

12.26 Three Parks Special Zone - Rules

12.26.1 Structure of the Rules section

The Activity Tables for the Three Parks Zone describes the status of activities in the various subzones. The Performance Standards Tables outline the performance standards and the activity status if they are not met.

As well as the zone-wide rules that relate to all subzones, each subzone has self-contained rules, performance standards, and assessment matters.

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12.26.2 District Rules

The following District Wide Rules apply unless inconsistent with any particular Three Parks Zone provision, in which case the latter shall prevail.

- i Heritage Protection - Refer Part 13
- ii Transport - Refer Part 14
- iii Subdivision, Development and Financial Contributions - Refer Part 15

12.26.3 Zone-Wide Rules

12.26.3.1 Zone-Wide Performance Standards

Key and notes

CON	Controlled Activity	N-C	Non-Complying Activity
PERM	Permitted Activity	DIS	Discretionary Activity
RDIS	Restricted discretionary Activity	PRO	Prohibited Activity
N/A	Performance standard not applicable in the particular subzone.		

Notes: Failure to comply with a standard will result in the need to obtain either a restricted discretionary or non complying resource consent, as specified in this table. Where failure to comply with a performance standard results in a restricted discretionary consent being required, the Council's discretion is restricted only to that or those standards that are not complied with.

Ref	Standard – Zone-Wide	Resource consent status if the standard is not met
1	<p>Earthworks in all parts of the 3 Parks Zone except for the deferred urban subzone</p> <p>i The following limitations apply to all but the Deferred Urban Subzone and apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval or any earthworks that form part of Plantation Forestry. Earthworks</p> <p>(a) Any earthworks for which the total volume exceeds 100m³ per site (within a 12 month period). For clarification of “volume”, see interpretative diagram 5.</p> <p>(b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed 200m² in area within that site (within a 12 month period).</p> <p>(c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed 20m³ (notwithstanding provision 17.2.2).</p> <p>(d) No earthworks shall:</p>	RDIS

Ref	Standard – Zone-Wide	Resource consent status if the standard is not met
	<ul style="list-style-type: none"> (i) expose any groundwater aquifer; (ii) cause artificial drainage of any groundwater aquifer; (iii) cause temporary ponding of any surface water. <p>ii Height of cut and fill and slope</p> <ul style="list-style-type: none"> (a) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height. (b) The maximum height of any cut shall not exceed 2.4 metres. (c) The maximum height of any fill shall not exceed 2 metres. <p>iii Environmental Protection Measures</p> <ul style="list-style-type: none"> (a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations. (b) Any person carrying out earthworks shall: <ul style="list-style-type: none"> (i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard. (ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water. (c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard. <p>iv Protection of Archaeological sites and sites of cultural heritage</p> <ul style="list-style-type: none"> (a) The activity shall not modify, damage, or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are 	

Ref	Standard – Zone-Wide	Resource consent status if the standard is not met
	<p>identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.</p> <p>(b) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.</p> <p>Note: Earthworks in the Deferred Urban Subzone shall be subject to the earthworks provisions of the Rural General Zone.</p>	
2	<p>Lighting and Glare</p> <p>i Any activity that does not comply with the following standards:</p> <p>(c) All fixed exterior lighting shall be directed away from adjacent sites and roads; and</p> <p>(d) No activity on any site shall result in greater than a 3.0 lux spill (horizontal and vertical) of light onto any other site measured at any point inside the boundary of the other site, provided that this rule shall not apply where it can be demonstrated that the design of adjacent buildings adequately mitigates such effects.</p> <p>(e) There should be no upward light spill</p> <p>Note: You are also referred to Part 18 of the District Plan relating to the lighting of signage.</p>	RDIS
3	<p>Waste and Recycling Storage Space</p> <p>(a) Offices shall provide a minimum of 2.6 m³ of waste and recycling storage for every 1,000 m² gross floor space, or part thereof.</p> <p>(b) Retail activities shall provide a minimum of 5m³ of waste and recycling storage for every 1,000 m² gross floor space, or part thereof.</p> <p>(c) Food and beverage outlets shall provide a minimum of 1.5m³ of waste and recycling storage per 20 dining spaces, or part thereof.</p> <p>(d) Residential and Visitor Accommodation activities shall provide a minimum of 80 litres of waste and recycling storage per bedroom, or part thereof.</p>	RDIS
4	<p>Fence Heights in relation to open space areas</p>	RDIS

Ref	Standard – Zone-Wide	Resource consent status if the standard is not met										
	<p>i. Fences within any open space area shown on the Three Parks Structure Plan or an open space approved as part of an Outline Development Plan or a Comprehensive Development Plan shall be no higher than 1.2m in height, excluding post and wire fences.</p> <p>ii. Fences located on or within 4 m of the boundary between a private site and an open space identified on the Three Parks Structure Plan or an open space approved as part of an Outline Development Plan or a Comprehensive Development Plan shall be no higher than 1.2m in height. This excludes fences which are at right angles to the boundary between the subject site and the open space.</p>											
5	<p>All non-residential and commercial buildings - The provision of facilities to encourage people to travel to work using modes other than cars</p> <p>All non-residential and commercial buildings shall provide the following:</p> <p>i Lockers - Individual clothes lockers shall be provided for 20% of all on-site workers. These shall be located convenient to the any showers and bicycle parking facilities.</p> <p>Note: Refer to Section D for a definition of ‘on site workers’.</p> <p>ii Showers - Showers shall be provided at the following ratios and these shall be located close to the bicycle parking and lockers and at least one shower shall be a wheelchair accessible shower compartment:</p> <table border="1" data-bbox="259 1050 1317 1343"> <thead> <tr> <th>Number of on-site workers (building design occupancy)</th> <th>Number of Showers</th> </tr> </thead> <tbody> <tr> <td>1-9</td> <td>Nil</td> </tr> <tr> <td>10 - 39</td> <td>1</td> </tr> <tr> <td>40-100</td> <td>2</td> </tr> <tr> <td>>100</td> <td>3 and add 1 per 100</td> </tr> </tbody> </table> <p>Notes:</p> <ul style="list-style-type: none"> The “building design occupancy “ calculation is based on the entire building or building complex for which Resource Consent 	Number of on-site workers (building design occupancy)	Number of Showers	1-9	Nil	10 - 39	1	40-100	2	>100	3 and add 1 per 100	RDIS
Number of on-site workers (building design occupancy)	Number of Showers											
1-9	Nil											
10 - 39	1											
40-100	2											
>100	3 and add 1 per 100											

Ref	Standard – Zone-Wide	Resource consent status if the standard is not met
	<p>is being applied for, rather than for individual office spaces/ tenancies within a larger building. This may mean that there is one shower provided within a communal space which can be shared by a number of small individual offices.</p> <ul style="list-style-type: none"> • Refer to Section D for a definition of ‘on site workers’. • These shower ratios do not supersede the requirements of the Building Code. • These rules do not apply to home occupations. 	
6	<p>Rear Sites shown on an Outline Development Plan or Comprehensive Development Plan</p> <p>i In any subzone other than the Medium Density Residential subzone, no more than 10% of all sites shown on the indicative subdivision layout provided as part of an Outline Development Plan or Comprehensive Development Plan may be “rear sites”; and In the Medium Density Residential subzone, there shall be no rear sites shown on the indicative subdivision layout provided as part of an Outline Development Plan or Comprehensive Development Plan; provided that</p> <p>ii Any rear sites resulting from the subdivision of an existing building shall not be deemed to be ‘rear sites’ for the purpose of either standard 12.26.3.1 (6)(i) or 12.26.3.1 (6)(ii).</p> <p>Note: Refer Section D for a definition of ‘rear site’.</p>	N-C
7	<p>Outline Development Plans and Comprehensive Development Plans</p> <p>i All activities and development shall be in accordance with an approved Outline Development Plan or Comprehensive Development Plan.</p> <p>ii Note: The intent of this rule is ensure that an Outline Development Plan or Comprehensive Development Plan has been submitted and approved prior to any other resource consent being applied for.</p>	N-C
8	<p>Extent of the Outline Development Plan or Comprehensive Development Plan</p> <p>An Outline Development Plan or Comprehensive Development Plan shall include all that land within the Stage within which it sits, as identified on the Indicative Staging Plan for the Three Parks Zone.</p> <p>Note 1: The boundaries of the Outline Development Plan need not follow the exact boundary of the Stage within which it sits but</p>	N-C

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Ref	Standard – Zone-Wide	Resource consent status if the standard is not met
	<p>can vary +/- 30 metres of the boundary of the Stage.</p> <p>Note 2: In relation to Outline Development Plans or Comprehensive Development Plans within the Commercial Core, rules 12.26.7.2(7), (8) and (9) explain that whilst the Outline Development Plan, due to its required scale, will show a considerable amount of potential retail space, the applicant must identify which space is being applied for as part of the Outline Development Plan and which space is future retail and will be subject to further assessment in relation to retail need and the health of the Town Centre.</p>	
9	<p>The creation of fixed roads as shown on the Three Parks Structure Plan</p> <p>No Outline Development Plan or development shall prevent the creation of any road that is shown as fixed on the Three Parks Structure Plan</p>	N-C
10	<p>Structure Plan</p> <p>All activities and development (including buildings and applications for ODP's and CDP's) shall be in accordance with the Three Parks Structure Plan, except that:</p> <ul style="list-style-type: none"> i All subzone boundaries, and key connection points shown as 'fixed' on the Three Parks Structure Plan may be moved up to 20 metres and all collector roads shown on the Three Parks Structure Plan may be moved up to 50 metres in any direction in order to enable more practical construction or improved layouts and/ or to allow for minor inaccuracies in the plan drafting. ii All roads and other elements shown as 'indicative' on the Three Parks Structure Plan may be moved or varied provided they are generally in accordance with and achieve the Three Parks Structure Plan and the relevant objectives and policies. iii Where a boundary (or boundaries) has been expressly approved as part of a subsequent, more detailed ODP or CDP, then that subsequent boundary (or boundaries) shall take precedence over that shown in the Three Parks Structure Plan. <p>Note: For the avoidance of doubt, an Outline Development Plan or Comprehensive Development Plan which in any way obstructs or does not specifically provide for the roading connections to land or roads adjoining the zone, in the manner shown on the Three Parks Structure Plan will be processed as a non complying activity.</p>	N-C
11	<p>Access</p> <p>Each unit shall have legal access to a formed road.</p>	N-C

Ref	Standard – Zone-Wide	Resource consent status if the standard is not met
12	<p>Buildings within areas shown as open space on the Three Parks Structure Plan.</p> <p>There shall be no buildings within areas shown as fixed open space on the Three Parks Structure Plan, except:</p> <ul style="list-style-type: none"> - Playground equipment and ancillary structures; and - Public toilets; and - Buildings required exclusively for public infrastructure, public recreation, or community activities. <p>Note 1: Pursuant to Rule 12.26.5.2(14) no buildings are enabled in the open space area adjacent to SH84.</p> <p>Note 2: Buildings that are exempt from this rule (as listed above) are subject to the provisions relating to non-residential buildings as per the underlying subzone.</p> <p>Note 3: “Community activities” is defined as per the definition in Section D of the District Plan but for this purpose of this rule, excludes any commercial activities.</p>	N-C
12	<p>Landscaping within areas shown as Open Space on the Three Parks Structure Plan, excluding any pastoral and arable farming, shall be in accordance with a landscape plan that has been approved as part of an Outline Development Plan or a Comprehensive Development Plan.</p>	N-C

12.26.3.2 Zone-Wide Assessment matters

i Earthworks

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) Environmental Protection Measures
 - (i) Whether and to what extent proposed sediment/erosion control techniques are adequate to ensure that sediment remains on-site.
 - (ii) Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.
 - (iii) Whether earthworks will be completed within a short period, reducing the duration of any adverse effects.
 - (iv) Where earthworks are proposed on a site with a gradient >18.5 degrees (1 in 3), whether a geotechnical report has been supplied to assess the stability of the earthworks.
 - (v) Whether appropriate measures to control dust emissions are proposed.
 - (vi) Whether any groundwater is likely to be affected, and any mitigation measures are proposed to deal with any effects. NB: Any activity affecting groundwater may require resource consent from the Otago Regional Council.
- (b) Effects on landscape and visual amenity values
 - (i) Whether the scale and location of any cut and fill will adversely affect:
 - (iii) the natural landform of any ridgeline or visually prominent areas;
 - (iv) the visual amenity values of surrounding sites
 - (ii) the visual quality and amenity values of the landscape;
- (c) Effects on adjacent sites:
 - (i) Whether the earthworks will take into account the sensitivity of the landscape.
 - (ii) The potential for cumulative effects on the natural form of existing landscapes.
 - (iii) Whether cut, fill and retaining are done in accordance with engineering standards.
- (d) General amenity values
 - (i) Whether the earthworks will adversely affect the stability of neighbouring sites.
 - (ii) Whether the earthworks will change surface drainage, and whether the adjoining land will be at a higher risk of inundation, or a raised water table.
 - (iii) Whether natural ground levels will be altered.
- (e) Impacts on sites of cultural heritage value:
 - (i) Whether the removal of soil to or from the site will affect the surrounding roads, and neighbourhood through the deposition of sediment, particularly where access to the site is gained through residential areas.
 - (ii) Whether the activity will generate noise, vibration and dust effects, which could detract from the amenity values of the surrounding area.

