

27 Subdivision and Development

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.

This table identifies provisions subject to and consequentially affected by appeals:

Provision Subject To Appeal (identified in red text in the relevant chapter/s)	Appellant Court Number	Consequentially Affected Provisions
Policy 27.2.2.8	Transpower New Zealand Limited ENV-2018-CHC-114 (further particulars received)	
Rule 27.5.7	Glendhu Bay Trustees Limited ENV-2018-CHC-141 (further particulars received) Fred van Brandenburg ENV-2018-CHC-071 FII Holdings Limited ENV-2018-CHC-084 Willowridge Developments Limited ENV-2018-CHC-115 Universal Developments Limited ENV-2018-CHC-101 Streat Developments Limited ENV-2018-CHC-086	
Rule 27.5.8	M & C Burgess ENV-2018-CHC-136 (relief withdrawn) Barbara Kipke ENV-2018-CHC-072 Lesley and Jerry Burdon ENV-2018-CHC-108 (relief withdrawn) Darby Planning Limited ENV-2018-CHC-150 Glendhu Bay Trustees Limited ENV-2018-CHC-141 (further particulars received) Bill and Jan Walker Family Trust & others ENV-2018-CHC-099	

SUBDIVISION and DEVELOPMENT 27

	<p>SYZ Investments Limited ENV-2018-CHC-130 (relief withdrawn)</p> <p>Waterfall Park Developments Limited ENV-2018-CHC-124</p> <p>Streat Developments Limited ENV-2018-CHC-086</p> <p>Mt Christina Limited ENV-2018-CHC-103</p>	
Rule 27.5.13	<p>Heritage New Zealand Pouhere Taonga ENV-2018-CHC-070</p> <p>Consent Order issued</p>	
Rule 27.5.19	Glendhu Bay Trustees Limited ENV-2018-CHC-141 (further particulars received)	
Rule 27.7.1	Alexander Schrantz and Jayne Schrantz ENV-2018-CHC-61	
Rule 27.7.5	Alexander Schrantz and Jayne Schrantz ENV-2018-CHC-61	
Rule 27.7.5.3	Remarkables Station Limited and others ENV-2018-CHC-090	
Rule 27.6.1	<p>Willowridge Developments Limited ENV-2018-CHC-115 (relief withdrawn)</p>	Rule 27.7.14, Section 7.1, Policy 7.2.3.1, Rule 7.4.3, Rule 7.4.7
Rule 27.9.5.1	Transpower New Zealand Limited ENV-2018-CHC-114 (further particulars received)	
Rule 27.10.a	<p>Bill and Jan Walker Family Trust & others ENV-2018-CHC-099</p> <p>Fred van Brandenburg ENV-2018-CHC-071</p> <p>FH Holdings Limited ENV-2018-CHC-084 (relief withdrawn)</p> <p>Universal Developments Limited ENV-2018-CHC-101</p>	

This table identifies new provisions sought to be added:

Appellant Court Number	Provision/s Sought to be Added into Chapter 27
Barbara Kipke ENV-2018-CHC-072	Amend Table 27.6 by adding the following under Rural Lifestyle: Wye Creek – One hectare, provided the average lot size is not less than 1.5 hectares.
Alexander Schrantz and Jayne Schrantz ENV-2018-CHC-61	Amend the Subdivision Policies 27.3.7.1 and 27.3.7.5 and/or insert additional policies in respect of the Peninsula Hill Landscape Protection Area.

SUBDIVISION and DEVELOPMENT 27

Mt Cardrona Station Limited ENV-2018-CHC-83	Insert subdivision in Ski Area Subzones to the list of non-notified subdivision under section 27.10.
Treble Cone Investments Limited ENV-2018-CHC-107	
Mt Cardrona Station Limited ENV-2018-CHC-83	Insert a new rule to provide for subdivision as a controlled activity in the SASZ, subject to refined matters of control to ensure values of SASZ are appropriately managed.
Soho Ski Area Ltd & Blackmans Creek No. 1 LP ENV-2018-CHC-104	Insert a new rule stating that subdivision within any Ski Area Sub Zone for Any Ski Area Activity associated buildings is a controlled activity. <u>Control shall be reserved to:</u>
Treble Cone Investments Limited ENV-2018-CHC-107	<p>a. <u>The intended purpose of any future land use, having regard to the relevant standards of the zone;</u></p> <p>b. <u>Subdivision design and the urban design principles set out in the QLDC Subdivision Design Guidelines;</u></p> <p>c. <u>Property access and roading;</u></p> <p>d. <u>Esplanade provision;</u></p> <p>e. <u>Natural hazards;</u></p> <p>f. <u>Fire fighting water supply;</u></p> <p>g. <u>Water supply;</u></p> <p>h. <u>Stormwater disposal;</u></p> <p>i. <u>Sewage treatment and disposal;</u></p> <p>j. <u>Energy supply and telecommunications;</u></p> <p>k. <u>Open space and recreation; and</u></p> <p>l. <u>Easements</u></p> <p>m. <u>The relationship between the subdivision layout and ski area activities</u></p> <p>n. <u>Effects on landscape values</u></p> <p>o. <u>Effects on ecological values;</u></p> <p>p. <u>Measures to secure positive benefits for landscape and ecological values, including:</u></p> <p>i. <u>The identification and protection of prominent rock outcrops, ridgelines and areas of particular landscape sensitivity;</u></p> <p>ii. <u>Opportunities to remedy visually adverse landscape effects related to past ski areas;</u></p> <p>iii. <u>The identification of streams, wetland, bogs and any habitats of any significant flora and fauna;</u></p> <p>iv. <u>Measures to enhance degraded habitats and protect any other significant ecological habitats</u></p>
Soho Ski Area Ltd & Blackmans Creek No. 1 LP ENV-2018-CHC-104	Insert 'Subdivision in Ski Area Sub Zones' to the list of non-notified subdivision activities in Section 27.10.
Glendhu Bay Trustees Limited ENV-2018-CHC-141 (further particulars received)	Insert a new 'Glendhu Station Zone' to apply to the land at Glendhu Station (1215 Wanaka-Mt Aspiring Road) as sought in the submission from Glendhu Bay Trustees Limited.
Glendhu Bay Trustees Limited ENV-2018-CHC-141 (further particulars received)	<p>Amend Rule 27.5.19 to make subdivision in the new Glendhu Station Zone a discretionary activity:</p> <p>Subdivision that does not comply with the minimum lot areas specified in Part 27.6 with the exception of the Jacks Point Zone which is assessed pursuant to Rule 27.5.17 and Coneburn Industrial Zone Activity Area 2a which is assessed pursuant to Rule 27.5.18.</p> <p>Subdivision that does not comply with the standards in Part 27.5 and location specific standards in Part 27.8. Except within the following zone where any non-compliance shall be a discretionary activity:</p> <ul style="list-style-type: none"> • <u>Jacks Point Zone</u> • <u>Glendhu Station Zone</u>
Glendhu Bay Trustees Limited ENV-2018-CHC-141 (further particulars received)	Amend Rule 27.6.1 to provide for no minimum lot size for the Glendhu Station Zone.

SUBDIVISION and DEVELOPMENT 27

Aurora Energy Limited ENV-2018-CHC-108	<p>Insert a new Rule 27.5.11 as follows:</p> <p><u>Subdivision of any land in any zone within the Electricity Sub-Transmission or Significant Electricity Distribution Infrastructure Corridor</u></p> <p><u>Activity status = RD</u></p> <p><u>Discretion is restricted to:</u></p> <ol style="list-style-type: none"> <u>impacts on the operation, maintenance, upgrade and development of the Electricity Sub-Transmission Infrastructure or Significant Electricity Distribution Infrastructure</u> <u>the ability of future development to comply with NZECP34</u> <u>the location, design and use of any proposed building platform as it relates to the Electricity Sub-Transmission Infrastructure or Significant Electricity Distribution Infrastructure</u>
Aurora Energy Limited ENV-2018-CHC-108	<p>Insert the following text to Rule 27.4.2:</p> <p><u>New Zealand Electrical Code of Practice for Electrical Safe Distances.</u></p> <p><u>Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances ("NZECP 34") is mandatory under the Electricity Act 1992. All activities regulated by the NZECP 34, including any activities that are otherwise permitted by the District Plan must also comply with this legislation.</u></p> <p><u>Advice Note: To assist plan users in complying with NZECP 34, the parts of Aurora's network that is Regionally Significant or identified as Significant Electricity Distribution Infrastructure is shown on the Planning Maps. For the balance of Aurora's network, plan users are advised to consult with Aurora's network maps at www.auroraenergy.co.nz or to contact Aurora directly for advice.</u></p>
Lesley and Jerry Burdon ENV-2018-CHC-091	<p>Insert new Objectives and Policies which recognize and provide for the Glen Dene Rural Lifestyle Zone.</p> <p>Insert a new Glen Dene Structure Plan in Chapter 27.</p>
Remarkables Station Limited and others ENV-2018-CHC-090	<p>Insert a new Rule as follows:</p> <p><u>Following the construction of State Highway Earthworks and prior to the subdivision of Residential Activity Areas R(HB) A - C an acoustic assessment (Homestead Bay Noise Contours) shall determine the extent of the 55dBA contour to the south of the existing air strip. Should any residential sites be located between the 55dBA contour and the airstrip the following consent notice shall be registered:</u></p> <p><u>Any residential building shall be designed to achieve an Indoor Design Sound Level of 40 dB Ldn within any Critical Listening Environment, based on the Homestead Bay Noise Contours.</u></p> <p><u>Compliance shall be demonstrated by either installation of mechanical ventilation to achieve the requirements in Table 4 of Chapter 36 or by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open.</u></p>
Allenby Farms Limited ENV-2018-CHC-148	<p>New objectives and policies and rules are proposed to be added to Chapter 27 to provide for the overall objective of the MIPRL Zone, being:</p> <p>A rural lifestyle development is comprehensively planned within a setting of indigenous vegetation.</p>
Otago Regional Council ENV-2018-CHC-079 (further particulars received)	<p>Insert new provision into 27.10:</p> <p><u>e. where the proposal increases the natural hazard risk.</u></p>
Coneburn Preserve Holdings Limited & Others ('Jacks Point') ENV-2018-CHC-137	<p>Amend Rule 27.6.1 to clearly state that for all other activity areas in Jacks Point, outside of the Residential Activity Areas, there is no minimum allotment size for subdivision.</p>
Bill and Jan Walker Family Trust & others ENV-2018-CHC-099	<p>Insert new objectives and policies (22.2.x) which recognize and provide for the Ladies Mile gateway precinct, and ensure subdivision in this location can be undertaken efficiently and effectively.</p>
FII Holdings Limited ENV-2018-CHC-084	<p>Provide for the Frankton North Structure Plan and associated provisions, as necessary.</p>

SUBDIVISION and DEVELOPMENT 27

FII Holdings Limited ENV-2018-CHC-084	Amend Chapter 27 Subdivision to provide a site specific suite of objectives, policies, and rules relevant to the Frankton North land, including but not limited to matters currently contained in Chapter 16.
SYZ Investments Limited ENV-2018-CHC-130	Reorder and/or label the objectives and policies to make it clear which are solely applicable to urban areas and which are solely applicable to rural areas.
FII Holdings Limited ENV-2018-CHC-084	Insert a new rule requiring that subdivision be undertaken in accordance with the Structure Plan for the Frankton North Business Mixed Use Zone.
Remarkables Park Limited ENV-2018-CHC-126	Insert an explicit statement that subdivision within the Remarkables Park Zone is subject to the provisions of the Remarkables Park Zone.
Transpower New Zealand Limited ENV-2018-CHC-114 (as per further particulars received)	<p>Insert new matters of discretion in Rule 27.5.10: Subdivision of land in any zone within the National Grid Corridor except where any allotment identifies a building platform to be located within the National Grid Yard. Discretion is restricted to:</p> <ul style="list-style-type: none"> a. impacts on the operation, maintenance, upgrade and development of the National Grid; b. the ability of future development to comply with NZECP34:2001; c. the location, design and use of any proposed building platform as it relates to the National Grid transmission line. <u>d. the risk of electrical hazards affecting public or individual safety, and the risk of property damage.</u> <u>e. whether the subdivision would result in the planting of trees or shrubs in the vicinity of the National Grid transmission lines and the potential for effects on the operation and security of the transmission lines.</u>
Universal Developments Limited ENV-2018-CHC-101	Amend Chapter 27 to provide for the Frankton North Structure Plan (included in the submission) and site specific suite of objectives, policies, and rules relevant to the Frankton North land, including but not limited to matters currently contained in Chapter 16.
Mt Christina Limited ENV-2018-CHC-103	Insert rural living zones to the list of non-notified subdivision under section 27.10.
Transpower New Zealand Limited ENV-2018-CHC-114 (as per further particulars received)	<p>Insert new Policy 27.2.2.8A: <u>Identify a National Grid Subdivision Corridor within which subdivision is managed, to the extent reasonably possible, to avoid reverse sensitivity effects and to ensure that the operation, maintenance, upgrading and development of the National Grid is not compromised.</u></p>
Waterfall Park Developments Ltd ENV-2019-CHC-090	<p>Site-specific relief as part of a Wakatipu Basin rezoning requested in Stage 2:</p> <p>Insert new Rule 27.x as follows:</p> <p><u>27.x The following shall be controlled activities:</u> <u>(a) Subdivision in the Ayrburn Zone. Control is limited to the following:</u></p>

SUBDIVISION and DEVELOPMENT 27

	<p><u>(I) Subdivision design, lot size and dimensions, including the variety of lot sizes and whether the lot is of sufficient size and dimensions to effectively fulfil the intended purpose of the land use;</u></p> <p><u>(II) Property access and roading;</u></p> <p><u>(III) Natural hazards;</u></p> <p><u>(IV) Fire fighting water supply;</u></p> <p><u>(V) Water supply;</u></p> <p><u>(VI) Stormwater disposal;</u></p> <p><u>(VII) Sewage treatment and disposal;</u></p> <p><u>(VIII) Energy supply and telecommunications;</u></p> <p><u>(IX) Easements;</u></p> <p><u>(X) The provision of open space areas, walkway and cycleway linkages, and their connectivity within the zone and to the boundaries of the zone, including public access as required by Rule 47.4.12;</u></p> <p><u>(XI) Vegetation within any O/BR area shown on the Structure Plan, including species, location and whether vegetation should be limited to pasture qasrs to ensure appropriate visual amenity outcomes.</u></p> <p><u>(XII) Vegetation within the 15m wide O/BR area along the western boundary of the zone to create a vegetative buffer which partially screens built development as viewed from the Queenstown Trail while maintaining appropriate views from the Queenstown Trail.</u></p> <p>Insert new Rule within Table 27.6.1 as follows:</p> <p>Zone Minimum Lot Area</p> <p>...</p> <p>Millbrook No minimum</p> <p>Waterfall Park No minimum</p> <p><u>Ayrburn No minimum</u></p> <p>Insert new Rules into Table 27.7 as follows:</p> <p>Zone and Location Specific Rules (Activity Status)</p> <p>...</p> <p><u>27.7.10 Ayrburn Zone</u></p> <p><u>27.7.10.1 Any subdivision that is inconsistent with the Ayrburn Zone Structure Plan contained in Section 27.13 (Activity Status NC)</u></p> <p><u>27.7.10.2 Subdivision failing to comply with any of the following:</u></p> <p><u>Any subdivision of land containing any part of an O/BR area (or V/R area in respect of (e) below) shown on the Structure</u></p> <p><u>Plan that does not require, by condition of consent, the following requirements to be registered in a consent notice on the relevant titles (to the extent that the following requirements apply to that land):</u></p> <p><u>(a) No vegetation which grows to greater than 2m in height at maturity shall be planted within 25m of the southern boundary of the zone, provided that this standard does not apply within a Tree Protection Area</u></p> <p><u>(b) No vegetation other than pasture grass shall be planted within 25m of the eastern boundary of the zone, provided that this standard does not apply to avenue trees along a vehicle access;</u></p> <p><u>(d) Trees located within the Tree Protection Areas shown on the Structure Plan cannot be removed or trimmed, provided this standard does not apply to branches which extend outside the Tree Protection Areas;</u></p> <p><u>(e) All planting carried out as required by Rule 47.4. 10 shall be maintained in perpetuity. If any plant dies or becomes diseased it shall be replaced as soon as practicable. Maintenance shall include weed and pest control. (Activity Status NC)</u></p> <p><u>27.7.10.3 There shall be no motor vehicle access into the zone from the legal road adjoining the western boundary of the zone, provided that this standard does not apply to electric bicycles. (Activity Status NC)</u></p> <p><u>27.7.10.4 The Access Road shall be located as shown on the Structure Plan except that the section east of and crossing Mill Creek may vary in location by up to 50m northwards. (Activity Status NC)</u></p> <p>Amend 27.13 as follows:</p> <p><u>27.13.7 Structure Plan: Ayrburn Zone</u></p> <p><u>[insert plan]</u></p>
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SUBDIVISION and DEVELOPMENT 27

<p>Van Asch H and A ENV-2019-CHC-020</p>	<p>Site-specific relief as part of a Wakatipu Basin rezoning requested in Stage 2:</p> <p>That the provisions of the Subdivision Chapter are amended so that the size of a site for the purpose of a subdivision should be based on the net area of the site, being the part of the site not affected by the Landscape setback requirement.</p>
<p>Middleton Family Trust ENV-2019-CHC-055</p>	<p>Site-specific relief as part of a Wakatipu Basin rezoning requested in Stage 2:</p> <p>Insert new provisions in Chapter 27 that include the proposed Tucker Beach Residential Precinct, as follows:</p> <p><u>27.7.6.1 Subdivision in the Wakatipu Basin Rural Amenity Zone and the Wakatipu Basin Lifestyle Precinct</u> <u>Restricted Discretionary Activities</u> <u>Subdivision in the Wakatipu Basin Rural Amenity Zone and the Wakatipu Basin Lifestyle Precinct:</u> <u>Discretion is restricted to:</u> <u>a. Location of building platforms and accessways</u> <u>b. Subdivision design and lot layout including the location of boundaries, lot sizes and dimensions;</u> <u>c. Location, scale and extent of landform modification, and retaining structures;</u> <u>d. Property access and roading;</u> <u>e. Esplanade provision;</u> <u>f. Natural and other hazards;</u> <u>g. Firefighting water supply and access;</u> <u>h. Water supply;</u> <u>i. Network utility services, energy supply and telecommunications;</u> <u>j. Open space and recreation provision;</u> <u>k. Ecological and natural landscape features;</u> <u>l. Historic Heritage features;</u> <u>m. Easements;</u> <u>n. Vegetation removal and proposed plantings;</u> <u>o. Fencing and gates;</u> <u>p. Wastewater and stormwater management;</u> <u>q. Connectivity of existing and proposed pedestrian networks, bridle paths, cycle networks.</u></p> <p><u>27.7.6.2 c. The extent to which the location of future buildings and ancillary elements and the landscape treatment complements the existing landscape character, visual amenity values and wider amenity values of the Zone or Precinct, including consideration of:</u> <u>I. the retention of existing vegetation and landform patterns;</u> <u>II. the alignment of lot boundaries in relation to landform and vegetation features and neighbouring development;</u> <u>III. earth mounding, and framework planting to integrate buildings and accessways;</u> <u>IV. planting of appropriate species that are suited to the general area having regard to the matters set out in Schedule 24.8;</u> <u>V. riparian restoration planting;</u> <u>VI. the retirement and restoration planting of steep slopes over 15° to promote slope stabilisation and indigenous vegetation enhancement;</u> <u>VII. the incorporation of development controls addressing such matters as building height, building colours and materials, building coverage, earthworks, retaining, fencing, gates, accessways (including paving materials), external lighting, domestic infrastructure (including water tanks), vegetation removal, and proposed plantings;</u></p>

SUBDIVISION and DEVELOPMENT 27

	<p><u>Access and Connectivity</u></p> <p>k. Whether proposed sites are located and designed so that each site has a minimum frontage that provides for practical, legal and safe access from a formed public road that is suitable for both normal road going vehicles and construction traffic.</p> <p>l. Whether the location and design of any proposed pedestrian, cycle, bridlepaths and vehicle accessways on the proposed site(s) avoid or minimise any adverse effects on soil stability, landform patterns and features, and vegetation.</p> <p>m. Whether subdivision provides for safe and practical pedestrian paths and cycle ways (whether sealed or unsealed) and bridle paths that are located in a manner which connect, or have the potential to connect to reserves (existing or proposed), roads and existing rural walkways.</p> <p>n. Whether site design recognises any impact of roading and access on waterbodies, ecosystems, drainage patterns and ecological values.</p> <p>o. Whether any subdivision provides for future roads to serve surrounding land or for road links that need to pass through the subdivision.</p> <p><u>Infrastructure and Services</u></p> <p>p. Ensuring there is sufficient capacity and treatment to provide for the safe and efficient disposal of stormwater and wastewater from possible future development without adversely affecting natural water systems and ecological values.</p> <p>q. Ensuring the design of stormwater and wastewater disposal systems incorporate measures to reduce runoff rates where there may be damage caused to natural waterway systems.</p> <p>r. Whether any subdivision proposal demonstrates how any natural water system on the site will be managed, protected or enhanced.</p> <p>s. Whether subdivision provides for an adequate and reliable supply of potable water to each proposed site.</p> <p>t. Whether subdivision provides for an adequate and reliable supply of emergency water supply to each site in the event of fire.</p> <p>u. Whether subdivision has sufficient capacity for the disposal of any effluent or other wastewater flow within the boundaries of each proposed site regardless of seasonal variations and loading.</p> <p>v. Assessing where more than one site will be created, whether a shared or individual wastewater treatment and disposal system is the most appropriate, having regard to any known physical constraints.</p> <p>w. Considering the extent to which easements and consent notices should be applied to protect the integrity of stormwater and/or wastewater treatment and disposal systems.</p> <p>x. Assessing the extent to which access easements should provide for lines, including electric lines, telecommunication lines and other lines, where such lines or cables are or may be located within any private property and serve other properties or sites.</p> <p>y. Whether sites can be connected to services such as telecommunications and electricity using low impact design methods including undergrounding of services.</p> <p><u>Natural Environment and Cultural values</u></p> <p>z. Considering the extent to which the subdivision provides for ecological restoration and enhancement. Ecological enhancement may include enhancement of existing vegetation, replanting and weed and pest control.</p>
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SUBDIVISION and DEVELOPMENT 27

