

BEFORE THE ENVIRONMENT COURT

Decision No. [2016] NZEnvC 99

IN THE MATTER

of the Resource Management Act 1991

AND

of appeals pursuant to clause 14 of the First
Schedule of the Act

BETWEEN

WELL SMART INVESTMENT
HOLDING (NZQN) LIMITED
(ENV-2015-CHC-070)

MAN STREET PROPERTIES LIMITED
(ENV-2015-CHC-072)

IHG QUEENSTOWN LIMITED &
CARTER QUEENSTOWN LIMITED
(ENV-2015-CHC-074)

BRECON STREET PARTNERSHIP
LIMITED
(ENV-2015-CHC-076)

REMARKABLES JET LIMITED
(ENV-2015-CHC-077)

Appellants

AND

QUEENSTOWN LAKES DISTRICT
COUNCIL

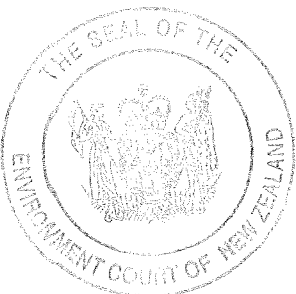
Respondent

Court:

Environment Judge J R Jackson
Environment Commissioner J R Mills
Environment Commissioner W R Howie

Hearing:

at Queenstown on 4 and 5 April 2016
(Final memorandum received 18 May 2016)



Appearances: G M Todd for Well Smart Investment Holding (NZQN) Ltd and
 Man Street Properties Ltd
 L Semple for IHG Queenstown Ltd & Carter Queenstown Ltd
 R Bartlett QC for Brecon Street Partnership Ltd
 J Young for Remarkables Jet Ltd
 J C Campbell and B A Watts for Queenstown Lakes District
 Council
 W J Goldsmith for C Hockey, J Thompson and Watertight
 Investments Ltd
 C Thomsen for C and L Holt and A and K Zaki

Date of Decision: 18 May 2016

Date of Issue: 18 May 2016

DECISION

- A: Subject to B, under section 290(2) of the Resource Management Act 1991 the Environment Court confirms the decision of the Hearing Commissioners in respect of Plan Change 50.
- B: Under section 293 of the Act the Environment Court confirms, subject to Order C, the changes made by the Queenstown Lakes District Council (with the consent of the parties) to the operative District Plan as shown in these appendices:
- A: Changes to Section 10;
 - B: Amendments to Transport Rules in Section 14;
 - C: Ancillary Amendments;
 - D: Amended Maps 35 and 36; and
 - E: Indicative cross-section and plan view of the block bounded by Man, Hay, Beach and Lake Streets.
- C: In addition to the changes to Section 10 of the District Plan as shown in Appendix "A" the following rule 10.6.5.1(xiii) is added:



If there is a proposal to realign Cemetery Road along the northern boundary of the sub-zone and connecting to Brecon Street then it is deemed that this shall not comprise an exceedance of this site standard, **nor alter any specific provisions applying to 34 Brecon Street which shall continue to apply following any consequential boundary adjustment. In the event of any inconsistency resulting, this rule shall prevail over any planning map which depicts the present boundaries of 34 Brecon Street.**

D: Leave is reserved for any party to apply within five working days to correct any error in Orders A to C.

E: Costs are reserved.

REASONS

0. Introduction

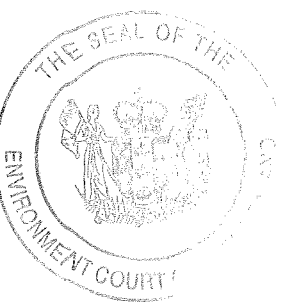
[1] These proceedings on Plan Change 50 ("PC50") to the operative district plan of the Queenstown Lakes District Council are about extensions to the Queenstown Town Centre Zone ("the QTCZ"). The appeals were set down for hearing in the three weeks commencing Monday 4 April 2016.

[2] On Friday 1 April 2016 the Registrar was advised that agreement had been reached between the parties on the Remarkables Jet Limited appeal and that agreement was likely to be reached on the other appeals also.

[3] Prior to and during the 4-5 April 2016 hearing, the parties presented the court with three consent memoranda that set out specific agreed amendments to the text of PC50. The agreed amendments have since been amalgamated into a single document for the court's consideration.

[4] Further, during the hearing the court suggested several refinements to the text of PC50. In particular, we suggested the parties might consider:

- (a) reviewing the description of the Lakeview sub-zone in Section 10.2.2.iii to ensure it appropriately addresses the substantial reserve areas within that sub-zone;



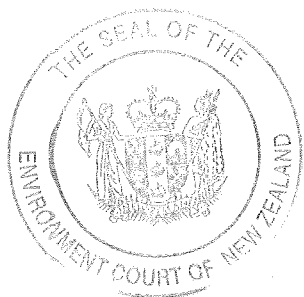
- (b) removing the word “new” from objective (10.2.4.)3 and reordering the predominant uses so that visitor accommodation and high density residential activities appear ahead of convention centres;
- (c) deleting the words “and including” and removing the term “predominant uses” from rule 10.6.3.2A;
- (d) reviewing the inclusions and exclusions in rules 10.6.3.2A.i(b) and (c);
- (e) using “when” rather than “where” in rule 10.6.3.4.viii in relation to the point at which commercial activities in the Lakeview sub-zone exceed 6,500m² gfa.

[5] In addition the parties have noted:

- (a) that the PC50 text referred to “commercial recreation activities” rather than using the term “commercial recreational activities” which is defined by the district plan;
- (b) that the text and maps needed to be updated to consistently refer to the east and west Isle Street sub-zones.

[6] Those matters are addressed in an amalgamated draft order now lodged by consent together with a final consent memorandum about 34 Brecon Street (the subject of ENV-2015-CHC-076). The amendments set out and explained below have been agreed upon by the parties. The text shown in some cases already incorporates the changes set out on the consent memoranda previously lodged, with only the newest amendments shown underlined or struck through.

[7] However, notwithstanding the likely agreement between the parties the court heard evidence to satisfy itself that the objectives and policies of the district plan were not likely to be undermined by development under PC50. In particular the court was concerned with the scale of possible development above Queenstown Bay. There are any number of undesirable developments in overseas mountain resorts caused by buildings being allowed to grow too high and large for the context (e.g. in France: Les Menuires, Flaine Belleville, Samoëns, Superdévoluy; in Italy, Tonale). Of course we also recognise that brutalist architecture has in many parts of the world allowed the less



well-off to enjoy winter sports. However, that is not appropriate in and around Queenstown Bay as the objectives of the district plan make clear (see part 2 below).

[8] Consequently, this decision does four things:

- (1) it records the court's understanding of PC50 and the place of PC50 in the Council's resource management scheme going forward (since hearings on a replacement district plan are already in progress);
- (2) it sets out the most relevant objectives and policies in the operative district plan and how PC50 fits into these;
- (3) it records briefly the agreements on each of the appeals and some other procedural matters; and
- (4) it records the evidence on which the court relies in making a decision about whether changing the urban ring around Queenstown Bay in the way proposed achieves the objectives and policies of the district plan.

1. Background

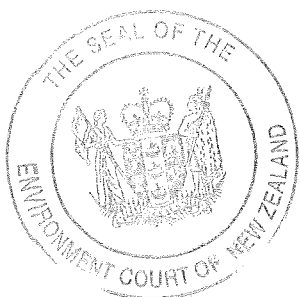
The land covered by PC50

[9] PC50 seeks to rezone approximately 14.5 hectares of land from High Density Residential Zone (HDRZ) to QTCZ. The areas of land within PC50 as notified are:

- (a) approximately 10.7 hectares ("the Lakeview site") and also includes 1.1 hectares of residential land called "the Lynch block" which is the former site of the Queenstown Lakeview Holiday Park;
- (b) 0.6 hectares adjoining the Lakeview site and bounded by Thompson and Glasgow Streets ("the Thompson/Glasgow Street site");
- (c) 0.4 hectares at 34 Brecon Street ("34 Brecon Street");
- (d) 1.9 hectares, being the two blocks bounded by Camp Street, Isle Street, Man Street and Hay Street ("the Isle Street blocks");
- (e) 0.9 hectares in the block bounded by Lake, Beach, Hay and Man Streets, ("the Beach Street block").

An extended Queenstown Centre?

[10] PC50 appears to have come about through a combination of factors:



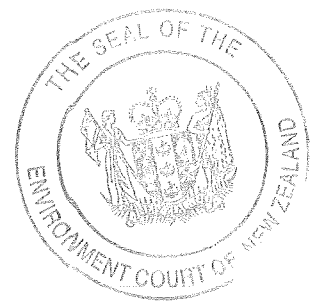
- the Council's ownership of the Queenstown camping ground ("the Lakeview site") underneath Bob's Peak (holding the land partly as freehold and partly Recreation Reserve);
- the inefficient use of the Lakeview site for crib housing;
- the Council's (2012-2015) wish to establish a convention centre in or close to central Queenstown; and
- the proximity of the Lakeview site to the QTCZ.

[11] In addition it has been recognised for some years in various reports that the QTCZ needs to expand. Most of those reports contemplated expansion to the northeast, on the flatter land towards Gorge Road. However, once the idea of a convention centre in Queenstown (as opposed to, say, Frankton) gained Council support, the Council commissioned reports cumulating in a section 32 Report dated 26 August 2014 on PC50 which proposed that the Lakeview site be included in an extension of the QTCZ to the northwest.

[12] After notification of PC50, various parties made submissions seeking that their land be included in PC50. The Council's section 32 Report had rather selectively identified some of this land but not the land of other submitters. So some submitters managed to have their land included after consultation (but before notification) and others missed notification or later inclusion — see the decision of the Environment Court in *Well Smart Investment Holding (NZQN) Ltd v Queenstown Lakes District Council*¹.

[13] Commissioners Ms Jane Taylor and Sir John Hansen wrote a comprehensive decision dated 16 June 2015 amending PC50, and dealing with some of the difficult issues such as whether the Lakeview sub-zone should be used primarily for affordable housing. We respectfully adopt and rely on much of that decision.

¹ *Well Smart Investment Holding (NZQN) Ltd & Ors v Queenstown Lakes District Council* [2015] NZEnvC 214. This decision has been appealed to the High Court.



The district plan review

[14] A new proposed district plan – stage 1 – was notified on 26 August 2015. Between April 2014 and August 2015, Council officers were involved in developing the framework for the proposed district plan and ultimately drafting the various chapters to be included in stage 1 of the review. Hearings have commenced.

The sub-zones established by PC50

[15] The sub-zones are shown on the amended planning maps 35 and 36 (see Appendix “D” to Order B).

Lakeview sub-zone

[16] The new sub-zone will provide for the expansion of the QTCZ over the 11.7 ha (approximately) Lakeview site, while including appropriate site and zone standards and land use controls to ensure the site is developed appropriately to maximise its potential and to complement the existing QTCZ.

[17] A proposed convention centre (the rules optimistically provide for the plural centres) is provided for as a restricted discretionary activity within this sub-zone. The policies and rules reserving the Council’s discretion to manage effects on the transportation network, landscaping and screening of outdoor storage, and parking, design and layout of buildings, noise effects and hours of operation, boundary setbacks and positive effects. An integrated commercial-mixed use development is planned for the Lakeview sub-zone. The sub-zone could accommodate visitor accommodation, high-density residential accommodation, and commercial activities, including some retail and hospitality and public recreation space. Large format retail activities are avoided within this sub-zone and some of the intricacies of the amendments now given to us are designed to ensure that outcome.

[18] Because the Lakeview sub-zone is largely undeveloped, a structure plan sets out the layout of the sub-zone. It seeks to ensure that the sub-zone integrates effectively and efficiently with the existing town centre. Maximum building height limits for buildings in the sub-zone are specified on a height limit plan. The structure plan has been developed by Fearon Hay, based on their master plan for the site. Mr Bird, who gave



evidence to the court, was engaged to carry out an “iterative peer review” of the structure plan and the associated district plan provisions for both the Lakeview sub-zone and the Isle Street sub-zones.

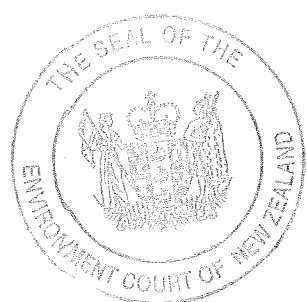
[19] The Commissioners’ decision on PC50 made several changes in response to submitter concerns. For the Lakeview sub-zone, new rules for the predominant uses were introduced, and the activity status for convention centres and visitor accommodation was changed from controlled activity to restricted discretionary activity. A new non-complying rule was included in the decision for all retail activities with a gross floor area greater than 400m² in the Lakeview and Isle Street sub-zones and, as we have said, some further changes have been made by consent.

[20] The underlying zoning of the western end (the Lynch block) of the Lakeview sub-zone was also changed from the notified QTCZ to the operative zone for this area, which is HDRZ, with activities restricted (generally) to visitor accommodation and high-density residential accommodation. The site coverage rule and maximum building height limits for this area are the same as those in the Lakeview sub-zone and the Lakeview sub-zone Height Limit Plan². For the Lynch block, the maximum building height has increased from 7-8m (depending on the gradient of the site) to 12m and the zoning remains as HDRZ. The PC50 provisions also require buildings be set back from Glasgow Street and apply a height plane angle restriction along the Glasgow Street boundary that matches the HDRZ rules. This was intended to manage the ‘edge effects’ with other HDRZ land bordering the PC50 area to the west, while still ensuring the block is appropriately developed to maximise its potential.

Isle Street sub-zones

[21] The plan change introduces the Isle Street sub-zones (West and East) within the QTCZ. These sub-zones extend the QTCZ by enabling complementary activities that will connect the commercial heart of Queenstown to the commercial, community and tourist activities along Brecon Street, and to connect with the Lakeview view sub-zone. These sub-zones will enable residential activities, visitor accommodation activities and commercial activities. As with the Lakeview sub-zone, there is no provision for large

² Figure 3 in the PC50 provisions.



format retail activities. The Isle Street sub-zones have been divided into separate blocks – East and West – with the West block enabling more increased built form and scale than the East block.

[22] Activities and the development of buildings in these sub-zones will be managed through the district plan to provide for a high quality mixed use-commercial environment where built development can take advantage of the sub-zones elevation. Specific bulk and location provisions have been developed to enable the intensification of built development in these sub-zones while providing an appropriate level of amenity for a mixed use environment.

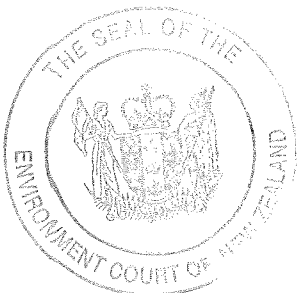
[23] The Commissioners' decision on PC50 made several changes to the notified provisions, in response to submitters' concerns. The major change was the inclusion of the separate Isle Street sub-zone blocks, to better reflect the current activities within these blocks, whereby the East block is predominantly occupied by residential uses, while the West block is currently predominantly occupied with commercial and visitor accommodation uses.

Beach Street block

[24] The Beach Street block is located immediately adjacent to the QTCZ on two sides – Hay Street and Beach Street. The block accommodates a large visitor accommodation activity adjacent to Beach Street, and residential uses adjacent to Man Street. Extending the town centre zoning over this block will recognise longstanding hotel development and enable the development of further commercial activities that could enhance the Queenstown town centre.

[25] The notified provisions proposed for the Beach Street site were the existing QTCZ provisions without amendment, with the exception of noise limits and maximum building heights to ensure that the residential amenity of the dwellings adjacent to Man Street was retained. The Council's intention was to retain the current rules managing noise and maximum building height limits for this block.

[26] The Commissioners' decision on PC50 made changes to the provisions that relate to the Beach Street blocks. In the notified version of PC50, commercial activities



were permitted and visitor accommodation activities required a controlled activity resource consent. However, the Commissioners' decision on PC50 provides for visitor accommodation activities and commercial activities of an area greater than 400m² as restricted discretionary activities.

2. The relevant objectives and policies of the district plan

[27] Most of the general objectives and policies in section 4 of the district plan are too broad to be of much assistance here and in any event they are particularised in the later more focused provisions in Section 10 (Town Centres).

[28] However, before we turn to the latter we should mention Part 4.10 (Affordable and Community Housing). This contains a single objective³ to provide access to community housing or to a range of residential activity that contributes to housing affordability in the district. Its implementing policies are⁴:

- | | | |
|--------|-----|--|
| (4.10) | 1.1 | To provide opportunities for low and moderate income Households to live in the District in a range of accommodation appropriate for their needs. |
| (4.10) | 1.2 | To have regard to the extent to which density, height, or building coverage contributes to Residential Activity affordability. |
| (4.10) | 1.3 | To enable the delivery of Community Housing through voluntary Retention Mechanisms. |

This is an important issue for Queenstown: we rely on the Commissioners' decision as to why PC50 does not focus on implementing these policies.

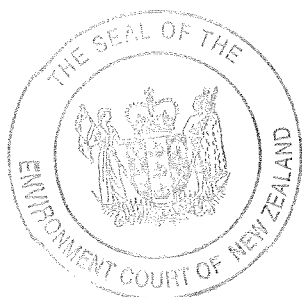
[29] Chapter 10 (Town Centres) consists of three relevant sets of objectives and implementing policies. Objective 3 is to maintain and enhance⁵ "... a built form and style within each town centre that respects and enhances the existing character, quality and amenity values of each town centre and the needs of present and future activities". Its implementing policies are⁶:

³ Queenstown Lakes district plan (September 2013) p. 4-59.

⁴ Queenstown Lakes district plan (September 2013) p. 4-59.

⁵ Queenstown Lakes district plan p. 10-7.

⁶ Queenstown Lakes district plan p. 10-7.



- (10.1.3) 3.1 To ensure a built form for each town centre which relates to and is sympathetic to the physical characteristics of the site and neighbourhood including climate, neighbours and topographical features.
- (10.1.3) 3.2 To provide for a building appearance which is responsive to and reflects the essential character and heritage of each town centre and the surrounding topography.
- (10.1.3) 3.3 To create a series of core areas within each town centre, and appropriate interconnections between them.
- (10.1.3) 3.4 To structure the town centres around the existing public spaces (including streets and lakes) and to relate its built form to the surrounding landscape and the built form of adjacent zones.
- (10.1.3) 3.5 To promote a built form which exhibits a sense of arrival and departure and to contain the town centres within clearly established boundaries.

[30] Objective (10)4 (Town Centre and Building Appearance) hopes for⁷ “Visually exciting and aesthetically pleasing town centres which reflect their physical and historical setting”. The implementing policies relevant to these proceedings are⁸:

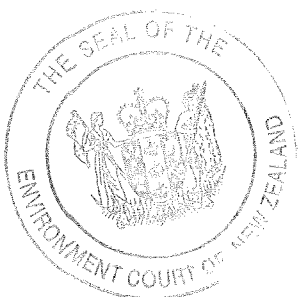
- (10.1.3) 4.1 To promote an image for each town centre which reflects and respects the existing dominant building themes.
- (10.1.3) 4.2 To identify and implement controls which define appearance standards applicable to each town centre and which promote and, where appropriate, ensure harmony and compatibility of building design.
- ...
- (10.1.3) 4.7 To provide for the retention of the generally people scale of developments within the town centres.
- (10.1.3) 4.8 To identify opportunities for and promote the integration of public spaces, reserves and streets with developments to add visual interest and diversity to the appearance of the town centres.
- ...

[31] Objective (10)5 (Pedestrian and Amenity Linkages) is to provide⁹ “[a]n attractive, convenient and comprehensive network of pedestrian linkages within town centres”.

⁷ Queenstown Lakes district plan (June 2007) p. 10-8.

⁸ Queenstown Lakes district plan (June 2007) p. 10-9.

⁹ Queenstown Lakes district plan (June 2007) p. 10-10.



[32] After those objectives and policies the specific provisions for the Queenstown Town Centre (Section 10.2.4) are rather bland and not particularly helpful. PC50 proposes to introduce a QTCZ objective as objective 3 (so that existing objectives 3 and 4 are renumbered). It is:

Objective (10.2.4) 3 – A high quality, attractive environment within the Lakeview sub-zone where visitor accommodation, higher density residential, tourist, convention and community activities will be the predominant uses. Ancillary retail and ancillary commercial activities that are established in association with predominant uses are also provided for particularly where they meet demand arising from the intensification of use within the sub-zone.

3. The resolution of the appeals

Remarkables Jet Limited

[33] Most of the generic changes have been made in the resolution of this appeal. The changes are as described by the parties in their memorandum of 6 May 2016. We summarise them briefly with recent additions underlined and deletions struck-through.

Commercial recreation activities

[34] The district plan defines the term “commercial recreational activities”. PC50 used the term “commercial recreation activities”. This has been corrected to use the defined district plan term wherever it occurs¹⁰.

East and West Isle Street sub-zones

[35] References to the Isle Street sub-zone have been updated to refer to both the West and East Isle Street sub-zones in maps 35 and 36, the legend to the maps and in the relevant zone standard¹¹ and assessment matters¹².

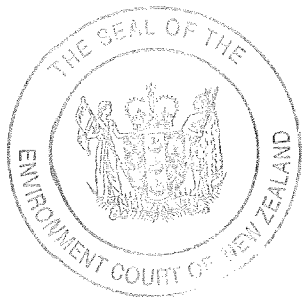
Description of the Lakeview sub-zone (in Section 10.2.2.iii)

[36] The description of the “Lakeview Sub zone” in Section 10.2.2.iii has been amended to better address the reserve land within the zone and to better emphasise the place of higher density residential activities. The description now reads:

¹⁰ Queenstown Lakes district plan: section 10.2.2.ii, policies (10.2.4.)3.1, 3.4 and 3.6 and rules 10.6.3.2A.i(b) and (c).

¹¹ Zone standard 10.6.5.2.i(a).

¹² Assessment matters 10.10.2.i(c) and 10.10.2.xii.



(iii) Lakeview Sub-zone

The Lakeview sub-zone provides an extension to the Queenstown town centre. Geographically this sub zone forms the north-western boundary of the Queenstown town centre zone and is situated at a higher gradient affording extensive views across Queenstown Bay and beyond. The town centre boundary is formed by the Ben Lomond recreational reserve. The western extent of this sub-zone area is within the High Density Residential Zone. This allows for activities associated with that zone to establish more intensively according to the height, bulk and location controls that apply to the Lakeview sub-zone.

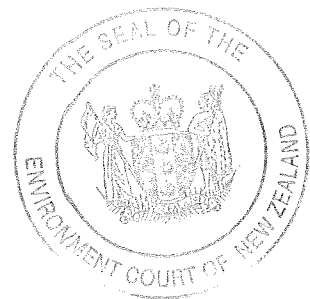
A structure plan for the Lakeview sub-zone establishes a broad development layout for this part of the town centre. Through the structure plan, public reserve areas and the square set the scene for a high quality urban environment ensuring that the area is a desirable place to live, work and meet.

The development of activities and buildings in this sub-zone will be managed through the District Plan to accommodate its predominant uses: that include higher density residential, visitor accommodation, a convention centre, commercial recreational and commercial, tourism activities, ~~and higher density residential activities~~. Ancillary Retail and Ancillary Commercial activities that are established in association with these predominant uses are also provided for. High quality urban form and public spaces will be achieved via urban design, and bulk and location provisions, and those parts of the Structure Plan that provide reserve areas will be administered under the Reserves Act 1977.

Objective (10.2.4)3 for the Lakeview sub-zone

[37] Proposed objective (10.2.4)3 is amended to delete the descriptor “new” from the description of “predominant” uses in the Lakeview sub-zone. The list of “predominant” uses is reordered to give greater emphasis to visitor accommodation and higher density residential activities vis a vis convention centres. The new objective (with changes shown) is:

Objective 3 – A high quality, attractive environment within the Lakeview sub-zone where visitor accommodation, higher density residential, ~~new~~-tourist, convention and community activities, ~~visitor accommodation and high density residential activities~~ will be the predominant uses. Ancillary retail and ancillary commercial activities that are established in association with predominant uses are also provided for particularly where they meet demand arising from the intensification of use within the sub-zone.



[38] The court questioned the term “predominant uses” in relation to this sub-zone (or anywhere) since it is rather a throwback to the Town and Country Planning Act 1977. The parties wish it to be used in the description of the Lakeview sub-zone and various objectives and policies to emphasise the desired land uses and we respect that. However, the term is no longer used within the rules. In particular rules 10.6.3.2A.i(a)-(c) have been amended.

[39] The primary reason for the change is that the predominant uses (as listed in rules 10.6.3.2A.i(a)-(c)) did not include all of the predominant uses described in the description of the Lakeview sub-zone and related objectives and policies, for example high density residential activities.

[40] Because it was never intended that rule 10.6.3.2A.i would apply to high density residential activities, which are permitted activities under PC50, it has been necessary to delete the inaccurate introductory words “and including”, as suggested by the court. Rule 10.6.3.2A.i now reads:

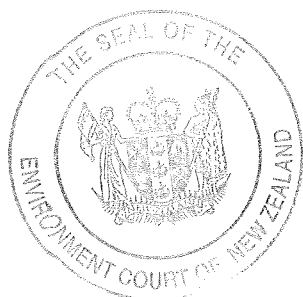
10.6.3.2A Restricted Discretionary Activities

- i ~~Predominant Uses (as defined)~~ Within the Lakeview sub-zone and including:

[41] Removal of the term “predominant uses” from rule 10.6.3.2A.i necessitated some consequential changes to policies (10.2.4.)3.4 and 3.6. These changes tied both the policy requirement for an integrated traffic assessment and the policy relating to ancillary activities to the activities addressed in rule 10.6.3.2A.i(a)-(c) (rather than to the term “predominant uses”). The relevant policies are:

- 3.4 To encourage pedestrian links within and through the Lakeview subzone, and to the surrounding public spaces and reserves and manage traffic flows and need for car parking via integrated Traffic Assessments for convention centres, visitor accommodation, commercial recreational and commercial tourist activities ~~new predominant uses (as defined)~~, and larger scale non-ancillary commercial activities.

...



- 3.6 To enable commercial and retail floor space for ancillary retail activities and ancillary commercial activities established in association with convention centres, visitor accommodation, commercial recreational and commercial tourist activities ~~predominant~~ uses so as to meet demand arising from the intensification of use within the sub-zone and from growth more generally.

[42] Assessment matter 10.10.viii has also been amended to remove the now redundant term “predominant uses”.

[43] The parties explain that the term “predominant use” has also been consequentially deleted from the definitions section of the district plan and the definition of “ancillary retail or ancillary commercial activity” has also been amended so that it refers to the activities addressed in rule 10.6.3.2A.i(a)-(c) rather than relying on a definition of “predominant uses”. The changes are:

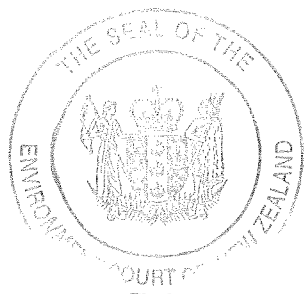
~~Predominant Use:~~ ~~means convention centre, visitor accommodation, commercial recreation and/or commercial tourist activities within the Lakeview sub-zone area, but excludes the existing Queenstown Municipal Camping Ground.~~

Ancillary Retail or Ancillary Commercial activity: means any retail or commercial use located within the Lakeview sub-zone that is on the same site as ~~a predominant use (as defined)~~ a convention centre, visitor accommodation or a commercial recreational and/or commercial tourist activity, or in a building housing ~~a predominant use that activity~~, and whose use is incidental to that predominant use activity. The Ancillary Retail or Ancillary Commercial activities must be consented at the same time as the predominant use activity, being a convention centre, visitor accommodation or commercial recreational and/or commercial tourist activity.

[44] Importantly the redrawn provisions are designed to ensure that large scale retailing does not take over the Lakeview sub-zone.

Inclusions and exclusions in rules 10.6.3.2A.i(b) and (c)

[45] Rules 10.6.3.2A.i(b) and (c) have been amended so that the relationship between the inclusions and exclusions is clearer (34 Brecon Street is excluded from the rule altogether). The rules now read:



...

- (b) Visitor Accommodation (including any ancillary retail or ancillary commercial activities consented as part of a visitor accommodation development), excluding This does not apply to 34 Brecon Street (legally described as Lot 1 DP 27703);
- (c) Commercial recreational and/or commercial tourist activity (including any ancillary retail or ancillary commercial activities consented as part of commercial recreational or commercial tourist activity) with a gross floor area of more than 400m², excluding This does not apply to 34 Brecon Street (legally described as Lot 1 DP 27703);

Rule 10.6.5.2.viii

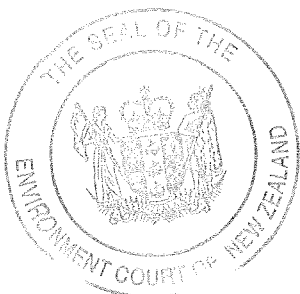
[46] Rule 10.5.4.3.viii has been improved by changing the word “where” to “when”, better reflecting the way in which the rule will apply:

- viii Retail and commercial activities within the Lakeview sub-zone (except 34 Brecon Street) ~~where~~ when existing or consented retail and commercial activities within that sub-zone (except 34 Brecon Street) exceed 6,500m². Ancillary retail and ancillary commercial uses are not included in the calculation of existing and consented retail and commercial activities and are excluded from the application of this rule.

Brecon Street Partnership Limited

[47] 34 Brecon Street is the only privately owned land at the eastern end of the PC50 area. It adjoins the Brecon Street Cemetery and Cemetery Road. Brecon Street Partnership Limited (“BSPL”) sought higher development and other changes. It has settled for a 15.5 metre height limit and restricted discretionary activity for development above that height. The parties agree that in principle it is desirable that Cemetery Road be realigned along the western boundary of 34 Brecon Street, to remove the present dog-leg configuration. That would involve a boundary adjustment at that location, and also one in respect of the redundant portion of road which would become part of 34 Brecon Street. There is presently no draft proposal which would identify the location of the new boundaries, but the existing length of frontage to Brecon Street is unlikely to change significantly.

[48] In the event of consequential boundary adjustments occurring, the landowner wishes to avoid any ambiguity or conflict as to whether the future 34 Brecon Street is the 34 Brecon Street contemplated by the court when it made its order settling PC50.



Accordingly, the parties have agreed that the following words be added to Chapter 10.6.5.1(xiii) Lakeview sub-zone Structure Plan:

If there is a proposal to realign Cemetery Road along the northern boundary of the sub-zone and connecting to Brecon Street then it is deemed that this shall not comprise an exceedance of this site standard, nor alter any specific provisions applying to 34 Brecon Street which shall continue to apply following any consequential boundary adjustment. In the event of any inconsistency resulting, this rule shall prevail over any planning map which depicts the present boundaries of 34 Brecon Street.

[49] The court agrees that is an appropriate addition.

Well Smart

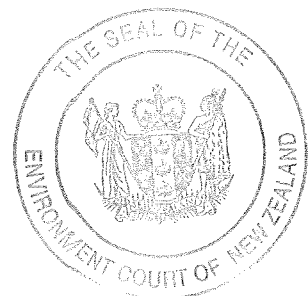
[50] This appeal concerns land between the area of PC50 (see Attachment “A”) and Queenstown Bay. The sandwiched land, owned by the appellants Well Smart Investment Holding (NZQN) Limited and Man Street Properties Limited and another, is in a subzone of the QTCZ which is called, confusingly, the Queenstown Centre Transitional Zone (“the transitional subzone”). The purpose of this transitional subzone is to manage heights in it, so that buildings on the land do not unduly restrict sunlight and views to land downhill of it in Queenstown Bay.