- (i) Whether the subject land contains Waahi Tapu or Waahi Taoka, or is adjacent to a Statutory Acknowledgement Area, and whether tangata whenua have been notified.
- (ii) Whether the subject land contains a recorded archaeological site, and whether the NZ Historic Places Trust has been notified.
- (iii) Whether the applicant has committed to complying with the Accidental Discovery Protocol, as outlined in Appendix 6 of the Ngai tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008.

12.26.3.3 Non-Notification of Applications

- i Except as provided for by the Act, all applications for **controlled activities** will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons.
- ii Except as provided for by the Act, the following restricted discretionary activities will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons:
 - (a) All applications for **earthworks** undertaken in relation to otherwise controlled activities in the Three Parks Zone provided the earthworks **are not within 5m** of the site or zone boundary.
 - (b) All restricted discretionary applications for **Outline Development Plans or Comprehensive Development Plans** in this subzone; except for Outline Development Plans or Comprehensive Development Plans specifically provided for below under 12.26.3.3(iii).

Note: If the Outline Development Plan or Comprehensive Development Plan is non complying due to the fact it is not in accordance with the Three Parks Structure Plan (refer Rule 12.26.3.1 (10),for example) then it may be notified.
- iii Except as provided for by the Act, the following restricted discretionary activities will be considered without public notification but notice may be

served on those persons considered to be adversely affected if those persons have not given their written approval:

- (a) All applications for **earthworks** undertaken in relation to otherwise controlled activities in the Three Parks Zone where the earthworks **are within 5m** of the site or zone boundary.
- (b) Outline Development Plans or Comprehensive Development Plans which either:
 - (i) Adjoin another land ownership (including beyond the Three Parks Zone), with the matters for serving notice restricted to consideration of the location and/or design of utilities, servicing, and the mitigation of any conflict between land uses on the boundaries of landowners; or
 - (ii) Propose that a collector road connect to adjoining land (including beyond the Three Parks zone), with the matters for serving notice restricted to the consideration of effects of the roading and intersection design.

Note: If the Outline Development Plan or Comprehensive Development Plan is non complying due to the fact it is not in accordance with the Three Parks Structure Plan (refer Rule 12.26.3.1 (10),for example) then it may be notified.

- iv For the purposes of Rule 12.26.3.3, “adjoin” means existing external neighbouring land that shares a boundary with the part of the Three Parks Zone to which the Outline Development Plan or Comprehensive Development Plan relates. The definition of adjoining stated at D1 does not apply to Rule 12.26.3.3.
- v For the purposes of Rule 12.26.3.3, Outline Development Plan and Comprehensive Development Plan includes a variation to an Outline Development Plan or Comprehensive Development Plan.

12.26.4 Low Density Residential, Medium Density Residential, And Medium Density Residential (Mixed Use Precinct) Subzones – Rules

12.26.4.1 Purpose of the Residential Subzones

i Low Density Residential (LDR) subzone

The Low Density Residential (LDR) subzone will provide a range of housing densities, including clusters of higher density housing located adjacent to open spaces and within walking distance of other amenities in order to provide for a range of residents and levels of affordability. Non-residential activities will generally not be appropriate, other than those which clearly service the local neighbourhood and would not effectively fulfil their function if they were located elsewhere.

ii Medium Density Residential (MDR) subzone

The Medium Density residential (MDR) subzone provides for a mixture of medium density housing types such as duplexes and terrace houses whilst discouraging apartments, except in the mixed use precinct, where they may be appropriate in order to provide a greater diversity of housing types. Whilst private amenity (such as outdoor living, solar access and privacy) is lower than in the LDR subzone, this is compensated for by the benefits of higher density living (such as the close proximity to parks, retail, public amenities, and public transport). The MDR subzone also includes a deferred mixed use precinct, which will, in time, enable small scale commercial activities which are compatible with residential activity. The domestic scale and residential character of the subzone will remain the dominant features in the mixed use area with Visitor Accommodation only being allowed within specific precincts established through the Outline Development Plan process.

12.26.4.2 Activity Table - Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones

Key and notes

CON	Controlled Activity	N-C	Non-Complying Activity
PERM	Permitted Activity	DIS	Discretionary Activity
RDIS	Restricted discretionary Activity	PRO	Prohibited Activity
N/A	Performance standard not applicable in the particular subzone.		

Note: Where a proposed activity could possibly be captured by more than one activity/ classification, the most specifically defined activity shall override any other. For example, where both retail and commercial are both listed the classification for retail over-rides that for commercial as it is more specifically defined.

Ref	Activity – Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (deferred mixed use precinct) Subzones	Activity status (provided all Performance Standards are met)		
		LDR	MDR	MDR (deferred mixed use)
1	Any Activity which complies with all the relevant Performance Standards (including zone-wide standards) and is not listed as a Controlled, Discretionary, Non-Complying or Prohibited Activity.	PERM	PERM	PERM
2	Home occupations (except for those that involve an activity which is specifically listed as a prohibited activity in this table).	PERM	PERM	PERM
3	Residential units and residential flats in the LDR subzone, except those within multi-unit developments approved through an Outline Development Plan.	PERM	N/A (refer Rule13 below)	N/A (refer Rule13 below)
4	Buildings approved by a Comprehensive Development Plan (CDP)	PERM	PERM	PERM
5	Visitor Accommodation in a location that is identified on an approved Outline Development Plan (ODP)	N-C	CON	CON
6	Retirement Villages in a location identified on an approved ODP or CDP. Note: If approved as part of a CDP the matters of control do not include the external appearance of the building.	CON	CON	CON

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Ref	Activity – Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (deferred mixed use precinct) Subzones	Activity status (provided all Performance Standards are met)		
		LDR	MDR	MDR (deferred mixed use)
7	Buildings for non-residential activities including visitor accommodation, and retirement villages, except those already approved by a CDP. Note: Where any element of an application for a CDP is a non-complying activity (for example, an over height building is proposed), then the CDP application becomes non-complying.	RDIS	RDIS	RDIS
8	Outline Development Plan (ODP) or variation to an approved ODP. Note: Where any element of an application for an ODP is a non-complying activity (for example, more than 10% of sites are 'rear sites'), then the ODP application becomes non-complying.	RDIS	RDIS	RDIS
9	Comprehensive Development Plan (Comprehensive Development Plan) or variation to an approved CDP.	RDIS	RDIS	RDIS
10	Education facilities and day care facilities	RDIS	RDIS	CON
11	All non-residential activities except those specifically listed in this table that have not been approved as part of an Outline Development Plan (ODP) or Comprehensive development Plan (CDP).	N-C	N-C	CON
12	All non-residential activities except those specifically listed in this table that have been approved as part of an ODP or CDP.	PERM	PERM	PERM
13	A Block Plan for all development in the MDR subzone and within multi-unit developments in the LDR subzone. Refer to Section D for the definition of "Block plan – 3 Parks Zone".	RDIS – applies only to multi unit developments	RDIS	RDIS
14	All residential units and flats (including mixed use buildings) in the MDR subzone and within multi-unit developments in the LDR subzone (including the activity and the building) provided they are in accordance with an approved "Block Plan", except; - Where the residential units and flats have been approved by a Comprehensive Development	RDIS (multi unit developments)	RDIS (all residential buildings)	RDIS (all residential buildings)

Ref	Activity – Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (deferred mixed use precinct) Subzones	Activity status (provided all Performance Standards are met)		
		LDR	MDR	MDR (deferred mixed use)
	Plan, they are permitted. Refer to Section D for the definition of “multi unit developments”.			
15	Industrial Activities	N-C	N-C	N-C
16	Service Activities	N-C	N-C	N-C
17	Visitor Accommodation in a location not identified on an approved ODP.	N-C	N-C	N-C
18	Retirement Village in a location not identified on an approved Outline Development Plan	N-C	N-C	N-C
19	Premises licensed for the sale of liquor (including both on-licences and off-licences)	N-C	N-C	N-C
20	Factory Farming, forestry activities, except for Plantation Forestry where the Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017 prevails., mining	N-C	N-C	N-C
21	Airports/ take-off or landing of aircraft other than the use of land and water for emergency landings, rescues and fire fighting.	N-C	N-C	N-C
22	Planting of any wilding species (as identified in Part 5 of the District Plan)	PRO	PRO	PRO
23	Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building, fish or meat processing, or any activity requiring an Offensive Trade Licence under the Health Act 1956.	PRO	PRO	PRO

12.26.4.3 Performance Standards

Failure to comply with a standard will result in the need to obtain either a restricted discretionary or non complying resource consent, as specified in this table. Where failure to comply with a performance standard results in a restricted discretionary consent being required, the Council's discretion is restricted only to that or those standards, which are not complied with.

Refer also to the zone-wide standards in Section 12.26.3.1 relating to:

- (a) Earthworks (RDIS)
- (b) Lighting and Glare (RDIS)
- (c) Waste and Recycling Storage Space (RDIS)
- (d) The creation of Rear Sites (N-C)
- (e) Compliance with an approved Outline Development Plans and Comprehensive Development Plans (N-C)
- (f) Compliance with the Three Parks Structure Plan (N-C)
- (g) Staging of development (N-C)
- (h) Access (N-C)