	<p><u>aa. Assessing the extent to which the subdivision and subsequent land use on the proposed site(s) adversely affects the historical, cultural or spiritual significance of any site or waahi tapu of significance to iwi.</u></p> <p><u>bb. Assessing the extent to which the subdivision design and layout preserves and enhances areas of archaeological, cultural or spiritual significance.</u></p> <p><u>cc. Assessing the extent to which the integrity of any identified heritage feature(s) is maintained and enhanced.</u></p> <p><u>Earthworks and Hazards</u></p> <p><u>dd. Considering how earthworks can be undertaken in a manner which mitigates and remedies adverse effects from soil erosion and the generation of sediments into receiving environments.</u></p> <p><u>ee. Considering whether earthworks are likely to have adverse effects on landscape character or visual amenity values which cannot be avoided, remedied or mitigated.</u></p> <p><u>ff. Considering the extent to which subdivision will increase the risks associated with any natural hazard and/or how the subdivision avoids, remedies or mitigates any hazard prone area.</u></p> <p><u>gg. Considering the extent to which contaminated or potentially contaminated soil is able to be treated or disposed of.</u></p> <p><u>hh. Where the subdivision land includes waterbodies, considering the extent to which remediation measures and methodologies can be employed to avoid, remedy or mitigate any adverse effects on human health, water quality, and to the downstream receiving environment.</u></p> <p><u>ii. Considering whether consent notices or other protective instruments are needed to ensure that any hazard or contamination remediation measures and methodologies are implemented at the time of development.</u></p> <p><u>Zone Specific Standards</u></p> <p><u>27.7.13 In addition to those matters of control listed under Rule 27.7.1 when assessing any subdivision in accordance with the Tucker Beach Residential Structure Plan shown 27.15.3, the following additional matters of control shall be had regard to:</u></p> <p><u>27.7.13.1 Escarpment Protection (Activity Status D)</u></p> <p><u>No resource consent shall be granted for subdivision or subdivisions of land within any part of an Escarpment Protection Area of the Tucker Beach Structure Plan unless:</u></p> <p><u>(a) The Escarpment Protection Area:</u></p> <p><u>(i) Has been cleared of all 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;</u></p> <p><u>(ii) Has been planted in accordance with the species list detailed in 24.9 to achieve 15% coverage at maturity.</u></p> <p><u>(iii) Methods have been implemented to exclude stock.</u></p> <p><u>Or</u></p> <p><u>(b) Any such resource consent includes a condition(s) requiring the completion of the (i) and/or (ii) as described in (a) above prior to the issuing of a s224 certificate.</u></p> <p><u>27.7.13.2 Vegetation and Landscape Management</u></p> <p><u>As part of any subdivision (excluding boundary adjustments) of land within any part of the Escarpment Protection Area of the Tucker Beach Structure Plan 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:</u></p> <p><u>(a) With respect to any site containing land within the Escarpment Protection Area identified on the Structure Plan, the requirement to maintain landscape planting in the Protection Area in accordance with Rule 24.3.34.</u></p> <p><u>(b) With respect to any site containing land within the Escarpment Protection Area identified on the Structure Plan, that there shall be no buildings constructed within the Escarpment Protection Area in accordance with Rule 24.4.31.</u></p> <p><u>(c) Any planting within the Escarpment Protection Area is required to 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 the lot owner.</u></p>
Middleton Family Trust ENV-2019-CHC-055	<p>Site-specific relief as part of a Wakatipu Basin rezoning requested in Stage 2:</p> <p>Amend Rule 27.6.1 minimum lot size provisions to include the proposed Tucker Beach Residential Precinct, as follows:</p> <p><u>Tucker Beach Lifestyle Precinct</u></p> <p><u>600m2 minimum</u></p>

SUBDIVISION and DEVELOPMENT 27

Middleton Family Trust ENV-2019-CHC-055	<p>Site-specific relief as part of a Wakatipu Basin rezoning requested in Stage 2:</p> <p>Insert new Structure Plan for the proposed Tucker Beach Residential Precinct.</p>
United Estates Ranch Ltd ENV-2019-CHC-077	<p>Site-specific relief as part of a Wakatipu Basin rezoning requested in Stage 2:</p> <p>Amend Rule 27.6.1 to include the proposed Wakatipu Basin Lifestyle Precinct - Rural Residential sub-zone, as follows:</p> <p><u>Wakatipu Basin Lifestyle Precinct - Rural Residential subzone</u> <u>4000m² minimum/ 6500m² minimum average.</u> <u>For the purpose of calculating the average, the site area shall include the whole site area subject to the subdivision, but this area shall be divided by the number of residential lots included in the subdivision, and shall not include any site set aside as esplanade reserve or any other type of reserve.</u></p> <p>Amend Rule 27.5.18A to include the proposed Wakatipu Basin Lifestyle Precinct - Rural Residential sub-zone, as follows:</p> <p>Within the Wakatipu Basin Lifestyle Precinct other than in the <u>Wakatipu Basin Lifestyle Precinct-Rural Residential subzone</u>, subdivision which does not comply with the minimum net site area specified in Part 27.6 provided that the minimum net site area is not less than 4,000m² and the average area of all lots in the subdivision is not less than 1.0ha per lot.</p> <p>Amend Rule 27.5.18B to include the proposed Wakatipu Basin Lifestyle Precinct - Rural Residential sub-zone, as follows:</p> <p>Within the Wakatipu Basin Lifestyle Precinct <u>other than in the Wakatipu Basin Lifestyle Precinct-Rural Residential subzone</u>, subdivision with a minimum net site area less than 4,000m² or where the average area of lots in the subdivision is less than 1.0ha per lot.</p> <p>Insert new Rule 27.5.18C to refer to a smaller average lot size for the proposed Wakatipu Basin Lifestyle Precinct - Rural Residential sub-zone, as follows:</p> <p><u>Within the Wakatipu Basin Lifestyle Precinct-Rural Residential Area, subdivision with a minimum net site area less than 4,000m² or where the average area of lots in the subdivision is less than 6,500m², calculated in accordance with Rule 27.6.1). Non-Complying.</u></p>
Lake Hayes Cellar Ltd ENV-2019-CHC-087	<p>Site-specific relief as part of a Wakatipu Basin rezoning requested in Stage 2:</p> <p>Amend Rule 27.6.1 to include the proposed Lake Hayes Cellar Precinct, as follows:</p> <p>Wakatipu Basin Lifestyle Precinct <u>Lake Hayes Cellar Precinct</u> <u>6000m²</u> <u>1.0ha minimum average</u></p> <p>Insert a new Rule 27.5.9A to make subdivision within the Wakatipu Basin Lifestyle Precinct and proposed Lake Hayes Cellar Precinct a controlled activity, as follows:</p> <p><u>27.5.9A All subdivision activities within the Wakatipu Basin Lifestyle Precinct and Lake Hayes Cellar Precinct.</u> <u>(Activity status: Controlled)</u> <u>Control is limited to:</u> <u>a. Location of building platforms;</u> <u>b. the effect of the site design, size, shape, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces;</u> <u>c. the effects of and on infrastructure provision.</u> <u>d. Orientation of lots to optimise solar gain</u></p>

SUBDIVISION and DEVELOPMENT 27

Boxer Hill Trust ENV-2019-CHC-038	<p>Site-specific relief as part of a Wakatipu Basin rezoning requested in Stage 2:</p> <p>Amend Rule 27.6.1 to include minimum lot size and average for the area east of Arrowtown-Lake Hayes Road north of Hogans Gully Road, as follows: Wakatipu Basin Lifestyle Precinct <u>In the area east of Arrowtown-Lake Hayes Road north of Hogans Gully Road: minimum 4000m² / average 1ha</u></p>
Cassidy Trust ENV-2019-CHC-040	<p>Site-specific relief as part of a Wakatipu Basin rezoning requested in Stage 2:</p> <p>Amend Chapter 27, including the rules for subdivision and residential development applicable to the Wakatipu Basin Lifestyle Precinct and the Appellant's land, to better enable and facilitate well-designed subdivision and residential development.</p>
Queenstown Country Club Ltd and Queenstown Commercial Ltd ENV-2019-CHC-029	<p>Site-specific relief as part of a Wakatipu Basin rezoning requested in Stage 2:</p> <p>Amend the objectives, policies and rules applying to the appellant's land to make subdivision, use and development associated with residential activity or a retirement village a permitted or controlled activity.</p>
Donaldson R ENV-2019-CHC-024	<p>Site-specific relief as part of a Wakatipu Basin rezoning requested in Stage 2:</p> <p>Insert a new objective 27.3.13 and policy 27.3.13.1 for Lot 3 DP 20693 Malaghans Road (South of Millbrook), as follows:</p> <p><u>Lot 3 DP 20693, Malaghans Road (South of Millbrook) – Policy</u> <u>27.3.13 Objective – Enable subdivision and residential development on Lot 3 DP 20693 while mitigating potential adverse effects on the adjacent activities within the Millbrook Resort Zone.</u> <u>27.3.13.1 On Lot 3 DP 20693 (South of the Millbrook Zone), provide for smaller lot sizes, a reduced overall density of development, and landscape mitigation to reduce potential adverse visual effects when viewed from the portion of the Golf Course and Open Space Activity Area (Millbrook Resort Zone) immediately adjacent to the western boundary of Lot 3 DP 20693 and the first row of Millbrook residences near the northern and eastern boundaries of Lot 3 DP 20693.</u></p> <p>Insert a new Zone - Location Specific Rules into provision 27.7 for Lot 3 DP 20693 Malaghans Road (South of Millbrook), as follows:</p> <p><u>Lot 3 DP 20693 (Malaghans Road, south of Millbrook): Subdivision failing to comply with the following:</u> <u>i. Minimum lot area 2500m²;</u> <u>ii. No more than 15 lots or building platforms in total are created;</u> <u>iii. No more than 5 lots or building platforms shall be located west of the existing water race on the property;</u> <u>iv. Any building shall be no less than 15m from the western, northern or eastern boundaries of Lot 3 DP 20693;</u> <u>v. Landscape mitigation shall be implemented where necessary to soften the appearance of buildings when viewed from the portion of the Golf Course and Open Space Activity Area (Millbrook Resort Zone) immediately adjacent to the western boundary and the first row of Millbrook residences that are near the northern and eastern boundaries.</u> <u>(Activity Status NC)</u></p>

Note: the annotations in this chapter reflect the Council's interpretation of the provisions affected by appeals.

27.1 Purpose

Subdivision and the resultant development enables the creation of new housing and land use opportunities, and is a key driver of the District's economy. The council will support subdivision that is well designed, is located in the appropriate locations anticipated by the District Plan with the appropriate capacity for servicing and integrated transportation.

SUBDIVISION and DEVELOPMENT 27

All subdivision requires resource consent unless specified as a permitted activity. It is recognised that subdivisions will have a variable nature and scale with different issues to address. Good subdivision design, servicing and the appropriate management of natural hazards are underpinned by a shared objective to create healthy, attractive and safe places.

Good subdivision can help to create neighbourhoods and places that people want to live or work within, and should also result in more environmentally responsive development that reduces car use, encourages walking and cycling, and maximises access to sunlight.

Good subdivision design will be encouraged by the use of the QLDC Subdivision Design Guidelines 2015. The QLDC Subdivision Design Guidelines includes subdivision and urban design principles and outcomes that give effect to the objectives and policies of the Subdivision and Strategic Directions Chapters, in both designing and assessing subdivision proposals in urban areas. Proposals at odds with this document are not likely to be consistent with the policies of the Subdivision and Strategic Directions chapters, and therefore, may not achieve the purpose of the Act. Some aspects of the Subdivision Design Guidelines may be relevant to rural subdivisions.

The QLDC Land Development and Subdivision Code of Practice provides assistance in the design of subdivision and development infrastructure in the District and should also be considered by subdivision applicants.

The Council uses its Development Contributions Policy set out in its 10 Year Plan to fix the contributions payable by subdividers for infrastructure upgrades. That policy operates in parallel with the provisions of this chapter and should also be referred to by subdivision consent applicants.

The subdivision chapter is the primary method to ensure that the District's neighbourhoods are quality environments that take into account the character of local places and communities.

27.2 Objectives and Policies – District Wide

27.2.1 Objective - Subdivision that will enable quality environments to ensure the District is a desirable place to live, visit, work and play.

Policies

27.2.1.1 Require subdivision infrastructure to be constructed and designed so that it is fit for purpose, while recognising opportunities for innovative design.

27.2.1.2 Enable urban subdivision that is consistent with the QLDC Subdivision Design Guidelines 2015, recognising that good subdivision design responds to the neighbourhood context and the opportunities and constraints of the application site.

27.2.1.3 Require that allotments are a suitable size and shape, and are able to be serviced and developed for the anticipated land use under the applicable zone provisions.

27.2.1.4 Discourage non-compliance with minimum allotment sizes. However, where minimum allotment sizes are not achieved in urban areas, consideration will be given to whether any adverse effects are mitigated or compensated by providing:

- a. desirable urban design outcomes;
- b. greater efficiency in the development and use of the land resource;
- c. affordable or community housing.

SUBDIVISION and DEVELOPMENT 27

- 27.2.1.5 Recognise that there is an expectation by future landowners that the key effects of and resources required by anticipated land uses will have been resolved through the subdivision approval process.
- 27.2.1.6 Ensure the requirements of other relevant agencies are fully integrated into the subdivision development process.
- 27.2.1.7 Recognise there will be certain subdivision activities, such as boundary adjustments, that will not require the provision of services.
- 27.2.2 **Objective - Subdivision design achieves benefits for the subdivider, future residents and the community.**

Policies

- 27.2.2.1 Ensure subdivision design provides a high level of amenity for future residents by aligning roads and allotments to maximise sunlight access.
- 27.2.2.2 Ensure subdivision design maximises the opportunity for buildings in urban areas to front the road.
- 27.2.2.3 Locate open spaces and reserves in appropriate locations having regard to topography, accessibility, use and ease of maintenance, while ensuring these areas are a practicable size for their intended use.
- 27.2.2.4 Urban subdivision shall seek to provide for good and integrated connections and accessibility to:
- a. existing and planned areas of employment;
 - b. community facilities;
 - c. services;
 - d. trails;
 - e. public transport; and
 - f. existing and planned adjoining neighbourhoods, both within and adjoining the subdivision area.
- 27.2.2.5 Urban subdivision design will integrate neighbourhoods by creating and utilising connections that are easy and safe to use for pedestrians and cyclists and that reduce vehicle dependence within the subdivision.
- 27.2.2.6 Encourage innovative subdivision design that responds to the local context, climate, landforms and opportunities for views or shelter.
- 27.2.2.7 Promote informal surveillance for safety in urban areas through overlooking of open spaces and transport corridors from adjacent sites and dwellings and by effective lighting.
- 27.2.2.8 **Manage subdivision within the National Grid Corridor or near to electricity distribution lines to facilitate good amenity and urban design outcomes, while minimising potential adverse effects (including reverse sensitivity effects) on the National Grid and avoiding,**

SUBDIVISION and DEVELOPMENT 27

remedying or mitigating potential adverse effects (including reverse sensitivity effects) on electricity distribution lines.

Policy 27.2.2.8 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Policy 27.2.2.8: Manage subdivision within the National Grid Corridor or near to electricity distribution lines to facilitate good amenity and urban design outcomes, while minimising potential adverse effects (including reverse sensitivity effects) on the National Grid and avoiding, remedying or mitigating potential adverse effects (including reverse sensitivity effects) on electricity distribution lines.	Transpower New Zealand Limited ENV-2018-CHC-114 (as per further particulars received)	

27.2.3 Objective - The potential of small scale and infill subdivision in urban areas is recognised and provided for while acknowledging their design limitations.

Policies

27.2.3.1 Accept that small scale subdivision in urban areas, (for example subdivision involving the creation of fewer than four allotments), and infill subdivision where the subdivision involves established buildings, might have limited opportunities to give effect to policies 27.2.2.4, 27.2.2.5 and 27.2.2.7.

27.2.3.2 While acknowledging potential limitations, encourage small scale and infill subdivision in urban areas to:

- ensure lots are shaped and sized to allow adequate sunlight to living and outdoor spaces, and provide adequate on-site amenity and privacy;
- where possible, locate lots so that they over-look and front road and open spaces;
- avoid the creation of multiple rear sites, except where avoidance is not practicable;
- where buildings are constructed with the intent of a future subdivision, encourage site and development design to maintain, create and enhance positive visual coherence of the development with the surrounding neighbourhood;
- identify and create opportunities for connections to services and facilities in the neighbourhood.

27.2.4 Objective - Natural features, indigenous biodiversity and heritage values are identified, incorporated and enhanced within subdivision design.

Policies

27.2.4.1 Incorporate existing and planned waterways and vegetation into the design of subdivision, transport corridors and open spaces where that will maintain or enhance biodiversity, riparian and amenity values.

27.2.4.2 Ensure that subdivision and changes to the use of land that result from subdivision do not reduce the values of heritage features and other protected items scheduled or identified in the District Plan.

SUBDIVISION and DEVELOPMENT 27

- 27.2.4.3 Encourage subdivision design to protect and incorporate archaeological sites or cultural features, recognising these features can contribute to and create a sense of place. Where applicable, have regard to Maori culture and traditions in relation to ancestral lands, water, sites, wāhi tapu and other taonga.
- 27.2.4.4 Encourage initiatives to protect and enhance landscape, vegetation and indigenous biodiversity by having regard to:
- a. whether any landscape features or vegetation are of a sufficient value that they should be retained and the proposed means of protection;
 - b. 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.
- 27.2.5 **Objective - Infrastructure and services are provided to new subdivisions and developments.**

Policies

Transport, Access and Roads

- 27.2.5.1 Integrate subdivision roading with the existing road networks in a safe and efficient manner that reflects expected traffic levels and the provision for safe and convenient walking and cycling.
- For the purposes of this policy, reference to 'expected traffic levels' refers to those traffic levels anticipated as a result of the zoning of the area in the District Plan.
- 27.2.5.2 Ensure safe and efficient pedestrian, cycle and vehicular access is provided to all lots created by subdivision and to all developments.
- 27.2.5.3 Provide linkages to public transport networks, and to trail, walking and cycling networks, where useful linkages can be developed.
- 27.2.5.4 Ensure the physical and visual effects of subdivision and roading are minimised by utilising existing topographical features.
- 27.2.5.5 Ensure appropriate design and amenity associated with roading, vehicle access ways, trails and trail connections, walkways and cycle ways are provided for within subdivisions by having regard to:
- a. the location, alignment, gradients and pattern of roading, vehicle parking, service lanes, access to lots, trails, walkways and cycle ways, and their safety and efficiency;
 - b. the number, location, provision and gradients of access ways and crossings from roads to lots for vehicles, cycles and pedestrians, and their safety and efficiency;
 - c. the standard of construction and formation of roads, private access ways, vehicle crossings, service lanes, walkways, cycle ways and trails;
 - d. the provision and vesting of corner splays or rounding at road intersections;

SUBDIVISION and DEVELOPMENT 27

- e. the provision for and standard of street lighting, having particular regard to siting and location, the provision for public safety and the avoidance of upward light spill adversely affecting views of the night sky;
- f. the provision of appropriate tree planting within roads;
- g. any requirements for widening, formation or upgrading of existing roads;
- h. any provisions relating to access for future subdivision on adjoining land;
- i. the provision and location of public transport routes and bus shelters.

Water supply, stormwater, wastewater

- 27.2.5.6 All new lots shall be provided with connections to a reticulated water supply, stormwater disposal and/or sewage treatment and disposal system, where such systems are available or should be provided for.

Water

- 27.2.5.7 Ensure water supplies are of a sufficient capacity, including fire fighting requirements, and of a potable standard, for the anticipated land uses on each lot or development.
- 27.2.5.8 Encourage the efficient and sustainable use of potable water by acknowledging that the Council's reticulated potable water supply may be restricted to provide primarily for households' living and sanitation needs and that water supply for activities such as irrigation and gardening may be expected to be obtained from other sources.
- 27.2.5.9 Encourage initiatives to reduce water demand and water use, such as roof rain water capture and use and greywater recycling.
- 27.2.5.10 Ensure appropriate water supply, design and installation by having regard to:
- a. the availability, quantity, quality and security of the supply of water to the lots being created;
 - b. water supplies for fire fighting purposes;
 - c. the standard of water supply systems installed in subdivisions, and the adequacy of existing supply systems outside the subdivision;
 - d. any initiatives proposed to reduce water demand and water use.

Stormwater

- 27.2.5.11 Ensure appropriate stormwater design and management by having regard to:
- a. any viable alternative designs for stormwater management that minimise run-off and recognises stormwater as a resource through re-use in open space and landscape areas;
 - b. the capacity of existing and proposed stormwater systems;
 - c. the method, design and construction of the stormwater collection, reticulation and disposal systems, including connections to public reticulated stormwater systems;
 - d. the location, scale and construction of stormwater infrastructure;

SUBDIVISION and DEVELOPMENT 27

- e. the effectiveness of any methods proposed for the collection, reticulation and disposal of stormwater run-off, including opportunities to maintain and enhance water quality through the control of water-borne contaminants, litter and sediments, and the control of peak flow.

27.2.5.12 Encourage subdivision design that includes the joint use of stormwater and flood management networks with open spaces and pedestrian/cycling transport corridors and recreational opportunities where these opportunities arise and will maintain the natural character and ecological values of wetlands and waterways.

Wastewater

27.2.5.13 Treat and dispose of sewage in a manner that:

- a. maintain public health;
- b. avoids adverse effects on the environment in the first instance; and
- c. where adverse effects on the environment cannot be reasonably avoided, mitigates those effects to the extent practicable.

27.2.5.14 Ensure appropriate sewage treatment and disposal by having regard to:

- a. the method of sewage treatment and disposal;
- b. the capacity of, and impacts on, the existing reticulated sewage treatment and disposal system;
- c. the location, capacity, construction and environmental effects of the proposed sewage treatment and disposal system.

27.2.5.15 Ensure that the design and provision of any necessary infrastructure at the time of subdivision takes into account the requirements of future development on land in the vicinity.

Energy Supply and Telecommunications

27.2.5.16 Ensure adequate provision is made for the supply and installation of reticulated energy, including street lighting, and communication facilities for the anticipated land uses while:

- a. providing flexibility to cater for advances in telecommunication and computer media technology, particularly in remote locations;
- b. ensure the method of reticulation is appropriate for the visual amenity and landscape values of the area by generally requiring services are underground, and in the context of rural environments where this may not be practicable, infrastructure is sited in a manner that minimises visual effects on the receiving environment;
- c. generally require 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.

