m<sup>2</sup> in the <u>MDR</u> subzone, provided that in the MDR subzone (mixed use precinct), where the outdoor living space is provided above the ground floor, it shall be at least</li> </ul>	RDIS	RDIS	RDIS

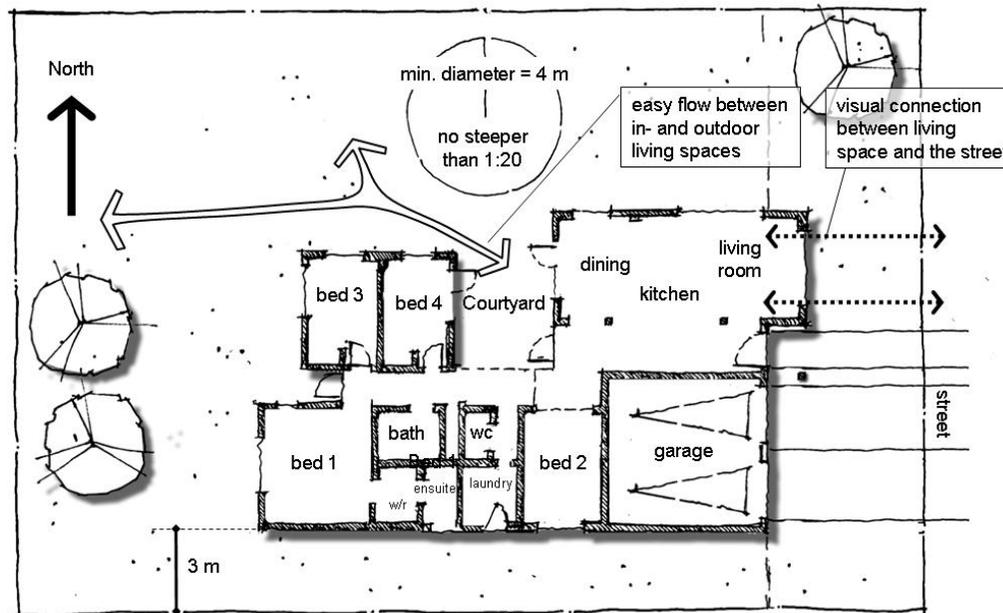
		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
	<p>8m<sup>2</sup> in area.</p> <p>ii This outdoor living space shall have the following characteristics:</p> <p>(a) Contains a continuous area with a minimum 6 m diameter in the <u>LDR subzone</u> and a minimum 4 m diameter in the <u>MDR subzone</u> and a maximum gradient of 1:20 <u>and</u> the minimum dimension taken anywhere within the outdoor living space shall be 2 m.</p> <p>(b) 70% of the outdoor living area receives a minimum of 2.0hrs of continuous sunlight between the hours of 10:00am – 2:00pm as measured on June 21.</p> <p>(c) Is immediately accessible from either a lounge, living, or family room.</p> <p>(d) Shall not be located between the front façade of the residential unit and the road boundary, except where the residential activity is located on a rear site <u>or is on the south side of the street generally along an east-west axis, in which case the space can extend into the minimum road setback provided this occupies no more than 1/3 of the length of the road boundary of the site and does not extend in front of the front façade of the house.</u></p> <p><u>Note1: A road will be construed to be “along an east-west axis”, where at least half of the road boundary runs east-west, +/- 20 degrees.</u></p> <p>(e) If the area is to the side of a residential unit then the space and any associated privacy fencing shall be set back a minimum 1.0m from the front face of the unit.</p> <p>(f) No outdoor living space shall be occupied by any building, other than an outdoor swimming pool, or accessory building of less than 8m<sup>2</sup> gross floor area, driveway</p>			

Resource consent status if standard not met – All residential subzones, including deferred mixed use

Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
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or parking space.

### Outdoor Living Space / Site Layout



8	<b>Internal residential amenity for multi-unit developments</b>	RDIS	RDIS	RDIS
	i Residential units and flats shall be designed to achieve the following minimum daylight			

		Resource consent status if standard not met – All residential subzones, including deferred mixed use														
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)												
	<p>standards:</p> <p>(a) Living rooms and living/dining areas –shall have a total clear glazed area of exterior wall no less than 20% of the floor area of that space.</p> <p>(b) At least one bedroom shall have a total clear glazed area of exterior wall no less than 20% of the floor area of that space.</p> <p>(c) No bedrooms may rely on natural light borrowed from another naturally lit room.</p> <p>ii Residential units shall comply with the following <b>minimum unit sizes</b>:</p> <table border="1"> <thead> <tr> <th>Unit type by bedroom</th> <th>Minimum residential unit size (GFA)</th> </tr> </thead> <tbody> <tr> <td>Studio</td> <td>35m<sup>2</sup></td> </tr> <tr> <td>1</td> <td>45m<sup>2</sup></td> </tr> <tr> <td>2</td> <td>70m<sup>2</sup></td> </tr> <tr> <td>3</td> <td>90m<sup>2</sup></td> </tr> <tr> <td>4</td> <td>115m<sup>2</sup></td> </tr> </tbody> </table> <p>iii The <b>minimum floor to ceiling height</b> for habitable rooms (including servicing) shall be 2.4m and for kitchens, bathrooms, hallways, toilets, lobbies, laundries and service areas shall be 2.3m minimum floor to ceiling height.</p>	Unit type by bedroom	Minimum residential unit size (GFA)	Studio	35m <sup>2</sup>	1	45m <sup>2</sup>	2	70m <sup>2</sup>	3	90m <sup>2</sup>	4	115m <sup>2</sup>			
Unit type by bedroom	Minimum residential unit size (GFA)															
Studio	35m <sup>2</sup>															
1	45m <sup>2</sup>															
2	70m <sup>2</sup>															
3	90m <sup>2</sup>															
4	115m <sup>2</sup>															
9	<p><b>Boundary Planting</b></p> <p>No hedgerow boundary planting within 2 metres of any internal boundary shall exceed 1.9 metres in height at any point of its length.</p>	RDIS	RDIS	RDIS												

Resource consent status if standard not met – All residential subzones, including deferred mixed use				
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
10	<p><b>Permeability/ onsite stormwater disposal <u>in the LDR subzone:</u></b></p> <p>No more than 50% of the area of each site shall be covered with hard surfacing.</p> <p>Refer Section D for the definition of “hard surfacing”.</p>	RDIS	N/A – Refer below standard	N/A – Refer below standard
11	<p><b>Permeability/ onsite stormwater disposal <u>in the MDR subzone:</u></b></p> <p>No more than 75% of the area of each site shall be covered with hard surfacing.</p> <p>Refer Section D for the definition of “hard surfacing”.</p>	N/A – Refer above standard	RDIS	RDIS
12	<p><b>Building Coverage <u>in the LDR subzone</u></b></p> <p>The maximum building coverage for all activities on any site shall be 40%.</p>	RDIS	N/A – Refer below standard	N/A – Refer below standard
13	<p><b>Building Coverage <u>in the MDR subzone</u></b></p> <p>The maximum building coverage for all activities on any site shall be 60%.</p>	N/A– Refer above standard	RDIS	RDIS
14	<p><b>Building Height <u>in the LDR subzone</u></b></p> <p>i Residential buildings, visitor accommodation, and retirement villages shall be a maximum of <u>8.5 metres in height, provided it is no more than 2 storeys plus up to 2 m for non habitable protrusions including roof forms</u></p> <p>ii Non-residential buildings shall be a maximum of 8 m in height</p> <p>Refer Section D for definitions of a “storey” and “habitable space”.</p>	N-C	N/A – Refer below standard	N/A - Refer below standard
15	<p><b>Building Height <u>in the MDR subzone</u></b></p> <p>i Residential buildings (including those with commercial use on the ground floor), visitor</p>	N/A – Refer above standard	N-C	N-C

		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
	<p>accommodation, and retirement villages shall be a maximum height of <u>11 metres provided it is no more than 3 storeys in height plus an additional 2 metres is allowed for non habitable protrusions including roof forms, and, in addition:</u></p> <p>ii The ground floor of all buildings <u>in the MDR (mixed use precinct) subzone</u> shall have a minimum stud height of 3.3 metres in order to enable the easy conversion to a non-residential use in the future.</p> <p>iii Non-residential buildings shall have a maximum height of 10 m.</p> <p>Refer Section D for definitions of a “storey” and “habitable space”.</p>			
16	<p><b>Residential density</b></p> <p>There shall be no more than 1 residential unit per site (where the site is shown on the Outline Development Plan or Comprehensive Development Plan or subdivision scheme plan) unless a higher density has been expressly approved as part of an Outline Development Plan or Comprehensive Development Plan resource consent.</p> <p>Note: This does not preclude a residential flat from being constructed on a site in addition to the residential unit. Refer to Section D for the definition of “residential flat”.</p>	N-C	N-C	N-C
17	<p><b>Heavy Vehicle Storage</b></p> <p>Except for visitor accommodation, no more than one heavy vehicle shall be stored or parked overnight on any site for any activity. This standard applies to residential and non-residential activities cumulatively.</p>	N-C	N-C	N-C
18	<p><b>Keeping of Animals</b></p>	N-C	N-C	N-C

		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
	There shall be no keeping of pigs.			
19	<p><b>Noise - Non-residential activities and buildings</b></p> <p>i Non-residential activities shall be so conducted that the following noise limits are not exceeded at any point within the boundary of any other site within this subzone:</p> <p>Daytime 0800 - 2000 hours 50dBA L10</p> <p>Night-time 2000 - 0800 hours 40dBA L10 and 70dBA Lmax;</p> <p>ii Construction noise shall comply with and be measured and assessed in accordance with NZS 6803:1999.</p> <p>iii Activities conducted in adjoining subzones shall not exceed Residential subzone noise limits at any point within the boundary of any site within the Residential subzone.</p> <p>Note: Noise levels (other than construction noise) shall be measured and assessed in accordance with NZS 6801:2008 and NZS 6802:2008.</p>	N-C	N-C	N-C
20	<p><b>Hours of Operation – Non-Residential Activities</b></p> <p>i Hours of operation shall be limited to between the hours:</p> <p>0700 – 2200 for convenience stores and food and beverage outlets</p> <p>0730 – 2000 for all other activities</p> <p><b>except that:</b></p> <p>(a) home occupations in the LDR and MDR subzone and controlled non-residential activities in the MDR (Mixed) subzone may be carried out outside the above hours</p>	N-C	N-C	N-C

		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
	<p>provided:</p> <ul style="list-style-type: none"> <li>(i) each person engaged in the activity outside the above hours resides permanently on the site; and</li> <li>(ii) there are no clients, deliveries, or visitors associated with the activity to or from the site outside the above hours; and</li> <li>(iii) all other relevant performance standards are met</li> </ul> <p>Note: For the avoidance of doubt, visitor accommodation and retirement villages are not captured by this standard.</p>			
21	<p><b><u>Deferment of non-residential activities in the MDR (Mixed use precinct) subzone</u></b></p> <p>There shall be no non-residential uses in the MDR (mixed use precinct) subzone until the following level of development <u>criteria has been met</u> <del>occurred</del> within the commercial core subzone:</p> <ul style="list-style-type: none"> <li>i 12,000m<sup>2</sup> of retail space has been built and is occupied; and</li> <li>ii 80% of all development approved in the first 2 Outline Development Plans within the Commercial Core has been built and is occupied; <u>and</u></li> <li>iii <u>Buildings fronting the mainstreet arterial road have been developed (as usable space) up to at least 2 storeys along the mainstreet frontage for at least 300m of its length; and</u></li> <li>iv <u>All large format retail buildings have been “sleaved” with specialty retail spaces in the manner outlined in Assessment Matter 12.26.7.4(vi) (f)</u></li> </ul> <p>Note: The reason for this is to encourage commercial development within the <u>commercial core</u></p>	N/A – Refer Activity Table	N/A - Refer Activity Table	N-C

		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
	in the initial stages of development.			
22	<p><b><u>Car parking – non residential activities in the LDR subzone</u></b></p> <p>No onsite parking associated with the non-residential use shall be visible from the street.</p>	N-C	N/A – Refer below standard	N/A
23	<p><b><u>Car Parking – non residential activities in the MDR subzone</u></b></p> <p>i No onsite parking associated with the non-residential use shall be visible from the street; and</p> <p>ii Customer car parking shall be clearly marked and located most proximate to entrances. Staff and resident car parking shall be clearly marked and located furthest from the street frontage; and</p> <p>iii There shall be no parking or manoeuvring in front of buildings, and there shall be no more than 2 carparks located at the side of the building.</p>	N/A – Refer above standard	N-C	N-C

## 12.26.4.4 Controlled Activities – Matters over which the Council has reserved control and Assessment Matters

### i **Non-residential activities in the MDR (mixed use precinct) subzone, - conditions may be imposed in respect of:**

- (a) The relationship of parking, access and manoeuvring areas, including access points/ lanes and whether these enable the joint use of car parking and minimise impacts on pedestrian safety.
- (b) Signage
- (c) The extent and quality of any landscaping proposed and the effectiveness of proposed planting in enhancing the general character of the area, screening car parking areas, and the impact on residential uses.

### ii **Visitor Accommodation in the MDR subzone on sites identified in an approved Outline Development Plan or Comprehensive Development Plan, and**

### iii **Retirement villages in all residential subzones on sites identified in an approved Outline Development Plan or Comprehensive Development Plan, conditions may be imposed in respect of:**

- (a) The relationship of parking, access and manoeuvring areas, including access points/ lanes and whether these enable the joint use of car parking and minimise impacts on pedestrian safety.
- (b) Signage
- (c) The extent and quality of any landscaping proposed and the effectiveness of proposed planting in enhancing the general character of the area, screening car parking areas, and the impact on residential uses.
- (d) The inclusion of initiatives which help reduce private car use and encourage alternative modes of transport (i.e. Travel Demand Management).

- (e) In relation to visitor accommodation which include bar facilities; the location of the bar relative to the site boundaries, noise, and hours of operation.

Note: The building requires separate restricted discretionary resource consent, unless approved through a Comprehensive Development Plan.

### **iv The sale of liquor (on-licence only) between the hours of 7 am and 10 pm - conditions may be imposed in respect of:**

- (a) The scale of the activity
- (b) Car parking
- (c) Retention of amenity
- (d) Noise; and
- (e) Hours of operation.

## 12.26.4.5 Restricted discretionary Activities – Matters over which the Council has reserved discretion and the Assessment Matters

### i **Matters of discretion – For Outline Development Plans in all residential subzones, discretion is reserved in respect of:**

- (a) The indicative subdivision or development layout (unless submitted as part of a combined subdivision and landuse Resource Consent), including roading design details.
- (b) Residential density in the LDR and MDR subzones
- (c) Open space areas, open space networks, and pedestrian and cycle links
- (d) Landscaping and streetscape design

- (e) The location of indicative building platforms
- (f) The management of reverse sensitivity issues and issues arising from future incompatible uses.
- (g) The location of visitor accommodation in the MDR subzone.
- (h) Any proposed methods of ensuring high quality design (such as design guidelines).
- ~~(i) The provision of affordable housing~~
- (j) The staging of development
- (k) The extent to which any preceding ODP in the subzone has been given effect to.
- (l) The inclusion of initiatives which help reduce private car use and encourage alternative modes of transport (i.e. travel demand management).
- (m) The provision of Public Transport facilities and/or infrastructure or space to enable its future development.
- (n) The level of flexibility that the applicant requests between the ODP and the subdivision consent application.
- (o) The ability to service the subsequent subdivision and development (in terms of roading, water supply, and waste water).
- (p) Measures to address any adverse effects resulting from any contaminated sites.
- (q) Approaches to stormwater disposal, having regard to the need to provide for the management of stormwater from other sites in the catchment, including the provision of open spaces for stormwater management.
- (r) Measures to restore or create wetland habitats of ecological and cultural value if opportunities exist
- (s) The extent of the area covered by the ODP, with the expectation being that the ODP will cover a significant area of land and may encompass more than one subzone. For example; in every case, it is expected that at least one of the thresholds listed in 12.26.4.5 (i)(m) above would be exceeded.

Note: With respect to l) and m) above, any ODP application which will enable development which exceeds one or more of the following thresholds shall include a full Integrated Transport Assessment (ITA):

- (i) Residential development of at least 100 or more dwellings
- (ii) Retail space of at least 1,000 m<sup>2</sup> GFA
- (iii) Office space of at least 2,500 m<sup>2</sup> GFA.
- (iv) Industrial space of at least 5,000 m<sup>2</sup> GFA; or
- (v) Warehousing or storage space of at least 10,000 m<sup>2</sup> GFA.

Note: The level of information shown in the ODP must be sufficient to enable thorough consideration of all these matters.

Note: Any Affordable and Community Housing contributions that may otherwise be applied in this zone are instead dictated by the Stakeholder Agreement reached between Council and Landowner insofar as the development is consistent and in scale with that envisaged by the Plan. The agreement binds subsequent landowners.

## ii Outline Development Plan - Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

In regard to the **indicative subdivision/ development layout**:

- (a) Whether the road layout is efficient, legible, and pedestrian-friendly. The Council expects roading layouts and hierarchies (ranging from arterials to local streets) to be immediately navigable and understandable by users. The Council expects to see the use of roundabouts avoided in places where there is anticipated to be high numbers of pedestrians and cyclists. The Council expects roading cross sections to be provided, which illustrate the width, character, landscaping, anticipated speed environment, and how the roading corridors provide for cyclists and pedestrians, as well as cars.
- (b) With regard to the location of arterial and collector roads, the Council will not normally approve movement of more than 20 metres for an arterial and 30 metres for a collector road unless the integrity of the Three Parks Structure Plan is not compromised (including the relative amounts of land in the various subzones) and normally only for the following reasons:
  - i Where there are key infrastructure matters that make the indicated path of the roads impracticable (for example land needed for stormwater management); and/ or
  - ii More appropriate subdivision patterns and street layouts will result from the movement of the arterial and/ or collector road. NB – consequent change to the below numbering therefore may need to check all cross referencing
- (c) Whether the urban structure is well-connected. The Council will not normally approve an Outline Development Plan:
  - (i) Which proposes any cul de sacs in the MDR subzone; and

- (ii) Which proposes that more than 20% of streets be cul de sacs (i.e. more than 1 in every 5 streets) in the LDR subzone; and
- (iii) Which proposes any cul de sacs which are longer than 75m, are not straight, and which serve more than 20 lots; and

NB: 'Back lanes' are not considered to be cul de sacs.

- (iv) Which does not include specific timeframes for the completion of those arterial and collector roads (in full) that pass through the area subject to the Outline Development Plan.
- (d) Whether the street blocks are designed to be walkable. The Council will not normally approve a block layout where:
  - (i) In the LDR subzone, any block area exceeds 1.5 hectares and any block length (between intersections) exceeds 200 m; and
  - (ii) In the MDR subzone, any block area exceeds 0.8 hectares and any block length exceeds 100 m, except that it is acknowledged that block lengths adjacent to the Mainstreet arterial road may need to be longer in order to ensure that the corridor functions efficiently.

Note: For the purpose of calculating block lengths, back lanes do not form part of the block layout. Refer to Section D for a definition of "back lanes".

- (e) Whether the number of rear sites have been minimised. The Council will expect to see rear sites avoided unless alternative street layouts would result in a worse outcome in terms of residential amenity, connectivity/ walk-ability, and safety.
- (f) Whether the lot configuration, dimensions, and orientation will result in lots that:
  - (i) Are orientated in order to maximise solar gain,

- (ii) Enable land uses to connect with the street
- (iii) Are easy to maintain, and
- (iv) Have logical boundary lines.
- (v) Avoid long narrow lots with narrow street frontages, which encourage multi-unit development aligned perpendicular to streets (creating back lots, shared drives, long narrow lines of flats, and body corporates).

The Council will not normally approve designs that result in awkward, irregular boundaries and which do not achieve the above outcomes.

- (g) Whether any ‘back lanes’ that are proposed are appropriately designed and of an appropriate scale (in terms of their width and the number of units they serve) to ensure that they will provide a ‘back lane’ character and will function effectively and not result in adverse effects in terms of safety and amenity. The Council expects back lanes to be between 5m and 6m wide, depending on the number of units serviced. The Council would not normally approve a back lane which serves more than 8 units per entrance but, rather, expects ‘lanes’ of such a scale to be developed as a public street with greater width, footpaths, and an active street frontage. For example; the Council would not expect a back lane to run the entire way through a 100m block but, rather, a lane may provide rear access to part of the block or the block itself may be reduced in length in order to enable it to be dissected by a narrow back lane, for its full length (with an entrance at either end).

