

BEFORE THE ENVIRONMENT COURT

IN THE MATTER	of the Resource Management Act 1991
AND	of an appeal under Clause 14 of the First Schedule of the Act
BETWEEN	PENINSULA BAY JOINT VENTURE (ENV-2017-CHC-11) Appellant
AND	QUEENSTOWN LAKES DISTRICT COUNCIL Respondent

Environment Judge J R Jackson – sitting alone pursuant to section 279 of the Act

In Chambers at Christchurch

CONSENT ORDER

A: Under section 279(1)(b) of the Resource Management Act 1991, the Environment Court, by consent, orders that:

- (1) the appeal is allowed to the extent that the Queenstown Lakes District Council is directed to approve Plan Change 51 Peninsula Bay North of the operative Queenstown Lakes District Plan:
 - (a) including the proposed structure plan at Figure 15.5 of the District Plan Chapter 15 Subdivision, Development and Financial Contributions – Rules (page 15-65), set out in Appendix 2; and
 - (b) amending the text of the District Plan as set out in Appendix 1 (pp7-20 and 7-34) and Appendix 2 (pp15-19 and 15-38,39)
 - all of which attach to and form part of this order;
- (2) the appeal is otherwise dismissed.

B: Under section 285 of the Resource Management Act 1991, there is no order as to costs.



REASONS**Introduction**

[1] This proceeding concerns an appeal by Peninsula Bay Joint Venture against a decision of the Queenstown Lakes District Council declining Plan Change 51 Peninsula Bay North to the operative Queenstown Lakes District Plan. The Plan Change concerns the rezoning of 6.11 hectares of Open Space Zone at Peninsula Bay, Wanaka to provide for the subdivision of 26 residential lots and the construction of a dwelling on each residential lot.

[2] The court has now read and considered the consent memorandum of the parties dated 13 September 2017, which proposes to resolve the appeal.

Other relevant matters

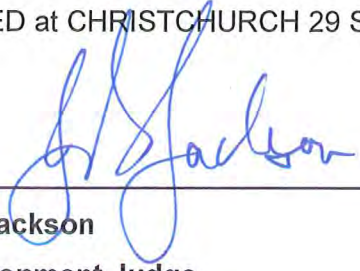
[3] Bike Wanaka Incorporated and Upper Clutha Environmental Society Incorporated have given notice of an intention to become a party under section 274 of the Resource Management Act ("the RMA" or "the Act") and have signed the memorandum setting out the relief sought.

Orders

[4] The court is making this order under section 279(1) of the Act, such order being by consent, rather than representing a decision or determination on the merits pursuant to section 297. The court understands for present purposes that:

- (a) all parties to the proceedings have executed the memorandum requesting this order;
- (b) all parties are satisfied that all matters proposed for the court's endorsement fall within the court's jurisdiction, and conform to the relevant requirements and objectives of the Act including, in particular, Part 2 as particularised in the objectives and policies of the operative Queenstown Lakes District Plan.

DATED at CHRISTCHURCH 29 September 2017


J R Jackson
Environment Judge



APPENDIX 1
DISTRICT PLAN CHAPTER 7 RESIDENTIAL AREAS- RULES





RESIDENTIAL AREAS - RULES

7

Low Density and High Density Residential Zone Rules

Other non-residential activities, compatible with high density residential and visitor accommodation activities are permitted in the zone provided they meet the site and zone standards and have primary regard for residential amenities affecting the local community.

7.5.1 Zone Purposes

7.5.1.1 Low Density Residential Zone

The purpose of the zone is to provide for low density permanent living accommodation, maintaining a dominance of open space and low building coverage. The zone seeks to maintain and enhance the low density residential areas with ample open space, low rise development and minimal adverse effects experienced by residents. Special amenity provisions remain in respect of the form, style and appearance of development on the terrace face along McDonnell Road at Arrowtown, being the Arrowtown Scenic Protection Area identified as part of the Zone.

Other activities are permitted in the zone provided they meet environmental standards which keep the activities compatible with residential activity and amenity. A number of established activities, mainly visitor accommodation facilities, have been scheduled to ensure full protection of these activities acknowledging their contribution to the local economy.

7.5.1.2 High Density Residential Zone

The purpose of the zone is to make provision for the continuation and establishment of higher density residential and visitor accommodation activities in recognition of these areas proximity to the town centres, entertainment, shopping facilities and the transport routes which provide a link to attractions elsewhere in the District.

Visitor accommodation has been acknowledged in the zone to protect those activities and the important contribution they make to the economic and social well being of the community. Residential units, intended to provide a more permanent living environment for local residents who desire a more urban setting or who cannot afford nearby low density housing, are no less important as they provide for the local work force and contribute to the life of the community.

7.5.2 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 Section 13 |
| (ii) Transport | - Refer Section 14 |
| (iii) Subdivision, Development and Financial Contributions | - Refer Section 15 |
| (iv) Hazardous Substances | - Refer Section 16 |
| (v) Utilities | - Refer Section 17 |
| (vi) Signs | - Refer Section 18 |
| (vii) Relocated Buildings and Temporary Activities | - Refer Section 19 |
| (viii) Earthworks | - Refer Section 22 |

7.5.3 Activities

7.5.3.1 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**.

7.5.3.2 Controlled Activities

The following shall be **Controlled Activities** provided that they are not listed as a **Prohibited, Non-Complying Restricted Discretionary 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**.



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Garages in the low density residential zone

Garages within the minimum setback from road boundaries in the Low Density Residential Zone, in respect of the location, external appearance, height, materials, landscaping, screening and vehicle access.

ii Visitor Accommodation in the High Density Residential Zone and the Low Density Visitor Accommodation Sub-Zone

In respect of:

- (a) The location, external appearance and design of buildings;
- (b) The location, nature and scale of activities on site;
- (c) The location of parking and buses and access;
- (d) Noise, and
- (e) Hours of operation.

iii Buildings for

- (a) non-residential activities; and
- (b) Commercial Recreation Activities, Community Activities, Health Care Facilities, and Retail Sales ancillary to any Commercial Recreation Activity, Community Activity or Health Care Facility, within a Commercial Precinct;

In respect of the matters listed in Assessment Matter 7.7.2 (iii)

iv Buildings on Lot 1 DP 15037 and Sections 10,11 and 18 BLK VIII Town of Queenstown

In respect of external appearance and design of such buildings, generally in respect of Assessment Matter 7.7.2 xiii Urban Design Protocol

7.5.3.3 Restricted Discretionary Activities

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

i Multi-Unit Developments

The construction of, alteration to, or addition to any building(s) on any site in the High Density Residential Sub-Zones where the result will exceed three units shall be a **Restricted Discretionary Activity** in respect of Assessment Matter 7.7.2 (iv).

Except that this rule shall only apply to Lot 1 DP15037 and Sections 10,11 and 18 BLK VIII Town of Queenstown and within Subzone B1 in respect of external alterations.

ii Building Footprint

The construction of, alteration to, or addition to any building in the High Density Residential Sub-Zones that exceeds the maximum building footprint sizes specified in Table 7.1 shall be a **Restricted Discretionary Activity** in respect of Assessment Matter 7.7.2 (v).

Table 7.1

Sub-zone	Maximum Building Footprint
High Density Residential Sub-Zone A	500m ²
High Density Residential Sub-Zone B	400m ²
High Density Residential Sub-Zone C	300m ²

Except:

- (a) that this rule does not apply to underground structures which are not visible from the ground level;
- (b) that this rule shall not apply to Lot 1 DP15037 and Sections 10,11 and 18 BLK VIII Town of Queenstown;



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that where buildings are located on land contained in, or formerly contained in, Lot 1 DP 12665 the building footprint requirements will apply only to the extent that the proposed building footprint exceeds the building footprint shown on the approved plans under RM040624 dated 13 May 2005 and RM081099 dated 29 April 2009, whether or not these consents have lapsed.

- (d) that this rule does not apply to buildings on land contained in, or formerly contained in, Lots 1 and 2 DP 306661, and Lot 2 DP27703 (being a portion of the commercial precinct overlay on Brecon St, Queenstown).

iii

Outline Development Master Plan – Peninsula Bay

Within the Low Density Residential Zone at Peninsula Bay, the Outline Development Plan of the Low Density Residential Zone and the adjacent open space zone lodged with the Council pursuant to Rule 7.5.5. 3(xiv), in respect of:

- (a) Roading pattern, including access to and car parking for the use of the adjacent open space zone;
- (b) Indicative subdivision design and configuration, including allotment size;
- (c) Proposed landscaping within any road reserve;
- (d) Pedestrian linkages through the subdivision, and their relationship to the adjacent Open Space Zone, the margin of Lake Wanaka and adjacent residential land;
- (e) Location of easements for public access purposes throughout the Open Space Zone, and their relationship to the pedestrian linkages and roading access within the Low Density Residential Zone;
- (f) The location, height and visibility of future dwellings when viewed from the lake to the north of the site, particularly within the north-western corner of the zone.

An application for a resource consent for the Outline Development Plan must be accompanied by:

- A statement from the Wanaka Urban Design Panel evaluating the application;
- A statement recording the outcomes of a public open day, including notification, attendance, comments made and ways in which these have been incorporated into the Outline Development Master Plan.

Rule 7.5.3.3.iii shall not apply to the Peninsula Bay North Low Density Residential Zone land as shown in the Peninsula Bay North Structure Plan Figure 15.5 Subdivision, Development and Financial Contributions.

iv

Height and Elevation Restrictions along Frankton Road

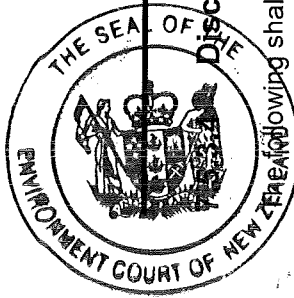
The intrusion of a single building element on the south side of Frankton Road (SH6A) in the High Density Residential Sub-Zone A of no more than one story in height above the centreline of Frankton Road and limited to a length parallel to the road of not more than 10% of the length of the road frontage (to a maximum of 16 metres), used solely for access, reception and lobby uses related to the predominant use of the site shall be a Restricted Discretionary Activity in respect of Assessment Matter 7.7.2 xiii Urban Design Protocol

This rule applies to those properties from Cecil Road (Paper Road) to, and including, Lot 1 DP 12665.

v

Buildings on Lots 1 and 2 DP 306661, and Lot 2 DP27703 (being a portion of the commercial precinct overlay on Brecon St, Queenstown) for

- (a) non-residential activities; and
 - (b) Commercial Recreation Activities, Community Activities, Health Care Facilities, and Retail Sales ancillary to any Commercial Recreation Activity, Community Activity or Health Care Facility,
- in respect of Assessment Matter 7.7.2 (iii)(a),(b),(d), and (e) but not (c).



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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 **Visitor accommodation in the low density residential zone, excluding the visitor accommodation sub-zone, in respect of:**

- (a) The location, external appearance and design of buildings;
- (b) The location, nature and scale of activities on site;
- (c) The location of parking and buses and access;
- (d) Noise, and
- (e) Hours of operation

- ii **The sale of liquor from visitor accommodation.**

Note: For the purposes of this Rule, the definitions of visitor accommodation and hotel do not include the sale of liquor.

- iii **Retail Sales, except for Retail Sales ancillary to any Commercial Recreation Activity, Community Activity or Health Care Facility, within a Commercial Precinct.**

- iv **Commercial Recreation Activities except within a Commercial Precinct.**

- v **Comprehensive Residential Developments located in the Low Density Residential Zone.**

- vi Any Activity which is not listed as a **Non-Complying Activity** or **Prohibited Activity** and which 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 confined to the matter(s) specified in the standard(s) not complied with.

7.5.3.5 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.

Any activity which is not listed as a **Prohibited Activity** and which does not comply with one or more of the relevant **Zone** standards, shall be a **Non-Complying Activity**.

7.5.3.6 Prohibited Activities

The following shall be **Prohibited Activities**:

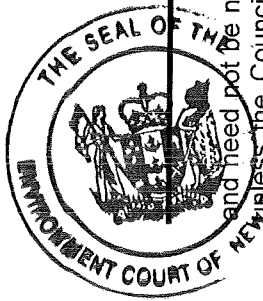
- i Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building, fish or meat processing, or any activity requiring an Offensive Trade Licence under the Health Act 1956.

- ii It is a prohibited activity in the Wanaka Residential Zone to plant the following trees:

- (a) Pinus radiata
- (b) Pinus muricata
- (c) Pinus contorta
- (d) Pinus ponderosa
- (e) Pinus sylvestris
- (f) Pinus nigra
- (g) Douglas Fir
- (h) All Eucalyptus varieties

7.5.4 Non-Notification of Applications

Any application for a resource consent for the following matters may be considered without the need to obtain a written approval of affected persons

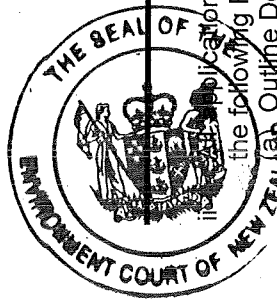


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and need not be notified in accordance with Section 95A and 95B of the Act, unless the Council considers special circumstances exist in relation to any such application:

- i All applications for **Controlled** Activities.



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iii Applications for the exercise of the Council's discretion in respect of the following Restricted Discretionary Activities:

- (a) Outline Development Master Plan for Peninsula Bay
- (b) Multi-Unit Developments as per rule 7.5.3.3.

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

- (a) Access;
- (b) Outdoor Living Space;
- (c) Flood Risk.

iv Earthworks – except for earthworks involving special circumstances such as blasting, presence of substantial groundwater (including but not limited to the Wanaka Basin Cardrona Gravel Aquifer as shown in Appendix A4- Interpretative Diagrams, Diagram 11) or earthworks located within any required building setback from an internal or road boundary.

v Applications made pursuant to rules 7.5.3.3(i) (Multi-Unit Developments) and 7.5.5.2(xvi) (Landscape Coverage) in relation to Lot 1 DP15037 and Sections 10,11 and 18 BLK VIII Town of Queenstown.

vi Applications made pursuant to rule 7.5.5.2(iii) (Setback from Roads) in relation to Lot 1 DP15037 and Sections 10,11 and 18 BLK VIII Town of Queenstown except that the Council as owner of Beach Street, Shotover Street and Hay Street may be notified as an affected party.

vii Applications in relation to land contained in, or formerly contained in, Section 6-9 Block XLI Town of Queenstown and Lot 2 DP15118 (commonly known as 53-65 Frankton Road) made pursuant to rules 7.5.3.3 ii Building Footprint; 7.5.5.2 i Building Coverage; 7.5.5.2 iii Setback from Roads; 7.5.5.2 iv(d) Setback from Internal Boundaries; 7.5.5.2 vii Continuous Building Length, and 7.5.5.2 xvii Landscape Coverage, provided that the application is accompanied by a report from the Council's Urban Design Panel supporting the application in respect to breaches of these rules.

viii

Applications in relation to land contained in, or formerly contained in Lot 1 DP12665 (commonly known as 595 Frankton Road) made pursuant to rules 7.5.3.3 ii Building Footprint; 7.5.3.3 (iv) Height and Elevation Restrictions along Frankton Road (intrusion of a single building element); 7.5.5.2 iv(d) Setback from Internal Boundaries; 7.5.5.2 vii Continuous Building Length, and 7.5.5.2 xvii Landscape Coverage, provided that the application is accompanied by a report from the Council's Urban Design Panel supporting the application in respect to breaches of the relevant rule, except that the owners of any adjoining properties may be serviced with a copy of any resource consent application pursuant to Section 94(1) of the Act. When forming an opinion as to whether an adjoining residential property owner may be adversely affected by the activity for the purpose of Section 94(1) the consent authority may disregard adverse effects of the activity if those effects are permitted by the development consented under RM040624 dated 13 May 2005 and RM081099 dated 29 April 2009 whether or not these consents have lapsed.

ix

Applications for land contained in Lot 3 DP 25998 and Section 2 Block XLII Town of Wanaka made pursuant to rules 7.5.3.3 ii Building Footprint and 7.5.5.2.iv(d) Setback from Internal Boundaries except that the owners of Lot 3 DP 347224 may be served with a copy of any such application pursuant to Section 94(1) of the Act.

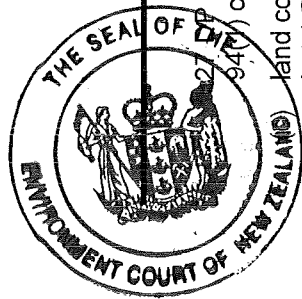
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Applications made pursuant to rules 7.5.3.3(ii): Building Footprint; 7.5.5.2(iv)(d): Setback from Internal Boundaries; 7.5.5.2(vii): Continuous Building Length; 7.5.5.2(xvii): Landscape Coverage in relation to:

(a) land contained in, or formerly contained in, Lots 29 - 33 DP 7671 provided that the application is accompanied by a report from the Council's Urban Design Panel supporting the application in respect to breaches of these rules, except that the Council as owner of Section 129 Block XX Shotover Survey District and Section 110 Shotover Survey District may be notified as an affected party pursuant to Section 94(1) of the Act.

(b) land contained in, or formerly contained in, Lot 34 DP 7671

provided that the application is accompanied by a report from the Council's Urban Design Panel supporting the application in respect to breaches of these rules, except that the Council as owner of Section 129 Block XX Shotover Survey District or the owner of Lot



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DP 7671 may be notified as an affected party pursuant to section 94(1) of the Act.

land contained in, or formerly contained in, Lots 2 - 4 DP 7671 and Lot 1 DP 20122 provided that the application is accompanied by a report from the Council's Urban Design Panel supporting the application in respect to breaches of these rules, except that any adjoining property owner may be notified as an affected party pursuant to section 94(1) of the Act. For the avoidance of doubt an adjoining property owner does not include property owners separated by a road.

- xi Applications in relation to land contained in or formerly contained in Lots 1 and 2 DP 306661, and Lot 2 DP27703 (being a portion of the commercial precinct overlay on Brecon St, Queenstown) made pursuant to rules 7.5.3.3 (v) Buildings et al.

7.5.5 Standards - Residential and Visitor Accommodation Activities

7.5.5.1 Application of Rules to Consented Development at Time of Subdivision

The Site and Zone Standards for Building Coverage, Setback from Roads, Setback from Internal Boundaries, Continuous Building Length and Landscape Coverage shall not apply to developments where the following criteria are fulfilled:

- land use consent for a development has been granted for a site; and
- subdivision consent is subsequently applied for to create separate titles for the units, building and/or buildings being part of that consented development; and
- the development did not require consent in respect of the issue addressed by this rule when the land use consent was considered and granted, and
- the granting of subdivision consent would trigger non compliance with rules enacted after the grant of the land use consent.

7.5.5.2 Site Standards - Residential Activities and Visitor Accommodation

i Building Coverage

In the High Density Residential Sub-Zones, the maximum building footprint coverage for buildings at ground level or above ground level on any site shall be in accordance with Table 7.2.

Table 7.2

Sub- Zone	Building Coverage
High Density Residential Sub-Zone A	65%
High Density Residential Sub-Zone B1	55% when taken as a percentage of the B1 subzone as a whole.
High Density Residential Sub-Zone B	55%
High Density Residential Sub-Zone C	45%

Except that in respect of Sub-Zone B1, Building Coverage does not include any veranda over public open space. For the purposes of this exception:

- "veranda" means a structure or part of a structure extending over public open space for weather protection purposes only and not for any other building or activity purpose;
- "public open space" means land subject to an easement or other legal instrument providing for access across and use of that land by the general public.

The exercise of Council's discretion shall be confined to those matters set out in assessment matter 7.7.2 xiii Urban Design Protocol.

This rule does not apply to underground structures which are not visible from the ground level.

Except for land contained in, or formerly contained in Lot 3 DP25998 and Section 2 Block XLII Town of Wanaka, where the maximum building coverage shall be 50%.



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This rule does not apply to land contained in, or formerly contained in, Lots 1 and 2 DP 306661, and Lot 2 DP27703 (being a portion of the commercial precinct overlay on Brecon St, Queenstown).

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.

ii Scale and Nature of Activities

The following limitations apply to all activities; **other than** residential, farming, viticulture and wine making activities and those visitor accommodation activities which are Controlled or Discretionary Activities:

- (a) The maximum gross floor area of all buildings on the site used for any activity, other than discretionary retail, restaurant and cafe activities, and those activities listed above shall be 100m²;
- (b) No goods, materials or equipment shall be stored outside a building; and
- (c) All manufacturing, altering, repairing, dismantling or processing of any goods or articles shall be carried out within a building.

iii Setback from Roads

- (a) In the Low Density Residential Zone The minimum setback from road boundaries of any building, other than garages, shall be 4.5m.
- (b) In the High Density Residential Zone the minimum setback from road boundaries of any building and/or outdoor storage, shall be 4.5m as measured to buildings at ground level and/or above ground level but not to underground structures which are not visible from the ground level.
- (c) In the High Density Residential Zone, any parking located in the setback shall be screened from view from public roads.

- (d) 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.

iv Setback from Internal Boundaries/Neighbours

- (a) **Except** as provided for below, the minimum setback from internal boundaries/neighbours for any building shall be:

Front Site

One setback of 4.5m and all other setbacks 2m.

Rear Sites

Two setbacks of 4.5m and all remaining setbacks to be 2m.

- (b) Exceptions to (a) minimum setbacks:

(i) Accessory buildings for residential activities other than those used for the housing of animals may be located within the setback distances from internal boundaries, where the total length of the walls of accessory buildings within the setback does not exceed 7.5m in length and there are no windows or openings, other than for carports, along any walls within 2m of an internal boundary.

(ii) Eaves, porches, balconies, bay or box windows, steps, chimneys and similar parts of buildings may be located within the minimum building setback as follows:

- a. eaves up to 0.6m into the setback; and
- b. balconies and bay or box windows of less than 3m in length may project into the setback by up to 0.6m. Only one such balcony or bay or box window, intrusion is permitted on each setback of each building; and
- c. porches and steps up to 0.6m into a setback; provided they measure no more than 2m parallel to the nearest internal boundary and provided that the floor level of any such porch or the top of any steps shall be no higher than 1m above



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ground level. Only one such porch or set of steps is permitted on each setback of each building; and

- d. chimneys may project into the setback by up to 0.6m provided that the chimney measures no more than 1.2m parallel to the nearest internal boundary. Only one chimney is permitted on each setback of each building; and
- e. no part of any balcony or window which is located within a setback shall be higher than 3m above ground level.

(c) In the Low Density Residential Zone no setback is required from an internal boundary where buildings share a common wall on that internal boundary.

(d) Where two or more buildings are located on a single lot within the High Density Residential Sub Zones A, B and C, the mutual setback requirements will apply as if an internal boundary exists to separate the buildings.

(i) This rule shall be applied with regard to the following:

- (a) The setback distance between buildings shall be measured at ground level and/or above ground level but shall not include underground structures which are not visible from the ground level.
- (b) The exercise of Council's discretion shall be confined to those matters set out in assessment matter 7.7.2 (xiii) Urban Design Protocol and 7.7.2 (xviii) Setback from Internal Boundaries/ Neighbours.

(ii) Except:

- (a) Where two or more buildings are located on a single lot with the High Density Residential Sub Zone B1 the mutual setback requirements will apply as if an

internal boundary exists to separate the buildings but only to the extent that any two or more buildings on a lot are located other than in accordance with the master planned development consented under RM050908 and dated 28/7/2006.

(b) This rule shall not apply to Lot 1 DP15037 and Sections 10,11 and 18 BLK VIII Town of Queenstown.

(c) This rule shall not apply to land contained in, or formerly contained in, Lots 1 and 2 DP 306661, and Lot 2 DP27703 (being a portion of the commercial precinct overlay on Brecon St, Queenstown).

v Access

Each residential and/or visitor accommodation unit shall have legal access to a formed road.

vi Continuous Building Length in the Low Density Residential Zone

Where the aggregate length along one elevation of buildings measured parallel to any internal boundary or internal boundaries exceeds 16m; either:

- (a) The entire building(s) shall be set back an additional 0.5m for every 6m of additional length or part thereof from the minimum yard setback (continuous façades) at the same distances from the boundary;
- or

- (b) That part of the building(s) which exceeds the maximum building length shall be progressively set back 0.5m for every 6m of additional length or part thereof from the minimum yard setback (varied façade(s) with stepped setbacks from the boundary).

Refer Appendix 4



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Minimum Building Length in the High Density Residential Zone

(a) An unbroken building length shall exceed 16m. Breaks in building length shall be a minimum of 2m in depth and 4m in width for the full height of the wall and shall include a discontinuous eave line and roofline at the break.

(b) The aggregate length along any true elevation of a building, including breaks, shall not exceed 30m.

(c) This rule does not apply to underground structures which are not visible from the ground level.

(d) Provided that paragraphs (a) and (b) shall apply to a building in Subzone B1 only to the extent that the aggregate length along one elevation of buildings parallel to any internal boundary and the setbacks of all or part of any building along that internal boundary is other than in accordance with the master planned development consented under RM050908 and dated 28/7/2006.

(e) Provided that paragraphs (a) and (b) shall apply to buildings on land contained in, or formally contained in Lot 1 DP 12665 only to the extent that the aggregate length along one elevation of buildings parallel to any internal boundary and the setbacks of all or part of any building along that internal boundary is other than in accordance with the development consented under RM040624 dated 13 May 2005 and RM081099 dated 29 April 2009, whether or not these consents have lapsed.

(f) Except that this rule shall not apply to Lot 1 DP15037 and Sections 10,11 and 18 BLK VIII Town of Queenstown.

(g) Provided that paragraph (b) shall not apply to any building on land contained in, or formerly contained in, Lots 1 and 2 DP 306661, and Lot 2 DP27703 (being a portion of the commercial precinct overlay on Brecon St, Queenstown).

Refer Appendix 4

viii Outdoor Living Space

(a) The minimum provision of outdoor living space for each residential unit and residential flat contained within the net area of the site within the Low Density Residential Zone shall be:

36m² contained in one area with a minimum dimension of 4.5m at the ground floor level and 8m² contained in one area with a minimum dimension of 2m at any above ground floor level.

(b) The minimum provision of outdoor living space for each residential unit and residential flat contained within the net area of the site within the High Density Residential Zone, shall be:

20m² contained in one area with a minimum dimension of 3m at the ground floor level and 8m² contained in one area with a minimum dimension of 2m at any above ground floor level.

(c) The outdoor living space shall be readily accessible from a living area.

(d) No outdoor living space shall be occupied by any building, other than an outdoor swimming pool, or accessory building of less than 8m² gross floor area, driveway or parking space.

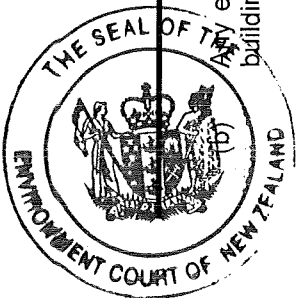
ix Non-Reflective Buildings

All metal cladding, roofing or fences shall be painted or otherwise coated with a non-reflective finish.

x Arrowtown Scenic Protection Area

In addition to any of the above requirements, residential activities located in the area of the Residential Low Density Zone at Arrowtown identified as the Arrowtown Scenic Protection Area on the District Plan Maps, shall be subject to the following additional **Site** Standards:

(a) The angle of the roof of any building shall not exceed 40° from the horizontal.



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(c) Any external paintwork is to be completed within 2 years of the building being first used for the intended purpose.

(c) If an excavation involves a cut of more than 1.5m in vertical height in order to provide a building platform or foundations for any dwelling, then in addition to any other requirements contained in this plan or in any other legislation:

- (i) the building platform or foundations must be designed by a registered engineer; and
- (ii) the registered engineer who designed the foundations must certify that the design is suitable for the purpose of supporting the proposed dwelling; and
- (iii) the plans, specifications and engineers certificate must be approved by the Council before any excavation is commenced; and
- (iv) all works must be carried out under the supervision of a registered engineer who shall, within seven days of the works being completed, lodge with the Council a certificate the works have been carried out in accordance with plans and specifications approved by the Court.

xi Flood Risk

No building, greater than 20m² gross floor area, shall be constructed or relocated, with a ground floor level less than:

- (a) RL 312.0m above sea level (412.0m Otago Datum) at Queenstown and Frankton.
- (b) RL 281.9m above sea level (381.9m Otago Datum) at Wanaka.

xii Building Height (Lot 141 Block XX Shotover Survey District)

On Lot 141 Block XX Shotover Survey District the maximum height for building shall not exceed 10 metres above ground level.

Refer Appendix and Definition of Height and Ground Level

xiii Boundary Planting (Wanaka)

- (a) No tree or hedgerow boundary planting shall exceed 1.9 metres in height within 2 metres of the boundary, at any point of its length.

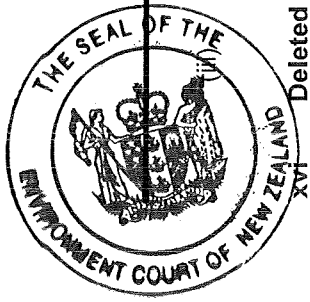
xiv Building Height - Lift Towers

No lift tower within a visitor accommodation development in the High Density Residential Zone shall exceed the maximum height for buildings in this zone.

xv Low Density Residential Zone - Frankton Corner / Hansen Road

The following standards shall apply to any development on Pt Sec 5 Block XXI Shotover SD, or any subdivided lot thereof, (on the northern side of State Highway 6 between Hansen Road and Frankton Cemetery - as shown on Planning Map 33):

- (a) No landscaping (including the removal of any of the existing trees as well as new planting) shall be carried out within 4 metres of the historic stone wall on the boundary of the Frankton Cemetery.
- (b) All vehicle access shall be via Hansen Road to the State Highway. There shall be no vehicle access directly onto the State Highway.
- (c) The landscaping shall:
 - (i) consist of trees and underplanting to a depth of at least 5 metres; and
 - (ii) contain trees planted at a maximum of 5 metre intervals, be specimens of at least 1.5 metres in height at the time of planting and shall be a species capable of reaching at least 3 metres in height at maturity; and



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be irrigated, maintained and any plants or trees that die or become, diseased or damaged replaced.

xvii Deleted

xvii Landscape Coverage

The minimum coverage for landscaped area on any site in the High Density Residential Sub-Zones shall be in accordance with Table 7.3:

Table 7.3

Sub- Zone	Landscape Coverage
High Density Residential Sub-Zone A	20%
High Density Residential Subzone B1	20% (This is to be taken as a percentage of the B1 subzone as a whole)
High Density Residential Sub-Zone B	30%
High Density Residential Sub-Zone C	40%

(a) The landscaped area shall not be utilised for car parking or vehicle manoeuvring.

(b) At least half of this landscaped area must consist of permeable surfaces and is to be planted.

(c) Except that paragraph (b) shall only apply in respect of land contained in, or formally contained in Lot 1 DP 12665 to the extent that that area of permeable surface is other than in accordance with the development consented under RM040624 dated 13 May 2005 and RM081099 dated 29 April 2009, whether or not these consents have lapsed.

xviii Fence Heights in the High Density Residential Zone

No Visually Opaque Fence constructed within the Road Setback shall exceed 1.2m in height above ground level.

xix Height and Elevation Restrictions along Frankton Road and Frankton Track

(a) No building or building element on the south side of Frankton Road (SH6A) shall rise above the nearest point of the roadway centreline, except for the intrusion of a single building element of no more than one story in height above the nearest point of the roadway centreline and limited to a cumulative length parallel to the road of not more than 10% of the length of the road frontage (to a maximum of 16 metres), used solely for access, reception and lobby uses related to the predominant use of the site.

This Rule applies to those properties from Cecil Road (Paper Road) to, and including, Lot 1 DP 12665.

(b) The lowest level of any floor constructed to the north side of the Frankton Track shall not be less than two metres above the centreline of the Track.