SUBDIVISION and DEVELOPMENT 27

Easements

- 27.2.5.17 Ensure that services, shared access and public access is identified and managed by the appropriate easement provisions.
- 27.2.5.18 Ensure that easements are of an appropriate size, location and length for the intended use of both the land and easement.
- 27.2.6 **Objective - Esplanades created where opportunities arise.**

Policies

- 27.2.6.1 Create esplanade reserves or strips where they would provide nature conservation, natural character, natural hazard mitigation, infrastructural or recreational benefits. In particular, Council will encourage esplanades where they:
- a. are important for public access or recreation, would link with existing or planned trails, walkways or cycleways, or would create an opportunity for public access;
 - b. have high actual or potential value with regard to the maintenance of indigenous biodiversity;
 - c. comprise significant indigenous vegetation or significant habitats of indigenous fauna;
 - d. are considered to comprise an integral part of an outstanding natural feature or outstanding natural landscape;
 - e. would benefit from protection, in order to safeguard the life supporting capacity of the adjacent lake and river;
 - f. would not put an inappropriate burden on Council, in terms of future maintenance costs or issues relating to natural hazards affecting the land.
- 27.2.6.2 Use opportunities through the subdivision process to improve the level of protection for the natural character and nature conservation values of lakes and rivers, as provided for in Section 230 of the Act.
- 27.2.7 **Objective - Boundary adjustments, cross-lease and unit title subdivision are provided for.**

Policies

- 27.2.7.1 Enable cross-lease and unit title subdivision of existing units in urban areas without the need to obtain resource consent where there is no potential for adverse effects associated with the change in boundary location.
- 27.2.7.2 Ensure boundary adjustment, cross-lease and unit title subdivisions are appropriate with regard to:
- a. the location of the proposed boundaries;
 - b. in rural areas, the location of boundaries with regard to approved residential building platforms, existing buildings, and vegetation patterns and existing or proposed accesses;
 - c. boundary treatment;

SUBDIVISION and DEVELOPMENT 27

- d. the location and terms of existing or proposed easements or other arrangements for access and services.

27.3 Location-specific objectives and policies

In addition to the district wide objectives and policies in Part 27.2, the following objectives and policies relate to subdivision in specific locations.

Peninsula Bay

- 27.3.1 **Objective - Ensure effective public access is provided throughout the Peninsula Bay land.**

Policies

- 27.3.1.1 Ensure that before any subdivision or development occurs within the Peninsula Bay Lower Density Suburban Residential Zone, a subdivision consent has been approved confirming easements for the purposes of public access through the Open Space Zone.
- 27.3.1.2 Within the Peninsula Bay site, to ensure that public access is established through the vesting of reserves and establishment of easements prior to any further subdivision.
- 27.3.1.3 Ensure that easements for the purposes of public access are of an appropriate size, location and length to provide a high quality, recreational resource, with excellent linkages, and opportunities for different community groups.

Kirimoko

- 27.3.2 **Objective - A liveable urban environment that achieves best practice in urban design; the protection and incorporation of landscape and environmental features into the design of the area; and high quality built form.**

Policies

- 27.3.2.1 Protect the landscape quality and visual amenity of the Kirimoko Block and preserve sightlines to local natural landforms.
- 27.3.2.2 Protect the natural topography of the Kirimoko Block and incorporate existing environmental features into the design of the site.
- 27.3.2.3 Ensure that urban development of the site is restricted to lower areas and areas of concealed topography, such as gullies and that visually sensitive areas such as the spurs are left undeveloped.
- 27.3.2.4 Ensure the provision of open space and community facilities that are suitable for the whole community and that are located in safe and accessible areas.
- 27.3.2.5 Develop an interconnected network of streets, footpaths, walkways and open space linkages that facilitate a safe, attractive and pleasant walking, cycling and driving environment.
- 27.3.2.6 Provide for road and walkway linkages to neighbouring developments.
- 27.3.2.7 Ensure that all roads are designed and located to minimise the need for extensive cut and fill and to protect the natural topographical layout and features of the site.

SUBDIVISION and DEVELOPMENT 27

- 27.3.2.8 Minimise disturbance of existing native plant remnants and enhance areas of native vegetation by providing linkages to other open space areas and to areas of ecological value.
- 27.3.2.9 Design for stormwater management that minimises run-off and recognises stormwater as a resource through re-use in open space and landscape areas.
- 27.3.2.10 Require the roading network within the Kirimoko Block to be planted with appropriate trees to create a green living environment appropriate to the areas.

Large Lot Residential A Zone between Studholme Road and Meadowstone Drive.

- 27.3.3 **Objective - Landscape and amenity values of the zone's low density character and transition with rural areas be recognised and protected.**

Policies

- 27.3.3.1 Have regard to the impact of development on landscape values of the neighbouring rural areas and features of these areas, with regard to minimising the prominence of housing on ridgelines overlooking the Wanaka township.
- 27.3.3.2 Subdivision and development within land located on the northern side of Studholme Road shall have regard to the adverse effects of development and associated earthworks on slopes, ridges and skylines.

Bob's Cove Rural Residential Zone (excluding sub-zone)

- 27.3.4 **Objective - The special character of the Bob's Cove Rural Residential Zone is recognised and provided for.**

Policies

- 27.3.4.1 In order to maintain the rural character of the zone, any required street lighting shall be low in height from the ground, of reduced lux spill and directed downwards to avoid adverse effects on views of the night sky.

Wyuna Station Rural Lifestyle Zone

- 27.3.5 **Objective - Provision for a deferred rural lifestyle zone on the terrace to the east of, and immediately adjoining, the Glenorchy Township.**

Policies

- 27.3.5.1 Prohibit or defer development of the zone until such a time that:
- the zone can be serviced by a reticulated wastewater disposal scheme within the property that services both the township and proposed zone. This may include the provision of land within the zone for such purpose; or
 - the zone can be serviced by a reticulated wastewater disposal scheme located outside of the zone that has capacity to service both the township and proposed zone; or
 - the zone can be serviced by an on-site (individual or communal) wastewater disposal scheme no sooner than two years from the zone becoming operative on the condition that should a reticulated scheme referred to above become available

SUBDIVISION and DEVELOPMENT 27

and have capacity within the next three years then all lots within the zone shall be required to connect to that reticulated scheme.

- 27.3.6 **Objective - Subject to Objective 27.3.5, rural living development is enabled in a way that maintains the visual amenity values that are experienced from the Glenorchy Township, Oban Street and the Glenorchy-Paradise Road.**

Policies

- 27.3.6.1 The subdivision design, identification of building platforms and associated mitigation measures shall ensure that built form and associated activities within the zone are reasonably inconspicuous when viewed from Glenorchy Township, Oban Street or the Glenorchy-Paradise Road. Measures to achieve this include:
- a. prohibiting development over the sensitive areas of the zone via building restriction areas;
 - b. appropriately locating buildings within the zone, including restrictions on future building bulk;
 - c. using excavation of the eastern part of the terrace to form appropriate building platforms;
 - d. using naturalistic mounding of the western part of the terrace to assist visual screening of development;
 - e. using native vegetation to assist visual screening of development;
 - f. the maximum height of buildings shall be 4.5m above ground level prior to any subdivision development.
- 27.3.6.2 Maintain and enhance the indigenous vegetation and ecosystems within the building restriction areas of the zone and to suitably and comprehensively maintain these areas into the future. As a minimum, this shall include:
- a. methods to remove or kill existing wilding exotic trees and weed species from the lower banks of the zone area and to conduct this eradication annually;
 - b. methods to exclude and/or suitably manage pests within the zone in order to foster growth of indigenous vegetation within the zone, on an ongoing basis;
 - c. a programme or list of maintenance work to be carried out on a year to year basis on order to bring about the goals set out above.

Jacks Point Zone

- 27.3.7 **Objective - Subdivision occurs consistent with the Jacks Point Structure Plan.**

Policies

- 27.3.7.1 Ensure that subdivision and development achieves the objectives and policies located within Chapter 41.
- 27.3.7.2 Within the R(HD) Activity Areas, subdivision design shall provide for the following matters:

SUBDIVISION and DEVELOPMENT 27

- a. the development and suitability of public transport routes, pedestrian and cycle trail connections within and beyond the Activity Area;
 - b. mitigation measures to ensure that no building will be highly visible from State Highway 6 or Lake Wakatipu;
 - c. road and street designs;
 - d. the location and suitability of proposed open spaces;
 - e. commitments to remove wilding trees.
- 27.3.7.3 Within the R(HD-SH) Activity Areas, minimise the visual effects of subdivision and future development on landscape and amenity values as viewed from State Highway 6.
- 27.3.7.4 Within the R(HD) Activity Area, in the consideration of the creation of sites sized less than 550m², particular regard shall be given to the following matters and whether they should be given effect to by imposing appropriate legal mechanism of controls over:
- a. building setbacks from boundaries;
 - b. location and heights of garages and other accessory buildings;
 - c. height limitations for parts of buildings, including recession plane requirements;
 - d. window locations;
 - e. building coverage;
 - f. roadside fence heights.
- 27.3.7.5 Within the OS Activity Areas shown on the Jacks Point Zone Structure Plan, implement measures to provide for the establishment and management of open space, including native vegetation.
- 27.3.7.6 Within the R(HD) A - E Activity Areas, ensure cul-de-sacs are straight (+/- 15 degrees).
- 27.3.7.7 In the Hanley Downs areas where subdivision of land within any Residential Activity Area results in allotments less than 550m² in area:
- a. such sites are to be configured:
 - i. with good street frontage;
 - ii. to enable sunlight to existing and future residential units;
 - iii. to achieve an appropriate level of privacy between homes;
 - b. parking, access and landscaping are to be configured in a manner which:
 - i. minimises the dominance of driveways at the street edge;
 - ii. provides for efficient use of the land;
 - iii. maximises pedestrian and vehicular safety; and.
 - iv. addresses nuisance effects such as from vehicle lights.
 - c. subdivision design should ensure:

SUBDIVISION and DEVELOPMENT 27

- i. public and private spaces are clearly demarcated, and ownership and management arrangements are proposed to appropriately manage spaces in common ownership.
- d. consideration is to be given as to whether design parameters are required to be secured through an appropriate legal mechanism. These are height, building mass, window sizes and locations, building setbacks, fence heights, locations and transparency, building materials and landscaping.

Waterfall Park

- 27.3.8 **Objective – Subdivision that provides for a range of visitor, residential and recreational facilities, sympathetic to the natural setting and has regard to location specific opportunities and constraints identified within the Waterfall Park Structure Plan.**

Policies

- 27.3.8.1 Enable subdivision which provides for appropriate, integrated and orderly development in accordance with the Waterfall Park Structure Plan located within Section 27.13.

Millbrook

- 27.3.9 **Objective – Subdivision that provides for resort development while having particular regard to landscape, heritage, ecological, water and air quality values.**

Policies

- 27.3.9.1 Enable subdivision which provides for appropriate, integrated and orderly development in accordance with the Millbrook Structure Plan located within Section 27.13.

Coneburn Industrial

- 27.3.10 **Objective - Subdivision that creates opportunities for industrial activities and Service activities to occur.**

Policies

- 27.3.10.1 Enable subdivision which provides for a combination of lot sizes and low building coverage to ensure that this area is retained for yard based industrial and service activities as well as smaller scale industrial and service activities.
- 27.3.10.2 Require the establishment, restoration and ongoing maintenance of the open space areas (shown on the Coneburn Structure Plan located in Section 27.13) to:
- a. visually screen development using the planting of native species;
 - b. retain existing native garden species unless they are wilding;
 - c. give effect to the Ecological Management Plan required by Rule 44.5.2 so its implementation occurs at the rate of development within the Zone.
- 27.3.10.3 Ensure subdivision works and earthworks results in future industrial and service development (buildings) being difficult to see from State Highway 6.

SUBDIVISION and DEVELOPMENT 27

- 27.3.10.4 At the time of subdivision ensure that there is adequate provision for road access, onsite parking (staff and visitors) and loading and manoeuvring for all types of vehicle so as to cater for the intended use of the site.
- 27.3.10.5 Ensure subdivision creates lots and sites that are capable of accommodating development that meets the relevant zone standards for the Coneburn Industrial Zone.
- 27.3.10.6 Ensure that shared infrastructure (water, wastewater and stormwater) is provided, managed, and maintained if development cannot connect to Council services.
- 27.3.10.7 Require safe accesses to be provided from the State Highway into the Zone at the rate the Zone is developed.

West Meadows Drive

- 27.3.11 **Objective - The integration of road connections between West Meadows Drive and Meadowstone Drive.**

Policies

- 27.3.11.1 Enable subdivision at the western end of West Meadows Drive which has a roading layout that is consistent with the West Meadows Drive Structure Plan.
- 27.3.11.2 Enable variances to the West Meadows Drive Structure Plan on the basis that the roading layout results in the western end of West Meadows Drive being extended to connect with the roading network and results in West Meadows Drive becoming a through-road.

Frankton North

- 27.3.12 **Objective - Subdivision of the Medium Density Residential and Business Mixed Use Zones on the north side of State Highway 6 between Hansen Road and Quail Rise enables development integrated into the adjacent urban areas while minimising traffic impacts on the State Highway.**

Policies

- 27.3.12.1 Limit the roading access to Frankton North to Hansen Road, Ferry Hill Drive or the Hawthorne Drive/SH6 roundabout.
- 27.3.12.2 Ensure subdivision and development enables access to the roading network from all sites in the Frankton North Medium Density Residential and Business Mixed Use Zones and is of a form that accounts for long-term traffic demands without the need for subsequent retrofitting or upgrade.
- 27.3.12.3 Ensure subdivision and development in the Frankton North Medium Density Residential and Business Mixed Use Zones provides, or has access to, a safe and legible walking and cycling environment adjacent to and across the State Highway linking to other pedestrian and cycling networks.

27.4 Other Provisions and Rules

27.4.1 District Wide

The rules of the zone the proposed subdivision is located within are applicable. Attention is drawn to the following District Wide chapters.

SUBDIVISION and DEVELOPMENT 27

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes and Rural Character
25 Earthworks	26 Historic Heritage	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		

27.4.2 Earthworks associated with subdivision

27.4.2.1 Refer to Chapter 25 Earthworks, Rule 25.3.2.5. Earthworks associated with subdivisions are subject to the earthworks standards in Chapter 25 (except the maximum total volume, cut and fill standards). Applications for subdivision involving earthworks shall be assessed against the matters of discretion and assessment matters in Chapter 25.

Rule 27.4.2.1 and relief sought	Appellant Court Number
Amend Rule 27.4.2.1 as follows: <i>Refer to Chapter 25 Earthworks, Rule 25.3.2.5. Earthworks associated with subdivisions are subject to the earthworks standards in Chapter 25 (except the maximum total volume, cut and fill standards), and Applications for subdivision involving earthworks shall be assessed against the matters of discretion and assessment matters in Chapter 25.</i>	Henley Downs Farm Holdings Ltd and Henley Downs Land Holdings Ltd ENV-2019-CHC-095 Darby Planning Ltd Partnership ENV-2019-CHC-085

27.4.3 Natural Hazards

27.4.3.1 The Natural Hazards Chapter of the District Plan sets a policy framework to address land uses and natural hazards throughout the District. All subdivision is able to be assessed against a natural hazard through the provisions of section 106 of the RMA. In addition, in some locations natural hazards have been identified and specific provisions apply.

27.5 Rules - Subdivision

27.5.1 All subdivision requires resource consent unless specified as a permitted activity. The abbreviations set out below are used in the following tables. Any activity which is not permitted (P) or prohibited (PR) requires resource consent.

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

Where an activity falls within more than one rule, unless stated otherwise, its status shall be determined by the most restrictive rule.

SUBDIVISION and DEVELOPMENT 27

	Boundary Adjustments	Activity Status
27.5.2	<p>An adjustment to existing cross-lease or unit title due to:</p> <ul style="list-style-type: none"> a. an alteration to the size of the lot by alterations to the building outline; b. the conversion from cross-lease to unit title; or c. the addition or relocation of an accessory building; d. providing the activity complies with all other provisions of the District Plan or has obtained a land use consent. <p>Advice Note:</p> <p>In order to undertake such a subdivision a certificate of compliance (s139 of the Act) will need to be obtained (see s223(1)(b)).</p>	P
27.5.3	<p>For boundary adjustment subdivision activities where there are two or more existing lots which each 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:</p> <ul style="list-style-type: none"> a. in the case of the Rural, Gibbston Character and Rural Lifestyle Zones the building platform is retained in its approved location; b. no additional or relocated residential building platform is identified and approved as part of a boundary adjustment within Rural, Gibbston Character and Rural Lifestyle Zones; c. no additional separately saleable lots are created; d. the areas of the resultant lots either comply with the minimum lot size requirement for the zone (where applicable) or where any lot does not comply with an applicable minimum lot size requirement for the zone, the extent of such non-compliance is not increased; and e. lots must be immediately adjoining each other. <p>Control is reserved to:</p> <ul style="list-style-type: none"> a. the location of the proposed boundaries; b. boundary treatment; c. easements for existing and proposed access and services. 	C
27.5.4	<p>For boundary adjustments that either:</p> <ul style="list-style-type: none"> a. involve any site that contains a heritage or any other protected item identified on the District Plan maps; or b. are within the urban growth boundary of Arrowtown; <p>where there are two or more existing lots which each 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:</p>	RD

SUBDIVISION and DEVELOPMENT 27

	Boundary Adjustments	Activity Status
	<ul style="list-style-type: none"> a. no additional separately saleable lots are created; b. the areas of the resultant lots comply with the minimum lot size requirement for the zone; c. lots must be immediately adjoining each other; <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the impact on the heritage values of the protected item; b. the maintenance of the historic character of the Arrowtown Residential Historic Management Zone; c. the location of the proposed boundaries; d. boundary treatment; e. easements for access and services. 	

	Unit Title or Leasehold Subdivision	Activity Status
27.5.5	<p>Where land use consent is approved for a multi unit commercial or residential development, including visitor accommodation development, and a unit title or leasehold (including cross lease) subdivision is subsequently undertaken in accordance with the approved land use consent, provided:</p> <ul style="list-style-type: none"> a. all buildings must be in accordance with an approved land use resource consent; b. all areas to be set aside for the exclusive use of each building or unit must be shown on the survey plan, in addition to any areas to be used for common access or parking or other such purpose; c. all service connections and on-site infrastructure must be located within the boundary of the site they serve or have access provided by an appropriate legal mechanism. <p>Control is reserved to:</p> <ul style="list-style-type: none"> a. the effect of the site design, size, shape, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces; b. the effects of and on infrastructure provision. <p>This rule does not apply a subdivision of land creating a separate fee simple title.</p> <p>The intent is that it applies to subdivision of a lot containing an approved land use consent, in order to create titles in accordance with that consent.</p>	C

SUBDIVISION and DEVELOPMENT 27

	Subdivision Activities - District Wide	Activity Status						
27.5.6	Any subdivision that does not fall within any rule in this section 27.5.	D						
27.5.7	<p>All urban subdivision activities, unless otherwise provided for, within the following zones:</p> <ol style="list-style-type: none"> 1. Lower Density Suburban Residential Zone; 2. Medium Density Residential Zone; 3. High Density Residential Zone; 4. Town Centre Zones; 5. Arrowtown Residential Historic Management Zone; 6. Large Lot Residential Zone; 7. Local Shopping Centre; 8. Business Mixed Use Zone; 9. Airport Zone - Queenstown. <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. subdivision design and any consequential effects on the layout of lots and on lot sizes and dimensions; b. Internal roading design and provision, relating to access to and service easements for future subdivision on adjoining land, and any consequential effects on the layout of lots, and on lot sizes and dimensions; c. property access and roading; d. esplanade provision; e. the adequacy of on site measures to address the risk of natural and other hazards on land within the subdivision; f. fire fighting water supply; g. water supply; h. stormwater design and disposal; i. sewage treatment and disposal; j. energy supply and telecommunications, including adverse effects on energy supply and telecommunication networks; k. open space and recreation; l. ecological and natural values; m. historic heritage; n. easements. <p>For the avoidance of doubt, where a site is governed by a Structure Plan, that is included in the District Plan, subdivision activities shall be assessed in accordance with Rule 27.7.1.</p> <table border="1"> <thead> <tr> <th>Rule 27.5.7 and relief sought</th><th>Appellant Court Number</th><th>Consequentially Affected Provisions</th></tr> </thead> <tbody> <tr> <td> <p>As it applies to the land at Glendhu Station (1215 Wanaka-Mt Aspiring Road), amend Rule 27.5.7 to ensure that subdivision that complies with the relevant standards, remains a controlled activity:</p> <p><u>All subdivision activities are controlled activities, except as otherwise stated:</u></p> <p><u>Council's control is limited to:</u></p> <ul style="list-style-type: none"> • <u>Lot sizes, averages and dimensions</u> • <u>Subdivision design</u> • <u>Property access</u> • <u>Esplanade provision</u> </td><td> <p>Glendhu Bay Trustees Limited ENV-2018-CHC-141 (further particulars received)</p> </td><td></td></tr> </tbody> </table>	Rule 27.5.7 and relief sought	Appellant Court Number	Consequentially Affected Provisions	<p>As it applies to the land at Glendhu Station (1215 Wanaka-Mt Aspiring Road), amend Rule 27.5.7 to ensure that subdivision that complies with the relevant standards, remains a controlled activity:</p> <p><u>All subdivision activities are controlled activities, except as otherwise stated:</u></p> <p><u>Council's control is limited to:</u></p> <ul style="list-style-type: none"> • <u>Lot sizes, averages and dimensions</u> • <u>Subdivision design</u> • <u>Property access</u> • <u>Esplanade provision</u> 	<p>Glendhu Bay Trustees Limited ENV-2018-CHC-141 (further particulars received)</p>		RD
Rule 27.5.7 and relief sought	Appellant Court Number	Consequentially Affected Provisions						
<p>As it applies to the land at Glendhu Station (1215 Wanaka-Mt Aspiring Road), amend Rule 27.5.7 to ensure that subdivision that complies with the relevant standards, remains a controlled activity:</p> <p><u>All subdivision activities are controlled activities, except as otherwise stated:</u></p> <p><u>Council's control is limited to:</u></p> <ul style="list-style-type: none"> • <u>Lot sizes, averages and dimensions</u> • <u>Subdivision design</u> • <u>Property access</u> • <u>Esplanade provision</u> 	<p>Glendhu Bay Trustees Limited ENV-2018-CHC-141 (further particulars received)</p>							