Refer also to Rule 14.2.4.1(iv) in regard to access widths, to Section D for a definition of “back lanes”, and to the illustrative diagram entitled “Typical back lane (plan view)” in Assessment matter 12.26.4.5 (vi)(d) for further explanation

- (h) Whether, in the MDR (mixed use precinct), the impact of commercial activities on the safety and efficiency of the main arterial road have been mitigated through minimising the number

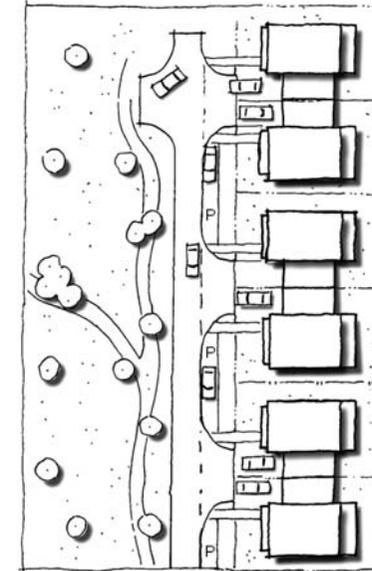
of vehicle crossings directly off the mainstreet and avoiding, where possible, any deliveries or servicing from the main street. The Council expects this to be achieved through the provision of rear lanes which provide vehicular access to both service areas and to carparking or through vehicle crossings being shared between properties wherever possible.

- (i) The building’s contribution to the creation of an active street frontage.
- (j) Whether, in the LDR subzone, the lot configuration will ensure against monotonous building setbacks and fencing along Riverbank Road.
- (k) Whether lots and blocks are laid out to maximise solar orientation. The Council will normally expect to see roads to orient north-south, where they are not already identified in the Structure Plan.
- (l) Whether a mixed **density** living environment is provided in the LDR and MDR subzones, which achieves the Council’s target densities. The Council will not normally approve an Outline Development Plan unless a) a range of densities and housing types are being proposed and b) the following densities are achieved within the respective subzones:
  - (i) 10 residential units per hectare in the LDR subzone (+/- 5%), including the provision roads and reserves.
  - (ii) 15 residential units per hectare on any identified multi-unit developments sites within the LDR subzone (+/- 5%), noting that 15-20% of all units shown in any given Outline Development Plan for the LDR subzone shall be located within multi-unit-developments.

Note: The Council expects such Outline Development Plans to cover a sufficiently large area such that a range of density is provided for and a number of multi unit development sites are identified.

- (iii) an expectation that all Outline Development Plans within the LDR zone
- (iv) 25 residential units per hectare in the MDR subzone (+/- 5%).
- (v) Note: All calculations shall be inclusive of land required for roading and reserves.
- ~~(vi) The Council also expects that any ODP within the LDR subzone shows how it (together with previous ODPs) is working towards achieving a target of 15-20% of all units in the LDR subzone being located within multi-unit developments.~~
- (m) Whether public **open spaces** have direct street frontage, and are located on visually prominent sites, such as at intersections.
- (n) Whether public open spaces are fronted by land uses around them, rather than ‘backing” on to them. The Council will normally expect land uses around a public open space to have frontage and vehicular access from the park boundary, either by a full street or private lane / JOAL (Joint Owned Access Lot) or similar (not a rear lane).

### Example of an acceptable relationship between a residential land use and open space:



Note: this diagram is indicative of concepts only. There is no guarantee the design shown would prove appropriate to the applicant or satisfy all requirements to gain consent.

- (o) Whether public open spaces and the urban form are designed in accordance with principles of Crime Prevention Through Environmental Design (CPTED).
- (p) Whether the amount and location of public open spaces are commensurate with the residential densities shown in the Outline Development Plan. The Council would expect the Outline Development Plan to show the intended use (be it passive, active, a playground, or a sportsground) and the anticipated catchment of users.
- (q) Whether the public open spaces form part of an open space network which provides pedestrian and cycle linkages to other

open space, community facilities, other subzones and the Wanaka Town Centre.

- (r) Whether and to what extent dedicated, direct and safe **pedestrian and cycle links** are provided. There are benefits for pedestrian or cycle links to be located within the public street. However, off-street links may be appropriate provided they are designed and located in such a way as to provide a good level of safety and amenity for users. The Council would normally expect there to be good passive surveillance of such links and for them to be straight, well lit, at least 6 m wide and no more than 75 long, and to avoid the use of under-passes.
- (s) Whether, in the MDR and LDR subzones, all lots show realistically achievable indicative **building platforms** that will achieve solar access, street frontage, and on-site privacy. Note: In the LDR and MDR subzones residential buildings need not necessarily be built within the platform.
- (t) Whether and to what extent **reverse sensitivity issues and issues arising from potentially incompatible uses** have been minimised. This may relate to uses at the interface of two subzones, at the interface with adjoining zones, or between activities within a subzone, where the location has been identified at the ODP stage. The Council expects conflicts to be minimised through methods such as setbacks, noise insulation, covenants, and the location of Multi Unit Developments. Notwithstanding this, it is acknowledged that such issues will also be considered for any ODP within the adjoining subzones.
- (u) In regard to the **range and location of uses** in the LDR and MDR subzones, where possible, the Council expects the Outline Development Plan to show where non-residential uses (such as community facilities, schools, and corner shopping centres) are intended to be located and how any effects on residential amenity will be mitigated. Note: Further resource consent or designation procedures will still be required for these activities, unless expressly permitted by the Plan.

- (v) The Council expects the ODP to show **visitor accommodation** precincts within the MDR subzone. The Council expects to see a limited number of precincts and for these to be located at the interface of the commercial zones and in locations that are quite separate from the residential parts of the MDR subzone. The Council will not normally grant an ODP where the extent and/ or location of visitor accommodation precincts would:
  - (i) Enable visitor accommodation to become the dominant use within the subzone and, hence, adversely affect residential coherence; or
  - (ii) Result in visitor accommodation adversely affecting residential amenity.
- (w) The Council expects the ODP to show any **multi unit development sites** that are being proposed within the LDR subzone and would normally expect these to be located adjacent to (be it across the road) a public park/ open space and such that any effects on the low density character of the surrounding properties are minimised. It may be that they are positioned as a means of providing a transition between commercial and LDR subzones.
- (x) If design guidelines (or other mechanisms) are proposed to achieve a **high quality of building and streetscape design**, the Council expects the applicant to provide detail as to how these will be enforced. The Council considers that design guidelines should be used sparingly (in recognition of the extensive guidance provided in the District Plan itself) and are likely to only be necessary in certain instances and only in some subzones.
- ~~(y) Evidence that the **affordable housing** conditions relating to any previous Outline Development Plan or other consent have been satisfactorily given effect to.~~
- ~~(z) The appropriateness of the Affordable Housing Impact and Mitigation Plan provided in accordance with Appendix 11 (insofar as it exists and is relevant) and demonstration of how this will be~~

~~given effect to. Should Appendix 11 be non-existent or irrelevant, measures to address Affordable Housing insofar as the Plan addresses the issue or other Council policies (such as a Housing Policy under the Affordable Housing Territorial Authorities Enabling Act) require are to be demonstrated.~~

- (aa) Whether the **staging of development** (shown in the ODP), if any, will facilitate a logical progression of development which enables the cost effective provision of infrastructure; provides for a range of housing types/ densities; supports public amenities; and achieves a critical mass capable of contributing to a sense of community and/ or sense of place.
- (bb) **The extent to which any previous ODP relating to the same subzone has been given effect to** (defined as the section 224c certificate having been issued). The Council would normally expect:
  - (i) That 60% of the area shown in the ODP (and which relates to the same subzone as the current application) has been given effect to;
  - ~~(ii) That affordable housing requirements have been fulfilled (including any delivery of units to the Trust), proportionate to the completion of the ODP; and~~
  - (iii) That a mixture of densities has been provided prior to granting another ODP within that subzone.
- (cc) Whether an **Integrated Transport Assessment** (ITA) has been provided which satisfactorily outlines how the proposed land use/urban design will affect the sustainability of transportation. The Integrated Transport Assessment should cover all those matters listed in the Council's guide on the subject. Refer to Council guidelines relating to ITA.
- (dd) The provision of Public Transport facilities and/or infrastructure or space to enable the future development of Public Transport facilities and/ or infrastructure. The Council would normally expect adequate space to be provided in the road reserve for a

bus stop to be located every 400 m along any bus route as identified by the Council or negotiated with the Council, as part of the ODP consent process.

- (ee) Whether any **contaminated sites** exist that would be a risk to human health or the environment and, if so, whether measures have been taken to address these. The Council expects a report to be submitted confirming whether any sites exist and, if they do, explaining how the sites will be appropriately remediated or how the subdivision and development layout will address these issues to appropriately minimise or eliminate risk.
- (ff) Whether the development proposed will ensure appropriate **stormwater management** in light of the capacity of stormwater infrastructure, the management of overland flows from the site and other sites in the catchment and measures to reduce contaminants entering the receiving environment. The Council expects a significant proportion of all stormwater to be disposed of within the zone through the use of open spaces and that such a stormwater disposal plan will be prepared in consultation with Council's engineers and will be consistent with any stormwater catchment management plan that the Council has for this area.
- (gg) Whether the development and subdivision would provide opportunities to create or restore **wetland** areas. This may be the case with existing land and water features (including those shown as open space in the Structure Plan) and open spaces created for stormwater management. Indigenous plants should be used where possible to restore ecological and cultural values.
- (hh) Whether the development has provided appropriately for the ongoing access to and function of the **Stormwater Main Line** and **Transmission Line** shown on the Structure Plan for the Three Parks Zone. The Council expects that the intended treatment of these features will be discussed and that they will be aligned with public access areas such as roads and reserves.

Note: Except where the matter specifically refers to the MDR and/ or LDR subzones, the assessment matters for Outline

Development Plans and Comprehensive Development Plans apply zone wide.

**iii Matters of discretion – For Comprehensive Development Plans in all residential subzones, discretion is reserved in respect of:**

Those matters listed in Rule 12.26.4.5 (i) in regard to Outline Development Plans, and those listed in 12.26.4.5 (v) and 12.26.4.5 (vii) in relation to restricted discretionary buildings, as is relevant.

**iv Comprehensive Development Plan - Assessment Matters**

All those matters listed in 12.26.4.5 (ii) as Assessment matters in relation to the Outline Development Plan and those matters listed in 12.26.4.5 (vi) and (viii) in relation to restricted discretionary buildings, as is relevant.

**v Matters of discretion – For all residential developments in the MDR subzone (including mixed use buildings) and multi unit developments on sites approved by an ODP in the LDR subzone, discretion is reserved in respect of:**

- (a) The location, design and external appearance of buildings and associated landscaping, including effects on the domestic scale, residential amenity, streetscape, safety, and privacy of the surrounding residential neighbourhood.
- (b) The location, access, layout and landscaping of off-street car-parking and any proposed use of on-street parking;
- (c) The location, design, and screening of centralised services, including communal areas set aside for waste storage and collection, mailboxes, and the manoeuvring and loading areas for delivery vehicles relative to the living spaces (indoor and outdoor) of adjacent residential activities;
- (d) Internal residential amenity provided within each individual residential unit.

(e) The ability to service the building(s), in terms of roading, water supply, and waste water.

(f) The inclusion of initiatives which help reduce private car use and encourage alternative modes of transport (i.e. Travel demand management).

**vi Residential developments (including mixed use buildings) in the MDR subzone and multi-unit developments in the LDR subzone - Assessment Matters**

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) Whether the design of the building(s), open spaces, carparking, access, and landscaping successfully mitigates the adverse effects on adjoining properties in terms of:
  - (i) Noise, vibration and lighting from vehicles
  - (ii) Protecting privacy for residential neighbours whilst maximising passive surveillance of nearby open spaces
- (b) Whether the development positively contributes to the streetscape through the location and design of the built form, carparking, balconies, ground floor levels, accessways, the treatment of the public/ private interface, and landscaping. Also refer to those Assessment Matters listed in 12.26.4.7 (ii), entitled “street scene and setbacks from roads”.
- (c) Whether there is sufficient variation to the articulation of building frontages, which avoids the unmitigated repetition of same or similar unit types. The Council expects building elevations, particularly those which are visible from the street or other public places, to be well articulated. In particular, where any such elevation exceeds 12 m in length, the Council expects monotonous repetition to be mitigated through such means as variations in form, height, materials, texture and colour, or by including recesses or protrusions in the elevation which are of a

sufficient depth and width to effectively 'break' any monotony of the form.

**Attached housing with variation in form and articulation:**



Features of the above diagram include:

- Variation in the façades and roof forms
- Living spaces address the street
- Appropriate heights of front fences
- Garages located to the rear of properties (accessed via back lanes)
- Clear distinction between public and private spaces

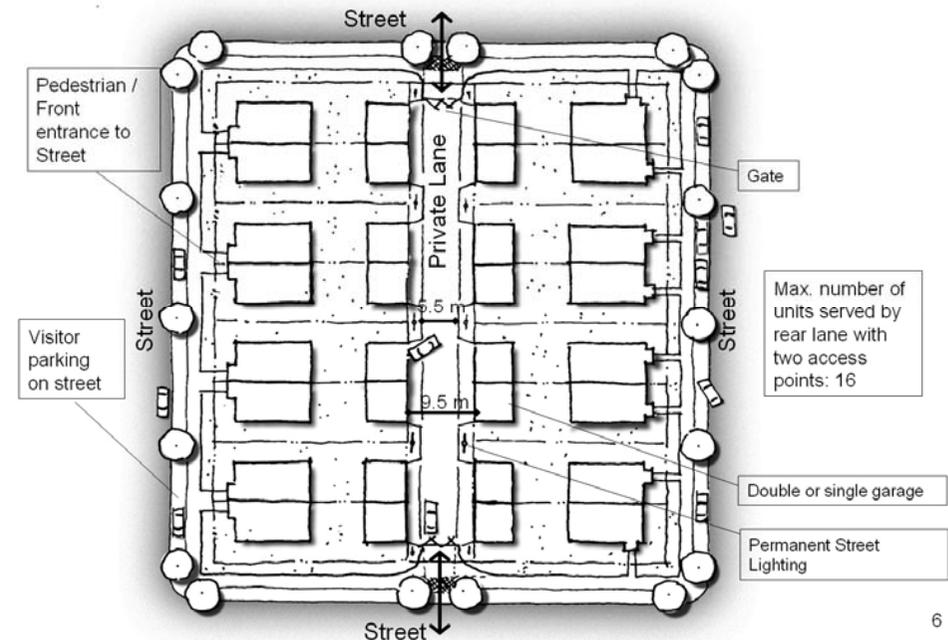
(d) Whether the applicant cannot achieve the required level of solar access into the outdoor living area unless it is located in front of the building(s). Whilst good subdivision layout should make this possible in almost all cases, where this situation does arise (for example, on north facing sites where terrace houses are proposed), the Council would normally allow the outdoor living in front of the unit provided the following is achieved:

- (i) There is no conflict between the public and private space and no ambiguity of ownership.
- (ii) Solid walls and fences are avoided along the front boundary (and ensured through methods such as covenants). If they

are proposed, the Council may accept them if they do not exceed 1.2m in height.

- (iii) Clear sight lines (and hence, passive surveillance) is maintained between the internal living areas and the public street.
- (iv) Garages are preferably located at the rear of the property or are well setback from the front façade of the house.

Typical Back Lane (plan view)



6

The above diagram is an example of how a back lane can be used to provide access to garages at the rear of the property. Note: this diagram is indicative of concepts only. There is no guarantee the design shown would prove appropriate to the applicant or satisfy all requirements to gain consent.

- (e) Whether the design retains a domestic scale (when viewed from beyond the site), whilst incorporating greater density.
- (f) Whether the design of multi-unit developments in the LDR subzone is consistent with the underlying low density character, and, in particular, whether overly repetitive forms have been avoided.
- (g) Whether any communal car parking is designed such that spaces are broken up and easily identifiable with each unit. Commercial-style continuous parking areas should be avoided.
- (h) Whether each unit is designed to avoid nuisance effects between each other (such as by off-setting windows in close proximity to one another).
- (i) Whether the area set aside for the storage of waste is adequately sized and designed to enable the separation, storage and collection of recyclable waste.
- (j) Whether the level of internal residential amenity being provided is adequate for permanent residential living.
- (k) Whether and to what extent initiatives are proposed which help reduce private car use and encourage other alternative modes of transport. The Council would normally expect the following to have been provided:
  - Cycle and motorcycle parking in a manner which encourages people to travel by these modes. Depending on the development, mobility scooter parking may also be appropriate.
  - Effective lighting and pathways aimed at assisting someone entering the site or building by foot or bike.

**vii Matters of discretion – For all buildings for non-residential activities, visitor accommodation, or retirement villages in all residential subzones, discretion is reserved in respect of:**

Those matters listed for multi-unit developments in rule 12.26.4.5 (v) (with the exception of 12.26.4.5 (v) (d)) above and, in addition:

- (a) The establishment of a clear street presence including an obvious entrance directly accessed from the footpath, and internal layout such that an area of office/ reception or similar faces the street with a large area of glazing allowing two-way visibility between the street and the activity.
- (b) Acoustic or other insulation in order to effectively maintain adjacent residential amenity.
- (c) The ability to service the building(s), in terms of roading, water supply, and waste water.

Note: Failure to comply with performance standards will introduce other matters of discretion.

**viii Buildings for non-residential activities, visitor accommodation, or retirement villages - Assessment Matters**

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by those listed in relation to rule 12.26.4.5 (vi) above and the following additional assessment matters:

- (a) Whether the design of the building(s), open spaces, carparking, access, and landscaping successfully mitigates the adverse effects on adjoining properties in terms of:
  - (i) Noise, vibration and lighting from vehicles
  - (ii) Protecting privacy for residential neighbours whilst maximising passive surveillance of nearby open spaces

- (b) Whether the development positively contributes to the streetscape through the location and design of the built form, carparking, balconies, ground floor levels, accessways, the treatment of the public/ private interface, and landscaping. Refer also to assessment matters 12.26.4.7 (ii) entitled “street scene and setbacks from roads”.
- (c) Whether the building is setback from the road or not. The Council would normally expect to see convenience stores and other neighbourhood shops located up to the road boundary whilst individual non residential buildings that are surrounded by residential properties and are not located on an arterial or collector road should normally be set back consistent with residential buildings. Larger scale buildings such as community facilities or schools would be setback considerably further.
- (d) Whether the area set aside for the storage of waste is adequately sized and designed to enable the separation, storage and collection of recyclable waste.
- (e) Regarding the consideration of proposed initiatives to help reduce private car use, in addition to those matters listed in 12.26.4.5 (vi)(k), the Council will also normally expect shower and locker facilities to be provided at work places.

## 12.26.4.6 Discretionary Activities - Assessment Matters

### i **Non-residential activities in all residential subzones but excluding the mixed use precinct**

- (a) Whether the activity has been shown indicatively on an approved Outline Development Plan or Comprehensive Development Plan.
- (b) Whether the scale of the activity will enable the residential coherence and amenity of the neighbourhood to be maintained. The Council expects a very small amount of non-residential activity in the residential subzones, limited to those types of activities which will not adversely affect the residential amenity of

the subzone or the viability and vitality of the commercial zones beyond the Three Parks Zone.

- (c) Whether anyone resides on the site. The Council will not normally approve an activity unless at least one person engaged in the activity resides on the site, in order to ensure residential coherence is retained and to contribute to safety within the neighbourhood.
- (d) The number of full-time equivalent employees who permanently reside elsewhere than on the site. The Council will not normally approve an activity where more than three full time equivalent employees must travel to the site to work.
- (e) Whether any retailing is proposed. The Council will not normally approve an activity which involves retailing other than:
  - (i) Retailing which provides for a demonstrated local demand (e.g. neighbourhood dairy); or
  - (ii) Retailing which is an integral and necessary part of other activities being undertaken on the site; or
  - (iii) Retailing of handicrafts or goods grown, or produced on the site.

Note: Unless the proposed retailing meets one of the above criteria, the expectation is that it should locate in an area which is zoned for retail uses. Reasons such as lower rental rates or proximity to ones’ home are not considered to be justification for locating in the residential areas. An example of the type of retail that is envisaged by these provisions is a corner dairy. However, given the fact that subzones for commercial activities are provided for in the Zone and the relatively large number of customers that is required to make such retail viable, it is likely such retail will be rarely and perhaps never undertaken in this zone.