Refer to Appendix 4

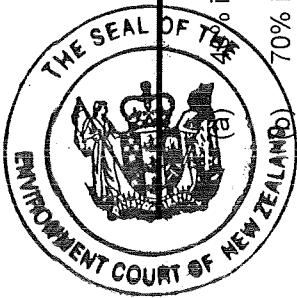
7.5.5.3 Zone Standards - Residential Activities and Visitor Accommodation

i Building Line Restriction

Where a building line restriction is shown on the District Plan Maps, no building shall be located within the restricted area as identified on the Planning Map.

ii Building Coverage

The maximum building coverage for all activities on any site shall be:



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70% in the Low Density Residential Zone

70% in the High Density Residential Zone (provided that in Sub-Zone B1 this is to be taken as a percentage of Sub-Zone B1 as a whole).

This rule does not apply to underground structures which are not visible from the ground level.

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 Site Density

In the Low Density Residential Zone, the minimum net area for any site shall be 450m² for each residential unit contained within the site, **except** that where:

- (a) (i) a site is shown as being located in the Medium Density Residential Sub-Zone; and
- (ii) the site was contained in a separate Certificate of Title as at 10 October 1995; and
- (iii) no residential unit has been built on the site; and
- (iv) the site has an area between 625m² and 900m²

then two residential units may be erected on the site.

- (b) the minimum net area for any site for each residential unit established as part of a comprehensive residential development shall be 200m² except within the Wanaka Low Density Residential zones shown on Planning Maps 18, 20, 21, 22 and 23 where the minimum net area shall be 350m².

iv Site Density in the High Density Residential Sub- Zone C

In the High Density Residential Sub-Zone C, the maximum density of residential units to the site area shall not exceed one unit per 250m² of site area.

v Building Height

Ground slope in relation to building height shall be determined by measurement over the extremities of each building elevation.

Where any elevation indicates a ground slope of greater than 6 degrees (approximately 1:9.5) then rule 7.5.5.3(v)(b) Sloping sites where the ground slope is greater than 6 degrees (i.e. greater than 1 in 9.5), shall apply.

Where all elevations indicate a ground slope of less than 6 degrees (approximately 1:9.5), then rule 7.5.5.3(v)(a), Flat sites where the ground slope is equal to or less than 6 degrees (i.e. equal to or less than 1 in 9.5), shall apply.

(a) Flat sites where the ground slope is equal to or less than 6 degrees (i.e. equal to or less than 1 in 9.5).

The maximum height for buildings shall be 8.0m, and in addition no part of any building shall protrude through a recession line inclined towards the site at an angle of 25° and commencing at 2.5m above ground level at any given point on the site boundary:

except:

- (i) Gable, hip, dormer and other similar projections may encroach beyond the recession lines provided they are contained within a calculated area(s) no greater than 6m² with the apex no higher than a point 1m below the maximum height for the zone and the base of the area(s) at the level of recession line protrusion.
- (ii) This rule shall not apply to Lot 141 Block XX Shotover Survey District (refer Rule 7.5.5.2xii).



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(iii) The maximum height for buildings in the Residential Low and High Density Zones at Wanaka shall be 7m.

(iv) The maximum height for building in that part of the Residential Low Density Zone at Arrowtown shall be 6m, except that within the Arrowtown Scenic Protection Area of the zone the maximum height shall be 5m.

(v) The maximum height for buildings in the High Density Residential Zone located immediately west of the Kawarau Falls Bridge shall be 10 metres and in addition no building shall protrude through a horizontal line drawn due north commencing at 7 metres above any given point along the required boundary setbacks at the southern zone boundary.

(vi) This rule shall not apply to any lift tower within a visitor accommodation development in the High Density Residential Zone, which exceeds the maximum height permitted for buildings in the relevant zone by no more than 3 metres.

(vii) For the purposes of calculating the height of buildings on part Section 1 Block V and part Section I Block IV, Town of Frankton, notwithstanding the definition of "Ground Level" in this plan, "ground level" at any point within that land shall be the level of a straight line drawn parallel to Douglas Street between the following two lines:

- a. A straight line running along the Robertson Street southern boundary between datum level 343.50RL at the southeast corner and datum level 341.50RL at the southwest corner.
- b. A straight line running along the Humphrey Street northern boundary between datum level 344.40RL at the northeast corner and datum level 340.30RL at the northwest corner.

(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.

Advice Note: Figure 3: Lakeview sub-zone Height Limit Plan, and rules relating to the building recession line along the Glasgow Street and

Thompson Street boundaries is located in Section 10 Town Centres Rules.

(b) Sloping sites where the ground slope is greater than 6 degrees (i.e greater than 1 in 9.5)

The maximum height for buildings shall be 7.0m:

except:

(i) No part of any accessory building located within the setback distances from internal boundaries shall protrude through recession lines inclined towards the site at an angle of 25° and commencing at 2.5m above ground level at any given point along each internal boundary.

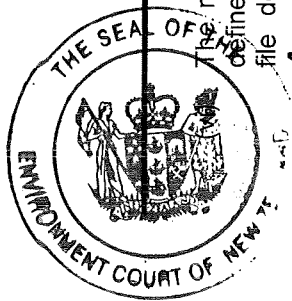
(ii) This rule shall not apply to Lot 141 Block XX Shotover Survey District (refer Rule 7.5.5.2xii)

(iii) The maximum height for building in that part of the Residential Low Density Zone at Arrowtown shall be 6m, except that within the Arrowtown Scenic Protection Area of the zone the maximum height shall be 5m.

(iv) The maximum height for buildings in the High Density Residential Zone located immediately west of Kawarau Falls Bridge shall be 10 metres and in addition no building shall protrude through a horizontal line drawn due north commencing at 7 metres above any given point along the required boundary setbacks at the southern zone boundary.

Refer to the definitions of Height and Ground Level.

(v) This rule shall not apply to any lift tower within a visitor accommodation development in the High Density Residential Zone, which exceeds the maximum height permitted for buildings in the relevant zone by no more than 3 metres.



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The maximum height for buildings on Lot 1 DP15307 shall be defined by the measurements and images held with the electronic file described as Lot 1 DP 15307 – Building Height. Refer *Appendix 4 – Interpretative Diagrams, Diagram 8.*

(vii) The height of any lift or plant tower on Lot 1 DP 15307 shall be permitted to exceed the height limit described in rule 7.5.5.3(v)(b)(vi) by up to an additional 3 metres, provided that the area of that additional over-run shall have a total area of no more than 40m² and shall be located at least 10 metres from a road boundary.

(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.

Advice Note: Figure 3: Lakeview sub-zone Height Limit Plan is located in Section 10 Town Centres Rules.

vi Airport Noise - Queenstown Airport

(a) On any site located within the Outer Control Boundary as indicated on the District Plan Maps, any building or part of a building used for residential activities or visitor accommodation shall be insulated from aircraft noise so as to meet an indoor design level of 40 dBA Ldn, except for non-critical listening environments where no special sound insulation is required.

(b) This control shall be met in either of the following two ways:

EITHER:

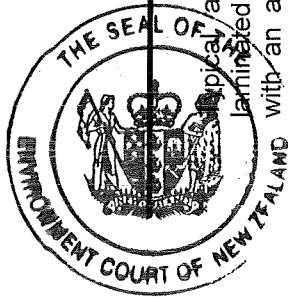
(i) By providing a certificate from a recognised acoustic engineer stating that the proposed construction will achieve the internal design noise level.
OR:

(ii) The building shall be constructed and finished in accordance with the provisions of Table 7.4 in part 7.5.5.3.

Table 7.4 – Acoustic Insulation of Buildings Containing Noise Sensitive Activities (except non-critical listening areas)

BUILDING ELEMENT	REQUIRED CONSTRUCTION
External Walls	Exterior: 20mm timber or 6mm fibre cement Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar two layers of 12.5mm gypsum plasterboard* (Or an equivalent combination of exterior and interior wall mass)
Windows	Up to 40% of wall area: Minimum thickness 6mm glazing** Up to 60% of wall area: Minimum thickness 8mm glazing** Up to 80% of wall area: Minimum thickness 8mm laminated glass or minimum 10mm double glazing** Aluminium framing with compression seals (or equivalent)
Pitched Roof	Cladding: 0.5mm profiled steel or tiles or 6mm corrugated fibre cement Frame: Timber truss with 100mm acoustic blanket (R2.2 Batts or similar) Ceiling: 12.5 gypsum plaster board*
Skillion Roof	Cladding: 0.5mm profiled steel or 6mm fibre cement Sarking: 20mm particle board or plywood Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar) Ceiling: 2 layers of 9.55mm gypsum plasterboard*
External Door	Solid core door (min 24kg/m ²) with weather seals

* Where exterior walls are of brick veneer or stucco plaster the internal linings need to be no thicker than 9.5mm gypsum plasterboard



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Typical acoustic glazing usually involves thick single panes or laminated glass. Where two or more layers of glass are employed with an air gap between, total thickness of window glass may be calculated as the total of all glass layers (excluding air gap) provided that at least one glass layer shall be of a different thickness to the other layer(s)

vii Glare

- (a) All fixed exterior lighting shall be directed away from the adjacent sites and roads; and
- (b) No activity on any site shall result in greater than a 3.0 lux spill (horizontal and vertical) of light onto any other site measured at any point inside the boundary of the other site.

viii Building Platforms

Where a building platform is indicated for a site on the subdivision plan, all building shall be located entirely within the building platform.

ix Heavy Vehicle Storage

Except for visitor accommodation, no more than one heavy vehicle shall be stored or parked overnight on any site for any activity. This standard applies to residential and non-residential activities cumulatively and only one heavy vehicle in total shall be stored or parked overnight on any site.

x Keeping of Animals

There shall be no keeping of pigs.

xi Roof Colours

The colour of any roof on any dwelling or accessory building situated on any part of the land situated south of State Highway 6 ("Ladies Mile") and southwest of Lake Hayes which is zoned Low Density Residential as shown on Planning Map 30, shall be within the range of browns, greens, greys and blue greys.

xii Noise

- (a) Sound from visitor accommodation 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 2000 hrs)	50 dB $L_{Aeq}(15 \text{ min})$
(ii)	night-time	(2000 to 0800 hrs)	40 dB $L_{Aeq}(15 \text{ min})$
(iii)	night-time	(2000 to 0800 hrs)	70 dB $L_{A}F_{max}$

- (b) Sound from visitor accommodation 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.

xiii Low density residential zone – Frankton Corner / Hansen Road

The following standards shall apply to any development on Part Sections 5 and 120 Block I Shotover SD and Lot 1 DP 26426, or any subdivided lot thereof, (on the northern side of State Highway 6 and Hansen Road near the Frankton Corner – as shown on Planning Map 33):

- (a) Prior to the erection of any buildings, a 1.5 metre wide compacted gravel footpath shall be constructed on the State Highway along the frontage between Hansen Road and the Frankton Cemetery.



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The final design and location of that footpath shall be as approved by Transit New Zealand.

(b) All vehicle access shall be via Hansen Road to the State Highway. There shall be no vehicle access directly onto the State Highway.

xiv Outline Development Master Plan – Peninsula Bay

No subdivision or development shall take place within the Low Density Residential Zone at Peninsula Bay unless it is consistent with an Outline Development Master Plan that has been lodged with and approved by the Council pursuant to Rule 7.5.3.(iii).

Rule 7.5.5.3 xiv shall not apply to the Peninsula Bay North Low Density Residential Zone land as shown in the Peninsula Bay North Structure Plan Figure 15.5 Subdivision, Development and Financial Contributions.

7.5.6 Standards - Non-Residential Activities (other than Visitor Accommodation in the High Density Residential Zone)

7.5.6.1 Restricted Discretionary Activities

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

i Building Footprint

The construction of, alteration to, or addition to any building in the High Density Residential Sub-Zones that exceeds the maximum building footprint sizes specified in Table 7.5 shall be a Restricted Discretionary Activity in respect of Assessment Matter 7.7.2 (v).

Table 7.5

Sub-zone	Maximum Building Footprint
High Density Residential Sub-Zone A	500m ²
High Density Residential Sub-Zone B	400m ²
High Density Residential Sub-Zone C	300m ²

Except that this rule does not apply to underground structures which are not visible from the ground level.

Except that this rule does not apply to land contained in, or formerly contained in, Lots 1 and 2 DP 306661, and Lot 2 DP27703 (being a portion of the commercial precinct overlay on Brecon St, Queenstown).

7.5.6.2 Site Standards - Non-Residential Activities (other than Visitor Accommodation in the High Density Residential Zone).

i Nature and Scale of Activities except for community facilities within the Community Facility Subzone.

- (a) No more than one full-time equivalent person who permanently resides elsewhere than on the site may be employed in a non-residential activity on the site.
- (b) No more than 40m² of the gross floor area of all the buildings on a site shall be used for activities, other than residential activities. Nothing in this Site Standard applies within a Commercial Precinct to any Commercial Recreation Activity, Community Activity, Health Care Facility, or Retail Sales ancillary to any Commercial Recreation Activity, Community Activity or Health Care Facility.
- (c) Paragraphs (a) and (b) of this rule shall not apply to any visitor accommodation activity.

ii Setback from Roads



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The minimum setback from road boundaries of any building shall be 4.5m except community facilities within the Community Facility Sub-Zone where the minimum setback from road boundaries shall be 5.0 metres; and

- (b) Parking areas shall be screened from adjoining road(s) to at least 1.8m in height, except where adjoining vehicle crossings. Where such screening is by way of planting it shall be for a minimum depth of 1.5m along the road frontage(s).
- (c) In the High Density Residential Zone the minimum setback from road boundaries of any building, and/or outdoor storage, shall be 4.5 m as measured to buildings at ground level and/or above ground level but not to underground structures which are not visible from the ground level.

iii Setback from Internal Boundaries/Neighbours

- (a) **Except** as provided for below, the minimum setback from internal boundaries for any building shall be:

Front Sites

One setback of 4.5m and all other setbacks 2m.

Rear Sites

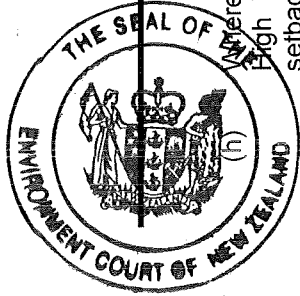
Two setbacks of 4.5m and all remaining setbacks to be 2.0m. At least one of the 4.5m setbacks must be adjoining an internal boundary of at least 15m in length.

- (b) Exceptions to (a) minimum setbacks:

- (i) Eaves, porches, balconies, bay and box windows, steps, chimneys and similar parts of buildings may be located within the minimum building setback as follows:
 - a. eaves up to 0.6m into setback; and
 - b. balconies and bay or box windows of less than 3m in length may project into the setback by up to 0.6m. Only

one such balcony or bay or box window, intrusion is permitted on each setback of each building; and porches and steps up to 0.6m into a setback; provided they measure no more than 2m parallel to the nearest internal boundary and provided that the floor level of any such porch or the top of any steps shall be no higher than 1m above ground level. Only one such porch or set of steps is permitted on each setback of each building; and

- d. chimneys may project into the setback by up to 0.6m provided that the chimney measures no more than 1.2m parallel to the nearest internal boundary. Only one chimney is permitted on each setback of each building; and
- e. no part of any balcony or window which is located within a setback shall be higher than 3m above ground level.
- (c) In the Low Residential Zone no setback is required from an internal boundary where buildings share a common wall on that internal boundary.
- (d) No part of any building, designed and/or used for the housing of animals shall be permitted to locate within 2m of any internal boundary.
- (e) Community Facilities in a Community Facility Sub-Zone shall be set back a minimum of 5 metres from internal boundaries.
- (f) No part of any building which is to be used for visitor accommodation shall be permitted to locate within 4 metres of an internal boundary, where the site(s) adjoining that internal boundary is zoned residential.
- (g) Parking and outdoor storage areas associated with visitor accommodation activities shall be adequately screened from adjoining properties.



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Where two or more buildings are located on a single lot within the High Density Residential Sub Zones A, B and C, the mutual setback requirements will apply as if an internal boundary exists to separate the buildings.

(i) This rule shall be applied with regard to the following:

- a. The setback distance between buildings shall be measured at ground level and/or above ground level but shall not include underground structures which are not visible from the ground level.
- b. The exercise of Council's discretion shall be confined to those matters set out in assessment matter 7.7.2 xiii Urban Design Protocol and 7.7.2 xvii Setback from Internal Boundaries/Neighbours.

(ii) Except:

- a. Where two or more buildings are located on a single lot with the High Density Residential Sub Zone B1 the mutual setback requirements will apply as if an internal boundary exists to separate the buildings but only to the extent that any two or more buildings on a lot are located other than in accordance with the master planned development consented under RM050908 and dated 28/7/2006.
- b. This rule shall not apply to Lot 1 DP15037 and Sections 10,11 and 18 BLK VIII Town of Queenstown.
- c. This rule shall not apply to land contained in, or formerly contained in, Lots 1 and 2 DP 306661, and Lot 2 DP27703 (being a portion of the commercial precinct overlay on Brecon St, Queenstown).

iv Continuous Building Length in the Low Density Residential Zone

Where the aggregate length along one elevation of buildings measured parallel to any internal boundary or internal boundaries exceeds 16 m; either

- (a) the entire building(s) shall be set back an additional 0.5 m for every 6 m of additional length or part thereof from the minimum yard setback (continuous façade(s) at the same distances from the boundary) or
- (b) that part of the building(s) which exceeds the maximum building length shall be progressively set back 0.5 m for every 6 m of additional length or part thereof from the minimum yard setback (varied façade(s) with stepped setbacks from the boundary).

Refer Appendix 4

v Continuous Building Length in the High Density Residential Zone

- (a) No unbroken building length shall exceed 16m. Breaks in building length shall be a minimum of 2m in depth and 4m in width for the full height of the wall and shall include a discontinuous eave line and roofline at the break.
- (b) The aggregate length along any true elevation of a building including breaks, shall not exceed 30m.
- (c) This rule does not apply to underground structures which are not visible from the ground level.
- (d) Provided that paragraph (b) shall not apply to any building on land contained in, or formerly contained in, Lots 1 and 2 DP 306661, and Lot 2 DP27703 (being a portion of the commercial precinct overlay on Brecon St, Queenstown).

Refer Appendix 4

vi Arrowtown Scenic Protection Area



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The Site standards set out for Residential Activities in the Arrowtown Scenic Protection Area also apply to Non-Residential Activities in the Arrowtown Scenic Protection Area.

vii Flood Risk

No building, greater than 20m² gross floor area, shall be constructed or relocated, with a ground floor level less than:

- (a) RL 312.0 m above sea level (412.0m Otago Datum) at Queenstown and Frankton.
- (b) RL 281.9 m above sea level (381.9m Otago Datum) at Wanaka.

viii Landscaping and Screening - Community Facility Sub-Zone

- (a) All community facilities shall landscape an area with a minimum width of 5 metres along all road and internal boundaries.
- (b) All outdoor storage shall be situated behind buildings and/or screened from roads, reserves and adjoining sites by either a solid fence of at least 2 metres minimum height, or dense planting of the same height.

ix Landscape Coverage

The minimum coverage for landscaped area on any site in the High Density Residential Sub-Zones shall be in accordance with Table 7.6:

Table 7.6

Sub-Zone	Landscape Coverage
High Density Residential Sub-Zone A	20%
High Density Residential Sub-Zone B1	20% taken as a percentage of Sub-Zone B1 as a whole
High Density Residential Sub-Zone B	30%
High Density Residential Sub-Zone C	40%

- (a) The landscaped area shall not be utilised for car parking or vehicle manoeuvring areas.

- (b) At least half of this landscaped area must consist of permeable surfaces and planted.

x Building Height - Lift Towers

No lift tower within a visitor accommodation development in the Visitor Accommodation Sub-Zone shall exceed the maximum height for buildings in this zone.

xi Deleted

xii Building Coverage

In the High Density Residential Sub-Zones, the maximum building coverage for all activities on any site shall be in accordance with Table 7.7. This standard shall only apply to buildings at ground level and/or above ground level which are visible from the ground level.

Table 7.7

Sub-Zone	Building Coverage
High Density Residential Sub Zone C	45%

This rule does not apply to underground structures which are not visible from the ground level.

The Council's discretion is restricted to Assessment Matter 7.7.2 xiii Urban Design Protocol.

xiii Fence Heights in the High Density Residential Zone

No Visually Opaque Fence constructed within the Road Setback shall exceed 1.2m in height above ground level.

xiv Height and Elevation Restrictions along Frankton Road and Frankton Track



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No building or building element on the south side of Frankton Road (SH6A) shall rise above the nearest point of the roadway centreline, except for the intrusion of a single building element of no more than one story in height above the nearest point of the roadway centreline and limited to a cumulative length parallel to the road of not more than 10% of the length of the road frontage (to a maximum of 16 metres), used solely for access, reception and lobby uses related to the predominant use of the site.
This Rule applies to those properties from Cecil Road (Paper Road) to, and including, Lot 1 DP 12665.

- (b) The lowest level of any floor constructed to the north side of the Frankton Track shall not be less than two metres above the centreline of the Track.

Refer to Appendix 4

7.5.6.3 Zone Standards - Non-Residential Activities (other than Visitor Accommodation in the High Density Residential Zone)

i Building Line Restriction

Where a building line restriction is shown on the District Plan Maps, no building shall be located within the restricted area as identified on the Planning Map.

ii Building Coverage

The maximum building coverage for all non-residential activities on any site shall be 40% in the Low Density Residential Zone and 55% in the High Density Residential Zone, except within a Commercial Precinct where the maximum building coverage shall be 70%.

- (a) The maximum building coverage for community facilities within a Community Facility Sub-Zone in a Low Density Residential Zone shall be 50%.

- (b) In the High Density Residential Zone this rule does not apply to underground structures which are not visible from the ground level.
- (c) Except that in respect of Sub-Zone B1, Building Coverage is taken as a percentage of Sub-Zone B1 as a whole and does not include any veranda over public open space. For the purposes of this exception:
- i. "veranda" means a structure or part of a structure extending over public open space for weather protection purposes only and not for any other building or activity purpose;
 - ii. "public open space" means land subject to an easement or other legal instrument providing for access across and use of that land by the general public.

The exercise of Council's discretion shall be confined to those matters set out in assessment matter 7.7.2 xiii Urban Design Protocol.

This rule does not apply to underground structures which are not visible from the ground level.

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 Building Height

Ground slope in relation to building height shall be determined by measurement over the extremities of each building elevation.

Where any elevation indicates a ground slope of greater than 6 degrees (approximately 1:9.5) then rule 7.5.6.3(iii)(b) Sloping sites where the ground slope is greater than 6 degrees (i.e. greater than 1 in 9.5), shall apply.

Where all elevations indicate a ground slope of less than 6 degrees (approximately 1:9.5), then rule 7.5.6.3(iii)(a), Flat sites where the ground



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slope is equal to or less than 6 degrees (i.e. equal to or less than 1 in 9.5), shall apply.

- (a) **Flat sites where the ground slope is equal to or less than 6 degrees (i.e. equal to or less than 1 in 9.5)**

The maximum height for buildings shall be 8.0m, and in addition no part of any building shall protrude through a recession line inclined towards the site at an angle of 25° and commencing at 2.5m above ground level at any given point on the site boundary.

Except:

- (i) Gable, hip, dormer and other similar projections may encroach beyond the recession lines provided they are contained within a calculated area(s) no greater than 6m² with the apex no higher than a point 1m below the maximum height for the zone and the base of the area(s) at the level of recession line protrusion.

- (ii) The maximum height for buildings in that part of the Residential High Density Zone located on the eastern side of Fernhill Road shall be 10m.

- (iii) The maximum height for buildings in the Residential Low and High Density Zones at Wanaka shall be 7m.

- (iv) The maximum height for building in that part of the Residential Low Density Zone at Arrowtown shall be 6m, except that within the Arrowtown Scenic Protection Area of the zone the maximum height shall be 5m. The maximum height for buildings in the High Density Residential Zone located immediately west of the Kawarau Falls Bridge shall be 10 metres and in addition no building shall protrude through a horizontal line drawn due north commencing at 7 metres above any given point along the required boundary setbacks at the southern zone boundary.

- (v) The maximum height for a community facility building in the Community Facility Sub-Zone shall be 10 metres other than for the facilities at 20 Park Street, Queenstown and 32 McBride Street, Frankton where the maximum height shall be 7 metres.

- (vi) This rule shall not apply to any lift tower within a visitor accommodation development in the Visitor Accommodation Sub-Zone, which exceeds the maximum height permitted for buildings in the relevant zone by no more than 3 metres.

- (vii) The maximum height for buildings located within the Visitor Accommodation Sub-Zone located on Lake Avenue, Frankton shall be 7 metres and in addition no building or part of any building shall protrude through a horizontal plane drawn at RL 343.50 masl (being 443.50m, Otago Datum)

- (viii) For the purposes of calculating the height of buildings on part Section 1 Block V and part Section 1 Block IV, Town of Frankton, notwithstanding the definition of "Ground Level" in this plan, "ground level" at any point within that land shall be the level of a straight line drawn parallel to Douglas Street between the following two lines:

- a. A straight line running along the Robertson Street southern boundary between datum level 343.50RL at the southeast corner and datum level 341.50RL at the southwest corner.

- b. A straight line running along the Humphrey Street northern boundary between datum level 344.40RL at the northeast corner and datum level 340.30RL at the northwest corner.

- (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.

Advice Note: Figure 3: Lakeview sub-zone Height Limit Plan is located in Section 10 Town Centres Rules.

Refer Planning Map 33



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Sloping sites where the ground slope is greater than 6 degrees (i.e. greater than 1 in 9.5)

The maximum height for buildings shall be 7.0m:

Except:

- (i) No part of any accessory building located within the setback distances from internal boundaries shall protrude through recession lines inclined towards the site at an angle of 25° and commencing at 2.5m above ground level at any given point along each internal boundary.
- (ii) The maximum height for buildings in that part of the Residential High Density Zone located on the eastern side of Fernhill Road shall be 10m.
- (iii) The maximum height for building in that part of the Residential Low Density Zone at Arrowtown shall be 6m, except that within the Arrowtown Scenic Protection Area for the zone the maximum height shall be 5m.
- (iv) The maximum height for buildings in the High Density Residential Zone located immediately west of the Kwarau Falls Bridge shall be 10 metres and in addition no building shall protrude through a horizontal line drawn due north commencing at 7metres above any given point along the required boundary setbacks at the southern zone boundary.
- (v) This rule shall not apply to any lift tower within a visitor accommodation development in the Visitor Accommodation Sub-Zone, which exceeds the maximum height permitted for buildings in the relevant zone by no more than 3 metres.
- (vi) The maximum height for buildings located within the Visitor Accommodation Sub-Zone located on Lake Avenue, Frankton shall be 7 metres and in addition no building or part of any building shall protrude through a horizontal plane drawn at RL 343.50 masl (being 443.50m, Otago Datum)

- (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.

Advice Note: Figure 3: Lakeview sub-zone Height Limit Plan, and rules relating to the building recession line along the Glasgow Street and Thompson Street boundaries is located in Section 10 Town Centres Rules.

Refer Planning Map 33

Refer to Appendix 4 and the definitions of Height and Ground Level.

iv Hours of Operation

Except for

- (a) Residential care facilities and visitor accommodation or community facilities located in the Community Facility Sub-Zone;
- (b) Commercial Recreation Activities, Community Activities, Health Care Facilities and Retail Sales ancillary to any Commercial Recreation Activities, Community Activities and Health Care Facilities, within a Commercial Precinct.

Hours of operation shall be limited to between the hours:

0730 - 2000

except that where:

- (a) the entire activity is located within a building and occupies not more than 40m² of floor space; and
- (b) each person engaged in the activity outside the above hours resides permanently on the site; and



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there are no visitors, clients or deliveries to or from the site outside the above hours; and
all other relevant zone standards are met
the activity may be carried out outside the above hours.

v Nature and Scale of Activities

Except for community facilities within the Community Facility Sub-Zone:
No goods shall be displayed, sold or offered for sale from a site other than handicrafts, goods grown, reared or produced on the site.

- (a) At least one person engaged in the activity must reside on the site.
- (b) No more than three full-time equivalent persons who permanently reside elsewhere than on the site shall be employed in undertaking a non-residential activity on the site.
- (c) No goods, materials or equipment shall be stored outside a building, except for vehicles associated with the activity parked on the site overnight and the storage of outdoor items ancillary to a visitor accommodation activity located on the site, such as outdoor furniture.
- (d) All manufacturing, altering, repairing, dismantling or processing of any materials, goods or articles shall be carried out within a building.

Subclauses (a) and (b) of this Zone Standard do not apply within a Commercial Precinct to any Commercial Activity, Community Activity, Health Care Facility, or Retail Sales ancillary to any Commercial Recreation Activity, Community Activity or Health Care Facility.
- (e) Paragraphs (a) and (b) of this rule shall not apply to any visitor accommodation activity.

vi Retail Sales

Retail Sales, except for Retail Sales ancillary to any Commercial Recreation Activity, Community Activity or Health Care Facility within a Commercial Precinct.

- (a) No goods shall be displayed, sold or offered for sale from a site other than:
 - (i) handicrafts;
 - (ii) goods grown, reared or produced on the site; or
 - (iii) retail sales which are ancillary to visitor accommodation located on the site.

vii Noise

- (a) Sound from non-residential 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 2000 hrs)	50 dB $L_{Aeq}(15 \text{ min})$
(ii)	night-time	(2000 to 0800 hrs)	40 dB $L_{Aeq}(15 \text{ min})$
(iii)	night-time	(2000 to 0800 hrs)	70 dB L_{AFmax}

- (b) Sound from non-residential 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. 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



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located within any land designated for Aerodrome Purposes in this Plan.

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

viii Airport Noise - Queenstown Airport

- (a) On any site located within the Outer Control Boundary as indicated on the District Plan Maps, any building or part of a building used for community activities shall be insulated from aircraft noise so as to meet an indoor design level of 40 dBA Ldn, except for non-critical listening environments where no special sound insulation is required.

- (b) This control shall be met in either of the following two ways:

EITHER:

- (i) By providing a certificate from a recognised acoustic engineer stating that the proposed construction will achieve the internal design noise level.

OR:

- (ii) The building shall be constructed and finished in accordance with the provisions of Table 7.8 in part 7.5.6.3

Table 7.8 – Acoustic Insulation Of Buildings Containing Noise Sensitive Activities (except non-critical listening areas)

BUILDING ELEMENT	REQUIRED CONSTRUCTION
External Walls	Exterior: 20mm timber or 6mm fibre cement Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar) Two layers of 12.5 mm gypsum plasterboard* (Or an equivalent combination of exterior and interior wall mass)

Windows	Up to 40% of wall area: Minimum thickness 6mm glazing** Up to 60% of wall area: Minimum thickness 8mm glazing** Up to 80% of wall area: Minimum thickness 8mm laminated glass or minimum 10mm double glazing** Aluminium framing with compression seals (or equivalent)
Pitched Roof	Cladding: 0.5mm profiled steel or tiles or 6mm corrugated cement Frame: Timber truss with 100mm acoustic blanket (R2.2 Batts or similar) Ceiling: 12.5 gypsum plasterboard*
Skillion Roof	Cladding: 0.5 mm profiled steel or 6mm fibre cement Sarking: 20 mm particle board or plywood Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar) Ceiling: 2 layers of 9.5mm gypsum plasterboard*
External Door	Solid core door (min 24kg/m2) with weather seals

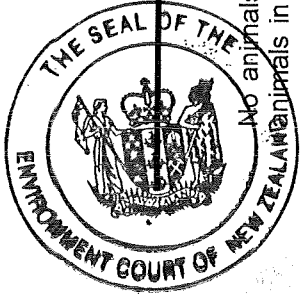
* Where exterior walls are of brick veneer or stucco plaster the internal linings need to be no thicker than 9.5mm gypsum plasterboard

** Typical acoustic glazing usually involves thick single panes or laminated glass. Where two or more layers of glass are employed with an air gap between, total thickness of window glass may be calculated as the total of all glass layers (excluding air gap) provided that at least one glass layer shall be of a different thickness to the other layer(s)

ix Glare

- (a) All fixed exterior lighting shall be directed away from adjacent sites and roads; and
- (b) No activity on any site shall result in greater than a 3.0 lux spill (horizontal and vertical) of light onto any other site, measured at any point inside the boundary of the other site.

x Boarding and Keeping of Animals



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No animals shall stay overnight on a site, except for a maximum of 4 animals in the care of a registered veterinarian for medical or surgical purposes. There shall be no keeping of pigs or commercial livestock.

xi Heavy Vehicle Storage



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Except where a site is to be used for visitor accommodation no more than one heavy vehicle shall be stored or parked overnight on any site for any activity. This standard applies to residential and non-residential activities cumulatively and only one heavy vehicle in total may be stored or parked overnight on any site.

xii External Appearance of Buildings

All metal cladding, roofing or fences shall be painted or otherwise coated with a non-reflective finish.

xiii Building Platforms

Where a building platform is indicated for a site on the subdivision plan, all building shall be located entirely within the building platform.

xiv Roof Colours

The colour of any roof on any dwelling or accessory building situated on any part of the land situated south of State Highway 6 ("Ladies Mile") and southwest of Lake Hayes which is zoned Low Density Residential as shown on Planning Map 30 shall be within the range of browns, greens, greys and blue greys.

xv Outline Development Master Plan – Peninsula Bay

No subdivision or development shall take place within the Low Density Residential Zone at Peninsula Bay unless it is consistent with an Outline Development Master Plan that has been lodged with and approved by the Council pursuant to Rule 7.5.3.3 (iii).