[51] The appellants’ concern was that if buildings in the Isle Street block (across Man Street) area allowed to build up to 12 metres (three storeys) as contemplated by PC50 then the land in the Transitional Subzone should also have rights to develop higher.

[52] Few if any people dispute that some potential height increase is appropriate as we understand the issue, but the substantive question is how high? Regrettably, that question cannot be addressed at present because, as mentioned, in its procedural decision¹³ the court felt compelled by authority to rule that the submissions by Well Smart and others were not ‘on’ PC50 and thus could not be considered by the court. (In addition a conditional application to amend the (at present defunct) appeal has been the subject of submissions and a further procedural decision¹⁴ on the papers).

¹³ [2015] NZEnvC 214.

¹⁴ *Well Smart Investment Holding (NZQN) Ltd & Anor v Queenstown Lakes District Council* [2016] NZEnvC 74.



The Beach Street block

[53] This is the land bounded by Beach Street (on the waterfront heading towards Glenorchy) and Lake, Man and Hay Streets. Most of the land is owned by the appellants IHG Queenstown Limited & Carter Queenstown Limited and it is occupied by the two tiers of the Crowne Plaza Hotel and (uphill) by some staff accommodation for that hotel. The Man Street frontage of the Beach Street block is owned by two section 274 parties – the Holt and Zaki families – (and by one other landowner who took no part).

[54] There were three issues in relation to this block:

- (a) the appellants wanted development rights to build higher, and that was opposed by the section 274 parties;
- (b) the Council wanted a 7 meter height restriction on the titles of the Man Street frontage; and
- (c) the Holt and Zaki families wanted to retain their views.

[55] A complex arrangement has been entered into whereby all matters have been resolved by the changes in the Appendices to this decision (see for example Appendix “E” which gives an indicative cross-section and plan view of the block bounded by Man, Hay, Beach and Lake Streets).

4. Changing the frame around Queenstown Bay

[56] On the next two pages are plans extracted from the agreed version of PC50. They are:

- Figure 2: Lakeview sub-zone Structure Plan; and
- Figure 3: Lakeview sub-zone Height Limit plan.





Figure 2 Lakeview sub-zone Structure Plan

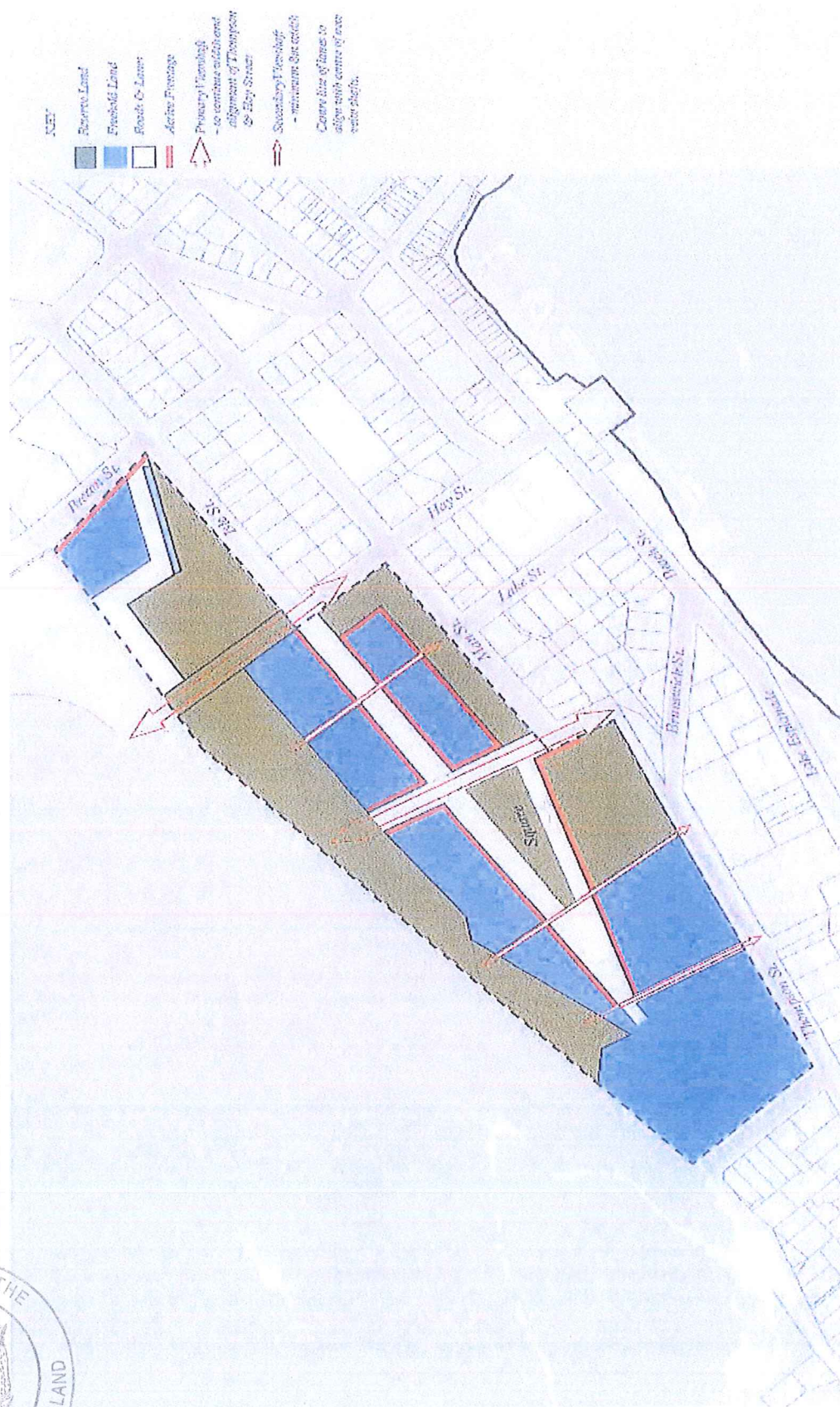
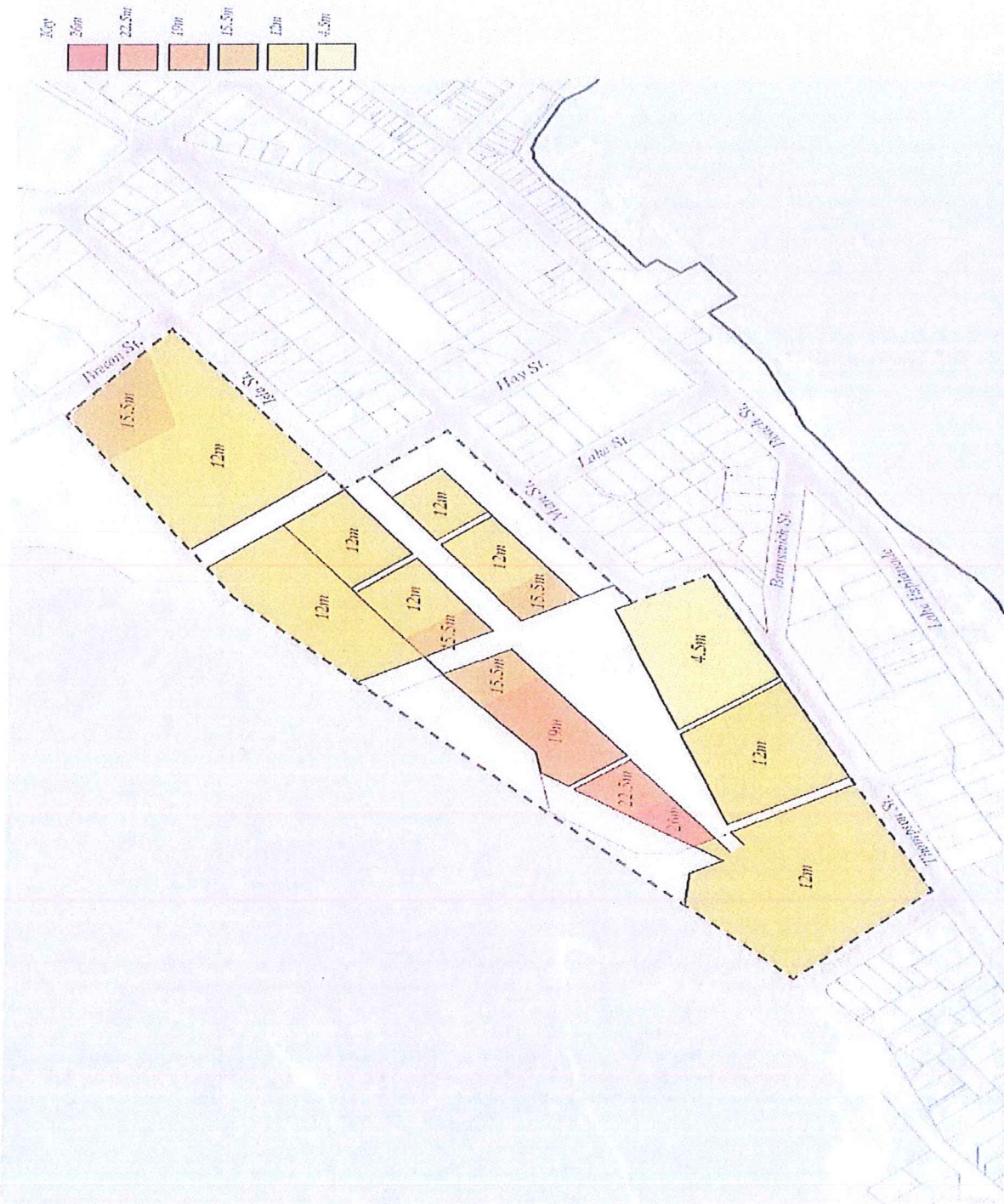


Figure 3 Lakeview sub-zone Height Limit Plan



[57] After reading the evidence in preparation for the hearing, the court was concerned that the evidence was light on the effects of the proposal on the frame which contains Queenstown Bay. Amongst other things the court was concerned about the height of buildings in the Lakeview sub-zone, and their height and density in the Isle Street sub-zones. It sought evidence from two urban designers who had (quite properly) lodged evidence restricted to the issues of concern to their clients. For the Council, Ms Campbell also sought to call Mr D R Weir an architect.

[58] Mr Weir referred to Figure 3 identifying the height of various buildings shown on bulk and mass scene simulations. This identifies a building on “Block 1”¹⁵ which is 26 metres high (for comparison a 12 metre high building provides three storeys). When the court asked for reassurance that a 26 metre high building would not be too high, Mr Weir answered¹⁶:

No, I put my reputation on it. Looking at that block it is rather large and there would be architectural language that you would use to make sure that it wasn’t a flat mass, that this particular building block is developed, and looking at this I am regretful that we didn’t show it more so. But through the process that we’ve been and the critique that we’ve had in our office and with other professionals we are happy with the outcome potentially.

[59] The urban designer Professor C A Bird agreed with Mr Weir: “I think he ... articulated things very well”¹⁷.

[60] On the mass shown on Block 1 the court asked Professor Bird¹⁸:

Q. ... You’re satisfied as I understand it that the rules allow enough controls for the Council to ensure that building is broken up so it doesn’t present just a flat profile facing the lake, is that correct?

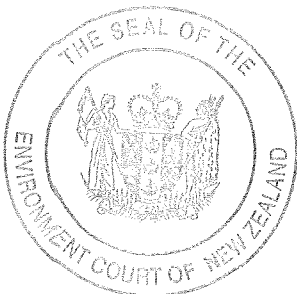
A. I am ...

¹⁵ The small area coloured brick-red on Figure 3.

¹⁶ Notes of evidence p 11 line 26 et ff.

¹⁷ Notes of evidence p 23 at line 10.

¹⁸ Notes of evidence p 28 at line 32.



[61] When the court asked whether development would "... change the feel of the bay significantly",¹⁹ Professor Bird replied²⁰:

Well it will change the feeling of the bay that exists because it will be a ... different zone. It will be a town centre zone and I would expect that you would have some change ... because of the nature of the activities and what's going on in types of buildings. At the moment they're largely residential properties with obviously larger areas perhaps at ground that would grow trees. Town centres don't tend to have them as much between buildings. They often have them in parks or you know street trees and things like that. I don't have a concern for that.

[62] As for development in the Isle Street sub-zones he continued²¹:

... it doesn't concern me and I think it's probably more important if you're going to achieve a strong connection with the town centre that that isn't too suburban in its quality ...

Of course ... (to go back to the [figure] CAB 32 again) we're looking at blocks when ... the reality would be that each one of those blocks would probably be designed by a different architect so there'd be a huge variation even if there was a certain consistency in height ...

So again I would be very cautious about thinking that the effects of the blocks, the block illustration of CAB 32 was going to be damaging to Queenstown in any way.

[63] The court asked Professor Bird whether he was satisfied that the outcomes will provide an appropriate urban grain that will not damage the existing fine grain of urban Queenstown. The answer was unqualified²²:

... I'm absolutely satisfied and I'm also of the view in support of that statement that the urban grain will in reality be visually finer than what is depicted in these block diagrams. I'm absolutely convinced of that because it will have articulation, there will be ins and outs in the building forms, there will be variation in roofs, there will be shadows from bits that come out on the same elevation, there will be windows, doors, balconies, all sorts of things that will reduce the grain that is depicted – the rather coarse grain that is depicted in these block images ...

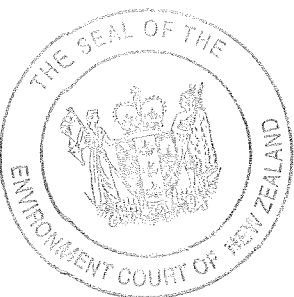
[64] When the court expressed its view that the ideal outcome for Queenstown would be that the visual amenity is improved rather than detracted [from], Professor Bird

¹⁹ Notes of evidence p 30 at lines 17-18.

²⁰ Notes of evidence p 30 at lines 21-29.

²¹ Notes of evidence p 31 at lines 1-3, 9-13 and 19-21.

²² Notes of evidence p 31 at lines 28-35 and p 32 at lines 1 and 2.



agreed “Absolutely”²³ and was of the opinion that as a result of the extensive [list] of assessment criteria that “... will result in a better outcome of ... architecture than has occurred in some parts of Queenstown in recent times”²⁴.

[65] At the court’s request Mr Bartlett QC called Mr I Munro, a resource manager and urban designer from Auckland. He observed²⁵ that separate resource consents are needed from buildings in the Lakeview subzone and for activities within them. The former are controlled activities but the predominant uses are restricted discretionary activities. (The latter contain quite complex criteria in rule 10.10.2).

[66] Mr Munro said there was a 2 metre roof height allowance (if all other standards are met) with “... the purpose of creating variation and interest [in] that upper termination”²⁶. Other factors relied on by Mr Munro to create texture in the frame around the Bay were that²⁷:

... there are a number of different landowners who will promote their own separate projects at different times, range and time scales. One of the key matters of control is landscaping and the need for landscaping to contribute the context. What doesn’t come through in those montages and I’m talking about the grey blobs if you like for want of a cruder term at each stage of development they’d be an expectation of landscaping, that that will include more than just low shrubs and as they grow and establish and mature as individual buildings come along I think you will see something that’s softer in reality than the montages ... I think to Mr Weir’s credit he was right not to start liberally adding potential trees because then they get attacked for hiding the buildings behind them but that’s something that isn’t shown in those documents that will also happen and might give you some comfort around that fine grain ...

[67] He said²⁸ “... plan change 50 promotes an outcome that will provide something of a wall – a strong word – a pronounce[d] mass of buildings ringing the historic town centre”, and then referred to the objectives of the operative plan seeking to preserve the

²³ Notes of evidence p 32 at line 13.

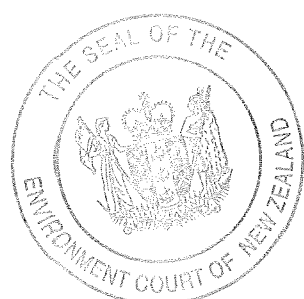
²⁴ Notes of evidence p 32 at lines 18-20.

²⁵ Notes of evidence p 38 at lines 20-22.

²⁶ Notes of evidence p 40 at line 18.

²⁷ Notes of evidence p 40 at line 23 et ff and p 41 at lines 1-2.

²⁸ Notes of evidence p 41 at lines 4-6.



character and heritage of the historic centre. He also said²⁹ (and we find this quite persuasive):

... emphasising the low rise historic core around that lakefront and keeping it low height and emphasising that low height with more visually pronounced taller buildings around it nestled into the base of Ben Lomond would evoke a response to people arriving by plane or looking from the various viewpoints that clearly emphasised to them there was a reason that foreground was kept low with the bigger height around it because it's counterintuitive. We're conditioned to think you'd expect the highest buildings right in the centre but by doing it in reverse I think that serves this objective by reflecting that historic core so for me it wasn't as simple as just saying what are the effects of these big buildings it's how do they relate to what's there now ...

[68] Mr Munro considered the taller buildings in the Lakeview subzone "... will be visible with the greatest amount of articulation and design ... I don't think in the context of what other buildings they see in Queenstown it will look particularly out of scale or large compared to some of the horizontally long hotel buildings that can be seen on the lakefront ..."³⁰.

[69] In relation to the Isle Street sub-zones, Mr Munro considered the fine grain of the extended QTCZ would be maintained by the horizontal division of "blocks and streets and lines"³¹ by the existing subdivision pattern³² and provisions against aggregation, and by the use of the urban design panel which "... has a reasonably successful track record ..."³³.

[70] To sum up the experts seemed satisfied that the new sub-zones would:

- ensure built form in the extended QTCZ which would relate to the physical characteristics of the sites and of the neighbourhood³⁴;
- provide for building appearances responding to the essential character and heritage of the existing centre³⁵;

²⁹ Notes of evidence p 41 at lines 14-24.

³⁰ Notes of evidence p 41 at lines 29-34.

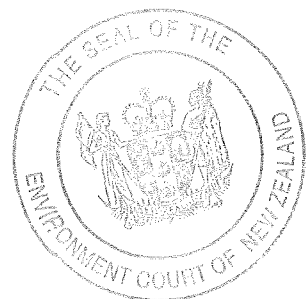
³¹ Notes of evidence p 43 at line 1.

³² Notes of evidence p 43 at line 26.

³³ Notes of evidence p 44 at line 6.

³⁴ Policy (10.1.3)3.1.

³⁵ Policy (10.1.3)3.2.



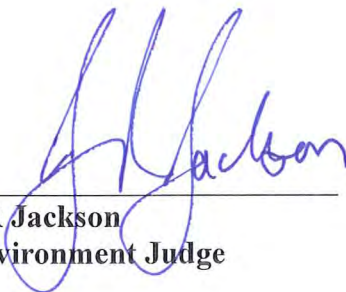
- a new core area³⁶;
- be structured around the existing public spaces³⁷;
- contain the town centre within enlarged but clearly established boundaries³⁸.

[71] There being no evidence to the contrary, on the basis of those assurances, and having regard to the Commissioners' decision, we consider that we have a bare minimum of evidence on which we judge that:

- proposed objective (10.2.4)3 is likely to achieve the higher level objectives and policies in the district plan, especially those in Section 10; and
- the other changes in Appendices "A" to "E" will appropriately implement the (amended) objectives and policies of the operative district plan.

We will make orders accordingly.

For the court:


J R Jackson
Environment Judge



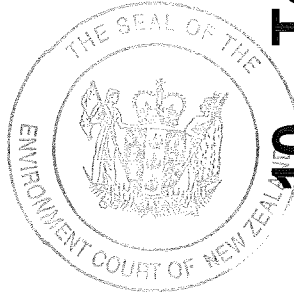
³⁶ Policy (10.1.3)3.3.
³⁷ Policy (10.1.3)3.4.
³⁸ Policy (10.1.3)3.5.



Plan Change 50 Provisions:

Changes to the Town Centre Zone provisions arising from the Plan Change 50 decision are shown with underlining and ~~striketrough~~.

Changes to the Plan Change 50 provisions arising from mediation, expert witness conferencing and settlement discussions are shown in double underlining and ~~double striketrough~~.



10. Town Centres Queenstown, Arrowtown & Wanaka

Corner Shopping Centres Frankton, Fernhill & Sunshine Bay

10.1 Issues, Objectives and Policies

10.1.1 Resources, Activities and Values

Increasing visitor numbers and a growing resident population has brought about a steady growth in the retail and business floor space constructed in and around the town centres.

Aside from the peripheral expansion in Queenstown, and the general growth in activity in all centres, the main trends of relevance to the Plan are:

- increasing pressure for land suitable for large retail outlets.
- a blurring of the traditional distinctions between service industries and retailing.

These centres satisfy both a local and District function and provide the bulk of the goods and services required by the residents of the District. They are supported by local shops in the smaller settlements.

Queenstown

Queenstown is the largest and busiest of the centres with much of the activity directly attributable to tourism. It is the principal administration centre for the District and contains the greatest variety of activities.

Arrowtown

Arrowtown is more clearly a local business centre servicing a local catchment. The viability of this centre is heavily dependent on visitor activity and the special historic character of the town.

Wanaka

Wanaka is developing into an important commercial centre which serves a significant part of the District and some localities immediately outside of the District. This role will continue to grow in importance as the resident population and visitor activity in this part of the District increases.

Corner Shopping Centres

The retail activity of Corner Shopping Centres, Frankton, Fernhill and Sunshine Bay Zones is based around convenience goods stores serving the residents.

10.1.2 Issues

While the function of each centre is different and the physical character of each centre distinctive, there are a number of common issues.

i The consolidation and maintenance of existing town centres

Inappropriate location, nature and design of business activities can result in fragmentation of town centres, inefficient use of infrastructure, loss of vitality, convenience, accessibility and identity of business areas, and adverse effects on the environment of surrounding areas.

The buildings, infrastructure and car parking areas within the town centres represent a significant investment. They are encompassed within the meaning of physical resource, as defined in the Act.

The land and buildings of the town centres provide the space and resources for a wide range of activities to take place. It is therefore

necessary that they are recognised for the importance of their role in the District's economy as well as the social and cultural well being of the community.

Consolidation of the boundaries encourages the efficient use of existing resources, such as roads and utility services, and creates a degree of certainty for further growth and development. This, in turn, will assist the viability of the town centres with benefits to the community in terms of the range of services available, their convenience and accessibility. The Council can then provide and maintain efficient road networks and ensure car parking is provided at convenient locations to those areas.

Town centres are a source of identity for their communities, as they represent a meeting place for people. Consolidating the area within which these activities take place will reinforce the communities' perception of the character and form of their towns and their identity, not only as a place of business, but also as a venue for social and cultural events.

Boundaries defining the town centres may also prevent the outward spread of commercial activities into residential areas. This spread would have an adverse effect on the amenities of those areas and the presence of significant commercial activities would fragment the residential community. However, some business facilities within residential areas can provide convenient services for residents. This issue is discussed under the Section on Amenities.

ii Efficient Use of Buildings and Infrastructure

Inadequate opportunities to change or redevelop the use of business buildings and sites, and inadequate access and parking associated with business areas, can result in inefficient use of buildings and infrastructure and loss of business vitality.

Section 7 of the Act requires the Council to have particular regard to the efficient use and development of natural and physical resources. This requires consideration be given not only to the buildings and

infrastructure but also that the activities undertaken are able to operate efficiently. To ensure buildings and sites continue to be occupied it is important that a broad range of activities are able to establish. A diversity of activities may also add vitality and interest to the town centres that will attract people and generate economic well being. In addition, it is recognised that unnecessary regulation may act as a barrier to the establishment of new and/or different businesses. The Council therefore seeks to impose only those rules which are necessary to maintain the amenity values of the town centre resources and sustainable management.

The effective functioning of the town centres is also dependent upon the public having access to the facilities and services provided. Efficient and safe routes for the movement of people and goods and sufficient loading and car parking at convenient locations are necessary to enable the town centres to provide a good service to the public.

iii Amenities

The establishment and operation of activities in the town centres can result in adverse effects on the centres and their surroundings, such as from noise, emissions, loss of visual amenity, lighting and traffic congestion.

In addition to making town centres physically accessible to the public it is also necessary to enhance their amenities to make them pleasant and enjoyable to visit and work within. The level of amenity will vary between different areas.

Town centres are characterised by a concentration of people and activities and are likely to have different standards of amenity than may be found in a residential environment. For example, people expect there to be more trucks and cars in town centres and tolerate more traffic noise and fumes than they would in their living environments. However, the Council wishes to ensure that the environment of the town centres remains visually attractive to new activities and an acceptable place within which to work. Although town centre activity will in significant part



be determined by market forces, the Council has the responsibility to establish the environmental parameters within which development may occur.

Within the town centres effects need to be considered both individually and cumulatively, as well as in terms of the proximity of living or other sensitive areas.

Noise - created by activities and traffic. The amenities of business areas which accommodate pedestrian-oriented activities may be adversely affected by proximity to major highways, in addition to safety and traffic efficiency concerns. Noise also needs to be controlled at the residential interface although a higher level of noise is normally acceptable within the business area.

Glare - is of concern where it affects residential properties, recreation areas and roads. The location of and direction of lights should be controlled while the establishment of landscaping can reduce glare from buildings and cars.

Visual Amenity - The visual environment of the town centre areas is characterised by one and two storey buildings built up to all boundaries, often with large display windows, verandas and advertising signs. Important issues with regard to visual amenity are to:

- retain the existing scale and spatial distribution of buildings
- retain verandas as a feature of the streetscape where appropriate
- prevent the erection of large blank walls to the street
- prevent the creation of large sealed car parking or display areas in areas with high levels of pedestrian movement
- control signage, external appearance and building design where appropriate

- protect and enhance heritage features and special character areas.

Traffic - Noise, fumes and congestion generated by traffic are expected to occur within the town centres as people and goods must be transported to and from these areas for business to take place. There is a need to ensure that public safety is not compromised by the conflict between pedestrians and vehicles and that areas where there is a high concentration of pedestrians are kept as free as possible from traffic noise and fumes. In addition traffic efficiency and safety should not be compromised by vehicular conflict. This is an issue of particular concern along State Highways which carry a large volume of through traffic which is not stopping to conduct business.

iv **Retailing from Industrial Areas**

Dispersal of retail activity from town centre areas will undermine the convenience, efficiency and availability of such areas to residents and visitors.

The types of activities undertaken from industrial areas has changed in recent years in response to an economic decline and the need to diversify business. Industrial areas are no longer primarily areas of processing and manufacturing. Service industries and retailing are becoming increasingly significant as complementary activities. In the past there has been limited provision for retailing activity from industrial areas. It is acknowledged that the distinction between industrial and commercial activities has blurred and there needs to be provision for a mix of activities. Such a provision will require checks on a scale to ensure there is not a general dispersion of retailing from the central commercial areas, which would undermine the integrity and form of commercial areas, and thereby the important physical resource they represent and so reduce their convenience, efficiency, attraction and availability to the District's residents and visitors.



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 the staged development of a mixed use commercial core within the 3 Parks Zone provided its development does not undermine the role, function, vitality and vibrancy of the Town Centre, whilst recognising that some extensions to the Town Centre zone may also be appropriate over time.

Implementation Methods

Objective 1 and associated policies will be implemented through a number of methods including:

(i) District Plan

- (a) Provide for a wide range of activities through the zone rules.
- (b) To control by zoning the out of centre spread of town centre activities
- (c) Zoning of land sufficient to encapsulate the existing town centres, with any future expansion of these areas dealt with via a plan change.

(ii) Other Methods

- (a) Through the acquisition and development of land, as necessary, for roads, service lanes and infrastructure.

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, 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.

The town centres are a logical location for a wide range of activities and because of the limited land areas available they are likely to be densely developed. This provides a sense of vitality and variety and promotes convenience, accessibility and efficient utilisation of services and infrastructure. It will also assist in retaining the character of the centres. A further benefit of consolidated town centres is a consequent reduction in the out of centre expansion of the business activities and the retention and enhancement of surrounding living environments.

The Council believes positive management of the town centre environment is necessary to ensure the retention of the retail activity. Because the town centres are small and compact there are no obvious nodes of retail activity and the objective is to ensure that this general distribution of activity is maintained. This will be achieved by:

- retention of retailing activities at street level on nominated streets.
- enhancing pedestrian amenity within the town centres.

- provision of car parking and retention of the "people scale" and compact form of the town centres

Nevertheless there will be a need for some forms of retailing to locate outside the town centres because of the character and needs of the particular activity, large buildings, extensive off-street parking. This is also acknowledged as desirable if the intimate scale, pedestrian convenience and amenity value of the town centres is to be retained and enhanced. Large vehicle orientated convenience stores and bulk related activities do not enhance that amenity.

The viability, amenity and attractiveness of the town centres comes not just from successful retail and visitor activities but from the use of the town centres for a range of residential and community activities. Residential activity within the town centres enhances the economic well being of the centres and the viability, life and amenity of the centres. It also provides for a convenient and energy efficient use of resources.

Objective 2 – Amenity

Enhancement of the amenity, character, heritage, environmental quality and appearance of the town centres.

Policies:

- 2.1 *To provide for the development of a full range of business, residential, community and tourist activities while conserving and enhancing the physical, historic and scenic values and qualities of the geographical setting.*
- 2.2 *To ensure reserve areas and other public spaces are upgraded and integrated with development occurring on adjoining land or water areas.*
- 2.3 *To control the height, scale, appearance and location of buildings to ensure that the amenity of the area, both at street level and within adjacent developments, is maintained and enhanced.*

2.4 To continue programmes of street and other public open space enhancement within the town centres.

2.5 To maintain and enhance the contribution to the image of town centres of public open spaces and reserves within and on the periphery of the town centres.

2.6 To implement methods to minimise the adverse effects of vehicles on the amenity of the town centres.

2.7 To provide public facilities and street furniture for the convenience of persons within the town centres.

2.8 To recognise and enhance the particular heritage characteristics of Queenstown and Arrowtown.

2.9 To recognise and protect the important interrelationship between land and water activities and amenity values in Queenstown Bay.

Implementation Methods

Objective 2 and associated policies will be implemented through a number of methods including the following:

(i) District Plan

- (a) The use of performance standards for street appearance, setback, design, external appearance, landscaping, noise, glare and car parking.
- (b) Use of rules to separate activities which generate vehicle traffic as against pedestrian traffic.
- (c) The use of rules, guidelines and incentives to enhance the essential heritage and locational characteristics of the centres (i.e. building design, relationship to lake frontages).

(ii) Other Methods

- (a) To provide finance through the annual plan provide and initiate projects for street and open space enhancement, traffic management, heritage protection, and public facilities.

Explanation and Principal Reasons for Adoption

The amenity, character, environmental quality and image of the town centres derives from the activities established within these areas, the built form which houses the activities as well as from the open spaces which provide the linkages or connections between buildings and activity nodes.