SUBDIVISION and DEVELOPMENT 27

Subdivision Activities - District Wide				Activity Status
	<ul style="list-style-type: none"> • <u>Natural hazards</u> • <u>Fire fighting water supply</u> • <u>Water supply</u> • <u>Stormwater disposal</u> • <u>Sewage treatment and disposal</u> • <u>Energy supply and telecommunications</u> • <u>Open space and recreation</u> • <u>Easements</u> • <u>The nature, scale and adequacy of environmental protection measures associated with earthworks</u> 			
	<p>Amend Rule 27.5.7 to a default controlled activity status for all zones unless otherwise specified.</p> <p>Include three more zones in the list of zones:</p> <ol style="list-style-type: none"> 1. Lower Density Suburban Residential Zone; 2. Medium Density Residential Zone; 3. High Density Residential Zone; 4. Town Centre Zones; 5. Arrowtown Residential Historic management Zone; 6. Large Lot Residential Zone; 7. Local Shopping Centre; 8. Business mixed use Zone; 9. Airport Zone – Queenstown; 10. <u>Township Zones;</u> 11. <u>Rural Residential;</u> 12. <u>Rural Lifestyle.</u> 	Fred van Brandenburg ENV-2018-CHC-071		
	<p>Amend Rule 27.5.7 to a default controlled activity status for all zones unless otherwise specified.</p> <p>Zones to be included in a controlled activity status;</p> <ol style="list-style-type: none"> 1. Lower Density Suburban Residential Zone; 2. Medium Density Residential Zone; 3. High Density Residential Zone; 4. Town Centre Zones; 5. Arrowtown Residential Historic management Zone; 6. Large Lot Residential Zone; 7. Local Shopping Centre; 	Streat Developments Limited ENV-2018-CHC-086		

SUBDIVISION and DEVELOPMENT 27

Subdivision Activities - District Wide				Activity Status
	8. Business mixed use Zone; 9. Airport Zone – Queenstown; <u>10. Township Zones;</u>			
	Amend Rule 27.5.7 to a default controlled activity status for all zones unless otherwise specified. Zones to be included in a controlled activity status include: 1. Lower Density Suburban Residential Zone; 2. Medium Density Residential Zone; 3. High Density Residential Zone; 4. Town Centre Zones; 5. Arrowtown Residential Historic Management Zone; 6. Large Lot Residential Zone; 7. Local Shopping Centre; 8. Business Mixed Use Zone; 9. Airport Zone – Queenstown.	FII Holdings Limited ENV-2018-CHC-084 Universal Developments Limited ENV-2018-CHC-101		
	Amend Rule 27.5.7 to change the activity status of subdivision in the residential zones to a controlled activity.	Willowridge Developments Limited ENV-2018-CHC-115		
27.5.8	<p>All subdivision activities, unless otherwise provided for, in the District's Rural Residential and Rural Lifestyle Zones</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. in the Rural Lifestyle Zone, the location and size of building platforms and in respect of any buildings within those building platforms: <ul style="list-style-type: none"> i. external appearance; ii. visibility from public places; iii. landscape character; and iv. visual amenity. b. subdivision design and any consequential effects on the layout of lots and on lot sizes and dimensions; c. internal roading design and provision, relating to access and service easements for future subdivision on adjoining land, and any consequential effects on the layout of lots and on lot sizes and dimensions; 			RD

SUBDIVISION and DEVELOPMENT 27

Subdivision Activities - District Wide			Activity Status
<p>d. property access and roading;</p> <p>e. esplanade provision;</p> <p>f. the adequacy of on site measures to address the risk of natural and other hazards on land within the subdivision;</p> <p>g. fire fighting water supply;</p> <p>h. water supply;</p> <p>i. stormwater disposal;</p> <p>j. sewage treatment and disposal;</p> <p>k. energy supply and telecommunications including adverse effects on energy supply and telecommunication networks;</p> <p>l. open space and recreation;</p> <p>m. ecological and natural values;</p> <p>n. historic heritage;</p> <p>o. easements.</p>			
Rule 27.5.8 and relief sought	Appellant Court Number	Consequentially Affected Provisions	
Amend Rule 27.5.8 to change the activity status from Restricted Discretionary to Controlled.	<p>M & C Burgess ENV-2018-CHC-136 (relief withdrawn)</p> <p>Barbara Kipke ENV-2018-CHC-072</p> <p>Bill and Jan Walker Family Trust & others ENV-2018-CHC-099</p> <p>SYZ Investments Limited ENV-2018-CHC-130 (relief withdrawn)</p>		
Amend Rule 27.5.8 to provide a default controlled activity status for rural living subdivision, and refine the listed matters of control to just those necessary to achieve the Chapter 22 purpose and objectives which are to enable rural living opportunities and maintain and enhance amenity landscape values.	<p>Lesley and Jerry Burdon ENV-2018-CHC-108 (relief withdrawn)</p> <p>Darby Planning Limited ENV-2018-CHC-150</p> <p>Bill and Jan Walker Family Trust & others ENV-2018-CHC-099</p>		
As it applies to the land at Glendhu Station (1215 Wanaka-Mt Aspiring Road), amend Rule 27.5.8 to ensure that subdivision that complies with the relevant standards, remains a controlled activity:	Glendhu Bay Trustees Limited ENV-2018-CHC-141 (further particulars received)		

SUBDIVISION and DEVELOPMENT 27

Subdivision Activities - District Wide				Activity Status
	<p>All subdivision activities are controlled activities, except as otherwise stated: Council's control is limited to:</p> <ul style="list-style-type: none"> • Lot sizes, averages and dimensions • Subdivision design • Property access • Esplanade provision • Natural hazards • Fire fighting water supply • Water supply • Stormwater disposal • Sewage treatment and disposal • Energy supply and telecommunications • Open space and recreation • Easements • The nature, scale and adequacy of environmental protection measures associated with earthworks 			
	Amend Rule 27.5.8 to provide a default controlled activity status and refine the listed matters of control to just those necessary to achieve the Chapter 22 purpose and objectives.	Waterfall Park Developments Limited ENV-2018-CHC-124		
	Amend Rule 27.5.8 to provide for a controlled activity status in rural living zones	Streat Developments Limited ENV-2018-CHC-086		
27.5.9	<p>All subdivision activities, unless otherwise provided for, in the Wakatipu Basin Rural Amenity Zone or the Wakatipu Basin Lifestyle Precinct.</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> Location of building platforms and accessways Subdivision design and lot layout including the location of boundaries, lot sizes and dimensions; Location, scale and extent of landform modification, and retaining structures; Property access and roading; Esplanade provision; Natural and other hazards; Firefighting water supply and access; Water supply; Network utility services, energy supply and telecommunications; Open space and recreation provision; Ecological and natural landscape features; 			RD

SUBDIVISION and DEVELOPMENT 27

Subdivision Activities - District Wide		Activity Status
<p>l. Historic Heritage features;</p> <p>m. Easements;</p> <p>n. Vegetation removal, and proposed planting;</p> <p>o. Fencing and gates;</p> <p>p. Wastewater and stormwater management;</p> <p>q. Connectivity of existing and proposed pedestrian networks, bridle paths, cycle networks;</p> <p>r. Adverse cumulative impacts on ecosystem services and nature conservation values.</p>		
Rule 27.5.9 and relief sought	Appellant Court Number	
Amend Rule 27.5.9 so that Controlled default activity status for subdivision in the Wakatipu Basin is provided, as follows: (Activity status: RD <u>Controlled</u>)	<p>Wakatipu Equities Ltd ENV-2019-CHC-065 <i>Alternative relief to deletion of the Variation</i></p> <p>Crown Investment Trust ENV-2019-CHC-066 <i>Alternative relief to deletion of the Variation</i></p> <p>Arrowtown Lifestyle Retirement Village ENV-2019-CHC-067 <i>Alternative relief to deletion of the Variation</i></p> <p>McFadgen L ENV-2019-CHC-068</p> <p>Slopehill Joint Venture ENV-2019-CHC-074 <i>Alternative relief to deletion of the Variation</i></p> <p>MacColl D ENV-2019-CHC-075 <i>Alternative relief to deletion of the Variation</i></p> <p>Williamson S ENV-2019-CHC-084</p> <p>Barnhill Corporate Trustee ENV-2019-CHC-086</p> <p>Morven Ferry Ltd ENV-2019-CHC-088</p>	
Amend Rule 27.5.9 so that it only refers to subdivision in the Wakatipu Basin Rural Amenity Zone, as follows:	<p>Lake Hayes Cellar Ltd ENV-2019-CHC-087</p> <p>Lake Hayes Ltd ENV-2019-CHC-089</p>	
All subdivision activities, unless otherwise		

SUBDIVISION and DEVELOPMENT 27

	Subdivision Activities - District Wide		Activity Status						
	<div><div>provided for, in the Wakatipu Basin Rural Amenity Zone or <u>excluding</u> the Wakatipu Basin Lifestyle Precinct.</div><div>Alternative relief to deletion of the Variation</div></div>								
27.5.10	Subdivision of land in any zone within the National Grid Corridor except where any allotment identifies a building platform to be located within the National Grid Yard. Discretion is restricted to: a. impacts on the operation, maintenance, upgrade and development of the National Grid; b. the ability of future development to comply with NZECP34:2001; c. the location, design and use of any proposed building platform as it relates to the National Grid transmission line.		RD						
27.5.11	All subdivision activities in the Rural and Gibbston Character Zones and Airport Zone - Wanaka, unless otherwise provided for.		D						
27.5.12	The subdivision of land containing a heritage or any other protected item scheduled in the District Plan. This rule does not apply to boundary adjustments under Rule 27.5.4.		D						
27.5.13	<div><div>The subdivision of land identified on the planning maps as a Heritage Overlay Area.</div><div><table><tr><th>Rule 27.5.13 and relief sought</th><th>Appellant Court Number</th><th>Consequentially Affected Provisions</th></tr><tr><td>Amend Rule 27.5.13: The subdivision of land identified on the planning maps as a Heritage Overlay Area.</td><td>Heritage New Zealand Pouhere Taonga ENV-2018-CHC-070 Consent Order issued</td><td></td></tr></table></div></div>		Rule 27.5.13 and relief sought	Appellant Court Number	Consequentially Affected Provisions	Amend Rule 27.5.13: The subdivision of land identified on the planning maps as a Heritage Overlay Area.	Heritage New Zealand Pouhere Taonga ENV-2018-CHC-070 Consent Order issued		D
Rule 27.5.13 and relief sought	Appellant Court Number	Consequentially Affected Provisions							
Amend Rule 27.5.13: The subdivision of land identified on the planning maps as a Heritage Overlay Area.	Heritage New Zealand Pouhere Taonga ENV-2018-CHC-070 Consent Order issued								
27.5.14	The subdivision of a site containing a known archaeological site.		D						
27.5.15	Subdivision that would alter, or create a new boundary within a Significant Natural Area scheduled in the District Plan.		D						
27.5.16	A Unit Titles Act subdivision lodged concurrently with an application for building consent, or land use consent.		D						
27.5.17	Within the Jacks Point Zone, subdivision that does not comply with the minimum lot areas specified in Part 27.6 and the zone and location specific rules in Part 27.7, excluding:		D						

SUBDIVISION and DEVELOPMENT 27

	Subdivision Activities - District Wide	Activity Status						
	a. in the R(HD) activity area, where the creation of lots less than 380m ² shall be assessed under Rule 27.7.5.2 (as a restricted discretionary activity).							
27.5.18	Within the Coneburn Industrial Zone Activity Area 2a, subdivision which does not comply with the minimum lot areas specified in Part 27.6.	D						
27.5.18A	<div>Within the Wakatipu Basin Lifestyle Precinct, subdivision which does not comply with the minimum net site area specified in Part 27.6 provided that the minimum net site area is not less than 4,000m² and the average area of all lots in the subdivision is not less than 1.0ha per lot.</div> <table><tr><td>Rule 27.5.18A and relief sought</td><td>Appellant Court Number</td></tr><tr><td>Site-specific relief as part of a Wakatipu Basin rezoning requested in Stage 2: The anomalies in rules 27.5.18A, 27.5.18B and Rule 27.5.19 be corrected, in regard to subdivisions not complying with the minimum net site area being discretionary or non-complying, and an error referring to 4000m² as the net site area.</td><td>Broomfield D and Woodlot Properties Ltd ENV-2019-CHC-032</td></tr><tr><td>Site-specific relief as part of a Wakatipu Basin rezoning requested in Stage 2: Within the Wakatipu Basin Lifestyle Precinct, subdivision which does not comply with the minimum net site area specified in Part 27.6 provided that the minimum net site area is not less than 4,000m² and the average area of all lots in the subdivision is not less than 1.0ha per lot. (Activity Status D RD)</td><td>Donaldson R ENV-2019-CHC-024 Boxer Hill Trust ENV-2019-CHC-038 Wills G and Burden T ENV-2019-CHC-044</td></tr></table>	Rule 27.5.18A and relief sought	Appellant Court Number	Site-specific relief as part of a Wakatipu Basin rezoning requested in Stage 2: The anomalies in rules 27.5.18A, 27.5.18B and Rule 27.5.19 be corrected, in regard to subdivisions not complying with the minimum net site area being discretionary or non-complying, and an error referring to 4000m ² as the net site area.	Broomfield D and Woodlot Properties Ltd ENV-2019-CHC-032	Site-specific relief as part of a Wakatipu Basin rezoning requested in Stage 2: Within the Wakatipu Basin Lifestyle Precinct, subdivision which does not comply with the minimum net site area specified in Part 27.6 provided that the minimum net site area is not less than 4,000m ² and the average area of all lots in the subdivision is not less than 1.0ha per lot. (Activity Status D RD)	Donaldson R ENV-2019-CHC-024 Boxer Hill Trust ENV-2019-CHC-038 Wills G and Burden T ENV-2019-CHC-044	D
Rule 27.5.18A and relief sought	Appellant Court Number							
Site-specific relief as part of a Wakatipu Basin rezoning requested in Stage 2: The anomalies in rules 27.5.18A, 27.5.18B and Rule 27.5.19 be corrected, in regard to subdivisions not complying with the minimum net site area being discretionary or non-complying, and an error referring to 4000m ² as the net site area.	Broomfield D and Woodlot Properties Ltd ENV-2019-CHC-032							
Site-specific relief as part of a Wakatipu Basin rezoning requested in Stage 2: Within the Wakatipu Basin Lifestyle Precinct, subdivision which does not comply with the minimum net site area specified in Part 27.6 provided that the minimum net site area is not less than 4,000m ² and the average area of all lots in the subdivision is not less than 1.0ha per lot. (Activity Status D RD)	Donaldson R ENV-2019-CHC-024 Boxer Hill Trust ENV-2019-CHC-038 Wills G and Burden T ENV-2019-CHC-044							
27.5.18B	<div>Within the Wakatipu Basin Lifestyle Precinct, subdivision with a minimum net site area less than 4,000m² or where the average area of lots in the subdivision is less than 1.0ha per lot.</div> <table><tr><td>Rule 27.5.18A and relief sought</td><td>Appellant Court Number</td></tr><tr><td>Site-specific relief as part of a Wakatipu Basin rezoning requested in Stage 2: The anomalies in rules 27.5.18A, 27.5.18B and Rule 27.5.19 be corrected, in regard to subdivisions not complying with the minimum net site area being discretionary or non-complying, and an error referring to 4000m² as the net site area.</td><td>Broomfield D and Woodlot Properties Ltd ENV-2019-CHC-032</td></tr><tr><td>Site-specific relief as part of a Wakatipu Basin rezoning requested in Stage 2: Within the Wakatipu Basin Lifestyle Precinct,</td><td>Donaldson R ENV-2019-CHC-024 Boxer Hill Trust</td></tr></table>	Rule 27.5.18A and relief sought	Appellant Court Number	Site-specific relief as part of a Wakatipu Basin rezoning requested in Stage 2: The anomalies in rules 27.5.18A, 27.5.18B and Rule 27.5.19 be corrected, in regard to subdivisions not complying with the minimum net site area being discretionary or non-complying, and an error referring to 4000m ² as the net site area.	Broomfield D and Woodlot Properties Ltd ENV-2019-CHC-032	Site-specific relief as part of a Wakatipu Basin rezoning requested in Stage 2: Within the Wakatipu Basin Lifestyle Precinct,	Donaldson R ENV-2019-CHC-024 Boxer Hill Trust	NC
Rule 27.5.18A and relief sought	Appellant Court Number							
Site-specific relief as part of a Wakatipu Basin rezoning requested in Stage 2: The anomalies in rules 27.5.18A, 27.5.18B and Rule 27.5.19 be corrected, in regard to subdivisions not complying with the minimum net site area being discretionary or non-complying, and an error referring to 4000m ² as the net site area.	Broomfield D and Woodlot Properties Ltd ENV-2019-CHC-032							
Site-specific relief as part of a Wakatipu Basin rezoning requested in Stage 2: Within the Wakatipu Basin Lifestyle Precinct,	Donaldson R ENV-2019-CHC-024 Boxer Hill Trust							

SUBDIVISION and DEVELOPMENT 27

	Subdivision Activities - District Wide		Activity Status
	<div><div>subdivision with a minimum net site area less than 4,000m² or where the average area of lots in the subdivision is less than 1.0ha per lot.</div><div>ENV-2019-CHC-038 Wills G and Burden T ENV-2019-CHC-044</div></div>		
27.5.19	<div>Subdivision that does not comply with the minimum lot areas specified in Part 27.6 with the exception of the Jacks Point Zone which is assessed pursuant to Rule 27.5.17 and Coneburn Industrial Zone Activity Area 2a which is assessed pursuant to Rule 27.5.18.</div> <div><div><div>Rule 27.5.18A and relief sought</div><div>Appellant Court Number</div></div><div><div>Site-specific relief as part of a Wakatipu Basin rezoning requested in Stage 2: The anomalies in rules 27.5.18A, 27.5.18B and Rule 27.5.19 be corrected, in regard to subdivisions not complying with the minimum net site area being discretionary or non-complying, and an error referring to 4000m² as the net site area.</div><div>Broomfield D and Woodlot Properties Ltd ENV-2019-CHC-032</div></div></div>		NC
27.5.20	A subdivision under the Unit Titles Act not falling within Rules 27.5.5 or 27.5.16 where the building is not completed (meaning the applicable code of compliance certificate has not been issued), or building consent or land use consent has not been granted for the buildings.		NC
27.5.21	The further subdivision of an allotment that if undertaken as part of a previous subdivision would have caused that previous subdivision to exceed the minimum average density requirements for subdivision in the Rural Lifestyle Zone or the Rural Residential Zone.		NC
27.5.22	The subdivision of land resulting in the division of a building platform.		NC
27.5.23	The subdivision of a residential flat from a residential unit.		NC
27.5.24	Any subdivision of land in any zone within the National Grid Corridor, which does not comply with Rule 27.5.10.		NC
27.5.25	Subdivision that does not comply with the standards related to servicing and infrastructure under Rule 27.7.15.		NC
27.5.26	The further subdivision of an allotment that has previously been used to calculate the average lot size net site area for subdivision in the Wakatipu Basin Lifestyle Precinct, except where the further subdivision and any prior subdivision together complies with Rule 27.6.1.		NC

SUBDIVISION and DEVELOPMENT 27

27.6 Rules - Standards for Minimum Lot Areas

27.6.1 No lots to be created by subdivision, including balance lots, shall have a net site area or where specified, an average net site area less than the minimum specified.