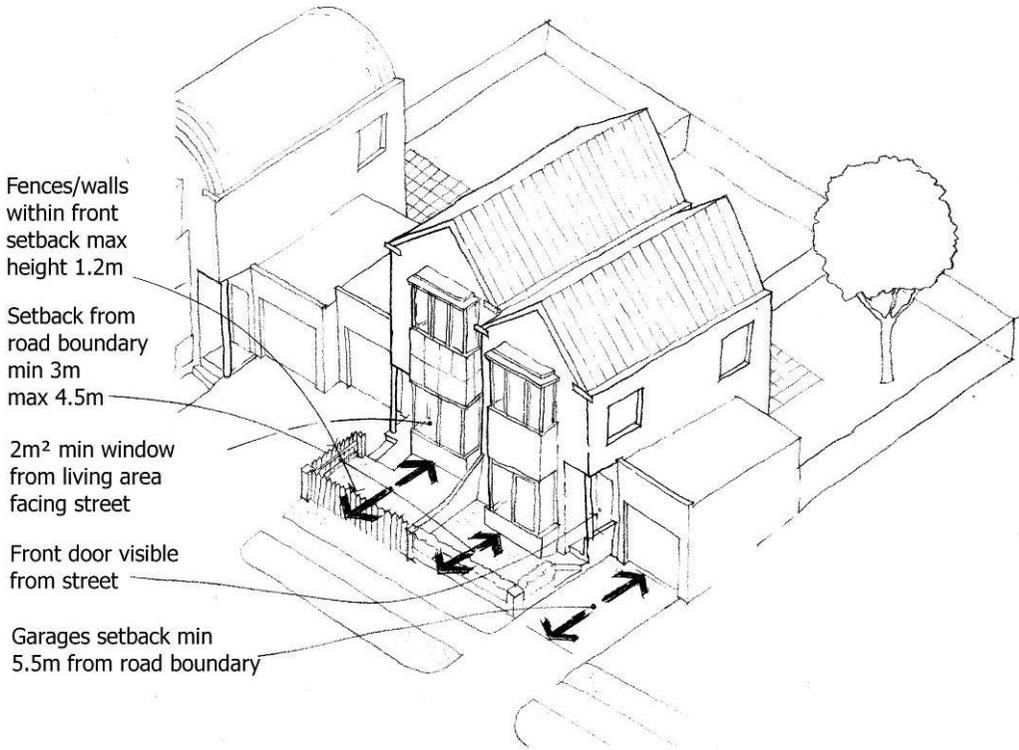
		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
1	<p>Nature and scale of non-residential uses</p> <ul style="list-style-type: none"> i No more than 50% or 80m² (whichever is the lesser) of the GFA of the building shall be for non-residential purposes, with the remainder being used for residential activities ii There shall be no commercial activity above the ground floor. 	N/A – Refer Activity Table	N/A – Refer Activity Table	RDIS
2	<p>Street Scene and setback from roads - Residential units (including mixed use buildings (i.e. those which comprise both residential and non-residential uses), visitor accommodation, and retirement villages in the MDR zone and within multi-unit developments in the LDR subzone except where located on rear sites:</p> <ul style="list-style-type: none"> i Residential units, residential flats, mixed use buildings, visitor accommodation, and 	<p>RDIS –</p> <p>NB: Applies only to multi unit developments</p>	RDIS	RDIS

		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
	<p>retirement villages shall be setback from the road boundary a minimum of 3 metres and a maximum of 4.5 metres; except that</p> <p>(a) Garages shall be setback from the road boundary a minimum of 5.5 metres; and</p> <p>ii There shall be at least one area of glazing from a living area of each unit or residential flat OR</p> <p>(a) In the case of mixed use buildings and guest room type Visitor Accommodation, from a main office or reception area, of at least 2 m² facing the street.</p> <p>Note 1: For the purpose of this rule, the term “living area” is as defined in Section D but for the purpose of this rule, excludes hallways, entries, and lobbies.</p> <p>Note 2: Where there is both a residential unit and a residential flat within 4.5 m of the road boundary, either the residential unit or the residential flat must provide the minimum area of glazing.</p> <p>Note 3: Unit type Visitor Accommodation, such as apartments are required to provide the 2m² per unit. The ‘unit type’ and ‘guest room type’ classifications are the same as those used in Section 14 of the Plan (14.2.4.1 – table 1).</p> <p>iii For mixed use buildings, the residential entrance to the building shall be clearly distinct and separate from the public entrance. Separate doors and separate pedestrian connections to footpaths shall be provided. Note: This excludes home occupations.</p> <p>Note: Visitor accommodation and retirement villages are also subject to a restricted discretionary resource consent application pursuant to Rule 12.26.4.2 (7).</p>			

Resource consent status if standard not met – All residential subzones, including deferred mixed use

Ref Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones LDR MDR Deferred MDR (mixed use)

Diagram showing selected rules in the MDR subzone:



Note: this diagram is indicative of concepts only. There is no guarantee the design shown would prove appropriate to the applicant or satisfy all requirements to gain consent.

Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	Resource consent status if standard not met – All residential subzones, including deferred mixed use		
		LDR	MDR	Deferred MDR (mixed use)
3.	<p>Street Scene and setback from roads – All buildings in the LDR subzone but excluding those within multi-unit developments and located on rear sites:</p> <p>i All buildings, including any attached or detached garage or accessory building shall be set back from the road boundary a minimum of 3 metres; except that</p> <p>(a) All buildings, including any attached or detached garage or accessory building, shall be setback from the boundary of Riverbank Rd a minimum of 10 metres.</p> <p>ii Fences within the minimum road setback shall be no higher than 1.2m in height, except that a fence of up to 1.8 m in height may be erected within the road setback for a maximum of 1/2 of the length of the road boundary of the site.</p> <p>Note 1: Visitor accommodation and retirement villages are also subject to a restricted discretionary resource consent application</p> <p>Note 2: You are also referred to Zone-wide Performance Standard 12.26.3.1(4) relating to fences in relation to open spaces.</p>	RDIS	N/A – see above standard	RDIS

		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
	<p>Diagram showing selected rules in the LDR subzone:</p>			
4	<p>Street scene - Non-residential buildings in the MDR subzone, except where located on rear sites:</p> <ul style="list-style-type: none"> i Non-residential buildings shall be setback from the road boundary a minimum of 3 metres. ii There shall be at least one area of glazing from a main office, lobby, or reception area of at least 2 m² facing the street. <p>Note: Such buildings are also subject to a restricted discretionary resource consent application pursuant to Rule 12.26.4.2 (7).</p>	RDIS	N/A – see above standard	RDIS

Resource consent status if standard not met – All residential subzones, including deferred mixed use

Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
	<p>Rear Sites Two setbacks of 4.5m and all remaining setbacks to be 2m.</p> <p>(b) Accessory buildings for residential activities other than those used for the housing of animals may be located within the setback distances from internal boundaries, where the total length of the walls of accessory buildings within the setback does not exceed 7.5m in length and there are no windows or openings, other than for carports, along any walls within 2m of an internal boundary.</p> <p>(c) Eaves, porches, balconies, bay or box windows, steps, chimneys and similar parts of buildings may be located within the minimum building setback as follows:</p> <ul style="list-style-type: none"> (i) eaves up to 0.6m into the setback; and (ii) balconies and bay or box windows of less than 3m in length may project into the setback by up to 0.6m. Only one such balcony or bay or box window, intrusion is permitted on each setback of each building; and (iii) porches and steps up to 0.6m into a setback; provided they measure no more than 2m parallel to the nearest internal boundary and provided that the floor level of any such porch or the top of any steps shall be no higher than 1m above ground level. Only one such porch or set of steps is permitted on each setback of each building; and (iv) chimneys may project into the setback by up to 0.6m provided that the chimney measures no more than 1.2m parallel to the nearest internal boundary. Only one chimney is permitted on each setback of each building; and (v) no part of any balcony or window which is located within a setback shall be higher than 3m above ground level. <p>(e) No setback is required from an internal boundary where buildings share a common wall</p>			

		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
	on that boundary.			
7	<p>Pedestrian access</p> <p>Every unit shall have a distinct separate pedestrian access to a door that is visible from the street, except where located on a rear site.</p>	RDIS	RDIS	RDIS
8	<p>Outdoor Living Space</p> <p>i Every residential activity shall have an area of outdoor living space with a minimum area of:</p> <ul style="list-style-type: none"> (a) 30 m² in the LDR subzone; and (b) 24m² in the MDR subzone, provided that in the MDR subzone (mixed use precinct), where the outdoor living space is provided above the ground floor, it shall be at least 8m² in area. <p>ii This outdoor living space shall have the following characteristics:</p> <ul style="list-style-type: none"> (a) Contains a continuous area with a minimum 6 m diameter in the LDR subzone and a minimum 4 m diameter in the MDR subzone and a maximum gradient of 1:20 and the minimum dimension taken anywhere within the outdoor living space shall be 2 m. (b) 70% of the outdoor living area receives a minimum of 2.0hrs of continuous sunlight between the hours of 10:00am – 2:00pm as measured on June 21. (c) Is immediately accessible from either a lounge, living, or family room. (d) In the MDR subzone and for multi unit developments within the LDR subzone, the outdoor living area shall not be located between the front façade of the residential unit and the road boundary, except where the residential activity is located on a rear site. 	RDIS	RDIS	RDIS

Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)												
	<p>(e) If the area is to the side of a residential unit then the space and any associated privacy fencing shall be set back a minimum 1.0m from the front face of the unit.</p> <p>(f) No outdoor living space shall be occupied by any building, other than an outdoor swimming pool, or accessory building of less than 8m² gross floor area, driveway or parking space.</p>															
9	<p>Internal residential amenity for multi-unit developments</p> <p>i Residential units and flats shall be designed to achieve the following minimum daylight standards:</p> <p>(a) Living rooms and living/dining areas –shall have a total clear glazed area of exterior wall no less than 20% of the floor area of that space.</p> <p>(b) At least one bedroom shall have a total clear glazed area of exterior wall no less than 20% of the floor area of that space.</p> <p>(c) No bedrooms may rely on natural light borrowed from another naturally lit room.</p> <p>ii Residential units shall comply with the following minimum unit sizes:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 30%;">Unit type by bedroom</th> <th>Minimum residential unit size (GFA)</th> </tr> </thead> <tbody> <tr> <td>Studio</td> <td>35m²</td> </tr> <tr> <td>1</td> <td>45m²</td> </tr> <tr> <td>2</td> <td>70m²</td> </tr> <tr> <td>3</td> <td>90m²</td> </tr> <tr> <td>4</td> <td>115m²</td> </tr> </tbody> </table>	Unit type by bedroom	Minimum residential unit size (GFA)	Studio	35m ²	1	45m ²	2	70m ²	3	90m ²	4	115m ²	RDIS	RDIS	RDIS
Unit type by bedroom	Minimum residential unit size (GFA)															
Studio	35m ²															
1	45m ²															
2	70m ²															
3	90m ²															
4	115m ²															

THREE PARKS ZONE - RULES RESIDENTIAL SUBZONES

12

		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
	iii The minimum floor to ceiling height for habitable rooms (including servicing) shall be 2.4m and for kitchens, bathrooms, hallways, toilets, lobbies, laundries and service areas shall be 2.3m minimum floor to ceiling height.			
10	Boundary Planting No hedgerow boundary planting within 2 metres of any internal boundary shall exceed 1.9 metres in height at any point of its length.	RDIS	RDIS	RDIS
11	Permeability/ onsite stormwater disposal in the LDR subzone: At least 50% of the area of each site shall be maintained as permeable space, whereby permeable space is any area not covered by building(s) or hard surfacing. Refer Section D for the definitions of “building” and “hard surfacing”.	RDIS	N/A – Refer below standard	N/A – Refer below standard
12	Permeability/ onsite stormwater disposal in the MDR subzone: At least 25% of the area of each site shall be maintained as permeable space, whereby permeable space is any area not covered by building(s) or hard surfacing. Refer Section D for the definitions of “building” and “hard surfacing”.	N/A – Refer above standard	RDIS	RDIS
13	Building Coverage in the LDR subzone The maximum building coverage for all activities on any site shall be 40%.	RDIS	N/A – Refer below standard	N/A – Refer below standard
14	Building Coverage in the MDR subzone The maximum building coverage for all activities on any site shall be 60%.	N/A – Refer above standard	RDIS	RDIS
15	All residential units and flats (including mixed use buildings) in the MDR subzone and within multi-unit developments in the LDR subzone shall be in accordance with an approved “ Block	N-C – applies to multi unit	N-C	N-C

		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
	<p>Plan”.</p> <p>Refer to Section D for the definition of “multi unit developments” and “Block Plan”</p>	developments only		
16	<p>Building Height in the LDR subzone</p> <p>The maximum height for buildings shall not exceed 8.0m above ground level, measured at any point and the highest part of the building immediately above that point and, in addition, no part of any building shall protrude through the following recession planes, as measured from any point 2.5 metres above ground level at any given point on the site boundary:</p> <ul style="list-style-type: none"> - Southern site boundary recession plane 25° - Western and eastern site boundary recession plane 40° - Northern site boundary recession plane 55° <p>Except:</p> <ul style="list-style-type: none"> (i) Gable, hip, dormer and other similar projections may encroach beyond the recession lines provided they are contained within a calculated area(s) no greater than 6m² with the apex no higher than a point 1m below the maximum height for the zone and the base of the area(s) at the level of recession line protrusion; and (ii) In relation to a southern boundary, where the slope of a site is greater than 6 degrees (i.e. greater than 1 in 9.5) and the slope follows the same direction as the recession plane, the recession plane shall be relaxed from 25° to 40°. <p>Diagram showing recession planes in the LDR subzone:</p>	N-C	N/A – Refer below standard	N/A - Refer below standard

