

9 High Density Residential

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.

9.1 Zone Purpose

The High Density Residential Zone provides for efficient use of land within close proximity to town centres that is easily accessible by public transport, cycle and walk ways. In conjunction with the Medium Density Residential Zone, the zone plays a key planning role in minimising urban sprawl and consolidating growth in existing urban areas.

In Queenstown, the High Density Residential zone enables taller buildings than in the other residential zones, subject to high design quality. In Wanaka, lower building heights are anticipated, accounting for its distinctive urban character, however relatively high densities are still achievable. Such development will result in a greater diversity of housing supply, help support the function and vibrancy of town centres, and reduce reliance on private transport. Over time, low-rise apartments and terraced housing are envisaged to become commonplace within the zone.

Development in the zone will facilitate effective non-vehicular connections and access to high quality public open space.

Development controls provide minimum protections for existing amenity values, and are otherwise prioritised towards enabling the community's wellbeing by promoting growth and development. Given the focus on intensification, moderate to substantial change is anticipated including to both public and private views as the character of land within the zone develops into one that is characteristically urban.

Small scale commercial activities are enabled, either to support larger residential developments, or to provide low impact local services.

Small scale community facilities are anticipated, given the need for community activities within residential areas. However, large scale community facilities are not anticipated as this will reduce the effectiveness of the zone at its primary purpose of accommodating housing.

Visitor accommodation, residential visitor accommodation and homestays are anticipated and enabled in this zone, which is located near the town centres, to respond to projected growth in visitor numbers, provided that adverse effects on the residential amenity values of nearby residents is avoided, remedied or mitigated.

9.2 Objectives and Policies

9.2.1 Objective – High density housing development occurs in urban areas close to town centres, to provide greater housing diversity and respond to expected population growth.

Policies

9.2.1.1 Provide sufficient high density zoned land that enables diverse housing supply and visitor accommodation close to town centres.

- 9.2.1.2 Promote high density development close to town centres to reduce private vehicle movements, maximise walking, cycling and public transport patronage and reduce the need for capital expenditure on infrastructure.

9.2.2 Objective - High density residential development provides a positive contribution to the environment through quality urban design.

Policies

- 9.2.2.1 Require that development within the zone responds to its context, with a particular emphasis on the following essential built form outcomes:
- a. achieving high levels of visual interest and avoiding blank or unarticulated walls or facades;
 - b. achieving well-overlooked, activated streets and public open spaces, including by not visually or spatially dominating street edges with garaging, parking or access ways;
 - c. achieving a variation and modulation in building mass, including roof forms;
 - d. use landscaped areas to add to the visual amenity values of the development for on-site residents or visitors, neighbours, and the wider public.
- 9.2.2.2 Support greater building height where development is designed to achieve an exemplary standard of quality, including its environmental sustainability.

9.2.3 Objective – High density residential development maintains a minimum of existing amenity values for neighbouring sites as part of positively contributing to the urban amenity values sought within the zone.

Policies

- 9.2.3.1 Apply recession plane, building height, yard setback and site coverage controls as the primary means of ensuring a minimum level of neighbours' outlook, sunshine and light access, and privacy will be maintained, while acknowledging that through an application for land use consent an outcome superior to that likely to result from strict compliance with the controls may well be identified.
- 9.2.3.2 Ensure the amenity values of neighbours are adequately maintained.
- 9.2.3.3 Ensure built form achieves privacy for occupants of the subject site and neighbouring residential sites and units, including through the use of building setbacks, offsetting habitable windows from one another, screening, or other means.
- 9.2.4 Objective – Small-scale community activities are provided for where they are best located in a residential environment close to residents.**

Policies

- 9.2.4.1 Enable the establishment of small-scale community activities where adverse effects on residential amenity values such as noise, traffic and visual impact can be avoided or mitigated.
- 9.2.5 Objective – Commercial development is small-scale and generates minimal amenity value impacts.**

Policies

9.2.5.1 Ensure that any commercial development is of low scale and intensity, and does not undermine the local transport network or availability of on-street vehicle parking for non-commercial use.