- (f) Whether the activity will contribute positively to the neighbourhood by providing an opportunity for interaction amongst residents, and/or a shared “sense of place”.
- (g) Whether the activity would more appropriately and could feasibly be located in the Wanaka Town Centre, the Three Parks Commercial Core or Business subzones, or other business zones beyond Three Parks. The Council will not normally approve non-residential activities that:
  - (i) Are within 400 m of the business or Commercial Core subzones, or any other zone where such uses are anticipated;
  - (ii) Can not demonstrate clear public or environmental benefits of locating in the residential subzones, (as opposed to the commercial zones) such as reduced commuting/ travel time, reduced trips through co-location of services, or the increased workability for the majority of users.
- (h) Whether it is proposed to operate or would logically wish to operate in the future outside the permitted hours. The Council would not normally approve such an extension of hours unless confident that noise levels (from the activity and associated vehicle movements) will be consistent with those expected in a residential environment.
- (i) The Council will not normally approve any activities that breach or are likely to breach the residential noise standards.
- (j) The Council does not expect industrial or service activities of any scale to locate in the residential subzones.
- (k) The Council will not normally approve any non-residential activities that will result in levels of traffic generation or pedestrian activity which are incompatible with the existing or anticipated character of the surrounding residential subzones (once fully developed). Where vehicle movements are of a scale or nature (for example, due to the vehicle type or time(s) of the day) which are incompatible with that usually expected in a

residential neighbourhood, the Council will consider the extent of associated effects such as noise and vibration, glare from headlights; traffic congestion or a reduction in levels of traffic or pedestrian safety; or a reduction in the availability of on-street parking and how these will be mitigated.

- (l) Whether the outside storage of any goods, materials or equipment (including vehicles associated with the activity parked on the site overnight) would have an adverse effect on the residential amenity of neighbours or the streetscape.
- (m) Whether the activity is contained wholly within the building, indicating that the effects will be better contained within the site.
- (n) Whether the activity will have any positive or negative cumulative effects, given other such activities given any others that already exist in the vicinity.

## 12.26.4.7 Assessment matters relating to performance standards

### i Internal Setbacks - Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) Buildings are located and designed to minimise overlooking between properties. The Council will expect multi unit developments to use a varied design that offsets windows of adjacent buildings between windows to prevent direct visual connection between buildings.
- (b) Buildings are located in order to minimise shading of neighbouring properties.

### ii Street scene and setbacks from Roads - Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) Whether buildings are able to achieve a high level of connection with the street, including establishing local character and evoking visual interest from street users.
- (b) Whether the design includes windows facing the street. The Council will not normally approve applications that fail to present a clear visual connection through windows from a main living room (dining / kitchen / family / lounge / rumpus) to the street.
- (c) Whether views from the street into sites are clearly drawn to land use activities and entrance points, with garages being a recessive visual feature. The Council will not normally approve applications where the garage, front fencing, or high front landscape screening will dominate a site frontage
- (d) Whether buildings dominate the public footpath. The Council will not normally approve encroachment into the road setbacks where the building will cast shadowing along the street to a greater extent than would a complying building; or will result in either low levels of residential privacy or lengths of blank building edge along the street.

### iii Outdoor Living Space - Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) Whether the amount proposed is sufficient given the size of the dwelling. The Council may approve a reduction if justified by the size of the dwelling.
- (b) Whether the site is adjacent to open space (public or semi public) which would meet some of the needs of residents. The Council may approve a small reduction in such instances
- (c) Whether, in the case of multi unit developments, communal space is being provided on shared land that is part of the development. The Council may approve a reduction in such instances.

- (d) In the case of north facing multi unit developments, Council will consider approving outdoor living on the north side (and within the road setback) where an appropriate balance between privacy and passive surveillance will be achieved.

### i Permeability/ onsite stormwater disposal - Assessment Matters

The Council is likely to approve a greater proportion of hard surfacing provided methods are proposed on-site which will ensure that post-development runoff (both natural flow and piped) is equivalent to that which would be achieved through restricting hard surfacing to 50% of the site. The Council will normally also expect methods to be proposed to ensure that these systems will be maintained in perpetuity.

### ii Noise - Assessment Matters

Whether, the application is accompanied by a design report and noise management plan that has been prepared by a suitably qualified person stating how the design, orientation, and layout of activity on the site have been designed to:

- (a) Minimise noise and nuisance noise spill onto adjoining sites; and
- (b) Minimise noise spill from adjoining sites and established activities creating a nuisance for the proposed activity.

### 12.26.4.8 Non-notification of Applications

- i Except as provided for by Section 94C(2) and pursuant to Section 94D of the Act, all applications for **controlled activities** will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons and will be assessed according to matters the Council has reserved control over in the Plan.
- ii Except as provided for by Section 94C (2) and pursuant to Section 94D of the Act, the following restricted discretionary activities will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons. The Council will restrict

the exercise of its discretion for those matters specified in the Plan for each particular activity:

(a) All applications for **(restricted discretionary) non-residential buildings** (pursuant to Rule 12.26.4.2 (7)), provided they are in accordance with an approved ODP.

(b) All restricted discretionary applications for **Outline Development Plans or Comprehensive Development Plans** in this subzone; except as specifically provided for in 12.26.4.8(iii)(b) below.

Note: If the Outline Development Plan or Comprehensive Development Plan is non complying due to the fact it is not in accordance with the Structure Plan (refer Rule 12.26.3.1 (8), for example) then it may be notified.

(c) All applications for **multi unit developments** in the MDR subzone or on sites approved through an Outline Development Plan resource consent.

(d) Applications for the exercise of the Council's discretion in respect of the following **Performance Standards**:

(i) Outdoor Living Space;

iii Except as provided for by Section 94C (2) and pursuant to Section 94D of the Act, the following restricted discretionary activities will be considered without public notification. Service of notice will not be required if all persons who may be adversely affected have given their written approval. The Council will restrict the exercise of its discretion for those matters specified in the Plan for each particular activity.

(a) Internal setbacks

(b) All restricted discretionary applications for **Outline Development Plans or Comprehensive Development Plans** which adjoin land beyond the Three Parks Zone or which propose that a collector or arterial road connect to adjoining land (including roads) beyond the Three Parks Zone, in respect of utilities, servicing, roading, and intersection design.

## 12.26.5 Tourism and Community Facilities Subzone - Rules

### 12.26.5.1 Purpose

The **Tourism and Community Facilities subzone** provides for tourist facilities, conference centres, community facilities, commercial recreation activities, and visitor accommodation (including ancillary uses). Building forms are expected to be of a larger scale than in the residential subzones, yet will be set in a heavily landscaped parkland environment with generous setbacks between comprehensive developments. Only residential of a medium density will be allowed in order to minimise reverse sensitivity issues between residential uses and the predominant uses of the subzone. Temporary worker households are one form of residential use which is considered compatible with and complementary to the purpose of this subzone.

## 12.26.5.2 Activity Table - Tourism and Community Facilities Subzone

### Key and notes

CON	Controlled Activity	N-C	Non-Complying Activity
PERM	Permitted Activity	DIS	Discretionary Activity
RDIS	Restricted discretionary Activity		
PRO	Prohibited Activity		
N/A	Performance standard not applicable in the particular subzone.		

Note: Where a proposed activity could possibly be captured by more than one activity/ classification, the most specifically defined activity shall override any other. For example, where both retail and commercial activities are both listed, the classification for retail over-rides that for commercial as it is more specifically defined.

Ref	Activity - Tourism and Community Facilities Subzone	Activity status (provided the performance standards are met)
1	Any Activity which complies with all the relevant performance standards and is not listed as a Controlled, Discretionary, Non-Complying or Prohibited Activity	PERM
2	<u>Multi unit developments which meets a density of at least 25 residential units per hectare, inclusive of land required for roading and reserves.</u>  <u>Note: The built form requires resource consent pursuant to Standard 11 below</u>	PERM
3	Home occupations	PERM
4	Office (activities) ancillary to any Permitted or Controlled Activity. NB- Any building will be subject to a restricted discretionary consent.	PERM
5	Buildings approved by a Comprehensive Development Plan	PERM
6	The sale of liquor (on-licence only) from visitor accommodation or places of assembly between the hours of 6 pm– 11 pm, except that this rule shall not apply to the sale of liquor to any person who is residing (permanently or temporarily) on the premises.	CON

Ref	Activity - Tourism and Community Facilities Subzone	Activity status (provided the performance standards are met)
7	Visitor Accommodation activities	CON
8	Place of assembly (which, for the purpose of this rule, includes conference facilities), community activities, places of entertainment, educational facilities and recreational activities, commercial recreation activity, retirement villages, and day care facilities (children and elderly). Note: The building itself requires a Restricted Discretionary Resource Consent unless already approved by a Comprehensive Development Plan.	CON
9	Outline Development Plan or a variation to an approved ODP.  Note: Where any element of an application for an Outline Development Plan is a non-complying activity (for example, more than 5% of sites are 'rear sites'), then the Outline Development Plan application becomes non-complying.	RDIS
10	Comprehensive Development Plan or a variation to an approved CDP.  Note: Where any element of an application for a Comprehensive Development Plan is a non-complying activity (for example, an over height building is proposed), then the Comprehensive Development Plan application becomes non-complying.	RDIS
11	All buildings, except those already approved by a Comprehensive Development Plan	RDIS
12	The sale of liquor (on-licence only) from visitor accommodation or places of assembly between the hours of 11 pm and 7 am, except that this rule shall not apply to the sale of liquor to any person who is residing (permanently or temporarily) on the premises <u>or who is on the premises for the purpose of dining.</u>	RDIS
xx	<u>Residential units, except for multi unit developments which meet a density of at least 25 residential units per hectare, inclusive of land required for roading and reserves.</u>  <u>Refer to Section D for the definition of "multi unit development".</u>  <u>Note: For the avoidance of doubt, this rule is to make low density housing non complying</u>  <b>NB – re-numbering and checking of any cross referencing will be required</b>	N-C
13	Buildings within the Open Space precinct adjacent to SH84, as shown on the Structure Plan	N-C

Ref	Activity - Tourism and Community Facilities Subzone	Activity status (provided the performance standards are met)
14	Commercial activities (other than those listed specifically in this table)	N-C
15	Retail activities (other than those ancillary to a permitted or controlled activity)	N-C
16	Service activities and Industrial Activities	N-C
17	Offices other than those that are ancillary to any permitted or controlled activity	N-C
18	Factory Farming, Forestry Activities, Mining	N-C
19	Airports/ take-off or landing of aircraft other than the use of land and water for emergency landings, rescues and fire fighting.	N-C
20	Planting of any wilding species (as identified in Part 5 of the District Plan)	PRO
21	Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building, fish or meat processing, or any activity requiring an Offensive Trade Licence under the Health Act 1956.	PRO

### 12.26.5.3 Performance Standards

Failure to comply with a standard will result in the need to obtain either a restricted discretionary or non complying resource consent, as specified in this table. Where failure to comply with a performance standard results in a restricted discretionary consent being required, the Council's discretion is restricted only to that or those standards that are not complied with.

Refer also to the zone-wide standards in Section 15.21.3.1, relating to:

- (a) Earthworks (RDIS)
- (b) Lighting and Glare (RDIS)
- (c) Waste and Recycling Storage Space (RDIS)
- (d) The creation of Rear Sites (N-C)

- (e) Compliance with an approved Outline Development Plans and Comprehensive Development Plans (N-C)
- (f) Compliance with the Structure Plan (N-C)
- (g) Staging of development (N-C)
- (h) Access (N-C)

Ref	Standard - Tourism and Community Facilities Subzone	Resource consent status if standard not met
1	<p><b>Streetscene and placement of buildings</b></p> <p>All buildings shall be contained within a building platform approved as part of an Outline Development Plan or Comprehensive Development Plan.</p>	RDIS
2	<p><b>Setback from Internal Boundaries</b></p> <p>Buildings shall be set back at least 10 metres from internal boundaries; except that:</p> <p>i No setback is required from an internal boundary where buildings share a common wall on that boundary.</p> <p>Note: The purpose of this rule is to achieve comprehensively designed large-lot development, whereby the effects are internalised to the development.</p>	RDIS
3	<p><b>Outdoor Living Space for residential activities</b></p> <p>Refer to the standards in Rule 12.26.4.3 (7) in relation to the MDR subzones</p>	RDIS
4	<p><b>Residential Amenity for multi-unit developments</b></p> <p>Refer to the standards in Rule 12.26.4.3 (8) in relation to the MDR subzones.</p>	RDIS
5	<p><b>External Appearance of Residential buildings</b></p>	RDIS

Ref	Standard - Tourism and Community Facilities Subzone	Resource consent status if standard not met
	<p>i There shall be a minimum 1 m recess of garage behind the building's front face.</p> <p>ii There shall be at least one area of glazing from a living room or, in the case of mixed use buildings from a main office or reception area, of at least 2 m<sup>2</sup> facing the street.</p>	
6	<p><b>Fences</b></p> <p>Fences and/or landscaping having the effect of a fence anywhere within the open space precinct or within any road setback within the subzone shall be no higher than 1.2m in height.</p>	RDIS
7	<p><del><b>Building Height - Residential activities &amp; buildings:</b></del></p> <p><del>Residential buildings shall be a maximum of 3 storeys in height plus an additional 2 metres shall be allowed for non-habitable protrusions including roof forms.</del></p> <p><del>Refer Section D for definitions of a "storey" and "habitable space".</del></p>	RDIS
8	<p><del><b>Building Height - Non-residential <u>All</u> activities &amp; buildings:</b></del></p> <p><del>Non-residential <u>All</u> buildings shall be a maximum of 3 storeys in height, provided the total height does not exceed 12 metres.</del></p> <p><del>Refer Section D for definitions of a "storey" and "habitable space".</del></p>	RDIS
9	<p><b>Permeability/ onsite stormwater disposal</b></p> <p>No more than 50% of the area of each site shall be covered with hard surfacing.</p> <p>Refer Section D for the definition of "hard surfacing".</p>	RDIS
10	<p><b>Building Coverage</b></p> <p>The maximum building coverage for all activities on any site shall be 40%.</p>	N-C
11	<p><b>Heavy Vehicle Storage</b></p>	N-C

Ref	Standard - Tourism and Community Facilities Subzone	Resource consent status if standard not met
	Except for visitor accommodation, no heavy vehicles shall be stored or parked overnight on any site for any activity.	
12	<p><b>Noise</b></p> <p>i Activities shall be so conducted that the following noise limits are not exceeded at any point within the boundary of any other site in this subzone:</p> <p>daytime (0800 - 2200 hrs) 60dBA L<sub>10</sub></p> <p>night time (2200 - 0800 hrs) 50dBA L<sub>10</sub> and 70dBA L<sub>max</sub></p> <p>i Construction noise shall be measured and assessed in accordance with NZS 6803:1999.</p> <p>Note: Noise levels (other than construction noise) shall be measured and assessed in accordance with NZS 6801:2008 and NZS 6802:2008.</p>	N-C
13	<p><b>Residential density</b></p> <p>There shall be no more than 1 residential unit per site (where the site is shown on the Outline Development Plan or Comprehensive Development Plan or subdivision scheme plan) unless a higher density has been expressly approved as part of an Outline Development Plan or Comprehensive Development Plan resource consent.</p> <p>Note: This does not preclude a residential flat from being constructed on a site in addition to the residential unit. Refer to Section D for the definition of “residential flat”.</p>	N-C

## 12.26.5.4 Controlled Activities – Matters over which the Council has reserved control and Assessment Matters

### i Matters of control - The sale of liquor (on-licence only) from visitor accommodation or places of assembly between the hours of 6 pm and 11 pm - conditions may be imposed in respect of:

- (f) The scale of the activity
- (g) Car parking
- (h) Retention of amenity
- (i) Noise; and
- (j) Hours of operation.

Note: This rule shall not apply to the sale of liquor to any person who is residing (permanently or temporarily) on the premises.

### ii The sale (on-licence only) and on-site consumption of liquor from visitor accommodation or places of assembly - Assessment Matters

In considering whether or not to impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) The character, scale and intensity of the proposed use (including the hours, frequency of use) and its compatibility in relation to surrounding and/or adjoining uses.
- (b) The effect on the existing and foreseeable future amenities of the neighbourhood, particularly in relation to noise and traffic generation.
- (c) The topography of the site and neighbouring area and how this will affect noise emissions beyond the site.

- (d) The nature of existing and permitted or controlled future uses on nearby sites.
- (e) The location of car parking for the site.
- (f) The adequacy of screening and buffer areas between the site and other uses. The Council would normally expect an on-licence activity to be set back, buffered (by other uses), or screened by fencing and/ or landscaping such that the effects of noise and reduced privacy on adjacent residential activities are avoided or minimised.
- (g) The previous history of the site and the relative impact of adverse effects caused by activities associated with sale of liquor.
- (h) Any proposed noise management plan and the ability to mitigate noise effects.

### iii Matters of control – Visitor Accommodation activities, places of assembly (including conference facilities), community activities, places of entertainment, educational facilities, commercial recreational activities, recreational activities, retirement villages, and day care facilities (children and elderly) - conditions may be imposed in respect of:

- (a) The location, nature and scale of activities on site;
- (b) landscaping
- (c) The location of carparking, bus parking, access, and traffic generation and any methods proposed to reduce traffic issues at peak times/ special events/ traffic management plans;
- (d) Noise;
- (e) Hours of operation; and
- (f) The proximity to and impact on existing residential activities or residential developments identified in an approved Outline Development Plan.

- (g) Initiatives which help reduce private car use and encourage alternative modes of transport (i.e. demand management).
- iv **Visitor Accommodation activities, places of assembly (which includes conference facilities), community activities, places of entertainment, educational facilities and recreational activities, retirement villages, and day care facilities (children and elderly) - Assessment Matters:**

In considering whether or not to impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

  - (a) Compatibility with amenity values of the surrounding environment considering the visual amenity of the street and neighbouring properties; and, in particular:
    - (i) The character, scale and intensity of the proposed use and its compatibility in relation to surrounding uses
    - (ii) The nature of the development in the context of the permitted or controlled future uses on nearby sites
    - (iii) Any loss of privacy to surrounding existing or approved residential activities
    - (iv) Hours of operation
    - (v) The quality of the landscaping and its contribution to creating an attractive entrance to the Three Parks Commercial Core.
    - (vi) Whether the external appearance of the buildings complements the surrounding landscape and urban character.
  - (h) Any adverse effects from the activity are avoided, remedied or mitigated in terms of:
    - (i) The adequacy and location of car parking for the site

- (ii) Noise, vibration and lighting from vehicles entering and leaving the site
- (iii) Pedestrian safety within the vicinity of the activity
- (i) Mitigation of noise emissions beyond the property boundary considering:
  - (i) The adequacy of mitigation measures, including the layout of outdoor activities (for example barbecues, spa pools), and the ability to screen those activities by vegetation, fencing or building.
  - (ii) Measures that can be incorporated into the premises to provide for acoustic insulation and /or attenuation of noise emissions.

#### **12.26.5.5 Restricted Discretionary Activities – Matters over which discretion is reserved and Assessment Matters**

- i **Matters of discretion – For any Outline Development Plan, discretion is reserved in respect of:**
  - (a) All those matters listed in Rule 12.26.4.5 (i) in relation to the LDR and MDR subzones, except where identified that the matter is specific to the residential subzones; and
  - (b) Fixed building platforms (as opposed to indicative)
  - (c) Landscape treatment of the open space buffer adjacent to SH 84 and the areas adjacent to the Mainstreet arterial as shown on the Structure Plan.

Note: For the avoidance of doubt, any subsequent landscaping not in accordance with the ODP will require a variation to the ODP.

  - (d) The location and design of carparking, including bus parking.