7.5.7 Resource Consent - Assessment Matters

The Assessment Matters which apply to the consideration of resource consents in the Low Density and High Density Residential Zones are specified in Rule 7.7

7.6 Residential Arrowtown Historic Management Zone Rules

7.6.1 Zone Purpose

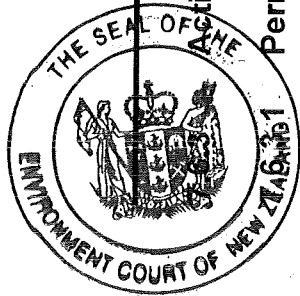
This Zone covers the older part of the residential settlement of Arrowtown. It is generally located north of Kent and Boundary Streets and surrounds the town centre. The area has a distinctive character and atmosphere which has evolved from the development pattern set at the time of early gold mining in the District.

The purpose of this zone is to allow for the continued development of the historic area of residential Arrowtown in a way that will enhance and protect those characteristics which make it a valuable part of the town for local residents and for visitors attracted to the town by its historic associations, unique character and outstanding individual buildings. In particular the management area seeks to retain the early subdivision pattern and streetscape, ensure future development is at a scale sympathetic to the present character, and to encourage the protection and conservation of the trees and shrubs.

7.6.2 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 Section 13 |
| (ii) Transport | - Refer Section 14 |
| (iii) Subdivision, Development and Financial Contributions | - Refer Section 15 |
| (iv) Hazardous Substances | - Refer Section 16 |
| (v) Utilities | - Refer Section 17 |
| (vi) Signs | - Refer Section 18 |
| (vii) Relocated Buildings and Temporary Activities | - Refer Section 19 |
| (viii) Earthworks | - Refer Section 22 |



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Activities

Permitted Activities

- i Any Residential Activity which complies with all the **Site** and **Zone** Standards for Residential Activities and is not listed as a **Controlled**, **Discretionary**, **Non-Complying** or **Prohibited Activity**.
- ii Any Non-Residential Activity which complies with all the **Site** and **Zone** Standards for Non-Residential Activities and is not listed as a **Controlled**, **Discretionary**, **Non-Complying** or **Prohibited Activity**.

7.6.3.2 Controlled Activities

- i Visitor Accommodation within the Visitor Accommodation Sub Zone

7.6.3.3 Discretionary Activities

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

i Trees

The removal of any tree greater than 2.5m high and the pruning, trimming or topping of any tree greater than 4m high.

ii Buildings

Buildings with the exercise of the Council's discretion being limited to the external appearance and finish of the building.

iii Visitor Accommodation

iv Retail Sales

- 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.

7.6.3.4 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 Airport

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

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

7.6.3.5 Prohibited Activities

The following shall be **Prohibited Activities**:

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

7.6.4 Non-Notification of Applications

Any 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 Resource Management Act 1991, unless the Council considers special circumstances exist in relation to any such application:



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All applications for **Controlled Activities**.

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

- (a) Access
- (b) Outdoor Living Space
- (c) Flood Risk.

7.6.5 Standards – Residential Activities

7.6.5.1 Site Standards - Residential Activities

i **Setback from Roads**

The minimum setback from road boundaries of any building shall be:

- (a) Where existing buildings (other than accessory buildings) are already located on the site - the shortest distance from the road boundary to the building (other than an accessory building) measured at right angles to the front boundary; or
- (b) Where no existing buildings (other than accessory buildings) are located on the site the mean of the setback of any buildings (other than accessory buildings) located on the immediately adjoining lots or 6.0m, whichever is the greater.

ii **Setback from Internal Boundaries**

The minimum setback from internal boundaries of any building shall be 3m except as follows.

- (a) Accessory buildings for residential activities may be located within the setback distances from internal boundaries, where the total length of the walls of accessory buildings within the setback does not exceed 7.5m in length and there are no windows or openings along any walls within 2m of an internal boundary.

- (b) Eaves, porches, balconies, bay or box windows, steps, chimneys and similar parts of buildings may be located within the minimum building setback as follows:

- (i) eaves up to 0.6m into the setback; and
- (ii) balconies and bay or box windows of less than 3m in length may project into the setback by up to 0.6m. Only one such balcony or bay or box window intrusion is permitted on each setback of each building; and
- (iii) porches and steps up to 0.6m into a setback; provided they measure no more than 2m parallel to the nearest internal boundary and provided that the floor level of any such porch or the top of any steps shall be no higher than 1m above ground level. Only one such porch or set of steps is permitted on each setback of each building; and
- (iv) chimneys may project into the setback by up to 0.6m provided that the chimney measures no more than 1.2m parallel to the nearest internal boundary. Only one chimney is permitted on each setback of each building; and
- (v) no part of any balcony or window which is located within a setback shall be higher than 3m above ground level.
- (c) No part of any building designed and/or used for the housing of animals shall be permitted to locate within 2m of any internal boundary.
- (d) No setback is required where buildings on adjoining sites have a common wall on an internal boundary provided that only one common wall is permitted per residential unit.

iii **Access**

Each residential unit shall have legal access to a formed road.



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iv Continuous Building Length

Where the aggregate length of buildings measured parallel to any internal boundary exceeds 16m; either

- (a) the entire building(s) shall be set back an additional 0.5 m for every 6 m of additional length or part thereof from the minimum yard setback (continuous façade(s) at the same distances from the boundary)

or

- (b) that part of the building(s) which exceeds the maximum building length shall be progressively set back 0.5 m for every 6 m of additional length or part thereof from the minimum yard setback (varied façade(s) with stepped setbacks from the boundary).

Refer Appendix 4

v Outdoor Living Space

- (a) The minimum provision of outdoor living space for each residential unit, contained within the net area of the site, shall be 36m² contained in one area with a minimum dimension of 4.5m.
- (b) The outdoor living space shall be readily accessible from a living area.
- (c) No outdoor living space shall be occupied by any building (other than an outdoor swimming pool, or accessory building of less than 8m² gross floor area), driveway or parking space.

vi Deleted

7.6.5.2 Zone Standards - Residential Activities

i Site Density

The minimum net area for any site for each residential unit shall be 650m²; except that:

- (a) For residential units to be erected on vacant shares of fee simple titles over which there is/are existing cross-lease(s) or on unit titles where a proposed unit development plan is already approved, as at the date of notification of the District Plan, there shall be no minimum net area for the site, provided that all other applicable Site and Zone Standards are complied with, or resource consents obtained in respect of those Site Standards not complied with.

ii Building Height

The maximum height for buildings shall be 5m.

iii Building Coverage

The total area covered by hard surfacing and buildings on any site shall not exceed 30% of the net site area.

iv Glare

- (a) All fixed exterior lighting shall be directed away from the adjacent sites and roads; and
- (b) No activity on any site shall result in greater than a 3.0 lux spill (horizontal and vertical) of light onto any other site measured at any point inside the boundary of the other site.

v Heavy Vehicle Storage

No more than one heavy vehicle shall be stored or parked overnight on any site for any activity. This standard applies to residential and non-residential activities cumulatively and only one heavy vehicle in total shall be stored or parked overnight on any site.

vi Keeping of Animals

There shall be no keeping of pigs.

7.6.6 Standards - Non-Residential Activities



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Site Standards - Non-Residential Activities

6.6.1

i Nature and Scale of Activities

- (a) No more than one full-time equivalent person who permanently resides elsewhere than on the site may be employed in a non-residential activity on the site.
- (b) No more than 40m² of the gross floor area of the buildings on a site shall be used for activities, other than residential activities. Provided that this standard does not apply to visitor accommodation which is a Permitted Activity.

ii Setback from Roads

The minimum setback from road boundaries of any building for a non-residential activity shall be:

- (a) Where existing buildings (other than accessory buildings) are already located on the site - the shortest distance from the road boundary to the building (other than an accessory building) measured at right angles to the front boundary; or
- (b) Where no existing buildings (other than accessory buildings) are located on the site - the mean of the setback of any buildings (other than accessory buildings) located on the immediately adjoining lots or 6.0m, whichever is the greater.

iii Setback from Internal Boundaries

- (a) Minimum setback from internal boundaries of any building for any non-residential activity shall be 3m.
- (b) Eaves, porches, balconies, bay and box windows, steps, chimneys and similar parts of buildings may be located within the minimum building setback as follows:

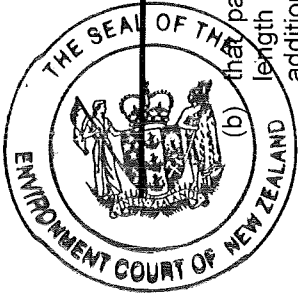
- (i) eaves up to 0.6m into setback; and
 - (ii) balconies and bay or box windows of less than 3m in length may project into the setback by up to 0.6m. Only one such balcony or bay or box window intrusion is permitted on each setback of each building; and
 - (iii) porches and steps up to 0.6m into a setback; provided they measure no more than 2m parallel to the nearest internal boundary and provided that the floor level of any such porch or the top of any steps shall be no higher than 1m above ground level. Only one such porch or set of steps is permitted on each setback of each building; and
 - (iv) chimneys may project into the setback by up to 0.6m provided that the chimney measures no more than 1.2m parallel to the nearest internal boundary. Only one chimney is permitted on each setback of each building; and
 - (v) no part of any balcony or window which is located within a setback shall be higher than 3m above ground level.
- (c) No part of any building designed and/or used for the housing of animals shall be permitted to locate within 2m of any internal boundary.

iv Continuous Building Length

Where the aggregate length of buildings measured parallel to any internal boundary exceeds 16 m; either

- (a) the entire building(s) shall be set back an additional 0.5 m for every 6 m of additional length or part thereof from the minimum yard setback (continuous façade(s) at the same distances from the boundary)

or



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(b) that part of the building(s) which exceeds the maximum building length shall be progressively set back 0.5 m for every 6 m of additional length or part thereof from the minimum yard setback (varied façade(s) with stepped setbacks from the boundary).

(e) the activity may be carried out outside the above hours.

iv Nature and Scale of Activities

(a) At least one person engaged in the activity must reside on the site.

v Deleted

(b) No more than three full-time equivalent persons who permanently reside elsewhere than on the site shall be employed in undertaking a non-residential activity on the site.

7.6.6.2 Zone Standards - Non-Residential Activities

i Building Coverage

The total area covered by hard surfacing and buildings on any site shall not exceed 30% of the net site area.

ii Building Height

The maximum height for buildings shall be 5m.

iii Hours of Operation

Hours of operation shall be limited to between the hours:

0730 - 2000

except that where:

(a) the entire activity is located within a building and occupies not more than 40m² of floor space; and

(b) each person engaged in the activity outside the above hours resides permanently on the site; and

(c) there are no visitors, clients or deliveries to or from the site outside the above hours; and

(d) all other relevant zone standards are met;

(c) No more than 60m² of the gross floor area of the buildings on a site shall be used for activities other than residential activities.

(d) No goods, materials or equipment shall be stored outside a building, except for vehicles associated with the activity parked on the site overnight.

(e) All manufacturing, altering, repairing, dismantling or processing of any materials, goods or articles shall be carried out within a building.

v Retail Sales

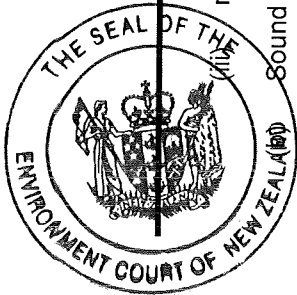
No goods shall be displayed, sold or offered for sale from a site other than handicrafts, goods grown, reared or produced on the site.

vi Noise

(a) Sound from non-residential 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 2000 hrs) 50 dB L_{Aeq}(15 min)

(ii) night-time (2000 to 0800 hrs) 40 dB L_{Aeq}(15 min)



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night-time (2000 to 0800 hrs) 70 dB L_{AFmax}

Sound from non-residential 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.

vii Glare

(a) All fixed exterior lighting shall be directed away from adjacent sites and roads; and

(b) No activity on any site shall result in greater than a 3.0 lux spill (horizontal and vertical) of light onto any other site, measured at any point inside the boundary of the other site.

viii Boarding and Keeping of Animals

No animals shall stay overnight on a site, except for a maximum of 4 animals in the care of a registered veterinarian for medical or surgical purposes. There shall be no keeping of pigs or commercial livestock.

ix Heavy Vehicle Storage

No more than one heavy vehicle shall be stored or parked overnight on any site for any activity. This standard applies to residential and non-residential activities cumulatively and only one heavy vehicle in total shall be stored or parked overnight on any site.

7.6.7 Resource Consent – Assessment Matters

The Assessment Matters which apply to the consideration of resource consents in the Residential Arrowtown Historic Management Zone are specified in Rule 7.7.

7.7 Resource Consents - Assessment Matters Residential and Visitor Accommodation Zones

7.7.1 General

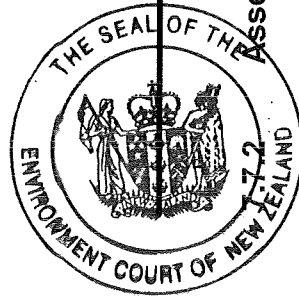
i The following Assessment Matters are methods included in the District Plan, in order to enable the Council to implement the Plan's policies and fulfil its functions and duties under the Act.

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 7.7.2 below.

iii In the case of *Controlled 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* 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 discretionary activity.



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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 **Controlled Activity - Garages within road setback within the low density residential zone**

Conditions may be imposed to ensure that:

- (a) The garage is sited and designed to mitigate against any adverse effects on the visual values of the streetscape and views.
- (b) The location and design of vehicle access is such to protect the safe and efficient movement of vehicles.

ii **Controlled Activity - Visitor Accommodation**

Conditions may be imposed to ensure that:

- (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 and/or adjoining residential neighbourhoods
- (ii) The nature of the development in the context of the permitted future uses on nearby sites

- (iii) Loss of privacy

- (iv) The proximity of outdoor facilities to residential neighbours

- (v) Hours of operation

- (vi) The ability to landscape/plant to mitigate visual effects

- (vii) Whether the external appearance of the buildings complements the surrounding landscape and urban character, including when viewed from the lake

- (viii) Compatibility with the New Zealand Urban Design Protocol having regard to those assessment matters under 7.7.2 xiii Urban Design Protocol.

- (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:

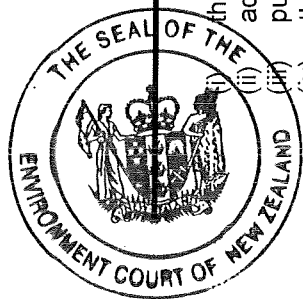
- (i) The adequacy of mitigation measures, including the layout of outdoor activities (for example barbecues, spa pools), and the ability to screen those activities by vegetation, fencing or building.

- (ii) Measures that can be incorporated into the premises to provide for acoustic insulation and /or attenuation of noise emissions.

iii **Controlled Activity - Buildings for Non-Residential Activities**

Conditions may be imposed in respect of:

- (a) The location, height, external appearance and methods of construction to avoid or mitigate adverse effects on:



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the street scene;

(ii) adjoining or surrounding buildings;

(iii) public open space, amenity linkages and view corridors;

(iv) the visual amenity of open spaces, streets and the surrounding landscape.

(b) The relationship of the building to its neighbours in terms of its built form, and to other built elements in the Zone, including public open spaces.

(c) The relationship of parking, access and manoeuvring areas in respect of access point options for joint use of car parking and the safety of pedestrians.

(d) The extent and quality of any landscaping proposed and the effectiveness of proposed planting in enhancing the general character of the area, screening car parking areas, and the impact on residential uses.

(e) Compatibility with the New Zealand Urban Design Protocol, having regard to those assessment matters under 7.7.2 xiii Urban Design Protocol.

iv Restricted Discretionary Activity – Multi-Unit Developments in the High Density Residential Zone

When considering applications to exceed three units the Council shall have regard to the New Zealand Urban Design Protocol as per Assessment Matter 7.7.2 xiii Urban Design Protocol.

v Restricted Discretionary Activity – Building Footprint in the High Density Residential Zone

When considering applications to exceed the maximum footprint size, the Council shall have regard to the compatibility of the proposal with the New Zealand Urban Design Protocol, having regard to those assessment matters under 7.7.2 xiii Urban Design Protocol.

When considering applications for land contained in, or formally contained in, Lot 1 DP 12665 regard shall be had to the nature and extent of the landscaping and built form consented to under RM040624 and RM081099, whether or not these consents have lapsed.

vi Discretionary Activity – Comprehensive Residential Development

(a) Any adverse effects of the activity 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 low-density residential environment.

(ii) Loss of privacy

(iii) Level of traffic congestion or reduction in levels of traffic safety which are inconsistent with the classification of the adjoining road.

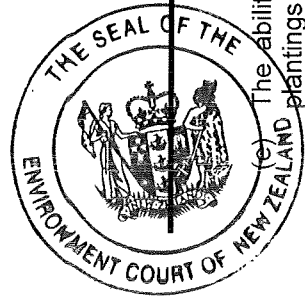
(iv) Pedestrian safety in the vicinity of the activity.

(v) Any cumulative effect of traffic generation from the activity in conjunction with traffic generation from other activities in the vicinity.

(b) 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 and 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.

(c) Any adverse effects of the proximity or bulk of the buildings, in terms of visual dominance by buildings of the outlook from adjoining sites and buildings, which is out of character with the local environment.

(d) Any adverse effects of the proximity or bulk of the buildings, in terms of loss of access to daylight on adjoining sites.



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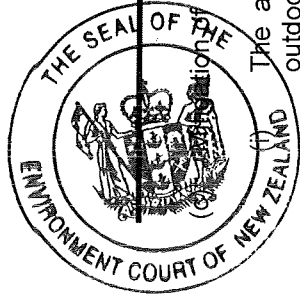
(c) The ability to provide adequate opportunities for garden and tree plantings around buildings.

- (f) The extent to which any proposed buildings will be compatible with the scale of other buildings in the surrounding area and will not result in visual domination as a result of building coverage which is out of character with the local environment.
- (g) The ability to provide adequate vehicle parking and manoeuvring space on site.
- (h) The extent to which the increased building coverage would have any adverse effects on adjoining properties in terms of dominance by buildings, loss of privacy, access to sunlight and daylight and loss of opportunities for views.
- (i) The ability to provide adequate outdoor space on the site for all outdoor activities associated with residential and other activities permitted on the site.
- (j) The ability to mitigate any adverse effects of increased coverage.
- (k) 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.

vii Discretionary Activity - Visitor Accommodation

- (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 and/or adjoining residential neighbourhoods
 - (ii) The nature of the development in the context of the permitted future uses on nearby sites

- (iii) Loss of privacy
- (iv) The proximity of outdoor facilities to residential neighbours
- (v) Hours of operation
- (vi) The ability to landscape/plant to mitigate visual effects
- (vii) Whether the external appearance of the buildings complements the surrounding landscape and urban character, including when viewed from the lake.
- (b) Any adverse effects 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 or adjoining road, which is incompatible with the levels acceptable in a low-density residential environment.
 - (iii) Loss of privacy.
 - (iv) Levels of traffic congestion or reduction in levels of traffic safety which are inconsistent with the classification of the adjoining road.
 - (v) Pedestrian safety in the vicinity of the activity.
 - (vi) Any cumulative effect of traffic generation from the activity in conjunction with traffic generation from other activities in the vicinity.
 - (vii) Provision for coaches to be parked off-site
 - (viii) 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 and 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.



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avoidance of noise emissions beyond the property boundary considering:

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.

- (d) The ability to supply water, and dispose of sewage, stormwater and other wastes consistent with Regional Council requirements.

- (e) The ability to provide adequate, potable water supply, adequate firefighting provisions, and to dispose of sewage, stormwater and other wastes so as to avoid potential adverse effects.

viii Discretionary Activity- Sale of liquor from visitor accommodation activities

- (a) Compatibility with amenity values of the surrounding environment considering:

- (i) The character, scale and intensity of the proposed use and its compatibility in relation to surrounding and/or adjoining residential neighbourhoods

- (ii) The nature of the development in the context of the permitted future uses on nearby sites

- (iii) The relative impact of adverse effects caused by activities associated with the sale of liquor, including its availability to persons other than those residing on the premises and the maximum number of persons that may be present in any licensed area

- (iv) Loss of privacy

- (v) The proximity of outdoor facilities to residential neighbours

- (vi) Hours of operation

- (b) Avoidance 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.

ix Building Height - Lift Towers - Site Standard

- (a) The extent to which protrusion through the height plane is necessary to enable more efficient and/or appropriate use of the site within the height plane.

- (b) Whether alternative lift technology is available and/or appropriate which would enable efficient use of the site.

- (c) Any adverse effects of the height, bulk or location of the lift tower in terms of visual dominance of the outlook from adjoining or nearby sites and buildings.

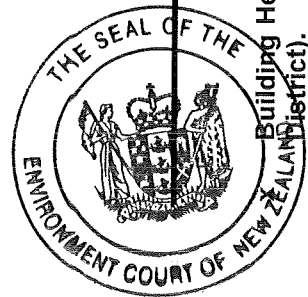
- (d) Any adverse effects of the height, bulk or location of the lift tower in terms of loss of access to daylight on adjoining sites.

- (e) Any adverse effects of the location of the lift tower in terms of noise on adjoining sites.

- (f) Any increased adverse effects of the visitor accommodation development on the residential character of the neighbourhood due to the height, bulk or location of the lift tower.

- (g) 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.

- (h) Whether there are rules requiring the site to be built up.



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Building Height - Site Standard (Lot 141 Block XX Shotover Survey District).

- (a) Whether the architectural style is sympathetic to the mountain setting and local context.
- (b) Whether the height of the building is appropriate to the scale of the natural landforms and vegetation of the area.
- (c) Whether the building is likely to create adverse effects of shading on Fernhill Road and neighbouring properties.

xi Discretionary Activity and Zone Standard - Retail Sales

- (a) The extent to which the activity will result in levels of traffic generation or pedestrian activity which are incompatible with the character of the surrounding residential area.
- (b) Any adverse effect of the likely traffic generation from the proposed activity in terms of:

- (i) Noise and vibration from vehicles entering and leaving the site or adjoining road, which is incompatible with the noise levels acceptable in a low-density residential environment.
- (ii) Glare from headlights of vehicles entering and leaving the site or adjoining road which is intrusive for residents or occupants of adjoining residential sites.
- (iii) Levels of traffic congestion or reduction in levels of traffic safety which are inconsistent with the classification of the adjoining road.
- (iv) Reduction in the availability of on-street parking which is such as to cause a nuisance for residents, occupants or visitors to adjoining residential sites.

- (v) Fumes from vehicles entering or leaving the site, which are objectionable to residents or occupiers of adjoining residential sites.

- (vi) Any cumulative effect of traffic generation from the activity in conjunction with traffic generation from other activities in the vicinity.

- (c) The extent to which the proposed traffic generation will be compatible with or not result in adverse effects upon activities in the surrounding neighbourhood.

- (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 and 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.

- (e) Any adverse effects of increased levels of pedestrian activity as a result of the retail sales in terms of noise, disturbance and loss of privacy which is inconsistent with the low-density suburban living environment.

- (f) The extent to which retail sales from the site are an integral and necessary part of other activities being undertaken on the site and assist in providing alternative home-based employment and income-generating opportunities for residents or occupiers of the site.

- (g) The proximity of the site of the retail sales to the sites of scheduled commercial or community activities, or to arterial roads.

xii Building Height - Zone Standard

- (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.



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(c) With regard to proposals that breach one or more zone standard(s), 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.

xiii New Zealand Urban Design Protocol

(a) Context

- (i) The nature of the relationship with and integration into the surrounding streets and neighbourhood such that the development fits well within the existing urban fabric and makes a positive contribution to the residential amenity of public spaces, walkways and views;
- (ii) Presents itself as a "good neighbour" in terms of its relationship to adjacent and nearby properties in terms of access to sunlight and views, readily accessible and safe temporary parking, stopping and loading/unloading areas that respect neighbouring properties, passing traffic and pedestrians; and
- (iii) The avoidance of unsightly elements such as prominent carpark entrances, garish signs, cluttered rooftops (to include parking) and intrusive utility connections, stormwater facilities and trashbin placements that diminish public amenity.

(b) Character

- (i) The use of materials and other architectural elements that do not clash with adjacent and nearby buildings and that contribute positively to the wider street scene;
- (ii) The uses of architectural elements that reflect the unique history and cultural values of the surrounding area;
- (iii) Attention to human scale in façade design, fenestration details and street level experience, to include entries, gardens and hardscape elements;
- (iv) Varying rooflines and/or roof pitches to provide architectural interest and avoid a commercial appearance; and
- (v) Landscaping that softens the building impact on the streetfront and provides amenity for passersby.

(c) Choice

- (i) Adaptable designs that provide a mixture of unit sizes and numbers of bedrooms to create flexibility in terms of future reuses over the longer term so as to ensure a sustainable community.

(d) Connections

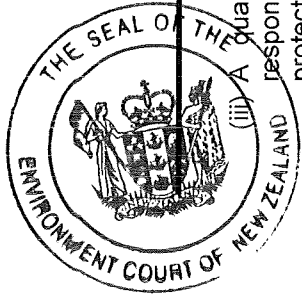
- (i) Ready access to public transportation, footpaths and tracks, cycle ways and other means of transportation that do not require private vehicles;
- (ii) Efficient and considerate of public amenity means of delivering goods and collecting waste;
- (iii) Utility and safety of public parking, drop-off and stopping areas;
- (iv) Supporting and enhancing public views and access to the surrounding built and natural environment;
- (v) Facilitating contact among people both within the site and within the surrounding neighbourhood area; and
- (vi) Providing lively and safe public spaces and places.

(e) Creativity

- (i) Artistic vision that enhances neighbourhood amenity values while not competing for individual attention;
- (ii) Articulated façades that utilise architectural elements to create an overall composition that enriches the eye in terms of scale, rhythm and detailing of the building while avoiding inappropriate or unattractive repetitive façades, "cookie cutter" design solutions and flat, blank or uninteresting walls; and
- (iii) Attractive use of landscaping materials to enhance building appearance and use.

(f) Custodianship

- (i) Environmentally sustainable and responsive design solutions that include attention to energy efficiency, waste disposal, transportation access, sunlight, and outdoor spaces;
- (ii) Enjoyable, safe public spaces; and



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(iii) A quality environment that infuses a sense of ownership and responsibility in residents and visitors such that they care for and protect the places and spaces.

(g) Collaboration

- (i) Where appropriate, use of a multi-disciplinary design approach involving architects, landscape architects and urban planners early in the design process, to include reference to current and planned public projects, if relevant; and
- (ii) Where appropriate, involvement of neighbours and public in decision making process that may have a substantial impact on their amenity values.

(h) Notes

- (i) When applying paragraphs (a) to (g) to Sub-Zone B1 regard shall be had to the master planned development consented under RM050908 dated 28/7/2006.
- (ii) When applying paragraphs (a) to (g) to land contained in or formerly contained in Lot 1 DP12665, regard shall be had to development consented under RM040624 and RM081099 dated 13/11/2008.

xiv Coverage

- (a) The extent to which there will remain on the site opportunities for landscaping in addition to buildings.
- (b) The ability to provide adequate opportunity for landscaping around buildings.
- (c) The extent to which there is a need for increased building coverage in order to undertake the proposed activities on site.
- (d) The extent to which any proposed buildings will be compatible with the scale of other buildings in the surrounding area and will not result in visual domination as a result of building coverage which is out of character with the local environment.

- (e) The ability to provide adequate on-site vehicle parking and manoeuvring space.

- (f) The extent to which increased building coverage would 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.

- (g) The ability to provide adequate outdoor space on the site for all outdoor activities associated with residential and other activities permitted on the site.

- (h) The ability to mitigate any adverse effects of increased coverage.

- (i) The extent to which increased building coverage or hardsurface coverage would have any adverse effects on the historic character of Arrowtown.

- (j) With regard to proposals that breach one or more zone standard(s), 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.

xv Site Density in the High Density Residential Sub-Zone C

- (a) When considering applications to exceed the maximum allowable density, the Council shall have regard to the compatibility of the proposal with the New Zealand Urban Design Protocol, having regard to those assessment matters under 7.7.2 xiii Urban Design Protocol, and
- (b) Any significant (more than minor) public amenity values in terms of overall building appearance, function and neighbourhood impact resulting from the increased building density.



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(c) With regard to proposals that breach one or more zone standard(s), 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.

xvi Building Coverage in the High Density Residential Zone

- (a) When considering applications to exceed the maximum building coverage, the Council shall have regard to the compatibility of the proposal with the New Zealand Urban Design Protocol, having regard to those assessment matters under 7.7.2 xiii Urban Design Protocol, and
- (b) Any significant (more than minor) public amenity values in terms of overall building appearance, function and neighbourhood impact resulting from the increased building coverage.
- (c) With regard to proposals that breach one or more zone standard(s), 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.

xvii(1) Setback from Roads in the High Density Residential Zone

- (a) When considering applications to reduce the setback from roads, the Council shall have regard to the compatibility of the proposal with the New Zealand Urban Design Protocol, having regard to those assessment matters under 7.7.2 (xiii) Urban Design Protocol
- (b) The provision of adequate space for landscaping in the vicinity of road boundaries, which will mitigate the effects of the building intrusion into the street scene;
- (c) The ability to provide adequate on-site parking and manoeuvring for vehicles;

- (d) The compatibility of proposed building with the appearance, layout and scale of other buildings and sites in the surrounding area, including the setback of existing buildings in the vicinity from road boundaries;
- (e) The proposed building size, form, proportions, roof line, style and external appearance that is similar to or in keeping with those of existing buildings on the site;
- (f) The preservation of views to and from public spaces;
- (g) The provision of an equal or greater amount of open space on the site that contributes to the sense of space and openness as viewed from public places;
- (h) Significant (more than minor) public and pedestrian amenity values in terms of building appearance and function resulting from the setback infringement;
- (i) The extent and effect of shadowing on any adjacent property or public road and
- (j) Any likely future increases in the usage of the road.
- (k) Whether and the extent to which land has been required for roading improvements adjacent to land contained in, or formerly contained in, Sections 6-9 Block XLI Town of Queenstown and Lot 2 DP15118, and whether a reduction to a 2.0 metre front yard is appropriate.

xviii(2) Setback from Roads in the Low Density Residential Zone and Residential Arrowtown Historic Management Zone

- (a) The extent to which the intrusion into the street scene is necessary in order to allow more efficient, practical use of the remainder of the site.
- (b) The extent to which the proposed building will detract from the coherence, openness and attractiveness of the site as viewed from the street and adjoining sites.



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(a) The ability to provide adequate opportunity for landscaping in the vicinity of road boundaries, which will mitigate the effects of building intrusion into the street scene.

(a) The extent to which the intrusion towards the internal boundary is necessary to enable more efficient, practical use of the remainder of the site.

(d) The ability to provide adequate on-site parking and manoeuvring for vehicles.

(b) Any adverse effects of the proximity of the building, in terms of visual dominance by buildings of the outlook from adjoining sites and buildings, which is out of character with the local environment.