9.2.5.2 Ensure that any commercial development is of a design, scale and appearance compatible with its surrounding context.

9.2.6 Objective - High-density residential development will efficiently utilise existing infrastructure and minimise impacts on infrastructure and roading networks.

Policies

9.2.6.1 Require development to provide or enhance connections to public places and active transport networks (walkways, trails and cycleways) where appropriate.

9.2.6.2 Require development to provide facilities to encourage walking and cycling where appropriate.

9.2.6.3 Ensure access and parking is located and designed to optimise the connectivity, efficiency and safety of the district's transport networks, including the consideration of a reduction in required car parking where it can be demonstrated that this is appropriate.

9.2.6.4 Require the site layout and design of development provides low impact approaches to stormwater management through providing permeable surface areas on site and the use of a variety of stormwater management measures.

9.2.6.5 A reduction in parking requirements may be considered in Queenstown and Wanaka where a site is located within 800m of a bus stop or the edge of a Town Centre Zone.

9.2.7 Objective – Manage the development of land within noise affected environments to ensure mitigation of noise and reverse sensitivity effects.

9.2.7.1 Require as necessary all new and altered buildings for Activities Sensitive to Road Noise located close to any State Highway to be designed to provide protection from sleep disturbance and to otherwise maintain reasonable amenity values for occupants.

9.2.8 Objective – Visitor accommodation, residential visitor accommodation and homestays are enabled in urban areas close to town centres to respond to strong projected growth in visitor numbers, whilst ensuring that adverse effects on residential amenity values and traffic safety are avoided, remedied or mitigated.

9.2.8.1 Provide sufficient high density zoned land to enable a range of accommodation options for visitors to establish close to town centres.

9.2.8.2 Enable a range of accommodation options which positively contribute to residential amenity values by ensuring that adverse effects on residential amenity values are avoided, remedied or mitigated.

9.2.8.3 Ensure that visitor accommodation development utilises existing infrastructure and minimise impacts on infrastructure and roading networks.

9.2.8.4 Ensure that the design of buildings for visitor accommodation contributes positively to the visual quality of the environment through the use of connection to the street, interesting built forms, landscaping, and response to site context.

9.3 Other Provisions and Rules

9.3.1 District Wide

Attention is drawn to the following District Wide chapters.

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

9.3.2 Interpreting and Applying the Rules

- 9.3.2.1 A permitted activity must comply with all the rules listed in the Activity and Standards tables, and any relevant district wide rules, otherwise a resource consent will be required.
- 9.3.2.2 Where an activity does not comply with a Standard listed in the Standards table, the activity status identified by the 'Non- Compliance Status' column shall apply.
- 9.3.2.3 Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.
- 9.3.2.4 Each residential unit may include a single residential flat and any other accessory buildings.
- 9.3.2.5 The status of any Plantation Forestry will be determined by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.
- 9.3.2.6 The following abbreviations are used within this Chapter.

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

9.4 Rules - Activities

	Activities located in the High Density Residential Zone	Activity status
9.4.1	Commercial activities comprising no more than 100m ² of gross floor area	P

	Activities located in the High Density Residential Zone	Activity status
9.4.2	Home Occupation	P
9.4.3	Residential Unit comprising three (3) or less per site	P
9.4.4	Residential Visitor Accommodation and Homestays	P
9.4.5	<p>Residential Unit comprising four (4) or more per site</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. location, external appearance, site layout and design of buildings and fences and how the development addresses its context to contribute positively to the character of the area; b. building dominance and sunlight access relative to neighbouring properties and public spaces including roads; c. how the design advances housing diversity and promotes sustainability either through construction methods, design or function; d. privacy for occupants of the subject site and neighbouring sites; e. street activation; f. parking and access layout: safety, efficiency and impacts on on-street parking and neighbours; g. design and integration of landscaping; h. where a site is subject to any natural hazard and the proposal results in an increase in gross floor area: <ul style="list-style-type: none"> i. the nature and degree of risk the hazard(s) pose to people and property; ii. whether the proposal will alter the risk to any site; and iii. the extent to which such risk can be avoided or sufficiently mitigated. 	RD