## ii Assessment Matters - Outline Development Plan

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) All those Assessment Matters listed in 12.26.4.5 (ii) in relation to the LDR and MDR subzones, except where identified that the matter is specific to the residential subzones; and in addition:
- (b) The extent to which the indicative **building platforms** will:
  - (i) Contribute to an informal, open, park-like character which becomes increasingly urban, the closer one gets to the Commercial Core
  - (ii) Create a soft edge to the Mainstreet arterial road (as shown on the Structure Plan), ranging from substantial setbacks closest to the State Highway to more urban setbacks at the edge of the Commercial Core. The Council expects buildings to be set back between 10 and 20 metres at the end of the Mainstreet closest to the State Highway (with at least one building in each development being set back no more than 20 metres), narrowing to setbacks in the order of 5 metres closest to the Commercial Core.
  - (iii) Create an open space dominant 'campus' type built form that conveys a low-scale entry to the Zone from the State Highway. The Council will not normally approve applications that create an impression of high density, intense urban development in the subzone.
- (c) The extent to which the **landscape treatment** of the open space buffer and land adjacent to the Mainstreet arterial road (as shown on the Structure Plan) will:
  - (i) Create an attractive entrance to the Three Parks Zone.
  - (ii) Contribute to an established, park-like character which gets increasingly urban and domesticated the closer one gets to the Commercial Core
  - (iii) Help to minimise effects arising from the proximity of Visitor Accommodation to arterial roads (such as noise and reduced amenity).
  - (iv) Provide for informal pedestrian access along the Mainstreet arterial road and State Highway 84.
  - (v) Have the potential to adversely affect views of Mt Iron and other prominent natural landscapes.
- (d) In regard to the location and design of **carparking**, including bus parking, the Council will not normally approve:
  - (i) Carparking areas that dominate views into the site from the street or other public places.
  - (ii) Any surface carparking between the building and the Mainstreet arterial road.
- (e) Whether any residential development is being proposed and, if so;
  - (i) whether the proposed location and design effectively avoids or mitigates reverse sensitivity issues with other anticipated uses within the subzone; and
  - (ii) Whether it is located within 400 m of amenities including parks, bus stops, shops, and other services. The Council will normally expect both these matters to be addressed at the Outline Development Plan stage.

**iii Matters of discretion – For Comprehensive Development Plan, discretion is reserved in respect of:**

Those matters listed in Rule 12.26.5.5 (i) in regard to Outline Development Plans, and those listed in Rule 12.26.5.5 (v) in regard to restricted discretionary buildings.

**iv Assessment matters - Comprehensive Development Plan**

All those Assessment matters listed in 12.26.5.5 (ii) in relation to the Outline Development Plan and those matters listed in 12.26.5.5 (vi) in relation to restricted discretionary buildings.

**v Matters of discretion – For all buildings, discretion is reserved in respect of:**

- (a) The location, design and external appearance of buildings, including, in particular:
  - (i) Their effect on views from public places.
  - (ii) The identification of public and private parts of sites including main entrances and exits (excluding emergency/ fire exits).
- (b) The location, access, layout and landscaping of off-street car-parking, including the nomination of staff and visitor parking areas, including bus parking.
- (c) Vehicle access;
- (d) Streetscape design, including landscaping;
- (e) Solar orientation and the orientation of buildings in relation to the prevailing winds and sunlight;
- (f) Building location and design, landscaping, and lighting in respect of maximising private and public safety and preventing crime;
- (g) Servicing, including the provision of centralised areas for the storage and collection of recyclable waste.

- (h) The ability to service the building(s), in terms of roading, water supply, and waste water.

- (i) The inclusion of initiatives which help reduce private car use and encourage alternative modes of transport (i.e. Travel demand management).

**vi Assessment Matters - All buildings**

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

The Council will expect to see the following key design outcomes achieved in the design and layout of all buildings within the subzone:

- (a) Buildings are designed to present interesting and varied facades to streets and public spaces, and to avoid repetition. The Council expects building elevations, particularly those which are visible from the street or other public places, to be well articulated. In particular, where any such elevation exceeds 12 m in length, the Council expects monotonous repetition to be mitigated through such means as variations in form, height, materials, texture and colour, or by including recesses or protrusions in the elevation which are of a sufficient depth and width to effectively 'break' any monotony of the form.
- (b) Main entrance points are clearly identifiable from the street and/ or carparking area and have direct connections to footpaths.
- (c) Roof designs create interest as well as emphasising architectural features including main entrance points.
- (d) Landscaping is used to complement building design, not mitigate low quality design elements.
- (e) Diversity in materials, finishes, and building modulation; helping to create interesting facades.

- (f) Facades that face streets and public spaces are heavily fenestrated.
- (g) Parking areas are located to the side or rear of buildings.
- (h) Facilities that are frequented by the general public are situated in visible “easy to find” locations within developments.
- (i) Whether the views along a street or of surrounding landscape features will be preserved through good design and, in particular, through variations in height and the placement of the building and orientation of view shafts.
- (j) Whether the external appearance of the roof top of the building has been designed such that it is not unattractive when viewed from public places such as Mt Iron. The Council will normally expect to see all servicing (e.g. air conditioning units) well screened and, interesting/ varied rooftops where the building is highly visible from public places, including Mt Iron.
- (k) Whether and to what extent initiatives are proposed, which help reduce private car use and encourage alternative modes of transport (i.e. Travel Demand Management). The Council would normally expect the following to have been provided:
  - (i) Cycle and motorcycle parking in a manner which encourages people to travel by these modes. Depending on the development, mobility scooter parking may also be appropriate.
  - (ii) Shower and locker facilities for work places, so employees who choose to walk, run, cycle to work can shower and store clothing.
  - (iii) Effective lighting and signage aimed at assisting someone entering the site or building by foot or bike.

vii **Matters of discretion – For the sale of liquor, for on-site consumption, between the hours of 11pm and 7am, discretion is reserved in respect of:**

- (a) Those matters listed in Rule 12.26.5.4 (i) in respect of the controlled sale of liquor.

## 12.26.5.6 **Assessment matters relating to performance standards**

### i **Building Height - Assessment Matters**

Whether buildings are designed so that the overheight part of the building is located away from the street frontage, unless it is associated with emphasising an entry point, plaza, or lobby. The Council will not normally approve any noncompliance with the height standard where buildings are within 30m of a street or public open space.

### ii **Streetscene and setback from roads - Assessment Matters**

Whether the combination of the location and design of the buildings and the associated landscaping will result in the desired open space character and provide an attractive entrance into to the Commercial Core. The Council will not normally approve buildings:

- (a) Where the main entrances into buildings are not clearly visible from the street and where there are not clear pedestrian pathways to the entrance. Note that visibility from the street is not applicable where the building itself is not visible from the street.
- (b) Unless at least 60% of the area between the road and the closest building is landscaped and free of surface car parking.
- (c) Unless carparking areas are designed in a manner which gives clear priority to pedestrians through the use of paths, pedestrian rights of way, and clearly marked zebra crossings.

iii **Permeability/ onsite stormwater disposal - Assessment Matters**

The Council is likely to approve a greater proportion of hard surfacing provided methods are proposed on-site which will ensure that post-development runoff (both natural flow and piped) is equivalent to that which would be achieved through restricting hard surfacing to 50% of the site. The Council will normally also expect methods to be proposed to ensure that these systems will be maintained in perpetuity.

iv **Residential activities - outdoor living space**

Refer to assessment matters 12.26.4.7 (iii) within the LDR and MDR subzones section

v **Residential activities - Street scene and setback from roads**

Refer to assessment matters 12.26.4.7 (ii) within the LDR and MDR subzones section

**12.26.5.7 Non-notification of Applications**

i Except as provided for by Section 94C(2) and pursuant to Section 94D of the Act, all applications for controlled activities will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons and will be assessed according to matters the Council has reserved control over in the Plan.

ii Except as provided for by Section 94C (2) and pursuant to Section 94D of the Act, the following restricted discretionary activities will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons. The Council will restrict the exercise of its discretion for those matters specified in the Plan for each particular activity:

- (a) All applications for **restricted discretionary buildings**, provided they are in accordance with an approved ODP

- (b) All restricted discretionary applications for **Outline Development Plans or Comprehensive Development Plans** in this subzone; except as specifically provided for in 12.26.5.7(iii)(a) below.

Note: If the Outline Development Plan or Comprehensive Development Plan is non complying due to the fact it is not in accordance with the Structure Plan (refer Rule 12.26.3.1 (8), for example), then it may be notified.

- (c) Applications for the exercise of the Council's discretion in respect of the following **Performance Standards**:

- (i) Outdoor Living Space.

- (d) All applications for **multi unit developments** in the MDR subzone or on sites approved through an Outline Development Plan resource consent.

- (e) Applications for the exercise of the Council's discretion in respect of the following **Performance Standards**:

- (i) Outdoor Living Space;

iii Except as provided for by Section 94C (2) and pursuant to Section 94D of the Act, the following restricted discretionary activities will be considered without public notification. Service of notice will not be required if all persons who may be adversely affected have given their written approval. The Council will restrict the exercise of its discretion for those matters specified in the Plan for each particular activity.

- (a) All restricted discretionary applications for **Outline Development Plans or Comprehensive Development Plans** which adjoin land beyond the Three Parks Zone or which propose that a collector or arterial road connect to adjoining land (including roads) beyond the Three Parks Zone, in respect of utilities, servicing, roading, and intersection design.

## 12.26.6 Business (Three Parks) Subzone - Rules

### 12.26.6.1 Purpose

The **Business subzone** provides for light industrial activities, wholesaling, showrooms, trade-related retail, and those retail activities which are inappropriate in the Commercial Core or can locate in the Business subzone of the Three Parks Zone without detracting significantly from the Town Centre or the Commercial Core within the Three Parks Zone. The intention is to ensure that mainstreet retail aimed at the general public does not 'leak' into this area and undermine the Wanaka Town Centre or the Commercial Core and cause competition in the Business subzone between business uses and retail. Where the mainstreet precinct exists, activities and building types will be required to provide an attractive, active street frontage. Conversely, it is accepted that buildings and activities in the remainder of the business area will not necessarily always provide an attractive street frontage or be of such high quality design.

## 12.26.6.2 Activity table

### Key and notes

CON	Controlled Activity	N-C	Non-Complying Activity
PERM	Permitted Activity	DIS	Discretionary Activity
RDIS	Restricted discretionary Activity		
PRO	Prohibited Activity		
N/A	Performance standard not applicable in the particular subzone.		

Note: Where a proposed activity could possibly be captured by more than one activity/ classification, the most specifically defined activity shall override any other. For example: Where both retail and commercial are both listed the classification for retail over-rides that for commercial as it is more specifically defined.

Ref	Activity - Business (Three Parks) Subzone	Activity status (subject to meeting the performance standards in the following table)	
		Business	Business (Main St)
1	Any Activity (including buildings) which meets the performance standards and is not listed in this table as a Controlled, Discretionary, Non-Complying or Prohibited Activity	PERM	PERM
2	Buildings approved by a Comprehensive Development Plan	PERM	PERM
3	The display and retailing of goods produced, processed, or stored on the site up to 20% of the net floor area (NFA) on the site used to produce, process, or store those goods, or 100m <sup>2</sup> , whichever is the lesser.	PERM	PERM
4	Automotive and marine suppliers.	PERM	PERM
5	Building suppliers	PERM	PERM
6	Catering equipment suppliers	PERM	PERM

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Ref	Activity - Business (Three Parks) Subzone	Activity status (subject to meeting the performance standards in the following table)	
		Business	Business (Main St)
7	Garden and patio suppliers	PERM	PERM
8	Hire services (except hire/ loan of books, videos, DVDs, and other similar home entertainment items)	PERM	PERM
9	Industrial clothing and safety equipment suppliers	PERM	PERM
10	Office furniture, equipment, and systems suppliers	PERM	PERM
11	Second hand goods outlets	PERM	PERM
12	Service stations, including ancillary retail	PERM	PERM
13	Industrial activities	PERM	PERM
14	Service activity	PERM	PERM
15	Wholesaling	PERM	PERM
16	Offices ancillary to any permitted use	PERM	PERM
17	The sale of liquor for consumption on the premises	N-C	CON
18	Yard-based suppliers	PERM	RDIS
19	Food and beverage outlet	N-C	PERM
20	Buildings, except those already approved by a Comprehensive Development Plan	CON	RDIS
21	Outline Development Plan or variation to an approved ODP  Note: Where any element of an application for an Outline Development Plan is a non-complying activity (for example, more than 5% of sites are 'rear sites'), then the Outline Development Plan application becomes non-complying.	RDIS	RDIS

Ref	Activity - Business (Three Parks) Subzone	Activity status (subject to meeting the performance standards in the following table)	
		Business	Business (Main St)
22	Comprehensive Development Plan or variation to an approved CDP  Note: Where any element of an application for a Comprehensive Development Plan is a non-complying activity (for example, an over height building is proposed), then the Comprehensive Development Plan application becomes non-complying.	RDIS	RDIS
23	Offices, other than those ancillary to a permitted use	N-C	CON
24	Retail activities other than those previously listed in this table in Rules 12.26.6.2 (3) – (19).	N-C	N-C
25	Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, and motorbody building	PERM	N-C
26	Commercial activity	N-C	N-C
27	Airports/ take-off or landing of aircraft other than the use of land and water for emergency landings, rescues and fire fighting.	N-C	N-C
28	Bottle and scrap storage and processing, fish or meat processing, or any activity requiring an Offensive Trade Licence under the Health Act 1956.	N-C	N-C
29	Agriculture, Forestry, and mining	N-C	N-C
30	Visitor accommodation	N-C	N-C
31	Residential activities	N-C	N-C
32	Planting of any wilding species (as identified in Part 5 of the District Plan)	PRO	PRO

## 12.26.6.3 Performance Standards

Failure to comply with a Performance Standard results in the need to obtain either a restricted discretionary or non complying resource consent, as specified in this table. Where failure to comply with a performance standard results in a restricted discretionary consent being required, the Council’s discretion is restricted only to that or those standards that are not complied with.

- i Refer also to the zone-wide standards in Section 12.26.3.1, relating to:
  - (a) Earthworks (RDIS)
  - (b) Lighting and Glare (RDIS)
  - (c) Waste and Recycling Storage Space (RDIS)
  - (d) The creation of Rear Sites (N-C)
  - (e) Compliance with an approved Outline Development Plans and Comprehensive Development Plans (N-C)
  - (f) Compliance with the Structure Plan (N-C)
  - (g) Staging of development (N-C)
  - (h) Access (N-C)

Ref	Standard - Business (Three Parks) Subzone	Resource consent status if standard not met - Business & Business (Main St precinct) subzones
1	<p><b>Office(s) or Showroom(s)</b></p> <p>All office(s) or showroom(s) shall be located at the front of the building(s) and facing the street; except that this does not apply to those on rear sites.</p>	RDIS
2	<p><b>Setback from roads <u>outside of the mainstreet precinct</u></b></p> <p>Outside of the mainstreet precinct, any building over 8 m in height shall be set back at least 3 m from the road boundary(ies).</p>	RDIS

Ref	Standard - Business (Three Parks) Subzone	Resource consent status if standard not met - Business & Business (Main St precinct) subzones
3	<p><b>Setbacks from roads <u>within the mainstreet precinct</u></b></p> <p>Buildings shall be not be setback from the Mainstreet Arterial Road other than for the purpose of achieving building indentation at least every 10m as outlined in Standard 12.26.6.3 (8)(iv); except that:</p> <ul style="list-style-type: none"> <li>ii Buildings may be setback up to 1.5 metres provided this is continuous for a minimum length of 15 metres, and is provided solely to provide additional footpath width; and/ or</li> <li>iii Buildings may be setback up to 1.5 metres for the purpose of providing a recessed entrance(s) to the building; and/ or</li> <li>iv Buildings may be setback in order to provide for the display and sale of vehicles, machinery, boats and caravans;</li> </ul>	RDIS
4	All buildings shall be <b>set back</b> at least 4.5 m from the <b>boundary of any Residential subzone</b>	RDIS
5	<p><b>Permeability and onsite stormwater disposal</b></p> <ul style="list-style-type: none"> <li>i No more than 90% of the area of each site shall be covered with hard surfacing.</li> </ul> <p>Refer Section D for the definition of “hard surfacing”.</p>	RDIS
6	<p><b>Outdoor storage areas</b></p> <p>Except those used for the sale of vehicles, machinery, boats and caravans, outdoor storage areas:</p> <ul style="list-style-type: none"> <li>i Shall not be located within the building setbacks; and</li> <li>ii Shall be screened from road frontages or subzone boundaries by either a solid fence and/ or dense planting of at least 1.8 m in height; and, in addition; and</li> <li>iii <u>Within the business (mainstreet precinct) subzone</u>, shall be located behind the front façade of the principal building on the site and shall be screened from road frontages by either a solid fence and/ or dense planting of at least 1.8 m in height, which is, itself, setback behind the front façade of the building.</li> </ul>	RDIS

Ref	Standard - Business (Three Parks) Subzone	Resource consent status if standard not met - Business & Business (Main St precinct) subzones
7	<p><b>Residential subzone boundary fencing</b></p> <p>A solid fence and/ or dense planting of at least 1.8 m in height shall be erected on the boundary of any residential subzone.</p>	RDIS
8	<p><b>Additional design standards for Buildings (other than service stations) <u>within the Mainstreet precinct</u></b></p> <ul style="list-style-type: none"> <li>i A minimum of 80% of the ground floor of the façade facing the mainstreet shall be in glazing; and</li> <li>ii All buildings shall provide a continuous canopy projecting over the road boundary a minimum 3.5m (or 0.5m inwards from the road kerb), whichever is the shorter; and</li> <li>iii Any exterior lighting visible from the main street (other than street lights) shall be in the form of wall-washing, up-lighting, or down lighting; and</li> <li>iv All buildings shall provide a clear change in the character of the façade through a change in materials, glazing, colour, style, or articulation at least every 10m along the frontage of the mainstreet. Note: All buildings shall be designed so that the experience along the mainstreet appears to pedestrians like a group of connected but different buildings.</li> </ul>	RDIS
9	<p><b>Hours of operation</b></p> <p>The hours of operation for any activity on a site which adjoins the residential subzone (including those where a road separates the two subzones) shall be limited to between:</p> <p>0730 - 2000, except for service stations.</p>	RDIS
10	<p><b>Building Height</b></p> <ul style="list-style-type: none"> <li>i No building shall exceed a maximum height of 10 metres, <u>provided it is no more than 3 storeys.</u></li> <li>ii Outside of the mainstreet precinct, any building (or part of a building) within 3 metres of the road boundary shall not exceed a maximum height of 8 m <u>provided it is no more than 2 storeys.</u></li> </ul>	N-C

Ref	Standard - Business (Three Parks) Subzone	Resource consent status if standard not met - Business & Business (Main St precinct) subzones
	<p>iii Buildings shall not project beyond a recession line constructed at an angle of 34° inclined towards the site from points 3m above Low Density Residential or Medium Density Residential subzone boundaries, except that gable ends may project beyond the recession line provided the maximum height of the gable end is no greater than 2.5 metres above the recession line.</p> <p><u>Refer to Section D for the definition of “storey”</u></p>	
11	<p><b>Noise</b></p> <p>i Activities shall be so conducted that the following noise limits are not exceeded at any point within the boundary of any other site in this subzone:</p> <p>0800 - 2000 hrs 60dBA L<sub>10</sub></p> <p>2000 - 0800 hrs 50dBA L<sub>10</sub> and 70 dBA L<sub>max</sub></p> <p>ii Activities shall not exceed Residential subzone noise limits at any point within the boundary of any site <u>within the Residential subzone</u>.</p> <p>Note: Noise levels (other than construction noise) shall be measured and assessed in accordance with NZS 6801:2008 and NZS 6802:2008.</p>	N-C

## 12.26.6.4 Controlled Activities – Matters over which control is reserved and Assessment Matters

### i Controlled buildings – conditions may be imposed in respect of:

- (a) Landscaping,
- (b) External appearance (including signage, the colour of the building and, in particular, the extent of corporate colours used),
- (c) The location and design of carparking; and
- (d) The visual impact on the streetscape and the experience provided to pedestrians along the street
- (e) The ability to service the building(s), in terms of roading, water supply, and waste water.
- (f) The inclusion of initiatives which help reduce private car use and encourage alternative modes of transport (i.e. Travel demand management).

### ii Controlled Buildings – Assessment matters

In considering whether or not to impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) External appearance (including the colour of the building and, in particular, the extent of corporate colours used, lighting, signage and the provision of signage platforms), to avoid or mitigate adverse effects on:
  - (i) street scene;
  - (ii) adjoining or surrounding buildings, particularly those in residential subzones
  - (iii) privacy of adjoining residential properties
  - (iv) The visual approach into Wanaka, along Ballantyne Road.