The town centres continue to reflect the basic underlying pattern of development established at the time each was first settled. This pattern includes the street layout, the width of the streets, the relationship of Queenstown and Wanaka to the lakes and other adjacent open spaces and the buildings and structures which remain from the early development. These elements are recognised and reinforced through specific controls on development which address building scale, height and appearance, setback from the street, heritage buildings and the relationship of buildings to adjoining buildings and open spaces. These policies are reinforced by policies relating to built form and appearance and by those specific to the particular character of each town centre.

The scale of the town centres and of individual developments within each centre is important where the overall relationship of the town centre to the surrounding physical environment is a critical factor in assessing character and image and amenity values. It is important that the core areas of the town centres is never far from the edge of are well connected to the centre, that views of the surrounding landscape are readily available, and that the surrounding landscape and setting contributes to the sense of place and belonging. The built environment should not dominate or be out of scale with the natural character and setting which provides the town centres with a sense of place within the natural landscape and in a significant way determines the image and amenity values of the area. For these reasons the Council has, through a series of interrelated standards, established the level of development appropriate within the town centres.

To ensure the coherence of the centres it is necessary to consider development proposals within the wider street context and not merely the confines of a particular site. The context of each proposal is taken to include the buildings on either side, the street space, linkages within and beyond the immediate locality and public open spaces. Each development will, depending on design, impact on those elements. Coherence will flow from each proposal respecting these elements as important components of design.

Amenity enhancement will follow from conscious attempts to include these elements in any specific development proposal.

Where possible, building design is encouraged to provide for daylight and sunlight penetration to streets and public spaces. This is achieved through overall building height and street frontage facade height controls.

Protection from the weather is desirable in some locations if the town centres are to remain attractive and convenient for pedestrians. Previous district plans have required verandas over footpaths in specified parts of town centres. Provisions in this Plan seek to achieve a continuation of this protection. It is accepted that complete protection is impracticable and in some locations unwarranted (e.g. Arrowtown) and could have an adverse effect on other elements which contribute to the amenity of town centres.

While a significant proportion of the amenity of the town centres is contributed by private developments, public actions are also very important. The Council is committed to environmental improvement and enhancement works in both Wanaka and Queenstown. These works assist in establishing the context within which new private developments will occur and against which, at least in part, they will be measured.

The Queenstown Bay and Wanaka Town Centre waterfronts are a critical element in the economic well being and the amenity values of the town centres. The waterfronts provides the visual setting and major amenity area of the town centres and are in particular, a vital, exciting and attractive element which is fundamental to the character which is Queenstown Town Centre.

Environmental enhancement and improvement includes not only physical works but also ensuring that the effects of motor vehicles on public spaces is minimised. This may mean actively discouraging or reducing the impact of vehicles on specified areas or diverting the demand for accessibility through the construction of parking buildings or open space for car parks in convenient locations on the periphery of the town centres. It may also involve restrictions on the accessibility to the town centres for large commercial vehicles.

The town centres of Queenstown and Arrowtown contain many of the identified heritage buildings and structures of the District. The policy in respect of these complements the District wide heritage policies regarding protection of heritage items by encouraging not only the retention of buildings and structures, but also those more basic elements and characteristics of the built form of the town centres, such as road layout and width, site width, service lanes and pedestrian linkages.

These outcomes will be achieved through design controls, financial incentives and the action of the Council in respect of protecting significant buildings, structures or built form elements which are under threat and which, if destroyed or modified, could compromise the overall amenity and image of the locality.

Objective 3 - Built Form

Maintenance and enhancement of a built form and style within each town centre that respects and enhances the existing character, quality, amenity values of each town centre and the needs of present and future activities.

Policies:

- 3.1 To ensure a built form for each town centre which relates to and is sympathetic to the physical characteristics of the site and neighbourhood including climate, neighbours and topographical features.





3.2 To provide for a built form which is responsive to and reflects the essential character and heritage of each town centre and the surrounding topography.

3.3 To create a series of core areas within each town centre, and appropriate interconnections between them.

3.4 To structure the town centres around the existing public spaces (including streets and lakes) and to relate its built form to the surrounding landscape and the built form of adjacent zones.

3.5 To promote a built form which exhibits a sense of arrival and departure and to contain the town centres within clearly established boundaries.

Implementation Methods

Objective 3 and associated policies will be implemented through a number of methods including :

- (i) As for Objectives 1 and 2.

Explanation and Principal Reasons for Adoption

The town centres of are distinctive in terms of their overall form and layout. Differences arise from the particular combinations of open space, buildings, road patterns, activities and geographic setting which shape and define the built form and heritage of each centre and their respective environmental qualities and image. Retention of these qualities and characteristics is to be achieved through appropriate development standards and high quality urban form.

The District Plan acknowledges that the physical definition or form of the town centres is an expression of the nature of the built development. While public spaces make a significant contribution, and provide the all important context, the buildings themselves provide the frame or structure. The quality of the environment of the town centres is reliant upon the quality and aesthetic coherence of the buildings.

Within the overall form of the town centres it is important to have special points of interest and reference. These may be a formal open space or an informal area created by building setbacks, the entrance to a pedestrian link, or a particular activity. To give structure to the built form it is desirable that these interest points are linked, either in a visual or physical sense. They may become significant activity areas in themselves but they should promote a high amenity value. Where practicable these amenity linkages should follow movement desire lines. The enhancement of existing linkages and the identification and development of new links will make an important contribution to the built form of the town centres.

The sense of arrival is to be achieved by encouraging a built form which announces arrival at its outer limits. Appropriate containment of town centre built form will assist in reducing the impacts of the town centres on adjacent living areas. It will also remove the pressure for peripheral expansion and the existence of a transitional zone which blurs the distinction between the town centre environment and the adjoining environments.

Objective 4 - Town Centre and Building Appearance

Visually exciting and aesthetically pleasing town centres which reflect their physical and historical setting.

Policies:

4.1 To promote an image for each town centre which reflects and respects the existing dominant building themes and where new developments promote overall visual coherence.

4.2 To identify and implement controls which define appearance standards applicable to each town centre and which promote and, where appropriate, ensure harmony and compatibility of building design.

4.3 To ensure the display of outdoor advertisements does not detract from the visual amenity values of the town centres or the appearance of individual or groups of buildings within those areas.



4.4 To ensure that new developments or redevelopments of existing sites within Arrowtown town centre respect and reflect the heritage value of the town centre.

4.5 To identify within the Queenstown Town Centre a Special Character Area to ensure developments or redevelopments of sites respect and reflect the historic subdivision pattern and development styles which give rise to the particular appearance and character of the area.

4.6 To enhance the amenity values of the Wanaka Town Centre.

4.7 To provide for the retention of the generally people scale of developments within the town centres.

4.8 To identify opportunities for and promote the integration of public spaces, reserves and streets with developments to add visual interest and diversity to the appearance of the town centres.

4.9 To establish and administer a fund to assist in the retention and enhancement of historic buildings and the development of public spaces within the town centres, most particularly Queenstown and Arrowtown.

Implementation Methods

Objective 4 and associated policies will be implemented through a number of methods including the following:

(i) District Plan

(a) Provision of rules relating to matters such as use, development, design and appearance of buildings, height, street scene and coverage.

(b) Identification of a Special Character Area within the Queenstown Town Centre and provision of rules particular to this area to

promote the conservation and enhancement of the existing character.

(c) District rules for heritage and transport.

(ii) Other Methods

(a) Provision of information, particularly in respect of special character areas, on suitable design approaches for buildings.

(b) Provision of works and services, environmental street improvements in Queenstown, Arrowtown and Wanaka town centres.

(c) Retention of significant heritage items through public purchase.

(d) Progressive programmes of local network traffic improvements.

(e) Progressive upgrading of public open space within the town centre areas.

(f) District Bylaws for signs.

Explanation and Principal Reasons for Adoption

The detail of individual buildings contributes to the coherence between groups of buildings, the design of open spaces and the integration of buildings and open spaces which form the images and activities that make the town centre memorable.

Each of the town centres within the District has a different physical setting, history and structure. Developments within these activity areas should reflect and respect these differences. The objective and policies promote individuality of appearance. The constraint on this individual expression is visual cohesion with neighbouring developments. The controls on overall built form, bulk and location standards go some way to achieving this. Building appearance refers to the detail of the individual building and includes



such things as the proportions and location of windows, doors, parapet, veranda details, facade materials and external appearance.

While wishing to leave as much freedom of expression and interpretation to individual building designers a number of broad appearance performance standards will be implemented. These relate to form, materials and external appearance and will assist in achieving overall visual coherence.

One of the most memorable features of the town centres of the District is the "people scale" of the built form when contrasted with the scale of the surrounding natural environment. This scale is derived from the bulk of the buildings and the proportions of the public spaces about those buildings. It would be easy for this scale to be lost or severely eroded by insensitive development or lack of attention to detail. The proportions of facades and other building elements visible from public places is an important aspect of design which can impact positively or adversely on the general scale of a particular environment. The policy and the appearance standards which implement it are designed to ensure that the town centres retain a form and appearance which is friendly to and comfortable for the people who frequent them.

The appearance of a town centre is not only a function of the buildings which frame the street and other public spaces, but is also a function of the appearance of public spaces and the way those spaces are linked to or integrated with the buildings. Where the public spaces and the buildings flow together and form a pattern of linkages, the overall appearance is enhanced. Visual interest and diversity of overall appearance can also be achieved where building facades are either set back from the street line or contain areas of setback. These small variations add visual interest to the facade itself and to the streetscape and are, in some locations, to be encouraged. In other locations the visual interest derives from the continuity of the facade and the more direct penetration of the public space into, through or between buildings.

To retain and enhance the visual attractiveness of the town centres it is necessary to control the location of some types of land use activity. Those activities which contribute visual interest, colour and vitality to the appearance

of the town centre are encouraged to locate adjacent to pedestrian links at the expense of those activities which, because of some inherent characteristics, tend to detract from the overall appearance or street scene. Retail activities and other activities where there is a consistent flow of people in and out of the business contribute to this vitality, whereas motor vehicle orientated activities and some service or office activities do not. This policy is complementary to those policies directed at achieving coherent and visually interesting people places within the town centres. Any activity which will not contribute positively to this desired outcome is to be discouraged from establishing in some parts of the town centres.

Objective 5 - Pedestrian and Amenity Linkages

An attractive, convenient and comprehensive network of pedestrian linkages within town centres.

Policies:

5.1 *To establish and maintain a comprehensive pattern of pedestrian walkways about and within the town centres and between core areas.*

5.2 *To identify the locations of existing pedestrian walkways.*

5.3 *To ensure all pedestrian areas receive generous levels of sunlight, daylight and weather protection, as appropriate to the overall character of the particular locality.*

Implementation Methods

Objective 5 and associated policies will be implemented through a number of methods including:

(i) District Plan

The use of rules and financial incentives to identify, protect and enhance pedestrian linkages within the town centres.

Explanation and Principal Reasons for Adoption



Improvements to and extensions of the pedestrian permeability of the town centres is an essential component in achieving the overall reduction in vehicle dominance. The pedestrian linkages should be direct, obvious and of high amenity standards. Provision of a pleasant and legible pedestrian environment, protected from the weather and convenient to use will also assist in managing vehicle trips within the town centres.

Pedestrian movement can also be improved in those situations where developments are located on sites which extend between streets or between reserves and streets. If, in these instances, the building design reflects the double frontage an important through link can be created. In the case of Queenstown, the Council has identified where it believes walkway links are desirable. This is not to suggest that links in other locations would be inappropriate.

The personal safety of pedestrians is an important factor and pedestrian areas with high amenity standards assist in achieving this. The design of vehicle entries/exits to off-street parking areas is also important where these cross footpaths. Vehicle access to developments must be designed and located so that both drivers and pedestrians are able to avoid conflict.

10.1.4 Environmental Results Anticipated

Implementation of the policies and methods relating to the town centres will result in:

- (i) Maintenance and enhancement of the Wanaka, Queenstown and Arrowtown centres as the primary foci of the retail, tourist, community administrative and commercial business within the District.
- (ii) Maintenance of the neighbourhood and convenience retail uses of the Corner Shopping Centre Zones accommodation.
- (iii) Development of convenient and cohesive business activity environments.

- (iv) Development which reflects and respects the particular characteristics of the local environment.
- (v) Intensification of activity and development levels in all town centre areas.
- (vi) Interesting, pleasant and safe environments for people.
- (vii) Pleasant and quality public space environments within town centres which are well used, accessible and maintained to high standards, including weather protection (as appropriate) and reasonable levels of daylight and sunlight penetration.
- (viii) A pleasant, functional and aesthetically coherent form to the town centres reflected in their compactness, convenience, permeability and built appearance.
- (ix) Integration of open spaces and the built form into a coherent environment.
- (x) Protection and enhancement of the built heritage of the town centres.
- (xi) Retention of viable business environments which, without compromising environmental and amenity values, meet the needs of people.
- (xii) Protection of the amenity and environmental values of residential activity areas where these adjoin the town centres.
- (xiii) Opportunity for and encouragement of residential activity as part of the town centre environment.

Queenstown Town Centre

10.2.1 Resources and Activities

The town centre of Queenstown is a unique place. Its uniqueness and the elements which create the sense of place and the values which are Queenstown include:

- The overwhelming grandeur of the landscape and the relationship of mountain and lake with the built environment. The vivid contrast of the town to its landscape setting and its comparative insignificance in terms of scale, bulk and spatial definition is a critical element in setting the image and character of Queenstown.
- The relationship of land and water, and the expansive views across the lake. This relationship is heightened by the existence of a series of core areas along the waters edge, at Queenstown wharf, Earnslaw wharf, and Marine Parade beach.
- The generally small, intimate scale of the built environment, encompassing a diverse range of buildings, a variety of design styles, and a series of amenity or character areas within the town centre.
- A contained central area adjacent to the waterfront with special characteristics arising from the original settlement pattern, and the remaining historic buildings.
- The existing road network and the sense of arrival which arises from the fact that there are only three principal entry points.
- The sense of a pedestrian friendly town which arises from the open spaces which exist within and about the town centre, the pedestrian links which enhance the access of the town and the overall small scale and size of the town centre.

The town centre of Queenstown has a strong sense of place, however some of the elements which give the Queenstown town centre its special character could be lost. Uncontrolled site amalgamation and unsympathetic development has resulted in some loss of pedestrian permeability, image and the historic character, particularly in the central areas close to the waterfront.

10.2.2 Values

For the town centre to remain viable and attractive it is necessary to enhance the key elements which provide for a broad range of functions and give it a sense of place, atmosphere and image, and to avoid, mitigate or remedy the adverse effects of activities on its outstanding character.

The Queenstown town centre must be considered as an integrated whole, however, in order to best manage and protect the resource and enhance the amenity value of the town centre it is necessary to identify and conserve the characteristics of its built form. The town centre has a number of areas including:

- A Special Character Area comprising three Precincts.
- The Queenstown Bay Waterfront.
- The sloping land bound by Lake, Hay, Isle, Camp and Shotover streets, including the Town Centre transition sub-zone, the Isle Street sub-zones (West and East), and the eastern extent of the Lakeview sub-zone.

i Special Character Area

The Special Character Area comprises much of the central retail and business area and generally lies between Rees Street/Marine Parade, Earl Street, Camp Street and a line just south of Shotover Street. In the more developed parts of this area, the scale of buildings and activities is generally small and there is a pleasant relationship between the street and other public spaces and buildings. The retention of this relationship is one intended outcome of the identification of this Special Character Area within the Queenstown Town Centre zone.

The purpose of this area is twofold. Firstly, it is to ensure that the intimate and small scale character of the early parts of the Queenstown settlement, and in particular the remaining historic buildings, is not lost



through insensitive or inappropriate redevelopment or new development. Secondly, it is to enhance, protect and reinstate this special character through sensitive and appropriate redevelopment or new development.

The Special Character Area comprises three distinct Precincts:

- Precinct 1: This generally encompasses an area bounded by Rees Street, Marine Parade, Church Street and Camp Street and a line one section deep and north of Cow Lane. It also includes the western and southern quadrants of the Beach Street-Rees Street intersection. This area contains a Heritage Precinct as contained in Appendix 5.
- Precinct 2: This is the block bounded by Church Street, Camp Street, Earl Street and Marine Parade.
- Precinct 3: This comprises Beach Street (between Camp and Rees Streets) and the buildings which enclose the street.

These precincts are shown on the District Plan Map No. 36.

Precinct 1

The character of Precinct 1 arises from and is expressed by the following elements:

- Narrow streets.
- The existing 1:2 proportion of facade height to street width.
- Flat building frontages and two storey (7.5 - 8.5 m high) facades with parapets obscuring the roofs behind when viewed from the adjoining street at ground level.
- Windows at first floor level which are set in solid walls, vertical in their lines comprising between 25% and 30% of the wall frontage in area, and having height to width ratio in the range 1.6:1.0 to 2.3:1.0.

- Verandas of generally lightweight character running the full length of the frontage with generally slender posts being 100mm - 200mm wide and solid fascias generally no greater than 400mm deep.
- Narrow building facades reflecting the narrow historical tent site subdivision pattern.
- Enclosed balconies at first floor level generally on the south side of the Mall.
- Detailed facade treatments and decoration.
- Street frontage material generally of painted plaster, stacked stone or painted timber weatherboards.
- External appearance is generally appropriate to the overall streetscape and historic character of the zone.

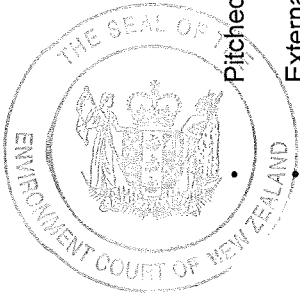
These elements have been combined to form the Queenstown Mall Heritage Precinct which is acknowledged in Appendix 3.

Two further important elements which fall within this Precinct are Cow Lane and Searle Lane. Both of these lanes have an important service access function within the town centre. They provide an opportunity for further retailing and pedestrian movement within the town centre. The development of activities which gain direct pedestrian access from these lanes is encouraged because of the benefits this will have in relation to retaining the special character of this area.

Precinct 2

The character of Precinct 2 arises in general from the existence of the remaining historic buildings and is expressed in particular by the following elements evident in those buildings:

- Residential style single storey street facades.
- Distinct setbacks from street frontages.



Pitched roofs generally between 25 degrees and 45 degrees.

External building materials primarily of painted plaster, painted weatherboards and grey stone.

These elements have been combined for the Marine Parade Historic Precinct, which is acknowledged in Appendix 3.

Precinct 3

The character of Precinct 3 arises from and is expressed by the following elements:

- Building setbacks from the street boundary on both sides of the street.
- More spacious character and greater sunlight penetration into the public open spaces occurring as a result of the scale and location of buildings fronting the street, despite the fact that Beach Street is a narrow street.
- The high quality pedestrian amenity and the general sense of "people scale" within the street.
- The sense of enclosure and visual interest provided by the variable building setbacks on the southern side of the street.

ii Queenstown Bay Waterfront

The second area is the Queenstown Bay Waterfront. This area is a major asset and a pivotal part of the town centre. The lake edge is alive with activity and colour, and offers a variety of recreation concessions and opportunities for further enhancement. This includes a public open space between the lake edge and the built environment of the town centre, and the links between Marine Parade Reserve and the Gardens to the east and St Omer Park to the west.

The Queenstown Bay Waterfront area forms part of the Sunshine Bay, Queenstown Bay, Frankton, Kelvin Heights Foreshore Management Plan (1991), prepared under the Reserves Act 1977. That Management Plan identified part of the foreshore of Queenstown Bay as being an area in respect of which a detailed development plan should be prepared to guide and control future activities in the area. A development plan was prepared in late 1993 through the process of a workshop. The detailed development plan resulting from this process was adopted by the Council on 22 February 1994 as the Queenstown Bay Waterfront Development Plan.

Many of the outcomes specified in that Development Plan cannot be directly realised through the District Plan. Parts of the Development Plan relate to reserves under the Reserves Act 1977, and to that extent the Plan has statutory force pursuant to that Act.

Those parts of the Development Plan relating to activities and structures on the foreshore, are areas which are properly subject to the District Plan. To the extent that the Development Plan deals with effects and activities the relevant parts are included as an assessment matter for activities within the Queenstown Bay Waterfront area within the Queenstown Town Centre zone.

iii Lakeview Sub-Zone

The Lakeview sub-zone provides an extension to the Queenstown town centre. Geographically this sub zone forms the north-western boundary of the Queenstown town centre zone and is situated at a higher gradient affording extensive views across Queenstown Bay and beyond. The town centre boundary is formed by the Ben Lomond recreational reserve. The western extent of this sub-zone area is within the High Density Residential Zone. This allows for activities associated with that zone to establish more intensively according to the height, bulk and location controls that apply to the Lakeview sub-zone.

A structure plan for the Lakeview sub-zone establishes a broad development layout for this part of the town centre. Through the



structure plan, public reserve areas and the square set the scene for a high quality urban environment ensuring that the area is a desirable place to live, work and meet.

The development of activities and buildings in this sub-zone will be managed through the District Plan to accommodate its predominant uses; that include higher density residential, visitor accommodation, a convention centre, commercial recreational and commercial tourism activities and higher density residential activities. Ancillary Retail and Ancillary Commercial activities that are established in association with these predominant uses are also provided for. High quality urban form and public spaces will be achieved via urban design, and bulk and location provisions, and those parts of the Structure Plan that provide reserve areas will be administered under the Reserves Act 1977.

iv Isle Street Sub-Zones (West and East)

The Isle Street sub-zones (West and East) provide for the expansion of the Queenstown Town Centre by providing for complementary activities that connect the commercial heart of Queenstown to the commercial, community and tourist activities along Brecon Street and to the Lakeview sub-zone.

Activities and the development of buildings in these sub-zone areas will be managed through the District Plan to provide for a high quality mixed use-commercial and residential environment where built development can take advantage of the sub-zones' elevated position above the town centre.

Isle Street sub zone (West) is characterised by a mixture of residential, commercial and visitor accommodation activities and this area will be managed by the District Plan to reflect the higher proportion of established residential activities.

Isle Street sub zone (East) is characterised by a mixture of commercial uses and vacant land holdings and reflects a more urban character.

given its proximate location to the existing Queenstown Town Centre Zone. This area will be managed by the District Plan to enable land use and building development that directly supports the sub-zone's existing and emerging urban character and growth of the Queenstown Town Centre.

10.2.3 Issues

In addition to the District wide issues the following issues have been identified in respect of the Queenstown Town Centre.

- retention and enhancement of the compact and cohesive character of the town centre which contributes to its built form and appearance and hence the quality of the environment.
- provision for vehicles in a manner which retains essential vehicle access to the town centre while providing the opportunity for enhanced pedestrian amenity.
- provision for growth and intensification of activity levels within the town centre and where appropriate onto suitable land in the vicinity.
- protection and enhancement of those heritage characteristics which contribute to the scale, proportion, character and image of the town centre, including the elevated views of the town centre.
- to avoid adverse effects on the elements of the environment which provide the underlying development pattern of the town centre including the tent site frontages, pedestrian linkages, mix of vehicles and pedestrians, views of and relationship to the lake, hills and mountains and the historic buildings and facades.
- integration and improvement of the land/water interface of Queenstown Bay with the town centre.



compatibility of the town centre with the adjacent living environments.

10.2.4 Objectives and Policies

Objective 1 - Maintenance and Consolidation of the Town Centre
Maintenance and enhancement of the Queenstown Town Centre as the principal commercial, administration, cultural and visitor focus for the District.

Policies:

- 1.1 To provide for the concentration of buildings and developments to occur in the town centre.
- 1.2 To provide for growth in tourist, visitor accommodation, high density residential, community and commercial activities by zoning suitable additional land within the vicinity of the town centre.
- 1.3 To enable a broad range of activities to establish, and to encourage the continuing occupation and development of buildings and sites.
- 1.4 To minimise the adverse environmental effects of those activities both within the town centre and on the activities in the surrounding living areas.
- 1.5 To enable a mixed use environment within the Isle Street sub-zones (West and East) to provide for visitor accommodation, commercial activities and high density residential activities.

Implementation Methods

Objective 1 and associated policies will be implemented through a number of methods including:

(i) District Plan

- (a) Identification of the Town Centre Zone.

- (b) Rules to preclude expansion of commercial activities beyond the Town Centre Zone boundaries.
- (c) Provision for a wide range of activities within the zone.
- (d) Provision for rules to protect the amenity of town centre users and the amenity of surrounding residential areas.

Explanation and Principal Reasons for Adoption

The town centre is the logical place for a wide range of business and leisure activities given its proximity to visitor attractions and travellers accommodation. The diversity of activities permitted to establish will assist in retaining the town centre as the prime business centre. Individual businesses will benefit from the overall success of the town centre and this will ensure that the vitality, interest and diversity of the town centre is retained.

The scale and diversity of the built environment of the town centre is greater than other parts of the Wakatipu Basin. A compact form of development and activity will attract businesses and people to the town centre and hence support for its existing activities.

Retention of the retail viability of the town centre is essential if it is to remain attractive to people. Without retail services the town centre runs the risk of becoming an unattractive environment.

Although the establishment and retention of a wide range of activities is encouraged it is necessary to ensure that adverse environmental effects are avoided. The control of noise from activities within the town centre and effects of glare, visual intrusion, shadowing are important to the well being of visitors and residents alike.

Objective 2 - Character and Heritage

A town centre in which the built form, public space and linkages reflects, protects and enhances the distinctive built heritage and image which creates its essential character.



Explanation and Principal Reasons for Adoption

The town centre of Queenstown comprises a number of inter-related but distinct precincts, each of which is characterised by a distinct built form. These differences contribute to the image and amenity of the town centre, while at the same time exhibiting sufficient similarity to permit the retention of overall town centre coherence.

While much of the built form of the town centre is recent, there are still a number of important historical elements including the narrow streets, small frontage sites, low scale of development and facade continuity and a number of historic buildings. All these are elements of the physical heritage. Some of these may not be individually important but the cumulative effect of these elements is important to the image of the town, and the consequent economic and social well being of the residents and visitors. New developments within the town centre can reflect elements of this heritage and as a consequence contribute to its retention and enhancement.

The important environmental qualities of the town centre are its scale, compactness and sense of place and its relationship with and visual accessibility to the surrounding natural environment, and the quality of public spaces. To retain the character of the town centre and enhance its attractiveness as a place for work, business and leisure activities, it is essential that these qualities are maintained and where possible enhanced.

Objective 3 – A high quality, attractive environment within the Lakeview sub-zone where visitor accommodation, higher density residential, new tourist, convention and community activities, visitor accommodation and high density residential activities will be the predominant uses. Ancillary retail and ancillary commercial activities that are established in association with predominant uses are also provided for particularly where they meet demand arising from the intensification of use within the sub-zone.

Policies

2.1 To identify and promote a Special Character Area within the town centre to ensure that developments or redevelopments of sites respect and reflect the historic subdivision pattern and built form which gave rise to the particular appearance and character of buildings and their relationship to each other in this area.

2.2 To ensure the shape, scale and form of development reflects the environmental qualities of the area and the particular precincts that make up the Special Character Area.

2.3 To recognise Queenstown's architectural and developmental heritage, conserve and enhance the historic character, and to promote the continued contribution of this heritage to the town centre's identity.

Implementation Methods

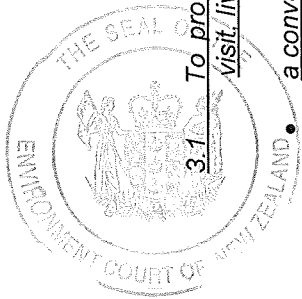
Objective 2 and associated policies will be implemented through a number of methods including:

(i) District Plan

- (a) Identification of a Special Character Area within the town centre and the provision of Objectives, Policies and Rules for development in the area. The zone therefore reflects the quality of the environment sought in this area.
- (b) Protection and recognition of historic buildings and precincts by way of Objectives, Policies and Rules and inclusion of assessment matters in the District Plan.

(ii) Other Methods

- (a) Through the Annual Plan process, to set aside funds for purchase, restoration and maintenance of heritage items.



3.1 To provide a mixed use environment which is a desirable place to visit, live and work by providing for the following activities:

- a convention centre to serve the community and visitors;
- tourist and commercial recreational activities;
- high quality visitor accommodation;
- ancillary retail activities and ancillary commercial activities established in association with the above predominant uses;
- well-designed high density residential activities; and
- well-designed public spaces.

3.2 To achieve an urban environment and a built form that responds to the site's location, including any interface with the Queenstown Cemetery, and creates an attractive, vibrant and liveable environment that is well connected with the town centre.

3.3 To require a high quality of built form and landscaping, which contribute to the visual amenity of the area.

3.4 To encourage pedestrian links within and through the Lakeview subzone, and to the surrounding public spaces and reserves and manage traffic flows and need for car parking via Integrated Traffic Assessments for convention centres, visitor accommodation, commercial recreational and commercial tourist activities ~~new~~ predominant uses (as defined), and larger scale non-ancillary commercial activities.

3.5 To provide appropriately scaled and located public spaces (including a square) which provide a focal point for social interaction and which contribute to a sense of place.

3.6 To enable commercial and retail floor space for ancillary retail activities and ancillary commercial activities established in association with convention centres, visitor accommodation, commercial recreational and commercial tourist activities ~~predominant uses~~ so as

to meet demand arising from the intensification of use within the sub-zone and from growth more generally.

3.7 To avoid the development of large format retail activities or the development of large scale, standalone retail complexes in the Lakeview sub-zone.

3.8 To ensure that residential development is comprehensively designed to provide a quality residential living environment and attractive streetscape.

3.9 To manage reverse sensitivity effects through appropriate building design, imposition of building performance standards and site layout.

3.10 To prescribe a range of building height limits for the Lakeview sub-zone which will maximise views from buildings and appropriately manage built scale to preserve townscape values.

Implementation Methods

Objective 3 will be implemented through a number of methods, including:

(i) District Plan

(a) Identification of the Lakeview sub-zone over land that is zoned Town Centre and High Density Residential in order to achieve the objective and policies for this sub-zone.

(b) The use of rules and assessment matters to manage the effects of development of the sub-zone.

(c) The use of a structure plan to direct how the site will develop and connect with roading and pedestrian connections.

Objective 4 - Land Water Interface: Queenstown Bay



Integrated management of the land-water interface, the activities about this interface and the establishment of a dynamic and aesthetically pleasing environment for the benefit of the community and visitors.

Policies:

- 4.1 To encourage the development of an exciting and vibrant waterfront which maximises the opportunities and attractions inherent in its location and setting as part of the town centre.
- 4.2 To promote a comprehensive approach to the provision of facilities for water based activities.
- 4.3 To promote maximum pedestrian accessibility to and along the waterfront for the enjoyment of the physical setting by the community and visitors.
- 4.4 To identify the important amenity and visual values, and to establish external appearance standards to help secure and implement these values and implement those through the District Plan.
- 4.5 To provide for structures within Queenstown Bay waterfront area subject to compliance with strict location and appearance criteria.
- 4.6 To conserve and enhance, where appropriate, the natural qualities and amenity values of the foreshore and adjoining waters.
- 4.7 To retain and enhance all the public open space areas adjacent to the waterfront and to manage these areas in accordance with the provisions of the Sunshine Bay, Queenstown, Frankton, Kelvin Heights Foreshore Management Plan.

Implementation Methods

Objective 4 and associated policies will be implemented through a number of methods including:

(i) District Plan

- (a) Identification of the Waterfront area as a special area in order to achieve the Objectives and Policies for the area.
- (b) The use of rules to put in place performance standards for development in the area.