		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
17	<p>Building Height in the MDR subzone</p> <p>i Buildings (including those with commercial use on the ground floor), shall be a maximum height of 11 metres provided it is no more than 3 storeys in height plus non habitable protrusions including roof forms; and</p> <p>ii Where the site adjoins the LDR subzone (excluding where the subzones are separated by a road), then in relation to that boundary which adjoins the LDR subzone, no part of any building shall protrude through the following recession planes, as measured from any point 2.5 metres above ground level at any given point on the site boundary:</p> <ul style="list-style-type: none"> - Southern site boundary recession plane 25° - Western and eastern site boundary recession plane 40° - Northern site boundary recession plane 55° <p>Except:</p> <p>(i) Gables may encroach beyond the recession lines provided they are contained within a calculated area(s) no greater than 6m² with the apex no higher than a point 1m below the maximum height for the zone and the base of the area(s)</p>	N/A – Refer above standard	N-C	N-C

		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
	<p>at the level of recession line protrusion; and, \</p> <p>(ii) In relation to a southern boundary, where the slope of a site is greater than 6 degrees (i.e. greater than 1 in 9.5) and the slope follows the same direction as the recession plane, the recession plane shall be relaxed from 25° to 40°.</p> <p>iii The ground floor of all buildings in the MDR (mixed use precinct) subzone shall have a minimum stud height of 3.3 metres in order to enable the easy conversion to a non-residential use in the future.</p> <p>Iv Non-residential buildings shall have a maximum height of 10 m.</p> <p>Refer Section D for definitions of a “storey” and “habitable space”.</p>			
18	<p>Residential density</p> <p>There shall be no more than 1 residential unit per site (where the site is shown on the Outline Development Plan or Comprehensive Development Plan or subdivision scheme plan) unless a higher density has been expressly approved as part of an Outline Development Plan or Comprehensive Development Plan resource consent.</p> <p>Note: This does not preclude a residential flat from being constructed on a site in addition to the residential unit. Refer to Section D for the definition of “residential flat”.</p>	N-C	N-C	N-C
19	<p>Heavy Vehicle Storage</p> <p>Except for visitor accommodation, no more than one heavy vehicle shall be stored or parked overnight on any site for any activity. This standard applies to residential and non-residential activities cumulatively.</p>	N-C	N-C	N-C

		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
20	<p>Keeping of Animals</p> <p>There shall be no keeping of pigs.</p>	N-C	N-C	N-C
21	<p>Noise - Non-residential activities and buildings</p> <p>i Non-residential activities shall be so conducted that the following noise limits are not exceeded at any point within the boundary of any other site within this subzone:</p> <p>Daytime 0800 - 2000 hours 50dBA L10</p> <p>Night-time 2000 - 0800 hours 40dBA L10 and 70dBA Lmax;</p> <p>ii Construction noise shall comply with and be measured and assessed in accordance with NZS 6803:1999.</p> <p>iii Activities conducted in adjoining subzones shall not exceed Residential subzone noise limits at any point within the boundary of any site within the Residential subzone.</p> <p>iv Plantation Forestry Noise shall be in accordance with the Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017.</p> <p>Note: Noise levels (other than construction noise or noise from Plantation Forestry) shall be measured and assessed in accordance with NZS6801:2008 and NZS 6802:2008.</p>	N-C	N-C	N-C
22	<p>Noise – Residential activities in the MDR subzone within 80 metres of State Highway 84</p> <p>Buildings for residential activities, visitor accommodation and retirement villages within 80 metres of the seal edge of State Highway 84 shall be designed and constructed to ensure that noise from traffic on State Highway 84 will not exceed 35dBA Leq(24hr) in bedrooms and 40dBA Leq(24hr) for other habitable rooms in accordance with the Australian and New Zealand Standards AS/NZ2107:2000 Acoustics-recommended design sound levels and</p>	N/A	N-C	N/A

		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
	reverberation times for building interiors.			
23	<p>Hours of Operation – Non-Residential Activities</p> <p>i Hours of operation shall be limited to between the hours:</p> <p>0700 – 2200 for convenience stores and food and beverage outlets</p> <p>0730 – 2000 for all other activities</p> <p>except that:</p> <p>(a) home occupations in the LDR and MDR subzone and controlled non-residential activities in the MDR (Mixed) subzone may be carried out outside the above hours provided:</p> <p>(i) each person engaged in the activity outside the above hours resides permanently on the site; and</p> <p>(ii) there are no clients, deliveries, or visitors associated with the activity to or from the site outside the above hours; and</p> <p>(iii) all other relevant performance standards are met</p> <p>Note: For the avoidance of doubt, visitor accommodation and retirement villages are not captured by this standard.</p>	N-C	N-C	N-C
24	<p>Deferment of non-residential activities in the MDR (Mixed use precinct) subzone</p> <p>There shall be no non-residential uses in the MDR (mixed use precinct) subzone until the following level of development criteria has been met within the commercial core subzone:</p>	N/A – Refer Activity Table	N/A - Refer Activity Table	N-C

		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
	<ul style="list-style-type: none"> i 10,000m² of retail space has been built and is occupied; and ii Buildings fronting the Mainstreet Collector road and between and adjacent to the T-intersections shown on the Three Parks Structure Plan have been developed (as usable space) up to at least 2 storeys along the mainstreet frontage; and iii All large format retail buildings have been “sleaved” with specialty retail spaces in the manner outlined in Assessment Matter 12.26.7.4(vii)(f) <p>Note: The reason for this is to encourage commercial development within the commercial core in the initial stages of development.</p>			
25	<p>Car parking – non residential activities in the LDR subzone</p> <p>No onsite parking associated with the non-residential use shall be visible from the street; except that:</p> <ul style="list-style-type: none"> i Where no residential parking will be visible from the street up to 2 carparks associated with non-residential use may be visible from the street. 	N-C	N/A – Refer below standard	N/A
26	<p>Car Parking – non residential activities in the MDR subzone</p> <ul style="list-style-type: none"> i No onsite parking associated with the non-residential use shall be visible from the street except that where no residential parking will be visible from the street up to 2 carparks associated with non-residential use may be visible from the street; and ii Customer car parking shall be clearly marked and located most proximate to entrances. Staff and resident car parking shall be clearly marked and located furthest from the street frontage; and 	N/A – Refer above standard	N-C	N-C

Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	Resource consent status if standard not met – All residential subzones, including deferred mixed use		
		LDR	MDR	Deferred MDR (mixed use)
	iii There shall be no more than 2 carparks located at the side of the building; and			
	iv There shall be no parking or manoeuvring in front of buildings; except in the MDR (deferred mixed use) subzone where 90° parking on the street immediately in front of the site is allowed and may be included in the calculation of on-site carparking requirements.			

12.26.4.4 Controlled Activities – Matters over which the Council has reserved control and Assessment Matters

i Non-residential activities in the MDR (mixed use precinct) subzone, - conditions may be imposed in respect of:

- (a) The relationship of parking, access and manoeuvring areas, including access points/ lanes and whether these enable the joint use of car parking and minimise impacts on pedestrian safety.
- (b) Signage
- (c) The extent and quality of any landscaping proposed and the effectiveness of proposed planting in enhancing the general character of the area, screening car parking areas, and the impact on residential uses.

ii Visitor Accommodation in the MDR subzone on sites identified in an approved Outline Development Plan or Comprehensive Development Plan, and

iii Retirement villages in all residential subzones on sites identified in an approved Outline Development Plan or Comprehensive Development Plan, conditions may be imposed in respect of:

- (a) The relationship of parking, access and manoeuvring areas, including access points/ lanes and whether these enable the joint use of car parking and minimise impacts on pedestrian safety.
- (b) Signage
- (c) The extent and quality of any landscaping proposed and the effectiveness of proposed planting in enhancing the general character of the area, screening car parking areas, and the impact on residential uses.
- (d) The inclusion of initiatives which help reduce private car use and encourage alternative modes of transport (i.e. Travel Demand Management).

- (e) In relation to visitor accommodation which include bar facilities; the location of the bar relative to the site boundaries, noise, and hours of operation.

Note: The building requires separate restricted discretionary resource consent, unless approved through a Comprehensive Development Plan.

12.26.4.5 Restricted discretionary Activities – Matters over which the Council has reserved discretion and the Assessment Matters

i Matters of discretion – For Outline Development Plans in all residential subzones, discretion is reserved in respect of:

- (a) The indicative subdivision or development layout (unless submitted as part of a combined subdivision and landuse Resource Consent), including roading design details.
- (a) Residential density in the LDR and MDR subzones
- (b) Open space areas, open space networks, and pedestrian and cycle links
- (c) Landscaping and streetscape design
- (b) The location of indicative building platforms
- (c) The management of reverse sensitivity issues and issues arising from future incompatible uses.
- (d) The location and amount/ extent of visitor accommodation in the MDR subzone.
- (e) Any proposed methods of ensuring high quality design (such as design guidelines).
- (f) The staging of development

- (g) The extent to which any preceding ODP in the subzone has been given effect to.
- (h) The inclusion of initiatives which help reduce private car use and encourage alternative modes of transport (i.e. travel demand management).
- (i) The provision of Public Transport facilities and/or infrastructure or space to enable its future development.

Note: With respect to l) and m) above, any ODP application which will enable development which exceeds one or more of the following thresholds shall include a full Integrated Transport Assessment (ITA):

- (i) Residential development of at least 100 or more dwellings
- (ii) Retail space of at least 1,000 m² GFA
- (iii) Office space of at least 2,500 m² GFA.
- (iv) Industrial space of at least 5,000 m² GFA; or
- (v) Warehousing or storage space of at least 10,000 m² GFA.
- (j) The level of flexibility that the applicant requests between the ODP and the subdivision consent application.
- (k) The provision of infrastructure to service the development such as water, sewage treatment, stormwater, lighting, power and telecommunications facilities.
- (l) Measures to address any adverse effects resulting from any contaminated sites.
- (m) Approaches to stormwater disposal, having regard to the need to provide for the management of stormwater from other sites in the catchment, including the provision of open spaces for stormwater management.

- (n) Measures to restore or create wetland habitats of ecological and cultural value if opportunities exist
- (o) The appropriateness of uses identified for sites identified for non-residential activities.

Note: Any Affordable and Community Housing contributions that may otherwise be applied in this zone are instead dictated by the Stakeholder Agreement reached between Council and Landowner. The agreement binds subsequent landowners.

ii Outline Development Plan - Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

In regard to the **indicative subdivision/ development layout**:

- (a) Whether the road layout is efficient, legible, and pedestrian-friendly. The Council expects roading layouts and hierarchies (ranging from collectors to local streets) to be immediately navigable and understandable by users. The Council expects to see the use of roundabouts avoided in places where there is anticipated to be high numbers of pedestrians and cyclists. The Council expects roading cross sections to be provided, which illustrate the width, character, landscaping, anticipated speed environment, and how the roading corridors provide for cyclists and pedestrians, as well as cars.
- (b) With regard to the location of collector roads, the Council will not normally approve movement of more than 30 metres for a collector road unless the integrity of the Three Parks Structure Plan is not compromised (including the relative amounts of land in the various subzones) and normally only for the following reasons:

- (i) Where there are key infrastructure matters that make the indicated path of the roads impracticable (for example land needed for stormwater management); and/ or
 - (ii) More appropriate subdivision patterns and street layouts will result from the movement of the collector road.
 - (iii) For the collector road in the North Three Parks Area that joins with Ballantyne Road consideration of adequate sight lines for intersection safety.
- (c) For the North Three Parks Area whether the intersection between the collector road and Ballantyne Road has adequate sight lines and is safe.
- (d) Whether the urban structure is well-connected. The Council will not normally approve an Outline Development Plan:
- (i) Which proposes any cul de sacs in the MDR subzone; and
 - (ii) Which proposes that more than 20% of streets be cul de sacs (i.e. more than 1 in every 5 streets) in the LDR subzone; and
 - (iii) Which proposes any cul de sacs which are longer than 75m, are not straight, and which serve more than 20 lots; and
- NB: 'Back lanes' are not considered to be cul de sacs.
- (iv) Which does not include specific timeframes for the completion of those collector roads (in full) that pass through the area subject to the Outline Development Plan.
- (e) Whether the street blocks are designed to be walkable. The Council will not normally approve a block layout where:
- (i) In the LDR subzone, any block area exceeds 1.5 hectares and any block length (between intersections) exceeds 200 m; and

- (ii) In the MDR subzone, any block area exceeds 0.8 hectares and any block length exceeds 100 m, except that it is acknowledged that block lengths adjacent to the Mainstreet Collector road may need to be longer in order to ensure that the corridor functions efficiently.