(e) The extent to which the proposed building will be compatible with the appearance, layout and scale of other buildings and sites in the surrounding area, including the setback of existing buildings in the vicinity of road boundaries.

(c) Any adverse effects on adjoining sites of the proximity of building, in terms of reduced privacy through being overlooked from or being in close proximity to neighbouring buildings, to and extent which is inconsistent with the suburban living environment.

(f) The extent to which the proposed building will have size, form, proportions, roof line, style, external appearance which are similar to or in keeping with those existing buildings on the site.

(d) Any adverse effects of the proximity or bulk of the building in terms of loss of access to daylight on adjoining sites.

(g) The extent to which the location of the proposed building would adversely affect the historic character of Arrowtown.

(e) The ability to provide adequate opportunities for landscaping around buildings.

xviii(1) Setback from Internal Boundaries/Neighbours in the High Density Residential Zone

(f) Any adverse effects of the proximity of the building in terms of difficulty of access to the building or to adjoining rear sites.

When considering applications to reduce setbacks, the Council shall have regard to:

(g) Any adverse effects of the proximity of the buildings housing animals in terms of noise, smell, or vermin on adjoining sites.

(a) the compatibility of the proposal with the New Zealand Urban Design Protocol, having regard to those assessment matters under 7.7.2 xiii Urban Design Protocol, and

(h) Any adverse effects on adjoining sites of the proximity of buildings housing scheduled community or private recreation facilities in terms of noise, glare or vibration which is inconsistent with the suburban living environment.

(b) The extent to which a lower building coverage may offset or reduce the need to infringe upon the setback.

(i) The ability to mitigate adverse effects of the proposal on adjoining sites.

xviii(2) Setback from Internal Boundaries/Neighbours in the Low Density Residential Zone and Residential Arrowtown Historic Management Zone

(j) Any adverse effects of the proximity or bulk of the building, in terms of the loss of the historic character of Arrowtown.

xix Access

(a) The extent to which alternative formed access can be assured to the activity in the long-term.



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- (a) When considering applications to reduce the landscape coverage requirement, the Council shall have regard to the compatibility of the proposal with the New Zealand Urban Design Protocol, having regard to those assessment matters under 7.7.2 xiii Urban Design Protocol, and
- (b) The extent to which a lower building coverage and the provision of other public amenities may offset or reduce the need to reduce the landscape requirement.
- (c) When considering applications for land contained in, or formally contained in, Lot 1 DP 12665 regard shall be had to the nature and extent of the landscaping and built form consented to under RM040624 and RM081099, whether or not these consents have lapsed.

xxi(2) Landscape Coverage in the Low Density Residential Zone

- (a) The extent to which landscaping should be undertaken to protect and enhance a desirable level of residential amenity, including the need to provide open space, mature trees, and the screening of parking and outdoor storage associated with visitor accommodation activities from adjoining sites.

xxii Outdoor Living Space

- (a) The extent to which the reduction in outdoor living space and/or its location will adversely affect the ability of the site to provide for the outdoor living needs of likely future residents of the site.
- (b) Any alternative provision on, or in close proximity to, the site for outdoor living space to meet the needs of likely future residents.
- (c) The extent to which the reduction in outdoor living space or the lack of access to sunlight is compensated for by alternative space within buildings with access to ample sunlight and fresh air.
- (d) Whether the residential units are to be used for elderly persons housing and the extent to which a reduced area of outdoor living space will adequately provide for the outdoor living needs of the likely residents of the site.

- (b) The extent to which the level and nature of the use will make it unlikely that access by way of a formed road will ever be necessary.

- (c) The extent to which access to any State Highway will adversely affect the safe and efficient movement of vehicles.

xx(1) Continuous Building Length in the High Density Residential Zone

- (a) When considering applications to exceed the maximum continuous building length, the Council shall have regard to the compatibility of the proposal with the New Zealand Urban Design Protocol, having regard to those assessment matters under 7.7.2 xiii Urban Design Protocol.

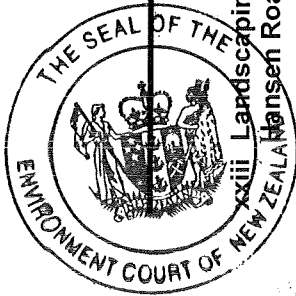
- (b) The extent to which a smaller building may offset or reduce the need to exceed the building length rule.

- (c) When considering applications for land contained in, or formally contained in, Lot 1 DP 12665 regard shall be had to the nature and extent of the landscaping and built form consented to under RM040624 and RM081099, whether or not these consents have lapsed.

xx(2) Continuous Building Length in the Low Density Residential Zone and Residential Arrowtown Historic Management Zone

- (a) Any adverse effects of the continuous building length in terms of visual dominance by building(s) of the outlook from the street and adjoining sites, which is out of character with the local area.
- (b) The extent to which the continuous building length detracts from the pleasantness and openness of the site, as viewed from the street and adjoining site.
- (c) The ability to mitigate any adverse effects of the continuous building length through increased separation distances, screening or use of other materials.

xxi(1) Landscape Coverage in the High Density Residential Zone



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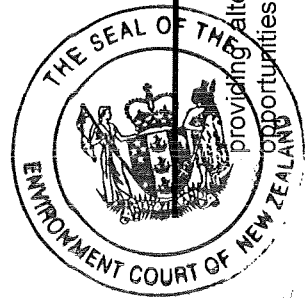
xxiii Landscaping – Low density residential zone Frankton Corner/ Hansen Road

- (a) With respect to landscaping (removal of existing trees as well as new planting) adjacent to the historic stone wall on the boundary of the Frankton Cemetery, whether:
 - (i) removal of existing trees will damage the stone wall;
 - (ii) new landscaping will maintain the integrity and enhance the views of the historic stone wall;
 - (iii) consultation with local community groups and historical society has been undertaken.
- (b) With respect to landscaping within the building line restriction area adjoining State Highway 6, whether:
 - (i) the landscaping will enhance the entrance to Queenstown
 - (ii) the landscaping design will complement and harmonise with other landscaping adjacent to State Highway 6 on the Frankton Flats;
 - (iii) the landscaping will mitigate the visual effects of development;
 - (iv) the design incorporates alternatives such as mounding to compensate for reduction in tree planting;
 - (v) how the issue of ongoing maintenance has been addressed.

xxiv Nature and Scale of Non-Residential Activities

- (a) The extent to which the scale of the activity and the proposed use of the buildings will be compatible with the scale of other buildings and activities in the surrounding area and will not result in visual dominance as a result of the area of buildings used, which is out of character with the low density suburban environment.

- (b) The extent to which the character of the site will remain dominated by landscaping rather than by buildings and areas of hard surfacing.
- (c) The extent to which the activity will result in the loss of residential activity on the site.
- (d) The extent to which the activities on the site remain dominated by residential activity, rather than by activities which are not associated with or incidental to residential activity on the site.
- (e) Any adverse effects of the activity in terms of noise, vibration, glare, loss of privacy, traffic and/or parking congestion.
- (f) The extent to which the activity provides a local function by meeting the needs of residents principally within the surrounding residential environment.
- (g) The ability to mitigate any adverse effects of the increased scale of activity.
- (h) The extent to which the activity will detract from the coherence and attractiveness of the site as viewed from adjoining roads and sites.
- (i) Any adverse effects of the activity on the outlook of people on adjoining sites, including the loss of residential character.
- (j) The extent to which the activity will be compatible with the appearance, layout and functioning of other sites in the adjoining area.
- (k) The ability to mitigate any adverse effects of the activity on adjoining roads and sites.
- (l) The extent to which additional employment will result in levels of traffic generation or pedestrian activity which are incompatible with the character of the surrounding residential area.
- (m) The extent to which additional employment is an integral and necessary part of other activities being undertaken on the site and assists in



RESIDENTIAL AREAS - RULES

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providing alternative home-based employment and income generating opportunities for residents or occupiers of the site.

(v) The extent to which the proposed intrusion will provide architectural interest in relation to the design treatment of a rooftop.

xxv Fence Heights in the High Density Residential Zone

(b) Frankton Track

- (a) When considering applications for relief from the rule limiting fence heights, the Council shall have regard to the compatibility of the proposal with the New Zealand Urban Design Protocol, having regard to those assessment matters under 7.7.2 (xiii) Urban Design Protocol.
- (b) The creation of a significant (more than minor) pedestrian amenity;
- (c) The degree to which a higher fence undercuts the visual relationship between the public and private realms, and
- (d) The necessity of the increased fence in terms of public safety.

xxvi Frankton Road and Track

(a) Frankton Road

- (i) When considering applications to exceed the permitted height of structures along Frankton Road in the High Density Residential Zone, the Council shall have regard to the compatibility of the proposal with the New Zealand Urban Design Protocol, having regard to those assessment matters under 7.7.2 (iv) Multi-Unit Developments,
- (ii) The extent to which a lower building coverage and the provision of landscaping and/or other public amenities may offset or reduce the need to comply with the height restriction,
- (iii) The effect on views from any vehicle travelling along Frankton Road to the lake and mountains;
- (iv) The extent to which the intrusion is necessary to provide for signage for the purpose of identification of the site or directions for the purposes of access to the site,

(i) When considering applications to drop below the minimum floor plane elevation of structures along the Frankton Track in the High Density Residential Zone, the Council shall have regard to the compatibility of the proposal with the New Zealand Urban Design Protocol, having regard to those assessment matters under 7.7.2 (iv) Multi-Unit Developments;

(ii) Shadowing onto the Frankton Track.

(iii) Any adverse effects on the amenity of pedestrians along the Track;

(iv) The avoidance of landscaping as a mitigation method of views into private spaces;

(v) The addition to public and pedestrian amenity from a lowered floor plane; and

(vi) The negative impact of the resultant development on the privacy and isolation one experiences in using the Track.

xxvii Trees

- (a) The extent to which pruning, trimming or topping of a tree is necessary due to the health of the tree or any potential hazard that exists.
- (b) The effect of any trimming or changes on the root system of the tree or on the tree's appearance or health.
- (c) Whether the tree or trees are currently causing, or likely to cause, significant damage to buildings, services or property, whether public or privately owned.
- (d) Whether the tree or trees seriously restrict any development.
- (e) Any substitute or compensating tree planting or landscaping proposed.



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The effects of pruning, trimming or topping of the tree on the amenity and historic character of the Residential Arrowtown Historic Management Zone.

xxviii Arrowtown Scenic Protection Area

- (a) The extent to which any departure from the standards will detract from the views of Arrowtown.
- (b) The extent to which any departure would impinge on the visual outlook and open space provisions of the surrounding rural areas.
- (c) The extent to which any mitigation measures are available to maintain and enhance the purpose of the Arrowtown Scenic Protection Area.

xxix Additional Matters – Arrowtown

The extent to which any building blends harmoniously with and contributes to the historic character of the residential area. In this regard the following matters are important:

(a) Building Form

The extent to which the building forms generally match the common building forms of the old town area.

The primary building form should be a gabled rectangular planned structure with a maximum street frontage of 12 m and with a maximum height to the eaves of 3.0 m. The maximum building height generally should be 4.0 m to the ridge.

A larger building can be constructed by combining additional primary building forms in parallel or at right angles. Other elements which can be added are verandahs and lean-tos.

(b) Roofs

The extent to which any roofs proposed reflects the following:

Main roofs should be gabled only, with pitches varying between 25 and 35 degrees. The main roof may comprise a salt-box roof pitch where the street elevation roof pitch is higher than the rear roof pitch. Lean-to and veranda roof pitches should generally be less than the main roof pitch. Subsequent lean-to's should generally be a lesser pitch again. Veranda roofs may be hipped. Dormer windows are not appropriate, but glazed skylights in the plane of the roof which project no more than 100mm are acceptable.

(c) Location

The extent to which the location of buildings reflects the following:

Houses should be located centrally between the side boundaries with the long wall of the main rectangular form parallel with the street. Subsequent building forms should generally be, no closer to the street boundary than the principal form and can be at right angles or parallel to the principal building form.

(d) Exterior Materials and Finishes

The extent to which the exterior materials and finishes reflects the following:

Building materials and their finishes generally shall be:

- (i) 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;
- (ii) painted timber rusticated or shiplap weatherboards for walls;
- (iii) painted corrugated steel or uncoated timber shingles for roofs;
- (iv) painted timber for roof and wall coverboards, baseboards, and cornerboards;
- (v) painted timber windows, glazing bars, sills, and frames;
- (vi) painted timber door panels, stiles, mullions, rails, glazing bars, sills, and frames;
- (vii) natural or limewashed bricks for chimneys;



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Painted timber architraves to doors and windows for timber clad houses;
lime-sand rendered architraves may be applied to schist buildings;
(x) painted corrugated steel for walls;
(xi) painted timber framing to verandahs.

(e) Details

Gables and eaves shall generally not overhang walls by more than 300mm.

Verandahs can have broken-back roofs or roofs springing from immediately under the gutterboard of the main roof. Veranda roofs can be hipped or half gables. Veranda posts should have a positive base detail which does not decrease in dimension from the main support post.

Decoration if applied, should be simple and be limited to bargeboards and the veranda frieze or fringe. Reproduction of details shall be avoided and the use of new ornamentation designs, where used, is encouraged.

In simple rectangular house forms, chimneys shall generally be located at either end of the house, either expressed on the exterior or within the interior of the house. In 'T' plan house forms a chimney may be located at the junction of the two rectangular forms. Chimneys on the ridge shall project a minimum of 300mm above the ridge line. Chimneys can also be located at the rear of the house.

(f) Proportions

The range of facade should be between 1: 2.5 and 1: 4.4. Window proportions, should be approximately 1: 2.5 without a toplight and 1: 3.2 with a toplight.

The general proportion of opening to solid wall should not be more than 3: 1.

(g) Colour

Colours should be similar to the original colour schemes.

(h) Ancillary Buildings

(i) Garages should be to the rear of the building and follow the general design principles as for the main building.

(ii) Fences shall generally match the design and heights of original fences.

xxx Additional Matters – Community Facilities

(a) Screening

(i) The type of goods or vehicles to be stored on site, their visual appearance and the extent to which the site is visible from adjoining sites, particularly from residential areas and the effect this will have on the amenities and character of the area.

(ii) The location of the storage area in relation to buildings and options for the alternative layout of activities on site.

(b) Landscaping

(i) The extent of the visual impact of buildings, outdoor parking and outdoor storage areas where a reduced area of landscaping is proposed having regard to its visibility from adjoining sites, public places or the road and in particular, from sites of residential activity.

(ii) The extent to which other factors may compensate for a reduced landscape area such as:

- a. a higher quality of planting over a smaller area.
- b. a higher standard of architectural design which is not visually obtrusive.
- c. The type of building materials used.



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d. The location of different activities on site and their relationship to the boundaries of the site and their visibility from the general area.

- (iii) The importance of improving the standard of landscape having regard to the visual appearance of the site, the length of boundary open to public view and the impact of buildings and activities within the site on the character and amenity of the area, particularly where a low standard of landscaping currently exists.

xxxi Deleted

xxxii Site Density

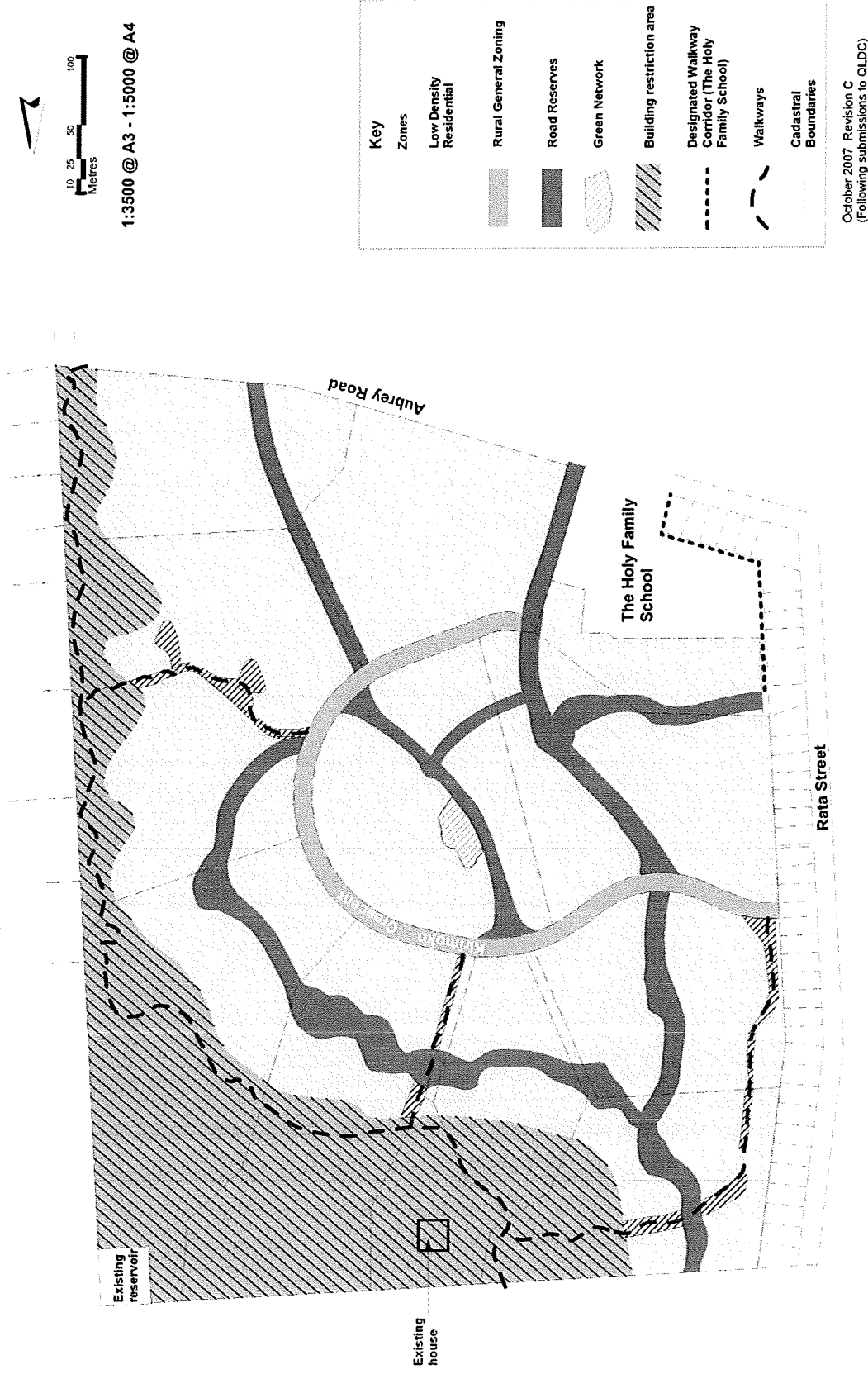
- (a) With regard to proposals that breach one or more zone standard(s), whether and the extent to which the proposal will facilitate the provision of a range of Residential Activity that contributes to housing affordability in the District.



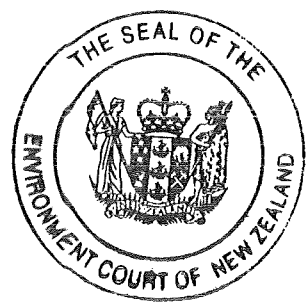
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Kirimoko Block – Wanaka – Structure Plan



APPENDIX 2
CHAPTER 15 SUBDIVISION, DEVELOPMENT & FINANCIAL
CONTRIBUTIONS – RULES





Subdivision, Development and Financial Contributions Rules

15.2.1 Statement

Control of the subdivision of land is one of the functions of a territorial authority. The subdivision of land cannot take place unless authorised by a rule in the Plan or a resource consent. The subdivision of land for purposes of land tenure can have effects on land use expectations and is the framework for the provision of services to future activities.

15.2.2 General Provisions

15.2.2.1 Definition of Subdivision of Land

Subdivision of land has the same meaning as in section 218 of the Act.

15.2.2.2 Relevant Sections of the Act

All applications are subject to Part VI and X of the Act, with particular reference to sections 104, 105, 106, 108, 219, 220 and 230-237G.

15.2.2.3 Legal Road Frontage

Section 321 of the Local Government Act 1974 shall apply to all subdivisions.

15.2.2.4 Regional Council Requirements

Attention is drawn to the need to obtain relevant consents from the **Otago Regional Council** relating to matters such as, water supply, stormwater and sewage disposal, earthworks, vegetation clearance and structures in the beds of lakes and rivers. It may also be necessary to obtain approval from other relevant agencies.

15.2.2.5 Transit New Zealand Requirements

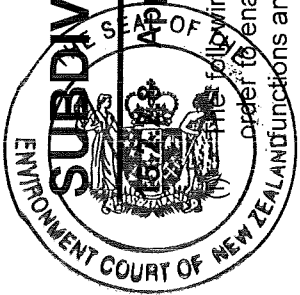
Attention is drawn to the need to obtain a notice of consent from the Minister of Transport for all subdivisions on state highways which are declared Limited Access Roads. See Appendix 1A of the District Plan for sections of state highways which are LAR. Transit New Zealand should be consulted and a request made for a Minister's notice under section 93 of the Transit New Zealand Act 1989.

15.2.2.6 Non-Notification of Applications

- (i) Any application for resource consent under the Subdivision Rules for Controlled Subdivision Activities and Discretionary Subdivision Activities where the exercise of the Council's discretion is limited, need not be notified and the written approval of affected persons need not be obtained. If the Council considers special circumstances exist it may require the application to be notified.
- (ii) Prior to any application for resource consent being processed under Rule 15.2.10.2(i) on a non-notified basis pursuant to section 94(2) of the Resource Management Act 1991 written approval of the Otago Regional Council must be provided to the Queenstown Lakes District Council.
- (iii) Prior to any application for subdivision within 32m of the centreline of the Frankton – Cromwell A 110kV high voltage transmission line traversing the Shotover Country Special Zone being processed on a non-notified basis the written approval as an affected party is required from Transpower New Zealand Limited.

15.2.2.7 Joint Hearings

Any land use consent application arising from non-compliance with rules in this Plan as a result of a proposed subdivision shall be considered jointly with the subdivision consent application. In some circumstances consideration of a resource consent application may require a joint hearing with one or more additional consent authorities.



SUBDIVISION, DEVELOPMENT & FINANCIAL CONTRIBUTIONS - RULES 15

Application of Assessment Matters

The following are 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 addition to the applicable provisions of the Act, the Council shall also apply the relevant *Assessment Matters* set out in the following rules.
- (iii) In the case of Controlled and Discretionary Subdivision Activities, where the exercise of the Council's control or discretion is restricted to specified matter(s), the assessment matters taken into account shall only be those relevant to that/those matter(s).
- (iv) In the case of *Controlled Subdivision Activities*, the assessment matters shall only apply in respect to *conditions* that may be imposed on a consent.
- (v) In the case of *Controlled Subdivision Activities*, the application would only be declined pursuant to section 106 of the Act (Natural Hazards).
- (vi) Where a subdivision is a *Discretionary Subdivision Activity* because it does not comply with one or more of the relevant Site Subdivision standards, but is also specified as a *Controlled Subdivision Activity* in respect of other matter(s), the Council shall also apply the relevant assessment matters for the Controlled Subdivision Activity when considering the imposition of conditions on any consent to the Discretionary Subdivision Activity.

15.2.3 Subdivision Activities

15.2.3.1 Permitted Subdivision Activities

There shall be no **Permitted Subdivision Activities**.

15.2.3.2 Controlled Subdivision Activities

- (a) Subdivision in the Frankton Flats Special Zone (B) for the purpose of creating a single certificate of title for an Activity Area or part thereof. Any

title for part of an Activity Area must match the boundary of land ownership as of 7 July 2007 or as altered as a result of a designation by NZTA or the Council. Rules 15.2.4 to 15.2.17 do not apply to subdivision under this rule.

The matters over which the Council reserves control are:

- (i) Creation or cancellation of easements for any purpose

Assessment Matters:

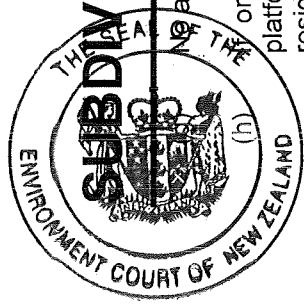
- (ii) Refer to Rule 15.2.18.2.

- (b) Except as provided for in (a) above and where specified as a Discretionary or Non-Complying Activity in Rules 15.2.3.3 and 15.2.3.4, any subdivision or development in any zone which complies with all of the Site and Zone Standards shall be a **Controlled Activity**.

The matters in respect of which the Council has reserved control are listed with each **Controlled Activity**.

- (i) Boundary adjustment in the Rural General Zone, provided that:

- (a) Each of the lots must have a separate certificate of title; and
- (b) Any approved residential building platform must be retained in its approved location; and
- (c) No new residential building platforms shall be identified and approved as part of a boundary adjustment; and
- (d) There must be no change in the number of residential building platforms or residential buildings per lot; and
- (e) There must be no change in the number of non-residential buildings per lot; and
- (f) The adjusted boundaries must not create non-compliance with any Part 5 Rural General Zone site and zone standards; and



SUBDIVISION, DEVELOPMENT & FINANCIAL CONTRIBUTIONS - RULES 15

additional saleable lots shall be created; and

one of the lots contains no building or residential building platform then no smaller lot shall be created without a building or residential building platform on it;

in respect of:

- The location of the proposed boundaries, including their relationship to approved residential building platforms, existing buildings, and vegetation patterns and existing or proposed accesses;
- Boundary treatment;
- Easements for access and services.

(ii) The subdivision of land for the purposes of creating an Open Space Zone and public access easements throughout that zone.

(iii) In the Ballantyne Road Mixed Use Zone subdivision that is in accordance with an Outline Development Plan approved pursuant to Rule 12.24.3.2 i.

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

15.2.3.3 Discretionary Subdivision Activities

Except where specified as a Controlled Activity in Rule 15.2.3.2 above, and except where specified as a non-complying Activity in 15.2.3.4 below:

(i) Any subdivision which complies with all the Zone Subdivision Standards but does not comply with any one or more Site Subdivision standards shall be a **Discretionary Subdivision Activity**, with the exercise of the Council's discretion limited to the matter(s) subject to that standard.

(ii) Any subdivision of a lot in any zone, which complies with all of the Zone Subdivision Standards, but which contains an Area of Significant Indigenous Vegetation listed in Appendix 5 or a Heritage Item or

Archaeological Site listed in Appendix 3, shall be a **Discretionary Subdivision Activity**.

(iii) Any subdivision of land in the Penrith Park Zone north of the Visual Amenity Line as shown on the Penrith Park Plan 'A' shall be a **Discretionary Subdivision Activity**.

(iv) In the Rural Residential zone at the north of Lake Hayes, the further subdivision of any allotment, including balances that had previously been used to calculate the average allotment size under Rule 15.2.6.2(iv).

(v) In the Gibbston Character Zone all subdivision and location of residential building platforms shall be a **Discretionary Activity**.

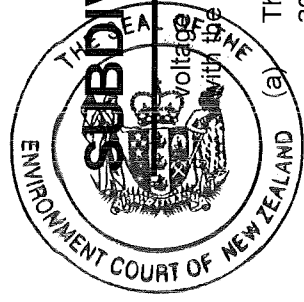
(vi) In the Rural General Zone all subdivision and location of residential building platforms shall be a Discretionary Activity, except any subdivision of land zoned Rural General pursuant to Rule 15.2.3.3 (vii) (Kirimoko Block - Wanaka)

(vii) Any subdivision complying with the principal roading layout depicted in the Kirimoko Structure Plan shown on Page 7-59 (including the creation of additional roads, and/or the creation of access ways for more than 2 properties) shall be a Restricted Discretionary Activity.

The Council's discretion will be limited to the following:

- Any earthworks required to create any vehicle accesses of building platforms
- The design of the subdivision including lot configuration and roading patterns
- Creation and planting of road reserves
- The provision and location of walkways and the green network as illustrated on the Structure Plan for the Kirimoko Block contained within part 7 of this District Plan
- The protection of native species as identified on the structure plan as green network

(viii) Within the Shotover Country Special Zone, any subdivision within 32m either side of the centreline of the Frankton - Cromwell A 110kV high



SUBDIVISION, DEVELOPMENT & FINANCIAL CONTRIBUTIONS - RULES 15

(a) A transmission line shall be a Restricted Discretionary Activity with the Council's discretion restricted to:

- b. Infrastructure;
- c. Viewshafts; and
- d. Open spaces.

The extent to which the subdivision design mitigates potential adverse effects on the transmission line, for example through the location of roads, reserves and open space under the line;

- (b) Any subdivision within Activity Areas E1, E2 and D shall be a Restricted Discretionary Activity, with Council's discretion restricted to:
 - (i) The matters listed in Rule 15.2.6 to 15.2.18.
 - (ii) The alignment of Roads 4, 5 and 12.
 - (iii) The location and number of vehicle crossing points along the EAR.

Information Requirements for spatial layout plan

Applications for subdivision in Activity Area C1 and C2 shall be accompanied by a spatial layout plan for the Activity Area showing:

- (a) roads and publicly accessible laneways and accessways
- (b) publicly accessible open spaces
- (c) location of indicative viewshafts
- (d) proposed landscape treatment of the above
- (e) three waters infrastructure.

Where relevant, applications may rely upon any spatial layout plan submitted in support of a prior application where that application has received consent.

Assessment Matters: Subdivision in AA C1 and C2

- (a) The assessment matters listed under Rule 15.2.6 to 15.2.18.
- (b) In considering the subdivision and the associated works the Council must be satisfied that these works, in relation to the matters set out in Policy 3.1 will contribute to, and not undermine:

- i. A connected street network which can be progressively developed that:

- (e) The location of any building platforms;

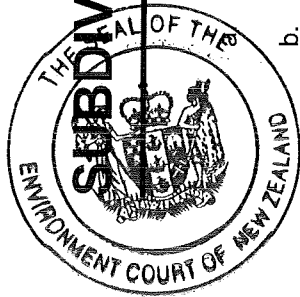
- (f) Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34: 2001)

(ix) Subdivision in the Frankton Flats Special Zone (B).

- (a) Any subdivision within Activity Areas C1 and C2 shall be a Restricted Discretionary Activity, with the Council's discretion restricted to:

- (i) The matters listed in Rule 15.2.6 to 15.2.18;
- (ii) The alignment of Road 5 (where Road 5 is included within Activity Areas C1 or C2);
- (iii) The alignment of Road 14; and
- (iv) The spatial layout of the subdivision and the Activity Area, including relationships to other Activity Areas, in relation to the location, capacity and form of:

- a. Road, access ways and laneways;



- a. on-site soakage and overland flow paths for rainfall events that exceed the capacity of the piped network. In AA C1 these soakage areas may be pits and chambers overlain by hard surfaces, while in AA C2 there may be a mix of permeable areas and engineered soakage areas.
- b. Water and wastewater networks and space for other utilities.

Enables convenient and safe traffic circulation, while managing traffic speeds and moderating driver behaviour. Promotes walking and cycling through short blocks and regular intersections (block lengths in excess of 200m and culs-de-sac are discouraged). Any pedestrian and cycle only connections should be safe and convenient. Generally they should have a straight alignment and be edged by buildings that provide a sense of safety for users.

- c. Provides for coherent landscape treatment of streets.
- d. Incorporates water sensitive urban design elements (e.g. bio filtration, permeable paving etc).
- e. Enables a built form (building footprints, mass and typologies) that meets the policies and site standards of the Activity Area.

- ii. An arrangement of publicly accessible open space areas that can meet future needs and supports the built environment policies of the Zone.

- a. Within AA C1, a civic focal space, adjacent to the Mainstreet should be identified, with a form that is suitable for a range of public gatherings and use.

- b. Within AA C2, the location and form of open space areas, including open space that can provide for the passive neighbourhood recreational open space needs of residents and visitors in the Zone, should be identified.

- iii. Indicative viewshafts that will be maintained in an appropriate manner that retains their role as continuous viewshafts with straight alignments, including consistent controls on fencing, structures and vegetation within the viewshaft area.