(ii) Other Methods

- (a) The provisions of the Foreshore Management Plan.
- (b) Provision of works and services.

Explanation and Principal Reasons for Adoption

The geographical setting of the Queenstown town centre is unique. While the important contribution the land/water interface makes to the character of the town centre has been recognised in the past, some developments within this area have tended to be less complementary. With the predicted increases in visitor numbers and the resident population this particular part of the town centre is likely to come under increasing pressure for development and activity as well as for retention as a vital part of the open space network along the edge of Lake Wakatipu.

The Queenstown Bay Waterfront area forms part of the Sunshine Bay, Queenstown, Frankton and Kelvin Heights Foreshore Management Plan prepared under the Reserves Act 1977. The area is also the subject of a detailed Development Plan which has been prepared to guide and control future activities and developments within the area. This objective and policies are taken from and complement those two documents. They have as their purpose the establishment of a policy framework which will enable and encourage appropriate developments and activities within the area.

Objective 5 – Accessibility and Parking

A town centre which is accessible to people.



Policies:

5.1 To manage the peripheral spread of the town centre to ensure all parts are convenient to pedestrians.

5.2 To promote an integrated approach to traffic management, vehicle access and car parking within the Queenstown Town Centre.

5.3 To require Integrated Transport Assessments (ITA) for development within the Lakeview subzone and the land bounded by Hay Beach, Lake and Man Streets to assess and manage effects on the transport network.

5.34 To restrict the times when goods service vehicles will be permitted access to parts of the town centre.

5.45 To manage the street network within the town centre to ensure the network functions safely and efficiently, while seeking to enhance the pedestrian amenity of the town centre.

5.56 To enable car parking in the Queenstown Town Centre.

5.67 To provide for roading improvements to develop a route around the town centre to reduce congestion, environmental effects and improve traffic flows.

5.78 To promote and investigate opportunities for public transport linkages within the town centre and between the town centre and outlying activity areas.

5.89 To encourage a network of pedestrian linkages within the town centre.

Implementation Methods

Objective 5 and associated policies will be implemented through a number of methods including:

(i) District Plan

- (a) Establish a pattern of land uses within the Town Centre which reflect priorities for pedestrian movement and vehicle movement.
- (b) To provide for the consolidation of the Town Centre Zone
- (c) To designate an integrated off-street parking network.
- (d) To identify, investigate and initiate a requirement to designate a traffic route around the town centre.

(ii) Other Methods

- (a) Through by-laws, limit the time for service vehicle use and to restrict heavy vehicles access to certain streets within the town centre.

Explanation and Principal Reasons for Adoption

The Queenstown Town Centre is the principal focus for a range of activities and it is important that the centre is accessible to all forms of transport. At the same time the Town Centre represents a valuable and vital pedestrian and visitor amenity and as such the issues of vehicle accessibility need to be balanced against the protection of that amenity.

The Council recognises the need for improvements in vehicle circulation in and around the town. The town centre at present straddles an important arterial link between the residential and visitor areas of Glenorchy and the western residential areas of Queenstown and other destinations within and outside the District. As activity within the town centre intensifies conflicts between through traffic using Shotover Street and local traffic and pedestrians will increase. The Council is investigating an extension to Man Street finishing at the One Mile roundabout, to reduce the amount of through traffic having access to the town centre using Shotover Street.

The Council recognises the need to give greater priority and consideration to public transport as a means for visitor access to the town centre. In particular, the Council will further investigate innovative opportunities for public transport.

10.2.5 Environmental Results Anticipated

Implementation of the policies and methods relating to the Queenstown Town Centre will result in:

- (i) A built form which recognises and responds to the physical characteristics of the site; including climate, spatial situation, surrounding topography.
- (ii) A defined urban scale and character.
- (iii) Enhancement of the town centre as a pleasant, attractive and vibrant place for people including tourist and community facilities and businesses.
- (iv) Diversity in land use activities, built form, building external appearance, and open space all of which is responsive to the essential character of Queenstown.
- (v) A town centre which is accessible to pedestrians and makes appropriate provision for vehicles.
- (vi) A town centre that includes a significant component of high density residential development so that residents can live and work with reduced reliance on the use of private vehicles.
- (vii) Pleasant and safe public spaces and pedestrian areas of high quality which are supplied with generous levels of daylight, sunlight and weather protection and which promote pedestrian movement within the town centre.

- (viii) A general reduction in the dominance of motor vehicles within the town centre and the commensurate establishment of a balance between the requirements of vehicle safety and accessibility into the town centre and the provision of a safe and high quality pedestrian and town centre environment.
- (ix) The management of vehicle movements in the town centre in a way which ensures good accessibility, minimal congestion and personal safety.
- (x) The creation of a pattern of streets, pathways and open space which is readable to town centre users, particularly visitors.
- (xi) The creation of a series of core areas (of buildings and activities) within the town centre, and interconnections between them, including tourist, conventional, community, visitor accommodation, high density residential and commercial activities within the Lakeview sub-zone.
- (xii) The recognition and development of the waterfront and foreshore as an integral part of the town centre.
- (xiii) Strengthening of the visual and physical links between the waterfront and its immediate environs.
- (xiv) An exciting and vibrant waterfront which maximises the opportunities and attractions of a town on a lakeshore.
- (xv) A coherent, underlying physical pattern of the central core derived from the historical town layout. This is particularly important in relation to the scale and style of building facades in the central core.
- (xvi) Recognition of the environmental attributes of the town and the contribution of these to its attractiveness.
- (xvii) The acceptance of the town centre as an important physical resource in its own right.



(xviii) Protection and preservation of important historic buildings, and protection and development of special character areas which contribute to the identity of the town and which help to define its cultural tradition.

(xix) A high quality built environment within the Lakeview sub-zone that provides design excellence in built and urban form.

(xx) The recognition of Queenstown's architectural and development heritage, the protection and enhancement of its historic character, and the continued contribution of its heritage to its unique identity by means of:

- the protection, preservation and restoration of important historic buildings and facades
- the preservation, protection and enhancement of the historic characteristics identified in the three distinct parts of the Special Character Area.

(xxi) A built environment of high architectural quality and buildings of appropriate external appearance in relation to their neighbours and surroundings.

(xxii) A visually interesting roofscape when viewed from the many elevated vantage points within and around the town centre.

(xxiii) Preservation of the living environment adjacent to the town centre in terms of light admission, noise and glare.

(xxiv) The opportunity for residential living within the centre which does not place undue constraints upon the general nature of activity and development with the zone.

(xxv) Moderate ambient levels of noise and glare, recognising the large number of activities, vehicles, buildings and people in the relatively small areas of the town centre.

10.3 Wanaka Town Centre

10.3.1 Resources, Activities and Values

The Wanaka town centre is the commercial, cultural and retailing centre of the north western part of the District and services a significant geographical area. The town centre of Wanaka has, until recently, developed as two adjacent but not directly related parts. The division is a result of historical patterns of activity, topography, the location of Bullock Creek, and past roading patterns.

10.3.2 Values

The present and foreseeable future function of the town centre is to provide a wide variety of retail, administrative and cultural activities.

The Council has adopted the findings of the Wanaka Town Centre Study (1994). This study focused on the environment of the town centre and on ways in which improvements could be undertaken. Most of these improvements will occur outside of the District Plan but where appropriate this Plan will support and complement the recommendations arising from that study.

The principal values which contribute to the character of the Wanaka Town Centre are:

- the general proportions of public open spaces
- the low scale of developments

the views to Lake Wanaka and the surrounding mountains from within the town centre, the relationship of commercial activities and surrounding residential, open space and recreational activities

- the clear definition of the edge of the town centre
- the variety of land use activities established within the town centre

10.3.3 Issues

In addition to the District wide Issues, the following have been identified in respect of the future management of the Wanaka Town Centre.

- The consolidation, maintenance and enhancement of the existing business area.
- The retention and enhancement of the visual image and lakeshore amenity.
- The sustainable use of the existing buildings and infrastructure.
- Retention of the existing scale, form and intensity of the built form.
- Ease of access and circulation for vehicles and pedestrians.

10.3.4 Objective and Policies

Objective - Consolidation and Amenity of the Town Centre

The establishment of a wide range of facilities within a compact and convenient built form which retains the essential character of the town centre.

Policies:

- 1.1 To promote the retention and enhancement of those features of the town centre which contribute to its character and environmental quality.

- 1.2 To establish standards in respect of the form, style and external appearance of buildings.

- 1.3 To identify and implement environmental enhancement works in respect of the public areas and the streets.

- 1.4 To provide for the establishment of a wide range of activities to ensure the continued viability and vitality of the town centre.

- 1.5 To promote coherence of the built form of the town centre through provision of pedestrian and activity linkages and by generally restricting any outward expansion.

Implementation Methods

The objective and associated policies will be implemented through a number of methods including: As for Section 10.1.3, Objective 1.

Explanation and Principal Reasons for Adoption

The town centre, although not physically constrained by the surrounding topography, is dependent on it for its image and character. This quality contributes to the environment and the amenities of the town centre and the adjacent residential areas. Controlling the scale of development is essential to the retention of this characteristic low rise development.

The Wanaka Town Centre Study (1994) has identified a number of improvements to public spaces within the town centre. These include the provision of wider footpaths, street tree planting, improvements to traffic flows through changed traffic management techniques, more direct links between Helwick Street and the lakeshore and the improvement of public signage and lighting within the town centre.

The improvements within the town centre will reinforce a form and character which building developments can relate to in terms of height, bulk and appearance. Building design which will enhance the character of the town centre in terms of building scale and appearance will be promoted.

The wide open streets of the town centre and extensive on-street parking are features which contribute to the image and convenience. Parking is complemented by two strategically located off-street parking areas.

Extensions to the existing service lanes is considered desirable and the removal of service vehicles from the retail frontages of streets will reduce the dominance of motor vehicles and enhance the safety and comfort of pedestrians.

10.3.5 Environmental Results Anticipated

Implementation of the policies and methods relating to the Wanaka Town Centre will result in:

- (i) A town centre which is compact, convenient, and accessible to pedestrians and vehicles.
- (ii) A built form which is coherent, functional, attractive and gives rise to a well integrated central business area.
- (iii) Diversity in land use activities, built form, building external appearance, and open space which contribute to the distinctive character.
- (iv) Recognition of the environmental attributes of the town centre and the contribution of these to its attractiveness.
- (v) Pleasant and safe public spaces and pedestrian areas of high quality which are supplied with generous levels of daylight, sunlight and weather protection.
- (vi) A built environment of good architectural quality and buildings of appropriate external appearance in relation to their neighbours and surroundings.
- (vii) Moderate ambient levels of noise and glare, recognising the number of activities, vehicles, buildings and people in the relatively small

area of the town centre and their visual and aural proximity to surrounding residential areas.

- (viii) Maintenance of the characteristic low rise development within the town centre which reinforces the dominance of the surrounding natural land forms.

10.4 Arrowtown Town Centre

10.4.1 Resources and Activities

The Arrowtown Town Centre encompasses the historic central commercial area of the town. The area is one of New Zealand's identified icons and is a place of cultural and built heritage.

The major resources contributing to the heritage value include individual buildings, groups of buildings, the streetscape, the landscape and the overall amenity of the area. The historic buildings on Buckingham Street are of particular value and make a significant contribution to the character of Arrowtown and are a precious heritage resource. They provide an important window to the settlement history of the District and define the character and scale of Arrowtown.

Within the town, visitor activities are combined with the shopping of the Arrowtown community. These two functions need to be managed in a compatible and sustainable manner to ensure any adverse effects are avoided.

10.4.2 Values

The Arrowtown town centre has a special character. The principal values which contribute to this character are:

- The narrow main street which varies in width to provide visual interest and enclosure.



- Single storey buildings which are intimate in scale and provide a pleasant protective enclosure.

A main street which discourages fast moving through traffic and encourages pedestrian movement.

- Existing enclosed or partly enclosed open space which contributes to the amenity of the area, provides visual or physical linkages to the river, preserves the historic character of the town and the relationship between historic buildings.
- The small scale of buildings and the well conserved historic detailing and character.
- The collection of historic buildings, many of which are unique or representative of a type of which there are only a relatively small number in New Zealand.
- Design elements comprising areas of glass and timber parapet and gabled facades.
- A small area of landscaping and planting.

10.4.3 Issues

In addition to the District Wide Issues, the following issues have been identified in respect of the town centre.

- Retention of the compact character of the town centre, which contributes to its amenity.
- Protection and enhancement of existing historic buildings and places, and the historic subdivision and land use patterns in respect of scale, density, setback of buildings and activities undertaken.
- Provision for new development that expresses the era of construction and can be distinguished from historic buildings.

- Enhancement of visual and physical linkages with the Arrow River area and the surrounding landscape.
- Retention of the predominantly pedestrian oriented main street with a lack of fast moving and heavy traffic.
- Retention of the historic character of the area with respect to the suitability of street furniture, signs and decorations.

10.4.4 Objective and Policies

Objective 1 - Character and Heritage

Retention of the historic character of the Arrowtown Town Centre; compatibility and linkages of the built environment with the surrounding landscape; and maintenance and enhancement of low traffic volumes in the main street.

Policies:

- 1.1 To ensure the scale, density and setback of new buildings; the type of activities undertaken; and the nature of street improvements reflects the historic character and enhances its coherence.
- 1.2 To ensure any additions or alterations to historic buildings or places is undertaken in a manner that complements and respects the historic character.
- 1.3 To encourage visual and physical linkage with the Arrow River area and the surrounding landscape.
- 1.4 To maintain and enhance the amenity and peaceful by discouraging fast and heavy traffic and encouraging pedestrian movements.
- 1.5 To acknowledge the visual, functional and amenity value of existing open space areas and to preserve these.



Implementation Methods

The objective and associated policies will be implemented through a number of methods including:

(i) District Plan

- (a) Identification of a compact town centre zone.
- (b) Protection and recognition of Historic Buildings and Precincts by way of Objectives, Policies and Rules and inclusion of assessment matters in the District Plan.
- (c) Provision of rules including performance standards and controls on land use to protect the amenity and historic character of the town centre.
- (d) Recognition in the assessment matters of the desire to improve linkages with the Arrow River and the surrounding landscape.

(ii) Other Methods

- (a) Through the Annual Plan process to fully investigate the compatibility and suitability of street improvements with the historic character.
- (b) Through the use of by-laws to limit heavy traffic using the main street.

Explanation and Principal Reasons for Adoption

The geographic location of the town centre adjacent to the Arrow River and in the Arrowtown basin, is a feature of the town which can be used to greater advantage by the development of linkages with the river from the town centre and compatibility of buildings with the surrounding environment.

The low key and authentic character of the core of the town is a precious and vulnerable resource which requires careful management to ensure any adverse effects are anticipated and mitigated so protecting the education, enjoyment and living experience for future generations.

In order to retain the historic character of the town centre, it is necessary for additions or alterations to existing historic buildings and places to complement and respect the historic character of these buildings and places. The integrity of these buildings will be enhanced by the establishment of new buildings that express their time of construction, rather than replicate an earlier period. However, in order to maintain the amenity and historic character of the town centre, historic features such as land use and subdivision patterns, building density, building setback and scale should be maintained.

The amenity of the town centre is enhanced by the slow pace of vehicular traffic, the absence of heavy vehicles, the predominance of pedestrians and the variety of pedestrian links between Arrow Lane, Buckingham Street, Ramshaw Lane and the river. It is important that these features are retained as they make a significant contribution to the historic and pedestrian character, both its built resource and heritage.

Much of the heritage value of the town comes as a result of development in the public areas including the design of the streets, planting, footpaths, road surfaces and drainage systems. The importance of these matters will be considered through the annual plan process when upgrading and maintenance is taking place.

10.4.5 Environmental Results Anticipated

Implementation of the policies and methods relating to the Town Centre will result in:

- (i) A town centre which is compact and convenient and is accessible to pedestrians and vehicles.
- (ii) A built form which is coherent, functional, attractive and which conserves the unique historical character and atmosphere.
- (iii) Diversity in built form, building external appearance, which contribute to the distinctive character of Arrowtown.



(iv) Recognition of the environmental attributes and geographical location of the town centre and the contribution of these to its attractiveness.

(v) Recognition and enhancement of the physical resource.

(vi) Pleasant and safe public spaces and pedestrian areas of high quality which are supplied with generous levels of daylight, sunlight and weather protection.

(vii) Buildings of appropriate external appearance in relation to their neighbours and surroundings.

(viii) Moderate ambient levels of noise and glare, recognising the number of activities, vehicles, buildings and people in the relatively small area of the town centre and their visual and aural proximity to surrounding residential areas.

(ix) Maintenance of the characteristic low rise development.

(x) Building setback, density and scale that reflects the historic character of Arrowtown.

10.5 Corner Shopping Centres

10.5.1 Background

The existing corner shops currently provide an important and convenient shopping facility for the Queenstown-Wakatipu Basin residents. These existing buildings are a valuable physical resource but are constrained in terms of any expansion opportunity by adjoining zonings.

10.5.2 Issues

- The amenity and resources of the Queenstown Town Centre.

The Council has rejected major expansion of the town centre beyond the existing Town Centre Zone boundaries because of the limited land area available and because it would require compromise in terms of density, parking, visual amenity and substantial traffic within the existing town centre. The impact of significant increased retail development beyond the existing boundaries would result in a deterioration of the Queenstown Town Centre resource and amenity. The Council acknowledges that some additional convenience shopping facilities will be required within the general Wakatipu locality in the future.

In considering the need for and extent of new retail activity within the Queenstown-Wakatipu area regard must be had not just to the shopping needs of the existing and future residents but also to the impact of any major new retail activity on the physical resources and the amenities of the Town Centre.

The town centre and the retail activities therein are a valuable physical resource generating a level of amenity and character which is important to the well being of the people in the District. New developments which threaten the viability of activities in the town centre and thereby the outstanding character, amenity, heritage, pedestrian and other values the Centre provides, should be avoided, or the effects mitigated.

- The opportunity to provide for neighbourhood retail zones.

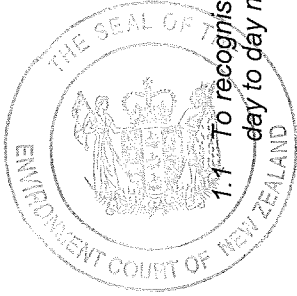
The Council has sought to recognise the small scale residential neighbourhood shopping centres which provide for the day to day needs of local communities.

10.5.3 Objectives and Policies

Objective 1 - Existing Corner Shopping Centre

Consolidation of existing shopping centres at their present location.

Policies:



1.1 To recognise and provide for the existing shopping centres to serve the day to day needs of the community.

1.2 To anticipate and provide for a range of commercial and business activities to establish in existing shopping centres.

1.3 To control the adverse effects of development and activity.

1.4 To protect and enhance the open space and visual amenity of the approach to Queenstown on State Highway No. 6 as an attractive gateway entrance to Queenstown and Frankton.

Implementation Methods

Objective 1 and associated policies will be implemented through a number of methods including:

(i) District Plan

- (a) Identification of zones to enable for the continued operation of the existing retail and resident facilities.
- (b) District wide rules on transport and subdivision.
- (c) Opportunities for a wide range of business activities.

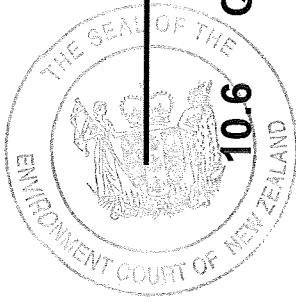
Explanation and Principal Reasons for Adoption

It is anticipated that the existing shopping centres will continue to provide goods and services for a section of Queenstown-Wakatipu Basin.

10.5.4 Environmental Results Anticipated

Implementation of the policies and methods relating to the Corner Shopping Centres will result in:

- (i) The continuing development of retail opportunities to meet the needs of residents and visitors.



10.6 Queenstown Town Centre Zone Rules

10.6.1 Zone Purpose

The Queenstown Town Centre Zone covers the main concentration of commercial activity in the District.

The purpose of the zone is to allow for a wide range of activities which will enhance the town centre while preserving the important physical and natural character which gives the town its outstanding qualities and image. The zone rules contain a range of standards to achieve the desired environmental outcomes relating to built form, open space, traffic management, heritage protection and pedestrian amenity.

10.6.2 District Rules

Attention is drawn to the following District Wide Rules which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- (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

10.6.3 Activities

10.6.3.1 Permitted Activities

Any Activity which complies with all the relevant Site and Zone Standards and is not listed as a **Controlled, Restricted Discretionary, Discretionary, Non-Complying or Prohibited Activity** shall be a **Permitted Activity**.

Any land use activity in the Lakeview or Isle Street sub-zones that would have been a permitted activity under this rule except that the **building** proposed contravenes one or more relevant site standard(s) (requiring restricted discretionary consent), shall remain a permitted activity.

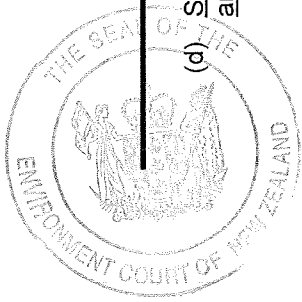
10.6.3.2 Controlled Activities

The following shall be **Controlled Activities** provided that they are not listed as a **Prohibited, Non-Complying, Discretionary, or Restricted Discretionary Activity** and they comply with all the relevant **Site and Zone Standards**. The matters in respect of which the Council has reserved control are listed with each **Controlled Activity**.

Any land use activity in the Lakeview or Isle Street Sub-zones that would have been a controlled activity under clauses (iii) or (iv) of this rule except that the **building** proposed contravenes one or more relevant site standard(s) (requiring restricted discretionary consent), shall remain a controlled activity.

i **Buildings located in the town centre outside the special character area and outside of the Lakeview sub-zone**

- (a) Design, appearance, landscaping, signage (which may include directional street maps), lighting, materials, colours and contribution to the character of the streetscape; and
- (b) In relation to the Isle Street sub-zones (West and East), the urban design principles (contained in the assessment matters at 10.10.2(iv)); and
- (c) The provision of pedestrian links through the Isle Street sub-zone (West); and



(d) Servicing requirements within the Isle Street sub-zones (West and East).

ii Verandas

All verandas in respect of design, appearance, materials and impact on and relationship to adjoining verandas.

iii Premises Licensed for the Sale of Liquor

(a) Premises licensed for the sale of liquor under the Sale of Liquor Act 1989, for the consumption of liquor on the premises between the hours of 11pm and 7am with respect to the scale of the activity, car parking, retention of amenity, noise and hours of operation. This rule shall not apply to the sale of liquor:

- To any person who is living on the premises
- To any person who is present on the premises for the purpose of dining.

(b) Premises licensed for the sale of liquor under the Sale of Liquor Act 1989 **within the Town Centre Transition sub-zone**, for the consumption of liquor on the premises between the hours of 6 pm and 11 pm with respect to the scale of this activity, car parking, retention of amenity, noise and hours of operation. This rule shall not apply to the sale of liquor.

- To any person who is residing (permanently or temporarily) on the premises:
- To any person who is present on the premises for the purpose of dining.

iv Visitor Accommodation

Visitor Accommodation in respect of:

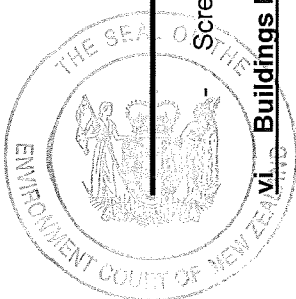
- (a) Building external appearance
- (b) Setback from internal boundaries
- (c) Setback from roads
- (d) Access
- (e) Landscaping
- (f) Screening of outdoor storage and parking areas.

And, in addition, in the **Town Centre Transition sub-zone**, within the **Isle Street sub-zones (West and East)** and within **34 Brecon Street** (legally described as Lot 1 DP 27703 and located within the Lakeview sub-zone) in respect of:

- (g) The location of buildings
- (h) The location, nature and scale of activities on site
- (i) The location of parking and buses and access, and
- (j) The management of noise.

v Commercial Activities (including those that are carried out on a wharf or jetty) within the Queenstown Town Centre Waterfront Zone, except for those commercial activities on the surface of water provided for as discretionary activities pursuant to Rule 10.6.3.3 (i) in respect of:

- Traffic generation
- Access and loading



Screening of outdoor storage

Buildings located in the Lakeview sub-zone in respect of:

- (a) Design, appearance, landscaping signage (which may include directional street maps), lighting, materials, colours and contribution to the character of the streetscape; and
- (b) The extent to which outside storage areas and outside parking areas are screened from view from public places;
- (c) The extent to which any fences, walls, landscaping forward of the front of buildings provide visual connections between any building and adjoining public spaces;
- (d) Urban design principles (contained in the assessment matters at 10.10.2);
- (e) The provision of pedestrian links through the sub-zone and between public spaces / reserve areas.
- (f) The provision of services.
- (g) With respect to buildings that provide for residential activities, the extent to which the design provides for a mixture of unit sizes and numbers of bedrooms to promote housing diversity.
- (h) The extent to which the design and setback of buildings erected at 34 Brecon Street and/or the Lakeview Camping Ground mitigates any adverse effects on the heritage values of the adjoining Queenstown Cemetery.

10.6.3.2A Restricted Discretionary Activities

i ~~Predominant Uses (as defined)~~ Within the Lakeview sub-zone and including:

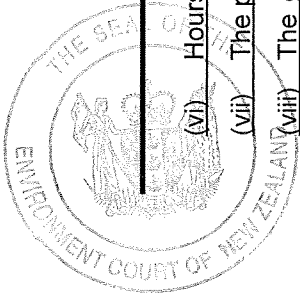
- (a) Convention Centres (including any ancillary retail or ancillary commercial activities consented as part of a convention centre):

(b) Visitor Accommodation (including any ancillary retail or ancillary commercial activities consented as part of a visitor accommodation development); This does not apply to excluding 34 Brecon Street (legally described as Lot 1 DP 27703);

(c) Commercial recreational and/or commercial tourist activity (including any ancillary retail or ancillary commercial activities consented as part of commercial recreational or commercial tourist activity) with a gross floor area of more than 400m²; excluding This does not apply to 34 Brecon Street (legally described as Lot 1 DP 27703);

Council's discretion is restricted to the following matters:

- (i) To manage effects on the transportation network: an integrated transport assessment, including a comprehensive travel, access and parking plan shall be provided to address transport impacts related to the activity, and may include:
 - directional street map signage to assist pedestrian and vehicle movements to the site; and
 - whether traffic generation related to the activity requires additional road safety improvements and/or road capacity improvements to the transport network.
 - The enhancement of pedestrian connections and networks from the site to the Queenstown commercial centre (Shotover Street or surrounds).
 - Measures to promote reduced use of car travel by employees and customers.
- (ii) Provision for landscaping.
- (iii) Provision for screening of outdoor storage and parking areas and its siting proximate to adjoining properties.
- (iv) The design and layout of buildings and activities on site.
- (v) Management of the effects of noise.



(vi) Hours of operation.

(vii) The positive effects of the activity.

(viii) The gross floor area occupied by the ancillary retail or ancillary commercial activities either individually and/or collectively.

(ix) Setback from internal boundaries and roads.

ii Visitor Accommodation within land bounded by Hay, Beach, Lake and Man Streets and Commercial Activities with a gross floor area of more than 400m² within land bounded by Hay, Beach, Lake and Man Streets.

Council's discretion is restricted to the following matter:

(a) To manage effects on the transportation network: an integrated transport assessment, including a comprehensive travel, access and parking plan shall be provided to address transport impacts related to the activity, and may include:

- directional street map signage to assist pedestrian and vehicle movements to the site; and
- whether traffic generation related to the activity requires additional road safety improvements and/or road capacity improvements to the transport network.
- The enhancement of pedestrian connections and networks from the site to the Queenstown commercial centre (Shotover Street or surrounds).
- Measures to promote reduced use of car travel by employees and customers.

iii Commercial and retail activities with a maximum gross floor area of less than 400m² per tenancy in the Lakeview sub-zone (excluding 34 Brecon Street (legally described as Lot 1 DP 27703)) that do not

fall within the definition of ancillary retail and ancillary commercial uses:

Council's discretion is restricted to the following matters:

(a) any impacts on the viability of the Queenstown Town Centre from non-ancillary retail and commercial activities establishing within the Lakeview sub-zone, particularly where existing and consented commercial and retail activities exceed a maximum gross floor area of 6-500m² in the Lakeview sub-zone;

Note: 34 Brecon Street is not included when calculating the maximum gross floor area of 6-500m² of existing and consented commercial and retail activities in the Lakeview sub-zone; and

(b) Traffic generation, access, parking and loading.

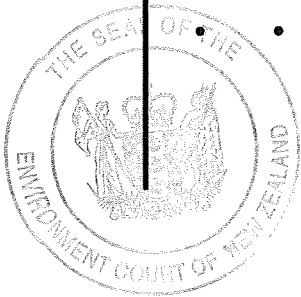
iv Commercial activities (excluding retail activities) with a gross floor area of more than 400m² that do not fall within the definition of ancillary retail and ancillary commercial uses in the Lakeview sub-zone, excluding 34 Brecon Street (legally described as Lot 1 DP 27703):

Council's discretion is restricted to the following matters:

(a) any impacts on the viability of the Queenstown Town Centre from non-ancillary retail and commercial activities establishing within the Lakeview sub-zone, particularly where existing and consented commercial and retail activities exceed a maximum gross floor area of 6-500m² in the Lakeview sub-zone;

Note: 34 Brecon Street is not included when calculating the maximum gross floor area of 6-500m² of existing and consented commercial and retail activities in the Lakeview sub-zone; and

(b) To manage effects on the transportation network: an integrated transport assessment, including a comprehensive travel, access and parking plan shall be provided to address transport impacts related to the activity, and may include:



directional street map signage to assist pedestrian and vehicle movements to the site; and

- whether traffic generation related to the activity requires additional road safety improvements and/or road capacity improvements to the transport network.
- The enhancement of pedestrian connections and networks from the site to the Queenstown commercial centre (Shotover Street or surrounds).
- Measures to promote reduced use of car travel by employees and customers.

v Buildings that contravene any relevant site standard(s) within the Lakeview and Isle Street sub-zones, with discretion restricted to the purpose of the site standard(s) being contravened.

10.6.3.3 Discretionary Activities

The following shall be **Discretionary Activities** provided they are not listed as a **Prohibited or Non-Complying Activity** and they comply with all the relevant **Zone Standards**.

i Surface of Water and Interface Activities

- (a) Wharfs and Jetties within the Queenstown Town Centre Waterfront Zone between the Town Pier and St Omer Park.
- (b) Commercial Surface of Water Activities within the Queenstown Town Centre Waterfront Zone.

ii Motor vehicle repairs

iii Buildings located within the Special Character Area

Buildings located within the Special Character Area including alterations to existing buildings with the Council's discretion restricted to the external appearance, materials, signage, lighting, streetscape heritage values and compatibility with adjoining buildings.

iv Convention Centres (outside of the Lakeview sub-zone)

- v Any Activity which is not listed as a **Non-Complying or Prohibited Activity** and complies with all the **Zone Standards** but does not comply with one or more of the **Site Standards** shall be a **Discretionary Activity** with the exercise of the Council's discretion being restricted to the matter(s) specified in the standard(s) not complied with.