- (b) Whether the landscaping will be effective at substantially improving the visual appearance of the site and buildings and mitigating adverse effects of outdoor storage and carparking areas, taking account of:

- (i) The nature of planting or materials to be used,
- (ii) The ease of maintenance, and
- (iii) The size of the plants and/ or the time it will take for the plants to mature.

- (c) Whether and to what extent initiatives are proposed, which help reduce private car use and encourage alternative modes of transport (i.e. Demand Management). The Council would normally expect the following to have been provided:

- (i) Cycle and motorcycle parking in a manner which encourages people to travel by these modes. Depending on the development, mobility scooter parking may also be appropriate.
- (ii) Shower and locker facilities for work places, so employees who choose to walk, run, cycle to work can shower and store clothing.
- (iii) Effective lighting and signage aimed at assisting someone entering the site or building by foot or bike.

### iii Offices within the mainstreet precinct – Conditions may be imposed in respect of:

- (a) Any reverse sensitivity issues that may arise with respect to existing and permitted business activities in the vicinity
- (b) Any positive contributions to the establishment of an active street frontage
- (c) The amenity of the office environment for workers

- (d) Initiatives which help reduce private car use and encourage alternative modes of transport (i.e. Travel Demand Management).
- (e) Noise insulation

#### iv Offices – Assessment Matters

In considering whether or not to impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) Whether reverse sensitivity issues have been adequately avoided through methods such as ensuring that incompatible uses do not establish in the vicinity (which may include consent notices on titles which restrict certain uses) and/ or through noise insulation.
- (b) Whether the office will present an active and vibrant front to the main street through offices facing the street, through upstairs offices including balconies for the use of staff (as part of the lunch room for example).
- (c) Whether the office provides natural light for workers and the provision of outdoor open space, either at ground or in the form of balconies and decks.
- (d) Whether and to what extent facilities are provided which encourage workers to walk, cycle, carpool, or take public transport to work. The Council expects such initiatives to be included in the site design.

#### v The sale of liquor for onsite consumption - Conditions may be imposed in respect of:

- (a) The scale of this activity,
- (b) car parking,
- (c) retention of amenity,

- (d) noise; and
- (e) hours of operation.

#### vi The sale of liquor for onsite consumption - Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) The character, scale and intensity of the proposed use (including the hours, frequency of use) and its compatibility in relation to surrounding and/or adjoining uses.
- (b) The topography of the site and neighbouring area and how this will affect noise emissions beyond the site.
- (c) The nature of existing and permitted or controlled future uses on nearby sites.
- (d) The location of car parking for the site.
- (e) The adequacy of noise insulation, screening and buffer areas between the site and residential uses.
- (f) The previous history of the site and the relative impact of adverse effects caused by activities associated with sale of liquor.
- (g) Any proposed noise management plan and the ability to mitigate noise effects.

#### 12.26.6.5 Restricted discretionary Activities – Matters over which discretion is reserved and Assessment Matters

##### i Matters of discretion - For Buildings within the Mainstreet precinct, discretion is reserved in respect of:

- (a) External appearance (including lighting, signage, the colour of the building and, in particular, the extent of corporate colours used), including, for that area of business land to the north of the

Commercial Core, the external appearance when viewed from State Highway 84 and from Mt Iron.

- (b) The location and design of carparking (including access thereto); and
- (c) Landscaping
- (d) The landscape treatment and/ or identified future use of any building setbacks being proposed (e.g. the addition of smaller buildings within the road setback).
- (e) The provision of an active frontage and the experience provided to pedestrians along the street.
- (f) The ability to service the building(s), in terms of roading, water supply, and waste water.
- (g) The inclusion of initiatives which help reduce private car use and encourage alternative modes of transport (i.e. Travel Demand Management).

## ii Buildings within the Mainstreet precinct - Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) Those matters listed in 12.26.6.4 (ii) in regard to controlled buildings, and those listed in 12.26.6.5 (v)(b) in regard to building platforms shown as part of an Outline Development Plan; and, in addition:
- (b) The building's contribution to the creation of an active street frontage. The Council normally expects:
  - (i) Pedestrian amenity and opportunities for pedestrian movement to be maximised along the main street through the provision of footpaths, verandas, interesting façade design (which should include the main pedestrian entrance into the

building), minimal vehicle crossings, and the avoidance, where possible, of any deliveries or servicing from the main street.

- (ii) Vehicle access from the main street to be minimised and avoided where possible, through the provision of a rear lane which provides vehicular access to both service areas and to carparking or through vehicle crossings being shared between properties wherever possible.

- (c) For that area of business land to the north of the Commercial Core, whether the design of the buildings (including landscaping, lighting, signage) is attractive and whether the design of the roof top (i.e. the 5<sup>th</sup> dimension) is such that obvious, unattractive air conditioning units and other such utilities are avoided or attractively screened.

## iii Matters of discretion – For yard-based suppliers within the mainstreet precinct, discretion is reserved in respect of:

- (a) The effect on the visual amenity and the pedestrian experience arising from the outdoor storage and/ or display of goods

Note: For the avoidance of doubt, this includes the sale of vehicles and garden supplies.

## iv Matters of discretion – For any Outline Development Plan, discretion is reserved in respect of:

- (a) All those matters listed in Rule 12.26.4.5 (i) in relation to the LDR and MDR subzones, except where identified that the matter is specific to the residential subzones; and
- (b) The location and indicative design of carparking, acknowledging that this will need to be further refined as part of subsequent landuse consents once carparking requirements are known.

- (c) Landscaping, including the landscape treatment and/ or identified future use of any building setbacks being proposed (e.g. the addition of smaller buildings within the road setback).

**v Outline Development Plan – Assessment matters**

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) All those matters listed as Assessment matters in 12.26.4.5 (ii) relation to the LDR and MDR subzones, except where identified that the matter is specific to the residential subzones; and:
- (b) In regard to building platforms, whereas the Council would normally prefer buildings to not be setback from the road, where building platforms are proposed to be setback from the road boundary, the Council will expect the setback to:
  - (i) Be landscaped in a manner that enhances the visual appearance of the building and improves the pedestrian experience; or
  - (ii) Be for the purpose of providing for smaller buildings to be added at a later stage. Note: The Council will expect to a) to see some mechanism proposed to ensure that such infill does occur, and b) for this space to be landscaped and maintained in the interim; or
  - (iii) Be used for the purpose of displaying goods such as motor vehicles.

**vi Matters of discretion - For Comprehensive Development Plan, discretion is reserved in respect of:**

Those matters listed in rule 12.26.6.5 (iv) in regard to the Outline Development Plan plus those listed in rules 12.26.6.4 (i) and 12.26.6.5 (i) in regard to controlled and restricted discretionary buildings, as relevant to the application.

**v Assessment matters - Comprehensive Development Plan**

All those Assessment matters listed in 12.26.6.5 (v) in relation to the Outline Development Plan and those matters listed in 12.26.6.4 (ii) and 12.26.6.5 (ii) in relation to buildings, as relevant to the application.

**12.26.6.6 Assessment matters relating to performance standards**

**i Setback from Roads and Internal Boundaries – Assessment Matters**

Refer to those assessment matters in 12.26.6.5 (v), in regard to Outline Development Plans and those in 12.26.6.4 (ii), and 12.26.6.5 (ii) in regard to Buildings.

**ii Design Standards in the Mainstreet precinct – Assessment Matters**

Refer to those assessment matters in 12.26.6.5 (ii) in regard to Buildings.

**iii Outdoor Storage Areas – Assessment Matters**

The Council would not normally approve any storage visible from the road, except for the outdoor display of goods for sale, whereby the display of the goods will be a positive contribution to the visual appearance and pedestrian experience of the street.

## iv Permeability/ onsite stormwater disposal – Assessment Matters

The Council is likely to approve a greater proportion of hard surfacing provided methods are proposed on-site which will ensure that post-development runoff (both natural flow and piped) is equivalent to that which would be achieved through restricting hard surfacing to 50% of the site. The Council will normally also expect methods to be proposed to ensure that these systems will be maintained in perpetuity.

### 12.26.6.7 Non-notification of Applications

i Except as provided for by Section 94C(2) and pursuant to Section 94D of the Act, all applications for **controlled activities** will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons and will be assessed according to matters the Council has reserved control over in the Plan.

ii Except as provided for by Section 94C (2) and pursuant to Section 94D of the Act, the following restricted discretionary activities will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons. The Council will restrict the exercise of its discretion for those matters specified in the Plan for each particular activity.

(a) All applications for **restricted discretionary buildings**, provided they are in accordance with an approved ODP.

(b) All restricted discretionary applications for **Outline Development Plans or Comprehensive Development Plans** in this subzone; except as specifically provided for in 12.26.6.7 (iii)(a) below.

Note: If the Outline Development Plan or Comprehensive Development Plan is non complying due to the fact it is not in accordance with the Structure Plan (refer Rule 12.26.3.1 (8), for example) then it may be notified.

(c) Applications for the exercise of the Council's discretion in respect of the following **Performance Standards**:

(i) Additional design standards for Buildings (other than service stations) within the mainstreet precinct.

(ii) Outdoor storage areas,

(iii) Permeability and onsite stormwater disposal.

iii Except as provided for by Section 94C (2) and pursuant to Section 94D of the Act, the following restricted discretionary activities will be considered without public notification. Service of notice will not be required if all persons who may be adversely affected have given their written approval. The Council will restrict the exercise of its discretion for those matters specified in the Plan for each particular activity.

(a) All restricted discretionary applications for **Outline Development Plans or Comprehensive Development Plans** which adjoin land beyond the Three Parks Zone or which propose that a collector or arterial road connect to adjoining land (including roads) beyond the Three Parks Zone, in respect of utilities, servicing, roading, and intersection design.

## 12.26.7 COMMERCIAL CORE - RULES

### 12.26.7.1 Purpose

The **Commercial Core subzone** will evolve in a staged manner to eventually include large format retail, speciality stores, office space, visitor accommodation, residential, community facilities, and public open space. In the initial stages, development will comprise almost exclusively of large format retail, in response to a demonstrated demand and a desire to not undermine the vitality and viability of the Wanaka Town Centre. As a result, it is acknowledged that ~~an the attractive street frontage and mainstreet character will become increasingly attractive and vibrant is unlikely to be achieved until~~ in future stages when as more smaller buildings with active frontages are introduced allowed to be added.

## 12.26.7.2 Activity Table - Commercial Core Subzone

### Key and notes

CON	Controlled Activity	N-C	Non-Complying Activity
PERM	Permitted Activity	DIS	Discretionary Activity
RDIS	Restricted discretionary Activity		
PRO	Prohibited Activity		
N/A	Performance Standard not applicable in the particular subzone.		

Note: Where a proposed activity could possibly be captured by more than one activity/ classification, the most specifically defined activity shall override any other. For example: Where both retail and commercial are both listed the classification for retail over-rides that for commercial as it is more specifically defined.

Ref	Activity - Commercial Core Subzone	Activity status (provided all performance standards are met, including compliance with an approved Outline Development Plan)
1	Any Activity (including buildings) which complies with all the relevant Performance Standards and is not listed as a Controlled, Discretionary, Non-Complying or Prohibited Activity	PERM
2	Premises licensed for the sale and consumption of liquor between the hours of 7 am – 11 pm	PERM
3	Residential activities identified in an approved Outline Development Plan or Comprehensive Development Plan	PERM
4	Visitor Accommodation activities identified in an approved Outline Development Plan or Comprehensive Development Plan.	PERM
5	Buildings approved by a Comprehensive Development Plan	PERM
6	Retail activity which either: i Does not result in the total amount of retail in the Commercial Core subzone exceeding any of the following	PERM

Ref	Activity - Commercial Core Subzone	Activity status (provided all performance standards are met, including compliance with an approved Outline Development Plan)
	<p>thresholds:</p> <ul style="list-style-type: none"> <li>(a) 12,000 m<sup>2</sup> Gross Floor Area (excluding waste storage areas); and</li> <li>(b) 5 individual specialty retail tenancies; and</li> <li>(c) A total of 12 individual retail tenancies (of any size and including the specialty retail stores); OR</li> </ul> <p>ii Does exceed one of the thresholds listed in (i) above but has been specifically approved as part of an Outline Development Plan or Comprehensive Development Plan.</p> <p><u>Note: Whilst the retail activity itself is permitted until one of these thresholds is met, the ODP and the buildings themselves will still require restricted discretionary Resource Consents.</u></p>	
7	<p>Outline Development Plan or variation to an approved ODP</p> <p>Note: Where any element of an application for an Outline Development Plan is a non-complying activity (for example, more than 5% of sites are 'rear sites'), then the Outline Development Plan application becomes non-complying.</p>	RDIS
8	<p>Comprehensive Development Plan or variation to an approved CDP</p> <p>Note: Where any element of an application for a Comprehensive Development Plan is a non-complying activity (for example, an over height building is proposed), then the Comprehensive Development Plan application becomes non-complying.</p>	RDIS
9	Buildings, except those already approved by a Comprehensive Development Plan	RDIS
10	<p>Premises licensed for the sale and consumption of liquor between the hours of 11 pm and 7 am; except that:</p> <p>This rule shall not apply to the sale of liquor to any person who is <del>living</del> <u>residing on the premises (permanently or</u></p>	RDIS

Ref	Activity - Commercial Core Subzone	Activity status (provided all performance standards are met, including compliance with an approved Outline Development Plan)
	<u>temporarily</u> or to any person who is present on the premises for the purpose of dining.	
11	Residential activities (not identified on an approved ODP or CDP)	N-C
12	Visitor accommodation (not identified on an approved ODP or CDP)	N-C
13	Service station	N-C
14	Factory Farming, Forestry Activities, mining	N-C
15	Commercial boarding kennels and commercial catteries	N-C
16	Airports/ take-off or landing of aircraft other than the use of land and water for emergency landings, rescues and fire fighting.	N-C
17	Planting of any wilding species (as identified in Part 5 of the District Plan)	PRO
18	Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building, fish or meat processing, or any activity requiring an Offensive Trade Licence under the Health Act 1956.	PRO

### 12.26.7.3 Performance Standards in the Commercial Core Subzone

Failure to comply with a Performance Standard results in the need to obtain either a restricted discretionary or non complying resource consent, as specified in this table. Where failure to comply with a performance standard results in a restricted discretionary consent being required, the Council's discretion is restricted only to that or those standards that are not complied with.

Refer also to the zone-wide standards in Section 12.26.3.1 relating to:

- (a) Earthworks (RDIS)
- (b) Lighting and Glare (RDIS)

- (c) Waste and Recycling Storage Space (RDIS)
- (d) The creation of Rear Sites (N-C)
- (e) Compliance with an approved Outline Development Plans and Comprehensive Development Plans (N-C)
- (f) Compliance with the Structure Plan (N-C)
- (g) Staging of development (N-C)
- (h) Access (N-C)

Ref	Standard - Commercial Core Subzone	Resource consent status if the standard is not met
1	<p><b>Residential Activities</b></p> <p>All residential activities shall be restricted to first floor level or above.</p>	RDIS
2	<p><b>Outdoor living Space</b></p> <p>i Any building or part of a building used for residential activities shall provide an outdoor living space for each residential unit, which:</p> <ul style="list-style-type: none"> <li>(a) Contains a continuous area of 5m<sup>2</sup> with a minimum dimension of 2m; and</li> <li>(b) Is immediately accessible from either a lounge or family room; and</li> <li>(c) Is for the exclusive use of that unit</li> </ul> <p>Except that:</p> <p>ii Units of less than 45 m<sup>2</sup> GFA and which are to be used either as ‘temporary worker households’ or as student accommodation, shall provide a minimum outdoor living area of 4 m<sup>2</sup> with a minimum dimension of 1.5m per unit, which may be provided either separately for each unit and/ or in the form of communal space(s).</p> <p>Note: The restriction on use shall be lodged as a consent notice on the title(s).</p>	RDIS

Ref	Standard - Commercial Core Subzone	Resource consent status if the standard is not met												
3	<p><b>Internal Residential amenity standards</b></p> <ul style="list-style-type: none"> <li>i Accommodation units shall be designed to achieve the following <b>minimum daylight standards</b>:                             <ul style="list-style-type: none"> <li>(a) Living rooms and living/dining areas shall have a total clear glazed area of exterior wall no less than 20% of the floor area of that space.</li> <li>(b) At least one bedroom shall have a total clear glazed area of exterior wall no less than 20% of the floor area of that space.</li> <li>(c) No bedrooms shall rely on natural light borrowed from another naturally lit room.</li> </ul> </li> <li>ii Residential units shall comply with the following <b>minimum unit sizes</b>:                             <table border="1" data-bbox="280 884 1807 1246"> <thead> <tr> <th data-bbox="280 884 1487 963">Unit type by bedroom</th> <th data-bbox="1487 884 1807 963">Minimum residential unit size (GFA)</th> </tr> </thead> <tbody> <tr> <td data-bbox="280 963 1487 1054">Studio within a dormitory type housing development, where each studio unit contains a bathroom but does not contain a living area or kitchen but, rather, shares communal living and kitchen areas</td> <td data-bbox="1487 963 1807 1054">17m<sup>2</sup></td> </tr> <tr> <td data-bbox="280 1054 1487 1102">1</td> <td data-bbox="1487 1054 1807 1102">45m<sup>2</sup></td> </tr> <tr> <td data-bbox="280 1102 1487 1150">2</td> <td data-bbox="1487 1102 1807 1150">70m<sup>2</sup></td> </tr> <tr> <td data-bbox="280 1150 1487 1198">3</td> <td data-bbox="1487 1150 1807 1198">90m<sup>2</sup></td> </tr> <tr> <td data-bbox="280 1198 1487 1246">4</td> <td data-bbox="1487 1198 1807 1246">115m<sup>2</sup></td> </tr> </tbody> </table> </li> <li>iii The minimum floor to ceiling height for habitable rooms (including servicing) shall be 2.4m and for kitchens, bathrooms, hallways, toilets, lobbies, laundries and service areas shall be 2.3m minimum floor to ceiling height.</li> </ul>	Unit type by bedroom	Minimum residential unit size (GFA)	Studio within a dormitory type housing development, where each studio unit contains a bathroom but does not contain a living area or kitchen but, rather, shares communal living and kitchen areas	17m <sup>2</sup>	1	45m <sup>2</sup>	2	70m <sup>2</sup>	3	90m <sup>2</sup>	4	115m <sup>2</sup>	RDIS
Unit type by bedroom	Minimum residential unit size (GFA)													
Studio within a dormitory type housing development, where each studio unit contains a bathroom but does not contain a living area or kitchen but, rather, shares communal living and kitchen areas	17m <sup>2</sup>													
1	45m <sup>2</sup>													
2	70m <sup>2</sup>													
3	90m <sup>2</sup>													
4	115m <sup>2</sup>													

Ref	Standard - Commercial Core Subzone	Resource consent status if the standard is not met
	<ul style="list-style-type: none"> <li>iv The minimum width of common area corridors shall be 1.5m.</li> <li>v The minimum width of a corridor/lobby space immediately adjacent to the lift shall be 2.7m, measured at 90 degrees to the lift doors, for the full combined width of the lift doors.</li> </ul>	
4	<p><b>Storage</b></p> <p>Storage areas for non-residential buildings shall be situated within the building or accessed from a service lane at the rear of the property and sheltered and screened from view from all public places and adjoining subzones by a solid fence.</p> <p>Also refer zone-wide minimum standards for waste and recycling storage space.</p>	RDIS
5	<p><b>Building setback from Internal Boundaries</b></p> <p>Where the site adjoins a residential subzone or public open space, buildings should be setback at least 4.5 m along that internal boundary.</p>	RDIS
6	<p><b>Building Setback from Roads</b></p> <p>All buildings, other than large format retail buildings, shall be built up to the street boundary along the full street frontage of the site except where the setback is for the purpose of:</p> <ul style="list-style-type: none"> <li>(a) Providing a pedestrian link or public space; or</li> <li>(b) Providing a recessed entrance(s) to the building, which is no greater than 1.5m in depth and 2m in width.</li> </ul>	RDIS
7	<p><b>Sunlight and Outlook of Residential Neighbours</b></p> <p>Buildings within this subzone shall not project beyond a recession line constructed at an angle of 34° inclined towards the site from points 3m above Low Density Residential subzone or Medium Density Residential subzone boundaries. Except that gable ends may project beyond the recession line where the maximum height of the gable ends is no greater than 2.5m above the recession line.</p>	RDIS
8	<p><b>Staging of retail activities</b></p>	N-C