Note: For the purpose of calculating block lengths, back lanes do not form part of the block layout. Refer to Section D for a definition of "back lanes".

- (f) Whether the number of rear sites have been minimised. The Council will expect to see rear sites avoided unless alternative street layouts would result in a worse outcome in terms of residential amenity, connectivity/ walk-ability, and safety.
- (g) Whether the lot configuration, dimensions, and orientation will result in lots that:
 - (i) Are orientated in order to maximise solar gain,
 - (ii) Enable land uses to connect with the street
 - (iii) Are easy to maintain, and
 - (iv) Have logical boundary lines.
 - (v) Avoid long narrow lots with narrow street frontages, which encourage multi-unit development aligned perpendicular to streets (creating back lots, shared drives, long narrow lines of flats, and body corporates).

The Council will not normally approve designs that result in awkward, irregular boundaries and which do not achieve the above outcomes.

- (h) Whether any 'back lanes' that are proposed are appropriately designed and of an appropriate scale (in terms of their width and the number of units they serve) to ensure that they will provide a 'back lane' character and will function effectively and not result in adverse effects in terms of safety and amenity. The Council

expects back lanes to be between 5m and 6m wide, depending on the number of units serviced. The Council would not normally approve a back lane which serves more than 8 units per entrance but, rather, expects 'lanes' of such a scale to be developed as a public street with greater width, footpaths, and an active street frontage. For example; the Council would not expect a back lane to run the entire way through a 100m block but, rather, a lane may provide rear access to part of the block or the block itself may be reduced in length in order to enable it to be dissected by a narrow back lane, for its full length (with an entrance at either end).

- (i) Refer also to Rule 14.2.4.1(iv) in regard to access widths, to Section D for a definition of "back lanes", and to the illustrative diagram entitled "Typical back lane (plan view)" beneath Assessment Matter 12.26.4.5 (viii)(d) for further explanation.
- (i) Whether, in the MDR (mixed use precinct), the impact of commercial activities on the safety and efficiency of the mainstreet collector road have been mitigated through minimising the number of vehicle crossings directly off the mainstreet and avoiding, where possible, any deliveries or servicing from the main street. The Council expects this to be achieved through the provision of rear lanes which provide vehicular access to both service areas and to carparking or through vehicle crossings being shared between properties wherever possible.
- (j) The building's contribution to the creation of an active street frontage.
- (k) Whether, in the LDR subzone, the lot configuration will ensure against monotonous building setbacks and fencing along Riverbank Road and will avoid individual or shared access lots and right of ways onto Riverbank Road. It is noted that pedestrian and cycle links between the 3 Parks Zone and Riverbank Road are considered appropriate.

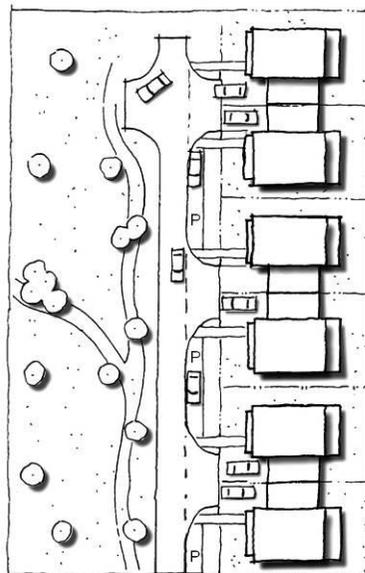
- (l) Whether lots and blocks are laid out to maximise solar orientation. The Council will normally expect to see roads to orient north-south, where they are not already identified in the Three Parks Structure Plan.
- (m) Whether a mixed **density** living environment is provided in the LDR and MDR subzones, which achieves the Council's target densities. The Council will not normally approve an Outline Development Plan unless a) a range of densities and housing types are being proposed and b) the following densities are achieved within the Outline Development Plan:
 - (i) 10 residential units per hectare in the LDR subzone (+/- 5%), including the land required for roading and reserves,
 - (ii) 15 residential units per hectare on any identified multi-unit developments sites within the LDR subzone (+/- 5%), including the land required for roading and reserves, noting that 15-20% of all units shown in any given Outline Development Plan for the LDR subzone shall be located within multi-unit-developments
 - (iii) 25 residential units per hectare in the MDR subzone (+/- 5%), including the land required for roading and reserves,
 - (iv) Note: All calculations shall be inclusive of land required for roading and reserves.
- (n) Whether and to what extent the Outline Development Plan incorporates the various open spaces identified as non-fixed on the Indicative Open Space Plan. The Council will expect the Outline Development Plan to maximise opportunities to combine stormwater disposal and open space and to include land which is otherwise unsuitable for building in the green network.
- (o) Whether a generous amount of open space will be provided for the enjoyment of residents and visitors to the Three Parks Zone. In determining this, attention shall be paid to the Council's reserves contribution policies and particular attention shall be paid to whether the layout of open spaces and opportunities in

the Open Spaces Plan have been considered and where appropriate given effect to.

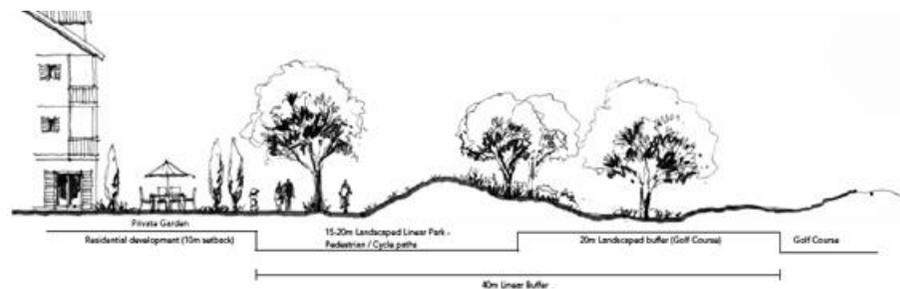
Note: the amount of open space indicated on the Open Space Plan should be used as a guide as to what at a minimum may be considered a 'generous amount of open space'.

- (p) Whether public **open spaces** have direct street frontage, and are located on visually prominent sites, such as at intersections.
- (q) Whether public open spaces are fronted by land uses around them, rather than 'backing" on to them. The Council will normally expect land uses around a public open space to have frontage and vehicular access from the park boundary, either by a full street or private lane / JOAL (Joint Owned Access Lot) or similar (not a rear lane).

Example of an acceptable relationship between a residential land use and open space:



Indicative layout for residential land use abutting the linear park by the golf course in the North Three Parks Area:



Note: these diagrams are indicative of concepts only. There is no guarantee that the designs shown would prove appropriate to the applicant or satisfy all requirements to gain consent.

- (r) Whether public open spaces and the urban form are designed in accordance with principles of Crime Prevention through Environmental Design (CPTED).
- (s) Whether the amount and location of public open spaces are commensurate with the proposed GFA of commercial space, residential densities and employee densities (as derived from the GFA of commercial space) shown in the Outline Development Plan. The Council would expect the Outline Development Plan to show the intended use of the open space (be it passive, active, a playground, or a sportsground) and the anticipated catchment of users.
- (t) Whether the public open spaces form part of an open space network which provides pedestrian and cycle linkages to other open space, community facilities, other subzones and the Wanaka Town Centre.
- (u) Whether and to what extent dedicated, direct and safe **pedestrian and cycle links** are provided. There are benefits for pedestrian or cycle links to be located within the public street. However, off-street links may be appropriate provided

they are designed and located in such a way as to provide a good level of safety and amenity for users. The Council would normally expect there to be good surveillance of such links and for them to be straight, well lit, at least 6 m wide and no more than 75 m long, and to avoid the use of under-passes.

(v) Whether a detailed landscape plan has been provided for all open space areas with the Outline Development Plan. The council will expect the Landscape Plan to:

- i Be appropriate to the desired purpose of the space, be it for active or passive recreation, as a high amenity landscaped space adjacent to a collector road, or for ecological restoration and stormwater disposal.
- ii Identify all plant species
- iii Outline the long term management considerations
- iv Maintain important viewshafts;
- v Integrate with adjoining land uses;
- vi Be consistent with CPTED principles

Note: Any change to the landscape plan will require a Variation to the Outline Development Plan.

(w) Whether, in the MDR and LDR subzones, all lots show realistically achievable indicative **building platforms** that will achieve solar access, street frontage, and on-site privacy. Note: In the LDR and MDR subzones residential buildings need not necessarily be built within the platform.

(x) Whether and to what extent **reverse sensitivity issues and issues arising from potentially incompatible uses** have been minimised. This may relate to uses at the interface of two subzones, at the interface with adjoining zones, or between activities within a subzone, where the location has been identified at the ODP stage. The Council expects conflicts to be minimised

through methods such as setbacks, noise insulation, covenants, and the location of Multi Unit Developments. Notwithstanding this, it is acknowledged that such issues will also be considered for any ODP within the adjoining subzones.

(y) In regard to the **range and location of uses** in the LDR and MDR subzones, where possible, the Council expects the Outline Development Plan to show where any education or day care facilities are intended to be located and how any effects on residential amenity will be mitigated. Note: Further resource consent or designation procedures will still be required for these activities, unless expressly permitted by the Plan.

(z) The Council expects the ODP to show **visitor accommodation** precincts within the MDR subzone. The Council expects to see a limited number of precincts and for these to be located at the interface of the commercial zones and in locations that are quite separate from the residential parts of the MDR subzone. The Council will not normally grant an ODP where the extent and/ or location of visitor accommodation precincts would:

- (i) Enable visitor accommodation to become the dominant use within the subzone and, hence, adversely affect residential coherence; or
- (ii) Result in visitor accommodation adversely affecting residential amenity.

(aa) The Council expects the ODP to show any **multi unit development sites** that are being proposed within the LDR subzone and would normally expect these to be located adjacent to (be it across the road) a public park/ open space and such that any effects on the low density character of the surrounding properties are minimised. It may be that they are positioned as a means of providing a transition between commercial and LDR subzones.

(bb) If design guidelines (or other mechanisms) are proposed to achieve a **high quality of building and streetscape design**, the Council expects the applicant to provide detail as to how these

will be enforced. The Council considers that design guidelines should be used sparingly (in recognition of the extensive guidance provided in the District Plan itself) and are likely to only be necessary in certain instances and only in some subzones.