	Activities located in the High Density Residential Zone	Activity status
9.4.6	<p>Visitor Accommodation including licensed premises within a visitor accommodation development</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. The location, nature and scale of activities; b. Parking and access; c. Landscaping; d. Noise; e. Hours of operation, including in respect of ancillary activities; and f. The external appearance of buildings. 	RD
9.4.7	Commercial recreation	D
9.4.8	Community activities	D
9.4.9	Retirement village	D
9.4.10	Activities which are not listed in this table	NC
9.4.11	Commercial activities not otherwise identified	NC
9.4.12	Panel beating, spray painting, motor vehicle repair or dismantling, fibre glassing, sheet metal work, bottle or scrap storage, motor body building.	PR
9.4.13	Manufacturing and/or product assembling activities	PR
9.4.14	Mining	PR
9.4.15	Factory Farming	PR
9.4.16	Fish or meat processing	PR
9.4.17	Forestry activities, except for Plantation Forestry where the Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017 prevails.	PR
9.4.18	Any activity requiring an Offensive Trade License under the Health Act 1956	PR
9.4.19	Airports other than the use of land and water for emergency landings, rescues and fire fighting	PR
9.4.20	Bulk material storage	PR

9.5 Rules - Standards

	Standards for activities located in the High Density Residential Zone	Non-compliance status
9.5.1	Building Height – Flat Sites in Queenstown	RD
	9.5.1.1 A height of 12 metres except where specified in Rules 9.5.1.2, 9.5.1.3 or 9.5.1.4.	Discretion is restricted to: <ul style="list-style-type: none"> a. building design and appearance, including roof form articulation and the avoidance of large, monolithic building forms; b. building dominance and sunlight access relative to neighbouring properties and public spaces including roads; c. how the design advances housing diversity and promotes sustainability either through construction methods, design or function; d. privacy for occupants of the subject site and neighbouring sites; e. effects on significant public views (based on an assessment of public views undertaken at the time of the proposal, in addition to any specified significant public views identified within the District Plan); f. the positive effects of enabling additional development intensity within close proximity to town centres.
	9.5.1.2 In the High Density Residential Zone immediately west of the Kawarau Falls Bridge the maximum building height shall be 10m provided that in addition no building shall protrude above a horizontal line orientated due north commencing 7m above any given point along the required boundary setbacks at the southern zone boundary.	D
	9.5.1.3 Within the area specified on the planning maps on the south side of Frankton Road (SH6A), the highest point of any building shall not exceed the height above sea level of the nearest point of the road carriageway centreline.	D
		D

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	9.5.1.4 Maximum building height of 15m.	
9.5.2	Building Height – Flat Sites in Wanaka 9.5.2.1 A height of 8m except where specified in Rule 9.5.2.2. 9.5.2.2 Maximum building height of 10m.	RD Discretion is restricted to: <ol style="list-style-type: none"> building design and appearance, including roof form articulation and the avoidance of large, monolithic building forms; building dominance and sunlight access relative to neighbouring properties and public spaces including roads; how the design advances housing diversity and promotes sustainability either through construction methods, design or function; privacy for occupants of the subject site and neighbouring sites; effects on significant public views, in particular from Lismore Park (based on an assessment of public views undertaken at the time of the proposal, in addition to any specified significant public views identified within the District Plan); the positive effects of enabling additional development intensity within close proximity to town centres. D
9.5.3	Building Height – Sloping Sites in Queenstown and Wanaka 9.5.3.1 A height of 7m, except as specified in Rules 9.5.3.2, 9.5.3.3 and 9.5.3.4	RD Discretion is restricted to: <ol style="list-style-type: none"> building design and appearance, including roof form articulation and the avoidance of large, monolithic building forms; building dominance and sunlight access relative to neighbouring properties and public spaces including roads; how the design advances housing diversity and promotes sustainability either through construction methods, design or function; how the design responds to the sloping landform so as to integrate with it; privacy for occupants of the subject site and neighbouring sites;