Ref	Standard - Commercial Core Subzone	Resource consent status if the standard is not met
	<p>Unless approved as part of an application for an Outline Development Plan or Comprehensive Development Plan, any retail development which results in the total amount of retail in the Commercial Core subzone exceeding one or more of the following thresholds:</p> <ul style="list-style-type: none"> <li>iii 12,000 m<sup>2</sup> Gross Floor Area (excluding waste storage areas); and</li> <li>iv 5 individual specialty retail tenancies; and</li> <li>v A total of 12 individual retail tenancies (of any size and including the specialty retail stores).</li> </ul> <p>Refer to Section D for definitions of “tenancy”, “specialty retail”, and “large format retail”.</p>	
9	<p><b>Building Height</b></p> <ul style="list-style-type: none"> <li>i <del>The maximum-building shall be a maximum height shall be</del> <u>of 15 m provided it is no more than 3 storeys; except that</u> <ul style="list-style-type: none"> <li>(a) <u>20% of all buildings with frontage to the mainstreet arterial road and that are within 200m of the intersection with the eastern arterial may extend to 15 m and a maximum of 4 storeys, provided this has been approved as part of the ODP.</u></li> </ul> <p><u>Note: The 20% calculation shall be based on the ground level internal gross floor area)</u></p></li> </ul> <li>ii Buildings fronting the mainstreet arterial road (as shown in the Structure Plan) shall be a minimum of 2 storeys along the mainstreet frontage</li> <p>Note: Whilst the upper floors may not necessarily be occupied in the initial stages of development, they must be designed and developed such that they can be occupied in the future.</p> <p>Also refer to Standard 12.26.7.3 (7) entitled “Sunlight and Outlook of Residential Neighbours”, regarding the requirement for a recession plane relative to the adjoining residential subzone.</p> <p>Refer to Section D for a definition of “storey”.</p>	N-C
10	<b>Noise</b>	N-C

Ref	Standard - Commercial Core Subzone	Resource consent status if the standard is not met
i	<p>Activities shall be so conducted that the following noise limits are not exceeded at any point within the boundary of any other site in this subzone:</p> <p>daytime (0800 - 2200 hrs) 60dBA L<sub>10</sub></p> <p>night time (2200 - 0800 hrs) 50dBA L<sub>10</sub> and 70dBA L<sub>max</sub></p> <p>And:</p>	
ii	<p>Activities shall not exceed Residential subzone noise limits at any point within the boundary of any site within the Residential subzones.</p>	
iii	<p>Construction noise shall be measured and assessed in accordance with NZS 6803:1999.</p>	
<p>Note: Noise levels (other than construction noise) shall be measured and assessed in accordance with NZS 6801:2008 and NZS 6802:2008.</p>		

## 12.26.7.4 Restricted discretionary Activities – Matters over which discretion is reserved and Assessment Matters

### i Matters of discretion – For Outline Development Plans, discretion is reserved in respect of:

- (a) All those matters listed in rule 12.26.4.5 (i) in relation to the LDR and MDR subzones, except where identified that the matter is specific to the residential subzones, and, in addition:
- (b) The location of visitor accommodation and residential activities.
- (c) The location and design of carparking (including vehicle accesses from arterial roads)
- (d) In regard to retail development beyond the first 20,000m<sup>2</sup> GFA of retail space, the amount of parking to be provided and how this is appropriate. Note: The Council will reserve the right to impose a maximum or minimum amount of parking as a condition.
- (e) The location and design of bicycle parking along the mainstreet (limited to that part of the mainstreet that is subject to the ODP application).
- (f) With respect to Outline Development Plans prior to the retail thresholds being met (as listed in 12.26.7.4 (g) below), evidence that the urban structure shows elements of a pedestrian-orientated 'mainstreet' urban core, and that the urban structure will facilitate a transition toward a pedestrian-orientated 'mainstreet' urban core over time. This will include showing future road links, how land use will intensify, and how walk-ability will be achieved. The ability for the urban structure to transform over time into a people-orientated 'mainstreet' urban core, including future road links, how land use will intensify, and how walk-ability will be achieved.

(g) The effects of proposed additional retail activity shall be a matter of discretion wherever: which will exceed any of the following thresholds:

- (i) The retail activity applied for will result in the total amount of retail in the Commercial Core will exceeding 12,000m<sup>2</sup> GFA; or
- (ii) The retail activity applied for will result in the total number of specialty retail tenancies in the Commercial Core will exceeding 5; or
- (iii) The retail activity applied for will result in the maximum number of retail tenancies in the Commercial Core will exceeding 12;

Whereby the Council's discretion is restricted to:

- The outcomes of a Wanaka Town Centre Health Check.
  - The outcomes of a Retail Needs Assessment.
  - The maximum Gross Floor Area of each unit proposed.
  - Evidence that the development proposed will more clearly give effect to the desired pedestrian-orientated 'mainstreet' urban core and facilitate later stages to also achieve this outcome.
  - The extent to which the 3 Parks Zone, as a whole, is working toward becoming an integrated mixed use area, including residential, retail, and employment land.
- (h) The height of buildings within that part of the Mainstreet which has been afforded some extra height

## ii Outline Development Plans - Assessment matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) All those matters listed as Assessment matters listed in 12.26.4.5 (ii) in relation to the LDR and MDR subzones, except where identified that the matter is specific to the residential subzones; and:
- (b) Whether **crime prevention through Environmental Design (CPTED) principles** have been applied in the indicative layout of buildings, open spaces, access ways, service areas, carparking, any proposed controls on the built form, and the location of proposed tenancies in relation to one another.
- (c) Whether the amount and type of **open space** proposed is appropriate. The Council will not normally approve an Outline Development Plan unless open space is provided in appropriate forms and locations.
- (d) In considering the location of **building platforms** (and the proposed streetscape design), the Council will consider the effect of any increased or reduced setback or any additional height being proposed (beyond the general 3 storey rule) on the streetscape, the adequate provision of space for pedestrian movement, and the treatment (e.g. landscaping) of any proposed set-back.

Note: Larger setbacks may be acceptable in earlier stages if this is intended to enable later 'sleeving' by smaller buildings. Larger setbacks will be less acceptable in later Outline Development Plans (particularly those lodged after the retail thresholds outlined in Rule 12.26.7.4 (g) above have been exceeded) as these later Outline Development Plans will be expected to give effect to the sleeving of large format retail buildings.

- (e) The general layout of building platforms should enable the resultant buildings to share vehicle access points and carparking.
- (f) Whether the views along a street and/ or of surrounding landscape features, including Mt Iron, have been preserved and enhanced through the placement of the buildings, with respect to view shafts.
- (g) Whether the location and/ or design of proposed **visitor accommodation and residential activities** will minimise reverse sensitivity issues and any potential future incompatibility issues between them and commercial activities and road noise. The Council may impose conditions that preclude the location of visitor accommodation or residential on certain building platforms if it considers that reverse sensitivity issues will make the site unsuitable for these uses or it may place conditions on subsequent uses relating to acoustic insulation or hours of operation on sites that form part of the application.
- (h) Whether the location and/ or design of proposed **visitor accommodation and residential activities** will provide a good living environment and contribute positively to the streetscape and safety of the area through 24 hour occupancy and passive surveillance. The Council would normally expect apartments to face the street, entry lobbies to have direct access onto streets and has a preference for dual-aspect apartments within perimeter block layouts (i.e. whereby the front of units face across the street, and the back of units face inwards across courtyards which, in turn, provide adequate separation from other buildings.
- (i) Whether the **carparking** associated with visitor accommodation or residential activity can be located and/ or designed so as to not adversely affect the ability to achieve a consolidated urban core. The Council would normally
- (j) Whether the location and design of carparking areas minimises its impact on the urban form, congestion on the mainstreet, and pedestrian amenity, through:

- (i) The co-location and shared usage of carparks (thus reducing the sheer amount). The Outline Development Plan should seek to avoid carparking designed for the sole use of one building owner or tenant. There is an expectation that carparking is located and structured (through ownership, and lease agreements, and consent notices) such that they are able to be shared and that such arrangements will be secured long term. An exception to this is Visitor Accommodation, which should provide onsite, dedicated parking and, as such, is best suited at the periphery of the Commercial Core.
- (ii) Locating carparking to the side or rear of buildings so that it is not visually dominant when viewed from the street.
- (iii) Minimising the number of vehicle accesses from the main street, through the provision of a rear lane which provides vehicular access to both service areas and to carparking or through vehicle crossings being shared between properties wherever possible.
- (k) Whether the level of carparking proposed in stages beyond the first 20,000m<sup>2</sup> of retail space will be appropriate in light of:
  - (i) effects on the role, function, vitality and vibrancy of the Town Centre,
  - (ii) the promotion of the use of public transport if it is available;
  - (iii) the efficient use of land;
  - (iv) the creation of a pleasant, pedestrian friendly environment;
  - (v) the need to adequately provide for the demands that the proposed development will create.
  - (vi) The Council would not normally approve an amount of car parking that substantially exceeds the car parking standards for developments prior to 12,000m<sup>2</sup> of retail floor space being developed.
- (l) The Council will normally expect short term **bicycle parking** to be provided along the mainstreet footpath at a rate of 1 to 2 bicycle stands every 50 metres and that these be designed and located so as to not block the footpath and to adhere to any Bicycle Parking Standards adopted by the Council.
- (m) Whether sites are designed so that **buildings and/or landscaping** are the dominant features visible from streets and open spaces.
- (n) ~~Whether the indicative layout shown in the Outline Development Plan will successfully enable it to transform over time into an attractive, people-orientated 'mainstreet' commercial centre. The Council expects this to be facilitated through: With respect to Outline Development Plans prior to the retail thresholds being met (as per 12.26.7.4 (g) above), whether the indicative layout demonstrates elements of attractive pedestrian-orientated development and indications that these elements will become increasingly apparent over time as the Commercial Core develops into an attractive, pedestrian-orientated 'mainstreet' commercial core. The Council expects this to be facilitated through:~~
  - (i) Establishing a pedestrian-friendly block size (including showing any future roading and pedestrian links) and providing pedestrian space;
  - (ii) A mix of appropriately located uses (with the greatest intensity at the core, and the lowest at edge), which will reinforce an eventual retail mainstreet with employment and other uses around it;
  - (iii) Providing for landuse intensification through, amongst other techniques, setting large format retail buildings back from the mainstreet in order to provide for smaller buildings to be built along the street edge in the future or ensuring that the large format buildings present a small scale character to the street or can be retrofitted to establish a specialty retail character. The Council expects the applicant to propose mechanisms

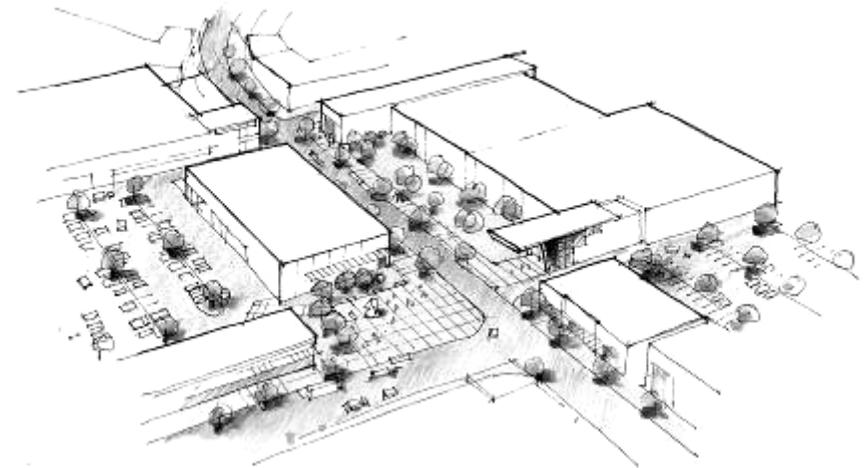
(such as consent notices or restrictive covenants) in order to ensure such intensification occurs within a reasonable timeframe. The Council also expects the applicant to demonstrate how a future intensified urban environment can function appropriately and achieve the outcomes sought by this Plan.

Note 1: The Council will not approve a street layout, streetscape, or building platforms that prevent this transition from occurring.

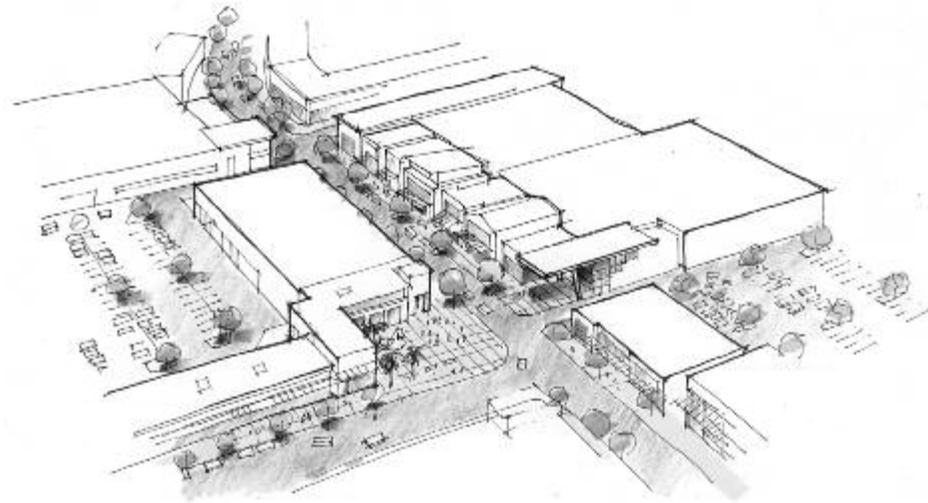
Note 2: A limited amount of large format retail development may be expected to front the main street provided that it presents an attractive human-scale appearance and provided that the long term outcomes consist primarily of specialty retail fronting the street. A manner in which a more human scale may be achieved is through articulating the built form so as to break down the scale of the external appearance of the buildings.

Note 3: While it is accepted that the short term outcomes will not be as attractive or pedestrian-orientated as outcomes resulting from later stages of development, this shall not be seen as a reason to propose or approve unattractive buildings in the short term.

Example of built form that would be expected to eventuate at early stages of development:



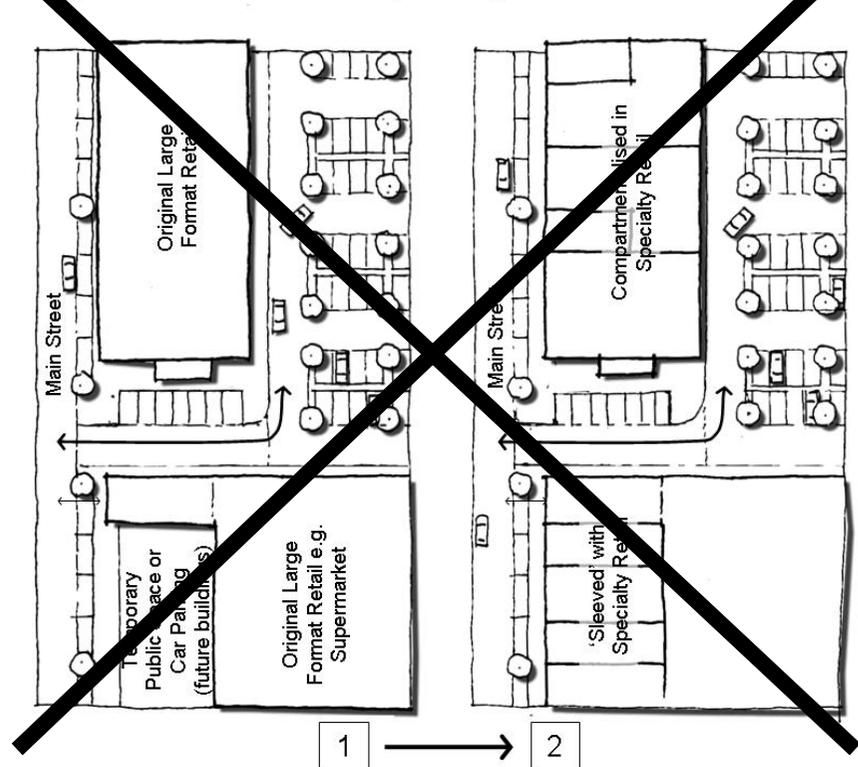
Example of built form that would be expected to eventuate over the long term:



Note 1: This scenario would be expected to be achieved after substantial population growth in Wanaka and in the Three Parks Zone and would be subject to satisfying the tests for future Outline Development Plan approvals in the Commercial Core such as the Town Centre Health Check.

Note 2: ~~This~~ The above diagrams are is indicative of concepts only. There is no guarantee the design shown would prove appropriate to the applicant or satisfy all requirements to gain consent.

~~Large Format Retail Adaptability – Main Street situation~~



- (o) In considering the **Wanaka Town Centre 'Health' Check**, the Council will not normally approve the Outline Development Plans unless it is satisfied that the development will not undermine the vitality of the Wanaka Town Centre. An assessment of the vitality of the Town Centre shall be based on the following indicators: , noting that these will be considered in combination and it will:

- i The pedestrian activity at key locations at a variety of times and days of the week and during various seasons.
- ii The rental values in various parts of the Town Centre , and how they have changed over time and how they compare with other comparable towns
- iii The land values in various parts of the Town Centre, and how they have changed over time and how they compare with other towns.  
Note: whether land and rent values are notably low or high are both relevant considerations.
- iv The feasibility of sites in the Town Centre to otherwise accommodate the development proposed in the Commercial Core including the consideration of
  - (a) site constraints (such as access, topography, hazards and designations);
  - (b) the development aspirations of owners of potential development sites (if known);
  - (c) the possibility that ownership patterns may be concentrated with few owners with the potential to constrain competition;
  - (d) site sizes;
  - (e) the feasibility of amalgamating sites (having particular regard to fragmented ownership).
  - (f) the likelihood that the sites could be developed in a timeframe that would satisfy demand in a reasonable time period
  - (g) the land value of potential sites and whether the proposed uses (if known) or building formats would in fact realistically locate on such sites given the likely development costs relative to fair market rents.
- v The levels of vacancies in the Town Centre (in terms of the number of units and floorspace as a percentage of the Town Centre total) and the time taken to re-let vacant properties.
- vi The development potential that remains under existing zoning provisions or unimplemented resource consents in or around the Town Centre, or that development potential that will result from any other re-zonings or resource consents that are likely to be approved.
- vii The number of independent specialty retailers, excluding “multiples” or “chain stores”.
- viii The presence and number of charity shops or premises used for election offices, community projects, or other temporary uses as an indicator of underutilised land or buildings.
- ix How amenable the Wanaka Town Centre is Accessibility (including access to pedestrians, cyclists, public transport, and taxis, and cars; acknowledging a) that convenience, safety and accessibility are this is an important factor to maintaining its attractiveness and, hence, its viability and b) that development can effect such matters.
- x The environmental quality and amenity offered by the Wanaka Town Centre (including safety levels, the streetscape and open spaces, traffic impacts, pedestrian amenity, and the buildings themselves), and the extent to which the amount and type of development and redevelopment occurring might be contributing to or detracting from these (including through encouraging or discouraging public or private investment).

- xi A comparison to the baseline studies and reports carried out prior to development occurring, including those studies and reports appended to the Decision on the Plan Change that created the Three Parks Zone.

Note: These indicators shall be considered in combination, acknowledging that taking them in isolation could enable trade competitors to skew the outcome.

- (p) Whether the **Retail Needs Assessment** adequately demonstrates a demand for the additional retail floorspace proposed and that the Three Parks Zone is an appropriate location for these building types and anticipated uses.
- (q) ~~xii- In considering assessing~~ the appropriateness of the **Gross Floor Area** of each unit proposed, consider whether the proposed retail formats/ layouts will result in an appropriate mix and scale of retail, commercial and residential uses, which will incrementally result in a main street character and pedestrian environment within the Commercial Core. **NB – renumbering and cross referencing to be checked henceforth**
- (r) Consideration of whether since the Decision was issued on the Plan Change that created the Three Parks Zone (insert date), there has been any fundamental change in the strategic planning by the Council such that the vitality of other commercial areas need to be given regard. This may include future iterations of the Wanaka Structure Plan or other community planning exercises carried out in the wider Wanaka region in accordance with the Local Government Act 2002 and adopted by Council. ~~In considering the appropriateness of the Gross Floor Area of each unit proposed, the Council should consider whether the proposed retail formats/ layouts will result in an appropriate mix and scale of retail which will incrementally result in a main street character and pedestrian environment within the Commercial Core.~~

- iii **Matters of discretion – For Comprehensive Development Plans, discretion is reserved in respect of:**

Those matters listed in rule 12.26.7.4 (i) in regard to the Outline Development Plan plus those listed in rule 12.26.7.4 (v) in regard to controlled and RDIS buildings, as appropriate to the application.