Zone		Minimum Lot Area
Town Centres		No minimum
Local Shopping Centre		No minimum
Business Mixed Use		200m ²
Airport		No minimum
Coneburn Industrial	Activity Area 1a	3000m ²
	Activity Area 2a	1000m ²
Residential	High Density	450m ²
	Medium Density	250m ²
	Lower Density Suburban	450m ² Within the Queenstown Airport Air Noise Boundary and Outer Control Boundary: 600m ²
Rule 27.6.1 and relief sought		Appellant Court Number
Amend Rule 27.6.1 to provide for a minimum lot size of 700m ² in the Lower Density Suburban Residential Zone.		Willowridge Developments Limited ENV-2018-CHC-115 (relief withdrawn)
		Consequentially Affected Provisions
		Rule 27.7.14, Section 7.1, Policy 7.2.3.1, Rule 7.4.3, Rule 7.4.7
	Arrowtown Residential Historic Management	800m ²
	Large Lot Residential A	2000m ²
	Large Lot Residential B	4000m ²
Rural	Rural Gibbston Character	No minimum
	Wakatipu Basin Rural Amenity Zone	80ha
Rule 27.6.1 and relief sought		Appellant Court Number
Amend the minimum lot size provisions within the Wakatipu Basin Rural Amenity Zone to remove 80ha.		Middleton Family Trust ENV-2019-CHC-055
Delete Rule 27.6.1 (as it relates to the Wakatipu Basin) and replace with a discretionary subdivision regime.		Wakatipu Equities Ltd ENV-2019-CHC-065 <i>Alternative relief to deletion of the Variation</i> Arrowtown Lifestyle Retirement Village ENV-2019-CHC-067 <i>Alternative relief to deletion of the Variation</i> McFadgen L ENV-2019-CHC-068

SUBDIVISION and DEVELOPMENT 27

Zone		Minimum Lot Area
		<p>Slopehill Joint Venture ENV-2019-CHC-074 <i>Alternative relief to deletion of the Variation</i></p> <p>MacColl D ENV-2019-CHC-075 <i>Alternative relief to deletion of the Variation</i></p> <p>Monk R ENV-2019-CHC-082</p> <p>Barnhill Corporate Trustee ENV-2019-CHC-086</p> <p>Morven Ferry Ltd ENV-2019-CHC-088</p>
	Amend Rule 27.6.1 80ha minimum lot size as it is particularly onerous, given that the fully discretionary regime remains in the Rural Zone.	TJ Investments PTE Ltd ENV-2019-CHC-060
	Amend Rule 27.6.1 to have no minimum lot size for the Wakatipu Basin Rural Amenity Zone, as follows: <u>No minimum 80ha</u>	<p>Crown Investment Trust ENV-2019-CHC-077 <i>Alternative relief to deletion of the Variation</i></p> <p>Williamson S ENV-2019-CHC-084</p> <p>Taylor M and J ENV-2019-CHC-093 <i>Alternative relief to deletion of the Variation</i></p>
Wakatipu Basin Lifestyle Precinct		6000m² 1.0ha minimum average
	Rule 27.6.1 and relief sought	Appellant Court Number
	Amend Rule 27.6.1 to include a 4000m ² lot average for the Wakatipu Basin Lifestyle Precinct, as follows: <u>4000m² average</u>	Taylor M and J ENV-2019-CHC-093
	Amend Rule 27.6.1 for a minimum lot size for subdivision in the Wakatipu Basin Lifestyle Precinct of 4000m ² , as follows: 6000m² <u>4000m²</u>	<p>Donaldson R ENV-2019-CHC-024</p> <p>Wills G and Burden T ENV-2019-CHC-044</p> <p>Banco Trustees, McCulloch Trustees 2004 and Others ENV-2019-CHC-045</p> <p>Middleton Family Trust ENV-2019-CHC-055</p>
	Delete Rule 27.6.1 (as it relates to the Wakatipu Basin) and replace with a discretionary subdivision regime.	<p>Wakatipu Equities Ltd ENV-2019-CHC-065 <i>Alternative relief to deletion of the Variation</i></p> <p>Arrowtown Lifestyle Retirement Village ENV-2019-CHC-067</p>

SUBDIVISION and DEVELOPMENT 27

Zone		Minimum Lot Area
		<p><i>Alternative relief to deletion of the Variation</i></p> <p>McFadgen L ENV-2019-CHC-068</p> <p>Slopehill Joint Venture ENV-2019-CHC-074</p> <p><i>Alternative relief to deletion of the Variation</i></p> <p>MacColl D ENV-2019-CHC-075</p> <p><i>Alternative relief to deletion of the Variation</i></p> <p>Monk R ENV-2019-CHC-0832</p> <p>Barnhill Corporate Trustee ENV-2019-CHC-086</p> <p>Morven Ferry Ltd ENV-2019-CHC-088</p>
Rural Lifestyle	Rural Lifestyle	One hectare providing the average lot size is not less than 2 hectares. For the purpose of calculating any average, any allotment greater than 4 hectares, including the balance, is deemed to be 4 hectares.
Rural Residential	Rural Residential	4000m ²
	Rural Residential Bob's Cove sub-zone	No minimum, providing the total lots to be created, inclusive of the entire area within the zone shall have an average of 4000m ² .
	Rural Residential Camp Hill	4000m ² with no more than 36 lots created for residential activity
Jacks Point	Residential Activity Areas	380m ² In addition, subdivision shall comply with the average density requirements set out in Rule 41.5.8.
Millbrook		No minimum
Waterfall Park		No minimum
Open Space and Recreation Zones*		No minimum

* This provision has been amended as per the Hearing Panel's stage 2 decision recommendations as ratified by Council on 7 March 2019

Advice Note:

Non-compliance with the minimum lot areas specified above means that a subdivision will fall under one of Rules 27.5.17-19, depending on its location.

27.6.2 Lots created for access, utilities, roads and reserves shall have no minimum size.

SUBDIVISION and DEVELOPMENT 27

27.7 Zone - Location Specific Rules

	Zone and Location Specific Rules	Activity Status						
27.7.1	<p>Subdivision consistent with a Structure Plan that is included in the District Plan.</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> a. subdivision design and any consequential effects on the layout of lots and on lot sizes and dimensions; b. internal roading design and provision, and any consequential effects on the layout of lots, and on lot sizes and dimensions; c. property access and roading; d. esplanade provision; e. the adequacy of on site measures to address the risk of natural and other hazards on land within the subdivision; f. fire fighting water supply; g. water supply; h. stormwater design and disposal; i. sewage treatment and disposal; j. energy supply and telecommunications, including adverse effects on energy supply and telecommunication networks; k. open space and recreation; and l. ecological and natural values; m. historic heritage; n. easements; o. any additional matters relevant to achievement of the objectives and policies in part 27.3 of this Chapter. <table border="1"> <thead> <tr> <th>Rule 27.7.1 and relief sought</th><th>Appellant Court Number</th><th>Consequentially Affected Provisions</th></tr> </thead> <tbody> <tr> <td>Amend Rule 27.7.1 to change subdivision within the Peninsula Hill Landscape Protection Area to a non-complying activity (other than in respect of boundary adjustments)</td><td>Alexander Schrantz and Jayne Schrantz ENV-2018-CHC-61</td><td></td></tr> </tbody> </table>	Rule 27.7.1 and relief sought	Appellant Court Number	Consequentially Affected Provisions	Amend Rule 27.7.1 to change subdivision within the Peninsula Hill Landscape Protection Area to a non-complying activity (other than in respect of boundary adjustments)	Alexander Schrantz and Jayne Schrantz ENV-2018-CHC-61		C
Rule 27.7.1 and relief sought	Appellant Court Number	Consequentially Affected Provisions						
Amend Rule 27.7.1 to change subdivision within the Peninsula Hill Landscape Protection Area to a non-complying activity (other than in respect of boundary adjustments)	Alexander Schrantz and Jayne Schrantz ENV-2018-CHC-61							
27.7.2	<p>Kirimoko</p> <p>27.7.2.1 In addition to those matters of control listed under Rule 27.7.1 when assessing any subdivision consistent with the principal roading layout depicted in the Kirimoko Structure Plan shown in part 27.13, the following shall be additional matters of control:</p>	C						

SUBDIVISION and DEVELOPMENT 27

	Zone and Location Specific Rules	Activity Status
	<ul style="list-style-type: none"> a. roading layout; b. the provision and location of walkways and the green network; c. the protection of native species as identified on the structure plan as green network. 	
	<p>27.7.2.2 Any subdivision that does not comply with the principal roading layout and reserve net-work depicted in the Kirimoko Structure Plan included in Part 27.13 (including the creation of additional roads, and/or the creation of access ways for more than 2 properties).</p>	NC
	<p>27.7.2.3 Any subdivision of land zoned Rural proposed to create a lot entirely within the Rural Zone, to be held in a separate certificate of title.</p>	NC
	<p>27.7.2.4 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 that has included in its legal boundary land zoned Rural.</p>	NC
27.7.3	<p>Bob's Cove Rural Residential Sub-Zone</p> <p>27.7.3.1 Activities that do not meet the following standards:</p> <ul style="list-style-type: none"> a. boundary planting – Rural Residential sub-zone at Bobs Cove: <ul style="list-style-type: none"> i. 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 ii. 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. b. development areas and undomesticated areas within the Rural Residential sub-zone at Bob's Cove: <ul style="list-style-type: none"> i. 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; ii. 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 	NC

SUBDIVISION and DEVELOPMENT 27

	Zone and Location Specific Rules	Activity Status
	<p>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;</p> <p>iii. 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;</p> <p>iv. 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</p> <p>v. 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;</p> <p>vi. 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.</p>	
27.7.4	<p>Ladies Mile</p> <p>27.7.4.1 Subdivision of land situated south of State Highway 6 ("Ladies Mile") and southwest of Lake Hayes that is zoned Lower Density Suburban Residential or Rural Residential as shown on the Planning Maps and that does not meet the following standards:</p> <p>a. 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.</p> <p>b. 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 ad-joining the land subject to the application for subdivision consent.</p>	NC
27.7.5	Jacks Point	

SUBDIVISION and DEVELOPMENT 27

Zone and Location Specific Rules			Activity Status
	<div>Rule 27.7.5 and relief sought</div> <div>Appellant Court Number</div> <div>Consequently Affected Provisions</div>		D
	<div>Amend Rule 27.7.5 to change subdivision within the Peninsula Hill Landscape Protection Area to a non-complying activity (other than in respect of boundary adjustments)</div> <div>Alexander Schrantz and Jayne Schrantz ENV-2018-CHC-61</div>		
	<p>27.7.5.1 Subdivision Activity failing to comply with the Jacks Point Structure Plan located within Section 27.13. For the purposes of interpreting this rule, the following shall apply:</p> <ul style="list-style-type: none"> a. a variance of up to 120m from the location and alignment shown on the Structure Plan of the Primary Road, and their intersection with State Highway 6, shall be acceptable; b. Public Access Routes and Secondary Roads may be otherwise located and follow different alignments provided that any such alignment enables a similar journey; c. subdivision shall facilitate a road connection at each Key Road Connection shown on the Structure Plan to enable vehicular access to roads which connect with the Primary Roads, provided that a variance of up to 50m from the location of the connection shown on the Structure Plan shall be acceptable; d. Open Spaces are shown indicatively, with their exact location and parameters to be established through the subdivision process. 		
	<p>27.7.5.2 Subdivision failing to comply with the 380m2 minimum lot size for subdivision within the Hanley Downs part of the Jacks Point Zone.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. subdivision design and any consequential effects on the layout of lots and on lot sizes and dimensions; b. internal roading design and provision, and any consequential effects on the layout of lots, and on lot sizes and dimensions; c. property access and roading; d. esplanade provision; e. the adequacy of on site measures to address the risk of natural and other hazards on land within the subdivision; f. fire fighting water supply; 		RD

SUBDIVISION and DEVELOPMENT 27

	Zone and Location Specific Rules	Activity Status						
	<ul style="list-style-type: none"> g. water supply; h. stormwater design and disposal; i. sewage treatment and disposal; j. energy supply and telecommunications, including adverse effects on energy supply and telecommunication networks; k. open space and recreation; and l. ecological and natural values; m. historic heritage; n. easements; o. location and height of buildings, or parts of buildings, including windows; p. configuration of parking, access and landscaping. 							
	<p>27.7.5.3 Subdivision within the OSR-North Activity Area of the Jacks Point Zone that does not, prior to application for subdivision consent being made:</p> <ul style="list-style-type: none"> a. provide to the Council noise modelling data that identifies the 55dB Ldn noise contour measured, predicted and assessed in accordance with NZS 6805:1992 Airport Noise Management and Land Use Planning and NZS 6801:2008 Acoustics – Measurement of Environmental Sound, by a person suitably qualified in acoustics, based on any consented operations from the airstrip on Lot 8 DP443832; and b. register a consent notice on any title the subject of subdivision that includes land that is located between the 55 dB Ldn contour and the airstrip preventing any ASAN from locating on that land. <table border="1"> <tr> <td>Rule 27.7.5.3 and relief sought</td><td>Appellant Court Number</td><td>Consequentially Affected Provisions</td></tr> <tr> <td>Delete Rule 27.7.5.3</td><td>Remarkables Station Limited and others ENV-2018-CHC-090</td><td></td></tr> </table>	Rule 27.7.5.3 and relief sought	Appellant Court Number	Consequentially Affected Provisions	Delete Rule 27.7.5.3	Remarkables Station Limited and others ENV-2018-CHC-090		NC
Rule 27.7.5.3 and relief sought	Appellant Court Number	Consequentially Affected Provisions						
Delete Rule 27.7.5.3	Remarkables Station Limited and others ENV-2018-CHC-090							
27.7.6	<p>Millbrook Resort Zone</p> <p>27.7.6.1 Any subdivision of the Millbrook Resort Zone that is inconsistent with the Millbrook Resort Zone Structure Plan contained in Section 27.13.</p>	D						
27.7.7	<p>Coneburn Industrial</p> <p>27.7.7.1 Subdivision not in general accordance with the Coneburn</p>							

SUBDIVISION and DEVELOPMENT 27

	Zone and Location Specific Rules	Activity Status
	<p>Industrial Structure Plan located in Section 27.13.</p> <p>For the purposes of this rule:</p> <ol style="list-style-type: none"> any fixed connections (road intersections) shown on the Structure Plan may be moved no more than 20 metres; any fixed roads shown on the Structure Plan may be moved no more than 50 metres in any direction; the boundaries of any fixed open spaces shown on the Structure Plan may be moved up to 5 metres. 	NC
	<p>27.7.7.2 Subdivision failing to comply with any of the following:</p> <ol style="list-style-type: none"> consent must have been granted under Rule 44.4.10 for landscaping of the Open Space Area shown on the Structure Plan in accordance with an Ecological Management Plan prior to lodgement of the subdivision application; subdivision of more than 10%, in area, of the Activity Areas shown on the Structure Plan shall not occur unless the work required under the Ecological Management Plan consented under Rule 44.4.10 has been completed on not less than 25% of the Open Space Area shown on the Structure Plan; subdivision of more than 25%, in area, of the Activity Areas shown on the Structure Plan shall not occur unless the work required under the Ecological Management Plan consented under Rule 44.4.10 has been completed on not less than 50% of the Open Space Area shown on the Structure Plan; subdivision of more than 50%, in area, of the Activity Areas shown on the Structure Plan shall not occur unless the work required under the Ecological Management Plan consented under Rule 44.4.10 has been completed on not less than 100% of the Open Space Area shown on the Structure Plan. 	NC
	<p>27.7.7.3 Subdivision whereby prior to the issue of a s224(c) certification under the Act for any subdivision of any land within the zone:</p> <ol style="list-style-type: none"> prior to the Northern Access Point being constructed as a Priority T Intersection (Austroads Guide to Road Design (Part 4A)) and being available for public use every subdivision of any land within the zone must contain a condition requiring that the Northern Access Point be constructed as a Priority T Intersection (Austroads Guide to Road Design (Part 4A)) and be available for public use prior to issue of a s.224(c) certificate; any subdivision of land within the Activity Areas 1a and 2a which, by itself or in combination with prior subdivisions of land within the zone, involves subdivision of more than 25% of the land area of Activity Areas 1a and 2a must include a 	NC

SUBDIVISION and DEVELOPMENT 27

	Zone and Location Specific Rules	Activity Status
	condition requiring the construction of the Southern Access Point as a Priority T intersection (Austroads Guide to Road Design (Part 4A)) and that it be available for public use prior to issue of a s.224(c) certificate, unless the Southern Access Point has been constructed and is available for public use at the time the consent is granted.	
27.7.8	<p>West Meadows Drive</p> <p>27.7.8.1 Subdivision of lots zoned Lower Density Suburban Residential at the western end of West Meadows Drive identified in Section 27.13.6 which is consistent with the West Meadows Drive Structure Plan in Section 27.13.</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> a. the matters of control listed under Rule 27.7.1; and b. roading layout. 	C
	<p>27.7.8.2 Subdivision of lots zoned Lower Density Suburban Residential at the western end of West Meadows Drive identified in Section 27.13.6 that is inconsistent with the West Meadows Drive Structure Plan in Section 27.13.</p>	D
27.7.9	<p>Frankton North</p> <p>27.7.9.1 All subdivision activity in the Business Mixed Use Zone and Medium Density Residential Zone located north of State Highway 6 between Hansen Road and Ferry Hill Drive that complies with the following standards in addition to the requirements of Rule 27.5.7:</p> <ul style="list-style-type: none"> a. access to the wider roading network shall only be via one or more of: <ul style="list-style-type: none"> i. Hansen Road; ii. Ferry Hill Drive; and/or iii. Hawthorne Drive/State Highway 6 roundabout. b. no subdivision shall be designed so as to preclude an adjacent site complying with clause a. <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. safe and effective functioning of the State Highway network; b. integration with other access points through the zones to link up to Hansen Road, Ferry Hill Drive or the Hawthorne Drive/State Highway 6 roundabout; c. integration with pedestrian and cycling networks, including those 	RD

SUBDIVISION and DEVELOPMENT 27

	Zone and Location Specific Rules	Activity Status
	across the State Highway.	
	27.7.9.2 Any subdivision activity in the Business Mixed Use Zone and Medium Density Residential Zone located north of State Highway 6 between Hansen Road and Ferry Hill Drive that does not comply with Rule 27.7.9.1.	NC

27.7.10 In the following zones, every allotment created for the purposes of containing residential activity shall identify one building platform of not less than 70m² in area and not greater than 1000m² in area.

- a. Rural Zone;
- b. Gibbston Character Zone;
- c. Rural Lifestyle Zone;

27.7.11 The dimensions of lots in the following zones, other than for access, utilities, reserves or roads, shall be able to accommodate a square of the following dimensions:

Zone		Minimum Dimensions (m = Metres)
Residential	Medium Density	12m x 12m
	Large Lot	30m x 30m
	All others	15m x 15m
Rural Residential	Rural Residential (inclusive of sub-zones)	30m x 30m

27.7.12 Subdivision applications not complying with either Rule 27.7.10 or Rule 27.7.11 shall be non-complying activities.

27.7.13 Subdivision associated with infill development

The specified minimum allotment size in Rule 27.6.1, and minimum dimensions in Rule 27.11 shall not apply in the High Density Residential Zone, Medium Density Residential Zone and Lower Density Suburban Residential Zone where each allotment to be created, and the original allotment, all contain at least one established residential unit (established meaning a Building Code of Compliance Certificate has been issued or alternatively where a Building Code of Compliance Certificate has not been issued, construction shall be completed to not less than the installation of the roof).

27.7.14 Subdivision associated with residential development on sites less than 450m² in the Lower Density Suburban Residential Zone

27.7.14.1 In the Lower Density Suburban Residential Zone, the specified minimum allotment size in Rule 27.6.1 shall not apply in cases where the residential units are not established, providing;

- a. a certificate of compliance is issued for a residential unit(s); or
- b. a resource consent has been granted for a residential unit(s).

SUBDIVISION and DEVELOPMENT 27

In addition to any other relevant matters pursuant to s221 of the Act, the consent holder shall register on the Computer Freehold Register of the applicable allotments:

- a. that the construction of any residential unit shall be undertaken in accordance with the applicable certificate of compliance or resource consent (applies to the additional undeveloped lot to be created);
- b. the maximum building height shall be 5.5m (applies to the additional undeveloped lot to be created).
- c. there shall be not more than one residential unit per lot (applies to all lots).

27.7.14.2 Rule 27.7.14.1 shall not apply to the Lower Density Suburban Residential Zone within the Queenstown Airport Air Noise Boundary and Outer Control Boundary as shown on the planning maps.

27.7.15 Standards related to servicing and infrastructure

Water

27.7.15.1 Subject to Rule 27.7.15.3, all lots, other than lots for access, roads, utilities and reserves except where irrigation is required, shall be provided with a connection to a reticulated water supply laid to the boundary of the net area of the lot, as follows:

To a Council or community owned and operated reticulated water supply:

- a. all Residential, Business, Town Centre, Local Shopping Centre Zones, and Airport Zone - Queenstown;
- b. Rural Residential Zones at Wanaka, Lake Hawea, Albert Town, Luggate and Lake Hayes;
- c. Millbrook Resort Zone and Waterfall Park Zone.

27.7.15.2 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.

27.7.15.3 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.

Telecommunications/Electricity

27.7.15.4 Electricity reticulation must be provided to all allotments in new subdivisions (other than lots for access, roads, utilities and reserves).

27.7.15.5 Telecommunication services must be available to all allotments in new subdivisions in the Rural Zone, Gibbston Character Zone and Rural Lifestyle Zone (other than lots for access, roads, utilities and reserves).

27.7.15.6 Telecommunication reticulation must be provided to all allotments in new subdivisions in zones other than the Rural Zone, Gibbston Character Zone and Rural Lifestyle Zone (other than lots for access, roads, utilities and reserves).

SUBDIVISION and DEVELOPMENT 27

27.8 Rules - Esplanade Reserve Exemptions

- 27.8.1 Esplanade reserves or strips shall not be required where a proposed subdivision arises solely due to land being acquired or a lot being created for a road designation, utility or reserve or in the case of activities authorised by Rule 27.5.2.

27.9 Assessment Matters for Resource Consents

27.9.1 Boundary Adjustments

In considering whether or not to impose conditions in respect to boundary adjustments under Rule 27.5.3 and in considering whether or not to grant consent or impose conditions in respect to boundary adjustments under 27.5.4, the Council shall have regard to, but not be limited by, the following assessment criteria:

27.9.1.1 Assessment Matters in relation to Rule 27.5.3 (Boundary Adjustments)

- a. whether the location of the proposed boundaries is appropriate, including in relation to their relationship to approved residential building platforms, existing buildings and vegetation patterns and existing or proposed accesses;
- b. whether the site design, size, shape, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces:
 - i. is able to accommodate development in accordance with the relevant district-wide and zone rules; and
 - ii. the potential effects on the safety of pedestrians and cyclists and other users of the space or access;
- c. whether any landscape features or vegetation, including mature forest, on the site are of a sufficient amenity value that they should be retained and if so, the proposed means for their protection;
- d. the extent to which Policies 27.2.1.7, 27.2.3.2, 27.2.5.10, 27.2.5.11, 27.2.5.14 and 27.2.7.2 are achieved.

27.9.1.2 Assessment Matters in relation to Rule 27.5.4 (Boundary Adjustments involving Heritage Items and within Arrowtown's urban growth boundary)

- a. whether the location of the proposed boundaries is appropriate, including in relation to their relationship to existing buildings and vegetation patterns and existing or proposed accesses;
- b. whether the site design, size, shape, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces:
 - i. is able to accommodate development in accordance with the relevant district-wide and zone rules; and
 - ii. the potential effects on the safety of pedestrians and cyclists and other users of the space or access;
- c. whether any landscape features or vegetation, including mature trees, on the site are of a sufficient amenity value that they should be retained and, if so, the proposed means for their protection;

SUBDIVISION and DEVELOPMENT 27

- d. the effect of subdivision on any places of heritage value including existing buildings, archaeological sites and any areas of cultural significance.
- e. where lots are being amalgamated within the Medium Density Residential Zone and Lower Density Suburban Residential Zone, the extent to which future development will affect the historic character of the Arrowtown Residential Historic Management Zone;
- f. the extent to which Policies 27.2.1.7, 27.2.3.2, 27.2.4.2, 27.2.4.4, 27.2.5.10, 27.2.5.11, 27.2.5.14 and 27.2.7.2 are achieved.

27.9.2 Controlled Unit Title and Leasehold Subdivision Activities

In considering whether or not to impose conditions in respect to unit title or leasehold subdivision under Rule 27.5.5, the Council shall have regard to, but not be limited by, the following assessment criteria:

27.9.2.1 Assessment Matters in relation to Rule 27.5.5 (Unit Title or Leasehold Subdivision)

- a. whether all buildings comply with an approved resource consent;
- b. whether the location of the proposed boundaries is appropriate, including in relation to their relationship to existing buildings and existing or proposed accesses;
- c. whether the site design, size, shape, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces:
 - i. is able to accommodate development in accordance with the relevant district-wide and zone rules; and
 - ii. the potential effects the safety of pedestrians and cyclists and other users of the space or access;
- d. the effects of and on infrastructure provision;
- e. The extent to which Policies 27.2.1.7, 27.2.3.1, 27.2.3.2, 27.2.5.10, 27.2.5.11 and 27.2.5.14 are achieved.

