

11 LARGE LOT RESIDENTIAL

11.1 Zone Purpose

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

Appellant Court Number	Provision/s Sought to be Added into Chapter 11
Airbnb Australia Pty Ltd ENV-2019-CHC-061	<p>Amend the following permitted activity standards in the Lower Density Suburban Residential (7.5.19), Medium Density Residential (8.5.18), High Density Residential (9.5.15), Arrowtown Residential Historic Management (10.5.10), Large Lot Residential (11.5.14), Business Mixed Use (16.5.13) and zones as follows:</p> <p>Add a new standard: <u>Must comply with the noise limits for the relevant zone in Rules 36.5.1 to 36.5.4 in Chapter 36 Noise.</u></p> <p>Delete the following two standards:</p> <ul style="list-style-type: none"> a. Must comply with minimum parking requirements of standard 29.8.9 in Chapter 29 Transport. a. Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.
Airbnb Australia Pty Ltd ENV-2019-CHC-061	<ol style="list-style-type: none"> 1. Delete non-compliance activities status statements or letters in the 'non-compliance status' column in Rules 7.5.19, 8.5.18, 9.5.15, 10.5.10, 11.5.14, 22.5.15, 23.5.13, 41.5.1.13, and replace with 'C' to indicate controlled activity status for non-compliance. 2. Delete all matters of discretion listed in the 'non-compliance status' column in Rules 7.5.19, 8.5.18, 9.5.15, 10.5.10, 11.5.14, 22.5.15 and replace with the following; and add the following to the 'non-compliance status' column of Rules 22.5.15, 23.5.13 and 41.5.1.13: <u>Control is reserved to:</u> <ol style="list-style-type: none"> a. <u>The potential impact of the number of paying guests on site per night on the amenity values of the neighbourhood;</u> b. <u>The keeping of records of Homestay use, and availability of records for Council inspection; and</u> c. <u>Monitoring requirements, including imposition of an annual monitoring charge.</u> 3. Amend Rules 21.9.6 and 24.5.22 as follows (in the 'non-compliance status' column): <u>Control is reserved to:</u> <ol style="list-style-type: none"> a. <u>The scale of the activity, including the number of guests per night and the number guest nights the activity operates in a 12 month period;</u> b. <u>The management of noise, rubbish and outdoor activities;</u> a. <u>The potential impact of the number of paying guests on site per night on the amenity values of the neighbourhood;</u> and re-number (b) and (c) to (c) and (d). 4. Amend the 'non-compliance status' columns of rules 16.5.13, 42.5.10 and 43.5.15 as follows: <u>Control is reserved to:</u> <ol style="list-style-type: none"> a. <u>The potential impact of the number of paying guests on site per night on the amenity values of the neighbourhood;</u> a. <u>The location, nature and scale of activities;</u> b. <u>The location, and provision, and screening of parking and access;</u>