10.6.3.4 Non-Complying Activities

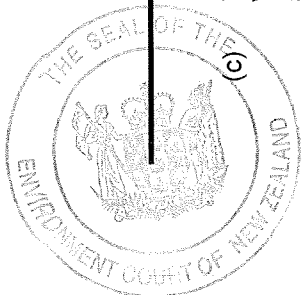
The following shall be **Non-Complying Activities** provided that they are not listed as a **Prohibited Activity**.

- i **Factory Farming**
- ii **Forestry Activities**
- iii **Mining Activities**
- iv **Airports**

Airports **other than** the use of land and water for emergency landings, rescues and fire fighting.

v Surface of Water and Interface Activities

- (a) Wharfs and Jetties within the Queenstown Town Centre Waterfront Zone between the Town Pier and Queenstown Gardens.
- (b) Any buildings located on Wharfs and Jetties within the Queenstown Town Centre Waterfront Zone



10.6.4 Non-Notification of Applications

Any application for a resource consent for the following matters may be considered without the need to obtain the written approval of affected persons and need not be notified in accordance with section 93 of the Resource Management Act 1991, unless the Council considers special circumstances exist in relation to any such application.

(i) All applications for **Controlled and Restricted Discretionary** Activities set out in Rule 10.6.3.2A(i)(a) and Rule 10.6.3.2A(i)(b).

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

- **Building Coverage** (with the exception of those lots described as Sections 10, 11, 17 and 18, Block VIII contained within that land bounded by Hay, Lake, Beach and Man Streets)

- **Historic Building Incentive**

- **Residential Activities**

10.6.5 Standards

10.6.5.1 Site Standards

i Building Coverage

(a) Special Character Area

Precinct 1: Minimum building coverage - 95%; except where a public open air pedestrian link to an existing or proposed walkway is provided, the minimum site coverage can be reduced by the amount necessary to provide for that link.

Buildings or boating craft within the Queenstown Town Centre Waterfront Zone if used for visitor, residential or overnight accommodation.

vi Residential Flat

Residential Flat, except in Town Centre Transition sub-zone and the Isle Street sub-zones (West and East) where residential flats are permitted.

vii Retail activities in the Lakeview sub-zone and the Isle Street sub-zone (West and East) that exceed a maximum gross floor area of 400m² per tenancy. Retail activities that fall within the definition of ancillary retail activity within the Lakeview sub-zone shall be exempt from this rule.

viii Retail and commercial activities within the Lakeview sub-zone (except 34 Brecon Street) when existing or consented retail and commercial activities within that sub-zone (except 34 Brecon Street) exceed 6,500m². Ancillary retail and ancillary commercial uses are not included in the calculation of existing and consented retail and commercial activities and are excluded from the application of this rule.

ix Any Activity which is not listed as a **Prohibited Activity** and does not comply with one or more of the relevant **Zone** Standards.

10.6.3.5 Prohibited Activities

The following shall be **Prohibited Activities**

- (i) Panelbeating, spray painting, motor vehicle dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building or fish or meat processing, or any activity requiring an Offensive Trade Licence under the Health Act 1956.

Precinct 2: Maximum building coverage - 70%.

Precinct 3: Maximum building coverage - 80%.

(b) The Town Centre Transition sub-zone: Maximum building coverage - 70%

(c) Town Centre outside of the Special Character Area and the Town Centre Transition sub-zone - Maximum building coverage 80% except that on that land bound by Man, Duke and Brecon streets, for every cubic metre of un-utilised volume within the permitted building height envelope, the maximum allowable coverage shall be increased by the equivalent volume.

(d) Lakeview sub-zone: Maximum building coverage - 80%.

(e) Isle Street sub-zone (East): Maximum building coverage - 80%

(f) Isle Street sub-zone (West): Maximum building coverage - 70%

ii Historic Building Incentive

Where an historic structure listed in Appendix 5 is retained as part of the development of the site the gross floor area of the historic building, or part thereof remaining on the site will be excluded from the gross floor area for the purposes of development levy calculations.

iii Retailing

The use of the ground floor of every building fronting onto the street within Precinct 1 of the Special Character Area shall be limited to retail activities, places of entertainment, pedestrian accessways to other ground floor activities, restaurants, the reception areas of visitor

accommodation, and to the entrances to independent businesses above ground floor level.

iv Street Scene

(a) In **Precinct 1** of the **Special Character Area**, buildings shall be built up to the street boundary along the full frontage of the site, except where an entranceway to a pedestrian linkage is required to be provided. Nothing in this rule shall preclude the inclusion of recessed entrances within any facade up to a depth of 1.5m and a width of 2m.

(b) In **Precinct 3** of the **Special Character Area** the following shall apply:

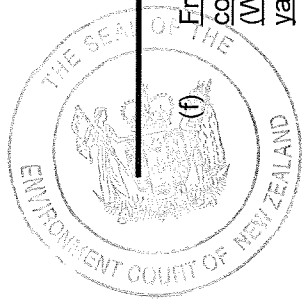
- buildings on the north side of Beach Street shall be set back a minimum of 0.8m; and
- buildings on the south side of Beach Street shall be set back a minimum of 1m.

Nothing in this rule shall preclude the inclusion of recessed entrances within any facade.

(c) In the Town Centre Transition sub-zone, the minimum setback from road boundaries of any building shall be of 4.5 metres along the Man Street boundary.

(d) In the Lakeview sub-zone, the minimum setback of any building from boundaries shared with Glasgow Street shall be 4.5 metres.

(e) In the Isle Street sub-zones (West and East), no setback is permitted for any building from boundaries shared with Brecon Street. The maximum setback of any building from other road boundaries shall be 1.5 metres.



From the 17th September 2014 on any site involving the construction of a new building(s) in the Isle Street sub-zones (West and East) there shall be no parking of vehicles in the front yard.

(g) In the Isle Street sub-zone (West), the minimum setback of any building from the rear yard boundary shall be 6m.

Note: For the avoidance of doubt, corner sites have no rear boundary.

(h) On the allotments described as Sections 11 and 17, Block VIII, Town of Queenstown the minimum setback of any building from the north-western side yard boundary shall be 2m.

v Storage

Within the **Special Character Area** and for all sites with frontage to the following roads all storage areas shall be situated within the building.

- Shotover Street (Stanley to Hay)
- Camp Street
- Earl Street
- Marine Parade
- Stanley Street (Beetham to Man)
- Beach Street

In all other parts of this zone storage areas shall be screened from view from all public places, adjoining sites and adjoining zones.

vi Verandas

(a) Every building with road frontage to the roads listed below shall, on its erection or on being reconstructed or altered in a way that changes its external appearance other than repainting, be provided with a veranda or other means of weather protection.

Except that this rule shall only apply to building on Lot 1 DP 15037 where this is immediately adjacent to the western boundary of Hay Street and/or Shotover Street.

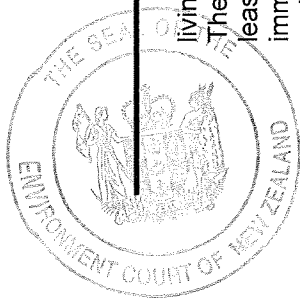
(b) Verandas shall be no higher than 3m above pavement level and of a width compatible with verandas on neighbouring buildings and shall provide continuous cover for pedestrians. No verandas on the north side of a public place or road shall extend over that space by more than 2 m. Those verandas on the south side of roads shall not extend over the space by more than 3 m.

- Shotover Street (Stanley Street to Beach Street)
- Hay Street (Beach Street to Man Street)

- Beach Street
- Rees Street
- Camp Street (Church Street to Man Street)
- Brecon Street (Man Street to Shotover Street)
- Church Street (north west side)
- Queenstown Mall (Ballarat Street)
- Athol Street
- Stanley Street (Coronation Drive to Memorial Street)

vii Residential Activities

(a) Except in the Lakeview sub-zone for which site standards (d) and (e) apply and the Isle Street sub-zones (West and East) for which site standard (e) applies, Any building or part of a building used for residential activities shall provide a separate outdoor



living area for the exclusive use of each separate residential unit. The outdoor living area shall have a minimum area of 5m² and a least dimension of 2m. The outdoor living area must be located immediately adjoining and have direct access from the residential activity.

- In Town Centre Transition sub-zone where residential activities are proposed at ground level on a site with frontage to a road, then an outdoor living area of 20m² and with a least dimension of 4m shall be provided for each ground floor unit.

(b) Residential activities shall not be situated at ground level in any building with frontage to the following roads.

- Stanley Street (Coronation Drive to Memorial Street)
- Camp Street (Man Street to Coronation Drive)

- Queenstown Mall (Ballarat Street)
- Church Street
- Marine Parade (north of Church Street)
- Beach Street
- Rees Street
- Shotover Street

- Brecon Street (Man Street to Earl Street)

- Athol Street
- Duke Street

(c) Except in the Lakeview sub-zone and the Isle Street sub-zones (West and East) where residential activities are proposed at ground level on a site with frontage to any other road in this zone, then an outdoor living area of 36m² and with a least dimension of 4 m shall be provided for each ground floor unit, except that:

This living area must be located immediately adjoining and have direct access from the residential building.

(d) In the Lakeview sub-zone residential activities shall not be located at ground level in locations identified as active frontages on Figure 2 Lakeview sub-zone Structure Plan.

(e) Residential Activity in the Lakeview sub-zone and the Isle Street sub-zones (West and East) shall achieve the following noise insulation standard:

A mechanical ventilation system shall be installed for all critical listening environments in accordance with Table 1 in Appendix 13.

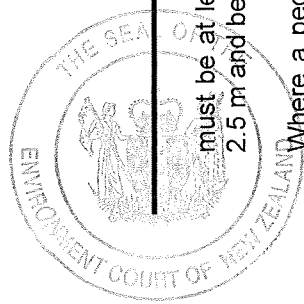
All elements of the façade of any critical listening environment shall have an airborne sound insulation of at least 40 dB Rw+Ctr determined in accordance with ISO 10140 and ISO 717-1.

viii Flood Risk

No building greater than 20m² shall be constructed or relocated with a ground floor level less than RL 312.0m above sea level (412.0m Otago Datum) at Queenstown.

ix Provision of Pedestrian Links

All new buildings and building redevelopments located on sites which are identified for pedestrian links in Figure 1 to this Rule shall provide a ground level pedestrian link in the general location shown. Any such link



must be at least 1 metre wide and have an average minimum width of 2.5 m and be open to the public during all retailing hours.

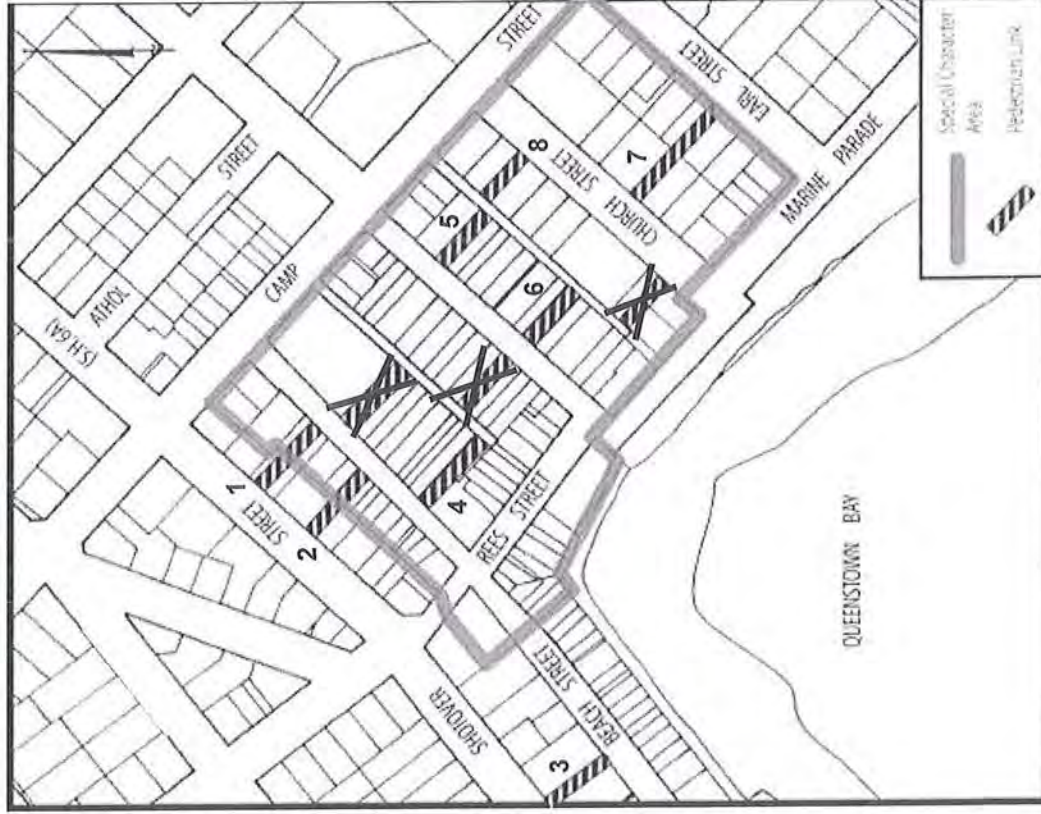
Where a pedestrian link is required to be provided and is open to the public during retailing hours the Council will consider off-setting any such area against development levies and car parking requirements.

Nothing in this rule shall prevent a building or part of a building being constructed at first floor level over a pedestrian link.

Location of Pedestrian Links within the Queenstown Town Centre.

- 1 Shotover St / Beach St, Lot 2 DP 16293, 2910645200. Lot 2 DP 11098 (2910648800), Lot 3 DP 1098 (2910648800), Sec 27 Blk VI Town of Queenstown (2910648800).
- 2 Trustbank Arcade (Shotover St/Beach St), Lot 1 DP 11098 (2910648700), Part Section 24 Block VI Queenstown (2910648700), Part Section 23 Block VI Town of Queenstown, (2910648700)
- 3 Plaza Arcade, Shotover St/Beach St, Section 27 BLK VI, Queenstown (2910648800.) Lot 1 DP 17661 (2910645900).
- 4 Cow Lane/Beach Street, Sec 30 Blk I Town of Queenstown.
- 5 Ballarat St/Searle Lane, Sections 1, 2, 3, 27, Pt 26b BLK II Queenstown, (2910504300).
- 6 Eureka Arcade, Ballarat Street/Searle Lane, Section 22 (2910503800) and part Sections 23 (2910503800) and 24 (2910504000) Block II, Queenstown.
- 7 Church St/Earl St, Sections 2, 3, 12, 13 BLK III, Queenstown, (2910504900).
- 8 Searle Lane/Church St, Sec 30 Blk II Town of Queenstown (2910503000).

**QUEENSTOWN TOWN CENTRE ZONE:
PROVISION FOR PROTECTION OF PEDESTRIAN LINKS
(FIGURE 1)**



x Earthworks [NOTE – TO BE REMOVED VIA SEPARATE COUNCIL PLAN CHANGE 49]

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.

1. Earthworks

(a) The total volume of earthworks does not exceed **100m³** per site (within a 12 month period). For clarification of "volume", see interpretative diagram 5.

(b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed **200m²** in area within that site (within a 12 month period).

(c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed **20m³** (notwithstanding provision 17.2.2).

(d) No earthworks shall:

- (i) expose any groundwater aquifer;
- (ii) cause artificial drainage of any groundwater aquifer;
- (iii) cause temporary ponding of any surface water.

2. Height of cut and fill and slope

(a) 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.

(b) The maximum height of any cut shall not exceed 2.4 metres.

- (c) The maximum height of any fill shall not exceed 2 metres.

3. Environmental Protection Measures

- (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.

- (b) Any person carrying out earthworks shall:

- (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.

- (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.

- (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.

4. Protection of Archaeological sites and sites of cultural heritage

- (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.

- (b) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.

xi Building and Facade Height

- (a) In that area bound by Man, Brecon, Shotover and Hay streets but excluding the Town Centre Transition sub-zone and that land legally described as Sections 23, 24, 25 and 26 Block IX Town of Queenstown, the maximum building height shall be 12 metres above ground level and, in addition, no part of any building shall be more than 4 metres higher than the nearest point of Man Street (legal boundary of Man Street); and

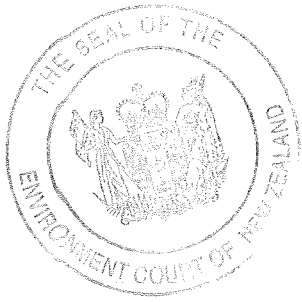
- (b) In that area legally described as Sections 23, 24, 25 and 26 Block IX Town of Queenstown, the maximum building height shall be 12 metres above ground level and, in addition, no part of any building shall be more than 1.5 metres higher than the nearest point of Man Street (legal boundary of Man Street); and

- (c) Except in the Lakeview sub-zone and the Isle Street sub-zones (West and East) no part of any building shall protrude through a recession line inclined towards the site at an angle of 45 degrees commencing from a line 10 metres above the street boundary.

- (d) In the Lakeview sub-zone, the maximum building height shall not exceed the height limits specified on Figure 3: Lakeview sub-zone Height Limit Plan.

- (e) In the Isle Street sub-zones (West and East), the maximum building height shall not exceed 12m, except that in the Isle Street sub-zone (East) where:

- (i) a site is greater than 2,000m² in area; and



(ii) where the site has frontage to either Man Street and Isle Street, then

the maximum building height shall be 15.5m above ground level and shall be limited to no more than four storeys in height.

(f)

In the Lakeview sub-zone the maximum building height limits specified on Figure 3: Lakeview sub-zone Height Limit Plan may be exceeded by the use of a roof bonus which provides for additional height of 2m above the specified maximum height. The following additional controls apply to the application of the roof bonus:

(i) The roof bonus shall not enable an additional floor to be erected.

(ii) The roof bonus may be incorporated into the space of the upper-most floor level permitted by the maximum building height rule.

(iii) Where the roof bonus is utilised no additional structures (including lift shafts) or plant or equipment shall be accommodated on top of the roof.

(iv) In the case of 34 Brecon Street (legally described as Lot 1 DP 27703) and which forms part of the Lakeview sub-zone any roof bonus shall be limited to 2m in height and shall not exceed 40m² in area and any roof bonus shall be located a minimum distance of 10 metres off adjoining road boundaries and 17 metres off the adjoining Queenstown Cemetery boundary.

(g)

In the Isle Street sub-zones (West and East) the maximum 12m building height limit may be exceeded by the use of a roof bonus which provides for additional height of 2m above the specified maximum height. The following additional controls apply to the application of the roof bonus:

(i) the roof bonus shall not enable an additional floor to be erected.

(ii) The roof bonus may be incorporated into the space of the upper-most floor level permitted by the maximum building height rule.

(iii) Where the roof bonus is utilised no additional structures (including lift shafts) or plant or equipment shall be accommodated on top of the roof.

(iv) The roof bonus shall not apply to the 15.5m height limit specified for sites that are greater than 2,000m² in area and has frontage to either Man Street and Isle Street.

(h) In the Lakeview sub-zone, no part of any building shall protrude through a recession line inclined towards the site at an angle of 25° commencing from a line 2.5 metres above the Glasgow Street boundary.

(i) In the Lakeview sub-zone, no part of any building shall protrude through a recession line inclined towards the site at an angle of 45° commencing from a line 4.5 metres above the Thompson Street boundary.

(4)(i) In the Isle Street sub-zones (West and East), on the south and south western side boundaries of a site adjoining a building used for residential activities which had building consent issued on or before 17 September 2014:

- No part of any building exceeding 8m in height shall be within 3.2m from the relevant boundary; and the roof bonus set out in (f) shall not apply within this 3.2m set back.
- This setback control does not apply where any building on an adjoining site has been issued building consent for a new building after 17 September 2014, in which case no side yard setback is required and does not apply to the internal boundaries of sites that have been amalgamated into one Title (with the exception that this exemption does not apply to the Glenarm Cottage which is located at 50 Camp Street).

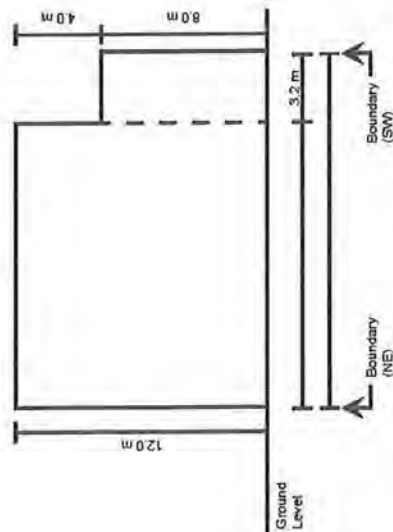


Figure II: Interpretative Diagram for site standard 10.6.5.1(i) to demonstrate the 8m and 12m height limits.

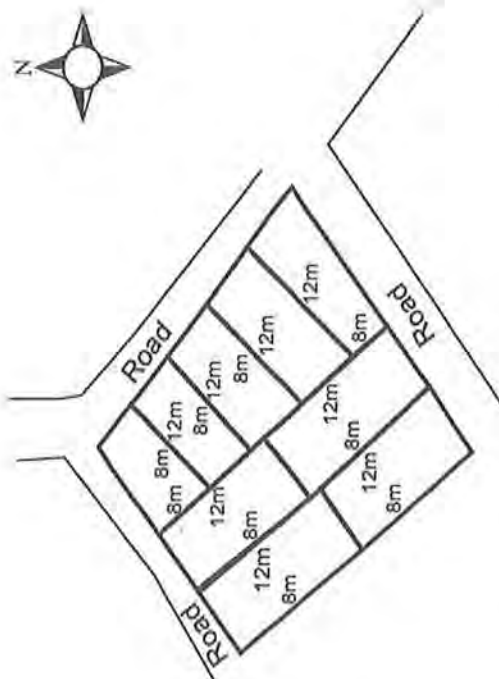


Figure III: Interpretative Diagram for site standard 10.6.5.1(i) to demonstrate the boundaries where the 8m and 12m height limits may apply.

(k) Building within land bounded by Hay, Beach, Lake and Man Streets

- (i) On the allotments described as Sections 10, 11, 17 and 18, Block VIII, Town of Queenstown, the maximum building height shall be 7m vertically above ground level, except as provided in (ii) below.
- (ii) On the allotments described as Lot 1 DP 15037 and Sections 10, 11, 17 and 18 Block VIII Town of Queenstown, the maximum building height shall be 12m measured vertically from the ground level along the Lake Street boundary with the following exceptions as shown at Appendix 4, Diagram 8:
 - The maximum building height for a rectangular area of the site marked with the letter "A" which is set back



4.5m from both the Hay Street and Lake Street road boundaries and between 20.3m and 40.68m, in plan view, from the Beach Street road boundary shall be RL 336.50; and

- The maximum building height for a rectangular area of the site marked with the letter "B" that extends from 60.22m, in plan view, from the Beach Street road boundary to the boundary with Lots 1 and 2 DP 444132 and Lot 1 DP 7187, Sections 15 and 16 Block VIII Town of Queenstown and Part Section 14 Block VIII Town of Queenstown, and to the Hay Street and Lake Street road boundaries which shall be RL 341.50.

For the avoidance of doubt, Diagram 8 does not govern the maximum building height for Sections 10, 11, 17 and 18, Block VIII, Town of Queenstown.

Refer to the building restriction area shown on Planning Map 36 and the interpretative diagrams contained in Appendix 4.

Note:

- Diagrammatic Profiles A, B and C show the effect of site standard (a) in an indicative diagram – site specific surveying is necessary to ascertain how the rules apply to any development on the site.
- Diagrammatic Profiles D and E show the effect of site standard (b) in an indicative diagram – site specific surveying is necessary to ascertain how the rules apply to any development on the site.

xii Premises licensed for the Sale of Liquor

- (a) Premises within The Town Centre Transition sub-zone which are licensed for the sale of liquor under the Sale of Liquor Act

1989, for the consumption of liquor on the premises between the hours of 11pm and 7am with respect to the scale of the activity, car parking, retention of amenity, noise and hours of operation. This rule shall not apply to the sale of liquor.

- To any person who is living on the premises;
- To any person who is present on the premises for the purpose of dining.

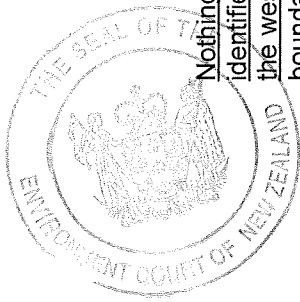
xiii Lakeview sub-zone Structure Plan

The layout of buildings, roading and public spaces within the Lakeview sub-zone shall be in general accordance with Figure 2: Lakeview sub-zone Structure Plan. Departures from Figure 2: Lakeview sub-zone Structure Plan shall not exceed 5m change in any direction. This 5m departure from the Structure Plan does not apply to the direct extensions of the existing widths and alignments of Isle Street (south westwards beyond Hay Street through to the intersection with Thompson Street) and Thompson Street (northwards beyond Man Street) into the Lakeview sub-zone, which shall be in general accordance with the Structure Plan.

The extension of Hay Street (and the Hay Street viewshaft) through the Lakeview sub-zone, as shown on the Structure Plan, shall not be developed, required or enforced while Designation 211 remains in place.

The Lakeview sub-zone Structure Plan does not preclude the widening of Thompson Street, including a corner splay, which may encroach the Lakeview sub-zone.

If there is a proposal to re-align Cemetery Road along the northern boundary of the sub-zone and connecting to Brecon Street then it is deemed that this shall not comprise an exceedance of this site standard.



Nothing in this rule shall provide for the secondary view shaft identified on Figure 2: Lakeview sub-zone Structure Plan and sites in the western part of the Lakeview sub-zone to extend across the legal boundary of adjoining land to the west described as Lots 3 and 4 DP 9388 Deposited Plan 9388.

xiv Active Frontages in the Lakeview sub-zone

For buildings in sites adjoining an active frontage (refer Figure 2: Lakeview sub-zone Structure Plan) the following standards shall apply:

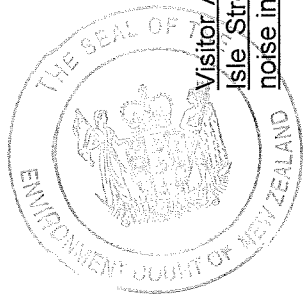
- (a) Buildings shall contribute to the enhancement of the appearance of the Lakeview sub-zone and retail activities by:
 - a. Providing at least 5m of the frontage width or 80% of the frontage width, whichever is greater, of clear glazing (or equivalent);
 - b. Being capable of use for displaying goods and services to passing pedestrians;
 - c. Not having painted, covered or otherwise altered clear glazed areas so as to render them ineffective in achieving the purpose of this rule;
 - d. Having a minimum ground floor internal floor to floor height of 4m above ground level;
 - e. Having a minimum ground floor internal depth of 8m from the active frontage.
- (b) Vehicular access across sites with active frontages shall not use any more than 10% of the defined active frontage.
- (c) The principal public entrance to a building shall be provided from the active frontage.

- (d) No residential activity shall be located on the ground floor of a building adjoining an active frontage.

xv Premises Licensed for the Sale of Liquor in the Lakeview sub-zone and the Isle Street sub-zones (West and East)

- (a) Sound from premises licensed for the sale of liquor measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 shall not exceed the following noise limits at any point within any other site in this zone:
 - (i) night-time (2200 to 0800 hrs) 50 dB $L_{Aeq}(15 \text{ min})$
 - (ii) night-time (2200 to 0800 hrs) 70 dB L_{AFmax}
- (b) Sound from premises licensed for the sale of liquor which is received in another zone shall comply with the noise limits set in the zone standards for that zone.
- (c) The noise limits in (a) shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999.
- (e) The noise limits in (a) shall not apply to sound from sources outside the scope of NZS 6802:2008. Sound from these sources shall be assessed in accordance with the relevant New Zealand Standard, either NZS 6805:1992, or NZS 6808:1998. For the avoidance of doubt the reference to airports in this clause does not include helipads other than helipads located within any land designated for Aerodrome Purposes in this Plan.

xvi Visitor Accommodation in the Lakeview sub-zone and the Isle Street sub-zones (West and East)



Visitor Accommodation activities in the Lakeview sub-zone and the Isle Street sub-zones (West and East) shall achieve the following noise insulation standard:

A mechanical ventilation system shall be installed for all critical listening environments in accordance with Table 1 in Appendix 13.

All elements of the façade of any critical listening environment shall have an airborne sound insulation of at least 40 dB R_{w+Ctr} determined in accordance with ISO 10140 and ISO 717-1.

10.6.5.2 Zone Standards

i Building and Facade Height

- (a) The maximum building height shall be 12 m except that:
- In the specific area identified on Planning Map No. 36 where the maximum height shall be 8m; and
 - For any buildings located on a wharf or jetty where the maximum height shall be 4 m above RL 312.0 masl (412.0m Otago Datum).
 - In Precinct 2 of the Special Character Area the maximum height shall be 8m;
 - In that area bound by Man, Brecon, Shotover and Hay streets but excluding the Town Centre Transitional sub-zone and that land legally described as Sections 23, 24, 25 and 26 Block IX Town of Queenstown, no part of any building shall be more than 4 metres higher than the nearest point of Man Street (legal boundary of Man Street);
 - In that area legally described as Sections 23, 24, 25 and 26 Block IX Town of Queenstown, the maximum building height shall be 12

metres above ground level and, in addition, no part of any building shall be more than 1.5 metres higher than the nearest point of Man Street (legal boundary of Man Street);

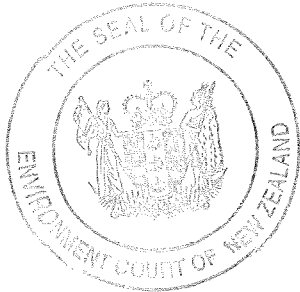
- In the Town Centre Transitional sub-zone the maximum building height shall be 8m above ground level, provided that in addition any part of a building may extend up to the maximum permitted height at the nearest point of the sub-zone internal boundary.
- This rule does not apply to the Lakeview or the Isle Street sub-zones (West and East) and that land bounded by Hay, Lake, Beach and Man Streets [given that specific clauses of site standard 10.6.5.1(xi) apply to these sub-zones].
- Refer to the building restriction area shown on Planning Map 36 and the interpretative diagrams contained in Appendix 4.

Note:

Diagrammatic Profiles A, B and C show the effect of zone standard (a) (fourth bullet point) in an indicative diagram – site specific surveying is necessary to ascertain how the rules apply to any development on the site

Diagrammatic Profiles D and E show the effect of zone standard (a) (fifth bullet point) in an indicative diagram – site specific surveying is necessary to ascertain how the rules apply to any development on the site

- (b) On that land bounded by Man, Duke and Brecon streets, the following shall apply in addition to (a) above:
- No building shall protrude through a horizontal plane drawn at RL 332.20 masl (being 432.20 Otago datum), except that decorative parapets may encroach beyond this by a



maximum of up to 0.9 metre. This rule shall not apply to any lift tower within a visitor accommodation development in this area, which exceeds the maximum height permitted for buildings by 1 metre or less; and

- No part of any building shall protrude through a recession line inclined towards the site at an angle of 45° commencing from a line 10 metres above the street boundary.
- Refer to the building restriction area shown on Planning Map 36 and the interpretive diagrams contained on Appendix 4.