- iv. Sufficient provision is made to accommodate future infrastructure needs, taking into account demands from adjacent sites and Activity Areas, including:

Assessment Matters for subdivision in Activity Areas D, E1 and E2:

- a. The assessment matters in Rule 15.2.6 to 15.2.18
- b. The identification of cycleway / pedestrian walkways, including a through-site link from Activity Area C2 through to E2 to the western side of the Eastern Access Road, and alignment with any pedestrian crossing over the Eastern Access Road.
- c. The EAR shall be designed to a minimum standard classification of Primary Street: Arterial as defined in NZS 4404: 2004. The legal road reserve width will need to provide for landscaping and multi-use (pedestrian, cycle and vehicles).
- d. Vehicle access points onto the EAR should be limited to one per 50m of frontage. Joint use of crossing points by lots is expected.

- (x) **Within the Northlake Special Zone** – any subdivision of any of Activity Areas B1 to B5, C1 to C4 and D1 into more than one lot prior to a grant of consent for the relevant Activity Area under Rule 12.34.2.3.i or Rule 12.34.2.3.ii.

- (xi) **Within the Northlake Special Zone** any subdivision shall be a **Restricted Discretionary Activity** with the Council's discretion restricted to:

- (a) The extent to which the subdivision is consistent with the Northlake Structure Plan and any relevant consent's Outline Development Plan consented under Rule 12.34.2.3.i or Rule 12.34.2.3.ii;

The extent to which the subdivision would undermine the integrity of the Northlake Structure Plan and any relevant consent's Outline Development Plan consented under Rule 12.34.2.3.i or Rule 12.34.2.3.ii;

(c) Those matters in respect of which the Council has reserved control under Rule 15.2.3.2.

(xii) **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)).

Advice Note: Figure 2: Lakeview sub-zone Structure Plan is located in Section 10 Town Centres Rules.

(xiii) **In the Ballantyne Road Low Density Residential Zone**, landscaping and earthworks within areas shown as '15 metre wide No Building Area' on Planning Map 23 and in **Figure 15.2 Ballantyne Road Low Density Residential Zone Structure Plan**, with discretion restricted with respect to the following matters:

- (a) Clarify the use of the space and for this to be designed/ planted accordingly;
- (b) Identify the range of plant species proposed, including evergreen species where year-round screening of the development is required;
- (c) Outline the long term ownership, management, and maintenance regime for the open spaces;
- (d) The Council expects the mounding and planting to provide effective mitigation in respect of visual amenity and be in general accordance with **Figure 15.3 Ballantyne Road Low Density Residential Zone Mounding Plan Cross Section**. To achieve this Council expects either:
 - a combination of naturalistic mounding and predominantly evergreen planting;
 - minimum 15 metre strip of dense predominantly evergreen planting is required in order to provide effective mitigation.
 - Whether and to what extent the earthworks on the open space areas will, together with landscaping, contribute to effective screening of the future subdivision and development

when viewed from public and private places, particularly when viewed from Riverbank Road.

15.2.3.4 Non-Complying Subdivision Activities

- (i) Any subdivision which does not comply with any one or more of the Zone Subdivision Standards shall be a **Non-Complying Subdivision Activity**.
- (ii) The further subdivision of any allotment, including balances, that had previously been used to calculate the average allotment size under Rule 15.2.6.3(ii).
- (iii) The subdivision of a residential flat from a residential unit.
- (iv) Any subdivision within an Open Space Zone, further to the subdivision pursuant to 15.2.3.2 (ii).

(v) Peninsula Bay

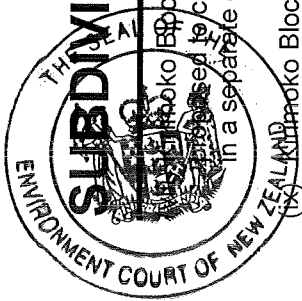
4- (a) Any subdivision within the Low Density Residential Zone of Peninsula Bay prior to the establishment of the Open Space Zone and public access easements throughout the Open Space Zone pursuant to a subdivision approved under Rule 15.2.3.2.(ii); and

(b) Any subdivision and development in the area covered by the Peninsula Bay North Structure Plan, as shown in Figure 15.5, that is not in accordance with that structure plan.

(vi) Kirimoko Block

Any subdivision that is not in general accordance with the location of the principal roading and reserve network contained with the Kirimoko Structure Plan shown on Page 7-59 shall be a Non-complying Activity.

(vii) Any subdivision of land zoned Low Density Residential Zone on the Kirimoko Block prior to a walkway being constructed to QLDC Standards from Aubrey Road to Peninsula Bay and an easement in gross for such a walkway being registered against all servient titles.



SUBDIVISION, DEVELOPMENT & FINANCIAL CONTRIBUTIONS - RULES

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iii Any subdivision of land zoned Rural General in the Kaitiaki Block – Wanaka: Any subdivision of land zoned Rural General is proposed to create a lot entirely within the Rural General Zone, to be held in a separate certificate of title.

All Open Spaces shown on the Three Parks Structure Plan may be moved or varied provided they are generally in the same location; are of the same or greater scale; provide the same or an improved level of landscape mitigation (particularly in respect of ensuring a green buffer from SH 84); and provide the same or an improved level of functionality.

(ix) Kaitiaki Block – Wanaka: Any subdivision of land described as Lots 3 to 7 and Lot 9 DP300734, and Lot 1 DP 304817 (and any title derived therefrom) that creates more than one lot which has included in its legal boundary land zoned Rural General.

(x) In the Ballantyne Road Mixed Use Zone subdivision shall be a **Non-complying** Activity when it is not in accordance with an Outline Development Plan approved pursuant to Rule 12.24.3.2 i

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

If none of these rules (vi – ix) are offended by the subdivision proposal then it is restricted discretionary in accordance with Rule 15.2.3.3 (vii)

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

(xiii) **The Three Parks Zone** – Any subdivision of the Open Space areas shown on the Three Parks Structure Plan or approved by an Outline Development Plan or Comprehensive Development Plan.

(xiv) **The Three Parks Zone** – Any subdivision within the Deferred Urban subzone.

(xv) Industrial B Zone – Any subdivision that is not in accordance with the relevant Structure Plan unless a variation has been expressly approved as part of a subsequent, more detailed Outline Development Plan, except that:

(a) Any fixed connection points shown on the relevant Structure Plan may be moved up to 20 metres

(b) Any fixed roads shown on the relevant Structure Plan may be moved up to 50 metres in any direction in order to enable more practical construction or improved layouts and/ or to allow for minor inaccuracies in the plan drafting.

(c) The boundaries of any fixed open spaces shown on the relevant Structure Plan may be moved up to 5 metres.

(d) All indicative roads and any other elements shown as 'indicative' on the relevant Structure Plan may be moved or varied provided

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

i All, subzone boundaries, and key connection points shown as 'fixed' on the Three Parks Structure Plan may be moved up to 20 metres and all collector roads shown on the Three Parks Structure Plan may be moved up to 50 metres in any direction in order to enable more practical construction or improved layouts and/ or to allow for minor inaccuracies in the plan drafting; and

ii All roads and other elements shown as 'indicative' on the Three Parks Structure Plan may be moved or varied provided they are generally in accordance with and achieve the Three Parks Structure Plan and the relevant objectives and policies.



they are generally in accordance with and achieve the relevant Structure Plan and the relevant objectives and policies.

(e) Where a boundary (or boundaries) has been expressly approved as part of a subsequent, more detailed ODP, then that subsequent boundary (or boundaries) shall take precedence over that shown in the relevant Structure Plan.

Note: An ODP that in any way obstructs or does not specifically provide for the roading connections to land or roads adjoining the zone, in the manner shown on the Structure Plan will be processed as a non complying activity.

(xvi) **Industrial B Zone** - Any subdivision that is not in accordance with an approved Outline Development Plan (ODP).

Note: The intention of this rule is to ensure that an ODP is submitted and approved prior to a subdivision consent being applied for.

(xvii) **Industrial B Zone** - Any subdivision of the open space areas shown on the Connell Terrace Precinct Structure Plan prior to 70% of the western boundary planting in combination with the mounding having reached a minimum combined height of 6 metres and a continuous screen in the horizontal plane.

(xviii) In the Rural Living Activity Areas of the **Arrowtown South Special Zone** subdivision which results in lots that contain neither an existing or approved residential unit, nor a residential building platform (as identified on the Arrowtown South Structure Plan, or approved by rule 12.32.3.3 (i) shall be a non-complying activity except where the subdivision is for purposes of boundary adjustment, access formation or to create lots to be managed by the body corporate responsible for landscape management and ecological restoration.

(xvii) **Industrial B Zone** - Any subdivision of the open space areas, including for the creation of Road 3, shown on Figure 15.2. Ballantyne Road Low Density Residential Zone Structure Plan and Figure 15.4 **Ballantyne Road Industrial B Zone and Open Space Structure Plan** prior to 100 per cent of the planting in combination with the mounding having been implemented.

(xix) Any subdivision of the land contained within Figure 15.2. **Ballantyne Road Low Density Residential Zone Structure Plan** prior to 100 per cent of the landscaping and earthworks within the area shown as the '15 metre wide No Building Area' having been implemented.

15.2.3.5 Prohibited Subdivision Activities

(i) Subdivision within Activity Area 7a of the Mount Cardrona Station Special Zone

15.2.3.6 Assessment Matters for Resource Consents

(i) The assessment matters to which the Council will have regard in relation to Controlled Subdivision Activities, and Discretionary Subdivision Activities where the exercise of the Council's discretion is limited to a particular matter(s), are specified in Subdivision Rules 15.2.6 to 15.2.21.

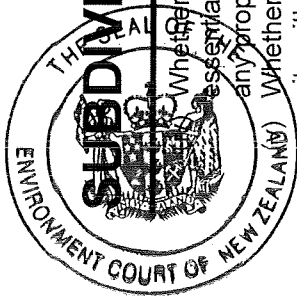
(ii) In considering whether or not to grant consent or impose conditions in respect to Discretionary Subdivision Activities specified in Rule 15.2.3.3 above, where the exercise of the Council's discretion is not limited, the Council shall have regard to, but not be limited by, the following assessment matters:

(a) Subdivision of Areas of Significant Indigenous Vegetation, Heritage Items and Archaeological Sites

(i) The effect of the subdivision on the character of the conservation area, heritage item or archaeological site and its environs, its important values, the reasons for its listing, and the ability of the public to enjoy and appreciate its features, where appropriate.

(ii) Whether the subdivision enables identification and protection of areas containing nature conservation values.

(iii) Whether the lot size and dimensions are sufficient and appropriate to provide protection to the area, item or site.



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Whether the subdivision enables or enhances the retention of the essential character and values of the area, item or site, including any proposed preservation programme.

Whether the subdivision will allow development on, or use of, the site without adversely affecting the character and values of the area, item or site and its environs.

(vi) Any need to restrict the location or bulk of future buildings on the lot.

(b) Subdivisions of Land in the Rural General, Rural Lifestyle, Gibbston Character, Bendemeer Zones the Rural Residential area at the north of Lake Hayes, and the Quail Rise Zone (Activity Area R2)

(i) The extent to which subdivision, the location of Residential Building Platforms and proposed development maintains and enhances:

- (a) rural character
- (b) landscape values
- (c) heritage values
- (d) visual amenity
- (e) life supporting capacity of soils, vegetation and water
- (f) infrastructure, traffic access and safety
- (g) public access to and along lakes and rivers

(ii) The extent to which subdivision, the location of residential building platforms and proposed development may adversely affect adjoining land uses.

(iii) The extent to which subdivision, the location of residential building platforms and proposed development may be serviced by a potable water supply, reticulated sewerage or on-site sewage disposal within the lot, telecommunications and electricity.

(iv) The extent to which subdivision, the location of residential building platforms and proposed redevelopment may be adversely affected by natural hazards or exacerbate a natural hazard situation, particularly within the Rural Lifestyle Zone at Makarora.

Also refer to Part 15.2.10.1.

(v) Consideration of the long term development of the entire property.

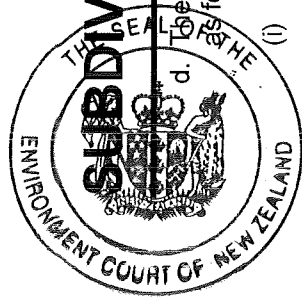
(vi) Whether the subdivision will result in the loss of the life supporting capacity of soils.

(vii) In the Bendemeer Special Zone the extent to which subdivision, the location of Residential Building Platforms and proposed development maintains and does not compromise the ice sculptured legibility of the land within the zone particularly when viewed from State Highway 6 to the south of the zone, Morven Ferry and Arrow Junction Roads and any other public places to the south, excluding the Crown Range Road.

(viii) Subdivision and location of residential building platforms in R2 (Design Urban Edge) Activity Area of the Quail Rise Zone – Controlled Activity

In considering the subdivision design of the R2 (Design Urban Edge) Activity Area the Council shall consider:

- a. The location of residential building platforms in positions where future houses will not be visible from State Highway 6. In determining this the Council shall take into account the deferment of residential development within the R2 (Design Urban Edge) Activity Area for five years from the completion of the landscaping works in the G (Design Urban Edge) Activity Area to allow growth in the vegetation screening;
- b. Structure landscaping work within the R2 (Design Urban Edge) Activity Area to complement the purpose of the G (Design Urban Edge) Activity Area landscaping work, including the protection of any existing trees proposed landscaping and earthworks;
- c. Street lighting designed to avoid any potential effects of street lighting when viewed from State Highway 6 by means of design, location and height of such street lighting;



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The need for covenants or consent notices on the resultant titles follows:

- (i) Acknowledging that the purpose of landscaping work within the G (Design Urban Edge) and R2 (Design Urban Edge) Activity Area is to make buildings within the R2 (Design Urban Edge) Activity Area not visible from SH 6; and
- (ii) Prohibiting and future landowner from making complaints, request or resource consent applications to the Council for the topping or removal of vegetation from the G (Design Urban Edge) Activity Area.

(ix) In considering the appropriateness of the form and density of development in the Makarora Rural Lifestyle Zone the following matters shall be taken into account:

- a. whether and to what extent there is the opportunity for the aggregation of built development to utilise common access ways including pedestrian linkages, services and commonly-held open space (ie. open space held in one title whether jointly or otherwise).
- b. whether and to what extent development is concentrated/clustered in areas with a high potential to absorb development while retaining areas which are more sensitive in their natural state.

(x) In considering whether or not to grant consent or impose conditions in respect of subdivision and the location of residential building platforms in the Rural General Zone, the Council shall apply Rules 5.4.1 and 5.4.2.1 and shall have regard to, but not be limited to, the relevant assessment matters in Rules 5.4.2.2 and 5.4.2.3

(c) Gibbston Character Zone – Assessment Matters

A) Effects on Gibbston Valley's character

In considering whether the adverse effects (including potential effects of the eventual construction and use of buildings and associated spaces) on Gibbston Valley's character are avoided, remedied or mitigated, the following matters shall be taken into account:

- (i) where the site is adjacent to an Outstanding Natural Landscape or Feature, whether and the extent to which the visual effects of the development proposed will compromise any open character of the adjacent Outstanding Natural Landscape or Feature;
- (ii) whether the scale and nature of the development will compromise the productive potential, amenity or character of the surrounding Gibbston Valley;
- (iii) whether the development will degrade the amenity or character of the surrounding Gibbston Valley by causing over-domestication of the landscape.

B) Visibility of development

In considering whether the development will result in a loss of the viticultural or arcadian pastoral character of the landscape the Council shall have regard to whether and the extent to which:

- (i) the proposed development is highly visible when viewed from any public roads and other public places which are frequented by the public, or is visible from SH6;
- (ii) development which is highly visible or visible pursuant to (i) above is appropriate within Gibbston Valley;
- (iii) the proposed development is likely to be visually prominent such that it dominates or detracts from views otherwise characterised by viticultural or cultural landscapes.
- (iv) there is opportunity for screening or other mitigation by any proposed method such as earthworks and/or new planting which does not detract from the existing natural topography;



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the subject site and wider visual amenity landscape of which it forms part is enclosed by any confining elements of topography and/or vegetation;

any residential building platforms proposed pursuant to rule 15.2.3.3 will give rise to any structures being located where they will break the line and form of any skylines, ridges, hills or prominent slopes;

(vii) any proposed roads, earthworks and landscaping will change the line of the landscape or affect the viticultural landscape particularly with respect to elements which are inconsistent with the existing natural topography;

(viii) boundaries follow, wherever reasonably possible and practicable, the natural lines of the landscape and/or landscape units.

C) Rural Amenities

In considering the potential effect of the proposed development on rural amenities, the following matters shall be taken into account:

(i) whether the proposed development maintains adequate and appropriate visual access to open space and views across Arcadian pastoral landscape from SH6 and other public places; and from adjacent land where views are sought to be maintained;

(ii) whether the proposed development compromises the ability to undertake viticultural activities on surrounding land;

(iii) whether the proposed development is likely to require infrastructure consistent with urban landscapes such as street lighting, curb and channelling and impervious surfaces other than roads, particularly in relation to SH6 frontages;

(iv) whether landscaping, including fencing and entrance ways, are consistent with traditional rural elements, particularly where they front SH6.

D) Form and Density of Development

In considering the appropriateness of the form and density of development the following matters shall be taken into account:

(i) whether and to what extent there is the opportunity to utilise existing natural topography to ensure that the development is located where it is not highly visible when viewed from any public roads and other public places frequented by the public, or visible from SH6.

(ii) whether and to what extent there is the opportunity for the aggregation of built development to utilise common access ways including pedestrian linkages, services and commonly-held open space (ie. open space held in one title whether jointly or otherwise).

(iii) whether and to what extent development is concentrated in areas with a high potential to absorb development while retaining areas which are more sensitive in their natural state;

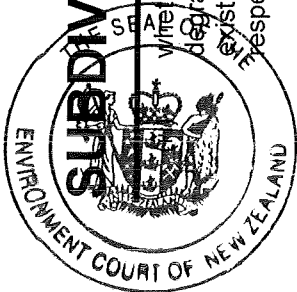
(iv) whether and to what extent the proposed development, if it is visible, does not introduce densities which reflect those characteristic of urban areas.

E) Cumulative Effects of Development on the Landscape

In considering whether and the extent to which the granting of the consent may give rise to adverse cumulative adverse effects on the viticultural or Arcadian pastoral character of the landscape with particular regard to the inappropriate domestication of the landscape, the following matters shall be taken into account:

(i) the assessment matters detailed in (a) to (d) above;

(ii) the nature and extent of existing development within the vicinity or locality;



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whether the proposed development is likely to lead to further degradation or domestication of the landscape such that the existing development and/or land use represents a threshold with respect to the vicinity's ability to absorb further change;

- (iv) whether further development as proposed will visually compromise the existing viticultural and Arcadian pastoral character of the landscape by exacerbating existing and potential adverse effects;
- (v) whether the potential for the development to cause cumulative adverse effects may be avoided, remedied or mitigated by way of covenant, consent notice or other legal instrument (including covenants controlling or preventing future buildings and/or landscaping, and covenants controlling or preventing future subdivision which may be volunteered by the applicant).

Note:

For the purposes of this assessment matter the term "vicinity" generally means an area of land containing the site subject to the application plus adjoining or surrounding land (whether or not in the same ownership) contained within the same view or vista as viewed from:

- State Highway 6, or
- from any other public roads or public place frequented by the public and which is readily visible from that other public road or public place; or
- from adjacent or nearby residences.

The "vicinity or locality" to be assessed for cumulative effect will vary in size with the scale of the landscape i.e. when viewed from the road, this "vicinity", will generally be 1.1 kilometre in either direction.

(d) Northlake Special Zone – Assessment Matters

- (i) In considering whether to grant consent for subdivision in accordance with Rule 15.2.3.3(x) the Council shall have regard to, but not be limited by, the following assessment matter:

- (a) The extent to which the proposed subdivision may preclude or adversely affect the integrated planning and development, development and approval of any of Activity Areas B1 to B5, C1 to C4 and D1.

15.2.4 Developments

15.2.4.1 General Provisions

- (i) The following rules apply only to the Hydro Generation Sub-Zone.
- (ii) In considering any resource consent application in relation to financial contributions, Rule 15.2.5 shall apply.

15.2.4.2 Activities

The following shall be **Controlled Activities**. The matters in respect of which the Council has reserved control are listed with each activity.

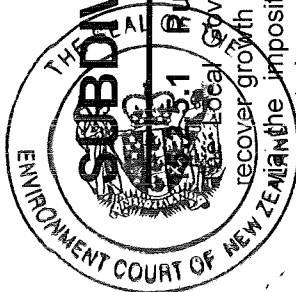
- (i) Development within the Hydro Generation Zone. Council's control shall be limited to matters specified in 15.2.5.

15.2.4.3 Assessment Matters for Resource Consents

In considering whether or not to impose conditions in respect to developments in the Hydro Generation Zone, the Council shall have regard to, but not be limited by, the assessment matters for subdivision consent relating to water supply, stormwater disposal, sewage treatment and disposal, trade waste disposal, energy supply and telecommunications, property access, open space and recreation (as specified in the relevant subdivision standard) as though the application for the development was for a subdivision activity.

In addition, the Council may take into account any provision made as part of an application for a development to provide or include any of the items set out in Clause 15.2.4.2 (i) and (ii) above.

15.2.5 Financial Contributions



15.2.5.1 Purpose

The Local Government Act 2002 provides the Council with an avenue to recover growth related capital expenditure from subdivision and development contributions. The Council has now formulated a development contribution policy as part of its Long Term Community Plan and actively imposes development contributions via this process.

The rules in this section of the plan are therefore limited to the imposition of a financial contribution as a condition of a resource consent for a development as follows:

- (a) In relation to a development within the Hydro Generation Zones.

The Council acknowledges that Millbrook Country Club has already paid financial contributions for water and sewerage for demand up to a peak of 5000 people. The 5000 people is made up of hotel guests, day staff, visitors and residents. Should demand exceed this then further development contributions will be levied under the Local Government Act 2002.

15.2.5.2 Financial Contributions for Open Space and Recreation - Developments

i Hydro Generation Activities

Purpose

A financial contribution may be included as a condition of a resource consent for any other development for the purposes of providing land and/or facilities for open space, recreation and public amenity within the Hydro Generation Zone.

Form

- (a) Payment of money
- (b) Land
- (c) Any combination of the above.

Maximum Contribution for Hydro Generation Activities

0.5% of the value of the development once that value exceeds \$5,000,000.00

Value of Development

The value of development shall be the cost of the development at the date on which the resource consent is granted, and shall include the cost of all improvements forming part of the development but not include the value of the site of the proposed development.

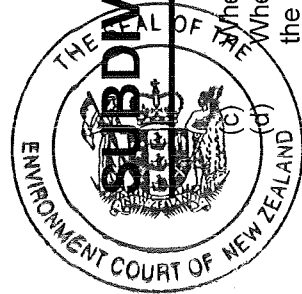
ii Credit

If, preceding the lodging of the application for a resource consent for any development, any payment in respect of the subdivision of the land comprising the site of the proposed development has been made to the Council for the purposes of providing land and/or facilities for open space and recreation, the amount of that payment shall be deducted from the maximum amount payable.

15.2.5.3 General Provisions - Financial Contributions for Open Space and Recreation (Hydro Generation Zone only)

- (i) These provisions shall apply to all financial contributions made for the purposes of open space and recreation on subdivision or development within the Hydro Generation Zone.
- (ii) All financial contributions shall be GST inclusive.
- (iii) Where the financial contribution is or includes a payment of money, the Council may specify in the condition:

- (a) The amount to be paid by the consent holder or the method by which the amount of the payment shall be determined;
- (b) How payment is to be made, including whether payment is to be made by instalments;



When payment shall be made;

Whether the amount of the payment is to bear interest and if so, the rate of interest;

(e) If the amount of the payment is to be adjusted to take account of inflation and if so, how the amount is to be adjusted;

(f) Whether there are any penalties to be imposed for default in payment and if so, the amount of the penalty or formula by which the penalty is to be calculated.

(iv) Whether financial contribution is or includes land, the value of the land shall be determined by the Council. In granting a consent the Council shall in its decision give reasons for its assessment of the value of the land.

(v) Whether financial contribution is or includes land, the Council may specify:

(a) The location and area of the land;

(b) When and how the land is to be transferred to or vested in the Council.

(vi) The Council may require a bond to be given for the performance of any condition requiring that a financial contribution be made. The value of the bond will be a maximum of 200% of the cost of the financial contribution, depending on the length of time the bond is to be in place and according to the nature of the proposal for which the bond is required to secure.

15.2.6 Lot Sizes, Averages and Dimensions

15.2.6.1 Controlled Subdivision Activities - Lot Sizes and Dimensions

Except where specified as Discretionary or Non-Complying Subdivision Activities in Rules 15.2.3.3 and 15.2.3.4, any subdivision of land in any zone, which complies with all of the Site and Zone Subdivision Standards, is a **Controlled Subdivision Activity**, with the Council reserving control in respect of the following:

- i Lot sizes and dimensions for subdivisions of land in the Town Centre, Corner Shopping Centre, Remarkables Park, Resort and Visitor Zones.
- ii Sizes and dimensions of lots for access, utilities, reserves and roads.
- iii There will be no minimum lot sizes or areas for hydro development activities and subdivision.

15.2.6.2 Site Subdivision Standards - Lot Sizes and Dimensions

Except where specified as a Non-Complying Subdivision Activity in Rule 15.2.3.4, any subdivision of land which complies with all of the Zone Subdivision Standards, but does not comply with any one or more of the following Site Subdivision Standards shall be a **Discretionary Subdivision Activity**, with the exercise of the Council's discretion limited to the matter(s) subject to that standard.

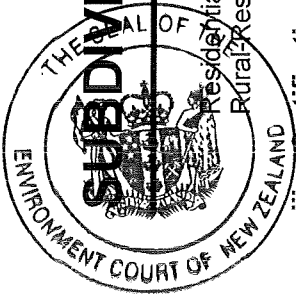
i Lot Sizes

No lots to be created by subdivision, including balance lots, shall have a net area less than the minimum specified for each zone in the Table below, **except** as provided for in 15.2.6.3 (c), (d), and (e) below.

Zone	Minimum Lot Area
Hydro Generation	20 hectares

ii Lot Dimensions

The dimensions of all lots created by subdivision in the following zones, other than lots for access, utilities, reserves and roads, shall be such that they can accommodate a square of the dimensions specified below:



15m x 15m
30m x 30m

Residential and Township Zones
Rural Residential Zone

Zone	Average
Quail Rise Zone Activity Area R1	1500m ²

iii Certification of Allotments

Applications for certification of allotments on an existing Survey Plan pursuant to section 226(1)(e)(ii) of the Act are to be in accordance with the requirements of the District Plan. Allotments for certification are required to have all services to the boundary and roading as if the allotment were of a subdivision application. All title boundaries to be created by certification that are within proximity to structures must not create a non-complying structure in accordance with the Building Act 1991 or a non-complying activity in accordance with the District Plan.

iv Lot Averages

- (a) The total lots to be created by subdivision, including balance lots, shall not be less than the average specified for each zone:

Zone	Average
Rural Residential at the North end of Lake Hayes	8000m ²
Shotover Country Special Zone - Activity Areas 1a – 1e	750 m ²

- (b) For the purposes of calculating any average, the following three titles at the north of Lake Hayes shall include the area previously taken from those titles (at their southern end) as a Wildlife Management Reserve, as described below:

Legal Description of land owned	Land taken from these lots as Wildlife Management Reserve
Lot 1 DP 27445	Lot 4 DP 15096
Lot 1 DP 26803	Lot 5 DP 15096
Lot 2 DP 26803	

- (c) The total lots to be created by subdivision, other than lots for access, utilities, reserves and roads, shall not be greater than the average specified for each zone

v Boundary Planting – Rural Residential sub-zone at Bobs Cove

Within the Rural Residential sub-zone at Bobs Cove, where the 15 metre building Restriction Area adjoins a development area, it shall be planted in indigenous tree and shrub species common to the area, at a density of one plant per square metre; and

Where a building is proposed within 50 metres of the Glenorchy-Queenstown Road, such indigenous planting shall be established to a height of 2 metres and shall have survived for at least 18 months prior to any residential buildings being erected.

vi Shotover Country Special Zone – Park and Ride Facility

Areas developed as part of any park and ride facility shall vest in Council as Local Purpose Reserve (car parking).

15.2.6.3 Zone Subdivision Standards – Lot Sizes and Dimensions

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

i Lot Sizes

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

Zone	Minimum Lot Area
Rural Residential (excluding Rural Residential sub-zone at Bob's Cove)	4000m ²
Rural Residential at Bob's Cove sub-zone	No minimum – Controlled Activity Provided the total lots to be created by



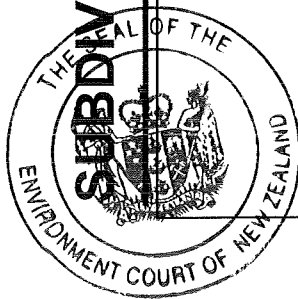
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subdivision (including the balance of the site within the zone) shall have an average of at least 4000m ²	
4000m ² – with up to a maximum of 17 rural residential allotments	
No minimum discretionary activity	
No minimum – Controlled Activity	
No Minimum – Discretionary Activity	
In all Rural Lifestyle Zones (except the Makarora Rural Lifestyle Zone):	
1 ha provided that the total lots to be created by subdivision (including balance of the site within the zone) shall not have an average less than 2 hectares	
In the Makarora Rural Lifestyle Zone the total lots to be created by subdivision (including balance of the site within the zone) shall not have an average less than 2 hectares.	
No Minimum – Controlled Activity	
No Minimum – Controlled Activity	
Activity Area 1	600m ²
Activity Areas 2a-8 – No Minimum controlled activity	
Arthurs Point	800m ²
Queenstown Heights Area	1500m ²
Wanaka	700m ²
Elsewhere	600m ²
	450m ²
	800m ²
Low Density Residential	
High Density Residential	
Residential Arrowtown (Historic)	
Frankton Flats Special Zone	No minimum – Controlled Activity
Deferred Rural Lifestyle A and B	No minimum, but each of the two parts of the zone identified on the planning map shall contain no more than two allotments.
Deferred Rural Lifestyle (Buffer)	The land in this zone shall be held in a single allotment
Frankton Flats Special Zone (B) – Activity Area D	3000m ²

Frankton Flats Special Zone (B) – Activity Areas A, C1, C2, E1, E2	No minimum
Northlake Special Zone	Activity Areas A & C4 Activity Area C1
	4000m ² 1200m ²

Note: In the Deferred Rural Lifestyle zones, deferment will be lifted at the point when a separate allotment for the Rural Lifestyle (Buffer) zone has been created. During the deferment, the rules of the Rural General zone shall apply, except that the creation of the allotment to form the buffer zone shown on the planning maps is a controlled activity.