- (cc) Whether the **staging of development** (shown in the ODP), if any, will facilitate a logical progression of development which enables the cost effective provision of infrastructure; provides for a range of housing types/ densities; supports public amenities; and achieves a critical mass capable of contributing to a sense of community and/ or sense of place.
- (dd) **The extent to which any previous ODP relating to the same subzone has been given effect to** (defined as the section 224c certificate having been issued). The Council would normally expect:
 - (i) The timing of development to occur in accordance with the Indicative Staging Plan for the Three Parks Zone.
 - (ii) That 60% of the area shown in the ODP (and which relates to the same subzone as the current application) has been given effect to;
 - (iii) That a mixture of densities has been provided prior to granting another ODP within that subzone.
- (ee) Whether an **Integrated Transport Assessment** (ITA) has been provided which satisfactorily outlines how the proposed land use/urban design will affect the sustainability of transportation. The Integrated Transport Assessment should cover all those matters listed in the Council's guide on the subject. Refer to Council guidelines relating to ITA.
- (ff) The provision of Public Transport facilities and/or infrastructure or space to enable the future development of Public Transport facilities and/ or infrastructure. The Council would normally expect adequate space to be provided in the road reserve for a bus stop to be located every 400 m along any bus route as

identified by the Council or negotiated with the Council, as part of the ODP consent process.

- (gg) Whether any **contaminated sites** exist that would be a risk to human health or the environment and, if so, whether measures have been taken to address these. The Council expects a report to be submitted confirming whether any sites exist and, if they do, explaining how the sites will be appropriately remediated or how the subdivision and development layout will address these issues to appropriately minimise or eliminate risk.
- (hh) Whether the development proposed will ensure appropriate **stormwater management** in light of the capacity of stormwater infrastructure, the management of overland flows from the site and other sites in the catchment and measures to reduce contaminants entering the receiving environment. The Council expects a significant proportion of all stormwater to be disposed of within the zone through the use of open spaces and that such a stormwater disposal plan will be prepared in consultation with Council's engineers and will be consistent with any stormwater catchment management plan that the Council has for this area.
 - (ii) Whether the development and subdivision would provide opportunities to create or restore **wetland** areas. This may be the case with existing land and water features (including those shown as open space in the Three Parks Structure Plan) and open spaces created for stormwater management. Indigenous plants should be used where possible to restore ecological and cultural values.
- (jj) Whether the development has provided appropriately for the ongoing access to and function of the **Stormwater Main Line** and **Transmission Line** that traverse the Three Parks Zone. The Council expects that the intended treatment of these features will be discussed and that they will be aligned with public access areas such as roads and reserves.

Note: Except where the matter specifically refers to the MDR and/ or LDR subzones, the assessment matters for Outline

Development Plans and Comprehensive Development Plans apply zone wide.

- (kk) Whether non-residential activity proposed in the LDR and MDR subzones would serve a function which clearly services the local neighbourhood and would not effectively fulfil this function if located elsewhere.
- (ll) Whether non-residential activity proposed in the LDR and MDR subzones would adversely affect the residential amenity of surrounding residential properties.
- (mm) For the North Three Parks Area whether the development is in accordance with the principles in the Urban Design Framework North Three Parks, March 2012.
- (nn) Whether mounding or other landscape treatment is proposed to mitigate effects on the LDR sub-zone north-west of the Gordon Road extension associated with traffic on Ballantyne Road and the existing Aurora substation at Ballantyne Road.

iii **Matters of discretion – For Comprehensive Development Plans in all residential subzones, discretion is reserved in respect of:**

Those matters listed in Rule 12.26.4.5 (i) in regard to Outline Development Plans, and those listed in 12.26.4.5 (vii) and 12.26.4.5 (ix) in relation to restricted discretionary buildings, as is relevant.

iv **Comprehensive Development Plan - Assessment Matters**

All those matters listed in 12.26.4.5 (ii) as Assessment matters in relation to the Outline Development Plan and those matters listed in 12.26.4.5 (viii) and (x) in relation to restricted discretionary buildings, as is relevant.

v **Matters of discretion – For Block Plans in all residential subzones, discretion is reserved in respect of:**

- (a) The lot boundaries, lot configuration, and shape

- (b) The location of the residential units and any residential flats.
- (c) The design and layout of the residential building types proposed in relation to the streetscape.
- (d) The location, design, dimensions, and ownership of carparking and of access to the individual lots (be it through individual driveways, accessways, rear lanes, private, or public lanes
- (e) The provision, location, and design of any public or private shared open space

vi **Block Plans – Assessment Matters**

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) Whether the lot boundaries, lot configuration, and shape will enable dwellings to be established which meet the relevant performance standards, meet the density targets, and avoid pressure to create rear lots in the future
- (b) Whether the location of the residential units and flats will meet the relevant performance standards and provide for a high amenity and safe living environment through achieving an appropriate balance between addressing the street and providing privacy, both within living areas and within the units private open space.
- (c) Whether a range of residential building types are proposed, which provide for a mixture of household sizes and for an interesting streetscape.
- (d) Whether parking and access to the various lots, be it through individual driveways, accessways, rear lanes, private, or public lanes, has been configured and designed in a manner which minimises the dominance of driveways at the street edge, maximizes efficient use of the land, maximizes pedestrian vehicular safety

- (e) Whether any public or private shared open space is provided within or adjacent to the block and, if not, the reasons for this.

Note: Applicants may apply for a “Block Plan” for one or more blocks at the same time as the wider Outline Development Plan or at the same time as the more detailed building design (as combined consent).

vii **Matters of discretion – For all residential developments in the MDR subzone (including mixed use buildings) and multi unit developments on sites approved by an ODP in the LDR subzone, discretion is reserved in respect of:**

- (a) The location, design and external appearance of buildings and associated landscaping, including effects on the domestic scale, residential amenity, streetscape, safety, and privacy of the surrounding residential neighbourhood.
- (b) The location, access, layout and landscaping of off-street car-parking and any proposed use of on-street parking;
- (c) The location, design, and screening of centralised services, including communal areas set aside for waste storage and collection, mailboxes, and the manoeuvring and loading areas for delivery vehicles relative to the living spaces (indoor and outdoor) of adjacent residential activities;
- (d) Internal residential amenity provided within each individual residential unit.
- (e) The ability to service the building(s), in terms of roading, water supply, and waste water.
- (f) The inclusion of initiatives which help reduce private car use and encourage alternative modes of transport (i.e. Travel demand management).

viii **Residential developments (including mixed use buildings) in the MDR subzone and multi-unit developments in the LDR subzone - Assessment Matters**

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) Whether the design of the building(s), open spaces, carparking, access, and landscaping successfully mitigates the adverse effects on adjoining properties in terms of:
 - (i) Noise, vibration and lighting from vehicles
 - (ii) Protecting privacy for residential neighbours whilst maximising passive surveillance of nearby open spaces
- (b) Whether the development positively contributes to the streetscape through the location and design of the built form, carparking, balconies, ground floor levels, accessways, the treatment of the public/ private interface, and landscaping. Also refer to those Assessment Matters listed in 12.26.4.7 (ii), entitled “street scene and setbacks from roads”.
- (c) Whether there is sufficient variation to the articulation of building frontages, which avoids the unmitigated repetition of same or similar unit types. The Council expects building elevations, particularly those which are visible from the street or other public places, to be well articulated. In particular, where any such elevation exceeds 12 m in length, the Council expects monotonous repetition to be mitigated through such means as variations in form, height, materials, texture and colour, or by including recesses or protrusions in the elevation which are of a sufficient depth and width to effectively ‘break’ any monotony of the form.

Attached housing with variation in form and articulation:



Features of the above diagram include:

- Variation in the façades and roof forms
- Living spaces address the street
- Appropriate heights of front fences
- Garages located to the rear of properties (accessed via back lanes)
- Clear distinction between public and private spaces

Note: this diagram is indicative of concepts only. There is no guarantee the design shown would prove appropriate to the applicant or satisfy all requirements to gain consent.

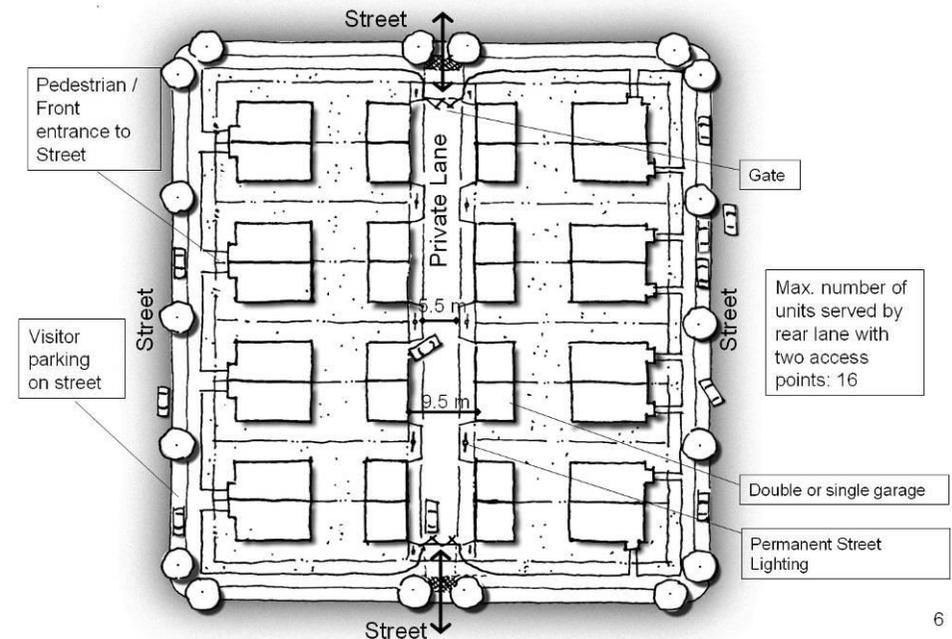
(d) Whether the applicant cannot achieve the required level of solar access into the outdoor living area unless it is located in front of the building(s). Whilst good subdivision layout should make this possible in almost all cases, where this situation does arise (for example, on north facing sites where terrace houses are proposed), the Council would normally allow the outdoor living in front of the unit provided the following is achieved:

- There is no conflict between the public and private space and no ambiguity of ownership.
- Solid walls and fences are avoided along the front boundary (and ensured through methods such as

covenants). If they are proposed, the Council may accept them if they do not exceed 1.2m in height.

- Clear sight lines (and hence, passive surveillance) is maintained between the internal living areas and the public street.
- Garages are preferably located at the rear of the property or are well setback from the front façade of the house.

Typical Back Lane (plan view)



The above diagram is an example of how a back lane can be used to provide access to garages at the rear of the property. Note: this diagram is indicative of concepts only. There is no guarantee the design shown would prove appropriate to the applicant or satisfy all requirements to gain consent.

- (e) Whether the design retains a domestic scale (when viewed from beyond the site), whilst incorporating greater density.
- (f) Whether the design of multi-unit developments in the LDR subzone is consistent with the underlying low density character, and, in particular, whether overly repetitive forms have been avoided.
- (g) Whether any communal car parking is designed such that spaces are broken up and easily identifiable with each unit. Commercial-style continuous parking areas should be avoided.
- (h) Whether each unit is designed to avoid nuisance effects between each other (such as by off-setting windows in close proximity to one another).
- (i) Whether the area set aside for the storage of waste is adequately sized and designed to enable the separation, storage and collection of recyclable waste.
- (j) Whether the level of internal residential amenity being provided is adequate for permanent residential living.
- (k) Whether and to what extent initiatives are proposed which help reduce private car use and encourage other alternatives modes of transport. The Council would normally expect the following to have been provided:
 - (i) Cycle and motorcycle parking in a manner which encourages people to travel by these modes. Depending on the development, mobility scooter parking may also be appropriate.
 - (ii) Effective lighting and pathways aimed at assisting someone entering the site or building by foot or bike.
- (l) In the North Three Parks Area whether the development positively contributes to the streetscape and adjoining open space through the location and design of the built form, car parking, balconies, ground floor levels, access ways, the

treatment of the public/ private interface, and landscaping. Also refer to those assessment matters listed in 12.26.4.7ii, entitled "Street scene and setbacks from Roads – Assessment Matters".

ix **Matters of discretion – For all buildings for non-residential activities, including visitor accommodation and retirement villages in all residential subzones, discretion is reserved in respect of:**

Those matters listed for multi-unit developments in rule 12.26.4.5 (vii) (with the exception of 12.26.4.5 (vii)(d)) above and, in addition:

- (a) The establishment of a clear street presence including an obvious entrance directly accessed from the footpath, and internal layout such that an area of office/ reception or similar faces the street with a large area of glazing allowing two-way visibility between the street and the activity.
- (b) Acoustic or other insulation in order to effectively maintain adjacent residential amenity.
- (c) The ability to service the building(s), in terms of roading, water supply, and waste water.