(c) In **Precinct 1** of the **Special Character Area**, the following shall apply in addition to (a) above:

- the street front parapet shall be between 7.5 and 8.5m in height; and
- no part of any building shall protrude through a recession line inclined towards the site at an angle of 45 degrees commencing from a line 7.5m above any street boundary.

(d) In **Precinct 3** of the **Special Character Area** the following shall apply in addition to (a) above:

- For buildings on the south side of Beach Street the road frontage parapet height and the recession line shall be the same as for Precinct 1 of the Special Character Area.
- For buildings on the north side of Beach Street:
- the street front parapet shall be between 6.0 and 6.5m in height; and
- no part of any building, except a street front parapet shall protrude through a recession line inclined towards the site at

an angle of 30 degrees commencing from a line 6.0m above any street boundary.

- (e) For all other sites within the zone where there is a 12 metre maximum building height, no part of any building shall protrude through a recession line inclined towards the site at an angle of 45 degrees commencing from a line 10m above the street boundary. This standard does not apply to the Lakeview sub-zone or the Isle Street sub-zones (West and East).

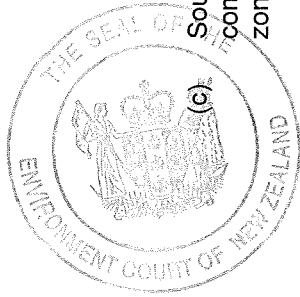
ii **Noise**

(a) Sound from activities measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 shall not exceed the following noise limits at any point within any other site in this zone:

- | | | | |
|-------|------------|--------------------|---------------------------------|
| (i) | daytime | (0800 to 2200 hrs) | 60 dB $L_{Aeq}(15 \text{ min})$ |
| (ii) | night-time | (2200 to 0800 hrs) | 50 dB $L_{Aeq}(15 \text{ min})$ |
| (iii) | night-time | (2200 to 0800 hrs) | 70 dB L_{AFmax} |

(b) Sound from activities in the Town Centre Transition sub-zone and from activities located on land bounded by Hay Street, Man Street, Lake Street and Beach Street measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 shall not exceed the following noise limits at any point within any other site in this zone:

- | | | | |
|-------|------------|--------------------|---------------------------------|
| (i) | daytime | (0800 to 2200 hrs) | 50 dB $L_{Aeq}(15 \text{ min})$ |
| (ii) | night-time | (2200 to 0800 hrs) | 40 dB $L_{Aeq}(15 \text{ min})$ |
| (iii) | night-time | (2200 to 0800 hrs) | 70 dB L_{AFmax} |



Sound from activities which is received in another zone shall comply with the noise limits set in the zone standards for that zone.

- (d) All roofs of buildings shall be finished or treated so they do not give rise to glare when viewed from any public place or neighbouring property.

(d) The noise limits in (a) and (b) shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803: 1999.

(e) The noise limits in (a) and (b) shall not apply to sound from sources outside the scope of NZS 6802:2008. Sound from these sources shall be assessed in accordance with the relevant New Zealand Standard, either NZS 6805:1992, or NZS 6808:1998. For the avoidance of doubt the reference to airports in this clause does not include helipads other than helipads located within any land designated for Aerodrome Purposes in this Plan.

(f) These noise standards (a) through (e) do not apply to premises licensed for the sale of liquor in the Lakeview sub-zone or the Isle Street sub-zones (West and East) at night-time (2200 to 0800 hrs) when site standard 10.6.5.1(xv) applies.

iii Glare

(a) All exterior lighting installed on sites or buildings within the zone shall be directed away from adjacent sites, roads and public places, except footpath or pedestrian link amenity lighting.

(b) No activity in this zone shall result in a greater than 10 lux spill (horizontal or vertical) of light onto any property within the zone, measured at any point inside the boundary of any adjoining property.

(c) No activity shall result in a greater than 3 lux spill (horizontal or vertical) of light onto any adjoining property which is zoned High Density Residential measured at any point more than 2m inside the boundary of the adjoining property.

10.6.6 Resource Consents - Assessment Matters

The Assessment Matters which apply to the consideration of resource consents in the Queenstown Town Centre Zone are specified in Rule 10.10



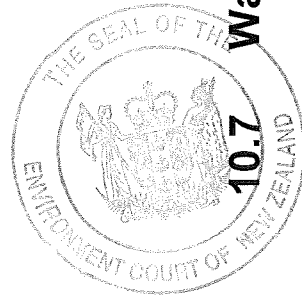
Figure 2 Lakeview sub-zone Structure Plan





Figure 3 Lakeview sub-zone Height Limit Plan





10.7 Wanaka Town Centre Zone Rules

10.7.1 Zone Purpose

The purpose of this zone is to recognise and preserve the significant elements which contribute to the character of the Wanaka town centre and to enhance those elements by encouraging the intensification of activity within the town centre rather than peripheral expansion of the centre.

The zone makes provision for a wide range of activities necessary to retain the importance of Wanaka's role as the dominant rural servicing centre in the Upper Clutha. The town centre is generally bounded by Ardmore Street, Brownston Street and Dunganvon Street.

10.7.2 District Rules

Attention is drawn to the following District Wide Rules which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

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

10.7.3 Activities

10.7.3.1 Permitted Activities

Any Activity which complies with all the relevant Site and Zone Standards and is not listed as a **Controlled, Discretionary, Non-Complying or Prohibited Activity** shall be a **Permitted Activity**.

10.7.3.2 Controlled Activities

The following Activities shall be **Controlled Activities** provided that they are not listed as a **Prohibited, Non-Complying or Discretionary Activity** and they comply with all the relevant Site and Zone Standards. The matters in respect of which the Council has reserved control are listed with each **Controlled Activity**.

i Buildings

All buildings in respect of external appearance, materials, signage, lighting and impact on the streetscape.

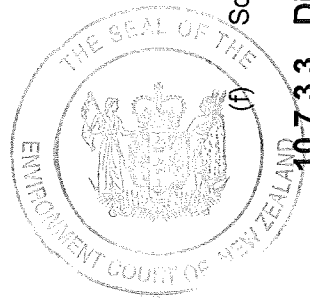
ii Verandas

All verandas in respect of design, external appearance, materials and impact on and relationship to adjoining verandas.

iii Visitor Accommodation

Visitor Accommodation in respect of:

- (a) Building external appearance
- (b) Setback from internal boundaries
- (c) Setback from roads
- (d) Access
- (e) Landscaping



Screening of outdoor storage and parking areas.

10.7.3.3 Discretionary Activities

The following Activities shall be **Discretionary Activities** provided they are not listed as **Prohibited** or **Non-Complying Activity** and they comply with all the relevant **Zone Standards**.

i Premises Licensed for the Sale of Liquor

Premises licensed for the sale of liquor under the Sale of Liquor Act 1989, for the consumption of liquor on the premises between the hours of 11pm and 7am with the Council's discretion restricted to hours of operation and the effects on residential zones. This rule shall not apply to the sale of liquor:

- to any person who is living on the premises;
- to any person who is present on the premises for the purpose of dining.

ii Any Activity which is not listed as a **Non-Complying** or **Prohibited Activity** and complies with all the **Zone Standards** but does comply with one or more of the **Site Standards** shall be a **Discretionary Activity** with the exercise of the Council's discretion being restricted to the matter(s) specified in the standard(s) not complied with.

10.7.3.4 Non Complying Activities

The following Activities shall be **Non-Complying Activities** provided that they are not listed as a **Prohibited Activity**.

- Factory Farming**
- Forestry Activities**
- Mining Activities**

iv Airport

The take-off or landing of aircraft other than for emergency rescues or fire-fighting.

v Residential Flat

- Any Activity which is not listed as a **Prohibited Activity** and does not comply with one or more of the relevant **Zone Standards**.

10.7.3.5 Prohibited Activities

The following activities shall be **Prohibited Activities**

- Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building or fish or meat processing, or any activity requiring an Offensive Trade Licence under the Health Act 1956.

10.7.4 Non-Notification of Applications

Any application for a resource consent for the following matters may be considered without the need to obtain the written approval of affected persons and need not be notified in accordance with Section 93 of the Resource Management Act 1991, unless the Council considers special circumstances exist in relation to any such application.

- All applications for **Controlled Activities**.
- Applications for the exercise of the Council's discretion in respect of the following **Site Standards**:

- **Building Coverage**
- **Residential Activities**



Standards

10.7.5

10.7.5.1 Site Standards

i Building Coverage

Maximum building coverage - 80%

ii Setback from Internal Boundaries

Where the site adjoins a Low Density Residential or High Density Residential Zone or public open space the setback shall be 4.5m.

iii Retailing

The use of the ground floor fronting onto the street of every building fronting Helwick Street shall be limited to retail activities, restaurants, pedestrian accessways to other ground floor activities and entrances to independent businesses above ground floor.

iv Street Scene

(a) Setback of Buildings

Buildings shall be built up to the street boundary along the full street frontage of the site except where a pedestrian link is provided. Nothing in this rule shall preclude the inclusion of recessed entrances within any facade up to a depth of 1.5m and a width of 2m.

(b) Minimum Facade Height

The minimum street facade of all buildings within the zone shall be 3m.

(c) Setback of buildings adjoining open spaces

All buildings adjoining public open spaces, other than formed roads, shall be set back not less than 4.5m from the site boundary.

v Storage

For all buildings with frontage to Helwick Street, Dunmore Street and Ardmore Street (west of Bullock Creek) storage areas shall be situated within the building or accessed from a service lane at the rear of the property.

In all other parts of this Zone storage areas shall be screened from view from all public places and adjoining zones by a solid fence of not less than 2m height.

vi Sunlight and Outlook of Residential Neighbours

Buildings within this zone 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 High Density Residential Zone boundaries. Except that gable ends may project beyond the recession line where the maximum height of the gable end is no greater than 2.5m above the recession line.

vii Verandas

Every building with road frontage to Helwick Street, Dunmore Street and Ardmore Street shall, on its erection or on being reconstructed or altered in a way that substantially changes its external appearance, be provided with a veranda which shall be situated no higher than 3m above pavement level and shall provide continuous cover for pedestrians.

viii Residential Activities

All residential activities shall be restricted to first floor level or above.

Any building or part of a building used for residential activities shall provide a separate outdoor living area for the exclusive use of each separate residential unit. The outdoor living area shall have a minimum area of 5m² and a least dimension of 2m. This living area must be



located immediately adjacent to and have direct access from the residential unit.

ix Flood Risk

No building greater than 20m² shall be constructed or relocated with a ground floor level less than RL 281.9masl (381.9m Otago Datum) at Wanaka.

* Note: This ground floor minimum includes 1.3 metres to allow for wave action where necessary

x Earthworks [NOTE – TO BE REMOVED VIA SEPARATE COUNCIL PLAN CHANGE 49]

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.

1. Earthworks

(a) The total volume of earthworks does not exceed 100m³ per site (within a 12 month period). For clarification of "volume", see interpretative diagram 5.

(b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed 200m² in area within that site (within a 12 month period).

(c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed 20m³ (notwithstanding provision 17.2.2).

(d) No earthworks shall:

(i) expose any groundwater aquifer;

(ii) cause artificial drainage of any groundwater aquifer;

(iii) cause temporary ponding of any surface water.

2. Height of cut and fill and slope

(a) 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.

(b) The maximum height of any cut shall not exceed 2.4 metres.

(c) The maximum height of any fill shall not exceed 2 metres. Environmental Protection Measures

(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.

(b) Any person carrying out earthworks shall:

(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.

(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.

(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.

4. Protection of Archaeological sites and sites of cultural heritage

(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.

(b) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.

10.7.5.2 Zone Standards

i Building and Facade Height

The maximum building height shall be:

- 8m to the eave line
- 10m to the ridge line.

ii Noise

(a) Sound from activities measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 shall not exceed the following noise limits at any point within any other site in this zone:

(i) daytime	(0800 to 2200 hrs)	60 dB $L_{Aeq}(15 \text{ min})$
(ii) night-time	(2200 to 0800 hrs)	50 dB $L_{Aeq}(15 \text{ min})$
(iii) night-time	(2200 to 0800 hrs)	70 dB L_{AFmax}

(b) Sound from activities which is received in another zone shall comply with the noise limits set in the zone standards for that zone.

(c) The noise limits in (a) shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999.

(d) The noise limits in (a) shall not apply to sound associated with airports or windfarms. Sound from these sources shall be assessed in accordance and comply with the relevant New Zealand Standard, either NZS 6805:1992, or NZS 6808:1998. For the avoidance of doubt the reference to airports in this clause does not include helipads other than helipads located within any land designated for Aerodrome Purposes in this Plan.

iii Glare

(a) All exterior lighting installed on sites or buildings within the shall be directed away from adjacent sites, roads and public places, except footpath or pedestrian link amenity lighting.

(b) No activity shall result in a greater than 10 lux spill (horizontal or vertical) of light onto any adjoining property within the Zone, measured at any point inside the boundary of any adjoining property.

(c) No activity shall result in a greater than 3 lux spill (horizontal or vertical) of light onto any adjoining property which is zoned Low Density Residential or High Density Residential measured at any point more than 2m inside the boundary of the adjoining property.

(d) All roofs of buildings shall be finished or treated so they do not give rise to glare when viewed from any public place or neighbouring property.

iv Service Lanes



Any development, redevelopment or substantial alteration of any site or property within this zone shall make provision for such service lane or through-site pedestrian access as indicated on Planning Map No. 21. Such provision shall be taken into account in the assessment of development levies applicable to the development, redevelopment or alteration. Service lanes shall be subdivided and vested in the Council.

10.7.6 Resource Consents - Assessment Matters

The resource consent Assessment Matters which apply to the consideration of resource consents in the Wanaka Town Centre Zone are specified in Rule 10.10.

10.8 Arrowtown Town Centre Zone Rules

10.8.1 Zone Purpose

The Town Centre covers the area of land bounded by Berkshire Street, Ramshaw Lane, Wiltshire Street and Arrow Lane.

The purpose of this zone is to recognise and conserve the significant physical and natural resources which contribute to the character of the town centre and enhance these by encouraging compatible land use activities and an intensification of activity rather than permitting peripheral expansion. In addition, the zone provisions seek to enhance those elements which give rise to the particular sense of place, building scale and atmosphere that is characteristic of Arrowtown.

The zone makes provision for a wide range of activities necessary to retain the Arrowtown's role as a major visitor attraction and as a centre servicing the day to day needs of the resident population.

10.8.2 District Rules

Attention is drawn to the following District Wide Rules which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- (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

10.8.3 Activities

10.8.3.1 Permitted Activities

Any Activity which complies with all the relevant **Site** and **Zone** Standards and is not listed as a **Controlled**, **Discretionary**, **Non-Complying** or **Prohibited Activity** shall be a **Permitted Activity**.

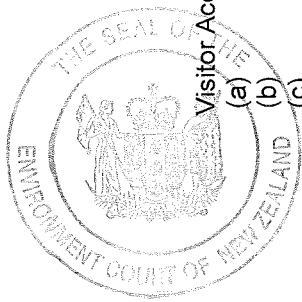
10.8.3.2 Controlled Activities

The following Activities shall be **Controlled Activities** provided they are not listed as a **Prohibited**, **Non-Complying** or **Discretionary Activity** and they comply with all the relevant **Site** and **Zone** Standards. The matters in respect of which the Council has reserved control are listed with each **Controlled Activity**.

i Verandas

All verandas in respect of design, external appearance, materials and impact on and relationship to adjoining verandas.

ii Visitor Accommodation



Visitor Accommodation in respect of:

- (a) Building external appearance
- (b) Setback from internal boundaries
- (c) Setback from roads
- (d) Access
- (e) Landscaping
- (f) Screening of outdoor storage and parking areas.

10.8.3.3 Discretionary Activities

The following Activities shall be **Discretionary Activities** provided they are not listed as a **Prohibited** or **Non-Complying Activity** and they comply with all the relevant **Zone Standards**.

i Premises Licensed for the Sale of Liquor

Premises licensed for the sale of liquor under the Sale of Liquor Act 1989 for the consumption of liquor on the premises between the hours of 11pm and 7am with the Council's discretion restricted to hours of operation and the effects on residential zones. This rule shall not apply to the sale of liquor:

- to any person who is living on the premises;
- to any person who is present on the premises for the purpose of dining.

ii Buildings

All new buildings including external alterations to existing buildings, with the Council's discretion restricted to the external appearance, materials, signage, lighting, streetscape, relationship to heritage values, compatibility with adjoining buildings and the retention of pedestrian linkages between Arrow Lane, Buckingham Street and Ramshaw Lane.

- iii Any Activity which is not listed as a **Non-Complying** or **Prohibited Activity** and complies with all the **Zone Standards** but does comply with

one or more of the **Site Standards** shall be a **Discretionary Activity** with the exercise of the Council's discretion being restricted to the matter(s) specified in the standard(s) not complied with.

10.8.3.4 Non-Complying Activities

The following Activities shall be **Non-Complying Activities** provided they are not listed as a **Prohibited Activity**.

i Factory Farming

ii Forestry Activities

iii Mining Activities

iv Airport

The take-off or landing of aircraft other than for emergency rescues or fire-fighting.

v Residential Flat

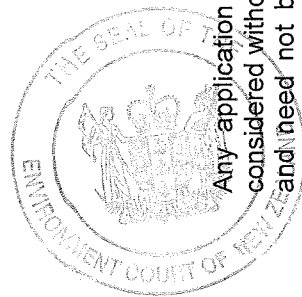
- vi Any Activity which is not listed as a **Prohibited Activity** and does not comply with one or more of the relevant **Zone Standards**.

10.8.3.5 Prohibited Activities

The following activities shall be **Prohibited Activities**

- i Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building or fish or meat processing or any activity requiring an Offensive Trade Licence under the Health Act 1956.

10.8.4 Non-Notification of Applications



Any application for a resource consent for the following matters may be considered without the need to obtain the written approval of affected persons and need not be notified in accordance with Section 93 of the Resource Management Act 1991, unless the Council considers special circumstances exist in relation to any such application.

- i All applications for **Controlled Activities**.
- ii Application for the exercise of the Council's discretion in respect of the following **Site Standards**:

- **Building Coverage**
- **Residential Activities.**

10.8.5 Standards

10.8.5.1 Site Standards

i Building Coverage

Maximum building coverage 90%

ii Setback from Internal Boundaries

There shall be a setback of 3m from any rear boundary.

iii Retailing

The use of the ground floor of every building fronting onto that section of Buckingham Street located within the Zone shall be limited to retail activities, places of entertainment, pedestrian access to other ground floor activities, restaurants, the reception area of visitor accommodation and to the entrance to independent businesses above ground floor level.

iv Street Scene

The minimum street facade of all buildings within the zone shall be 3m.

v Outdoor Storage

For all buildings with frontage to Buckingham Street storage areas shall be situated within the building or accessed from a service lane at the rear of the property.

Where a storage area does not form part of a building the storage area shall be screened from view from all public places and adjoining zones by a solid fence of not less than 2m height.

vi Sunlight and Outlook of Residential Neighbours

Buildings within this zone shall not project beyond a recession line constructed at an angle of 35° inclined towards the site from points 5m above the site boundaries. Except that gable ends may project beyond the recession line where the maximum height of the gable end is no greater than 2m above the recession line.

vii Residential Activities

All residential activities shall be restricted to first floor level or above. Any building or part of a building used for residential activities shall provide a separate outdoor living area for the exclusive use of each separate residential unit. The outdoor living area shall have a minimum area of 5m² a least dimension of 2m. This living area must be located immediately adjacent to and have direct access from the residential unit.

viii Loading

Notwithstanding the requirements in Rule 14 (Transport) concerning the provision of loading spaces, there shall be no vehicle access to any loading or storage space from Buckingham Street, except where there is no practical alternative access available from Ramshaw Lane or Arrow Lane.



ix. **Earthworks [NOTE – TO BE REMOVED VIA SEPARATE COUNCIL PLAN CHANGE 49]**

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.

1. Earthworks

(a) The total volume of earthworks does not exceed **100m³** per site (within a 12 month period). For clarification of "volume", see interpretative diagram 5.

(b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed **200m²** in area within that site (within a 12 month period).

(c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed **20m³** (notwithstanding provision 17.2.2).

(d) No earthworks shall:

- (i) expose any groundwater aquifer;
- (ii) cause artificial drainage of any groundwater aquifer;
- (iii) cause temporary ponding of any surface water.

2. Height of cut and fill and slope

(a) 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.

(b) The maximum height of any cut shall not exceed 2.4 metres.

(c) The maximum height of any fill shall not exceed 2 metres.

3. Environmental Protection Measures

(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.

(b) Any person carrying out earthworks shall:

(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.

(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.

(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.

4. Protection of Archaeological sites and sites of cultural heritage

(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.

- (b) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.

10.8.5.2 Zone Standards

i Building Height

The maximum building height shall be 7m.

ii Noise

- (a) Sound from activities measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 shall not exceed the following noise limits at any point within any other site in this zone:

(i) daytime	(0800 to 2200 hrs)	60 dB $L_{Aeq}(15 \text{ min})$
(ii) night-time	(2200 to 0800 hrs)	50 dB $L_{Aeq}(15 \text{ min})$
(iii) night-time	(2200 to 0800 hrs)	70 dB L_{AFmax}

- (b) Sound from activities which is received in another zone shall comply with the noise limits set in the zone standards for that zone.

- (c) The noise limits in (a) shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999.

- (d) The noise limits in (a) shall not apply to sound associated with airports or windfarms. Sound from these sources shall be assessed in accordance and comply with the relevant New Zealand Standard, either NZS 6805:1992, or NZS 6808:1998. For the avoidance of doubt the reference to airports in this clause does not include helipads other than helipads located within any land designated for Aerodrome Purposes in this Plan.

iii Glare

- (a) All exterior lighting installed on sites or buildings within the zone shall be directed away from adjacent sites, roads and public places, except footpath or pedestrian link amenity lighting.
- (b) No activity in this zone shall result in a greater than 10 lux spill (horizontal or vertical) of light onto any property within the zone, measured at any point inside the boundary of any adjoining property.
- (c) No activity shall result in a greater than 3 lux spill (horizontal or vertical) of light onto any adjoining property which is zoned Residential Arrowtown Historic Management or Low Density Residential measured at any point more than 2m inside the boundary of the adjoining property.
- (d) All roofs of buildings shall be finished or treated so they do not give rise to glare when viewed from any public place or neighbouring property.

10.8.6 Resource Consents - Assessment Matters

The Assessment Matters which apply to the consideration of resource consents in the Arrowtown Town Centre Zone are specified in Rule 10.10.

10.9 Corner Shopping Centre Zones Rule

10.9.1 Zone Purpose

The purpose of the zone is to provide convenient access to goods and services, community activities and local opportunities for employment. No expansion of the zone is proposed and the zone will continue to accommodate business activities of a modest scale. It is recognised the activity structure of the centre may change and convert to a range of uses including residential, office and retail as appropriate.

10.9.2 District Rules



Attention is drawn to the following District Wide Rules which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met, then consent will be required in respect of that matter:

- (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

10.9.3 Activities

10.9.3.1 Permitted Activities

Any Activity which complies with all the relevant **Site** and **Zone** Standards and is not listed as a **Controlled, Discretionary, Non-Complying** or **Prohibited Activity** shall be a **Permitted Activity**.

10.9.3.2 Controlled Activities

The following Activities shall be **Controlled Activities** provided that they are not listed as a **Prohibited, Non-Complying** or **Discretionary Activity** and they comply with all the relevant **Site** and **Zone** Standards. The matters in respect of which the Council has reserved control are listed with each **Controlled Activity**.

i Buildings

All buildings in respect of external appearance, signage, lighting, materials and impact on the streetscape.

ii Verandas

All verandas in respect of design, materials, external appearance and impact on and relationship to adjoining verandas.

10.9.3.3 Discretionary Activities

The following Activities shall be **Discretionary Activities** provided that they are not listed as a **Prohibited** or **Non-Complying Activity** and they comply with all the relevant **Zone** Standards.

i Visitor Accommodation

Visitor Accommodation.

ii Premises Licensed for the Sale of Liquor

Premises licensed for the sale of liquor under the Sale of Liquor Act 1989, for the consumption of liquor on the premises between the hours of 11pm and 7am with the Council's discretion restricted to hours of operation and the effects on residential zones. This rule shall not apply to the sale of liquor:

- to any person living on the premises;
- to any person present on the premises for the purpose of dining.

iii Any Activity which is not listed as a **Non-Complying** or **Prohibited Activity** and complies with all the **Zone Standards** but does comply with one or more of the **Site Standards** shall be a **Discretionary Activity** with the exercise of the Council's discretion being restricted to the matter(s) specified in the standard(s) not complied with.

10.9.3.4 Non-Complying Activities

The following Activities shall be **Non-Complying Activities** provided they are not listed as a **Prohibited Activity**.

i Factory Farming



ii Forestry Activities

iii Mining Activities

iv Airport

The take-off or landing of aircraft other than for emergency rescues or fire-fighting.

v Residential Flat

vi Any Activity which is not listed as a **Prohibited Activity** and does not comply with one or more of the relevant **Zone Standards**.

10.9.3.5 Prohibited Activities

The following activities shall be **Prohibited Activities**

- i Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building or fish or meat processing, or any activity requiring an Offensive Trade Licence under the Health Act 1956.

10.9.4 Non-Notification of Applications

Any application for a resource consent for the following matters may be considered without the need to obtain the written approval of affected persons and need not be notified in accordance with section 93 of the Resource Management Act 1991, unless the Council considers special circumstances exist in relation to any such application.

- i All applications for **Controlled Activities**.
- ii Applications for the exercise of the Council's discretion in respect of the following **Site Standards**:

- Building Coverage
- Residential Activities

10.9.5 Standards

10.9.5.1 Site Standards

i Building Coverage

Maximum building coverage - 75%.

ii Setback from Internal Boundaries

Where the site adjoins a Low Density Residential or High Density Residential Zone or public open space the setback shall be 4.5m.

iii Street Scene

Buildings shall be built up to the street boundary along the full street frontage of the site except where a pedestrian link is provided. Nothing in this rule shall preclude the inclusion of recessed entrances within any facade up to a depth of 1.5m and a width of 2m.

iv Storage

All storage areas shall be screened from view from all public places and adjoining zones by a solid fence of not less than 2m height.

v Residential Activities

All residential activities shall be restricted to first floor level or above. Any building or part of a building used for residential activities shall provide a separate outdoor living area for the exclusive use of each separate residential unit. The outdoor living area shall have a minimum area of 5m² and a least dimension of 2m. This living area must be

located immediately adjacent to and have direct access from the residential unit.

vi **Earthworks [NOTE – TO BE REMOVED VIA SEPARATE COUNCIL PLAN CHANGE 49]**

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.

1. **Earthworks**

(a) The total volume of earthworks does not exceed **100m³** per site (within a 12 month period). For clarification of "volume" see interpretative diagram 5.

(b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed **200m²** in area within that site.

(c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed **20m³** (notwithstanding provision 17.2.2).

(d) No earthworks shall:

- (i) expose any groundwater aquifer;
- (ii) cause artificial drainage of any groundwater aquifer;
- (iii) cause temporary ponding of any surface water.

2. **Height of cut and fill and slope**

(a) The height of any cut or fill shall not be greater than the distance of the cut or 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.

(b) The maximum height of any cut shall not exceed 2.4 metres.

(c) The maximum height of any fill shall not exceed 2 metres.

3. **Environmental Protection Measures**

(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.

(b) Any person carrying out earthworks shall:

(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.

(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.

(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.

4. **Protection of Archaeological sites and sites of cultural heritage**

(a) The activity shall not interfere with 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.

(b) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.



10-9.5.2 Zone Standards

Building Height

The maximum building height shall be 8 m.

ii Noise

- (a) Sound from activities measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 shall not exceed the following noise limits at any point within any other site in this zone:

(i) daytime	(0800 to 2200 hrs)	60 dB $L_{Aeq}(15 \text{ min})$
(ii) night-time	(2200 to 0800 hrs)	50 dB $L_{Aeq}(15 \text{ min})$
(iii) night-time	(2200 to 0800 hrs)	70 dB $L_{A,Fmax}$

- (b) Sound from activities which is received in another zone shall comply with the noise limits set in the zone standards for that zone.

- (c) The noise limits in (a) shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999.

- (d) The noise limits in (a) shall not apply to sound associated with airports or windfarms. Sound from these sources shall be assessed in accordance and comply with the relevant New Zealand Standard, either NZS 6805:1992, or NZS 6808:1998. For the avoidance of doubt the reference to airports in this clause does not include helipads other than helipads located within any land designated for Aerodrome Purposes in this Plan.

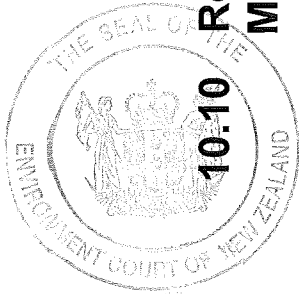
- (e) The noise limits in (a) shall not apply to sound from aircraft operations at Queenstown Airport.

iii Glare

- (a) All exterior lighting installed on sites or buildings within the zone shall be directed away from adjacent sites, roads and public places, except footpath or pedestrian link amenity lighting.
- (b) No activity shall result in a greater than 10 lux spill (horizontal or vertical) of light onto any adjoining property within the zone, measured at any point inside the boundary of any adjoining property.
- (c) No activity shall result in a greater than 3 lux spill (horizontal or vertical) of light onto any adjoining property which is zoned Low Density Residential or High Density Residential measured at any point more than 2m inside the boundary of the adjoining property.
- (d) All roofs of buildings shall be finished or treated so they do not give rise to glare when viewed from any public place or neighbouring property.

10.9.6 Resource Consents - Assessment Matters

The resource consent Assessment Matters which apply to the consideration of resource consents in the Corner Shopping Centre Zones are specified in Rule 10.10.



10.10 Resource Consents - Assessment Matters:

Queenstown, Wanaka, Arrowtown Town Centre Zones, Corner Shopping Centre Zones:

10.10.1 General

- i The Assessment Matters are other methods or matters included in the District Plan, in order to enable the Council to implement the Plan's policies and fulfil its functions and duties under the Act.
- ii In considering resource consents for land use activities, in addition to the applicable provisions of the Act, the Council shall apply the relevant *Assessment Matters* set out in Clause 10.10.2 below.
- iii In the case of Controlled Activities, Restricted Discretionary Activities under Rule 10.6.3.2A and Discretionary Activities, where the exercise of the Council's discretion is restricted to the matter(s) specified in a particular standard(s) only, the assessment matters taken into account shall only be those relevant to that/these standard(s).
- iv In the case of Controlled Activities, the assessment matters shall only apply in respect to *conditions* that may be imposed on a consent.
- v Where an activity is a Discretionary Activity or a Restricted Discretionary Activity under Rule 10.6.3.2A, because it does not comply with one or more relevant Site Standards, but is also specified as a Controlled Activity in respect of other matter(s), the Council shall also apply the relevant assessment matters for the Controlled Activity when considering the imposition of conditions on any consent to the Restricted Discretionary Activity or discretionary activity.