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	<p>c. The management of noise, rubbish and outdoor activities; and re-number (d) and (e) to (b) and (c).</p>
Airbnb Australia Pty Ltd ENV-2019-CHC-061	<p>1. Amend the rules to provide for RVA as a permitted activity in all zones rather than controlled, and delete the corresponding matters of control.</p> <p>2. Introduce new permitted activity standards for RVA in these rules as follows:</p> <ul style="list-style-type: none"> • <u>Must not exceed a cumulative total of 120 nights occupation by paying guests on a site per 12 month period.</u> • <u>Must comply with the noise limits for the relevant zone in Rules 36.5.1 to 36.5.4 in Chapter 36 Noise.</u> • <u>Where the RVA involves construction of a new residential dwelling, the RVA must comply with the minimum parking requirements for a residential unit and/or residential flat (whichever is used for the residential visitor accommodation activity) in Chapter 29 Transport.</u> • <u>The Council must be notified in writing prior to the commencement of a Residential Visitor Accommodation activity.</u> • <u>Up to date records of the Residential Visitor Accommodation activity must be kept, including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</u>
Airbnb Australia Pty Ltd ENV-2019-CHC-061	<p>1. For Rules 7.5.18; 8.5.17; 9.5.14; 10.5.9; 11.5.13:</p> <p>a. delete all text within the 'non-compliance status' column except for the following two matters (which have different numbering for each rule): <i>"The keeping of records of RVA use, and availability of records for Council inspection; and Monitoring requirements, including imposition of an annual monitoring charge."</i></p> <p>b. Insert into the 'non-compliance status' column, above the two remaining matters</p> <ul style="list-style-type: none"> - 'C' (to indicate controlled activity status). - the statement "<u>Control is reserved to:</u>" - the following new matter of control: "<u>The location and provision of parking and access for the construction of new residential dwellings to be used for RVA</u>" <p>2. For Rules 16.5.12; 21.9.5; 24.5.20; 42.5.9; 43.5.14, within the 'non-compliance status' column, make the following changes:</p> <p>a. delete all matters of control, except the following two (which have different numbering for each rule): <i>"The keeping of records of RVA use, and availability of records for Council inspection; and Monitoring requirements, including imposition of an annual monitoring charge."</i></p> <p>b. add the following new matter of control: "<u>The location and provision of parking and access for the construction of new residential dwellings to be used for RVA</u>"</p> <p>3. For Rules 22.5.14; 23.5.12; 41.5.1.12, within the 'non-compliance status' column, make the following changes:</p> <p>a. delete "D" and replace with "C" (to indicate controlled activity status).</p> <p>b. Add the following text: "<u>Control is reserved to:</u>"</p> <p>c. Add the following matters of control:</p> <ul style="list-style-type: none"> a. <u>The location and provision of parking and access for the construction of new residential dwellings to be used for RVA;</u> b. <u>The keeping of records of RVA use, and availability of records for Council inspection; and</u> c. <u>Monitoring requirements, including imposition of an annual monitoring charge.</u>

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

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The zone generally provides for a density of one residence every 2000m² to provide for a more efficient development pattern to utilise the Council's water and wastewater services while maintaining opportunities for a variety of housing options, landscaping and open space. Identified areas have a residential density of one residence every 4000m² reflecting landscape or topographical constraints such as around Mt Iron in Wanaka.

The potential adverse effects of buildings are controlled by bulk and location, colour and lighting standards and in respect of the lower density (4,000m²) part of the zone, design and landscaping controls imposed at the time of subdivision.

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

While development is anticipated in the zone, some areas are subject to natural hazards and, where applicable, it is anticipated that development will recognise and manage the risks of natural hazards at the time of subdivision. Pursuant to Section 86(b)(3) of the RMA, Rule 11.5.5 has immediate legal effect.

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

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

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

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

11.2 Objectives and Policies

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

Policies

- 11.2.1.1 Maintain low density residential character and amenity through minimum allotment sizes that efficiently utilise the land resource and infrastructure (Area A), and require larger allotment sizes in those parts of the zone that are subject to significant landscape and/or topographical constraints (Area B).
- 11.2.1.2 Maintain and enhance residential character and high amenity values by controlling the colour, scale, location and height of buildings and in Area B require landscaping and vegetation controls.

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- 11.2.1.3 Control lighting to avoid glare to other properties, roads, public places and views of the night sky.
- 11.2.1.4 Have regard to hazards and human safety, including fire risk from vegetation and the potential risk to people and buildings, when assessing subdivision, development and any landscaping in Area B.
- 11.2.2 Objective - Predominant land uses are residential. Where appropriate, community and recreational activities also occur.**

Policies

- 11.2.2.1 Provide for residential and home occupation as permitted activities, and recognise that depending on the location, scale and type, community activities may be compatible with and enhance the zone's amenity values.
- 11.2.2.2 Commercial or other non-residential activity located on the periphery of residential and township areas shall avoid undermining the integrity of the town centres, urban rural edge and where applicable, the Urban growth Boundaries.
- 11.2.2.3 Ensure that any commercial and non-residential activities, including restaurants, maintain or enhance the amenity, quality and character of the zone.
- 11.2.3 Objective – Visitor accommodation, residential visitor accommodation and homestays are enabled at locations, and at a scale, intensity and frequency, that maintain the residential character and amenity values of the zone.**

Policies

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

11.3 Other Provisions and Rules

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11.3.1 District Wide Rules

Attention is drawn to the following District Wide chapters.