27.9.3 Restricted Discretionary Activity Subdivision Activities

In considering whether or not to grant consent or impose conditions under Rules 27.5.7 and 27.5.8, the Council shall have regard to, but not be limited by, the following assessment criteria:

Provision 27.9.3 and relief sought	Appellant Court Number
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SUBDIVISION and DEVELOPMENT 27

Amend 27.9.3 to refer to Controlled Activity Subdivision Activities and to ensure provisions are enabling and provide flexibility.as follows: <u>Controlled and</u> Restricted Discretionary Activity Subdivision Activities	<p>Wakatipu Equities Ltd ENV-2019-CHC-065 <i>Alternative relief to deletion of the Variation</i></p> <p>Arrowtown Lifestyle Retirement Village ENV-2019-CHC-067 <i>Alternative relief to deletion of the Variation</i></p> <p>McFadgen L ENV-2019-CHC-068</p> <p>Slopehill Joint Venture ENV-2019-CHC-074 <i>Alternative relief to deletion of the Variation</i></p> <p>MacColl D ENV-2019-CHC-075 <i>Alternative relief to deletion of the Variation</i></p> <p>Barnhill Corporate Trustee ENV-2019-CHC-086</p> <p>Morven Ferry Ltd ENV-2019-CHC-088</p>
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27.9.3.1 Assessment Matters in relation to Rule 27.5.7 (Urban Subdivision Activities)

- whether lot sizes and dimensions are appropriate in respect of widening, formation or upgrading of existing and proposed roads and any provisions required for access for future subdivision on adjoining land;
- consistency with the principles and outcomes of the QLDC Subdivision Design Guidelines;
- 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 for their protection;
- the effect of subdivision on any places of heritage value including existing buildings, archaeological sites and any areas of cultural significance;
- whether the location, alignment, gradients and pattern of roading, service lanes, pedestrian accessways and cycle ways is appropriate, including as regards their safety and efficiency;
- 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;

SUBDIVISION and DEVELOPMENT 27

- g. whether the purposes for the creation of esplanade reserves or strips set out in section 229 of the Act are achieved;
- h. whether services are to be provided in accordance with Council's Code of Practice for Subdivision
- i. whether effects on electricity and telecommunication networks are appropriately managed;
- j. whether appropriate easements are provided for existing and proposed access and services.
- k. the extent to which Policies 27.2.1.1, 27.2.1.2, 27.2.1.3, 27.2.3.2, 27.2.4.4, 27.2.5.5, 27.2.5.6, 27.2.5.10, 27.2.5.11, 27.2.5.14, 27.2.5.16 and 27.2.6.1 are achieved.

27.9.3.2 Assessment Matters in relation to Rule 27.5.8 (Rural Residential and Rural Lifestyle Subdivision Activities)

- a. the extent to which the design maintains and enhances rural living character, landscape values and visual amenity;
- b. the extent to which the location and size of building platforms could adversely affect adjoining non residential land uses;
- c. whether and what controls are required on buildings within building platforms to manage their external appearance or visibility from public places, or their effects on landscape character and visual amenity;
- d. the extent to which lots have been orientated to optimise solar gain for buildings and developments;
- e. whether lot sizes and dimensions are appropriate in respect of widening, formation or upgrading of existing and proposed roads and any provision required for access for future subdivision on adjoining land.
- f. 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 for their protection;
- g. the effect of subdivision on any places of heritage value including existing buildings, archaeological sites and any areas of cultural significance;
- h. whether the location, alignment, gradients and pattern of roading, service lanes, pedestrian accessways and cycle ways is appropriate, including as regards their safety and efficiency;
- 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;
- j. whether the purposes for the creation of esplanade reserves or strips set out in section 229 of the Act are achieved;
- k. whether services are to be provided in accordance with Council's Code of Practice for Subdivision;

SUBDIVISION and DEVELOPMENT 27

- l. whether effects on electricity and telecommunication networks are appropriately managed;
- m. whether appropriate easements are provided for existing and proposed access and services;
- n. where no reticulated water supply is available, whether sufficient water supply and access to water supplies for firefighting purposes in accordance with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 is provided.
- o. the extent to which Policies 27.2.1.2, 27.2.4.4, 27.2.5.4, 27.2.5.5, 27.2.5.10, 27.2.5.11, 27.2.5.14, 27.2.5.16 and 27.2.6.1 are achieved.

27.9.3.3 Assessment Matters in relation to Rule 27.5.9 (Wakatipu Basin Rural Amenity zone and Wakatipu Basin Lifestyle Precinct Subdivision Activities)

General

- a. The extent to which the proposal is consistent with objectives and policies relevant to the matters of discretion.
- b. The extent to which the subdivision provides for low impact design that avoids or mitigates adverse effects on the environment.

Subdivision Design

- c. The extent to which the location of future buildings, ancillary elements and the landscape treatment complements the existing landscape character, visual amenity values and wider amenity values of the Wakatipu Basin Rural Amenity Zone or Wakatipu Basin Lifestyle Precinct, including consideration of:
 - i. the retention of existing vegetation and landform patterns;
 - ii. the alignment of lot boundaries in relation to landform and vegetation features and neighbouring development;
 - iii. earth mounding, and framework planting to integrate buildings and accessways;
 - iv. planting of appropriate species that are suited to the general area having regard to the matters set out in Schedule 24.8 — Landscape Character Units;
 - v. riparian restoration planting;
 - vi. the retirement and restoration planting of steep slopes over 15° to promote slope stabilisation and indigenous vegetation enhancement;
 - vii. how controls addressing such matters as building height, building colours and materials, building coverage, earthworks, retaining, fencing, gates, accessways (including paving materials), external lighting, domestic infrastructure (including water tanks), vegetation removal, and proposed plantings might be incorporated in the development in a manner ensuring ongoing compliance;
 - viii. the integration of existing and provision for new public walkways and cycleways/bridlepaths.
- d. The extent to which existing covenants or consent notice conditions need to be retained or are otherwise integrated into the conditions governing the proposed development so as to ensure that landscape character and visual amenity values are maintained or enhanced.

SUBDIVISION and DEVELOPMENT 27

- e. The extent to which the development maintains visual amenity from public places and neighbouring properties.
- f. Whether clustering of future buildings or varied allotment sizes as part of subdivision design would offer a better solution for maintaining a sense of openness and spaciousness, or the integration of development with existing landform, vegetation or settlement patterns.
- g. The extent to which the development avoids, remedies or mitigates adverse effects on the features, elements and patterns that contribute to the value of adjacent or nearby ONLs and ONFs. This includes consideration of an appropriate setback from such features as well as the maintenance of views from public roads and other public places to the surrounding ONL and ONF context.
- h. The extent to which development adversely affects Escarpment, Ridgeline and River Cliff Features shown on the planning maps, and in particular the visual amenity values of those features in views from public places outside of the Wakatipu Basin Lifestyle Precinct.
- i. Whether mitigation elements such as a landscape management plan or proposed plantings should be subject to bonds and consent notices.
- j. Whether the layout of reserves and accessways provides for adequate public access and use.
- k. Whether the proposed subdivision provides an opportunity to maintain landscape character and visual amenity through the registration of covenants or consent notices requiring open space to be maintained in perpetuity.

Access and Connectivity

- l. Whether proposed sites are located and designed so that each site has a minimum frontage that provides for practical, legal and safe access from a formed public road that is suitable for both normal road going vehicles and construction traffic.
- m. Whether the location and design of any proposed pedestrian, cycle, bridlepaths and vehicle accessways on the proposed site(s) avoid or minimise any adverse effects on soil stability, landform patterns and features, and vegetation.
- n. Whether subdivision provides for safe and practical pedestrian paths and cycle ways (whether sealed or unsealed) and bridle paths that are located in a manner which connect, or have the potential to connect, to reserves (existing or proposed), roads and existing rural walkways.
- o. Whether site design recognises any impact of roading and access on waterbodies, ecosystems, drainage patterns and ecological values.
- p. Whether any subdivision provides for future roads to serve surrounding land or for road links that need to pass through the subdivision.

Infrastructure and Services

- q. Ensuring there is sufficient capacity and treatment to provide for the safe and efficient disposal of stormwater and wastewater from possible future development without adversely affecting natural water systems and ecological values.

SUBDIVISION and DEVELOPMENT 27

- r. Ensuring the design of stormwater and wastewater disposal systems incorporate measures to reduce runoff rates where there may be damage caused to natural waterway systems.
- s. Whether any subdivision proposal demonstrates how any natural water system on the site will be managed, protected or enhanced.
- t. Whether subdivision provides for an adequate and reliable supply of potable water to each proposed site.
- u. Whether subdivision provides for an adequate and reliable supply of emergency water supply to each site in the event of fire.
- v. Whether subdivision has sufficient capacity for the disposal of any effluent or other wastewater flow within the boundaries of each proposed site regardless of seasonal variations and loading.
- w. Assessing where more than one site will be created, whether a shared or individual wastewater treatment and disposal system is the most appropriate, having regard to any known physical constraints.
- x. Considering the extent to which easements and consent notices should be applied to protect the integrity of stormwater and/or wastewater treatment and disposal systems.
- y. Assessing the extent to which access easements should provide for lines, including electric lines, telecommunication lines and other lines, where such lines or cables are or may be located within any private property and serve other properties or sites.
- z. Whether sites can be connected to services such as telecommunications and electricity using low impact design methods including undergrounding of services.

Natural Environment and Cultural values

- aa. Considering the extent to which the subdivision provides for ecological restoration and enhancement. Ecological enhancement may include enhancement of existing vegetation, replanting and weed and pest control.
- bb. Assessing the extent to which the subdivision and subsequent land use on the proposed site(s) adversely affects the historical, cultural or spiritual significance of any site or waahi tapu of significance to iwi.
- cc. Assessing the extent to which the subdivision design and layout preserves and enhances areas of archaeological, cultural or spiritual significance.
- dd. Assessing the extent to which the integrity of any identified heritage feature(s) is maintained and enhanced.
- ee. Considering the benefits of the removal of identified wilding exotic trees.

Earthworks and Hazards

- ff. Considering how earthworks can be undertaken in a manner which mitigates and remedies adverse effects from soil erosion and the generation of sediments into receiving environments.

SUBDIVISION and DEVELOPMENT 27

- gg. Considering whether earthworks are likely to have adverse effects on landscape character or visual amenity values which cannot be avoided, remedied or mitigated.
- hh. Considering the extent to which subdivision will increase the risks associated with any natural hazard and/or how the subdivision avoids, remedies or mitigates any hazard prone area.
- ii. Considering the extent to which contaminated or potentially contaminated soil is able to be treated or disposed of.
- jj. Where the subdivision land includes waterbodies, considering the extent to which remediation measures and methodologies can be employed to avoid, remedy or mitigate any adverse effects on human health, water quality, and to the downstream receiving environment.
- kk. Considering whether consent notices or other protective instruments are needed to ensure that any hazard or contamination remediation measures and methodologies are implemented at the time of development.

Provision 27.9.3.3 and relief sought	Appellant Court Number
<p>Amend 27.9.3.3 Assessment Matters in relation to Rule 27.5.9 (Wakatipu Basin Rural Amenity zone and Wakatipu Basin Lifestyle Precinct Subdivision Activities) as follows:</p> <p>General</p> <p>...</p> <p>b. The extent to which the subdivision provides for low impact variation in design that avoids or mitigates adverse effects on the environment maintains or enhances landscape character and visual amenity values of the Wakatipu Basin.</p> <p>Subdivision Design</p> <p>...</p> <p>c. ... including consideration of:</p> <p>i. the retention of compatibility with existing vegetation and landform patterns;</p> <p>f. Whether clustering of future buildings or varied allotment sizes as part of subdivision design would offer a better solution for maintaining a sense of openness and spaciousness, or the integration of development with existing landform, vegetation or settlement patterns.</p> <p>k. Whether the proposed subdivision provides an opportunity to maintain landscape character and visual amenity through the registration of covenants or consent notices requiring open space to be maintained in perpetuity.</p>	<p>Wakatipu Equities Ltd ENV-2019-CHC-065 <i>Alternative relief to deletion of the Variation</i></p> <p>Arrowtown Lifestyle Retirement Village ENV-2019-CHC-067 <i>Alternative relief to deletion of the Variation</i></p> <p>McFadgen L ENV-2019-CHC-068</p> <p>Slopehill Joint Venture ENV-2019-CHC-074 <i>Alternative relief to deletion of the Variation</i></p> <p>MacColl D ENV-2019-CHC-075 <i>Alternative relief to deletion of the Variation</i></p> <p>Barnhill Corporate Trustee ENV-2019-CHC-086</p> <p>Morven Ferry Ltd ENV-2019-CHC-088</p>
<p>Amend 27.9.3.3 Assessment Matters to refer to Rule 27.5.18A, as follows:</p> <p>Assessment Matters in relation to Rule 27.5.9 and Rule 27.5.18A (Wakatipu Basin Rural Amenity zone and Wakatipu Basin Lifestyle Precinct Subdivision Activities)</p>	<p>Donaldson R ENV-2019-CHC-024</p> <p>Wills G and Burden T ENV-2019-CHC-044</p>

SUBDIVISION and DEVELOPMENT 27

27.9.4 Restricted Discretionary Activity - Subdivision Activities within National Grid Corridor

In considering whether or not to grant consent or impose conditions in respect to subdivision activities under Rules 27.5.10, the Council shall have regard to, but not be limited by, the following assessment criteria:

27.9.4.1 Assessment Matters in relation to Rule 27.5.10. (National Grid Corridor)

- a. whether the allotments are intended to be used for residential or commercial activity;
- b. the need to identify a building platform to ensure future buildings are located outside the National Grid Yard;
- c. the ability of future development to comply with NZECP34:2001;
- d. potential effects of the location and planting of vegetation on the National Grid;
- e. whether the operation, maintenance and upgrade of the National Grid is restricted;
- f. **the extent to which Policy 27.2.2.8 is achieved.**

Rule 27.9.5.1 and relief sought	Appellant Court Number	Consequently Affected Provisions
Amend Rule 27.9.5.1: f. the extent to which Policy 27.2.2.8A is achieved.	Transpower New Zealand Limited ENV-2018-CHC-114 (as per further particulars received)	

27.9.5 Controlled Subdivision Activities – Structure Plan

In considering whether or not to impose conditions in respect to subdivision activities undertaken in accordance with a structure plan under Rules 27.7.1 and 27.7.2.1, the Council shall have regard to, but not be limited by, the following assessment criteria:

27.9.5.1 Assessment Matters in relation to Rule 27.7.1

- a. consistency with the relevant location specific objectives and policies in part 27.3;
- b. the extent and effect of any minor inconsistency or variation from the relevant structure plan.

27.9.5.2 Assessment Matters in relation to Rule 27.7.2.1 (Kirimoko)

- a. the assessment criteria identified under Rule 27.7.1;
- b. the appropriateness of any earthworks required to create any road, vehicle accesses, of building platforms or modify the natural landform;
- c. the appropriateness of the design of the subdivision including lot configuration and roading patterns and design (including footpaths and walkways);
- d. whether provision is made for creation and planting of road reserves
- e. whether walkways and the green network are provided and located as illustrated on the Structure Plan for the Kirimoko Block in part 27.13;

SUBDIVISION and DEVELOPMENT 27

- f. whether native species are protected as identified on the Structure Plan as green network;
- g. The extent to which Policies 27.3.2.1 to 27.3.2.10 are achieved.

27.9.6 **Restricted Discretionary Activity-Subdivision Activities within the Jacks Point Zone**

In considering whether or not to grant consent or impose conditions in respect to subdivision activities under Rule 27.7.5.2, the Council shall have regard to, but not be limited by, the following assessment criteria:

27.9.6.1 Assessment Matters in relation to Rule 27.7.5.2 (Jacks Point)

- a. the assessment criteria identified under Rule 27.7.1 as it applies to the Jacks Point Zone;
- b. the visibility of future development from State Highway 6 and Lake Wakatipu;
- c. the appropriateness of the number, location and design of access points;
- d. the extent to which nature conservation values are maintained or enhanced;
- e. the adequacy of provision for creation of open space and infrastructure;
- f. the extent to which Policy 27.3.7.1 is achieved;
- g. the extent to which sites are configured:
 - i. with good street frontage;
 - ii. to enable sunlight to existing and future residential units;
 - iii. to achieve an appropriate level of privacy between homes.
- h. the extent to which parking, access and landscaping are configured in a manner which:
 - i. minimises the dominance of driveways at the street edge;
 - ii. provides for efficient use of the land;
 - iii. maximises pedestrian and vehicular safety;
 - iv. addresses nuisance effects such as from vehicle lights.
- i. the extent to which subdivision design satisfies:
 - i. public and private spaces are clearly demarcated, and ownership and management arrangements are proposed to appropriately manage spaces in common ownership.
- j. whether design parameters are required to be secured through an appropriate legal mechanism. These are height, building mass, window sizes and locations, building setbacks, fence heights, locations and transparency, building materials and landscaping.

27.9.7 **Controlled Activity-Subdivision Activities on West Meadows Drive**

SUBDIVISION and DEVELOPMENT 27

In considering whether or not to impose conditions in respect to subdivision activities under Rule 27.7.8.1, the Council shall have regard to, but not be limited by, the following assessment criteria:

27.9.7.1 Assessment Matters in relation to Rule 27.7.8.1

- a. the assessment criteria identified under Rule 27.7.1 as they apply to the West Meadows Drive area.
- b. the extent to which the roading layout integrates with the operation of West Meadows Drive as a through-road.

27.10 Rules - Non-Notification of Applications

Applications for all controlled and restricted discretionary activities shall not require the written approval of other persons and shall not be notified or limited notified except:

- a. where the site adjoins or has access onto a State Highway;

Rule 27.10.a and relief sought	Appellant Court Number	Consequentially Affected Provisions
Delete Rule 27.10.a	<p>Bill and Jan Walker Family Trust & others ENV-2018-CHC-099</p> <p>Fred van Brandenburg ENV-2018-CHC-071</p> <p>Fil Holdings Limited ENV-2018-CHC-084 (relief withdrawn)</p> <p>Universal Developments Limited ENV-2018-CHC-101</p>	

- b. where the Council is required to undertake statutory consultation with iwi;
- c. where the application falls within the ambit of Rule 27.5.4;
- d. where the application falls within the ambit of Rule 27.5.10 and the written approval of Transpower New Zealand Limited has not been obtained to the application.

27.11 Advice Notes

27.11.1 State Highways

- 27.11.1.1 Attention is drawn to the need to obtain a Section 93 notice from the New Zealand Transport Agency for all subdivisions with access onto state highways that are declared Limited Access Roads (LAR). Refer to the Designations Chapter of the District Plan for sections of state highways that are LAR as at August 2015. Where a subdivision will change the use, intensity or location of the access onto the state highway, subdividers should consult with the New Zealand Transport Agency.

27.11.2 Esplanades

SUBDIVISION and DEVELOPMENT 27

27.11.2.1 The opportunities for the creation of esplanades are outlined in objective and policies 27.2.7. Unless otherwise stated, section 230 of the Act applies to the standards and process for creation of esplanade reserves and strips.

27.11.3 **New Zealand Electrical Code of Practice for Electrical Safe Distances**

27.11.3.1 Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (“NZECP34:2001”) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including any activities that are otherwise permitted by the District Plan must comply with this legislation.

27.12 Financial Contributions

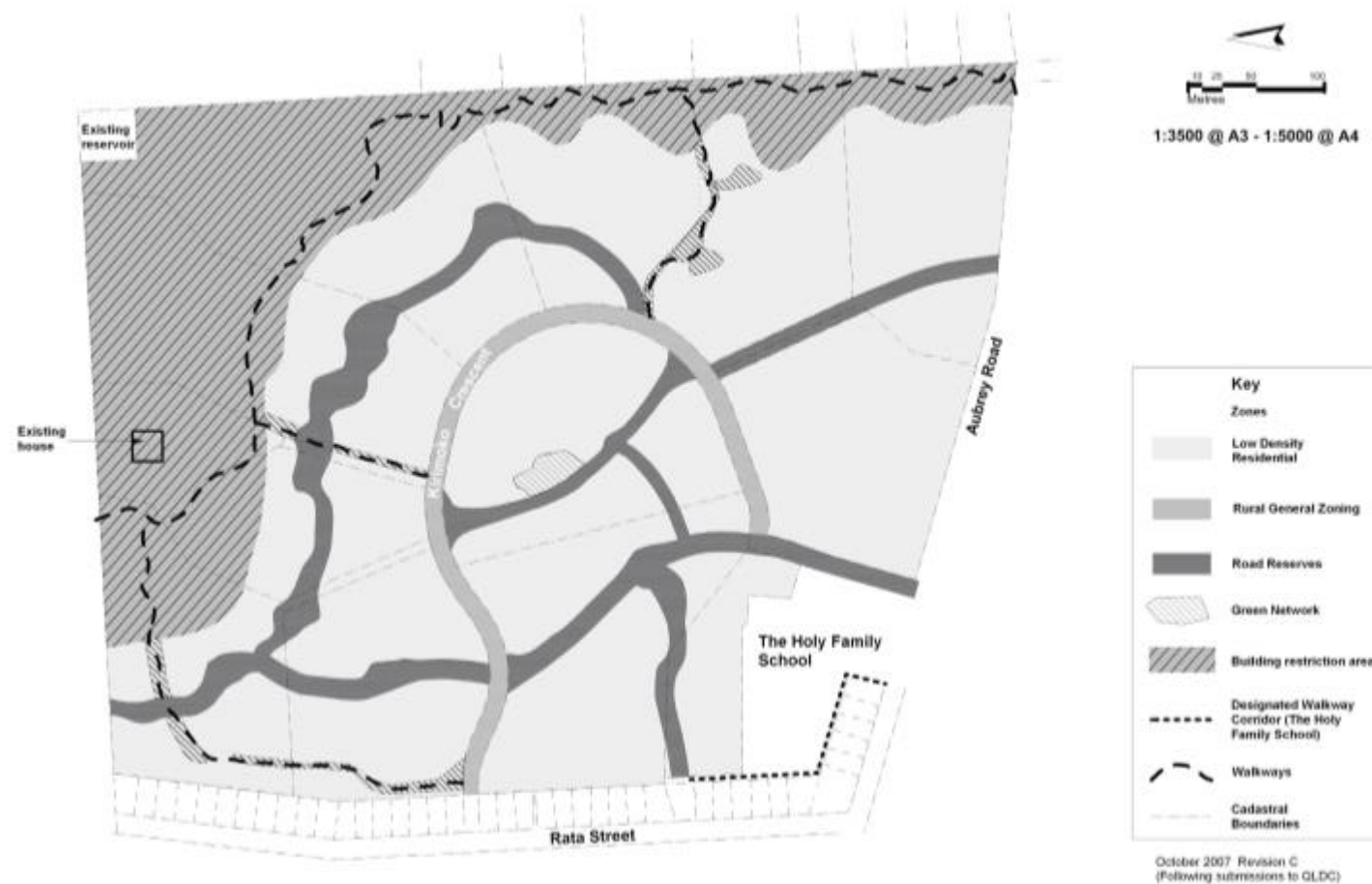
The Local Government Act 2002 provides the Council with an avenue to recover growth related capital expenditure from subdivision and development through development contributions. The Council forms a development contribution policy as part of its 10 Year Plan and actively imposes development contributions via this process.