Note: Failure to comply with performance standards will introduce other matters of discretion.

x **Buildings for non-residential activities, including visitor accommodation and retirement villages - Assessment Matters**

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by those listed in relation to rule 12.26.4.5(viii) above, as are relevant to non-residential use, and the following additional assessment matters:

- (a) Whether the design of the building(s), open spaces, carparking, access, and landscaping successfully mitigates the adverse effects on adjoining properties in terms of:
 - (i) Noise, vibration and lighting from vehicles

- (ii) Protecting privacy for residential neighbours whilst maximising passive surveillance of nearby open spaces
- (b) Whether the development positively contributes to the streetscape through the location and design of the built form, carparking, balconies, ground floor levels, accessways, the treatment of the public/ private interface, and landscaping. Refer also to assessment matters 12.26.4.7 (ii) entitled “street scene and setbacks from roads”.
- (c) Whether the building is setback from the road or not. The Council would normally expect to see convenience stores and other neighbourhood shops located up to the road boundary whilst individual non residential buildings that are surrounded by residential properties and are not located on a collector road should normally be set back consistent with residential buildings. Larger scale buildings such as community facilities or schools would be setback considerably further.
- (d) Whether the area set aside for the storage of waste is adequately sized and designed to enable the separation, storage and collection of recyclable waste.
- (e) Regarding the consideration of proposed initiatives to help reduce private car use, in addition to those matters listed in 12.26.4.5 (viii) (k), the Council will also normally expect shower and locker facilities to be provided at work places.

12.26.4.6 Discretionary Activities - Assessment Matters

- i **Education or day care facilities in all residential subzones but excluding the mixed use precinct**
 - (a) Whether the activity has been shown indicatively on an approved Outline Development Plan or Comprehensive Development Plan.
 - (b) Whether the scale of the activity will enable the residential coherence and amenity of the neighbourhood to be maintained. The Council expects a very small amount of non-residential

activity in the residential subzones, limited to those types of activities which will not adversely affect the residential amenity of the subzone or the viability and vitality of the commercial zones beyond the Three Parks Zone.

- (c) Whether the activity will contribute positively to the neighbourhood by providing an opportunity for interaction amongst residents, and/or a shared “sense of place”.
- (d) Whether the activity would more appropriately and could feasibly be located in the Wanaka Town Centre, the Three Parks Commercial Core or Business subzones, or other business zones beyond Three Parks.
- (e) Whether it is proposed to operate or would logically wish to operate in the future outside the permitted hours. The Council would not normally approve such an extension of hours unless confident that noise levels (from the activity and associated vehicle movements) will be consistent with those expected in a residential environment.
- (f) The Council will not normally approve any activities that breach or are likely to breach the residential noise standards.
- (g) Whether the outside storage of any goods, materials or equipment (including vehicles associated with the activity parked on the site overnight) would have an adverse effect on the residential amenity of neighbours or the streetscape.
- (h) Whether the activity will have any positive or negative cumulative effects, given other such activities given any others that already exist in the vicinity.

12.26.4.7 Assessment matters relating to performance standards

i Internal Setbacks - Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) Buildings are located and designed to minimise overlooking between properties. The Council will expect multi unit developments to use a varied design that offsets windows of adjacent buildings between windows to prevent direct visual connection between buildings.
- (b) Buildings are located in order to minimise shading of neighbouring properties.
- (c) In the North Three Parks Area whether the development positively contributes to the streetscape and adjoining open space through the location and design of the built form, car parking, balconies, ground floor levels, access ways, the treatment of the public/private interface, and landscaping. Also refer to those assessment matters listed in 12.26.4.7ii, entitled “Street scene and setbacks from Roads – Assessment Matters”.

ii **Street scene and setbacks from Roads - Assessment Matters**

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) Whether buildings are able to achieve a high level of connection with the street, including establishing local character and evoking visual interest from street users.
- (b) Whether the design includes windows facing the street. The Council will not normally approve applications that fail to present a clear visual connection through windows from a main living room (dining / kitchen / family / lounge / rumpus) to the street.
- (c) Whether views from the street into sites are clearly drawn to land use activities and entrance points, with garages being a recessive visual feature. The Council will not normally approve applications where the garage, front fencing, or high front landscape screening will dominate a site frontage
- (d) Whether buildings dominate the public footpath. The Council will not normally approve encroachment into the road setbacks

where the building will cast shadowing along the street to a greater extent than would a complying building; or will result in either low levels of residential privacy or lengths of blank building edge along the street.

- (e) Whether and the extent to which the proposed fencing or landscaping:
 - (i) Will detract from the pleasantness and safety of the adjacent public space;
 - (ii) Will dominate the adjacent open space; or
 - (iii) Will still enable a positive relationship between the private and public realm;
- (f) In making its decision, the council will consider whether CPTED principles have been considered in the solution proposed, including the type of fencing, changes in levels, the use of various species of planting, whether the design allows some ability to see into and out of the site, whether allowing some higher fencing will make the outdoor and indoor living spaces sufficiently private to ensure that they are well-used by residents and hence will contribute to passive surveillance.

iii **Outdoor Living Space - Assessment Matters**

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) Whether the amount proposed is sufficient given the size of the dwelling. The Council may approve a reduction if justified by the size of the dwelling.
- (b) Whether the site is adjacent to open space (public or semi public) which would meet some of the needs of residents. The Council may approve a small reduction in such instances

- (c) Whether, in the case of multi unit developments, communal space is being provided on shared land that is part of the development. The Council may approve a reduction in such instances.
- (d) In the case of north facing multi unit developments, Council will consider approving outdoor living on the north side (and within the road setback) where an appropriate balance between privacy and passive surveillance will be achieved.

iv **Permeability/ onsite stormwater disposal - Assessment Matters**

The Council is likely to approve a greater proportion of hard surfacing provided methods are proposed on-site which will ensure that post-development runoff (both natural flow and piped) is equivalent to that which would be achieved through restricting hard surfacing to 50% of the site. The Council will normally also expect methods to be proposed to ensure that these systems will be maintained in perpetuity.

v **Noise - Assessment Matters**

Whether, the application is accompanied by a design report and noise management plan that has been prepared by a suitably qualified person stating how the design, orientation, and layout of activity on the site have been designed to:

- (a) Minimise noise and nuisance noise spill onto adjoining sites; and
- (b) Minimise noise spill from adjoining sites and established activities creating a nuisance for the proposed activity.

12.26.4.8 **Non-notification of Applications**

- i Except as provided for by the Act, all applications for **controlled activities** will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons.
- ii Except as provided for by the Act, the following restricted discretionary activities will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons:

- (a) All applications for (**restricted discretionary**) **non-residential buildings** (pursuant to Rule 12.26.4.2(7)), provided they are in accordance with an approved ODP.
- (b) All applications for **multi unit developments** in the MDR subzone or on sites approved through an Outline Development Plan resource consent.
- (c) Applications for the exercise of the Council's discretion in respect of failure to comply with the following **Performance Standard**:
 - (i) Outdoor Living Space;
- (d) All restricted discretionary applications for **Outline Development Plans or Comprehensive Development Plans** in this subzone; except for Outline Development Plans or Comprehensive Development Plans specifically provided for below under 12.26.4.8(iii).

Note: If the Outline Development Plan or Comprehensive Development Plan is non-complying due to the fact it is not in accordance with the Three Parks Structure Plan (refer Rule 12.26.3.1 (10), for example) then it may be notified.

- iii Except as provided for by the Act, the following restricted discretionary activities will be considered without public notification but notice may be served on those persons considered to be adversely affected if those persons have not given their written approval:

- (a) **Outline Development Plans or Comprehensive Development Plans** which either:
 - (i) Adjoin another land ownership (including beyond the Three Parks Zone), with the matters for serving notice restricted to consideration of the location and/or design of utilities, servicing, and the mitigation of any conflict between land uses on the boundaries of landowners; or

- (ii) Propose that a collector road connect to adjoining land (including beyond the Three Parks zone), with the matters for serving notice restricted to the consideration of effects of the roading and intersection design.

Note: If the Outline Development Plan or Comprehensive Development Plan is non complying due to the fact it is not in accordance with the Three Parks Structure Plan (refer Rule 12.26.3.1 (10),for example) then it may be notified.

- (b) Applications for the exercise of the Council's discretion in respect of failure to comply with the following **Performance Standard**:

- (i) Internal setbacks

- iv For the purposes of Rule 12.26.4.8, adjoin means existing external neighbouring land that shares a boundary with the part of the Three Parks Zone to which the Outline Development Plan or Comprehensive Development Plan relates. The definition of adjoining stated at D1 does not apply to Rule 12.26.4.8.
- v For the purposes of Rule 12.26.4.8, Outline Development Plan and Comprehensive Development Plan includes a variation to an Outline Development Plan or Comprehensive Development Plan.

12.26.5 Tourism and Community Facilities Subzone - Rules

12.26.5.1 Purpose

The **Tourism and Community Facilities Subzone** provides for tourist facilities, conference centres, community facilities, commercial recreation activities, and visitor accommodation (including ancillary uses). Building forms are expected to be of a larger scale than in the residential subzones, yet will be set in a heavily landscaped parkland environment with generous setbacks between comprehensive developments. Only residential of a medium density will be allowed in order to minimise reverse sensitivity issues between residential uses and the predominant uses of the subzone. Temporary worker households are one form of residential use which is considered compatible with and complementary to the purpose of this subzone.

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12.26.5.2 Activity Table - Tourism and Community Facilities Subzone

Key and notes

CON	Controlled Activity	N-C	Non-Complying Activity
PERM	Permitted Activity	DIS	Discretionary Activity
RDIS	Restricted discretionary Activity		
PRO	Prohibited Activity		
N/A	Performance standard not applicable in the particular subzone.		

Note: Where a proposed activity could possibly be captured by more than one activity/ classification, the most specifically defined activity shall override any other. For example, where both retail and commercial activities are both listed, the classification for retail over-rides that for commercial as it is more specifically defined.