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	<p>9.5.3.2 Immediately west of the Kawarau Falls Bridge the maximum building height shall be 10m provided that in addition no building shall protrude above a horizontal line orientated due north commencing 7m above any given point along the required boundary setbacks at the southern zone boundary.</p> <p>9.5.3.3 Within the area specified on the planning maps on the south side of Frankton Road (SH6A), the highest point of any building shall not exceed the height above sea level of the nearest point of the road carriageway centreline</p> <p>9.5.3.4 Maximum building height of 10m.</p>	<p>f. effects on significant public views, in particular from Lismore Park (based on an assessment of public views undertaken at the time of the proposal, in addition to any specified significant public views identified within the District Plan);</p> <p>g. the positive effects of enabling additional development intensity within close proximity to town centres.</p> <p>D</p> <p>D</p> <p>D</p>
9.5.4	<p>Building Coverage</p> <p>A maximum of 70% site coverage</p> <p>Exclusions:</p> <p>a. building coverage does not include any veranda over public space and does not apply to underground structures, which are not visible from ground level and which are landscaped to appear as recreational or planted (including grassed) areas.</p>	NC
9.5.5	<p>Recession plane (applicable to all buildings, including accessory buildings)</p> <p>9.5.5.1 For Flat Sites from 2.5 metres above ground level a 45 degree recession plane applies to all boundaries, other than the northern boundary of the site</p>	<p>RD – for boundaries where the High Density Residential zone applies on each side of the boundary.</p> <p>Discretion is restricted to:</p> <p>a. any sunlight, shading or privacy effects created by the proposal on adjacent sites and/or their occupants;</p>

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	<p>where a 55 degree recession plane applies.</p> <p>Exclusions:</p> <ul style="list-style-type: none"> a. gable end roofs may penetrate the building recession plane by no more than one third of the gable height; b. recession planes do not apply to site boundaries adjoining a Town Centre Zone, fronting a road, or adjoining a park or reserve. <p>9.5.5.2 No recession plane for sloping sites</p>	<ul style="list-style-type: none"> b. effects on any significant public views (based on an assessment of public views undertaken at the time of the proposal, in addition to any specified significant public views identified within the District Plan); c. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties. <p>NC – for boundaries where there is a change of zone other than as specified in the exclusions.</p>
9.5.6	<p>Landscaped permeable surface coverage</p> <p>At least 20% of site area shall comprise landscaped (permeable) surface.</p>	NC
9.5.7	<p>Building Length</p> <p>The length of any building facade above the ground floor level shall not exceed 30m.</p>	<p>RD</p> <p>Discretion is restricted to the following:</p> <ul style="list-style-type: none"> a. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties.
9.5.8	<p>Minimum Boundary Setbacks</p> <p>9.5.8.1 All boundaries 2 metres except for State Highway road boundaries where the minimum setback shall be 4.5m.</p> <p>9.5.8.2 garages shall be at least 4.5m back from a road boundary.</p> <p>Exceptions to setback requirements other than any road boundary setbacks:</p> <p>Accessory buildings for residential activities may be located within the setback distances, where they do not exceed 7.5m in length, there are no windows or openings (other than for carports) along any walls within 1.5m of an internal boundary, and comply with rules for Building Height and Recession Plane.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties; b. streetscape character and amenity; c. any sunlight, shading or privacy effects created by the proposal on adjacent sites and/or their occupants; d. effects on any significant public views (based on an assessment of public views undertaken at the time of the proposal, in addition to any specified significant public views identified within the District Plan).
9.5.9	Waste and Recycling Storage Space	NC