Zone	Minimum Lot Area
The Townships:	
Kingston	800m ²
Glenorchy	800m ²
Lake Hawea	800m ²
Luggate	800m ²
Kinloch	800m ²
Makarora	1000m ²
Albert Town	800m ²
Riverside Stage 6 Subzone A	50-55% of lots will be developed to a minimum area of 400m² - Average lot size: 600m² - Maximum lot size: 800m²
Riverside Stage 6 Subzone B	Average lot size: 800m² (minimum 700m², maximum 1000m²)
Riverside Stage 6 Subzone C	Minimum 1,000m², maximum 2000m²
Penrith Park	- Activity Area 1 3000m² - Activity Area 2 1000m²
Bendemeer	- Activity Area 1 1500m² - Activity Area 2 2000m² - Activity Area 3 2500m² - Activity Area 4 3000m² - Activity Area 5 4000m² - Activity Area 6 6000m²



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Queenstown Town Centre – including: • The Lakeview sub-zone; • The Isle Street sub-zones (West and East)	Activity Area 7 7000m ² Activity Area 8 50000m ² Activity Area 9 17500m ² Activity Area 10 7500m ² Activity Area 11 20 hectares No Minimum – Controlled Activity
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Zone	Minimum Lot Area
Arrowtown South Special Zone	Activity Area - Residential 600m ²
	Activity Area – Rural Living 1,500 m ² provided that the total lots to be created by subdivision for building platforms within the Arrowtown South Special Zone shall not have an average less than 4,000m ²
	Activity Area - Open Space No Minimum

Note: Also refer to Rules 12.32.3.2 (i), (ii) and (iii)

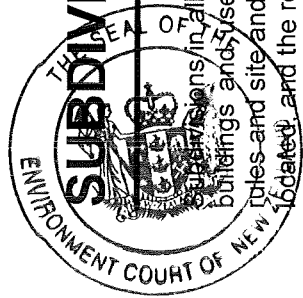
Zone	Minimum Lot Area
Quail Rise	Activity Area G,R, R1, R2 and R2 (Design Urban Edge) and R2 (A)-(D) – no minimum Activity Area RR 4000m ²
Wanaka Town Centre	No Minimum – Controlled Activity
Arrowtown Town Centre	No Minimum – Controlled Activity
Business	200m ²
Industrial	200m ²

Zone	Minimum Lot Area
Three Parks	

LDR (Three Parks)	No minimum – controlled activity
MDR subzone (Three Parks)	No minimum – controlled activity
Commercial Core (Three Parks) –	No minimum – controlled activity
Business (Three Parks) –	1000 m ² ; Except that the minimum lot size shall be 200m ² where the subdivision is part of a complying combined land use/ subdivision consent application or where each lot to be created, and the original lot, all contain at least one business unit.
Tourism and Community Facilities subzone (Three Parks)	2000 m ² <i>The purpose of this rule is to encourage comprehensive, large lot developments.</i>
Shotover Zone	Activity Area 1a - 1e 500 m ² Activity Area 2a 300 m ² Activity Area 2b and 2c 450 m ² Activity Area 3 450 m ² Activity Area 4 2500 m ² Activity Area 5a - 5e No minimum

No minimum allotment size shall apply in the Low and High Density Residential Zones and the Shotover Country Special Zone where each allotment to be created, and the original allotment, all contain at least one residential unit.

Zone	Minimum Lot Area
Ballantyne Road Mixed Use Zone	Activity Area C – 3000m ² Activity Area D – 1000m ² All other Activity Areas - No minimum lot size. All subdivision shall be in accordance with an Outline Development Plan approved pursuant to Rule 12.24.3.2 i.



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Subdivisions in all Activity Areas must result in lots capable of accommodating buildings and uses in accordance with the permitted and controlled activity rules and site and zone standards for the particular zone in which the site(s) is located, and the requirements of Section 14 – Transport.

The following minimum and maximum allotment sizes shall apply within the Kingston Village Special Zone:

Zone	Minimum Lot Area
Kingston Village Special Zone	Activity Area 1a: Minimum 350m ² maximum 500m ²
	Activity Area 1b: Minimum 450m ² Maximum 700m ²
	Activity Area 1c: Minimum 700m ²
	Activity Area 2, 3 and 4: No minimum

Within the Kingston Village Special Zone all subdivision will be undertaken in general accordance with the Kingston Village Special Zone Structure Plan.

- (i) No minimum allotment size shall apply in Activity Area 1(a) of the Kingston Village Special Zone where the subdivision is lodged concurrently with and is for the purposes of comprehensive housing or a retirement village undertaken pursuant to discretionary activity 12.28.3.3(vi)

- (ii) Bulk Title
Within the Kingston Village Special Zone, the maximum lot size shall not apply where:
- the proposed lot size is greater than 1000m²; and
 - the subdivision application identifies how it will achieve the lot sizes and framework of the Kingston Village Special Zone Structure Plan, in particular, how the above minimum and maximum lot sizes can be achieved at a later stage (i.e. the next subdivision; and
 - The road layout of the Road Layout Plan within the Kingston Village Special Zone Subdivision Guidelines (2010) is achieved.

Zone	Minimum Lot Area
Mount Cardrona Station Special Zone	Activity Area 1 - No minimum
	Activity Area 2a - 200m ²

	Activity Area 2b - 250m ²
	Activity Area 3 - 500m ²
	Activity Area 4 - 1000m ²
	Activity Area 5a and 5b- No minimum
	Activity Area 6 - No minimum
	Activity Area 7 - No minimum

Except:

In the Mount Cardrona Station Special Zone:

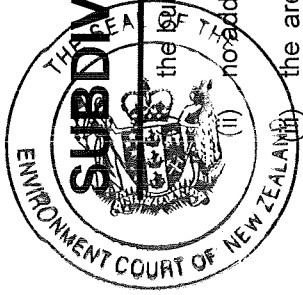
- (i) No minimum allotment size shall apply in Activity Area 2a and 2b where each allotment to be created and the original allotment all contain at least one residential unit. This exclusion shall not apply where any of the lots to be created contains only a secondary unit.
NB: For the purposes of this Rule, the term residential unit does not include secondary unit.

- (ii) Activity Area 3, 3a and 3b shall have a minimum allotment size of 500m², except where a comprehensive subdivision plan creating more than 5 allotments is lodged, in which case the average allotment size shall be 500m², with a minimum of 400m².

Zone	Minimum Lot Area
Industrial B Zone	1000 m ² ; Except that the minimum lot size shall be 200m ² where the subdivision is part of a complying combined land use/ subdivision consent application or where each lot to be created, and the original lot, all contain at least one business unit.

(b) Boundary Adjustments

Where there are two or more existing lots which have separate Certificates of Title, new lots may be created by subdivision for the purpose of an adjustment of the boundaries between the existing lots, provided:



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the building platform is retained.

(ii) no additional separately saleable lots are created.

(iii) the areas of the resultant lots comply with the minimum lot size requirement for the zone.

Note: This standard does not apply to the Rural General zone. Refer to Rule (bb) below.

(bb) Boundary Adjustments - Rural General Zone

The standards for lot sizes for allotments created by boundary adjustment in the Rural General Zone are:

- (i) each of the existing lots must have a separate Certificate of Title.
- (ii) Any approved residential building platform must be retained in its approved location; and
- (iii) No new residential building platforms shall be identified and approved as part of the boundary adjustment; and
- (iv) There must be no change in the number of residential building platforms or residential buildings per lot; and
- (v) There must be no change in the number of non-residential buildings per lot; and
- (vi) The adjusted boundaries must not create non-compliance with any Part 5 Rural General Zone site and zone standards;
- (vii) No additional saleable lots shall be created.

(c) The standards for lot sizes for allotments created by boundary adjustment in the Rural General Zone are:

- (i) each of the existing lots must have a separate Certificate of Title.

(ii) Any approved residential building platform must be retained in its approved location; and

(iii) No new residential building platforms shall be identified and approved as part of the boundary adjustment; and

(iv) There must be no change in the number of residential building platforms or residential buildings per lot; and

(v) There must be no change in the number of non-residential buildings per lot; and

(vi) The adjusted boundaries must not create non-compliance with any Part 5 Rural General Zone site and zone standards;

(vii) No additional saleable lots shall be created.

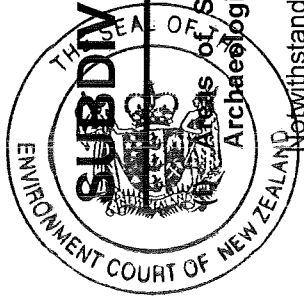
(d) Access, Utilities, Roads and Reserves

Notwithstanding 15.2.6.2 and 15.2.6.3 i(a) above, there shall be no specified minimum lot sizes or dimensions in any zone for lots for access, utilities, roads and reserves.

(e) Savings as to Previous Approvals (Existing Use Rights)

Notwithstanding 15.2.6.2 and 15.2.6.3 i(a) above:

there shall be no minimum lot sizes or dimensions in any zone, for vacant shares of fee simple titles over which there is/are existing cross leases or company leases or for unit titles where a proposed unit development plan has been granted subdivision consent, provided all relevant rules applicable within the zone are complied with by the building(s) erected or to be erected on the respective cross lease, company lease or unit title; where a certificate of compliance has been issued for a building and that certificate has not lapsed, and where a lot is to be created after the erection of that building, or the subdivision and building consents are issued in conjunction, the minimum area of the lot shall be the area of the site of the building as approved by the certificate of compliance.



Notwithstanding 15.2.6.2 and 15.2.6.3 i(a) above, there shall be no specified minimum lot sizes or dimensions in any zone for lots containing Areas of Outstanding Natural Conservation Value listed in Appendix 5 or Heritage Items or Archaeological Sites listed in Appendix 3, provided:

as contained within the Riverside Stage 6 Outline Development Master Plan approved pursuant to Rule 9.2.5.2(viii).

(i) the area of the land contained within the lot shall only be that area sufficient for the protection of the listed area, site or item;

For the purpose of providing secondary rear access lanes the minimum width of any secondary rear access lane shall be 5m (min) and 6m (max).

(ii) any balance area of land, which does not conform with the requirements of 15.2.6.2 and 15.2.6.3 i(a) above, shall be amalgamated with land in an adjoining Certificate of Title;

Any subdivision of the Riverside Stage 6 site at Albert Town shall include a covenant on each resultant certificate of title within Subzone 'C' that prevents the further subdivision of these allotments.

Table 1: Noise insulation construction schedule

Building element	Minimum construction requirement
External walls of habitable rooms	Stud walls: Exterior cladding Cavity infill: Interior lining:
	20mm timber or 9mm compressed fibre cement sheet over timber frame (100mm x 50mm)* Fibrous acoustic blanket (batts or similar of a minimum mass of 9kg/m ³) required in cavity for all external walls. Minimum 90mm wall cavity. One layer of 12mm gypsum plasterboard. Where exterior walls have continuous cladding with a mass of greater than 25kg/m ² (e.g. brick veneer or minimum 25mm stucco plaster), internal wall linings need to be no thicker than 10mm gypsum plaster board. Minimum of not less than 25kg/m ² being the combined mass of external and internal linings excluding structural elements (e.g. window frames or wall studs) with no less than 10kg/m ² on each side of structural elements. 190mm concrete block, strapped and lined internally with 10mm gypsum plaster board, or 150mm concrete wall.
	Combined superficial density: Mass walls

(g) Riverside Stage 6 – Albert Town

Any subdivision of the Riverside Stage 6 site at Albert Town shall include consent notice on each resultant certificate of title that requires:

- (i) adherence to the built form guidelines;
- (ii) adherence to insulation requirements; and
- (iii) restrictions on the use of solid fuel burners;
- (iv) for any habitable room within 80m of the State Highway 6 carriageway either:
 - adherence to building standard AS/NZS2107:2000, and provision of a certificate from a recognised acoustic engineer stating that the proposed construction will achieve the internal design noise level; or
 - adherence to the requirements set out in the Noise Insulation Construction Schedule, table 1 in part 15.2.6.3(i)(g)



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Skillion Roof	Glazed areas up to 10% of floor area: Glazed areas between 10% and 35% of floor area: Glazed areas greater than 35% of floor area:	6mm glazing single float 6mm laminated glazing Require a specialist acoustic report to show conformance with the insulation rule.
	Frames to be aluminium with compression seals	
	Cladding:	0.5mm profiled steel or 6mm corrugated fibre cement, or membrane over 15mm thick ply, or concrete or clay tiles.
	Sarking: Frame: Ceiling:	17mm plywood (no gaps) Minimum 100mm gap with fibrous acoustic blanket (batts or similar of a mass of 9kg/m ³) Two layers of 10mm gypsum plaster board (no through ceiling lighting penetrations unless correctly acoustically rated). Fibrous acoustic blanket (batts or similar of a minimum mass of 9kg/m ³) Combined mass of cladding and lining of not less than 25kg/m ² with no less than 10kg.m ² on each side of structural elements.
Pitched Roof (all roofs other than skillion roofs)	Combined superficial density:	
	Cladding: Frame:	0.5mm profiled steel or tiles, or membrane over 15mm thick ply. Timber truss with 100mm fibrous acoustic blanket (batts or similar of a minimum mass of 9kg/m ³) required for all ceilings. 12mm gypsum plaster board.
	Ceiling: Combined superficial density:	Combined mass with cladding and lining of not less than 25kg/m ²

Floor areas open to outside	Cladding: Combined superficial density:	Under-floor areas of non-concrete slab type floors exposed to external sound will require a cladding layer lining the underside of floor joists of not less than 12mm ply. Floors to attain a combined mass not less than 25kg/m ² for the floor layer and any external cladding (excluding floor joists or bearers)
External Door to Habitable Rooms	Solid core door (min 25kg/m ²) with compression seals (where the door is exposed to exterior noise).	

Notes:

- * The table refers to common specifications for timber size. Nominal specifications may in some cases be slightly less than the common specifications stated in the schedule for timber size.
- In determining insulation performance of roof/ceiling arrangements, roof spaces are assumed to have no more than the casual ventilation typical of the joining capping and guttering detail used in normal construction.

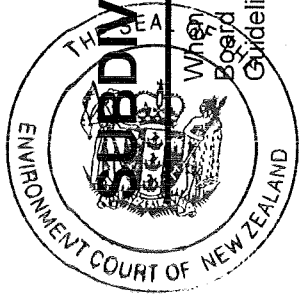
(h) Mount Cardrona Station Special Zone

- A covenant shall be registered on the title of each allotment within the Zone in favour of the Council that requires that any building shall be assessed by the Mount Cardrona Station Design Review Board, and that the building shall be constructed in accordance with the terms of the Design Review Board's approval for that building.

Note:

The Design Review Board shall comprise of at least four members agreed by the Council and the developer and shall include persons qualified in the following professions:

- landscape architect
- architect
- resource management planner
- urban designer



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When assessing the design of any building the Design Review Board shall be guided by the Mount Cardrona Station Design Guidelines dated September 2008.

(ii) No allotments shall be created that transect the boundary between Activity Areas 1, 1a, 1b, 2a, 2b, 3, 3a, 3b, 4, 5a or 5b and the adjacent Activity Area 6, 6a, 7 or 7a except those allotments created for the purposes of roads, access lots including driveways and walkways, reserves and or utilities.

(iii) All subdivision shall be in general accordance with Structure Plan A - Mount Cardrona Station Structure Plan.

(iv) Any subdivision consent creating an allotment or allotments within the MCSSZ shall include a condition or conditions providing for the following:

(a) All land shall be cleared of exotic weed species and animal pests, and maintained in that state. This shall require the submission of a Weed Management Plan.

(b) Clause (a) above shall be complied with on a continuing basis by the subdividing owner and subsequent owners and shall be the subject of consent notices to be registered under the Land Transfer Act 1952.

(c) This clause may be applied in stages as subdivision through the Zone proceeds.

(v) Prior to certification under section 224(c) of the Act in respect of the 200th residential lot within the MCSSZ, at least 350m² of gross floor area suitable for use for commercial purposes shall be constructed within Activity Area 1a.

(i) Frankton Flats Special Zone (B)

(i) Subdivisions must be in accordance with the Structure Plan.

(ii) All subdivision shall ensure that those Required Roads that will provide access to and within the subdivision are created in accordance with the Structure Plan.

For the purposes of this rule "created" means:

(a) That the road will be shown as a separate allotment on the subdivision plan and either vest in the Council or will be retained in private ownership with public access secured by an appropriate legal agreement between the Council and the owners of the road; and

(b) Formed in accordance with the conditions of Council consent.

(iii) Subdivisions in Activity Areas E1 and E2 must result in an arrangement of lots, unit titles, cross leases and company leases capable of accommodating buildings and uses in accordance with the permitted and controlled activity rules and Site and Zone standards for the particular Activity Area in which the site(s) is located and the requirements of Section 14 - Transport.

ii Lot Averages

(a) The total lots to be created by subdivision(s), including balance lots, shall not be less than the average specified for each zone:

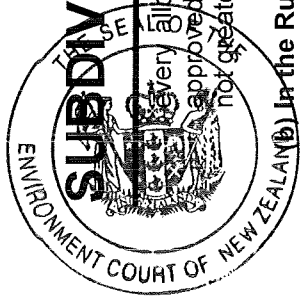
Zone	Average
Rural Residential at Bob's Cove sub-zone	4000m ²
Rural Lifestyle	2ha

(b) For the purpose of calculating any average, any allotment greater than 4 hectares, including the balance, in the Rural Lifestyle Zone is deemed to be 4 hectares.

iii

Building Platforms - Rural-General, Rural-Lifestyle, Gibbston Character, Bendemeer (Activity Areas 1-8 only).

(a) In the Rural Lifestyle and Bendemeer



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Every allotment created shall have **one** Residential Building Platform approved at the time of subdivision of not less than 70 m² in area and not greater than 1000 m² in area.

(b) In the Rural General (and Gibbston Character) Zones

Every allotment created shall have **one** Residential Building Platform approved at the time of the subdivision of not less than 70m² in area and not greater than 1000m² in area, **excluding lots created for the following purposes:**

- (i) access lots, including driveways and walkways;
- (ii) land subject to restrictive covenant, consent notice or other legal instrument that:
 - (a) prohibits buildings in the future; or
 - (b) protects nature conservation values; or
 - (c) maintains and enhances open space;
- (iii) esplanade strips or reserves;
- (iv) utilities;
- (v) boundary adjustments.
- (vi) any allotment created pursuant to a subdivision under Rule 15.2.3.3 (vii)

iv Development Areas and Undomesticated Areas within the Rural Residential sub-zone at Bob's Cove

- (a) Within the Rural Residential sub-zone at Bob's Cove, at least 75% of the zone shall be set aside as undomesticated area, and shown on the Subdivision Plan as such, and given effect to by consent notice registered against the title of the lots created, to the benefit of all lot holders and the Council;
- (b) At least 50% of the 'undomesticated area' shall be retained, established, and maintained in indigenous vegetation with a closed canopy such that this area has total indigenous litter cover. This rule

shall be given effect to by consent notice registered against the title of the lot created, to the benefit of the lot holder and the Council.

- (c) The remainder of the area shall be deemed to be the 'development area' and shall be shown on the Subdivision Plan as such, and given effect to by consent notice registered against the title of the lots created, to the benefit of all holders and the Council;
- (d) The landscaping and maintenance of the undomesticated area shall be detailed in a landscaping plan that is provided as part of any subdivision application. This Landscaping Plan shall identify the proposed species and shall provide details of the proposed maintenance programme to ensure a survival rate of at least 90% within the first 5 years; and

This area shall be established and maintained in indigenous vegetation by the subdividing owner and subsequent owners of any individual allotment on a continuing basis. Such areas shall be shown on the Subdivision Plan and given effect to by consent notice registered against the title of the lots.

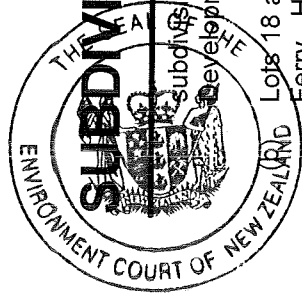
- (e) Any lot created that adjoins the boundary with the Queenstown-Glenorchy Road shall include a 15 metre wide building restriction area, and such building restriction area shall be given effect to by consent notice registered against the title of the lot created, to the benefit of the lot holder and the Council.

v Building Platforms - Quail Rise Zone R2 (Design Urban Edge) and R2(D) Activity Areas

Every allotment created for residential purposes shall have one Residential Building Platform approved at the time of subdivision. That Residential Building Platform shall be no greater than 30% of the net site area.

vi The Ferry Hill Rural Residential Sub-Zone

- (a) Notwithstanding 15.2.6.3i(a) above, any subdivision of the Ferry Hill Rural Residential sub-zone shall be in accordance with the



subdivision design as identified in Figure 15.1 the Concept Development Plan for the Ferry Hill Rural Residential sub-zone.

Lots 18 and 19 as shown on the Concept Development Plan for the Ferry Hill Rural Residential sub-zone shall be retained for Landscape Amenity Purposes and shall be held in undivided shares by the owners of Lots 1-8 and Lots 11-15 as shown on Figure 15.1 the Concept Development Plan.

(c) Any application for subdivision consent shall:

- (i) Provide for the creation of the landscape allotments(s) referred to in (b) above;
- (ii) Be accompanied by details of the legal entity responsible for the future maintenance and administration of the allotments referred to in (b) above;
- (iii) Be accompanied by a Landscape Plan which shows the species, number, and location of all plantings to be established, and shall include details of the proposed timeframes for all such plantings and a maintenance programme.
The landscape Plan shall ensure:

- That the escarpment within Lots 18 and 19 as shown on Figure 15.1 the Concept Development Plan for the Ferry Hill Rural Residential sub-zone is planted with a predominance of indigenous species in a manner which enhances naturalness; and
 - That residential development is subject to screening along Tucker Beach Road,
- (d) Plantings at the foot of, on, and above the escarpment within Lots 18 and 19 as shown on Figure 15.1 the Concept Development Plan for the Ferry Hill Rural Residential sub-zone shall include indigenous trees, shrubs, and tussock grasses.

Plantings elsewhere may include Lombardy poplar, willow, larch, maple as well as indigenous species.

- (e) The on-going maintenance of plantings established in terms of (c) above shall be subject to a condition of resource consent, and given effect to by way of consent notice that is to be registered on the title and deemed to be a covenant pursuant to section 221(4) of the Act.
- (f) Any subdivision shall be subject to a condition of resource consent that no buildings shall be located outside the building platforms shown on Figure 15.1 the Concept Development Plan for the Ferry Hill Rural Residential sub-zone. The condition shall be subject to a consent notice that is registered on the title and deemed to be a covenant pursuant to section 221(4) of the Act.
- (g) Any subdivision of Lots 1 and 2DP 26910 shall be subject to a condition of resource consent that no residential units shall be located and no subdivision shall occur on those parts of Lots 1 and 2DP 26910 zoned Rural General as shown as "NO BUILD ZONE" on Paterson Pitts Partners Ltd Building Platform Locations Plan No Q.4700.04-3C, which plan is reproduced as Figure 15.1 of the District Plan. The condition shall be subject to a consent notice that is to be registered and deemed to be a covenant pursuant to section 221(4) of the Act.

vii The creation of rear sites in the Three Parks Zone

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



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

viii The creation of rear sites in the Industrial B Zone

No more than 10% of all sites shown on a subdivision scheme plan may be "rear sites"; except that

- (a) Any rear sites resulting from the subdivision of an existing building shall not be deemed to be 'rear sites' for the purpose of standard 15.2.6.3.

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

ix In the Industrial B Zone, any application for subdivision within the fixed open space areas identified on the Connell Terrace Precinct Structure Plan prior to 70% of the western boundary planting in combination with the mounding having reached a minimum combined height of 6 metres and a continuous screen in the horizontal plane

x Within the Connell Terrace Precinct of the Industrial B Zone, any application for subdivision of the Special Use Area A from the adjoining open space area.

xi Within the Northlake Special Zone Activity Area E1 shall be held in not more than one allotment.

xii Subdivision within the Ballantyne Road Low Density Residential Zone

a) Any subdivision of land contained within Figure 15.2 Ballantyne Road Low Density Residential Zone Structure Plan shall be subject to the following conditions of resource consent for those titles that extend along the south eastern boundary and which include or adjoin the '15 metre wide No Build Area' identified on Planning Map 23 and Figure 15.2 Ballantyne Road Low Density Residential Zone Structure Plan:

- i. All buildings shall be subject to a 5.5 metre maximum height limit taken from existing ground level.
- ii. No buildings are permitted within the '15 metre wide No Build Area' identified on the Structure Plan.

- iii. All planting and mounding established within the '15 metre wide No Build Area' identified on Figure 15.2. Ballantyne Road Low Density Residential Zone Structure Plan shall be maintained by the landowner of each lot once a Code of Compliance certificate is issued under the Building Act for each dwelling on site.

- b) The conditions set out in a) (i) to (iii) shall be subject to the consent notice that is registered on the respective titles and is deemed to be a covenant pursuant to section 221(4) of the Act.

xiii Subdivision within the Peninsula Bay North Low Density Residential Zone. As shown in Figure 15.5 Peninsula Bay North Structure Plan.

- (a) Subdivision and development shall be undertaken in general accordance with the Peninsula Bay North Structure Plan shown in Figure 15.5.

- (b) The maximum area of residential allotments shall be 4700m², excluding the access lot.

- (c) There shall be a maximum of four residential allotments, excluding the access lot.

- (d) There shall not be more than one Residential Unit on each residential allotment, excluding the access lot upon which no buildings shall be constructed.

- (e) Buildings and structures shall not exceed the following heights above ground level as at 14 August 2017, as shown in the following locations on the Peninsula Bay North Structure Plan:

- i. 5.5 metres on area 1 (ground level RL 330.35 + building height of 5.5 metres = total RL 335.85);
- ii. 5 metres on area 2 (ground level RL 330.65 + building height of 5 metres = total RL 335.65) and area 3 (ground level RL 330.45 + building height of 5 metres = total RL 335.45);



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4.5 metres on area 4 (ground level RL 329.95 + building height of 4.5 metres = total RL 334.45).

(f) No buildings shall be visible from Lake Wanaka.

(g) All existing Kanuka shown on the Peninsula Bay North Structure Plan shall be retained.

(h) Any boundaries that adjoin the Open Space Zone shall be fenced with a macrocarpa post and single rail fence, which shall be maintained and kept in good order. There shall be no other fencing along the boundary of the Open Space Zone with the exception of rabbit proof netting, including wire to facilitate the rabbit proof netting.

(i) Within Area 4 as shown on the Peninsula Bay North Structure Plan:

- i. all exterior surfaces of buildings shall be coloured in the range of greens, browns and greys and shall not have a reflectance value greater than 36%;
- ii. exotic vegetation species shall be maintained to not exceed a height of more than 2m.

(j) In addition to being addressed at the time of subdivision, the conditions set out in xiii (d) to (i) above shall be contained in a consent notice registered on the resultant computer freehold registers of the four residential allotments. The consent notice shall also state the following:

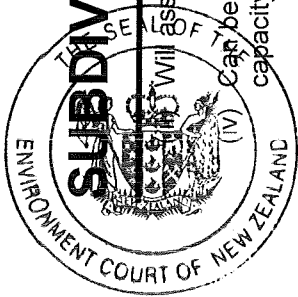
- i. There shall be no further subdivision of any of the four residential allotments.

15.2.6.4 Assessment Matters for Resource Consents

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

- i **Lot Size and Dimensions**

- (a) Whether the lot is of sufficient area and dimensions to effectively fulfil the intended purpose or land use, having regard to the relevant standards for land uses in the zone;
- (b) Whether the lot is of sufficient size, given the nature of the intended development and site factors and characteristics, for on-site disposal of sewage, stormwater or other wastes to avoid adverse environmental effects beyond the boundaries of the lot.
- (c) Whether the proposed lot is of a suitable slope to enable its safe and effective use for its anticipated purpose or land use, having regard to the relevant standards for land uses in the Zone.
- (d) The relationship of the proposed lots and their compatibility with the pattern of the adjoining subdivision and land use activities, and access.
- (e) Whether the lot is to be amalgamated and included in the same Certificate of Title with an adjoining parcel of land.
- (f) Whether there is the opportunity to enable the protection or restoration of a listed or non-listed heritage item or site which is considered to be of sufficient merit for its preservation or protection to be promoted in the context of a particular development.
- (g) In the Rural Residential zone at the north of Lake Hayes, whether and to what extent there is the opportunity to protect or restore wetland areas in order to assist in reducing the volume of nutrients entering Mill Creek and Lake Hayes.
- (h) Within the Shotover Country Special Zone, whether and the extent to which the lot size:
 - (i) Can be achieved without undermining or adversely affecting desirable urban outcomes promoted by the relevant Outline Development Plan.
 - (ii) Will achieve greater efficiency in the development and use of the land resource.



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(iv) Will assist in achieving affordable or community housing.

(v) Can be adequately serviced without adverse effect on infrastructural capacity.

(v) Will achieve residential amenities such as privacy and good solar orientation.

(i) With regard to proposals that breach one or more zone standard(s), 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.

(j) Subdivisions of Land in the Arrowtown South Special Zone

Subdivision in the Arrowtown South Special Zone shall be assessed against the applicable assessment matters set out in Section 12 of the District Plan.

(k) Within the Northlake Special Zone, whether and the extent to which the lot size:

(i) Can be achieved without undermining or adversely affecting desirable outcomes promoted by any relevant consent with an Outline Development Plan.

(ii) Will achieve greater efficiency in the development and use of the land resource.

(iii) Will assist in achieving affordable or community housing.

(iv) Can be adequately serviced without adverse effect on infrastructural capacity.

(v) Will achieve residential amenities such as privacy and good solar orientation.

15.2.7 Subdivision Design

15.2.7.1 Controlled Subdivision Activities - Subdivision Design

Except where specified as Discretionary or Non-Complying Subdivision Activities in Rules 15.2.3.3 and 15.2.3.4, any subdivision of land in any zone, which complies with all of the Site and Zone Subdivision Standards, is a **Controlled Subdivision Activity**, with the Council reserving control in respect of the following matters:

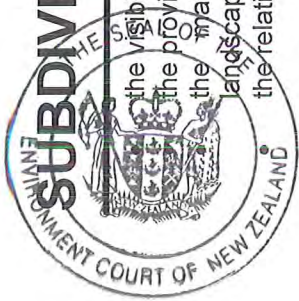
- The location of pedestrian access;
- The location of building platforms;
- The provision and/or use of open stormwater channels and wetland areas;
- Orientation of lots to optimise solar gain for buildings and developments;
- The effect of potential development within the subdivision on views from surrounding properties;
- The design, dimensions and location of, and access to, lots in Residential or Rural-Residential Zones, which adjoin Rural Zones;
- The scale and nature of earthworks and the disposal of excess material.
- The concentration or clustering of built form in the Makarora Rural Lifestyle Zone to areas with high potential to absorb development while retaining areas which are more sensitive in their natural state.

In addition to the above, the following matters with respect to the Kingston Village Special Zone

- The consistency of the subdivision plan with the Kingston Village Special Zone Structure Plan.

In the Deferred Rural Lifestyle (A) and (B) and Deferred Rural Lifestyle (Buffer) zones, the Council reserves control over the following matters:

- lot boundaries;
- planting and fencing;



the visibility of development from public places;
the provision of services;

the maintenance of visual access across Arcadian pastoral landscapes from public places;
the relationship of buildings to the roading pattern of the area.

The purpose of these additional controls is:

- the protection of the natural quality of the landscape;
- the avoidance of arbitrary lines and patterns in the landscape;
- the reduction of the visibility of developments;
- the retention of more sensitive areas of the landscape in a natural or pastoral state;
- the protection of views from public places.

Within the Mount Cardrona Station Special Zone, the Council reserves control over the following matters:

- Whether the subdivision design is in general accordance with Structure Plan A- Mount Cardrona Station Structure Plan.
- Whether the subdivision has been approved by the Design Review Board and is consistent with the Mount Cardrona Station Design Guidelines (2008).
- Location and form of pedestrian access.
- Provision for stormwater management.
- Orientation of lots to maximise solar gain.
- The scale and nature of earthworks and the disposal of excess material.
- Design of roads to provide a rural character and pedestrian friendly environment.
- The allotment created can be adequately accessed and serviced (including for bulk reticulation) to provide for the maximum capacity of that allotment for subdivision and/or land use.

15.2.7.2 Site Subdivision Standards – Subdivision Design

Except where specified as a Non-Complying Subdivision Activity in Rule 15.2.3.4, any subdivision of land which complies with all the Zone Subdivision

Standards, but does not comply with one or more of the following Site Standards shall be a **Discretionary Subdivision Activity**, with the exercise of the Council's discretion being limited to the matter(s) subject to that standard(s).

15.2.7.3 Assessment Matters for Resource Consents

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

- (i) The relationship and size of the lots in terms of their solar advantage including the alignment and layout of the lot, the location of building platform, relationship to adjoining lots.
- (ii) The provision for, and safety and practicality of, pedestrian access including unsealed walking tracks, the relationship of these to reserves (existing or proposed); access to the lakes and rivers, and the opportunities for enhancing a rural walkways network in the Wakatipu Basin.
- (iii) The provision for, safety and practicality of, using open stormwater channels and wetland areas.
- (iv) The relationship and orientation of lots, particularly in respect of land in adjoining zones, and the ability to create an attractive and interesting edge between development in the Residential and Rural-Residential Zones and adjoining Rural Zones;
- (v) The degree to which any likely development of the lots, taking into account the earthworks proposed for the subdivision, will adversely affect the opportunities for views from properties in the vicinity, or will result in domination of surrounding properties by buildings on the lot(s).
- (vi) The effects of the scale and nature of the earthworks proposed for the subdivision, the methods proposed for the disposal of excess soil or vegetation, and the need for any conditions to avoid or mitigate any adverse effects, including effects at the disposal site.