10.10.2 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:

i Building Height and Site Coverage

- (a) Whether any earthworks have been carried out on the site prior to the date of notification, 10 October 1995, that have lowered the level of the site.
- (b) Whether there are rules requiring the site to be built up.
- (c) With regard to proposals that exceed one or more zone standard(s) and for the Lakeview sub-zone and the Isle Street sub-zones (West and East) proposals that exceed site standards 10.6.5.1 (xi) and 10.6.5.1(i)(d), (e) and (f) whether and the extent to which the proposal will facilitate the provision of a range of Residential Activity that contributes to housing affordability in the District.
- (d) The extent to which any height infringement to the height limits specified on Figure 3: Lakeview sub-zone Height Limit Plan will:
 - (i) adversely affect the visual quality and amenity values of the adjoining landscape;
 - (ii) adversely affect the heritage values of the adjoining Queenstown Cemetery; and
 - (iii) adversely affect outlooks from within the 'Square' identified within Figure 2: Lakeview sub-zone Structure Plan.

Note: Assessment matter 10.10.2(i)(c) provides guidance as to the circumstances where resource consents shall be assessed against the objective and policies of 4.10.1 of the District Plan.



Controlled Activities - Buildings - Wanaka Town Centre

Conditions may be imposed to ensure:

- (a) The design of the building blends well with and contributes to an integrated built form.
- (b) The external appearance of the building is sympathetic to the surrounding natural and built environment. The use of stone, schist, plaster or natural timber is encouraged below the roof line.
- (c) The roof line reflects and complements the surrounding topography. The pitch of roofs, except in the case of canopies, verandas or where existing buildings needed to be matched, should be between 25°-45° from the horizontal.
- (d) The views along a street or of an outstanding natural feature have been taken into account.
- (e) The building facade reflects the importance of open space on to which it fronts, and the detail of the facade is sympathetic to other buildings in the vicinity, having regard to:

Building materials

Glazing treatment

Symmetry

External appearance

Vertical and horizontal emphasis

iii Controlled Activities Rules 10.6.3.2(vi) Buildings - Queenstown Town Centre Lakeview sub-zone

Urban Design Principles (refer Rule 10.6.3.2(vi)(d))

(1) Public Spaces

- The design of buildings fronting parks and the Square contribute to the amenity of the public spaces.
- The design of buildings at 34 Brecon Street or the Lakeview Camping Ground are compatible with the setting of the adjoining Queenstown Cemetery.

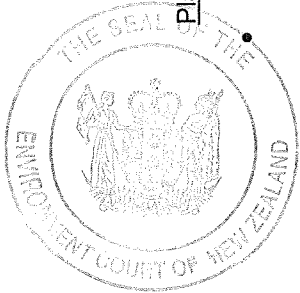
(2) Street Edges (including Active Frontages)

- Built form contributes to providing a high quality, spatially well-defined and contained streetscape and associated urban amenity.
- Visual interest is provided through a variety of building forms and frontages in terms of footprint, height and design.
- Buildings should avoid blank walls which are visible from public spaces.
- Where provided, car parking is accessible and does not dominate the streetscape.
- Buildings and streetscape design comply with CPTED principles.

3. Sustainable Buildings

- The adoption of sustainable building design principles using sustainable materials, passive and active solar energy collection (where this is workable), water conservation techniques and/or, grey water recycling.

4. Landscaping



Planting and landscaping is designed to:

- Maintain access to winter sun.
- Integrate site landscape design with the wider context.
- Comply with CPTED principles.

iv Controlled Activities - Buildings - Queenstown Town Centre (Refer also Assessment Matters vii and viii) excluding the Lakeview sub-zone

Conditions may be imposed to ensure:

- (a) The building has been considered as part of the surrounding urban environment in terms of how it reflects its location within the town and the nature of open spaces which it may face.
- (b) The individual design elements of the building are in scale with the relatively fine grained individual site development which may have individual characteristics of the town centre in situations where sites are to be aggregated.
- (c) The design of the ground floor frontage of the building maintains a sense of variety which is desirable in promoting diversity.
- (d) The views along a street to a landmark, a significant building, or the Lake have been considered in the design of the building, and that the external appearance of buildings on prominent sites has taken into account their importance in terminating vistas or framing views.
- (e) The building facade reflects the importance of open space on to which it fronts, and the detail of the facade is sympathetic to other buildings in the vicinity, having regard to:

Building materials

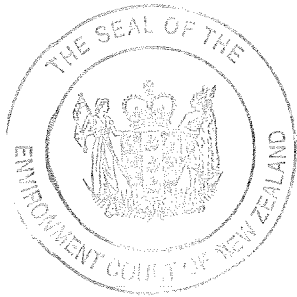
Glazing treatment

Symmetry

External appearance

Vertical and horizontal emphasis

- (f) The top of a building has been treated as an important termination, as may be seen from numerous vantage points and the quality of the roof design.
- (g) The ground and first floor facades of the building establish a strong relationship to pedestrians, and the ground floor appears accessible.
- (h) Any buildings proposed along the lake frontage strongly recognise the unique quality of the open space and waterfront amenity.
- (i) The adverse effects of any colour scheme which incorporates colours, which act as a form of advertising on the visual coherence and harmony of the locality, are avoided or mitigated.
- (i) The extent to which new buildings within the Isle Street sub-zones (West and East) provide for the following urban design principles and include:
 - Built form contributes to providing a high quality, spatially well-defined and contained streetscape and associated urban amenity.
 - Buildings should avoid blank walls which are visible from public spaces.
 - Where provided, car parking is accessible and does not dominate the streetscape.
 - Buildings and streetscape design comply with CPTED principles.



- The adoption of sustainable building design principles using sustainable materials, passive and active solar energy collection (where this is workable), water conservation techniques and/or grey water recycling.

v Controlled Activity – Verandas

Conditions may be imposed to ensure:

The external appearance, of verandas avoids or mitigates adverse effects on:

- neighbouring buildings and verandas
- the extent to which the veranda effects the use and enjoyment of the streetscape
- the appearance of the building.

vi Controlled Activity - Visitor Accommodation in the Town Centre Transition sub-zone and within the Isle Street sub-zones (West and East)

In considering imposing conditions on visitor accommodation in the Town Centre Transition sub-zone, those matters listed in Section 7.7.2 (ii) shall be considered.

In relation to the Isle Street sub-zones (West and East) conditions may be imposed to ensure:

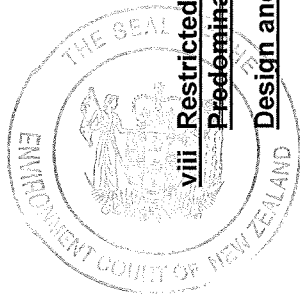
- (a) Compatibility with amenity values of the surrounding environment considering the visual amenity of the street, neighbouring properties or views of the lake; and
 - (i) The character, scale and intensity of the proposed use and its compatibility in relation to surrounding properties and in the case of Isle Street sub-zone (West) adjoining residential neighbourhoods.
 - (ii) Loss of privacy

- (iii) In the case of Isle Street sub-zone (West), the proximity of outdoor facilities to residential neighbours.
- (iv) Hours of operation
- (b) 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
 - (iv) Provision for coaches to be parked off-site
- (c) 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.

vii Controlled Activities - Commercial Activities within the Town Centre Waterfront Zone

Conditions may be imposed to ensure that:

- (a) Any commercial activity does not create any adverse effect through additional traffic generation.
- (b) The location and design of vehicle access and loading areas is such that it ensures safe and efficient movement of pedestrians, and vehicles on adjoining roads.
- (c) Outdoor storage areas do not have an adverse effect on the visual amenity of the surrounding area, or impede pedestrian or vehicle movement.



viii **Restricted Discretionary Activity Rule 10.6.3.2A (i)(a), (b) and (c)**
Predominant Uses

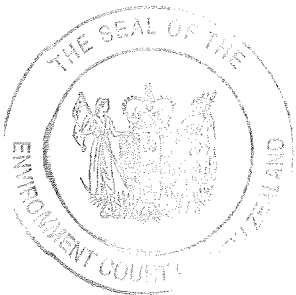
Design and Layout

1. The extent to which the external scale and design and appearance of buildings (including materials and colours), equipment and structures:
 - Provide visual interest through a variety of forms in terms of footprint, height and design.
 - Break down the building bulk and scale by architectural articulation and modulation of building form.
 - Minimise adverse effects of shading on adjacent public spaces (including footpaths).
 - Contribute positively to local public spaces and streetscape character and amenity through bulk, scale, architectural articulation and modulation, rooflines and the choice of materials and colours.
 - Visually enhance those parts of the site visible from public spaces e.g. major arterial transport corridor frontages, Queenstown Bay and the Square.

Transportation

2. The extent to which effects on the transportation network are managed via adherence to the requirements of an integrated transport plan, including:
 - the need to address the cumulative traffic effects of the development on the existing ~~environment~~ transportation network (including the effects of existing consented development not yet built); and

- the implementation of any road safety improvements and/or road capacity improvements to the transportation network as a consequence of the development.
 - measures to promote reduced use of car travel by employees, including providing facilities for walkers and cyclists including change facilities and lockers and promoting travel outside peak hours, including telecommuting and flexible works hours.
 - measure to promote reduced car use by customers including improving the attractiveness of alternative modes by provision of bike stands and safe and attractive pedestrian paths to public roads and public transport stops.
3. The extent to which parking, loading, manoeuvring areas and outdoor service areas are designed and located to:
 - Protect amenity values of the Square, the streetscape and adjoining sites by screening and landscaping.
 - Be away from the front of the site and the primary entrances to buildings.
 - Ensure traffic flows minimise adverse effects on amenity values.
 - Minimise traffic conflicts and provide safe and efficient vehicle circulation on the site.
 - Create an attractive environment that maintains safety and amenity for pedestrians.
 - Integrate with adjacent activities and development in terms of the provision of entrances, publicly accessible spaces, parking (including the degree to which the parking resource is available for use by other activities in the sub-zone), and where appropriate provide for the adoption of demand-managed transport options utilising



walking, cycling and passenger transport options as alternatives to providing for car parking and pedestrian linkages beyond the site, linking to the Queenstown commercial centre.

Landscaping

4. The extent to which planting and landscaping is designed to:

- Maintain access to winter sun.
- Integrate site landscape design with that of the Square.
- Comply with CPTED principles.

promoting travel outside peak hours, including telecommuting and flexible works hours.

- measure to promote reduced car use by customers including improving the attractiveness of alternative modes by provision of bike stands and safe and attractive pedestrian paths to public roads and public transport stops.

x Restricted Discretionary Activity Rules 10.6.3.2A (iii) Commercial and retail activities with a gross floor area of less than 400m² (that do not fall within the definition of ancillary retail and commercial activities)

(a) The extent to which the non-ancillary retail or commercial activities support the demand arising from the intensification of use within the Lakeview sub-zone and growth more generally:

(b) The extent to which traffic generation from the activity will, in conjunction with traffic generation from other activities in the Lakeview sub-zone and other activities within the vicinity, have any cumulative effects.

(c) The extent to which access, parking and loading are been designed and located to:

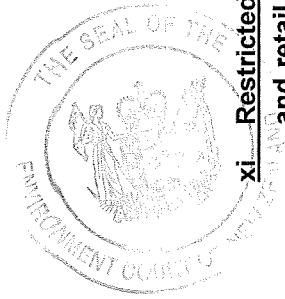
- Protect amenity values of the Square, the streetscape and adjoining sites by screening and landscaping.
- Be away from the front of the site and the primary entrances to buildings.
- Ensure traffic flows minimise adverse effects on amenity values.
- Minimise traffic conflicts and provide safe and efficient vehicle circulation on the site.
- Create an attractive environment that maintains safety and amenity for pedestrians.

ix Restricted Discretionary Activity Rules 10.6.3.2A (ii) Visitor Accommodation and Commercial activities with a gross floor area of greater than 400m² within land bounded by Hay, Beach, Lake, and

Man Streets

(a) The extent to which effects on the transportation network are managed via adherence to the requirements of an integrated transport plan, including the need to address the cumulative traffic effects of the development (including existing consented development not yet built):

- the need to address the cumulative traffic effects of the development on the existing environment-transportation network (including the effects of existing consented development not yet built); and
- the implementation of any road safety improvements and/or road capacity improvements to the transportation network as a consequence of the development.
- measures to promote reduced use of car travel by employees, including providing facilities for walkers and cyclists, including change facilities and lockers and



xi Restricted Discretionary Activity Rules 10.6.3.2A (iv) Commercial and retail activities with a gross floor area of more than 400m² (that do not fall within the definition of ancillary retail and commercial activities)

- (a) The extent to which the non-ancillary retail or commercial activities support the demand arising from the intensification of use within the Lakeview sub-zone and growth more generally;
- (b) The extent to which the effect of non-ancillary retail and non-ancillary commercial activities impact upon the viability of the existing Queenstown Town Centre, particularly where existing and consented commercial and retail activities exceed a maximum gross floor area of 6,500m² in the Lakeview sub-zone;
- (c) The extent to which effects on the transportation network are managed via adherence to the requirements of an integrated transport plan, including:

- the need to address the cumulative traffic effects of the development on the existing ~~environment~~ transportation network (including the effects of existing consented development not yet built); and
- the implementation of any road safety improvements and/or road capacity improvements to the transportation network as a consequence of the development.
- measures to promote reduced use of car travel by employees, including providing facilities for walkers and cyclists including change facilities and lockers and promoting travel outside peak hours, including telecommuting and flexible works hours.
- measures to promote reduced car use by customers including improving the attractiveness of alternative modes by provision of bike stands and safe and

attractive pedestrian paths to public roads and public transport stops.

xii Controlled and Discretionary Activity – Height within the Isle Street sub-zones (West and East)

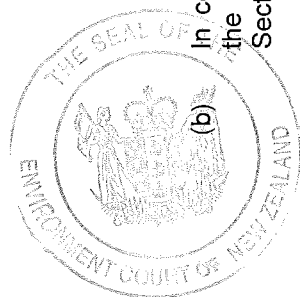
- (a) The extent to which additional height will enable better quality urban design internal outcomes, in respect of floor to ceiling heights for the uses proposed within the building;
- (b) The extent to which additional height will successfully integrate with the scale of buildings within the adjoining Queenstown Town Centre and will not adversely affect wider streetscape and townscape values;
- (c) The extent to which any exceedance of a 12 metre discretionary height limit, when considered in conjunction with any other buildings within the same block contained within the Isle Street sub-zone (West) will result in adverse effects upon adjoining properties and the wider townscape.

xiii Discretionary Activity – Height within ~~within~~ land bounded by Hay, Beach, Lake, and Man Streets

- (a) The extent to which increased building height would adversely affect the amenity on neighbouring properties on Hay, Lake and Man Streets ~~have any adverse effects on adjoining properties in~~ terms of dominance by buildings, loss of privacy, sunlight and day light and loss of opportunities for views.

xiv Discretionary Activity - Visitor Accommodation

- (a) The extent to which the visitor accommodation will result in levels of traffic generation or pedestrian activity which are incompatible with the character of the surrounding area.



In considering imposing conditions on visitor accommodation in the Town Centre Transition sub-zone, those matters listed in Section 7.7.2 (vi) shall be considered.

- (c) Any adverse effects of the proposed visitor accommodation in terms of:
- (i) Noise, vibration and lighting from vehicles entering and leaving the site or adjoining road, which is incompatible with the levels acceptable in a town centre zone environment.
 - (ii) Levels of traffic congestion or reduction in levels of traffic safety which are inconsistent with the classification of the adjoining road(s).
 - (iii) Pedestrian safety in the vicinity of the activity.
 - (iv) Any cumulative effect of traffic generation from the activity in conjunction with traffic generation from other activities in the vicinity.

- (d) The ability to mitigate any adverse effects of the additional traffic generation such as through the location and design of vehicle crossings, parking and loading areas, or through the provision of screening or through other factors which may reduce the effect of the additional traffic generation, such as infrequency of the activity, or limited total time over which the traffic movements occur.

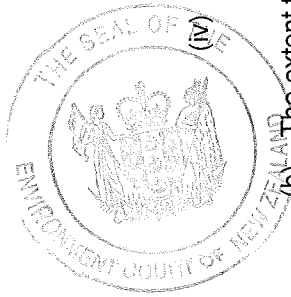
xv Controlled and Discretionary Activity - Licensed Premises

In considering any application for the sale of liquor between the hours of 11pm and 7am, (10pm and 8am in the Lakeview and Isle Street sub-zones), the Council shall, in deciding whether to impose conditions, have regard to the following specific 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.

xvi Discretionary Activity - Wharfs, Jetties and Buildings in the Queenstown Town Centre Waterfront Area

- (a) The extent to which the proposal achieves the following design objectives:
- (i) Creation of an exciting and vibrant waterfront which maximises the opportunities and attractions inherent in a visitor town situated on a lakeshore.
 - (ii) Provision of a continuous waterfront walkway from Horne Creek right through to St Omer Park.
 - (iii) Maximisation of ability to cater for commercial boating activities to an extent compatible with maintenance of environmental standards and the nature and scale of existing activities.



Provision for one central facility in Queenstown Bay for boat refuelling, bilge pumping, sewage pumping.

(b) The extent to which any proposed structures or buildings will:

- (i) enclose views across Queenstown Bay.
- (ii) result in a loss of the generally open character of the Queenstown Bay and its interface with the land.

Any assessment matters referred to in the Queenstown Bay Waterfront Development Plan which is available from the Council.

xvii Discretionary Activity - Buildings in the Special Character Area - Queenstown Town Centre

(a) The nature and proportion of all design elements when compared with other buildings on adjacent sites. Where there are no adjacent buildings then reference shall be made to other buildings within the Special Character Area.

(b) The design response of the building to the identified character of the relevant Special Character Precinct, and the way in which the building promotes the retention or enhancement of that character, having regard to:

- Facade Design
- Building materials
- Symmetry
- External appearance
- Roof design
- Fenestration, including proportion of wall area to be glazed

- Proposed signage

(c) Whether the individual design elements of the building are in scale with the fine grained historical subdivision site pattern in situations where sites are to be aggregated.

(d) Whether the bulk and location of the building ensures the retention of the heritage values of existing neighbouring buildings and their setting.

Please also refer to the Planning Design Guide documents available from the Council.

xviii Discretionary Activity - Verandas, Arrowtown Town Centre Zone (Refer also Assessment Matter xvii)

(a) The effect on the visual integrity and character of the streetscape.

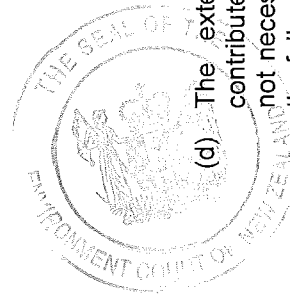
(b) The design of the veranda. The construction of verandas should generally either be a simple skillion roof or bull nose with closed ends. Veranda posts should have a positive base detail which does not decrease in dimensions from the main support post. Veranda brackets are acceptable.

xix Discretionary Activity - Buildings, Arrowtown Town Centre Zone

(a) The extent to which the external appearance of any finished surfaces which are not natural materials are based on heritage colours.

(b) Whether the design of the ground floor frontage of the building maintains a sense of variety which is desirable in promoting diversity.

(c) The extent to which the ground and first floor facades of the building establish a strong relationship to pedestrians, and whether the ground floor appears accessible.



- (d) The extent to which any building blends harmoniously with and contributes to the historic character of the town centre. New buildings do not necessarily need to replicate historic buildings styles. In this regard the following matters are considered important by the Council:

(e) Building Form

The extent to which building forms match the forms of the authentic historic buildings

- rectangular in plan form;
- main elevations facing the street;
- symmetrical in building form;
- only buildings on corners of Buckingham, Wiltshire and Berkshire Streets to have chamfered corners;
- overall form of the facade to be horizontal.

(f) Roofing

The extent to which roof design reflects the following:

- (h) Roofs should generally be gabled structures either expressed or behind a parapet. Hips at the rear are acceptable.
- (ii) Hipped roofs behind parapets are acceptable.
- (iii) Expressed gables to the street should generally roof the whole building with a single gable. The proportion of expressed gable buildings to parapet buildings should generally not be greater than existing currently.
- (iv) Pitches of roofs should generally be between 25 and 40 degrees and of verandas approximately 10 degrees.

- (v) Schist buildings should generally have semi circular return parapets.

(g) Exterior Materials and Finishes

The choice of building materials and their finishes generally shall be:

- schist with lime mortar with or without a low percentage of cement for walls and chimneys, with a natural finish or finished with a lime, sand plaster and/or a natural limewash;
- painted timber rusticated or shiplap weatherboards for walls;
- painted corrugated steel for roofs and side walls;
- painted timber for roof and wall coverboards, baseboards, and boxed corners;
- painted timber windows, glazing bars, sills, and frames;
- painted timber door panels, stiles, mullions, rails, glazing bars, sills, and frames;
- natural or limewashed bricks for chimneys;
- painted timber architraves to doors and windows for timber clad houses;
- limes and rendered architraves may be applied to schist buildings;
- painted galvanised steel for gutters and downpipes;
- painted timber tongue and groove flat boarding for parapets and pediments;
- painted timber cornices, string courses and other decorative elements;



- smooth painted cement render;
- painted timber framing to verandas.

(h) Details

The symmetry of existing entrances to buildings generally should be continued, with symmetry of entrance elements preferred.

Decoration to the body of the building, if applied, generally should be simple and use Neo-Classical details such as cornices, pilasters and string course.

Buildings with horizontal, stepped or raking parapets to the street are encouraged. Segmental, triangular or composite pediments to the parapets are also encouraged. Parapets should generally extend across the entire face of the building, and generally be in the same plane as the front wall of the building. The parapet should be framed by timber coverboards.

Timber framed buildings generally should have timber corner coverboards or boxed corners. Timber architraves generally should be applied around doors and windows which are not shopfronts.

The restoration of gas lamps is encouraged on the authentic buildings which originally had these items.

The choice of windows is between the domestic scaled glazing and the shop front style of glazing. The existing window opening proportions of the authentic buildings generally should be followed for either type of glazing.

Doors and doorways generally should follow the existing authentic buildings in overall proportion, including toplights and location within the facade.

(i) Facade Dimensions

Proportions for parapet height to wall should be between 1:3 and 1:1.5. Pediments should be less than the height of the parapet.

Shopfront window proportions generally should be square and follow the existing general dimensions of authentic heritage buildings. Openings of non-shop front windows generally should be between 1:1.5 and 1:3 width to height.

xx Building Coverage

- (a) The effect of any increase or decrease of building coverage in terms of the building's bulk and scale on the amenities of the adjoining area, and adjoining buildings;
- (b) The extent to which the major part or important features of an historic building are to be retained in any development/redevelopment;
- (c) The extent to which any increase in coverage will jeopardise the provision of pedestrian linkages;
- (d) The scale of any existing buildings in the area and the effects of any further cumulative increases in coverage;
- (e) Any likely requirements for additional parking and access that will be generated having regard to the existing provisions on the site and/or in the locality.
- (f) The extent to which increased building coverage within land bounded by Hay, Beach, Lake, and Man Streets would have any adverse effects on adjoining residential properties in terms of dominance by buildings, loss of privacy, sunlight and day light and loss of opportunities for views.

xxi Historic Building Incentive



(a) The extent to which the historic building structure or facade is important to District heritage values.

(b) The extent to which the building is an important element in the character of the area and especially to streetscape and adjoining buildings.

xxii Retailing

(a) The effect of non-retail activity on adjacent retailing.

(b) Any likely adverse effects on street life of any non provision of retail frontage

(c) The visual impact on the street facade of any non-retail activities.

xxiii Street Scene

(a) The effect of any increased or reduced setback or lowered or increased facade height on the visual impression of the streetscape;

(b) The adequacy or provision of space for pedestrian movement;

(c) The effect of any setback proposed on the existing pattern, height and design of the building facades including, where applicable, the provision of continuous veranda cover to any pedestrian area;

(d) The provision of any type of landscaping in respect to any set-back requirement;

(e) Any adverse effects on traffic movements by vehicle, public transport or pedestrians in terms of the proposed setback;

(f) The impact of any increased or reduced setback, or lowering or raising of facade heights, or outdoor storage, on the appearance of the building and site from any public space;

(g) The compatibility of the building with scale, facade height and setback of adjoining buildings;

(h) Any other proposed or design features including the provision of street furniture to compensate for lack of building height or increased or reduced setback;

(i) The quality and features of the external appearance of proposed buildings;

(j) In Arrowtown, any particular effects of increased height above street facades on the integrity of the buildings within the zone.

xxiv Loading and Outdoor Storage

(a) The effect of any off-street loading or outdoor storage area on the visual amenity of the adjacent streets;

(b) The effect of any off-street loading or outdoor storage area on the coherence and character of the adjacent streets;

(c) The form, nature, type and servicing of any loading area and the effects of these on the surrounding locality.

xxv Setback from Internal Boundaries and Sunlight and Outlook of Adjoining Residential Zone Neighbours

(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 in terms of the area of adjoining land affected by 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 provision adjacent to the boundary, and whether it would adversely effect or mitigate outlook from any affected residential property;

- (e) The use to be made of any buildings adjoining residential properties.

xxvi Verandas

- (a) The extent to which the veranda departs from a height above footpath level, measured to the underside of the veranda of between 2.5 m to 3.0 m and the effect of this on the general streetscape and the appearance of the subject building.
- (b) The extent to which the veranda is compatible, in terms of coverage provided, with those on neighbouring buildings.
- (c) The extent of footpath that may be exposed to adverse weather conditions if a veranda is not provided or if a continuing of veranda cover is not provided;
- (d) The volume of pedestrian movement in the vicinity of the building concerned;
- (e) The effect of any non provision of a veranda on the use, external appearance of adjoining buildings, and the continuity of the street facade;
- (f) The effect on the streetscape in general, and the appearance of the building, of a veranda which is to be situated higher than 3m above the footpath levels;
- (g) The effect on the use and enjoyment of the streetscape of any proposal to support the veranda by poles, columns or similar structural elements which extend from the ground to the veranda and which will be situated on the street.
- (h) The effect of any veranda on the manoeuvring of vehicles adjacent to the kerb in the vicinity of the veranda.

xxvii Residential Activities

- (a) The compatibility of the activity and the building design with surrounding retail outlets;
- (b) The extent to which the development would compromise retail amenity, frontage and access;
- (c) The extent to which the living environment of any residents would be adversely impacted on.

xxviii Flood Risk

- (a) The likelihood of the proposed activity being threatened by flooding or ponding;
- (b) The quantity of the assets that will be vulnerable to flooding as a result of the establishment of the activity;
- (c) The extent to which the construction of the building will result in the increased vulnerability of other sites to flooding.

xxix Earthworks [TO BE DELETED VIA A SEPARATE COUNCIL PLAN CHANGE 49]

1. Environmental Protection Measures

- (a) The extent proposed sediment/erosion control techniques are adequate to ensure that sediment remains on-site.
- (b) Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.
- (c) Whether earthworks will be completed within a short period, reducing the duration of any adverse effects.



(d) 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.

(e) Whether appropriate measures to control dust emissions are proposed.

(f) 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.

2. Effects on landscape and visual amenity values

(a) Whether the scale and location of any cut and fill will adversely affect:

- the visual quality and amenity values of the landscape;
- the natural landform of any ridgeline or visually prominent areas;
- the visual amenity values of surrounding sites.

(b) Whether the earthworks will take into account the sensitivity of the landscape.

(c) The potential for cumulative effects on the natural form of existing landscapes.

(d) The proposed rehabilitation of the site.

3. Effects on adjacent sites:

(a) Whether the earthworks will adversely affect the stability of neighbouring sites.

(b) 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.

(c) Whether cut, fill and retaining are done in accordance with engineering standards.

4. General amenity values

(a) 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.

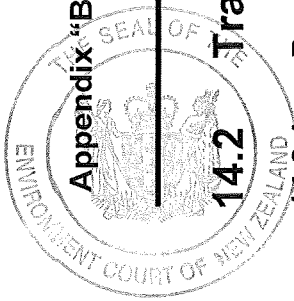
(b) Whether the activity will generate noise, vibration and dust effects, which could detract from the amenity values of the surrounding area.

(c) Whether natural ground levels will be altered.

5. Impacts on sites of cultural heritage value:

(a) Whether the subject land contains Waahi Tapu or Waahi Taoka, or is adjacent to a Statutory Acknowledgment Area, and whether tangata whenua have been notified.

(b) Whether the subject land contains a recorded archaeological site, and whether the NZ Historic Places Trust has been notified.



14.2 Transport Rules

14.2.1 Purpose

Ease of accessibility for people and goods by all modes of transport to all parts of the District is essential to the social, cultural and economic well being of the community. Accessibility is dependent on an efficient and safe transport network and the availability of safe and suitable loading and parking. Protection is provided for pedestrians on major traffic routes.

14.2.2 Activities

14.2.2.1 Permitted Activities

Any activity which complies with all the **Site Standards** specified below and is not listed as a **Controlled** or **Discretionary** Activity shall be a **Permitted Activity**.

14.2.2.2 Controlled Activities

The following shall be **Controlled Activities** provided they are not listed as a **Discretionary Activity** and comply with all the relevant **Site Standards**. The matter in respect of which the Council has reserved control and listed with each **Controlled Activity**:

- i Car Parking Areas in the Town Centre, Business, Industrial A, and Industrial B Zones, Ballantyne Road Mixed Use Zone, Corner Shopping Centre Zone and Activity Area 2 of the Kingston Village Special Zone.

Car parking areas in respect of their access, location, landscaping, separation from pedestrians, compatibility with surrounding activities and method of provision in the Town Centre, Business, Industrial, Corner Shopping Centre Zones and Activity Area 2 of the Kingston Village Special Zone.

TRANSPORT - RULES

14.2.2.3 Discretionary Activities

The following shall be **Discretionary Activities**:

- i **Car parking for Non-Identified Activities**

Car parking for any activity not identified in Table 1, and which is not a permitted or controlled activity within the zone in which it is located.

- ii Any activity which does not comply with the following **Site Standards** shall be a **Discretionary Activity** with the exercise of the Council's discretion being restricted to the matter(s) specified in that standard.

14.2.3 Non-Notification of Applications

An application for a resource consent for the following matters may be considered without the need to obtain a written approval of affected persons and need not be notified in accordance with Section 93 of the Resource Management Act 1991, unless the Council considers special circumstances exist in relation to any such application.

- i All applications for **Controlled** and **Discretionary** Activities.

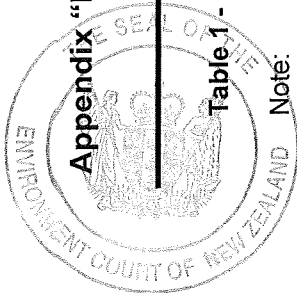
14.2.4 Site Standards

14.2.4.1 Parking and Loading

- i **Minimum Parking Space Numbers**

Activities shall provide on-site parking space in accordance with Table 1 **except for**:

- (a) Activities in the Town Centre Zones; (excluding the Town Centre Transition sub-zone and the Town Centre Lakeview sub-zone), which shall be subject to the existing car parking requirements.