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	<p>9.5.9.1 Residential activities of three units or less shall provide, as a minimum, space for a 120 litre residential wheelie bin and 240 litres recycling wheelie bin per unit.</p> <p>9.5.9.2 All developments shall screen waste and recycling storage space from neighbours, a road or public place, in keeping with the building development or, provide space within the development that can be easily accessed by waste and recycling collections.</p>	
9.5.10	<p>Glare</p> <p>9.5.10.1 All exterior lighting shall be directed downward and away from the adjacent sites and roads.</p> <p>9.5.10.2 No activity on any site shall result in greater than a 3.0 lux spill (horizontal or vertical) of lights onto any other site measured at any point inside the boundary of the other site.</p>	NC
9.5.11	<p>Sound Insulation and Mechanical Ventilation</p> <p>For buildings located within 80m of a State Highway.</p> <p>Any residential buildings, or buildings containing an Activity Sensitive to Road Noise, and located within 80m of a State Highway shall be designed to achieve an Indoor Design Sound Level of 40dB LAeq24h.</p> <p>Compliance with this rule can be demonstrated by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the internal design sound level.</p>	NC
9.5.12	<p>Building Restriction Area</p> <p>No building shall be located within a building restriction area as identified on the District Plan Maps.</p>	NC
9.5.13	Flood Risk	PR

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	<p>The construction or relocation of buildings with a gross floor area greater than 20m² and having a ground floor level less than:</p> <p>9.5.13.1 RL 312.0 masl at Queenstown and Frankton.</p> <p>9.5.13.2 RL 281.9 masl at Wanaka.</p>	
9.5.14	<p>Residential Visitor Accommodation</p> <p>9.5.14.1 Must not exceed a cumulative total of 90 nights occupation by paying guests on a site per 12 month period.</p> <p>9.5.14.2 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</p> <p>9.5.14.3 Must comply with the minimum parking requirements for a residential unit and/or residential flat (whichever is used for the residential visitor accommodation activity) in Chapter 29 Transport.</p> <p>9.5.14.4 The Council must be notified in writing prior to the commencement of a Residential Visitor Accommodation activity.</p> <p>9.5.14.5 Up to date records of the Residential Visitor Accommodation activity must be kept, including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</p> <p>9.5.14.6 Smoke alarms must be provided in accordance with clause 5 of the Residential Tenancies (Smoke Alarms and Insulation) Regulations 2016.</p> <p>Note: The Council may request that records are made available to the Council for inspection</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> The location, nature and scale of activities; The location, provision, and screening of parking and access; The management of noise, rubbish and outdoor activities; The compliance of the residential unit with the Building Code as at the date of the consent; Health and safety provisions in relation to guests; Guest management and complaints procedures; The keeping of records of RVA use, and availability of records for Council inspection; and Monitoring requirements, including imposition of an annual monitoring charge.

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	at 24 hours' notice, in order to monitor compliance with rules 9.5.14.1 to 9.5.14.5.	
9.5.15	<p>Homestay</p> <p>9.5.15.1 Must not exceed 5 paying guests on a site per night.</p> <p>9.5.15.2 Must comply with minimum parking requirements of standard 29.8.9 in Chapter 29 Transport.</p> <p>9.5.15.3 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</p> <p>9.5.15.4 The Council must be notified in writing prior to the commencement of a Homestay activity.</p> <p>9.5.15.5 Up to date records of the Homestay activity must be kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</p> <p>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 9.5.15.1 to 9.5.15.5.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> The location, nature and scale of activities; The location, provision, and screening of parking and access; The management of noise, rubbish and outdoor activities; The keeping of records of Homestay use, and availability of records for Council inspection; and Monitoring requirements, including imposition of an annual monitoring charge.

9.6 Rules - Non-Notification of Applications

9.6.1 The following Restricted Discretionary activities shall not require the written approval of affected persons and shall not be notified or limited notified except where vehicle crossing or right of way access on or off a State Highway is sought:

9.6.1.1 Residential development involving the development of 4 or more residential units where the standards in Rule 9.5 are complied with.

9.6.2 The following Restricted Discretionary activities will not be publicly notified but notice will be served on those persons considered to be adversely affected if those persons have not given their written approval:

9.6.2.1 Restricted Discretionary building height and recession plane contraventions.

- 9.6.2.2 Boundary setback contraventions of up to 0.6m into the required setback depth of the yard (for unlimited length of the boundary).
- 9.6.2.3 Visitor accommodation and residential visitor accommodation