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(b) the effect of subdivision on any places of heritage value including existing buildings, archaeological sites and any areas of cultural significance.

(c) In the Jacks Point Zone, within any Residential (State Highway) Activity Area R(SH), the council shall consider the extent to which subdivision, the location of building platforms and proposed development and landscaping.

- (a) Ensures that buildings and other structures are not readily visible from State Highway 6;
- (b) Maintains and enhances the important landscape values associated with the southern entrance to Queenstown.
- (c) Maintains and enhances the landscape and visual amenity values of the Jacks Point Zone and surrounding environment, particularly when viewed from State Highway 6; and
- (d) Maintains and enhances any significant view corridors from State Highway 6 through and beyond the Jacks Point Zone.

(ix) In the Bob's Cove rural Residential Zone (excluding the Bob's Cove Sub-zone) the need to provide for street lighting in the proposed subdivision. If street lighting is required in the proposed subdivision to satisfy the councils standards, then in order to maintain the rural character of the zone, the street lighting shall be low in height from the ground, of reduced lux spill and preferably pointing down.

(x) In considering the appropriateness of the form and density of development in the Makarora Rural Lifestyle Zone the following matters shall be taken into account:

- (a) whether and to what extent there is the opportunity for the aggregation of built development to utilise common access ways including pedestrian linkages, services and commonly-held open space (ie. open space held in one title whether jointly or otherwise).

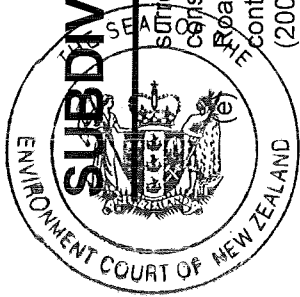
- (b) whether and to what extent development is concentrated/clustered in areas with a high potential to absorb development while retaining areas which are more sensitive in their natural state.

In addition to the above, the following matters with respect to the Kingston Village Special Zone:

- (xi) The consistency of the subdivision with the Structure Plan for Kingston, including:
 - (a) Consistency with the Road Layout Plan and Stormwater Management Plan contained within the Kingston Village Special Zone Subdivision Guidelines (2010);
 - (b) Providing open space and recreation areas as the development progresses;
 - (c) Achieving the range of section sizes, concentrating highest density within Activity Area 1a;
 - (d) Providing for rear access lanes;
 - (e) Avoiding sections that result in garages and backs of houses facing the street;
 - (f) Achieving section layout that provides maximum solar access for future dwellings;
 - (g) Landscaping of the street and open spaces that reflects the character of the existing Kingston Township;
 - (h) Avoidance of cul-de-sacs unless they are short and completely visible from its intersection with a through street.

(xii) In addition to the above, within the Mount Cardrona Station Special Zone the extent to which:

- (a) The subdivision design is in general accordance with Structure Plan A - Mount Cardrona Station Structure Plan.
- (b) The subdivision is consistent with the Mount Cardrona Station Design Guidelines (2008) and the recommendations of the Design Review Board.
- (c) The objectives and principles of SNZ: HB 44:2001 have been achieved.
- (d) The development is staged in a logical manner, ensuring that adverse effects on amenity values of the site and its



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sumpounds are as far as possible retained throughout the construction phase.

Roads are designed in accordance with the Roadway Schedule contained in the Mount Cardrona Station Design Guidelines (2008) and contribute to a 'rural' character, avoiding kerb and channelling and wide road widths, and creating a pedestrian friendly environment.

(f) Road widths and other traffic calming measures are utilised within the Village Precinct to enable the creation of a pedestrian friendly environment.

(g) Ford crossings within Activity Area 6 are encouraged in order to maintain a rural character.

(h) Pedestrian footpaths and trails to be in accordance with the Mount Cardrona Station Design Guidelines (2008) and any relevant engineering standards.

15.2.8 Property Access

15.2.8.1 Controlled Subdivision Activities - Property Access

Except where specified as Discretionary or Non-Complying Subdivision Activities in Rules 15.2.3.3 and 15.2.3.4, any subdivision of land in any zone, which complies with all of the Site and Zone Subdivision Standards, is a **Controlled Subdivision Activity**, with the Council reserving control in respect of the following:

- The location, alignment, gradients and pattern of roading, service lanes, pedestrian accessways and cycle ways, their safety and efficiency.
- The number, location, provision and gradients of access from roads to lots for vehicles, cycles and pedestrians, their safety and efficiency.
- The standards of construction and formation of roads, private access, service lanes, pedestrian access, accessways and cycle ways.

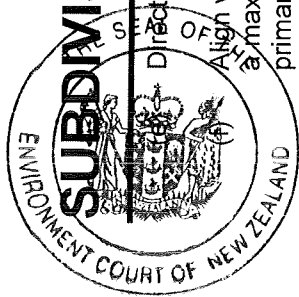
- The provision and vesting of corner splays or rounding at road intersections.
- The naming of roads and private access.
- The provision for and standard of street lighting.
- Any provisions for tree planting within roads.
- Any requirements for widening, formation or upgrading of existing roads.
- Any provisions relating to access for future subdivision on adjoining land.

In addition to the above, in the Kingston Village Special Zone;

- Consistency of the road layout and design with the Road Layout Plan and associated cross sections contained within the Kingston Village Special Zone Subdivision Guidelines (2010).
- The provision of rear access lanes, which shall be between 4m and 5m in width.
- The provision of walkways and cycleways in association with the provision of open swales.
- Management of access across the Kingston Flyer Railway line between the existing Kingston Township and the Kingston Village Special Zone.

- Within the Shotover Country Special Zone, whether and the extent to which methods are proposed to:

- (a) Establish a vehicle link between Stalker Road and Howards Drive
- (b) Enable public transport
- (c) Integrate facilities for cycle and pedestrian access
- (d) Provide on-street parking



Direct light spill from street lighting downwards

Align vehicle access in accordance within the Structure Plan, with a maximum variation allowed of 30 metres from the centreline of primary roads and 20 metres from the centreline of secondary roads.

- (g) Provide intersection points located within 20 metres of that shown on the Structure Plan.
- (h) Ensure that adequate and appropriate bus stops are provided for when the roading network is designed and constructed.
- (i) Mitigate the landscape and visual impacts of road construction down terrace slopes.
- (j) Maintain the functionality of roadside swales at the time shared roads or individual driveways are being constructed, including the extent to which a consent notice is necessary to ensure future owners are made aware of this obligation (where vehicle crossing places are not being formed at the time of subdivision).
- (k) Provide for appropriate installation, maintenance and uniform design (including materials) of temporary and permanent vehicle crossing places.

15.2.8.2 Site Subdivision Standards - Landscaping and Recreational Access

- (i) This Rule shall only apply to subdivision of land situated south of State Highway 6 ("Ladies Mile") and southwest of Lake Hayes which is zoned Low Density Residential or Rural Residential as shown on Planning Map 30.
- (ii) The landscaping of roads and public places is an important aspect of property access and subdivision design. No subdivision consent shall be granted without consideration of appropriate landscaping of roads and public places shown on the plan of subdivision.

- (iii) No separate residential lot shall be created unless provision is made for pedestrian access from that lot to public open spaces and recreation areas within the land subject to the application for subdivision consent and to public open spaces and rural areas adjoining the land subject to the application for subdivision consent.

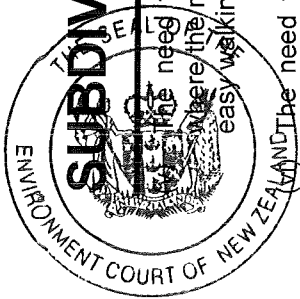
15.2.8.2A Zone Subdivision Standards – Northlake Special Zone – Access onto Aubrey Road

- (i) No additional vehicle access shall be created from Activity Area A onto Aubrey Road.

15.2.8.3 Assessment Matters for Resource Consents

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

- (i) The safety and efficiency of the roading network and the proposed roading pattern, having regard to the roading hierarchy, standards of design, construction for roads and private access.
- (ii) The effect of any new intersections or accesses created by the subdivision on traffic safety and efficiency, including the availability of adequate, unobstructed sight distances from intersections and adequate spacing between intersections.
- (iii) The provisions of the Council's Code of Practice for Subdivision in respect of the design and construction of roads and private access, with the exception of the Mount Cardrona Station Special Zone, where roads and private access shall be designed and constructed in accordance with the Roading Schedule contained within the Mount Cardrona Station Design Guidelines (2008).
- (iv) The account taken of safe, pleasant and efficient pedestrian movement, provision of space for cyclists, amenity values of the street and opportunities for tree planting in the open space of the road way to enhance the character and amenity of the neighbourhood.



(vi) The need to provide pedestrian accessway facilities in circumstances where the road network does not provide sufficient or direct access or easy walking access to facilities in the vicinity.

(vii) The need to provide cycle ways in circumstances where the road network does not enable sufficient or direct cycle routes through the locality.

(viii) The need to provide alternative access for car parking and vehicle loading in the Business, Town Centre, Corner Shopping Centre or Industrial Zones by way of vested service lanes at the rear of properties.

(ix) Any impact of roading and access on lakes and rivers, ecosystems, drainage patterns and the amenities of adjoining properties.

(x) The need to provide for appropriate standards of street lighting or private access lighting having regard to the classification of the road or the access.

(xi) The need to provide distinctive names for roads and private vehicular access. The name to be agreed by the Council.

(xii) Any need to make provision for future roads to serve surrounding land or for road links that need to pass through the subdivision.

(xiii) In the Ferry Hill Rural Residential sub-zone the extent to which:

- the number of accesses to roads is minimised
- the location and design of on-site vehicular access avoids or mitigates adverse effects on the landscape and visual amenity values by following the natural form of the land to minimise earthworks, providing common driveways and by ensuring that appropriate landscape treatment is an integral component when constructing such access.

(xiv) Within the Mount Cardrona Station Special Zone, the extent to which:

- (a) Roding location and design is in general accordance with the Structure Plan A - Mount Cardrona Station Structure Plan.
- (b) Roding is designed in a manner reflecting a rural environment, avoiding the use of kerb and channelling, and instead using techniques such as planted swales.

(v) Within the Northlake Special Zone:

- (a) The extent to which additional development will adversely affect the operation of the Outlet Road/Aubrey Road intersection (including walkway/cycleway crossing paths).
- (b) The number and design of vehicle accesses from Activity Area C4 onto Aubrey Road.

15.2.8.4 Zone Subdivision Standards – Shotover Country Special Zone – Access onto State Highway 6

(i) This rule applies to subdivision of land situated south of State Highway 6 which is zoned Shotover Country Special Zone as shown on Planning Map 30 ("Shotover Country") in addition to any other applicable subdivision rules.

(ii) Subject to subclause (iii) below, there shall be no restriction under this rule on the subdivision or subdivisions of land within Shotover Country which, when taken cumulatively, results in up to 450 lots being made available for residential development and use.

(iii) No resource consent shall be granted for subdivision or subdivisions of land within Shotover Country which, when taken cumulatively, results in more than 450 lots ("SH6 Roundabout Trigger Land") being made available for residential development and use unless:

- (a) The SH6 Roundabout Works have been completed and are available for public use; or
- (b) Any such resource consent includes a condition requiring that the SH6 Roundabout Works must be completed prior to the issuing of a s224 certificate for any SH6 Roundabout Trigger Land.



Esplanade Provision

- iii The terms and conditions of instruments creating esplanade strips or access strips.

15.2.9.1 Exemptions from Provision of Esplanade Reserves or Strips

i Minor Adjustments

Where a proposed subdivision is either:

- (a) a boundary adjustment in accordance with Rules 15.2.6.2 i or 15.2.6.3 i(a); or
- (b) a minor adjustment to an existing cross lease or unit title due to an alteration to the size of the lot by alterations to the building outline, the addition of an accessory building, or the relocation of accessory buildings; then section 230 of the Act shall not apply to the subdivision consent.

ii Road Designations, Utilities and Reserves

Where a proposed subdivision arises solely due to land being acquired or a lot being created for a road designation, utility or reserve, then section 230 of the Act shall not apply to the subdivision consent.

15.2.9.2 Controlled Subdivision Activities - Esplanade Provision

Except where specified as Discretionary or Non-Complying Subdivision Activities in Rules 15.2.3.3 and 15.2.3.4, any subdivision of land in any zone, which complies with all of the Site and Zone Subdivision Standards, is a **Controlled Subdivision Activity**, with the Council reserving control in respect of the following:

- i The provision of easements to provide access to and from a lake or river.
- ii The location of the boundaries of esplanade reserves, esplanade strips and/or access strips.

15.2.9.3 Site Subdivision Standards - Esplanade Provision

Except where specified as a Non-Complying Subdivision Activity in Rule 15.2.3.4, any subdivision of land which complies with all of the Zone Subdivision Standards, but does not comply with any one or more of the following Site Subdivision Standards shall be a **Discretionary Subdivision Activity**, with the exercise of the Council's discretion limited to the matter(s) subject to that standard.

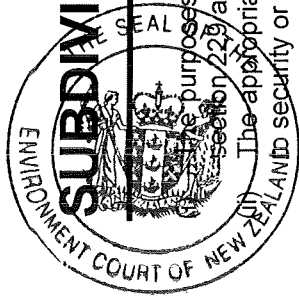
i Esplanade Reserves

When considering creation of an esplanade reserve or strip the Council will consider the following criteria.
Whether the area:

- (a) has high actual or potential value as habitat for or associated with native species (section 6(c) Resource Management Act 1991);
- (b) comprises significant indigenous vegetation;
- (c) is considered to comprise an integral part of an outstanding natural feature or landscape;
- (d) must be protected, as a reserve, in order to safeguard the life supporting capacity of the adjacent lake and river (which must be of high conservation value for its habitat and/or landscape/natural character values);
- (e) is important for public access/recreation.

15.2.9.4 Assessment Matters for Resource Consents

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



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Except where specified as Discretionary or Non-Complying Subdivision Activities in Rules 15.2.3.3 and 15.2.3.4, any subdivision of land in any zone, which complies with all of the Site and Zone Standards, is a **Controlled Subdivision Activity**, with the Council reserving control in respect of:

- (i) The effect of the following natural and other hazards on the land within the subdivision;
- (ii) The effect of the subdivision on the impact of the following natural and other hazards on the site or on other land in the vicinity.

- (a) Erosion
- (b) Flooding and Inundation
- (c) Landslip
- (d) Rockfall
- (e) Alluvion
- (f) Avulsion
- (g) Unconsolidated Fill
- (h) Soil Contamination
- (i) Subsidence.

15.2.10.2 Site Subdivision Standard – Natural and Other Hazards

Except where specified as a Non-Complying Subdivision Activity in Rule 15.2.3.4, any subdivision of land (including the identification of any building platforms) which complies with all of the Zone Subdivision Standards, but does not comply with any one or more of the following Site Subdivision Standards shall be a Discretionary Subdivision Activity, with the exercise of the Council's discretion limited to the matter(s) subject to that standard.

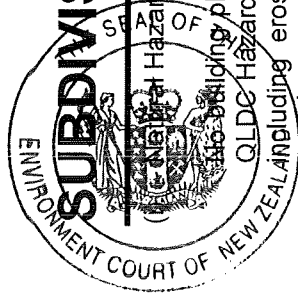
The purposes for the creation of esplanade reserves or strips set out in section 223 and section 237 of the Act.

The appropriateness of creating an esplanade reserve or strip in relation to public safety concerns.

- (iii) The extent of the public's ability to obtain access to and along the margin of the water body.
- (iv) The extent that recreational use will be assisted or hindered.
- (v) The compatibility of the proposed reserve or strip with physical characteristics of the land.
- (vi) The extent to which the natural character and visual quality of the area will be preserved.
- (vii) The extent to which natural hazards will be mitigated.
- (viii) The future use and purpose of any existing building that would otherwise encroach on, or be within, a reserve or strip.
- (ix) The need for and practicality of easements being created to provide public access to lakes and rivers, where appropriate, through consultation and negotiation with the landowner.
- (x) The safety of any access point to the esplanade reserve, esplanade strip or access strip from arterial roads.
- (xi) The provisions of relevant foreshore management plans and in the case of the Rural Residential zone at the North end of Lake Hayes, the Lake Hayes Management Strategy (1995) and any amendments thereto.

15.2.10 Natural and Other Hazards

15.2.10.1 Controlled Subdivision Activities - Natural and Other Hazards



(i) Natural Hazards within the Makarora Rural Lifestyle Zone

No building platform shall be identified within any area identified on the QLDC Hazards Register as being an area subject to any natural hazards including erosion, flooding and inundation, landslip, rockfall, alluvion, avulsion or subsidence. Council's control shall be limited the assessment matters detailed in 15.2.10.3 below.

(ii) Natural Hazards in the R2(D) Activity Area of the Quail Rise Zone

No building platform shall be identified within any R2(D) Activity Area of the Quail Rise Zone being an area subject to natural hazards including uncertified fill, erosion and possible debris flow from Ferry Hill to the north west. Council's control shall be limited to the relevant assessment matters detailed in 15.2.10.3 below.

15.2.10.3 Zone Subdivision Standard - Natural and Other Hazards

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

- (i) No subdivision of any part of Activity Area 1f of the Shotover Country Special Zone shall occur until fill works have been constructed in accordance with the plans contained in Appendix 3 to the Shotover Country Special Zone. The fill works shall be:
 - (a) located within the Fill Area shown on the Fill Area Plan in Appendix 3 to the Shotover Country Special Zone.
 - (b) constructed to achieve a height throughout the Fill Area no lower than the Minimum Required Ground Level shown on the Fill Area Plan and the Fill Area Cross Sections Plan in Appendix 3 to the Shotover Country Special Zone, assuming that the ground levels detailed in the Fill Area Plan are extrapolated across the Fill Area to achieve a plane surface.

(ii) No works of any nature shall interfere with, damage or otherwise adversely affect the fill works constructed under subclause (i) of this rule so that those fill works shall be maintained permanently. A consent notice or other legal mechanism shall be registered against any title containing land located within the Fill Area referred to in subclause (i) of this rule requiring the fill works constructed under subclause (i) of this rule to be maintained permanently.

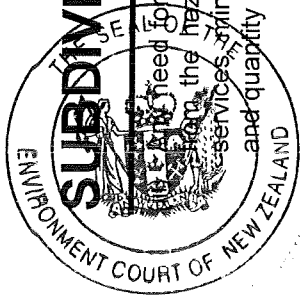
(iii) No subdivision of any part of Activity Area 1f shall occur until the outer batter (facing the Shotover River) of the fill works required to be implemented under subclause (i) of this rule has been topsoiled and planted to achieve a permanent vegetative cover.

(iv) No works of any nature (excluding mowing or other plant maintenance works) shall interfere with, damage or otherwise adversely affect the vegetative cover on the outer batter implemented under subclause (iii) of this rule so that that vegetative cover shall be maintained permanently. A consent notice or other legal mechanism shall be registered against any title containing any part of the outer batter referred to in subclause (iii) of this rule requiring the vegetative cover on that part of the outer batter implemented under subclause (iii) of this rule to be maintained permanently.

15.2.10.4 Assessment Matters for Resource Consents

In considering whether or not to grant consent or impose conditions in respect to natural and other hazards, the Council shall have regard to, but not be limited by, the following:

- (i) The likelihood of the lots and infrastructure in the subdivision, and any anticipated use or development of the lots, being subject to the effects of any natural or other hazard, the degree to which the hazard could result in damage, destruction and/or loss of life, and the need to avoid or mitigate any potential damage or danger from the hazard.
- (ii) Any potential adverse effects on other land that may be caused by the subdivision or anticipated land use activities as a result of the effects of natural or other hazards.



(viii) In relation to landfill and subsidence, the need for the provision of suitability certificates, such as NZS 4431, or if not appropriate, the setting of ongoing conditions, with consent notices registered on the Certificates of Title of the lots in the subdivision.

(ix) In relation to contaminated sites, the need for conditions to avoid, mitigate or remedy the effects of the land contamination, including removal to approved disposal points.

(x) In relation to any land filling or excavation, the following factors:

- (a) The effects on the infrastructure of surrounding properties;
- (b) The effects on the natural pattern of surface drainage;
- (c) The effects on stormwater drainage systems;
- (d) The type of and placement of fill material;
- (e) Mitigation, or avoidance, of adverse effects caused by dust or siltation affecting neighbouring properties;
- (f) Remedies necessary during emergencies.

15.2.11 Water Supply

15.2.11.1 Controlled Subdivision Activities - Water Supply

Except where specified as Discretionary or Non-Complying Subdivision Activities in Rules 15.2.3.3 and 15.2.3.4, any subdivision of land in any zone, which complies with all of the Site and Zone Standards, is a **Controlled Subdivision Activity**, with the Council reserving control in respect of the following:

- The availability, quantity, quality and security of the supply of water to the lots being created;
- Water supplies for fire fighting purposes;

(i) In relation to erosion, falling debris, slope instability or slippage:

(ii) The need for certification by a Registered Engineer that each lot is suitable for the erection of buildings designed in accordance with NZS 3604;

(iii) Any need for registration of consent notices on the Certificate of Title;

(iv) Any need for conditions relating to physical works to limit the instability potential.

(v) Whether a lot should be restricted from development on parts or all of the site, as a result of the effects of natural or other hazards.

(vi) Whether a minimum floor height should be specified for buildings in situations where inundation is likely and damage to structures could occur, but the land may not be suitable for filling.

(vii) In relation to flooding and inundation from any source, the Council shall have regard to the following:

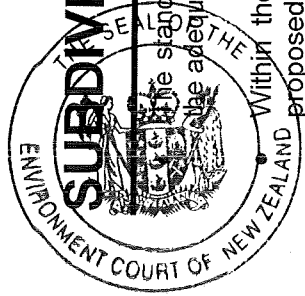
- (a) The effects of any proposed filling being undertaken to avoid inundation and the consequential effects on the natural drainage pattern and adjoining land;
- (b) Any proposed boundary drainage to protect surrounding properties;
- (c) Any effect of such filling or boundary drainage on the natural character or hydrological functions of wetlands;
- (d) The adequacy of existing outfalls and any need for upgrading;
- (e) Any need for retention basins to regulate the rate and volume of surface run-off.

(viii) In relation to erosion, falling debris, slope instability or slippage:

(i) The need for certification by a Registered Engineer that each lot is suitable for the erection of buildings designed in accordance with NZS 3604;

(ii) Any need for registration of consent notices on the Certificate of Title;

(iii) Any need for conditions relating to physical works to limit the instability potential.



the standard of water supply systems installed in subdivisions, and the adequacy of existing supply systems outside the subdivision;

vi Kingston Village Special Zone

(ii) Where any reticulation for any of the above water supplies crosses private land, it shall be accessible by way of easement to the nearest point of supply.

15.2.11.2 Discretionary Activity - Water Supply

Water supply to lots outside the special rating areas will be a discretionary activity with the Council's discretion limited to lot size, location, soil quality, the source of the water and the location of adjacent effluent disposal points.

15.2.11.3 Zone Subdivision Standards - Water Supply

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

(i) All lots, other than lots for access, roads, utilities and reserves, shall be provided with a connection to a reticulated water supply laid to the boundary of the net area of the lot, as follows:

(a) To a Council or community owned and operated reticulated water supply:

- i All Residential, Industrial, Business, Town Centre Corner Shopping Centre, Remarkables Park and Airport Mixed Use Zone;
- ii Township Zones at Lake Hawea, Albert Town, Luggate, Glenorchy and Kingston;
- iii Rural-Residential Zones at Wanaka, Lake Hawea, Albert Town, Luggate and Lake Hayes.
- iv Rural Visitor Zone at Arthurs Point;
- v Resort Zone, Millbrook and Waterfall Park.

(iii) Where no communal owned and operated water supply exists, all lots other than lots for access, roads, utilities and reserves, shall be provided with a potable water supply of at least 1000 litres per day per lot.

(a) Except within the Mount Cardrona Station Special Zone where:

i every allotment, other than allotments for access, roads, reserves, open space or utilities, shall be connected to the one reticulated restricted potable water supply.

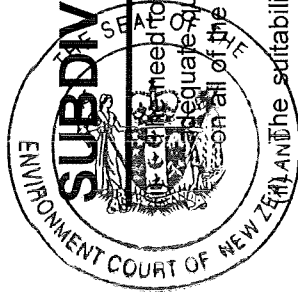
ii the reticulated restricted potable water supply shall be capable of meeting fire fighting requirements, including provision for 24 hour storage at average levels of demand; and

iii where bulk water meters are not provided every allotment connected to the reticulated restricted water supply shall be provided with a water meter at the frontage to the allotment to measure the consumption of water on that allotment.

iv A consent notice shall be placed on each certificate of title restricting the use of reticulated restricted water supply for potable use; any water used for irrigation must be sourced from a separate supply (for example rain water or recycled greywater).

15.2.11.4 Assessment Matters for Resource Consents

In considering whether or not to grant consent or impose conditions in respect to water supply the Council shall have regard to, but not be limited by, the following:



It is a condition of the consent that the applicant ensure the availability of a secure supply of potable water of adequate quantity to provide for the needs of the anticipated land uses on all of the lots within the subdivision.

(iv) The suitability of the proposed water supply for the needs of the land uses anticipated.

(iii) The provisions of the Council's Code of Practice for Subdivision in respect of the construction and installation of the water supply system.

(iv) The suitability of the proposed water supply for fire fighting purposes having regard to the density and nature of development anticipated and the availability of a public reticulated water supply system.

(v) Any need for a local purpose reserve to be set aside and vested in the Council as a site for a public water supply utility.

(vi) The requirements of any Regional Rules or the need to obtain water permits from the Otago Regional Council.

(vii) Any need to make provision for future water supply systems to serve surrounding land.

(viii) In addition to the above, within the Kingston Village Special Zone, the ability to stage subdivision and development in order to ensure water supply can be provided efficiently and effectively.

(ix) Within the Mount Cardrona Station Special Zone, the extent to which:

- Initiatives to reduce water use, including education of future landowners and restrictions on irrigation, have been proposed.
- Techniques to reuse and recycle water, including the recycling of greywater, have been proposed.
- The collection of rainwater and its use for household water supply and irrigation is provided.

15.2.12 Stormwater Disposal

15.2.12.1 Controlled Subdivision Activities - Stormwater Disposal

Except where specified as Discretionary or Non-Complying Activities in Rules 15.2.3.3 and 15.2.3.4, any subdivision of land in any zone, which complies with all of the Site and Zone Standards, is a **Controlled Subdivision Activity**, with the Council reserving control of the following matters:

- The capacity of existing and proposed stormwater systems;
- The method, design and construction of the stormwater collection, reticulation and disposal systems, including connections to public reticulated stormwater systems;
- The location, scale and construction of stormwater infrastructure;
- The effectiveness of any methods proposed for the collection, reticulation and disposal of stormwater run-off, including the control of water-borne contaminants, litter and sediments, and the control of peak flow;

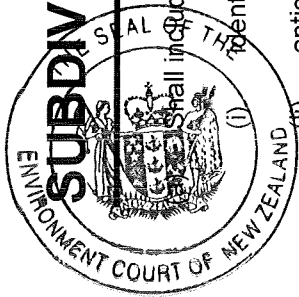
In addition to the above, within the Kingston Village Special Zone:

- The use of open swales throughout the Kingston Village Special Zone, in accordance with the Structure Plan and the Stormwater Management Plan contained within the Kingston Village Special Zone Subdivision Guidelines (2010).

15.2.12.2 Zone Subdivision Standard – Stormwater

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

A catchment stormwater management plan for the Shotover Country Zone shall be lodged for approval by the Council within 12 months after the zone becomes operative and shall be approved by Council prior to any development in the zone. For the purposes of this Rule the required catchment stormwater management plan:



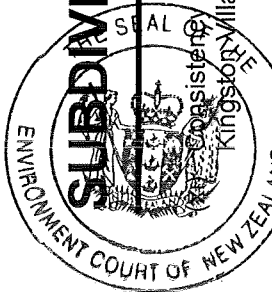
SUBDIVISION, DEVELOPMENT & FINANCIAL CONTRIBUTIONS - RULES

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- (i) The adequacy of the proposed means of collecting and disposing of stormwater from the roof of all existing or potential buildings and hard surfacing, in terms of the avoidance or mitigation of adverse effects on the site, other properties in the vicinity, or the receiving environment, whether land or water;
- (ii) The appropriateness of requiring a piped connection from each lot to a public stormwater reticulation system, or of requiring piped outfalls to be provided to each lot to be connected to a public reticulation system at a later date;
- (iii) Any adverse effects of the proposed subdivision on drainage on, or from, adjoining properties and mitigation measures proposed to control any adverse affects;
- (iv) The provisions of the Council's Code of Practice in respect to the construction and installation of the stormwater disposal system;
- (v) The adequacy of any proposed means for screening out litter, the capture of chemical spillages, the containing of contamination from roads and paved areas and of siltation;
- (vi) The practicality of retaining open natural lake or river systems for stormwater disposal in preference to piped or canal systems and any impacts of stormwater disposal on existing lakes and rivers;
- (vii) The requirements of any Regional Rules or the need to obtain discharge permits from the Otago Regional Council;
- (viii) Any need for a local purpose reserve to be set aside and vested in the Council as a site for a public utility for stormwater disposal purposes;
- (ix) Any need for conditions relating to ongoing maintenance of stormwater infrastructure;
- (x) Any need to make provision for future stormwater disposal systems to serve surrounding land
- In addition to the above, within the Kingston Village Special Zone:
- (i) identification of the catchment area boundary;
- (ii) anticipated stormwater runoff volume at maximum development potential;
- (iii) indicative secondary overflow paths for a 100 year ARI event or a 1% AEP event;
- (iv) proposed stormwater management options which are to be adopted at the time of subdivision, such as piping, open swales, etc;
- (v) proposed stormwater treatment and disposal options, including treatment facility options for roading, public carparking areas and commercial carparking areas;
- (vi) flexibility to enable alternative options to be explored prior to obtaining engineering approval required for subsequent subdivision consents;
- (b) Shall not be required to include:
- (i) detailed engineering design;
- (ii) investigation into individual lot onsite stormwater disposal;
- (c) Shall be approved by the Council subject to a condition that the consent applicant obtain any required discharge permit from the Otago Regional Council.

15.2.12.3 Assessment Matters for Resource Consents

In considering whether or not to grant consent or impose conditions in respect to stormwater disposal, the Council shall have regard to, but not be limited by the following:



(xii) Consistency with the Stormwater Management Plan contained within the Kingsford Village Special Zone Subdivision Guidelines (2010).

(xiii) The ability to stage development to ensure the efficient and effective management of stormwater systems during development.

(xiii) Within the Mount Cardrona Station Special Zone, the extent to which:

- Natural flow paths have been used in the design of stormwater management systems.
- Techniques have been adopted to ensure that
 - (i) The rate of stormwater discharge remains equal to or less than that of pre-development; and
 - (ii) The quality of water in that discharge remains equal to or better than that of pre-development.

In addition to the above, within the Shotover Country Special Zone:

- (xiv) Any potential adverse effects of future accesses (from the road carriageway into a lot) on the efficiency and effectiveness of stormwater swales.
- (xv) An evaluation of long term maintenance costs of low impact design stormwater disposal solutions compared to standard kerb and channel solutions

15.2.13 Sewage Treatment and Disposal

15.2.13.1 Controlled Subdivision Activities - Sewage Treatment and Disposal

Except where specified as Discretionary or Non-Complying Subdivision Activities in Rules 15.2.3.3 and 15.2.3.4, any subdivision of land in any zone, which complies with all of the Site and Zone Standards, is a **Controlled Subdivision Activity**, with the Council reserving control in respect of the following:

- The method of sewage treatment and disposal;
- The capacity of, and impacts on, the existing reticulated sewage treatment and disposal system;
- The location, capacity, construction and environmental effects of the proposed sewage treatment and disposal system;
- Easements over private land for access to the nearest public or community owned point of disposal.