- iv **Comprehensive Development Plans – Assessment Matters**

Those Assessment Matters listed in 12.26.7.4 (ii) in regard to the Outline Development Plan plus those listed in 12.26.7.4 (vi) in regard to controlled and restricted discretionary buildings.

- v **Matters of discretion – For all buildings, discretion is reserved in respect of:**

- (a) Design and external appearance, including signage and the provision of signage platforms, the colour of the building and, in particular, the extent of corporate colours used).
- (b) Setbacks from internal boundaries,
- (c) Setback from roads
- (d) Access
- (e) Landscaping
- (f) The provision for and screening of outdoor storage
- (g) The design and landscaping of associated parking areas
- (h) The ability to service the building(s), in terms of roading, water supply, and waste water.
- (i) The inclusion of initiatives which help reduce private car use and encourage alternative modes of transport (i.e. Travel Demand Management).

## vi All Buildings – Assessment matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) Where the use of buildings or the land adjoining the building is identified in the ODP to change over time (such as large format retail later in-filled with finer grained retail), buildings should be designed to clearly show how this transition will occur as easily as possible.
- (b) Whether there is a clear connection between front entrances and the street. The Council will not normally approve applications where entrances are located along the side or rear of a building, or not clearly visible from the street.
- (c) Sites should be designed so that buildings and/or landscaping are the dominant features visible from streets and open spaces; with car parking areas located to the side or rear of buildings and the carparks themselves should be landscaped.
- (d) Buildings should be orientated to enable vehicle access points and carparking to be shared.
- (e) Buildings for large format retail or similar use are designed so that service needs will not interfere with the quality of the public footpath or public entrances into the building.
- (f) The Council will not normally approve large format retail buildings which have frontage to the mainstreet arterial road to be built up to the road boundaryies but, instead:
  - (i) Expects the building to be setback for the majority of the length of the façade an appropriate depth to enable smaller buildings to infill this space in the future; or
  - (ii) Expects the design of the large format building to be able to be converted in the future so as to provide a specialty retail shopping frontage, ~~or present the appearance of specialty~~

retail shopping, unless the building presents an appearance reminiscent of smaller built forms suited to specialty retail buildings as discussed in note 3 following 12.26.7.4 (m). While some large format retail presenting the appearance of human-scale specialty retail buildings will be acceptable, Council will not normally approve Outline Development Plans that provide for a predominance of this building form fronting the main street. The predominant manner in which an attractive main street frontage shall be achieved shall be through the use of sleeving by specialty retail stores.

- (iii)
- (g) Whether servicing and waste storage areas are located to the side or rear of buildings, wherever possible. This needs to be accessed separately from the public entrance.
- (h) Whether the external appearance of the building contributes to an integrated built form.
- (i) Whether bright or highly visible colours are proposed for the exterior of the building, noting that the excessive use of highly visible and recognisable colours (particularly corporate colours) on a building will be considered to be fulfilling the function of a sign and is considered to be inappropriate **NB – consequent renumbering and need to check x referencing**
- (j) Whether the external appearance of the building is complementary to adjacent buildings, having regard to:
  - (i) Building materials
  - (ii) Glazing treatment
  - (iii) Symmetry
  - (iv) External appearance
  - (v) Vertical and horizontal emphasis

- (k) Whether main customer entrances are located directly off the street. The Council will not normally approve a building that backs onto the street and only has its entrances facing inwards to on-site parking areas.
- (l) Whether and to what extent glazing dominates the façade facing the street. The Council will not normally approve buildings which do not include significant glazing, except that where it is proposed that the building be slevaed with smaller buildings at a later stage, the glazing need not dominate the façade.
- (m) Where buildings are located adjacent to open space, they should 'front' that space with openings and extensive glazing and the design should provide clear cues as to what is private, semi-public, and public space and should ensure good passive surveillance of the space.
- (n) Whether any increased or reduced setback or lowered or increased facade height has a positive or adverse effect on:
- (i) The streetscape; noting, in regard to height, that it is not considered appropriate that surrounding parapet walls be added to large format buildings in order to create a visual presence well in excess of what is required to contain their internal volumes.
  - (ii) The adequacy or provision of space for pedestrian movement;
  - (iii) The treatment (e.g. landscaping) in the proposed set-back.
- (o) Whether the views along a street or of surrounding landscape features, including Mt Iron, have been preserved and enhanced through good design and, in particular, through variations in height and the placement of the building and orientation of view shafts.
- (p) Whether the external appearance of the roof top of the building has been designed such that it is not unattractive when viewed from public places such as Mt Iron. The Council will normally expect to see all servicing (e.g. air conditioning units) well screened and, interesting/ varied rooftops where the building is highly visible from public places, including Mt Iron.
- (q) Whether the building, if within the mainstreet precinct, provides a continuous veranda along its road frontages, in a manner which is complementary to those of adjacent buildings, and contributes to pedestrians' use and enjoyment of the street. In considering whether a veranda is appropriate for a particular building, the Council will consider:
- (i) whether the adjacent buildings have or will have verandas and therefore whether a veranda is contributing to continuous pedestrian cover,
  - (ii) the volume of existing or anticipated pedestrian movement in the vicinity,
  - (iii) Whether the veranda complements or detracts from the architectural design of the building.
  - (iv) Whether the design of the veranda provides an attractive pedestrian environment which does not have a feeling of darkness and an unpleasant sense of enclosure. The Council will not normally approve a veranda design that does not have some form of transparency, such as glass.
  - (v) The Council will not normally require buildings that are setback from the mainstreet (in order to enable smaller buildings to infill the space in the future) to provide verandas and in the initial phases of development, may impose conditions that verandas be added to buildings by a specified later date.
  - (vi) Whether and to what extent initiatives are proposed, which help reduce private car use and encourage other alternatives modes of transport. The Council would normally expect the following to have been provided:

- Cycle and motorcycle parking in a manner which encourages people to travel by these modes. Depending on the development, mobility scooter parking may also be appropriate.
- Shower and locker facilities for work places, so employees who choose to walk, run, cycle to work can shower and store clothing.
- Effective lighting and signage aimed at assisting someone entering the site or building by foot or bike.

**vii Matters of discretion – For the sale of liquor, for on-site consumption, between the hours of 11pm and 7am, discretion is reserved in respect of:**

- (a) Hours of operation; and
- (b) The effects on residential subzones and residential activities within the Commercial Core subzone that are either existing or have been approved as part of an Outline Development Plan resource consent.

**viii The sale of liquor, for on-site consumption, between the hours of 11pm and 7am – Assessment Matters**

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) The character, scale and intensity of the proposed use (including the hours, frequency of use) and its compatibility in relation to surrounding and/or adjoining uses.
- (b) The topography of the site and neighbouring area and how this will affect noise emissions beyond the site.
- (c) The nature of existing and permitted or controlled future uses on nearby sites.

- (d) The location of car parking for the site.
- (e) The adequacy of noise insulation, screening and buffer areas between the site and residential uses.
- (f) The previous history of the site and the relative impact of adverse effects caused by activities associated with sale of liquor.
- (g) Any proposed noise management plan and the ability to mitigate noise effects.

**12.26.7.5 Assessment matters relating to performance standards**

**i Height – Assessment Matters**

In considering whether or not to grant consent or impose conditions in regard to height, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) The character, scale and intensity of the proposed use and its compatibility in relation to surrounding and/or adjoining residential neighbourhoods.
- (b) The effect on the existing and foreseeable future amenities of the neighbourhood, particularly in relation to noise and traffic generation.
- (c) The topography of the site and neighbouring areas.
- (d) The nature of existing and permitted future uses on nearby sites.
- (e) The adequacy and location of car parking for the site.
- (f) The adequacy of screening and buffer areas between the site and other uses.
- (g) The previous history of the site and the relative impact of adverse effects caused by activities associated with sale of liquor.

## ii Setbacks from roads – Assessment Matters

- (a) The effect of buildings being set back from the road boundary on the quality of the streetscape, particularly in terms of a) the ability to achieve a sense of enclosure, b) to provide pleasant spaces and footpaths for pedestrian movement, and c) to provide verandas over such areas.
- (b) The treatment (e.g. landscaping) of any proposed set-back

## iii Loading and Outdoor Storage – Assessment Matters

- (a) The effect of any off-street loading or outdoor storage area on the visual amenity and public enjoyment of the street
- (b) The form, nature, type and servicing of any loading area and the effects of these on the immediate and surrounding locality.

## iv Setback from Internal Boundaries and Sunlight and Outlook of adjoining residential subzones – Assessment Matters

- (a) Any adverse impacts on the use and enjoyment of residential properties, particularly outdoor living spaces or main living areas of dwellings;
- (b) The effect on adjoining land from increased shadowing and the number of properties involved;
- (c) The visual effects of building height, scale and appearance, in terms of dominance and loss of privacy on adjoining properties;
- (d) Any proposed landscaping adjacent to the boundary, and the extent to which it would adversely effect or improve the outlook from any affected residential property;

### 12.26.7.6 Non-notification of Applications

- i Except as provided for by Section 94C(2) and pursuant to Section 94D of the Act, all applications for **controlled activities** will be considered

without public notification or the need to obtain the written approval of or serve notice on affected persons and will be assessed according to matters the Council has reserved control over in the Plan.

- ii Except as provided for by Section 94C (2) and pursuant to Section 94D of the Act, the following restricted discretionary activities will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons. The Council will restrict the exercise of its discretion for those matters specified in the Plan for each particular activity:

- (a) All applications for **restricted discretionary buildings**, provided they are in accordance with an approved ODP.
- (b) Any restricted discretionary application for **Outline Development Plans or Comprehensive Development Plans** where the effects of additional retail activity are not required to be considered a Retail Needs Assessment is not required pursuant to Rule 12.26.7.4(i)(g) 2(6), (due to the maximum thresholds relating to the amount and type of retail not being exceeded); except as specifically provided for in 12.26.7.6 (iii)(a) below.

Note: If the Outline Development Plan or Comprehensive Development Plan is non complying due to the fact it is not in accordance with the Structure Plan (refer Rule 12.26.3.1 (8), for example) then it may be notified.

- (c) Applications for the exercise of the Council's discretion in respect of the following **performance standards**:
  - (i) Internal residential amenity standards
  - (ii) outdoor living

- iii Except as provided for by Section 94C (2) and pursuant to Section 94D of the Act, the following restricted discretionary activities will be considered without public notification. Service of notice will not be required if all persons who may be adversely affected have given their written approval. The Council will restrict the exercise of its discretion for those matters specified in the Plan for each particular activity.

- (a) All restricted discretionary applications for **Outline Development Plans or Comprehensive Development Plans** which adjoin land beyond the Three Parks Zone or which propose that a collector or arterial road connect to adjoining land (including roads) beyond the Three Parks Zone, in respect of utilities, servicing, roading, and intersection design.

*NB: All notified changes are shown as double underlined or double struck out and where further changes are recommended in response to submissions these are shown as single underlined and/ or single struck out*

circumstances and that, whilst such activities will be inappropriate in many circumstances those uses that preserve or enhance residential amenity and sustainability are likely to be acceptable.

## 1 Introduction

### 1.5 Legal Framework

...

#### 1.5.3 Status of Activities

...

(iii) **Discretionary activities** require a resource consent, and may be subject to standards specified in the Plan. Activities have been afforded such status ~~where~~:

- i Where there is a potential that they may not be suitable in all locations in a zone; or
- ii Where the effects of the activity on the environment are so variable that it is not possible to prescribe appropriate standards to cover all circumstances in advance of an application; or
- iii because in or on outstanding natural landscapes and features the relevant activities are inappropriate in almost all locations within the zone, particularly within the Wakatipu basin or in the Inner Upper Clutha area; or
- iv because in visual amenity landscapes the relevant activities are inappropriate in many locations; or
- v because in other rural landscapes the relevant activities may be inappropriate because the amenities of neighbours will be significantly affected; or
- vi because, in the residential subzones of the Three Parks Zone, the potential effects of non-residential activities are so variable that it is not appropriate to prescribe standards to cover all

*NB: All notified changes are shown as double underlined or double struck out and where further changes are recommended in response to submissions these are shown as single underlined and/ or single struck out*

## 10 Town Centre Objectives and Policies

### 10.1.3 Objectives and Policies

#### Objective 1 - Maintenance and Consolidation of the existing Town Centres and Activities Therein

*Viable Town Centres which respond to new challenges and initiatives but which are compatible with the natural and physical environment.*

#### **Policies:**

- 1.1 *To maintain and enhance patterns of land use, development and character which promote and reinforce close proximity and good accessibility within the business areas and between the business areas and living areas.*
- 1.2 *To enable town centres to become the principal foci for commercial, administration, employment, cultural and visitor activities.*
- 1.3 *To provide for and encourage the integration of a range of activities within town centres, including residential activity.*
- 1.4 *To enable retail activities within town centres.*
- 1.5 *To provide for town centres to be densely developed centres of activity with maximum consolidation of space, commensurate with the essential amenity, environmental and image outcomes sought for each centre.*
- 1.6 *To provide for commercial and mixed use developments in areas that do not form or surround the Wanaka Town Centre provided they do not undermine the role, function, vitality and vibrancy of the Town Centre.*

*whilst recognising that there may be some extensions to the Town Centre zone that may also be appropriate over time.*

#### **Explanation and Principal Reasons for Adoption**

A key element of urban growth is the relationship between residential and business activity areas. The way in which business and residential activities are distributed within the District will have a major influence on travel demand and energy consumption. The Council cannot expect to determine where people choose to live in relation to their employment but the opportunities for providing a convenient link between employment and living environments does have a number of advantages including:

- convenient access for those with limited access to private transport.
- reducing the cost of private transport.
- providing a choice of transport mode.

The main town centres provide a variety of retail, service, entertainment and visitor facilities which contribute to the identity of the major towns. The Council recognises that some new commercial activities will establish away from the main town centres but is determined to ensure that these town centres continue to develop and enhance their role as the principal business environments.

The town centres are important for visitor activity. However, the Council is concerned about the effects of large scale vehicle orientated activities on the amenity values of the Arrowtown, ~~and~~ Queenstown and Wanaka town centres. In addition, these Town Centres are confined by topography and existing buildings and could have difficulty coping with anticipated business growth which will flow from increased visitor numbers. In Wanaka, the establishment of such large scale activities beyond the Town Centre is considered necessary in order to preserve the amenity, scale, character, and consolidated form of the Town Centre.

NB: All notified changes are shown as double underlined or double struck out and where further changes are recommended in response to submissions these are shown as single underlined and/ or single struck out

## 14 TRANSPORT

### 14.1.3 Objectives and Policies

...  
Objective 9

In the Three Parks Zone, an urban structure, well-considered building design, and other initiatives which, together, help to reduce car use and provide practical alternatives.

#### Policies (Three Parks Zone)

- 9.1 To require that the urban structure (including road layout, cycle and walking networks, landuse densities, and block sizes) is well-connected and specifically designed to:
- 9.1.1 Enable public transport to efficiently service the area, now or in the future (which may, in the future, also include the provision of a significant transport hub/inter-change); and
  - 9.1.2 Ensure that on-street carparking is provided; and
  - 9.1.3 Reduce travel distances through well-connected streets; and
  - 9.1.4 Provide safe, attractive, and practical routes for walking and cycling, which are well-linked to existing or proposed passenger transport and local facilities and amenities within the zone, and which are well-connected to other areas beyond the zone, particularly the Wanaka Town Centre.

- 9.2 ~~To require an appropriate number of on-site car parks in order to help limit the number of localised, unsustainable car trips (within the zone), whilst providing for users from the wider community in most parts of the zone (compared with the rest of Wanaka).~~
- 9.3 To require applications for Outline Development Plans, Comprehensive Development Plans, and larger scale commercial developments to show how they will help reduce private car travel and encourage realistic alternative modes of transport, including through avoiding the excessive provision of car parking
- 9.4 To recognise that constraining the provision of car parks may be one appropriate method of managing single occupancy car trips, particularly in later stages of development as the Commercial Core becomes more established
- 9.5 To encourage large scale developments (i.e. those with at least 150 employees) to prepare voluntary travel plans through the Council providing advocacy and assistance, and considering reductions in parking requirements where travel plans are proposed.

Refer to Council guidelines relating to Travel Plans.

### 14.2.4 Site Standards

...

#### **Table 1C - Three Parks Zone: Minimum Car Parking Space Requirements**

Note: Where an activity is not specifically listed below, the requirements in Table 1 shall apply.

<u>ACTIVITY</u>	<u>RESIDENTS/VISITOR CARPARKS</u>	<u>STAFF/GUEST CARPARKS</u>
<u>Residential units:</u>	2 per unit, except that where the	None, except that where

# PLAN CHANGE 16 – THREE PARKS ZONE

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<u>ACTIVITY</u>	<u>RESIDENTS/VISITOR CARPARKS</u>	<u>STAFF/GUEST CARPARKS</u>
<u>In all subzones</u>	<u>site is within 400 m of an existing, regular, public transport stop which is regularly serviced this may be reduced to 1.25 per unit.</u>	<u>the resident/ visitor parking provision has been reduced to 1.25 per unit a further 0.25 per unit shall also be provided</u>
<u>Visitor Accommodation- unit type construction. (includes all units containing a kitchen facility, e.g. motels, cabins):</u>  <u>In the LDR subzone</u>	<u>2 per unit; and</u>  <u>On sites containing more than 30 units, the site's access and three of the spaces must be arranged so that a design tour coach can enter and park on or near these spaces. These three spaces may be allocated for coach parking.</u>	<u>None</u>
<u>In the MDR, Tourism and Community Facilities, and the Commercial Core subzones</u>	<u>2 per unit, except that where the site is within 400 m of an existing public transport stop, which is regularly serviced this may be reduced to 1.25 per unit; and</u>  <u>On sites containing more than 30 units, the site's access and three of the spaces must be arranged so that a design tour coach can enter and park on or near these spaces. These three spaces may be allocated for coach parking</u>	<u>None, except that where the resident/ visitor parking provision has been reduced to 1.25 per unit a further 0.25 per unit shall also be provided</u>
<u>Visitor Accommodation (Backpacker Hostels) – In</u>	<u>1 per 5 guest beds. In addition 1 coach park per 50 guest</u>	<u>1 per 20 beds</u>

<u>ACTIVITY</u>	<u>RESIDENTS/VISITOR CARPARKS</u>	<u>STAFF/GUEST CARPARKS</u>
<u>all subzones</u>  <u>NB – Refer Table 1 for other types of Visitor Accommodation.</u>	<u>rooms</u>	
<u>Large format retail</u>	<u>2.3 per 100 m<sup>2</sup> GFA;</u>  <u>Except that once retail space in the commercial core subzone exceeds 20,000m<sup>2</sup> GFA, there shall be no minimum standard provided the provision of carparking is in accordance with an approved Outline Development Plan or Comprehensive Development Plan.</u>	<u>1 per 10 full time equivalent staff or 1 per 300m<sup>2</sup> GFA, whichever is the greater;</u>  <u>Except that once retail space in the commercial core subzone exceeds 20,000m<sup>2</sup> GFA, there shall be no minimum standard provided the provision of carparking is in accordance with an approved Outline Development Plan or Comprehensive Development Plan.</u>
<u>Specialty retail and commercial activities not otherwise listed in Table 1 or this table</u>	<u>1 per 25 m<sup>2</sup> GFA;</u>  <u>Except that once retail space in the commercial core subzone exceeds 20,000m<sup>2</sup> GFA, there shall be no minimum standard provided the provision of carparking is in accordance with an approved Outline Development Plan or Comprehensive Development Plan</u>	<u>1 per 10 full time equivalent staff or 1 per 300m<sup>2</sup> GFA, whichever is the greater;</u>  <u>Except that once retail space in the commercial core subzone exceeds 20,000m<sup>2</sup> GFA, there shall be no minimum standard provided the provision of carparking is in accordance with an approved Outline Development Plan or Comprehensive Development Plan.</u>

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<u>ACTIVITY</u>	<u>RESIDENTS/VISITOR CARPARKS</u>	<u>STAFF/GUEST CARPARKS</u>
Service Activities	1 per 100m <sup>2</sup> of GFA, except that there is no residential/ visitor parking requirement for that area used for the maintenance and repairing of goods.	1 per 25m <sup>2</sup> of area used for the maintenance and repairing of goods  1 per 100m <sup>2</sup> of area used for any other form of service activity.