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.

27.13 Structure Plans

27.13.1 Kirimoko Structure Plan

Kirimoko Block - Wanaka - Structure Plan



27.13.2 Jacks Point Structure Plan

Jacks Point Resort Zone Structure Plan

LEGEND

-  Outstanding Natural Landscape Line
-  Activity Area
-  Public Access Route (location indicative)
-  Secondary Road Access (location indicative)
-  Primary Road Access (location indicative)
-  Key Road Connections (location indicative)
-  State Highway Mitigation

OVERLAYS

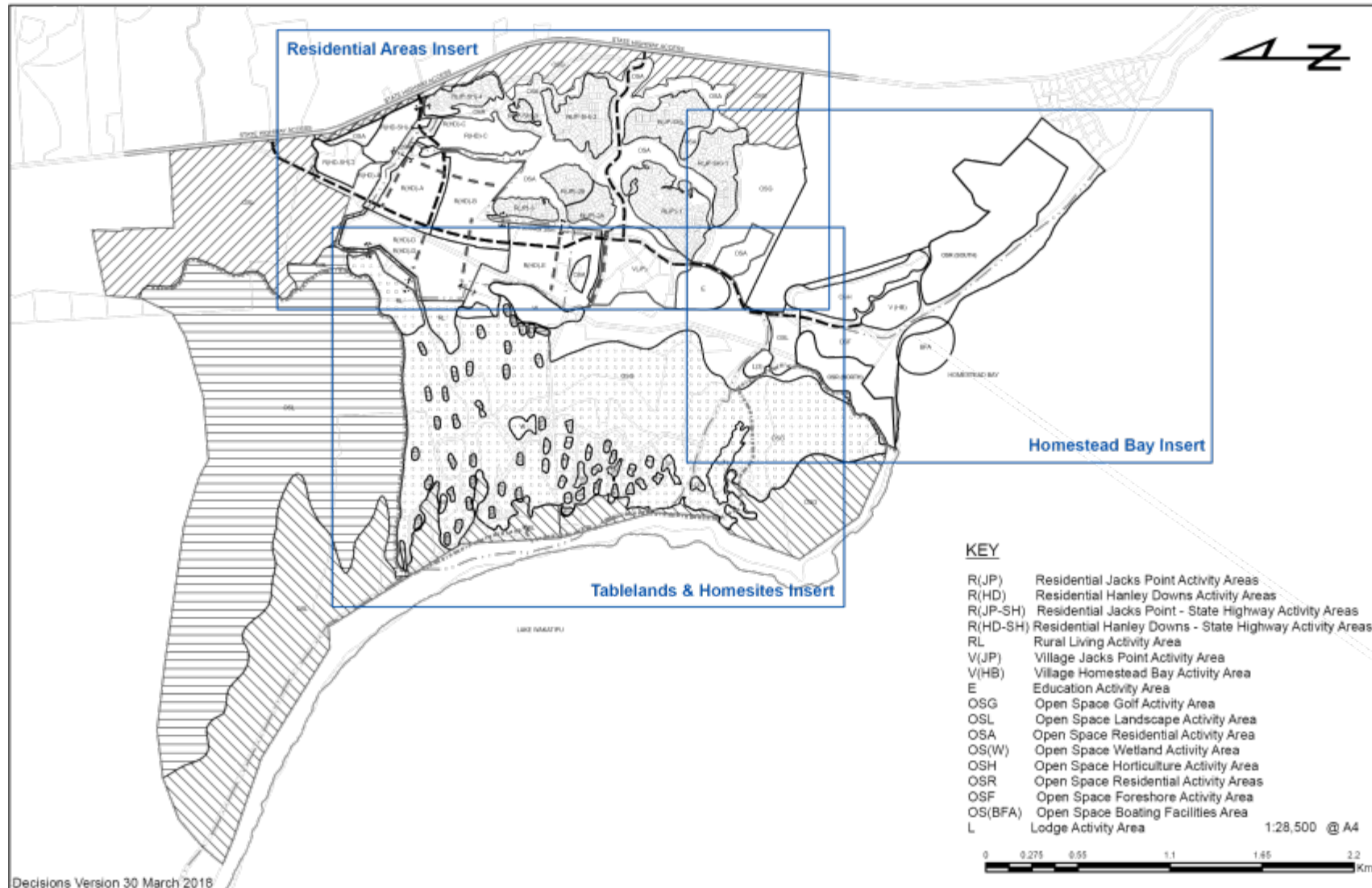
-  Highway Landscape Protection Area
-  Peninsula Hill Landscape Protection Area
-  Lake Shore Landscape Protection Area
-  Tablelands Landscape Protection Area

KEY

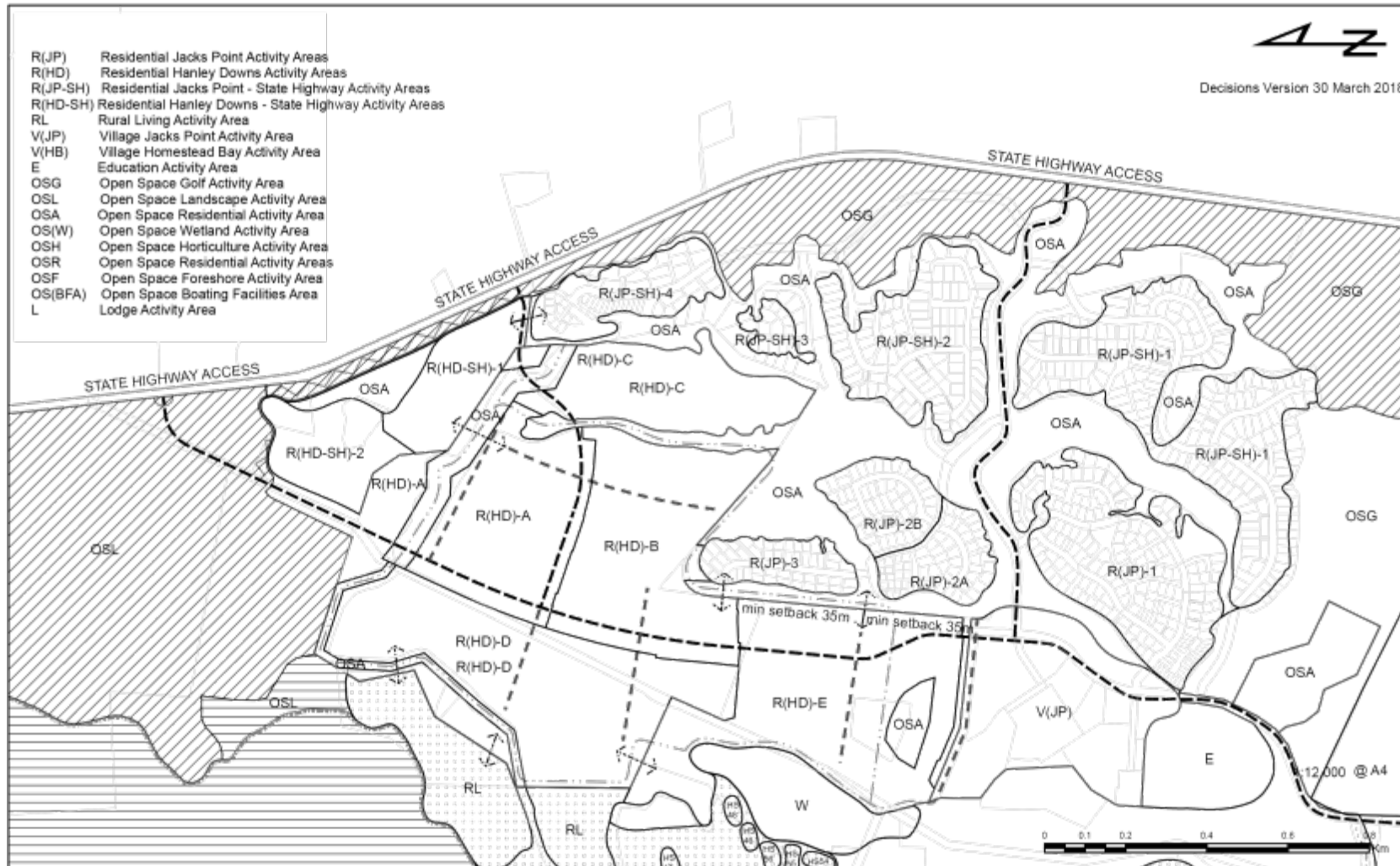
- R(JP) Residential Jacks Point Activity Areas
- R(HD) Residential Hanley Downs Activity Areas
- R(JP-SH) Residential Jacks Point - State Highway Activity Areas
- R(HD-SH) Residential Hanley Downs - State Highway Activity Areas
- RL Rural Living Activity Area
- V(JP) Village Jacks Point Activity Area
- V(HB) Village Homestead Bay Activity Area
- E Education Activity Area
- OSG Open Space Golf Activity Area
- OSL Open Space Landscape Activity Area
- OSA Open Space Residential Activity Area
- OS(W) Open Space Wetland Activity Area
- OSH Open Space Horticulture Activity Area
- OSR Open Space Residential Activity Areas
- OSF Open Space Foreshore Activity Area
- OS(BFA) Open Space Boating Facilities Area
- L Lodge Activity Area

Decisions Version 30 March 2018

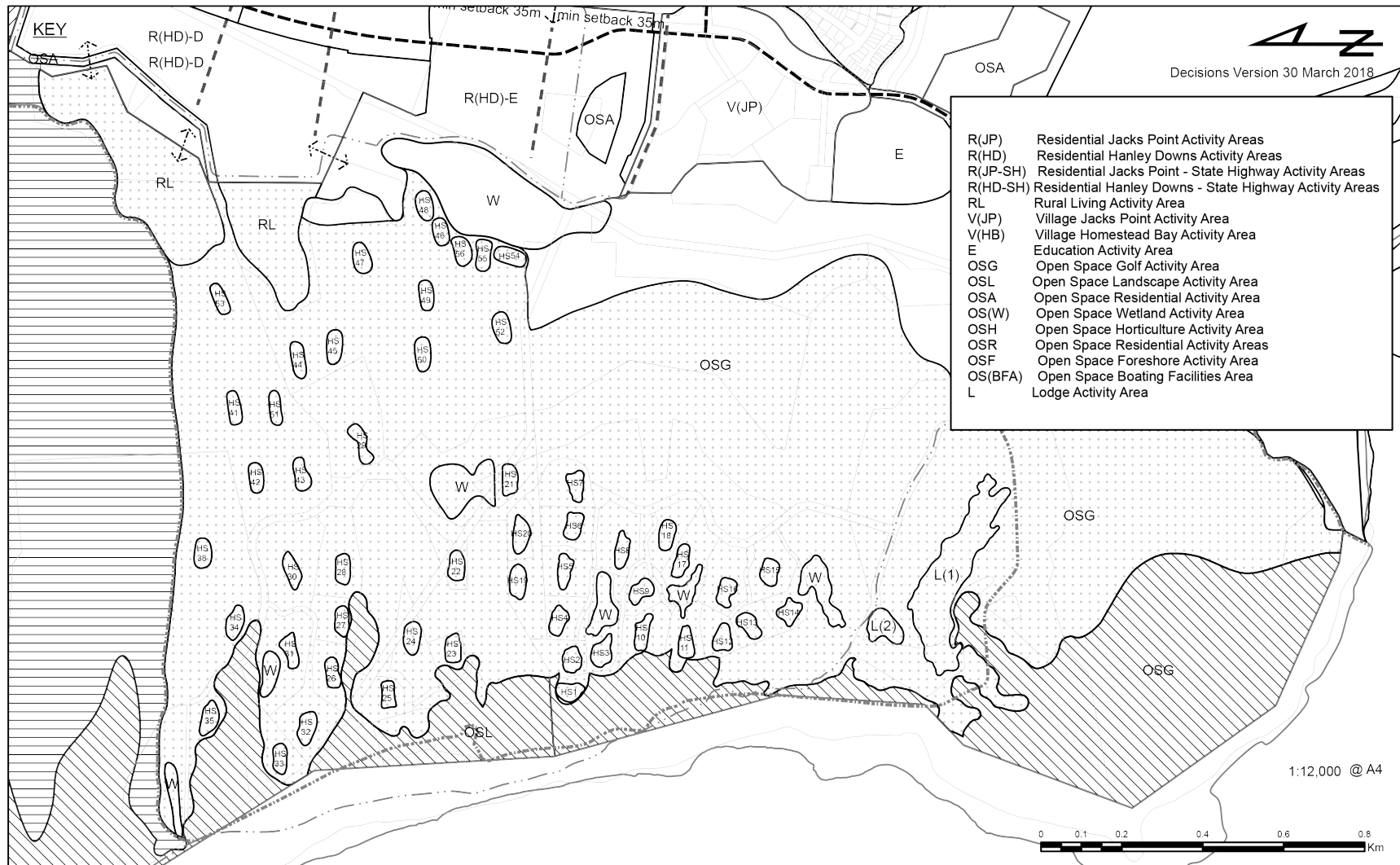
Jacks Point Resort Zone Structure Plan



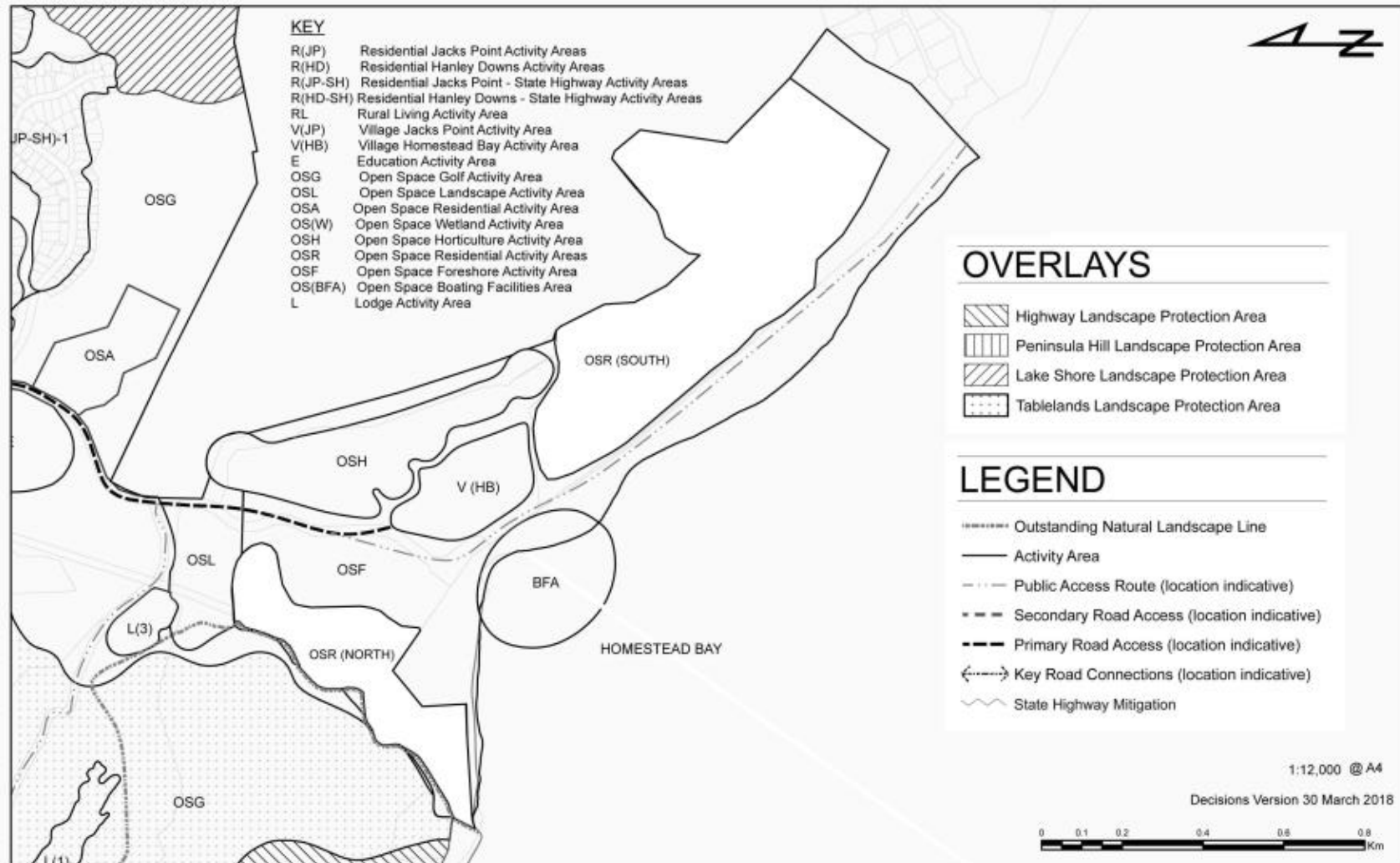
Jacks Point Resort Zone Structure Plan Residential Areas Insert



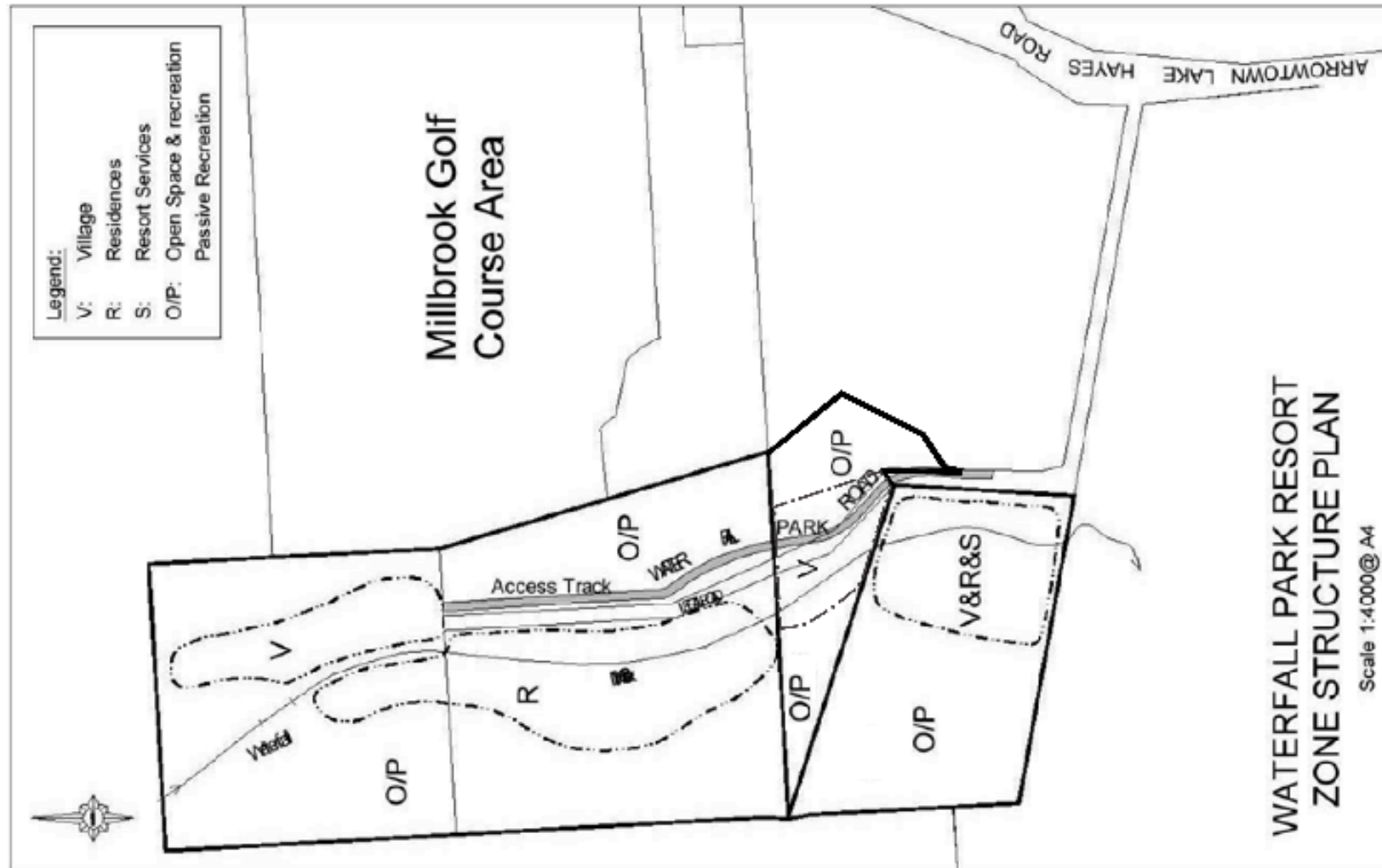
Jacks Point Resort Zone Structure Plan
Tablelands & Homesites Insert