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

11.3.2 Interpreting and Applying the Rules

- 11.3.2.1 A permitted activity must comply with all the rules listed in the Activity and Standards tables, and any relevant district wide rules, otherwise a resource consent will be required.
- 11.3.2.2 Where an activity does not comply with a Standard listed in the Standards table, the activity status identified by the 'Non-Compliance Status' column shall apply.
- 11.3.2.3 Where an activity breaches more than one Standard, the most restrictive status shall apply to the activity.
- 11.3.2.4 Each residential unit may include a single residential flat and any other accessory buildings.
- 11.3.2.5 The status of any Plantation Forestry will be determined by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.
- 11.3.2.6 References to the Visitor Accommodation Sub-Zones in this Chapter only apply to the sub-zones within the Large Lot Residential Zone.
- 11.3.2.7 The following abbreviations are used within this Chapter.

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

11.4 Rules – Activities

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Table 1	Activities located in the Large Lot Residential Zone	Activity status
11.4.1	Residential Unit	P
11.4.2	Recreational Activity	P
11.4.3	Home occupation	P
11.4.4	Homestays	P
11.4.5	<p>Residential Visitor Accommodation</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> a. The scale of the activity, including the number of guests on site per night; b. The management of noise, use of outdoor areas, rubbish and recycling; c. The location, provision, use and screening of parking and access; d. The compliance of the residential unit with the Building Code as at the date of the consent; e. Health and safety provisions in relation to guests; f. Guest management and complaints procedures; g. The keeping of records of RVA use, and availability of records for Council inspection; and h. Monitoring requirements, including imposition of an annual monitoring charge. 	C
11.4.5A	<p>Visitor Accommodation in the Visitor Accommodation Sub-Zone`</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. The location, nature and scale of activities; b. Parking and access; c. Landscaping; d. Noise generation and the methods of mitigation; e. Hours of operation, including in respect of ancillary activities; and f. The external appearance of buildings. 	RD

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Table 1	Activities located in the Large Lot Residential Zone	Activity status
11.4.6	Community activities	D
11.4.7	Commercial recreational activity	D
11.4.8	Any activity not listed in Table 1, except for Plantation Forestry where the Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017 prevails.	NC
11.4.9	Licensed Premises	NC
11.4.10	Visitor Accommodation not otherwise identified	NC
11.4.11	Panel beating, spray painting, motor vehicle repair or dismantling, fibre glassing, sheet metal work, bottle or scrap storage, motor body building.	PR

11.5 Rules - Standards for Activities

Table 2	Standards for Activities	Non-compliance status
11.5.1	Building Height	NC
	11.5.1.1 Except where limited by Rules 11.5.1.2 or 11.5.1.3 a maximum height limit of 8 metres.	
	11.5.1.2 A maximum height of 7 metres:	NC
	<ul style="list-style-type: none"> a. on sites located between Beacon Point Road and the margins of Lake Wanaka; and b. on sites located between Studholme Road and Meadowstone Drive. 	
	11.5.1.3 A maximum height of 5.5 metres above a floor level of 283 masl:	NC
	<ul style="list-style-type: none"> a. on the site(s) located at the northern end of Beacon Point Road (as identified on the District Plan maps). 	
11.5.2	Building Coverage	RD Discretion is restricted to:

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Table 2	Standards for Activities	Non-compliance status
	The maximum building coverage shall be 15% of the net site area.	<ul style="list-style-type: none"> a. the effect on openness and spaciousness; b. effects on views and outlook from neighbouring properties; c. visual dominance of buildings; d. landscaping.
11.5.3	Setback from internal boundaries 1.5.3.1 Large Lot Residential Area A: the minimum setback of any building from internal boundaries shall be 4 metres. 1.5.3.2 Large Lot Residential Area B: the minimum setback of any building from internal boundaries shall be 6 metres.	RD Discretion is restricted to: <ul style="list-style-type: none"> a. the effect on openness and spaciousness; b. effects on privacy, views and outlook from neighbouring properties; c. visual dominance of buildings; d. landscaping.
11.5.4	Setback from roads The minimum setback of any building from a road boundary shall be 10m.	NC
11.5.5	Setback of buildings from water bodies The minimum setback of any building from the bed of a river, lake or wetland shall be 20m.	RD Discretion is restricted to: <ul style="list-style-type: none"> a. any indigenous biodiversity values; b. visual amenity values; c. landscape character; d. open space including public access; e. whether the waterbody is subject to flooding or natural hazards and any mitigation to manage the location of the building.
11.5.6	Building Length The length of any facade above the ground floor level shall not exceed 20m.	RD Discretion shall be restricted to:

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Table 2	Standards for Activities	Non-compliance status
		a. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties.
11.5.7	<p>Home Occupation</p> <p>Home occupation activities shall comply with the following:</p> <p>11.5.7.1 No more than 1 full time equivalent person from outside the household shall be employed in the home occupation activity.</p> <p>11.5.7.2 The maximum number of vehicle trips shall be:</p> <p>a. heavy Vehicles: 2 per week;</p> <p>b. other vehicles: 10 per day.</p> <p>11.5.7.3 Maximum net floor area of not more than 60m².</p> <p>11.5.7.4 Activities and the storage of materials shall be indoors.</p>	D
11.5.8	<p>Glare</p> <p>a. All exterior lighting shall be directed away from the adjacent sites and roads and downward to limit effects on the night sky.</p> <p>b. No activity on any site shall result in greater than a 3.0 lux spill (horizontal or vertical) of lights onto any other site measured at any point inside the boundary of the other site.</p>	D
11.5.9	<p>Residential Density</p> <p>11.5.9.1 Large Lot Residential Area A: a maximum of one residential unit per 2000m² net site area.</p> <p>11.5.9.2 Large Lot Residential Area B: a maximum of one residential unit per 4000m² net site area.</p>	D
11.5.10	<p>Building Materials and Colours</p> <p>For sites within Large Lot Residential Area B:</p> <p>a. all exterior surfaces shall be coloured in the range of black, browns, greens or greys;</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. landscape and visual effects, including the extent to which the physical scale of the building(s) make a proposed</p>

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Table 2	Standards for Activities	Non-compliance status
	<p>b. pre-painted steel, and all roofs shall have a reflectance value not greater than 20%;</p> <p>c. surface finishes shall have a reflectance value of not greater than 30%.</p>	building's materials and colours more or less visually prominent.
11.5.11	<p>Recession plane</p> <p>The following applies to all sites with a net site area less than 4000m².</p> <p>11.5.11.1 Northern boundary: 2.5m and 55 degrees.</p> <p>11.5.11.2 Western and eastern boundaries: 2.5m and 45 degrees.</p> <p>11.5.11.3 Southern boundary: 2.5m and 35 degrees.</p> <p>Exemptions:</p> <p>a. gable end roofs may penetrate the building recession plane by no more than one third of the gable height.</p> <p>b. recession planes do not apply to site boundaries fronting a road or a reserve.</p>	NC
11.5.12	<p>Building Restriction Area</p> <p>No building shall be located within a building restriction area as identified on the District Plan Maps.</p>	NC
11.5.13	<p>Residential Visitor Accommodation</p> <p>11.5.13.1 Must not exceed a cumulative total of 90 nights occupation by paying guests on a site per 12 month period.</p> <p>11.5.13.2 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</p> <p>11.5.13.3 Must comply with the minimum parking requirements for a residential unit and/or residential flat (whichever is used for the residential visitor accommodation activity) in Chapter 29 Transport.</p> <p>Note: The Council may request that records are made available to the Council for inspection, at 24 hours' notice, in order to monitor compliance with rules 11.5.13.1 to 11.5.13.3.</p>	<p>Sites within the Visitor Accommodation Sub-Zone:</p> <p>RD</p> <p>Discretion is restricted to:</p> <p>a. The location, nature and scale of activities;</p> <p>b. The location, provision, use and screening of parking and access;</p> <p>c. The management of noise, outdoor lighting, use of outdoor areas, rubbish and recycling.</p>