- (c) Back lanes shall have legally enforceable arrangements for maintenance put in place at the time they are created.

## 14.2.4.2 Three Parks Zone - Bicycle Parking Standards

### i Table 1D - Minimum bicycle parking space requirements.

#### Clarification of Tables 1-& , 1 and 1C

...

#### iv Parking Area and Access Design

... (including changes resulting from Plan Change 6)

In the LDR and MDR subzones of the Three Parks Zone, all back lanes serving residential units shall be in accordance with the standards set out in NZS4404:2004 except as identified in the table below:

<u>The actual number of units serviced or the potential number of units serviced by the back lane as a permitted or restricted discretionary activity, whichever is the greater.</u>	<u>Minimum legal width</u>	<u>Maximum legal width</u>
<u>Back lanes servicing 1 to 16 residential units</u>	<u>5 metres</u>	<u>6 metres</u>

Provided that:

- (a) Where any back lane adjoins a local distributor or higher road in the hierarchy, including a State Highway, it shall have a 6m legal width for a minimum length of 6m as measured from the legal road boundary.
- (b) No back lane shall serve sites with a potential to accommodate more than 16 residential units on the site and adjoining sites.

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ACTIVITY	Type 1	Type 2	Type 4
<u>Commercial Activities, other than those which are more specifically defined elsewhere in this table.</u>	<u>2 bike spaces (i.e. 1 stand) for the first 125m<sup>2</sup> of GFA used for retail and 1 space for every 125m<sup>2</sup> of GFA used for retail, thereafter</u>	<u>Nil</u>	<u>1 bike space per 10 on-site workers</u>
<u>Offices</u>	<u>2 bike spaces (i.e. 1 stand) for the first 500 m<sup>2</sup> GFA and 1 space for every 500m<sup>2</sup> GFA, thereafter</u>	<u>Nil</u>	<u>1 bike space per 10 on-site workers</u>
<u>Industrial and service activities</u>	<u>Nil</u>	<u>Nil</u>	<u>1 bike space per 10 on-site workers</u>
<u>Restaurants, Cafes, Taverns and Bars</u>	<u>2 bike spaces (i.e. 1 stand) for the 125 m<sup>2</sup> PFA and 1 space for every 125m<sup>2</sup> GFA, thereafter</u>	<u>Nil</u>	<u>1 bike space per 10 on-site workers</u>
<u>Hospitals</u>	<u>1 bike space per 25 beds</u>	<u>Nil</u>	<u>1 bike space per 10 on-site workers</u>
<u>Daycare Facilities</u>	<u>2 bike spaces per centre</u>	<u>Nil</u>	<u>1 bike space per 10 on-site workers</u>
<u>Places of assembly, community activities, and places of entertainment.</u>	<u>2 bike spaces per 500 m<sup>2</sup> located directly outside the main entrance or ticket office.</u>	<u>1 per 50m<sup>2</sup> PFA or 50 seats, whichever is greater</u>	<u>1 bike space per 10 on-site workers</u>
<u>Educational facilities</u>	<u>2 bike spaces per office</u>	<u>Nil</u>	<u>1 bike space per 8 students and</u>

ACTIVITY	Type 1	Type 2	Type 4
			<u>on-site workers</u>
<u>Sports fields</u>	<u>2 bike spaces per hectare of playing area</u>	<u>Nil</u>	

## Clarification of the Table

- Refer below for the design standards and definitions for the various types of cycle parking
- PFA = Public Floor Area. This shall be taken to mean the GFA of all public areas. Refer to Section D for the definition of 'public area'.
- Refer to Section D for a definition of 'on site workers'.
- Where an assessment of the required parking standards results in a fractional space, any fraction shall be counted as one space.
- Definitions of the various types of bicycle parking are as follows:

<u>Customer/Visitor Short-Term Bicycle Parking (Type One)</u>	<u>Means bicycle parking provided outside destinations where visitors are only expected to stay for five to 30 minutes.</u>
<u>Customer/Visitor Short to Medium-Term Bicycle Parking (Type Two)</u>	<u>Means bicycle parking provided outside destinations where customers/ visitors are expected to stay for 30 minutes to three hours.</u>
<u>Private Long-Term Bicycle Parking (Type Four)</u>	<u>Means bicycle parking that is high security and limited access parking provided by private companies or organisations for use by employees or students who work/study on the site.</u>

## ii Design standards for Type One cycle parking – Customer/Visitor Short-Term Bicycle Parking.

Type 1 bicycle parking shall be located within 10 metres of the main pedestrian entrance(s) to the building(s), except:

- (a) In relation to the Commercial Core, Type One bicycle parking shall consist of at least one bicycle stand (2 bicycle parks) located every 50 metres within the road reserve and public space and this shall be identified at the ODP approval stage.

Note: This rule does not apply where the development does not include a building (as in the case of some sportsfields or some community facilities, for example).

## iii Design standards for Type 2 Customer/Visitor Short to Medium Term Bicycle Parking

Type 2 bicycle parking shall be located within 25m of the destination, or so that it is closer than the nearest carpark (excluding disabled carparks), whichever is the lesser, except:

- (a) Within any pedestrian-only mall within the Commercial Core, Type Two bicycle parking shall be provided in clusters near the different entrances to the pedestrian mall.

## iv Design standards for Type Four – Private Long-Term Bicycle Parking

Type 4 bicycle parking shall be provided at all employment centres and schools within the zone, in the following manner:

- (a) Large developments with more than 30 on-site workers shall provide their own separate facilities on site. Note: Refer to the interpretation of “on site worker
- (b) Smaller businesses with less than 30 on-site workers may utilise a centralised facility, provided it is located within 50 metres of the business.

Note: Type 4 parking will normally take the form of a bike locker, limited access enclosure, or bike station.

### 14.3.2 Assessment Matters

- ...
- viii In the Three Parks zone, whether proposed initiatives which discourage private car use and encourage alternative modes of transport justify a reduction in the minimum parking requirements.

NB: All changes are shown as double underlined or struck out.

## 15 Subdivision, Development and Financial Contributions

### 15.2 Subdivision, Development and Financial Contributions Rules

Add the following objectives and Policies:

#### Three Parks zone objectives and policies

...

#### Objective 8

Three Parks Zone - A layout and design of development that demonstrates best practice in terms of achieving environmental sustainability

- 8.1 To ensure, through well-planned layouts, that buildings and open spaces are located and orientated in a way that achieves good solar access
- 8.2 To encourage energy efficiency in the design, location, and orientation of buildings.
- 8.3 To require development and subdivision to demonstrate best practice in regard to managing the quantity and quality of stormwater runoff.

- 8.4 To encourage the creation or restoration of wetlands where opportunities exist

#### Objective 9

Three Parks Zone - An urban structure, well-considered building design, and other initiatives which, together, help to reduce car use and provide practical alternatives.

#### Policies

- 9.1 To require that the urban structure (including road layout, cycle and walking networks, landuse densities, and block sizes) is well-connected and specifically designed to:
  - 9.1.1 Enable public transport to efficiently service the area, now or in the future (which may, in the future, also include the provision of a transport node); and
  - 9.1.2 Ensure that on-street carparking is provided; and
  - 9.1.3 Reduce travel distances through well-connected streets; and
  - 9.1.4 Provide safe, attractive, and practical routes for walking and cycling, which are well-linked to existing or proposed passenger transport and local facilities and amenities within the zone, and which are well-connected to other areas beyond the zone, particularly the Wanaka Town Centre.

#### Objective 10

Three Parks Zone - Staged development which keeps pace with the growth of Wanaka and results in a high quality urban area containing a network of open spaces and a mix of compatible uses.

#### Policies

- 10.1 To ensure that development is consistent with the Wanaka Structure Plan (2007) and the Wanaka Transport Study (2007).
- 10.2 To avoid development that is not in accordance with the Three Parks Structure Plan or approved Outline Development Plans or Comprehensive Development Plans.
- 10.3 To ensure development is staged in a manner which results in a logical progression of development, the cost effective provision of infrastructure, an appropriate mix of uses, and a consolidated urban form.
- 10.4 To ensure that development and subdivision does not occur unless appropriate infrastructure is in place to service it.

## Objective 11

**Three Parks Zone - A high level of residential amenity and a range of housing types which promote strong, healthy, and inclusive communities.**

### Policies

- 11.1 A mixture of residential densities is encouraged in order to provide greater housing choice, a greater range of affordability, and a more diverse resident community.
- 11.2 Residential densities are required to be consistent with those specified in the assessment matters for Outline Development Plans in order to ensure that the various subzones are distinctly different from one another and that desired level of consolidation and open space is achieved in the respective areas.
- 11.3 Neighbourhoods are required to be laid out in a manner which encourages residences to address the street by avoiding long, thin lots with narrow frontages.
- 11.4 Small clusters of higher density housing is appropriate in the Low Density Residential subzone provided it is identified in an

approved Outline Development Plan, is well designed, and is located such that it provides a high level of residential amenity.

- 11.5 Some variation in densities is encouraged required in the Low Density Residential subzone in order to encourage achieve a more diverse streetscape and resident community.

## Objective 12

**Three Parks Zone - Establishment of a high quality, functional business area which provides for a wide range of light industrial, service and trade-related activities whilst protecting it from residential and inappropriate retail uses.**

### Policies

- 12.1 Small lot subdivision shall be avoided unless combined with a Landuse Resource Consent, which illustrates how a complying business development can occur on the site(s).

## Objective 13

**Three Parks Zone - A high quality urban fabric, which is consistent with the vision set out in the Wanaka Structure Plan and the subsequent Structure Plan for the Three Parks Zone.**

### Policies

- 13.1 To require street layouts and design to:
  - 13.1.1 Have an informal character in the Low Density residential subzone, including elements such as open swales where appropriate.
  - 13.1.2 Be well-connected, with cul-de-sacs being avoided wherever connected streets would offer greater efficiency and amenity
  - 13.1.3 Minimise the creation of rear sites.
  - 13.1.4 Be safe for vehicles, cyclists, and pedestrians.

13.1.5 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, landscaping, and the location of compatible uses.

13.2 To encourage pedestrian and cycle links to be located within the public street, whilst acknowledging that off-street links are also appropriate provided they offer a good level of safety and amenity for users.

13.3 To encourage pedestrian and cycle links to provide for both the commuter and recreational needs of residents within the zone and the wider community.

13.4 To require well-located and well-designed open spaces that encourage high levels of usage, including an appropriately scaled public square in the Commercial Core, which provides a focal point for social interaction and contributes to a sense of place

13.5 To require a network of well connected, usable, and safe open spaces.

13.6 To encourage, where feasible, local reserves to be located and designed such that they can provide for stormwater disposal as well as providing for open space and/ or recreational needs.

13.7 To recognise that the relocation of a collector or arterial road by more than 50 metres (from that shown on the Structure Plan) is likely to significantly affect the integrity of the Structure Plan and should be avoided.

## Add to 15.2.3.2 Controlled Subdivision Activities:

iii Any rear site created in the Three Parks Zone following or combined with a comprehensive commercial development or multi unit development shall be a controlled activity

## Add to 15.2.3.4 Non complying Subdivision Activities

x The Three Parks Zone - Any subdivision which is not in accordance with an approved Outline Development Plan or Comprehensive Development Plan.

xi The Three Parks Zone – Any subdivision which is not in accordance with the Structure Plan, unless a variation has been expressly approved as part of a subsequent, more detailed ODP or CDP, except that:

- i All arterial roads, subzone boundaries, and key connection points shown as 'fixed' on the Structure Plan may be moved up to 20 metres and all arterial and collector roads shown on the Structure Plan may be moved up to ~~30 m~~ 50 metres in any direction in order to enable more practical construction or improved layouts and/ or to allow for minor inaccuracies in the plan drafting; and
- ii All roads and other elements shown as 'indicative' on the Structure Plan may be moved or varied provided they are generally in accordance with and achieve the Structure Plan and the relevant objectives and policies.
- iii All Open Spaces shown on the Structure Plan may be moved or varied provided they are generally in the same location; are of the same or greater scale; provide the same or an improved level of landscape mitigation (particularly in respect of ensuring a green buffer from SH 84); and provide the same or an improved level of functionality.

Note: For the avoidance of doubt, an Outline Development Plan or Comprehensive Development Plan which in any way obstructs or does not specifically provide for the roading connections to land or roads adjoining the zone, in the manner shown on the Structure Plan will be processed as a non complying activity.

## 15.2.6.3 Zone Subdivision Standards – Lot Sizes and Dimensions

Any subdivision of land which does not comply with any one or more of the following Zone Standards shall be a **Non-Complying Subdivision Activity**.

...

### i Lot Sizes

- (a) No lots to be created by subdivision, including balance lots, shall have a net area less than the minimum specified for each zone in the Table below, **except** as provided for in (c), (d) and (e) below.

Add the following table immediately following the existing tables:

<u>Zone</u>	<u>Minimum Lot Area</u>
<u>Three Parks</u>	
<u>LDR (Three Parks)</u>	<u>No minimum – controlled activity</u>
<u>MDR subzone (Three Parks)</u>	<u>No minimum – controlled activity</u>
<u>Commercial Core (Three Parks) –</u>	<u>No minimum – controlled activity</u>
<u>Business (Three Parks) –</u>	<u>1000 m<sup>2</sup>;</u> <u>Except that the minimum lot size shall be 200m<sup>2</sup> where the subdivision is part of a complying combined landuse/ subdivision consent application or where each lot to be created, and the original lot, all contain at least one business unit.</u>
<u>Tourism and Community Facilities</u>	<u>2000 m<sup>2</sup></u>

<u>subzone (Three Parks)</u>	<u>The purpose of this rule is to encourage comprehensive, large lot developments.</u>
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No minimum allotment size shall apply in the Low and High Density Residential Zones where each allotment to be created, and the original allotment, all contain at least one residential unit.

...

Add the following:

...

### vii The creation of rear sites in the Three Parks Zone

- (a) In any subzone other than the MDR subzone, no more than 10% of all sites shown on a subdivision scheme plan may be “rear sites”; and
- (b) In the MDR subzone, there shall be no rear sites shown on a subdivision scheme plan; provided that
- (c) Any rear sites resulting from the subdivision of an existing building shall not be deemed to be ‘rear sites’ for the purpose of either standard 15.2.6.3 (vii)(a) or 15.2.6.3 (vii)(b).

Note: Refer Section D for a definition of ‘rear site’.

# PLAN CHANGE 16 – THREE PARKS ZONE

*NB: All changes are shown as double underlined or struck out.*

## 8.2 Signs - Rules

### 18.2.5 Zone Standards

All activities that do not meet the zone standards shall be Non-Complying Activities.

**TOWNSHIP, TOWN CENTRE, (EXCEPT WITHIN THE TOWN CENTRE TRANSITION SUB-ZONE), CORNER SHOPPING CENTRE, AIRPORT MIXED USE, BUSINESS & INDUSTRIAL ZONES, BUSINESS SUBZONE (THREE PARKS ZONE), COMMERCIAL CORE SUBZONE (THREE PARKS ZONE), AND REMARKABLES PARK ZONE ACTIVITY AREAS 3 AND 5**

#### (i) Ground Floor Signs

- (a) Ground floor areas with frontage to a road, footpath, service lane or access way: signs on the ground floor areas of each face of a building shall not exceed 5m<sup>2</sup> in total area or 15% of the ground floor area of that face of the building, whichever is less.

Provided that if the building also has frontage to a road the signs on the face of the building adjacent to the service lane or access way shall not exceed 2% of the ground floor area of the face of the building adjacent to the service lane or access way.

- b) Standards:

Sign Type	Maximum Area	Additional Standards
Wall Signs	2m <sup>2</sup>	
Verandah Face Signs	Shall not together with other ground floor signs exceed the area specified in 18.2.4(i)(a) above	Shall not exceed 600mm in depth
Under Verandah Signs	Shall not together with other ground floor signs exceed the area specified in	Shall be at 2.5m above the surface of the road, footpath, service lane or access way

	18.2.4(i)(a) above	
Free-standing Signs	2m <sup>2</sup>	Shall not project over and any road or service lane. Shall not project over a footpath unless it is 2.5m above the level of the footpath and does not project more than a metre over the footpath.
Flatboards	1m <sup>2</sup>	Shall be located on the site maximum of two flatboards or one sandwich board per site.

#### (ii) Other Signs

- (a) Standards:

Sign Type	Maximum Area	Additional
Above Ground Floor Signs	2 m <sup>2</sup>	
Arcade Directory Sign	3 m <sup>2</sup>	Shall list only the names of the occupiers of the arcade. Shall be displayed at the entrances to the arcade only.
Upstairs Entrance Sign	1.5m <sup>2</sup>	Shall contain only the name of the activity of the occupier using that entrance.
Above Verandah Signs	2 m <sup>2</sup>	

**LOW DENSITY RESIDENTIAL, LOW DENSITY AND MEDIUM DENSITY RESIDENTIAL SUBZONES (THREE PARKS ZONE), HIGH DENSITY RESIDENTIAL, THE TOWN CENTRE TRANSITION SUB-ZONE, RESIDENTIAL ARROWTOWN HISTORIC MANAGEMENT, RURAL RESIDENTIAL ZONES, AND REMARKABLES PARK ZONE (except Activity Areas 3, 5 and 8)**

- (i) On any site signage shall:

- have a maximum area of 0.5 m<sup>2</sup>
- either be attached to a building or be free-standing

- (ii) If the sign is located at the front of the site it shall:
- not project over any road or service lane
  - not extend over any footpath unless
- (b) it is at least 2.5 m above the footpath
- (c) it does not extend more than 1m over a footpath
- (iii) Notwithstanding (i) above signage for recreation grounds, churches, medical facilities, nursing homes, educational institutions and community buildings shall have a maximum of 2m<sup>2</sup> per site and either by attached or by free-standing
- (iv) Notwithstanding (i) above, visitor accommodation in Residential Zones may have two signs at each separate entrance/exit:
- One sign which identifies the site and has a maximum area of 2m<sup>2</sup>
  - One sign which contains the words ‘vacancy’ and ‘no vacancy’ and does not exceed 1m x 0.15m in dimension.

**RURAL AREAS, HYDRO GENERATION ZONE, RESORT, RURAL VISITOR, BENDEMEER, TOURISM AND COMMUNITY FACILITIES SUBZONE (THREE PARKS ZONE), PENRITH PARK AND RURAL LIFESTYLE ZONES, AND REMARKABLES PARK EXCEPT ACTIVITY AREA 3, 8.**

- (i) On any site signage shall:
- have a maximum area of 2 m<sup>2</sup>
  - be located on the site

## SECTION D – RECOMMENDED AMENDMENTS TO THE DEFINITIONS

Note: rather than provide the entire definitions section those definitions that are recommended to be amended are provided below.

<b>HEIGHT</b>	<p>In relation to a building means the vertical distance between ground level at any point and the highest part of the building immediately above that point, <u>except in those instances in the Three Parks Zone where height is measured in that this measurement is not relevant when assessing the number of storeys in the Three Parks Zone.</u> For the purpose of calculating height in all zones, <u>other than in relation to assessing the number of storeys those instances in the Three Parks Zone as specified above,</u> account shall be taken of parapets, but not of:</p> <ul style="list-style-type: none"> <li>- 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>- 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>
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<b>STOREY (Three Parks Zone)</b>	<p><u>Means a habitable floor level and includes mezzanine levels, garages, bathrooms, and semi-basements. The following are not deemed to be a separate ‘storey’:</u></p> <ul style="list-style-type: none"> <li>• <u>Full basements/ cellars of no more than 40% of the total floor plate of the residential unit (excluding accessory buildings) and which have no external access;</u></li> <li>• <u>A change in level of up to 0.75 m within a storey (as in the case of split level dwellings);</u></li> <li>• <u>Wholly underground car parks in the Commercial Core Subzone where the only visible frontage when viewed from ground level is the vehicle access.</u></li> </ul>
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# PLAN CHANGE 16 – THREE PARKS ZONE

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