Jacks Point Resort Zone Structure Plan Homestead Bay Insert



27.13.3 Waterfall Park Structure Plan



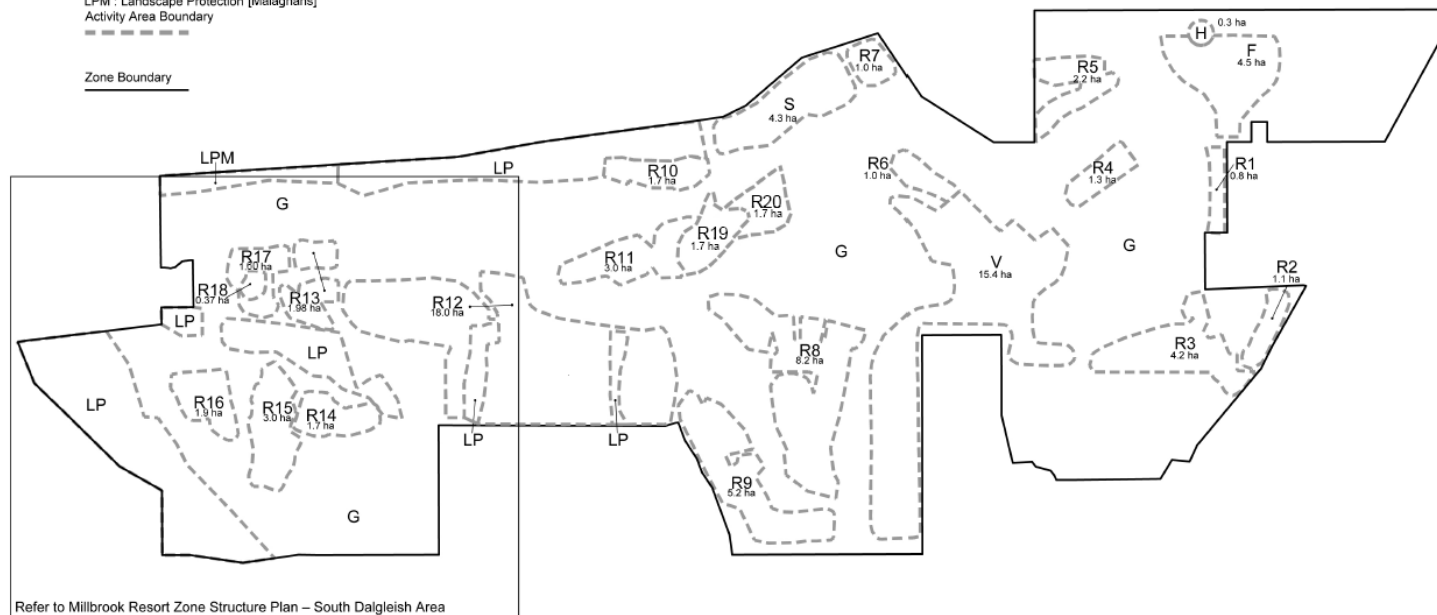
27.13.4 Millbrook Structure Plan



Structure Plan Legend

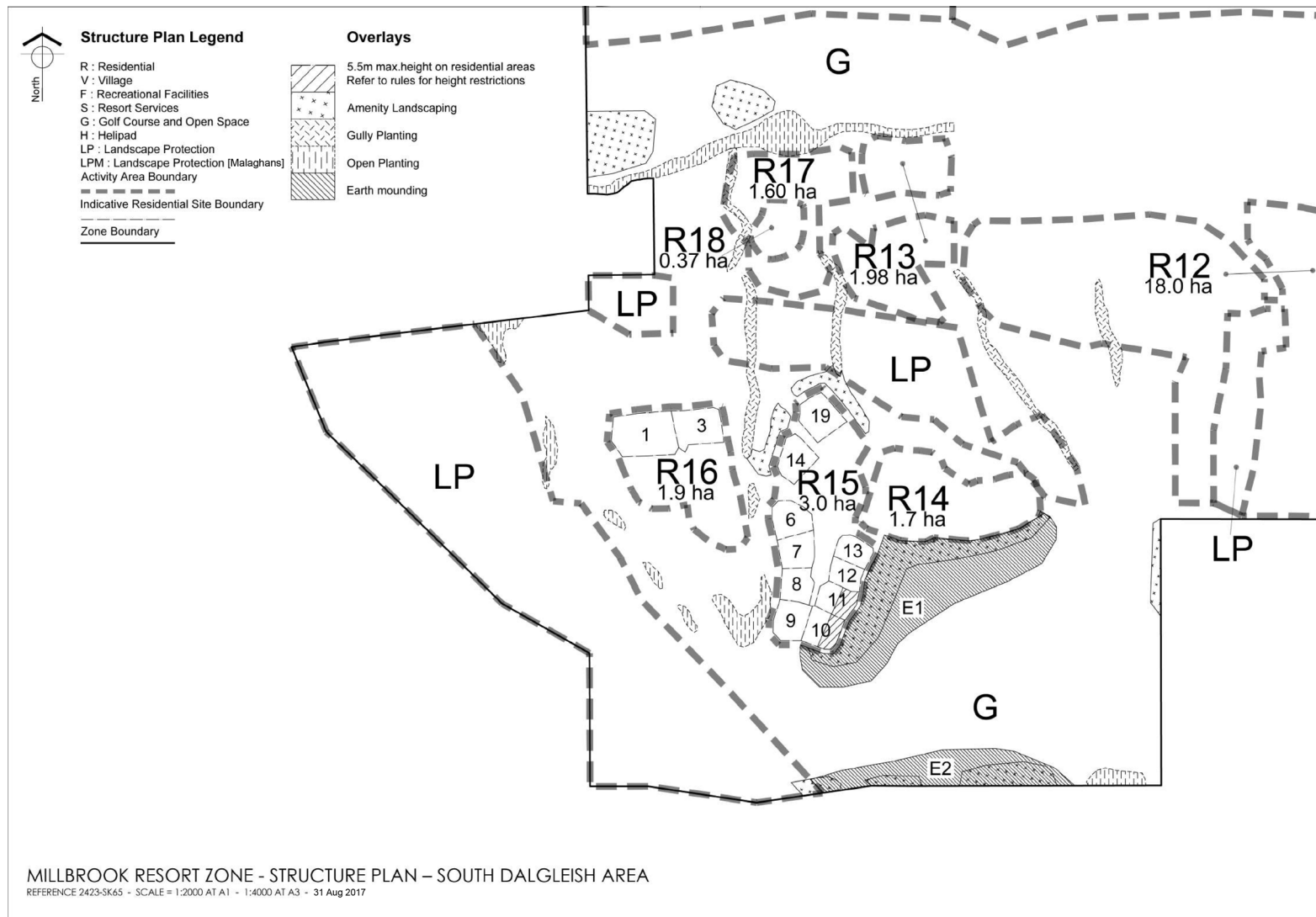
R : Residential
V : Village
F : Recreational Facilities
S : Resort Services
G : Golf Course and Open Space
H : Helipad
LP : Landscape Protection
LPM : Landscape Protection [Malaghans]
Activity Area Boundary
--- -- -- --

Zone Boundary
— — — — —



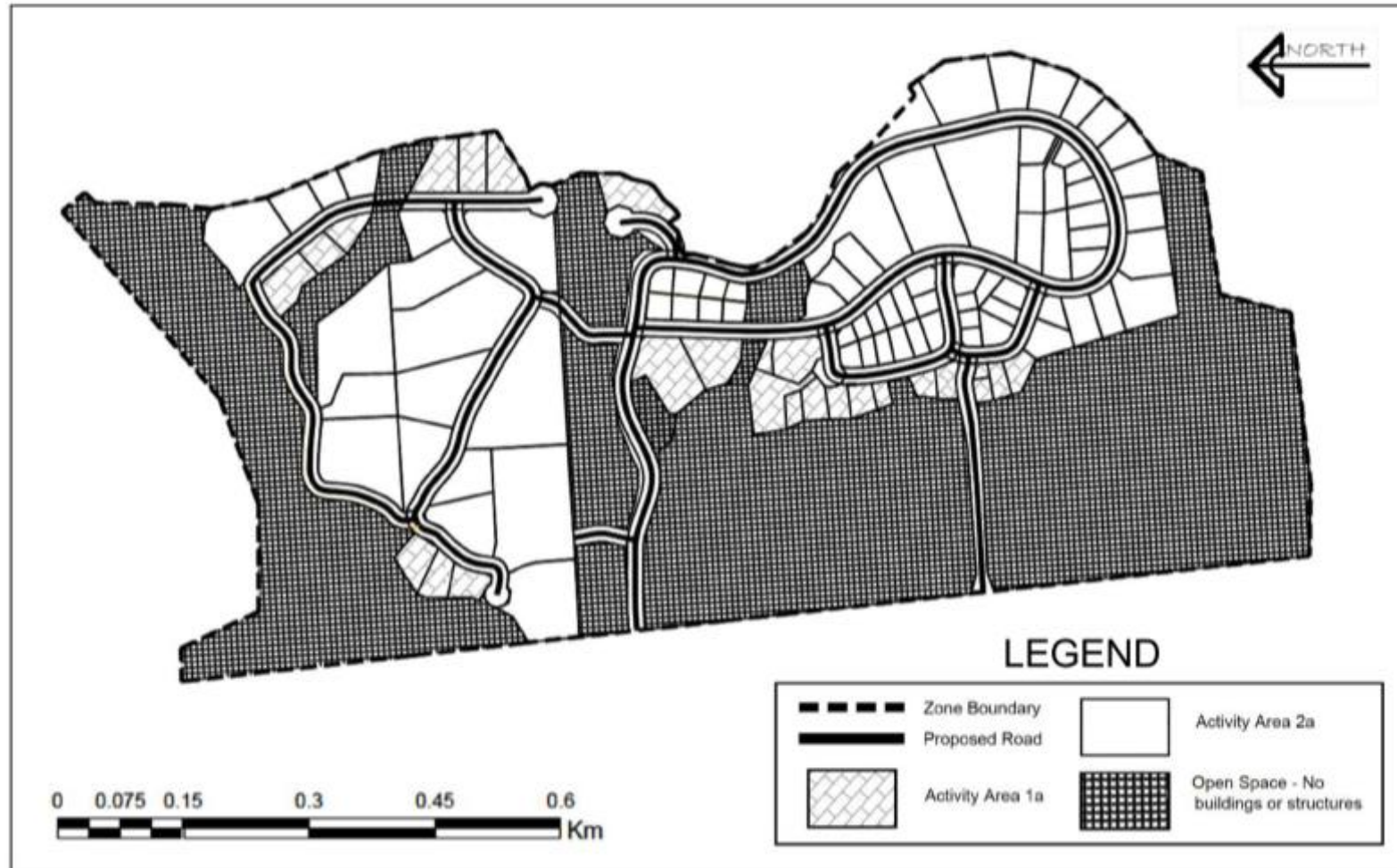
MILLBROOK RESORT ZONE - STRUCTURE PLAN

REFERENCE 2423-SK40 - SCALE = 1:5000 AT A1 - 1:10000 AT A3 - December 2018



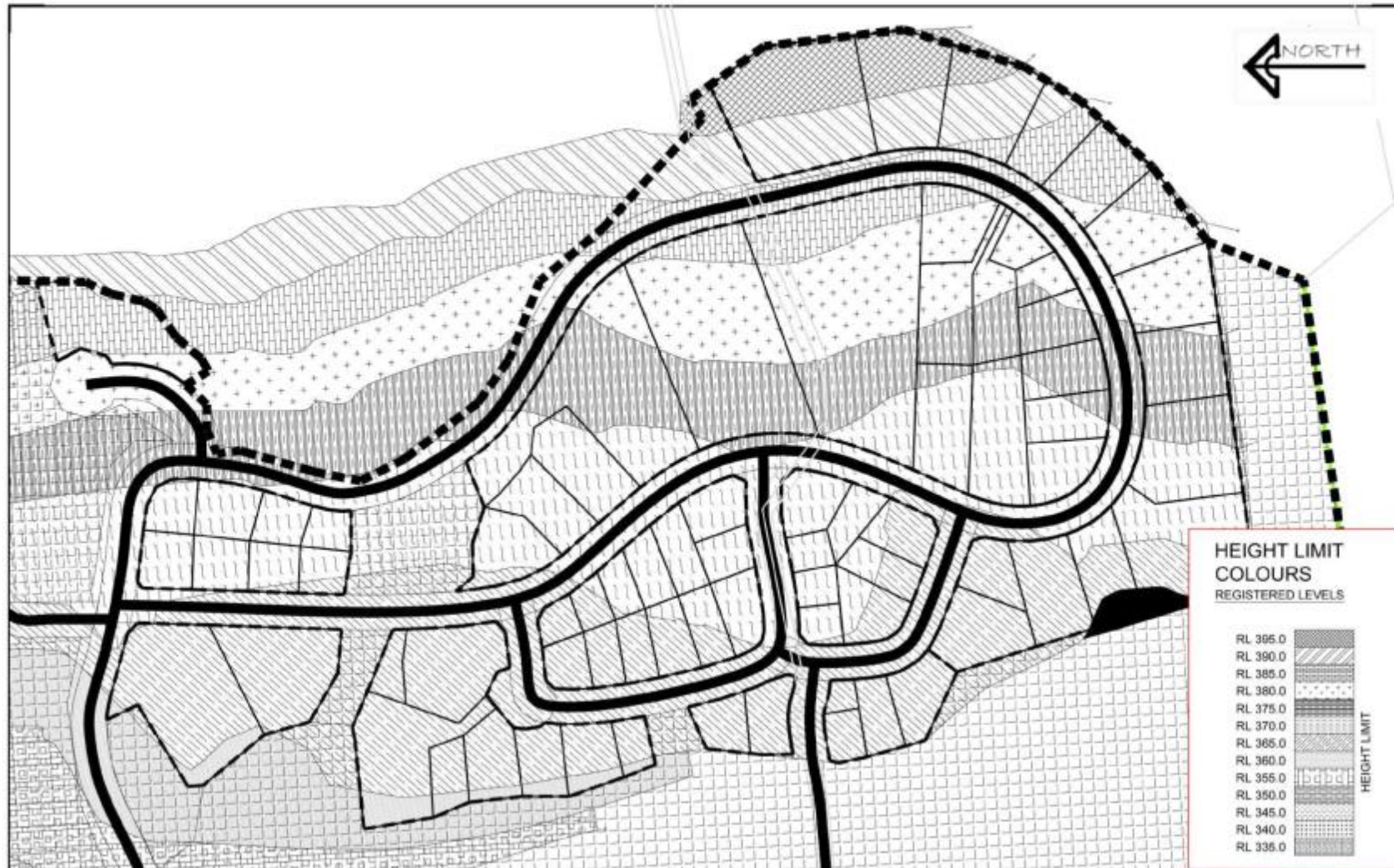
27.13.5 Coneburn Industrial Structure Plan

Coneburn Structure Plan Layout of Activity Areas, Roads and Open Space



Coneburn Structure Plan

Building Height Limits: Part 1



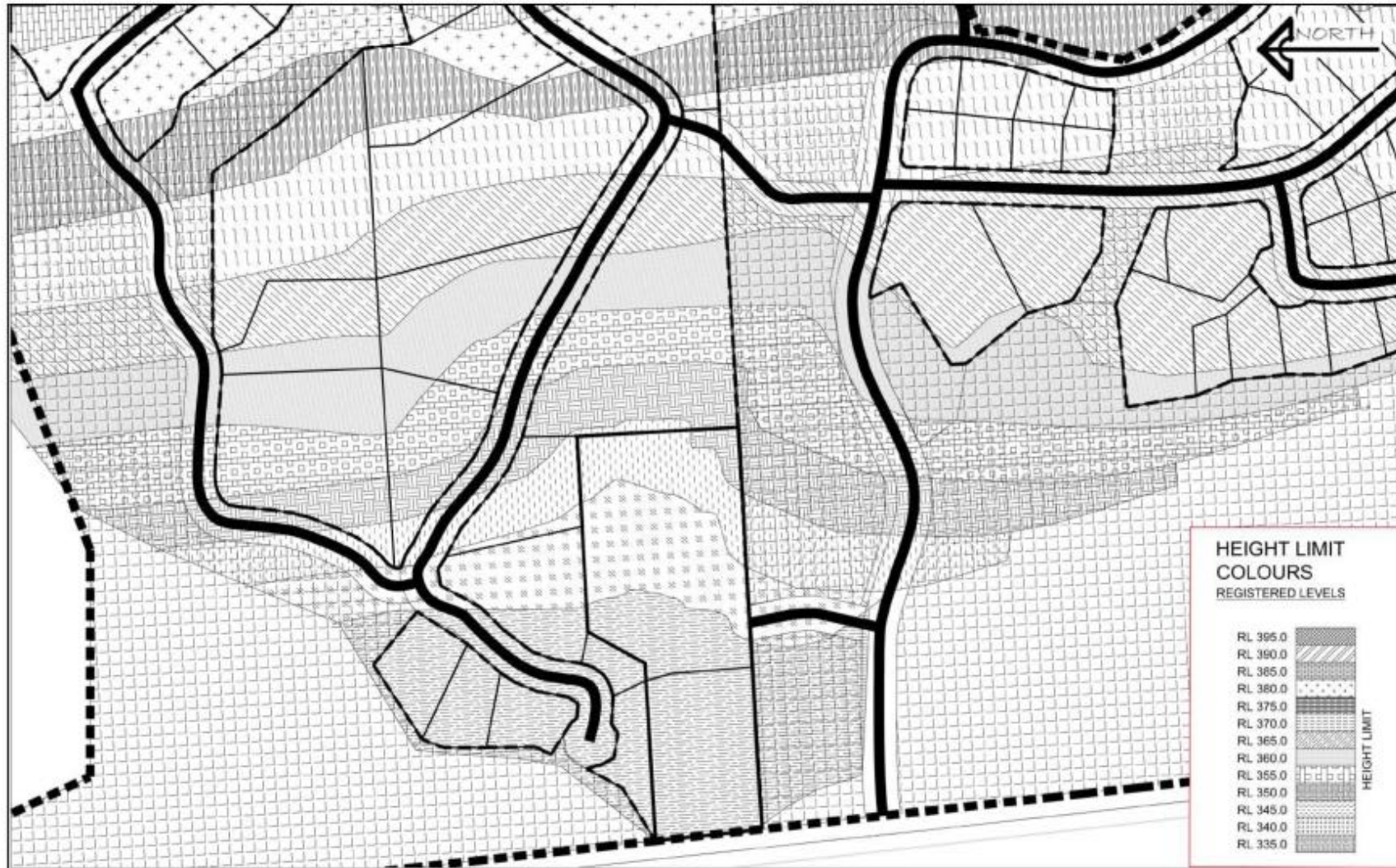
Coneburn Structure Plan

Building Height Limits: Part 2



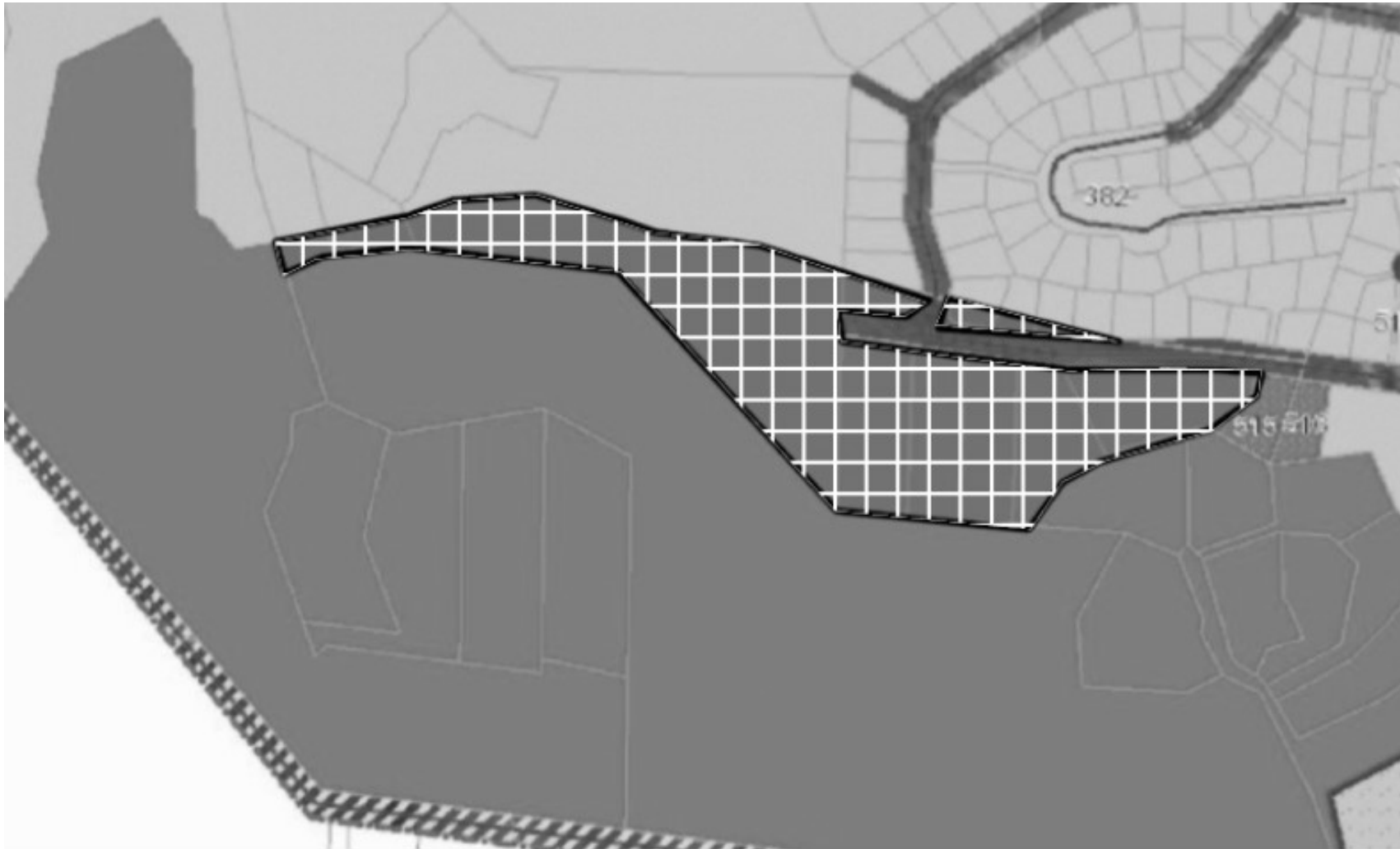
Coneburn Structure Plan

Building Height Limits: Part 3



27.13.6 West Meadows Drive Structure Plan

Area of Lower Density Suburban Residential zoned land the subject of the West meadows Structure Plan



West Meadows Drive Structure Plan