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Table 2	Standards for Activities		Non-compliance status
	Rule 11.5.13 and relief sought	Appellant Court Number	<p>d. The compliance of the residential unit with the Building Code as at the date of the consent;</p> <p>e. Health and safety provisions in relation to guests;</p> <p>f. Guest management and complaints procedures;</p> <p>g. The keeping of records of RVA use, and availability of records for Council inspection; and</p> <p>h. Monitoring requirements, including imposition of an annual monitoring charge.</p> <p style="text-align: center;">All other sites:</p> <p style="text-align: center;">Standard 11.5.13.1:</p> <p style="text-align: center;">91-180 nights RD</p> <p style="text-align: center;">>180 nights NC</p> <p>All other Standards:</p> <p>NC</p> <p>For RD non-compliance with Standard 11.5.13.1 discretion is restricted to:</p> <p>i. The nature of the surrounding residential context, including its residential amenity values, cohesion and character, and the effects of the activity on the neighbourhood;</p> <p>j. The cumulative effect of the activity, when added to the effects of other activities occurring in the neighbourhood;</p>
	<p>Rule 11.5.13 Residential Visitor Accommodation 11.5.13.1 Must not exceed a cumulative total of 90 nights occupation by paying guests on a site per 12 month period. 11.5.13.2 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site. 11.5.13.3 Must comply with the minimum parking requirements for a residential unit and/or residential flat (whichever is used for the residential visitor accommodation activity) in Chapter 29 Transport. Note: The Council may request that records are made available to the Council for inspection, at 24 hours' notice, in order to monitor compliance with rules 11.5.13.1 to 11.5.13.3.</p>	<p>Wayfare Group Ltd ENV-2019-CHC-076</p>	

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Table 2	Standards for Activities	Non-compliance status
		<p>k. The scale and frequency of the activity, including the number of guests on site per night;</p> <p>l. The management of noise, use of outdoor areas, rubbish and recycling;</p> <p>m. The location, provision, use and screening of parking and access;</p> <p>n. The compliance of the residential unit with the Building Code as at the date of the consent;</p> <p>o. Health and safety provisions in relation to guests;</p> <p>p. Guest management and complaints procedures;</p> <p>q. The keeping of records of RVA use, and availability of records for Council inspection; and</p> <p>r. Monitoring requirements, including imposition of an annual monitoring charge.</p>
11.5.14	<p>Homestay</p> <p>11.5.14.1 Must not exceed 5 paying guests on a site per night.</p> <p>11.5.14.2 Must comply with minimum parking requirements of standard 29.8.9 in Chapter 29 Transport.</p> <p>11.5.14.3 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</p> <p>11.5.14.4 The Council must be notified in writing prior to the commencement of a Homestay activity.</p> <p>11.5.14.5 Up to date records of the Homestay activity must be kept, including a record of the number of guests staying per night, and in a form that</p>	<p>Standards 11.5.14.1 and 11.5.14.2: RD</p> <p>All other Standards: NC</p> <p>For non-compliance with Standards 11.5.14.1 and 11.5.14.2 discretion is restricted to:</p> <p>a. The nature of the surrounding residential context, including its residential amenity values and character, and the effects of the activity on the neighbourhood;</p> <p>b. The cumulative effect of the activity, when added to the</p>

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Table 2	Standards for Activities	Non-compliance status				
	<p>can be made available for inspection by the Council at 24 hours’ notice.</p> <p>Note: The Council may request that records are made available to the Council for inspection, at 24 hours’ notice, in order to monitor compliance with rules 11.5.14.1 to 11.5.14.5.</p> <table><tr><th>Rule 11.5.14 and relief sought</th><th>Appellant Court Number</th></tr><tr><td>Rule 11.5.14 Homestay ... 11.5.14.3 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</td><td>Wayfare Group Ltd ENV-2019-CHC-076</td></tr></table>	Rule 11.5.14 and relief sought	Appellant Court Number	Rule 11.5.14 Homestay ... 11.5.14.3 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.	Wayfare Group Ltd ENV-2019-CHC-076	<p>effects of other activities occurring in the neighbourhood;</p> <p>c. The scale and frequency of the activity, including the number of nights per year;</p> <p>d. The management of noise, use of outdoor areas, rubbish and recycling;</p> <p>e. The location, provision, use and screening of parking and access;</p> <p>f. The keeping of records of Homestay use, and availability of records for Council inspection; and</p> <p>g. Monitoring requirements, including imposition of an annual monitoring charge.</p>
Rule 11.5.14 and relief sought	Appellant Court Number					
Rule 11.5.14 Homestay ... 11.5.14.3 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.	Wayfare Group Ltd ENV-2019-CHC-076					

11.6 Rules – Non-Notification of Applications

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

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