Appendix "B"

Table 1 - Parking Space Requirements

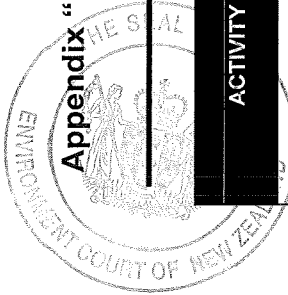
Note: GFA = Gross Floor Area
PFA = Public Floor Area

ACTIVITY	PARKING SPACES REQUIRED FOR: RESIDENTS/ VISITOR	STAFF/ GUEST
Residential units:		
High Density Residential (HDR) Zone and Queenstown Town Centre Lakeview sub-zone		
i. Subzone A- Queenstown & Wanaka; Subzones B, B1, C Queenstown only unless listed in ii below and the Queenstown Town Centre Lakeview sub-zone	1 per unit	none
ii. Queenstown Subzone B, C; Thompson St-Lomond Cres-Glasgow St; and Queenstown Subzone C: Vancouver Drive-Belfast Tce; Aspen Grove	1.25 per unit	0.25 per unit (1) (2) (3)
All Other Zones & Wanaka HDR Sub-zones B, C	2 per unit	none
Residential Flat	1 per residential flat	
Elderly Persons Housing	1 per residential unit	
Homestays and Registered Homestays	1 per bedroom used for homestay.	
Visitor Accommodation - unit type construction. (includes all units containing a kitchen facility, e.g. motels, cabins):		

TRANSPORT - RULES

14

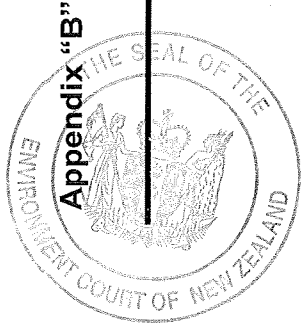
ACTIVITY	PARKING SPACES REQUIRED FOR: RESIDENTS/ VISITOR	STAFF/ GUEST
Wanaka Low Density Residential Zone and Wanaka High Density Residential Subzones B&C	2 per unit	none
Queenstown Low Density Residential Zone and Queenstown High Density Residential Zone Subzone B, C; Thompson St-Lomond Cres-Glasgow St; and Subzone C; Vancouver Drive-Belfast Tce; Aspen Grove	1.25 per unit	0.25 per unit (1) (2) (3)
All Other Zones; HDR Subzone A; Queenstown HDR Subzones B, B1, C not listed above	1 per unit up to 15 units; thereafter 1 per 2 units. In addition 1 coach park per 30 units. (4)	1 per 10 units
Visitor Accommodation (guest room type construction, e.g. hotels)	1 per 3 guest rooms up to 60 guest rooms; thereafter 1 per 5 guest rooms. In addition 1 coach park per 50 guest rooms	1 per 20 beds
Visitor Accommodation (Backpacker Hostels)	1 per 5 guest beds. In addition 1 coach park per 50 guest rooms	1 per 20 beds
Queenstown Town Centre Lakeview sub-zone: Visitor Accommodation (unit type construction)	A maximum of 1 per unit up to 15 units, and a maximum of 1 per 2 units thereafter, for guests. In addition, a maximum of 1 per 10 units for staff.	
Queenstown Town Centre Lakeview sub-zone: Visitor Accommodation (guest room type construction)	A minimum of 1 coach park is provided per 30 units.	
Queenstown Town Centre Lakeview sub-zone: Visitor Accommodation (guest room type construction)	A maximum of 1 per 3 guest rooms up to 60 guest rooms, and a maximum of 1 per 5 guest rooms thereafter.	



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ACTIVITY	PARKING SPACES REQUIRED FOR:		STAFF/ GUEST
	RESIDENTS/ VISITOR		
Commercial Activities (except for the Queenstown Town Centre Lakeview sub-zone where there is no minimum parking requirement)	A minimum of 1 coach park is provided per 50 units. 1 per 25m ² GFA		
Comprehensive Residential Development within the Low Density Residential Zone – excluding Wanaka	1.25 per residential unit	0.25 per residential unit (1) (2) (3)	
Wanaka	2 per residential unit	none	
Industrial Activity		1 per 25m ² area used for manufacturing, fabricating, processing, or packing goods plus 1 per 100m ² storage space	
Industrial Activity-Frankton		3 per 100m ² GFA Workshop Area and for unit storage businesses 1 per 10 storage units	
Meeting places and entertainment facilities	1 per 10m ² PFA or 10 seats, whichever is greater		
Motor vehicle repair and servicing	1 per 25m ² of servicing area plus 2 per establishment for heavy commercial vehicle parking	1 per 25m ² workshop area.	
Drive-through facility	5 queuing spaces per booth or facility		
Sports fields	20 per hectare of playing area plus 2 coach parks per hectare		
Hospitals	1 per 5 beds	2 per 5 beds	
Health Care Services	2 per professional staff	1 per professional staff plus 1 per 2 other full time staff, or 1 per consulting room (whichever is greater)	

ACTIVITY	PARKING SPACES REQUIRED FOR:		STAFF/ GUEST
	RESIDENTS/ VISITOR		
Offices	1 per 50m ² GFA		
Restaurants (except for in the Queenstown Town Centre Lakeview sub- zone)	1 per 25m ² PFA	1 per 100m ² PFA (2 minimum)	
Taverns or Bars (except for in the Queenstown Town Centre Lakeview sub- zone)	2 per 25m ² PFA	1 per 100m ² PFA (2 minimum)	
Educational	1 per 10 students over 15 years of age.	1 per 2 staff.	
Daycare facilities		1 per 10 children.	
Rural selling places	3 for the initial 25m ² GFA and outdoor display area; and thereafter 1 per 25m ² GFA and outdoor display area.		
Home Occupation (in addition to residential requirements) (except for in the Queenstown Town Centre Lakeview sub- zone)	1 per home		
Community Care Activities	1 per 6 residents	1 per 6 residents	
Service Stations	1 per 25m ² of GFA used for retail sales, plus 2 per air hose, plus 3 queuing spaces per car wash	3 per station	
Service Activities	1 per 100m ²	1 per 100m ²	
Warehousing	Nil	1 per 50m ² GFA plus 1 per 100m ² outdoor storage area	
Convention Centre	1 car park per 10 persons or 1 car park per 10 m ² of public floor area, whichever is greater. In addition, one coach park per 50 people the site is designed to accommodate.		
Commercial Recreational Activities within the Lakeview sub-zone	1 carpark per 5 people the facility is designed to accommodate.		



Appendix "B"

TRANSPORT - RULES

14

Ancillary Amendments to the Queenstown Lakes District Council District Plan

1. Additions to the Residential Chapter 7:

7.5.5.2 Site Standards –Residential Activities and Visitor Accommodation

i. Building Coverage

Add new exemption statement as follows:

This rule does not apply to the High Density Residential Zone Sub-Zone A that is contained within the Lakeview sub-zone. The building coverage control for the Lakeview sub-zone shall apply to this area.

iii. Setback from Roads

Add new exemption statement as follows:

In the case of the High Density Residential Zone Sub-Zone A contained within the Lakeview sub-zone, the minimum setback of any building from boundaries shared with Glasgow Street shall be 4.5 metres.

7.5.5.3 Zone Standards – Residential Activities and Visitor Accommodation

ii.(b) Building Coverage

Add new exemption statement as follows:

This rule does not apply to the High Density Residential Zone Sub-Zone A that is contained within the Lakeview sub-zone. The building coverage control for the Lakeview sub-zone shall apply to this area.

v.(a) Building Height

Add new exemption statement as follows:

(viii) Except this rule does not apply to the High Density Residential Zone Sub-Zone A that is contained within the Lakeview sub-zone. The maximum building height limits specified for this area will be in accordance with Figure 3: Lakeview sub-zone Height Limit Plan.

v.(b) Building Height

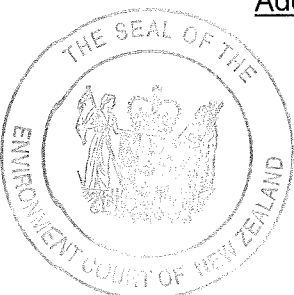
Add new exemption statement as follows:

(viii) Except this rule does not apply to the High Density Residential Zone Sub-Zone A that is contained within the Lakeview sub-zone. The maximum building height limits specified for this area will be in accordance with Figure 3: Lakeview sub-zone Height Limit Plan.

7.5.6.3 Zone Standards – Non-Residential Activities

ii. Building Coverage

Add new exemption statement as follows:



This rule does not apply to the High Density Residential Zone Sub-Zone A that is contained within the Lakeview sub-zone. The building coverage control for the Lakeview sub-zone shall apply to all non-residential activities located within this area.

iii.(a) Building Height

Add new exemption statement as follows:

(ix) Except this rule does not apply to the High Density Residential Zone Sub-Zone A that is contained within the Lakeview sub-zone. The maximum building height limits specified for this area will be in accordance with Figure 3: Lakeview sub-zone Height Limit Plan.

v.(b) Building Height

Add new exemption statement as follows:

(vii) Except this rule does not apply to the High Density Residential Zone Sub-Zone A that is contained within the Lakeview sub-zone. The maximum building height limits specified for this area will be in accordance with Figure 3: Lakeview sub-zone Height Limit Plan.

2. Addition to the Subdivision Chapter 15:

15.2.6.3 Zone Subdivision Standards – Lot Sizes and Dimensions

(i)(a) Lot Sizes

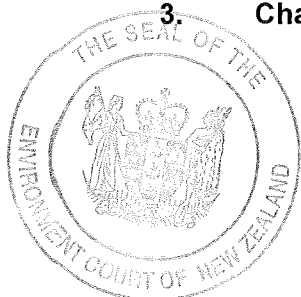
Amended supporting Table as follows:

Queenstown Town Centre – <u>including:</u> • <u>the Lakeview sub-zone;</u> • <u>the Isle Street sub-zones (West and East)</u>	No Minimum – Controlled Activity
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15.2.3.3 Discretionary Subdivision Activities

- ix In the Queenstown Town Centre Lakeview sub-zone any subdivision which is not in general accordance with Figure 2: Lakeview sub-zone Structure Plan (and any departures from the Structure Plan provided for in site standard 10.6.5.1 (xiii)).

3. Changes to be made to the Definitions in the Queenstown Lakes District Plan



Convention Centre: means building(s) and their use for functions and may include auditorium(s), concert hall(s), lecture hall(s), meeting room(s), conference room(s), banquet room(s), exhibition space(s) and ancillary services. For the purpose of this definition, convention centres do not include visitor accommodation.

Predominant Use: means ~~convention centre, visitor accommodation, commercial recreation and/or commercial tourist activities within the Lakeview sub-zone area, but excludes the existing Queenstown Municipal Camping Ground.~~

Ancillary Retail or Ancillary Commercial activity: means any retail or commercial use located within the Lakeview sub-zone that is on the same site as ~~a predominant use (as defined)~~ an activity provided for by rule 10.6.3.2A.i, a convention centre, visitor accommodation or commercial recreational and/or commercial tourist activity or in a building housing a predominant use ~~an that activity provided for by rule 10.6.3.2A.i, and whose the retail or commercial use is incidental to that predominant use activity.~~ The Ancillary Retail or Ancillary Commercial activities must be consented at the same time as the ~~predominant use~~ convention centre, visitor accommodation or commercial recreational and/or commercial tourist activity ~~activity provided for by rule 10.6.3.2A.i.~~

Examples include a restaurant or souvenir shop in association with a hotel or retail activity associated with a commercial recreation and or tourist activity.

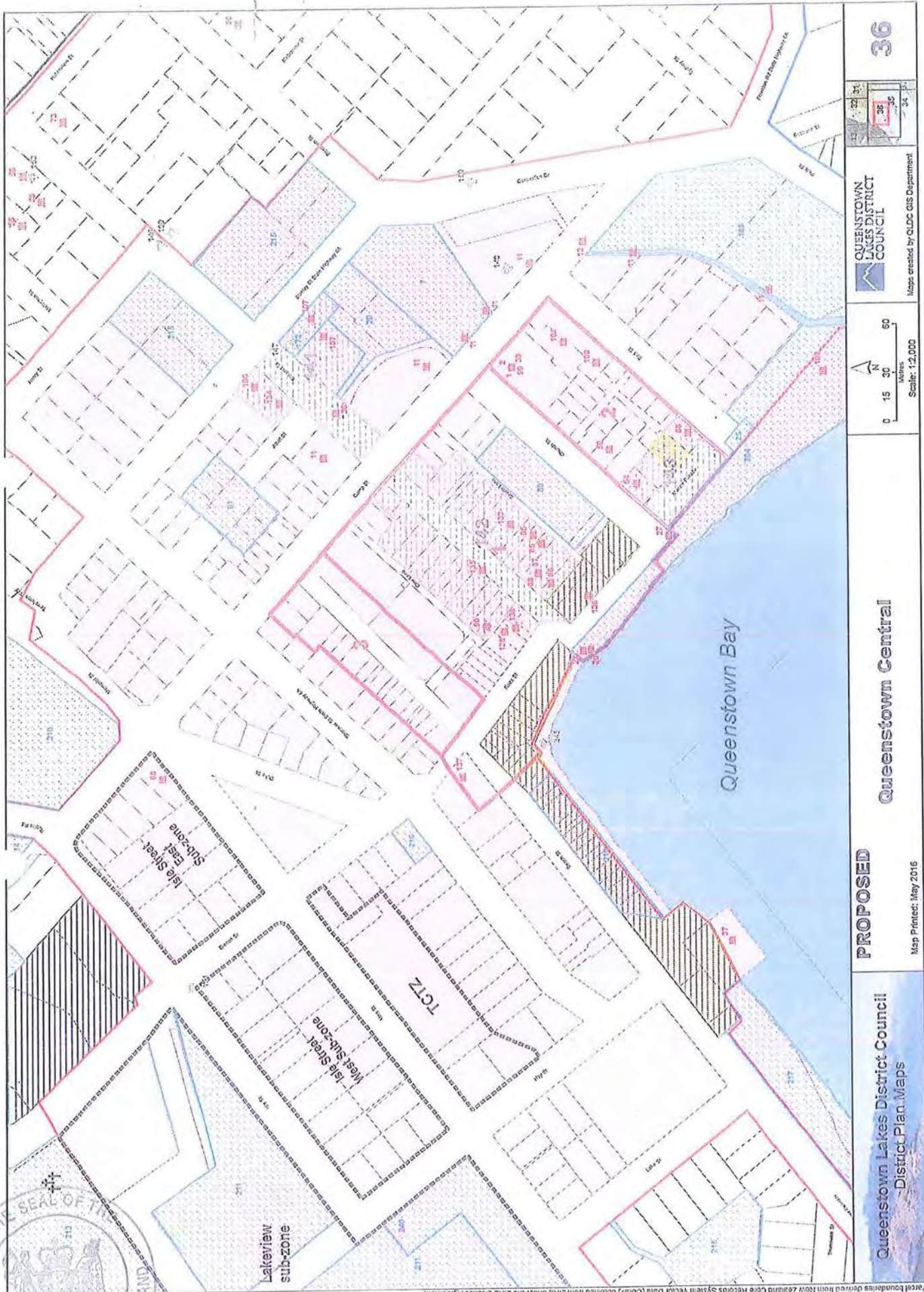
4. Changes to be made to Volume 1 Appendix 13:

Appendix 13

Acoustic Insulation and Ventilation Requirements

The following table sets out the ventilation requirements within the airport Outer Control Boundary (OCB) and Air Noise Boundary (ANB) and applies to specific activities in the Queenstown Town Centre zone.





Parcel boundaries derived from New Zealand Core Records System Vector Data (Coar) obtained from LITZ under the LITZ Licence Agreement



Queenstown Lakes District Council District Plan Maps	PROPOSED	Queenstown	0 37.5 75 150 meters Scale: 1:15,000	QUEENSTOWN LAKES DISTRICT COUNCIL Maps created by QLDC GIS Department	35
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Printed boundaries derived from New Zealand Core Records System Vector Data (Crown) obtained from LITZ under the LITZ Licence Agreement

Corner Shopping Centre Zone
 Lakeview, Isle Street East, Isle Street West &
 Town Centre Transition Sub-Zones
 Visitor Accommodation Sub-Zone - Pre-Feb 2012

Visitor Accommodation Sub-Zone
 enstown Special Character Area

Precinct 1

Precinct 2

Precinct 3

ENTIAL

High Density Residential Zone

Low Density Residential Zone

Residential Arrowtown Historic Management Zone

Arrowtown Scenic Protection Area

Community Facility Sub-Zone

High Density Residential Sub-Zone A

High Density Residential Sub-Zone B

High Density Residential Sub-Zone C

Medium Density Residential Sub-Zone

Queenstown Heights Low Density Sub-Zone

Road (Maps >=1:100,000)

Quail Rise Zone

Remarkables Park Zone

Resort Zone

Rural Visitor Zone

Three Parks Zone

Ballantyne Road Mixed Use Zone

Mount Cardrona Station Special Zone

Kingston Village Special Zone

Shotover Country Special Zone

Penrith Park Zone

Penrith Park Vegetation Area A

Penrith Park Vegetation Area B

Penrith Park Visual Amenity Area

Deferred Rural Lifestyle Buffer Zone

Deferred Rural Lifestyle Zone

Hydro Generation Zone - Pre-Feb 2012

Hydro Generation Zone

AIRPORT

Air Noise Boundary

Outer Control Boundary

Airport Mixed Use Zone

Rural Residential Zone

Rural Residential Sub-

Ferry Hill Rural Reside

Ski Area Sub-Zone - P

Ski Area Sub-Zone

HERITAGE

Protected Feature

Protected Tree

(may represent many t

Protected Avenue of T

(trees not in exact loca

Historic Precinct

OTHER

Open Cemetery

Mount Aspiring Nationa

Business Zone

Industrial A Zone

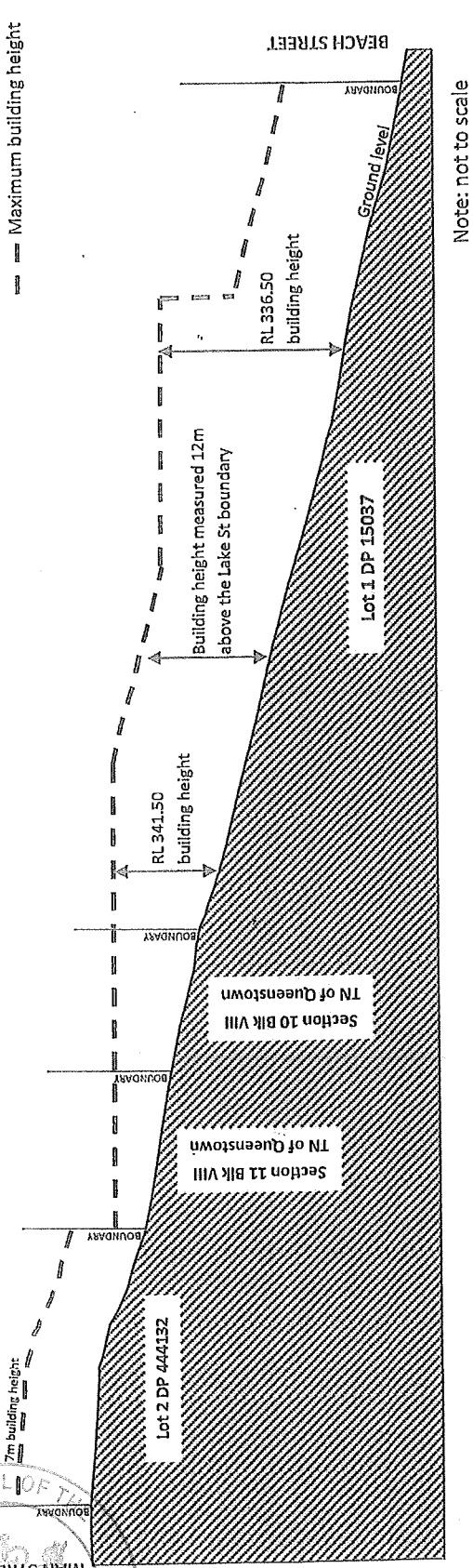
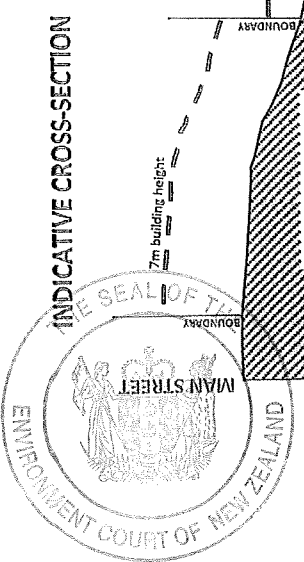
Industrial B Zone

Open Space Zone

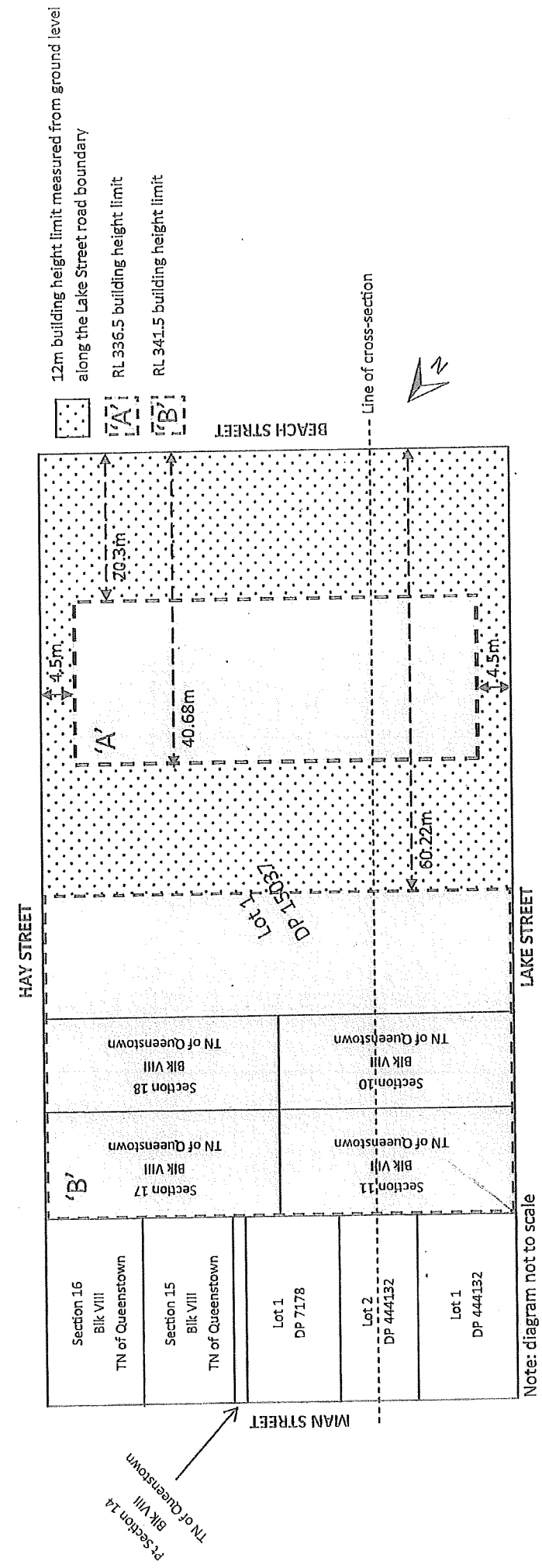
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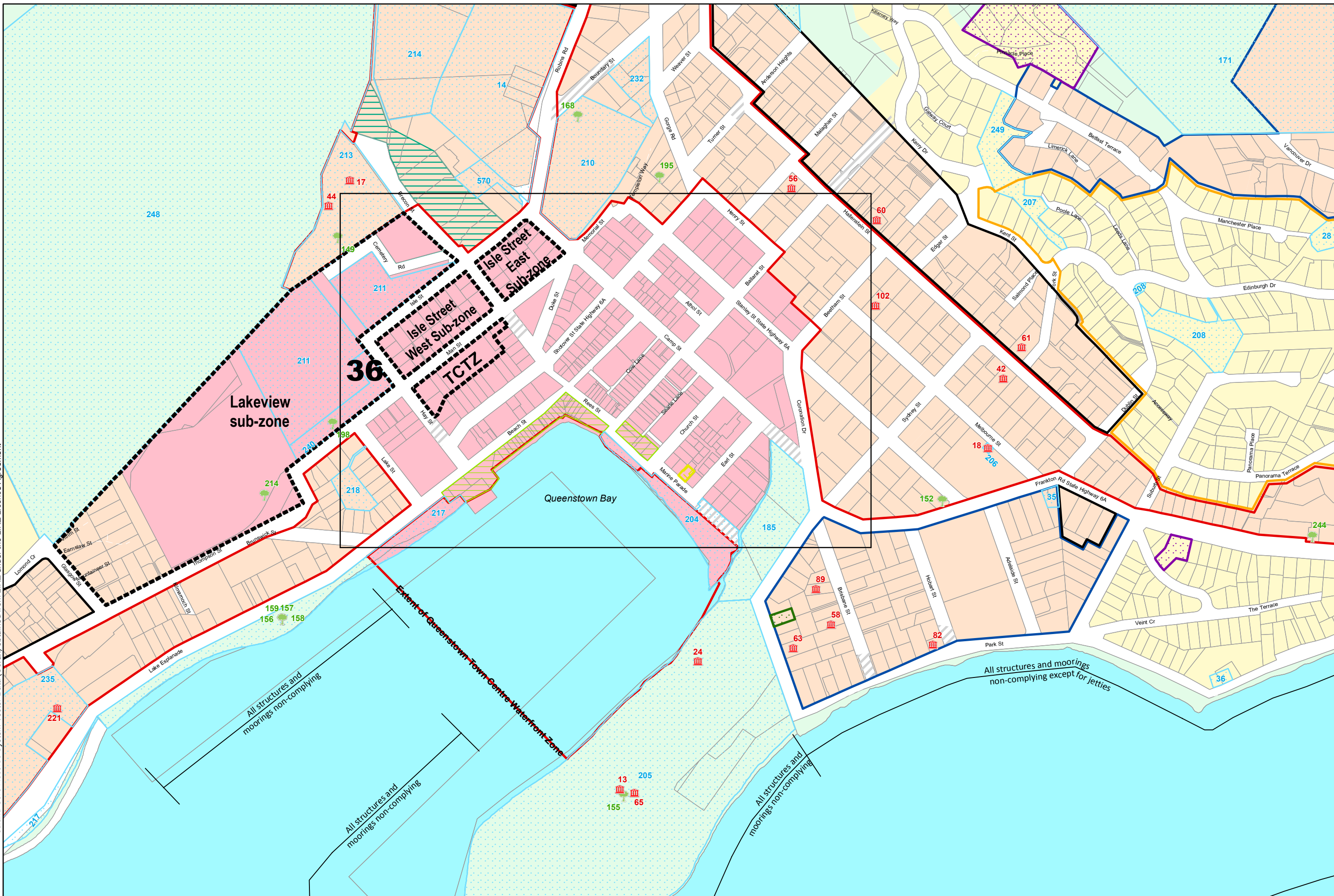
Building Restriction Ar

Maximum Building Hei

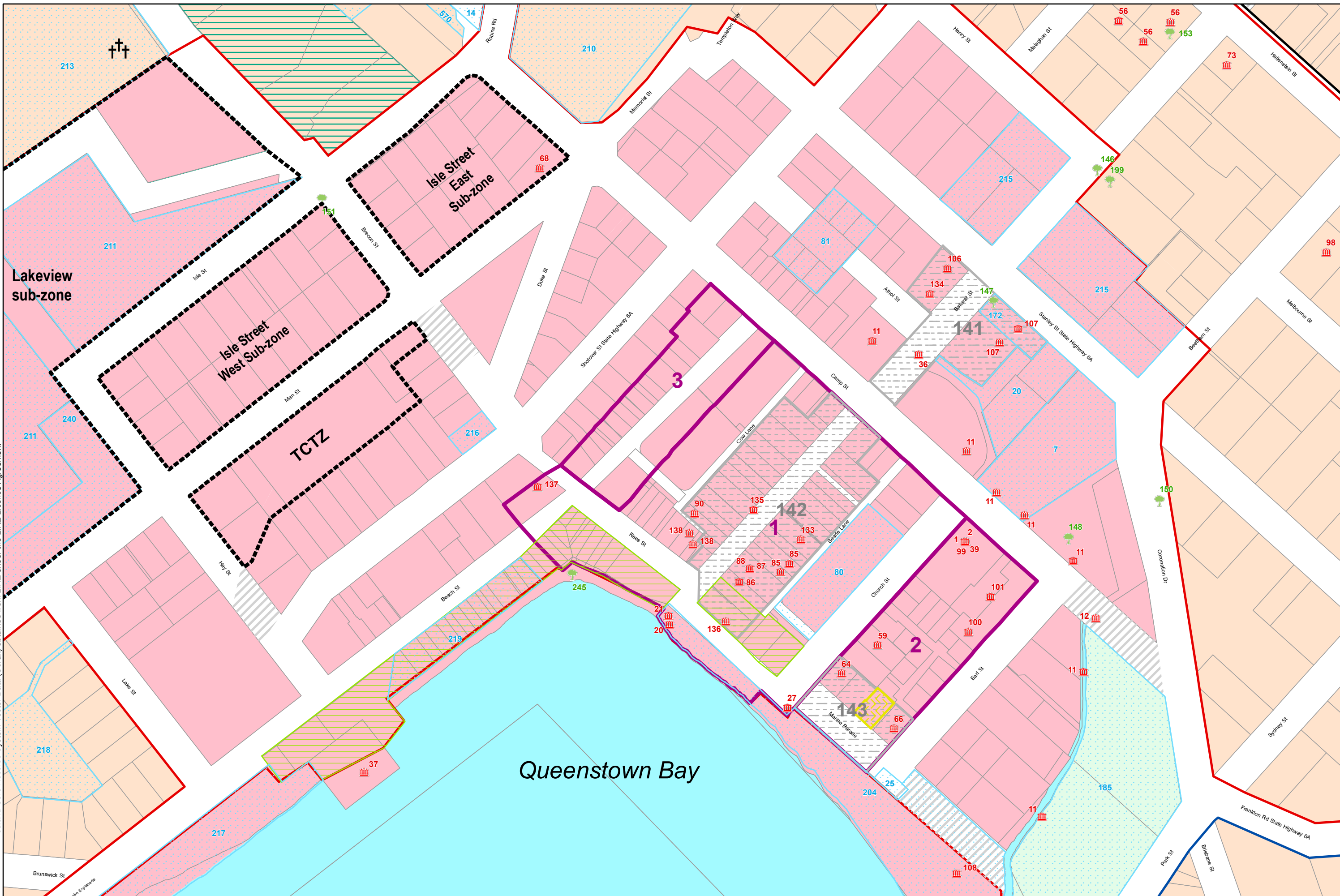


PLAN VIEW OF THE BLOCK BOUNDED BY MAN, HAY, BEACH AND LAKE STREETS





Parcel boundaries derived from New Zealand Core Records System Vector Data (Corax) obtained from LINZ under the LINZ Licence Agreement

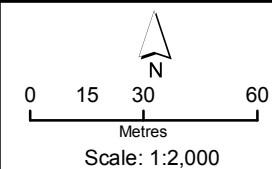


Queenstown Lakes District Council
District Plan Maps

PROPOSED

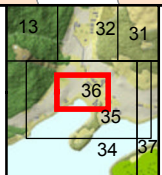
Queenstown Central

Map Printed: May 2016



**QUEENSTOWN
LAKES DISTRICT
COUNCIL**

Maps created by QLDC GIS Department



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Queenstown Town Centre Zone Extension