15.2.13.2 Assessment Matters for Resource Consents

In considering whether or not to grant consent or impose conditions in respect to sewage treatment and disposal, the Council shall have regard to, but not be limited by, the following:

- (i) The capacity, availability, and accessibility of the Council's reticulated sewage treatment and disposal system to serve the proposed subdivision;
- (ii) Where a Council reticulated system is not available, or a connection is impractical, the adequacy of proposals and solutions for treating and disposing of sewage;
- (iii) The provisions of the Council's Code of Practice in respect to the construction and installation of the sewage treatment and disposal system;
- (iv) The requirements of any Regional Rules or the need to obtain a discharge permit from the Otago Regional Council;
- (v) Any need for a local purpose reserve to be set aside and vested in the Council as a site for a public utility for sewage treatment and disposal purposes;
- (vi) Any need to make provision for future sewage reticulation, treatment and disposal to serve surrounding land.



(viii) In addition to the above, within the Kinston Village Special Zone;

the ability to stage subdivision and development in order to ensure efficient and effective provision of a reticulated sewage treatment and disposal system that serves the proposed subdivision, the Kinston Village Special Zone, and the existing Kinston Township.

(viii) In the case of the Mount Cardrona Station Special Zone:

- The need to adopt sustainable solutions to sewage treatment and disposal.
- Whether alternative methods based on sustainable design solutions have been considered.

15.2.14 Trade Waste Disposal

15.2.14.1 Controlled Subdivision Activity - Trade Waste Disposal

Except where specified as Discretionary or Non-Complying Subdivision Activities in Rules 15.2.3.3 and 15.2.3.4, any subdivision of land in the Business, Industrial, Town Centre and Corner Shopping Centre Zones, which complies with all of the Site and Zone Subdivision Standards, is a **Controlled Subdivision Activity**, with the Council reserving control in respect of trade waste disposal.

15.2.14.2 Assessment Matters for Resource Consents

In considering whether or not to grant consent or impose conditions in respect to trade waste disposal, the Council shall have regard to, but not be limited by, the following:

- Whether any proposal to create lots for any business or other activity generating trade wastes will have the potential to discharge wastes to a disposal system;
- Whether the volume or type of trade waste generates a need for appropriate pre-treatment and/or disposal systems to be provided;

(iii) Any consents required for discharge of contaminants from the Otago Regional Council in conjunction with the subdivision consent;

(iv) The provisions of the Council's Code of Practice for Subdivision in respect of the installation of trade waste sewers;

(v) Any need for conditions relating to ongoing maintenance of trade waste disposal infrastructure.

15.2.15 Energy Supply and Telecommunications

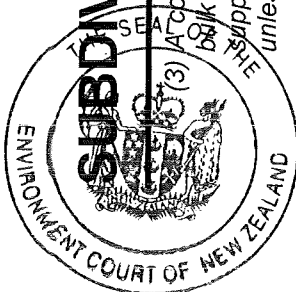
15.2.15.1 Controlled Subdivision Activity - Energy Supply and Telecommunications

Except where specified as Discretionary or Non-Complying Subdivision Activities in Rules 15.2.3.3 and 15.2.3.4, any subdivision of land in any zone, which complies with all of the Site and Zone Standards, is a **Controlled Subdivision Activity**, with the Council reserving control in respect of:

- The adequacy and installation of any electrical supply system, gas supply systems and telecommunications systems;
- Connections to electricity supply and telecommunications systems to the boundary of the net area of the lot, other than lots for access, roads, utilities and reserves.
- Within the Mount Cardrona Station Special Zone, the provision for alternative energy sources.

Notes:

- (1) In the event that a gas network operator ceases the supply of gas, all installations shall be removed from the bulk supply site and pipelines securely sealed.
- (2) Where a gas supply is proposed as an alternative form of energy, the necessary land use consent for a bulk gas supply tank on a separate lot, shall be obtained.



A consent notice may be registered on the Certificate of Title to a bulk gas supply site requiring that in the event the operator ceases supply the bulk supply site be amalgamated with an adjoining lot, unless it is a fully complying lot for the respective zone.

15.2.15.2 Assessment Matters for Resource Consents

In considering whether or not to grant consent or impose conditions in respect to energy supply and telecommunications, the Council shall have regard to, but not be limited by, the following:

- (i) Where the subdivision involves construction of new roads or formed private access, the installation of an extended reticulation system, at the subdividers' cost, having regard to the Council's Code of Practice;
- (ii) The adequacy and proximity of the proposed reticulated system to be installed by the subdivider;
- (iii) Any need for a lot as a site for a public utility for electricity or gas supply or telecommunications;
- (iv) Alternative systems available and acceptable where other systems are not available or practical;
- (v) Adequacy and proximity to reticulated services.
- (vi) Within the Mount Cardrona Station Special Zone, the extent to which:
 - Subdivision design and layout assists in lot layout and configuration that achieves good solar gain for each dwelling.
 - Adequate energy supply is provided to the site, but opportunities to reduce energy use throughout the site and use alternative energy sources are encouraged.

15.2.16 Open Space and Recreation

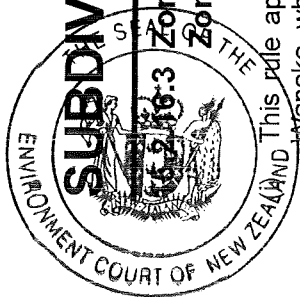
15.2.16.1 Controlled Subdivision Activities - Open Space and Recreation

Except where specified as Discretionary or Non-Complying Subdivision Activities in Rules 15.2.3.3 and 15.2.3.4, any subdivision of land in any zone which complies with all of the Zone and Site Standards, is a **Controlled Subdivision Activity** with the Council reserving control in respect of the provision of land and/or facilities for open space and recreation.

15.2.16.2 Assessment Matters for Resource Consents

In considering whether or not to grant consent or impose conditions in respect to open space and recreation, the Council shall have regard to, but not be limited by, the following:

- (i) The extent to which the provision for open space and recreation is consistent with the objectives and policies of the District Plan relating to the provision, diversity and environmental effects of open spaces and recreational facilities;
- (ii) Within the Shotover Country Special Zone, whether and the extent to which methods have been proposed to establish trails through the development generally as shown on the Structure Plan which connect to existing and planned trail links to Lake Hayes Estate and Old School Road
- (iii) Within the Shotover Country Special Zone, whether and extent to which reserves to be provided assist to achieve appropriate provision of local and neighbourhood reserves throughout the zone.
- (iv) Within the Arrowtown South Special Zone, whether subdivision of the Private Open Space – Pastoral Activity Area which results in parts of that Activity Area being held within the ownership of adjoining lots in a Rural Living Activity Areas or Residential Activity Area is accompanied by management proposals that promote the consistent or complimentary use of land so as to avoid, remedy or mitigate the adverse visual effects that may result from fragmented ownership and varying land management approaches.



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15.2.16.3 Zone Subdivision Standard – Northlake Special Zone - Community Facilities

This rule applies to subdivision of land situated north of Aubrey Road, Wanaka, which is zoned Northlake Special Zone ("Northlake") (excluding Activity Area A) as shown on Planning Maps 18, 19 and 20 in addition to any other applicable subdivision rules.

(ii) There shall be no restriction under this rule on the first stage(s) of subdivision which create a total of up to 50 individual residential lots within Northlake (excluding Activity Area A). This rule only applies to any subsequent subdivision that creates a total of more than 50 residential lots within Northlake.

(iii) No resource consent shall be granted for any subdivision that will result in the cumulative total creation of more than 50 residential lots within Northlake unless the community facilities detailed in subclause (iv) below have been constructed and are operational and available to the public, or any such resource consent includes a condition requiring that the community facilities detailed in subclause (iv) below must be completed, operational and available to the public prior to the issuing of any s224c certificate in respect of such subdivision (excluding Activity Area A).

(iv) For the purposes of this rule:

- (a) Community facilities' means an indoor 20m – 25m lap pool, a fitness/gym facility, a children's play area, and at least one tennis court.
- (b) Operational' includes operating on a commercial basis requiring payment of commercial user charges as determined by the commercial operator.
- (c) Available to the public' means open and available for use by any member of the public willing to pay the relevant user charges for such facilities (excluding the play area which is likely to be free).

- (d) The Council shall impose a condition on any resource consent enabling the construction and operation of the community facilities requiring them to be available to the public as detailed in this rule.

15.2.17 Protection of Vegetation and Landscape

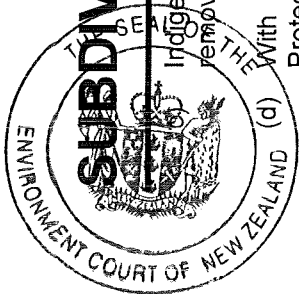
15.2.17.1 Controlled Subdivision Activities - Vegetation and Landscape

Except where specified as Discretionary or Non-Complying Subdivision Activities in Rules 15.2.3.3 and 15.2.3.4, any subdivision of land in any zone, which complies with all of the Site and Zone Standards, is a **Controlled Subdivision Activity**, with the Council reserving control in respect of:

- The protection of vegetation and landscape features;
- Provision for street scape planting within the road and public spaces;
- The preservation and enhancement of the indigenous vegetation, within the 'Forest Hill' Rural Residential zone, and the removal and control of wilding pines.

15.2.17.2 Site Standard – Vegetation

- (i) Within the Shotover Country Special Zone, a consent notice or other legal mechanism shall be registered against the relevant certificate(s) of title to ensure that future landowners are made aware of the following obligations and restrictions:
 - (a) With respect to any site containing land within a Terrace Buffer Area identified on the Structure Plan, the requirement to establish and maintain landscape planting in accordance with Rule 12.30.5.1.vii.
 - (b) With respect to any site containing land within the Wetland Setback identified on the Structure Plan, Rule 12.30.5.2.xiii provides that no buildings shall be constructed within the Wetland Setback.



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(d) Indigenous vegetation established within Area 5b shall not be removed.

(d) With respect to any site containing land within the Riverside Protection Area, the requirement to keep that land free of certain plant pest species in accordance with Rule 12.30.5.2.xii.

(e) With respect to any site containing land within Activity Area 5b (Open Space - Escarpment), the requirement to keep that land free of certain plant pest species and to select plants from a specified plant list in accordance with Rule 12.30.5.2.xi.

(f) With respect to any site within Activity Area 5d (Wetland), the requirement to keep that land free of certain plant pest species and to select plants from a specified plant list in accordance with Rule 12.30.5.2.xi.

15.2.17.3 Zone Subdivision Standard – Vegetation

Any subdivision of land within the Shotover Country Special Zone that does not comply with any one or more of the following Zone Standards shall be a **Non-Complying Subdivision Activity**:

(i) Prior to any subdivision (excluding boundary adjustments) of any land containing part of Activity Area 5b, the Riverside Protection Area and/or 5d, all plant pests shall be removed from the relevant part of Activity Area 5b, the Riverside Protection Area and/or 5d, being gorse, broom, briar, tree lupin, hawthorn, crack willow, buddleia, Californian thistle, and any other Pest Plant as specified in the Regional Pest Management Strategy for Otago except crack willow along the edge of the Shotover River.

(ii) Prior to subdivision (excluding boundary adjustments) where the site to be subdivided includes part of Activity Area 5b, planting shall take place within the relevant part of Activity Area 5b which:

(a) Comprises the species detailed in Appendix 1 – Plant List, Part 1: Terrace Escarpment/Grey Shrubland Areas (Activity Area 5b); and

(b) Will achieve 25% site coverage (canopy closure) once the planting reaches maturity.

(iii) Prior to any subdivision within the zone (excluding boundary adjustments), methods shall be implemented to exclude stock from Activity Area 5d.

(iv) A consent notice or other legal mechanism shall be registered against the relevant certificate(s) of title to any applicable lot to achieve the following ongoing obligations:

(a) Any planting required to be implemented under this rule shall be maintained for a period of 5 years during which time any plant which dies, is removed, or becomes diseased shall be replaced by the subdivider responsible for creating the relevant lot and by the lot owner.

(vi) Prior to any subdivision within the zone (excluding boundary adjustments):

(a) A qualified heritage consultant shall detail steps required to stabilise the Hicks Cottage in Activity Area 4, in order to prevent further deterioration pending long term restoration; and

(b) Those steps shall be implemented.

15.2.17.4 Assessment Matters for Resource Consents

In considering whether or not to grant consent or impose conditions in respect to the protection of vegetation and landscape the Council shall have regard to, but not be limited by the following:

(i) Whether any landscape features or vegetation, including mature forest, on the site are of a sufficient amenity value that they should be retained and the proposed means of protection;

(ii) Where a reserve is to be set aside to provide protection to vegetation and landscape features, whether the value of the land so reserved



Should be off-set against the development contribution to be paid for open space and recreation purposes;

Whether the subdivision design will detract from or enhance the significant landscape and visual values of the District including loss, retention or enhancement of native vegetative cover;

(iv) The extent of any earthworks or roading within the subdivision and the need for additional planting or landscaping;

(v) Any need to provide continual protection for vegetation and or landscape features within the subdivision, including protection of Heritage Trees listed in Appendix 5.

(vi) The preservation and enhancement of the indigenous vegetation, over 70 per cent of the net site area within the "Forest Hill" Rural Residential zone, and the removal and control of wilding pines within the zone. For the purpose of this matter net area shall exclude access to sites and the building restriction area within the zone.

(vii) Within the Bob's Cove sub-zone, whether and the extent to which:

(a) Consent notices have been entered into to ensure the effective and permanent protection of the open space and areas of indigenous vegetation; and

(b) Methods have been proposed to prevent stock from browsing and otherwise damaging areas of indigenous vegetation by fencing.

(viii) The extent to which plantings with a predominance of indigenous species enhances the naturalness of the escarpment within Lots 18 and 19 as shown on the Concept Development Plan for the Ferry Hill Rural Residential sub-zone.

(ix) The extent to which the species, location, density, and maturity of the planting is such that residential development in the Ferry Hill Rural Residential sub-zone will be successfully screened from views obtained when travelling along Tucker Beach Road.

15.2.18 Easements

15.2.18.1 Controlled Subdivision Activity – Easements

Except where specified as Discretionary or Non-Complying Subdivision Activities in Rules 15.2.3.3 and 15.2.3.4, any subdivision of land in any zone, which complies with all of the Site and Zone Standards, is a **Controlled Subdivision Activity** with the Council reserving control in respect of the creation or cancellation of easements for any purpose.

Mount Cardrona Station Special Zone— matters over which control is reserved:

- The provision of public access through Activity Areas 6, 6a, 7 and 7a of the Mount Cardrona Station Special Zone in general accordance with the Mount Cardrona Station Walkways Plan (Structure Plan C).

15.2.18.2 Assessment Matters for Resource Consent

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

- (i) The need for easements:
 - (a) where a service or access is required by the Council;
 - (b) for stormwater passing through esplanade reserves where drainage will be to the wetland, lake or river;
 - (c) to meet network utility operator requirements;
 - (d) in respect of other parties in favour of nominated lots or adjoining Certificates of Title;
 - (e) for private ways and other private access;



(g) for stormwater treatment and disposal, sewage treatment and disposal, water supply, electricity reticulation, gas reticulation, telecommunications;

- boundary treatment;

- easements for access and services.

(h) for reticulation servicing with sufficient width to permit maintenance, repair or replacement;

(i) for walkways and cycle ways, including access to water bodies.

(ii) The need for the cancellation of easements.

(i) for the provision of public access throughout the Open Space Zone within Peninsula Bay.

(i) within the Mount Cardrona Station Special Zone the extent to which:

(i) public access easements through Activity Area 7 provide access to the historic water races, while ensuring their protection.

(ii) access easements provide potential linkages between the site and surrounding walkways, enabling connection between Mount Cardrona Station and the existing Cardrona village.

(iii) access easements and easements in gross are in general accordance with the Mount Cardrona Station Walkways Plan (Structure Plan C).

15.2.19

On any boundary adjustment in the Rural General Zone which meets the zone standards the matters in respect of which the Council has reserved control are:

- the location of the proposed boundaries, including their relationship to approved residential building platforms, existing buildings, and existing vegetation patterns and existing or proposed accesses;

15.2.20 Affordable Residential Lots

15.2.20.1 Zone Subdivision Standard – Northlake Special Zone

(i) The development of Activity Area D1 shall result in 20 affordable lots. For the purpose of this rule:

(a) 'affordable lots' means a residential lot, capable of accommodating a 3 bedroom residential unit, which is marketed for sale at a maximum price of \$160,000.00 adjusted annually to account for inflation in accordance with the Consumer Price Index from an initial date of 1 January 2014.

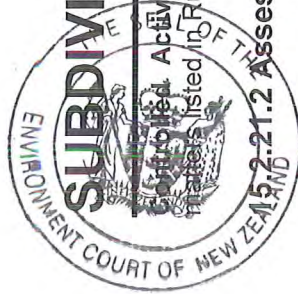
(b) A residential lot used for retirement village purposes shall not be deemed to meet this requirement.

(c) A legal method must be implemented which will ensure that each of the required 20 affordable lots are delivered to the market. That legal method must include a three month option in favour of the Queenstown Lakes Community Housing Trust whereby the Trust may purchase the lot or nominate the purchaser of the lot.

15.2.21 Earthworks

15.2.21.1 Controlled Subdivision Activity – Earthworks

Earthworks associated with any subdivision of land in any zone except for any of the Special Zones that are listed in Section 12 of the District Plan other than the Rural Visitor Zone and any of the Ski Area Sub-Zones are a



Controlled Activity with the Council reserving control in respect to the matters listed in Rule 22.3.2.2(a)(i)-(ix) in Section 22.

22.2-21.2 Assessment Matters for Resource Consent

In considering whether or not to impose conditions in respect of Earthworks associated with any subdivision the Council may consider the Resource Consents - Assessment Matters 22.4i-viii in Section 22.

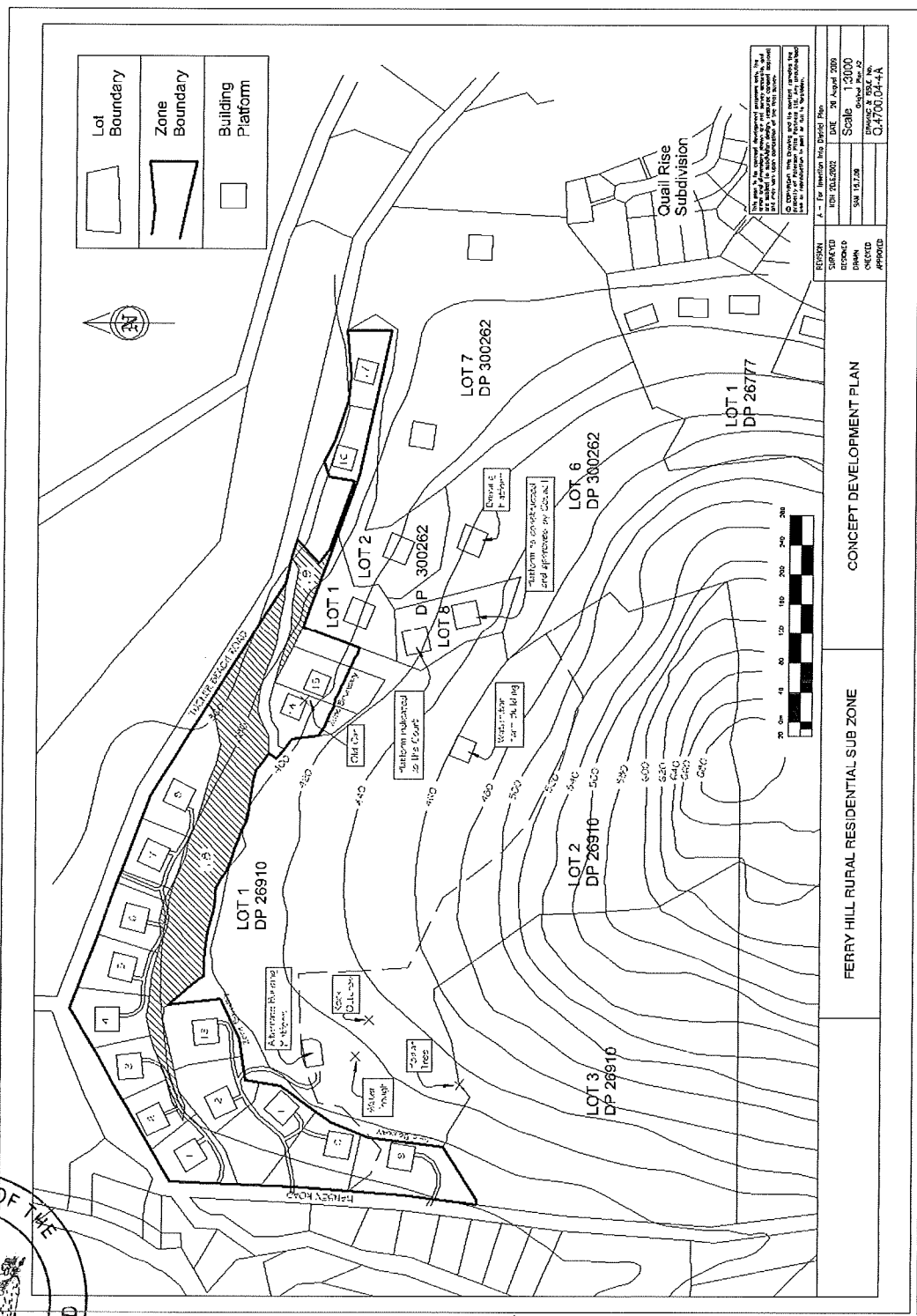
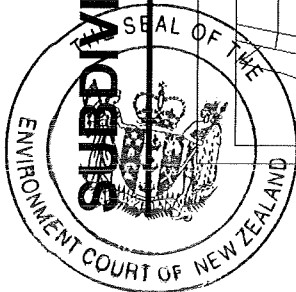


Figure 15.1 Concept Development Plan for the Ferry Hill Rural Residential sub-zone



Figure 15.2. Ballantyne Road Low Density Residential Zone Structure Plan

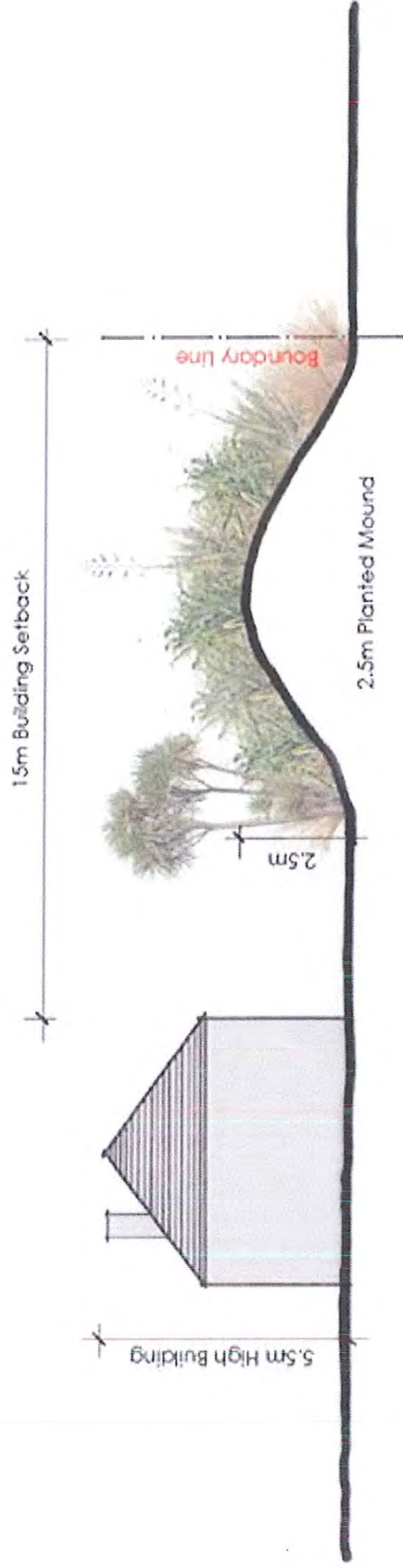


Figure 15. 3. Ballantyne Road Low Density Residential Zone Mounding Plan Cross Section

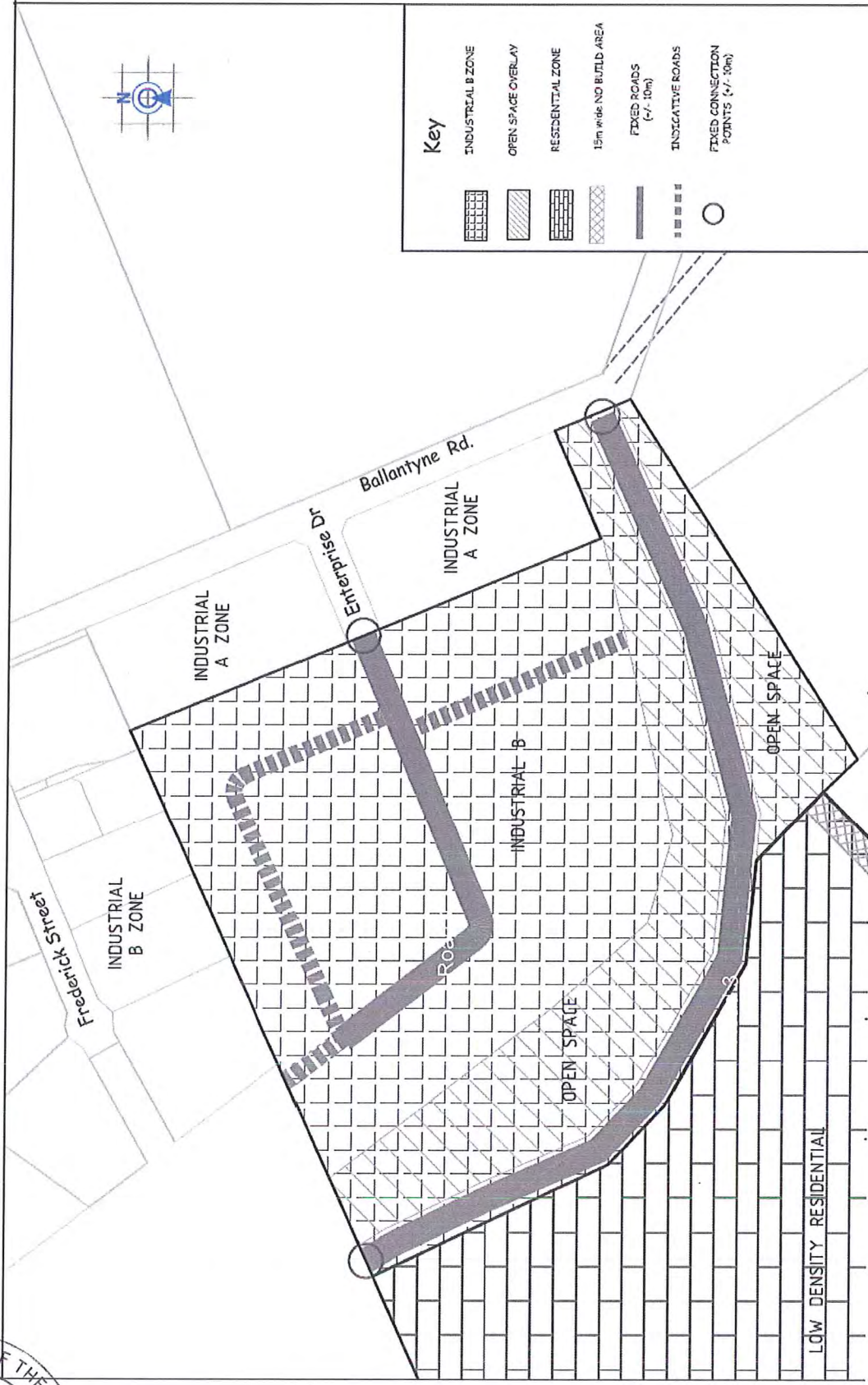
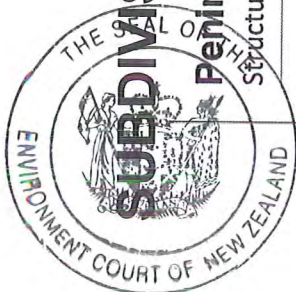


Figure 15.4 Ballantyne Road Industrial B Zone and Open Space Structure Plan



Peninsula Bay North – Wanaka
Structure Plan - 14 August 2017

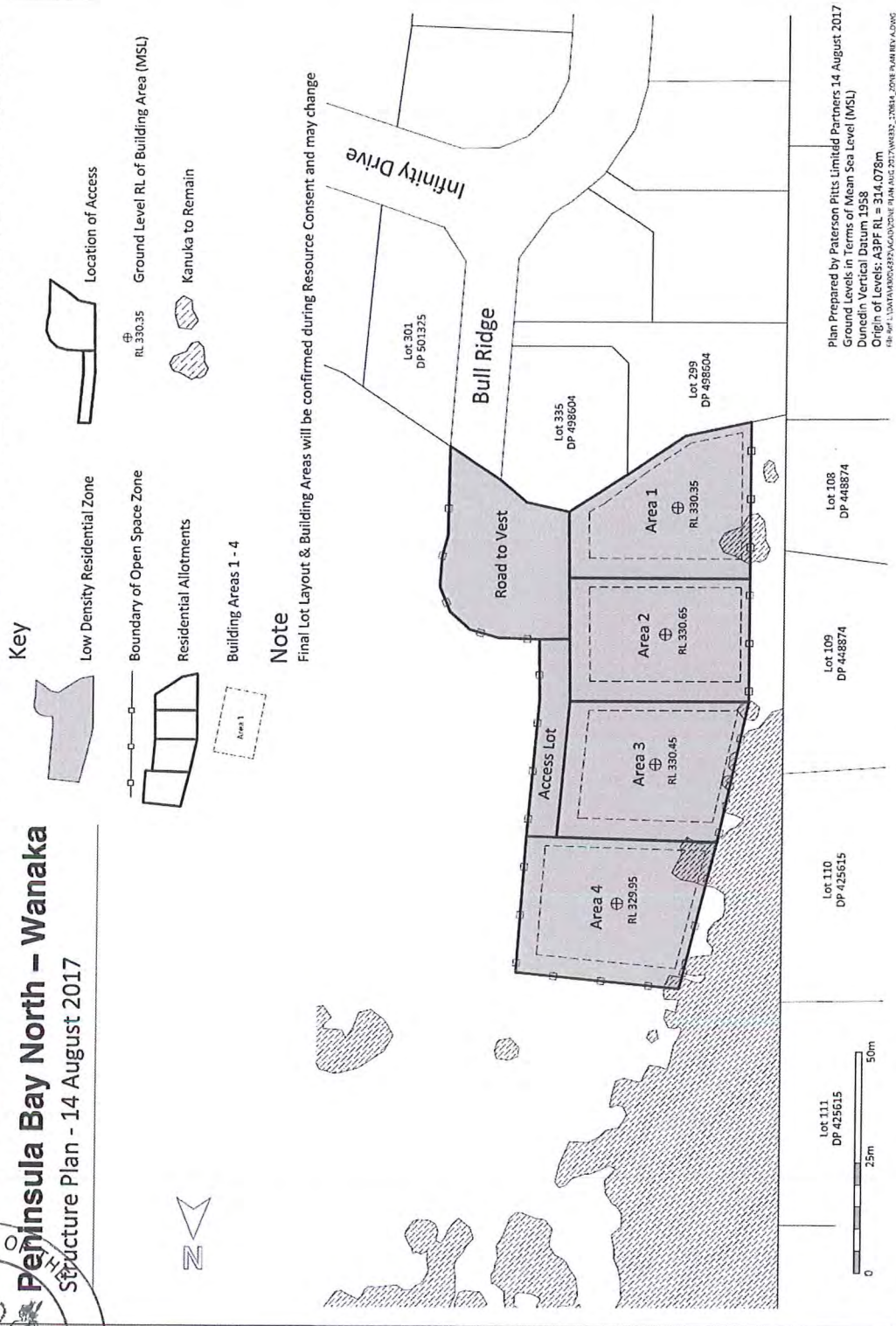


Figure 15.5 Peninsula Bay North Structure Plan