Ref	Activity - Tourism and Community Facilities Subzone	Activity status (provided the performance standards are met)
1	Any Activity which complies with all the relevant performance standards, (including the zone-wide standards), and is not listed as a Controlled, Discretionary, Non-Complying or Prohibited Activity.	PERM
2	Multi unit developments that meet a density of at least 25 residential units per hectare, inclusive of land required for roading and reserves. Note: The built form requires resource consent pursuant to Standard 11 below	PERM
3	Home occupations	PERM
4	Office (activities) ancillary to any Permitted or Controlled Activity. NB- Any building will be subject to a restricted discretionary consent.	PERM
5	Buildings approved by a Comprehensive Development Plan	PERM
6	The sale of liquor (on-licence only) from visitor accommodation or places of assembly between the hours of 6 pm– 11 pm, except that this rule shall not apply to the sale of liquor to any person who is residing (permanently or temporarily) on the premises.	CON

Ref	Activity - Tourism and Community Facilities Subzone	Activity status (provided the performance standards are met)
7	Visitor Accommodation activities	CON
8	Place of assembly (which, for the purpose of this rule, includes conference facilities), community activities, places of entertainment, educational facilities and recreational activities, commercial recreation activity, retirement villages, and day care facilities (children and elderly). Note: The building itself requires a Restricted Discretionary Resource Consent unless already approved by a Comprehensive Development Plan.	CON
9	Outline Development Plan or a variation to an approved ODP. Note: Where any element of an application for an Outline Development Plan is a non-complying activity (for example, more than 10% of sites are 'rear sites'), then the Outline Development Plan application becomes non-complying.	RDIS
10	Comprehensive Development Plan or a variation to an approved CDP. Note: Where any element of an application for a Comprehensive Development Plan is a non-complying activity (for example, an over height building is proposed), then the Comprehensive Development Plan application becomes non-complying.	RDIS
11	All buildings, except those already approved by a Comprehensive Development Plan	RDIS
12	The sale of liquor (on-licence only) from visitor accommodation or places of assembly between the hours of 11 pm and 7 am, except that this rule shall not apply to the sale of liquor to any person who is residing (permanently or temporarily) on the premises or who is on the premises for the purpose of dining.	RDIS
13	Residential units, except for multi unit developments which meet a density of at least 25 residential units per hectare, inclusive of land required for roading and reserves. Refer to Section D for the definition of "multi unit development". Note; For the avoidance of doubt, this rule is to make low density housing non complying	N-C
14	Buildings within the Open Space precinct adjacent to SH84, as shown on the Three Parks Structure Plan.	N-C
15	Commercial activities (other than those listed specifically in this table)	N-C

Ref	Activity - Tourism and Community Facilities Subzone	Activity status (provided the performance standards are met)
16	Retail activities (other than those ancillary to a permitted or controlled activity)	N-C
17	Service activities and Industrial Activities	N-C
18	Offices other than those that are ancillary to any permitted or controlled activity	N-C
19	Factory Farming, Forestry Activities, Mining	N-C
20	Airports/ take-off or landing of aircraft other than the use of land and water for emergency landings, rescues and fire fighting.	N-C
21	Planting of any wilding species (as identified in Part 5 of the District Plan)	PRO
22	Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building, fish or meat processing, or any activity requiring an Offensive Trade Licence under the Health Act 1956.	PRO

12.26.5.3 Performance Standards

Failure to comply with a standard will result in the need to obtain either a restricted discretionary or non complying resource consent, as specified in this table. Where failure to comply with a performance standard results in a restricted discretionary consent being required, the Council's discretion is restricted only to that or those standards that are not complied with.

Refer also to the zone-wide standards in Section 15.21.3.1, relating to:

- (a) Earthworks (RDIS)
- (b) Lighting and Glare (RDIS)
- (c) Waste and Recycling Storage Space (RDIS)
- (d) The creation of Rear Sites (N-C)
- (e) Compliance with an approved Outline Development Plans and Comprehensive Development Plans (N-C)

- (f) Compliance with the Three Parks Structure Plan (N-C)
- (g) Staging of development (N-C)
- (h) Access (N-C)

Ref	Standard - Tourism and Community Facilities Subzone	Resource consent status if standard not met
1	<p>Streetscene and placement of buildings</p> <p>All buildings shall be contained within a building platform approved as part of an Outline Development Plan or Comprehensive Development Plan.</p>	RDIS
2	<p>Setback from Internal Boundaries</p> <p>Buildings shall be set back at least 10 metres from internal boundaries; except that:</p> <ul style="list-style-type: none"> i No setback is required from an internal boundary where buildings share a common wall on that boundary. <p>Note: The purpose of this rule is to achieve comprehensively designed large-lot development, whereby the effects are internalised to the development.</p>	RDIS
3	<p>Outdoor Living Space for residential activities</p> <p>Refer to the standards in Rule 12.26.4.3 (8) in relation to the MDR subzones</p>	RDIS
4	<p>Residential Amenity for multi-unit developments</p> <p>Refer to the standards in Rule 12.26.4.3 (9) in relation to the MDR subzones.</p>	RDIS
5	<p>External Appearance of Residential buildings</p> <ul style="list-style-type: none"> i There shall be a minimum 1 m recess of garage behind the building's front face. ii There shall be at least one area of glazing from a living room or, in the case of mixed use buildings from a main office or reception area, of at least 2 m² facing the street. 	RDIS

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Ref	Standard - Tourism and Community Facilities Subzone	Resource consent status if standard not met
6	<p>Fences</p> <p>Fences and/or landscaping having the effect of a fence anywhere within the open space precinct or within any road setback within the subzone shall be no higher than 1.2m in height.</p>	RDIS
7	<p>Building Height - All activities & buildings:</p> <p>All buildings shall be a maximum of 3 storeys in height, provided the total height does not exceed 12 metres.</p> <p>Refer Section D for definitions of a “storey” and “habitable space”.</p>	RDIS
8	<p>Permeability/ onsite stormwater disposal</p> <p>At least 50% of the area of each site shall be maintained as permeable space, whereby permeable space is any area not covered by building(s) or hard surfacing.</p> <p>Refer Section D for the definitions of “building” and “hard surfacing”.</p>	RDIS
9	<p>Building Coverage</p> <p>The maximum building coverage for all activities on any site shall be 25%.</p>	N-C
10	<p>Heavy Vehicle Storage</p> <p>Except for visitor accommodation, no heavy vehicles shall be stored or parked overnight on any site for any activity.</p>	N-C
11	<p>Noise</p> <p>i Activities shall be so conducted that the following noise limits are not exceeded at any point within the boundary of any other site in this subzone:</p> <p>daytime (0800 - 2200 hrs) 60dBA L₁₀</p>	N-C

Ref	Standard - Tourism and Community Facilities Subzone	Resource consent status if standard not met
	<p>night time (2200 - 0800 hrs) 50dBA L₁₀ and 70dBA L_{max}</p> <p>ii Construction noise shall be measured and assessed in accordance with NZS 6803:1999.</p> <p>iii. Plantation Forestry Noise shall be in accordance with the Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017.</p> <p>Note: Noise levels (other than construction noise and noise from Plantation Forestry) shall be measured and assessed in accordance with NZS 6801:2008 and NZS 6802:2008.</p>	
12	<p>Residential density</p> <p>There shall be no more than 1 residential unit per site (where the site is shown on the Outline Development Plan or Comprehensive Development Plan or subdivision scheme plan) unless a higher density has been expressly approved as part of an Outline Development Plan or Comprehensive Development Plan resource consent.</p> <p>Note: This does not preclude a residential flat from being constructed on a site in addition to the residential unit. Refer to Section D for the definition of “residential flat”.</p>	N-C

12.26.5.4 Controlled Activities – Matters over which the Council has reserved control and Assessment Matters

i Matters of control - The sale of liquor (on-licence only) from visitor accommodation or places of assembly between the hours of 6 pm and 11 pm - conditions may be imposed in respect of:

- (a) The scale of the activity
- (b) Car parking
- (c) Retention of amenity
- (d) Noise; and
- (e) Hours of operation.

Note: This rule shall not apply to the sale of liquor to any person who is residing (permanently or temporarily) on the premises.

ii The sale (on-licence only) and on-site consumption of liquor from visitor accommodation or places of assembly - Assessment Matters

In considering whether or not to impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) The character, scale and intensity of the proposed use (including the hours, frequency of use) and its compatibility in relation to surrounding and/or adjoining uses.
- (b) The effect on the existing and foreseeable future amenities of the neighbourhood, particularly in relation to noise and traffic generation.
- (c) The topography of the site and neighbouring area and how this will affect noise emissions beyond the site.
- (d) The nature of existing and permitted or controlled future uses on nearby sites.

- (e) The location of car parking for the site.
- (f) The adequacy of screening and buffer areas between the site and other uses. The Council would normally expect an on-licence activity to be set back, buffered (by other uses), or screened by fencing and/ or landscaping such that the effects of noise and reduced privacy on adjacent residential activities are avoided or minimised.
- (g) The previous history of the site and the relative impact of adverse effects caused by activities associated with sale of liquor.
- (h) Any proposed noise management plan and the ability to mitigate noise effects.

iii Matters of control – Visitor Accommodation activities, places of assembly (including conference facilities), community activities, places of entertainment, educational facilities, commercial recreational activities, recreational activities, retirement villages, and day care facilities (children and elderly) - conditions may be imposed in respect of:

- (a) The location, nature and scale of activities on site;
- (b) landscaping
- (c) The location of carparking, bus parking, access, and traffic generation and any methods proposed to reduce traffic issues at peak times/ special events/ traffic management plans;
- (d) Noise;
- (e) Hours of operation; and
- (f) The proximity to and impact on existing residential activities or residential developments identified in an approved Outline Development Plan.
- (g) Initiatives which help reduce private car use and encourage alternative modes of transport (i.e. demand management).

iv **Visitor Accommodation activities, places of assembly (which includes conference facilities), community activities, places of entertainment, educational facilities and recreational activities, retirement villages, and day care facilities (children and elderly) - Assessment Matters:**

In considering whether or not to impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) Compatibility with amenity values of the surrounding environment considering the visual amenity of the street and neighbouring properties; and, in particular:
 - (i) The character, scale and intensity of the proposed use and its compatibility in relation to surrounding uses
 - (ii) The nature of the development in the context of the permitted or controlled future uses on nearby sites
 - (iii) Any loss of privacy to surrounding existing or approved residential activities
 - (iv) Hours of operation
 - (v) The quality of the landscaping and its contribution to creating an attractive entrance to the Three Parks Commercial Core.
 - (vi) Whether the external appearance of the buildings complements the surrounding landscape and urban character.
- (b) Any adverse effects from the activity are avoided, remedied or mitigated in terms of:
 - (i) The adequacy and location of car parking for the site
 - (ii) Noise, vibration and lighting from vehicles entering and leaving the site

(iii) Pedestrian safety within the vicinity of the activity

- (c) Mitigation of noise emissions beyond the property boundary considering:
 - (i) The adequacy of mitigation measures, including the layout of outdoor activities (for example barbecues, spa pools), and the ability to screen those activities by vegetation, fencing or building.
 - (ii) Measures that can be incorporated into the premises to provide for acoustic insulation and /or attenuation of noise emissions.

12.26.5.5 Restricted Discretionary Activities – Matters over which discretion is reserved and Assessment Matters

i **Matters of discretion – For any Outline Development Plan, discretion is reserved in respect of:**

- (a) All those matters listed in Rule 12.26.4.5 (i) in relation to the LDR and MDR subzones, except where identified that the matter is specific to the residential subzones; and
- (b) Fixed building platforms (as opposed to indicative)
- (c) Landscape treatment of the open space buffer adjacent to SH 84 and the areas adjacent to the Mainstreet Collector Road as shown on the Three Parks Structure Plan.

Note: For the avoidance of doubt, any subsequent landscaping not in accordance with the ODP will require a variation to the ODP.

- (d) The location and design of carparking, including bus parking.

ii Assessment Matters - Outline Development Plan

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) All those Assessment Matters listed in 12.26.4.5 (ii) in relation to the LDR and MDR subzones, except where identified that the matter is specific to the residential subzones; and in addition:
- (b) The extent to which the indicative **building platforms** will:
 - (i) Contribute to an informal, open, park-like character which becomes increasingly urban, the closer one gets to the Commercial Core
 - (ii) Create a soft edge to the Mainstreet Collector road (as shown on the Three Parks Structure Plan), ranging from substantial setbacks closest to the State Highway to more urban setbacks at the edge of the Commercial Core. The Council expects buildings to be set back between 10 and 20 metres at the end of the Mainstreet closest to the State Highway (with at least one building in each development being set back no more than 20 metres), narrowing to setbacks in the order of 5 metres closest to the Commercial Core.
 - (iii) Create an open space dominant 'campus' type built form that conveys a low-scale entry to the Zone from the State Highway. The Council will not normally approve applications that create an impression of high density, intense urban development in the subzone.
- (c) The extent to which the **landscape treatment** of the open space buffer and land adjacent to the Mainstreet Collector road (as shown on the Three Parks Structure Plan) will:
 - (i) Create an attractive entrance to the Three Parks Zone.

- (ii) Contribute to an established, park-like character which gets increasingly urban and domesticated the closer one gets to the Commercial Core
- (iii) Help to minimise effects arising from the proximity of Visitor Accommodation to collector roads (such as noise and reduced amenity).
- (iv) Provide for informal pedestrian access along the Mainstreet Collector Road and State Highway 84.
- (v) Have the potential to adversely affect views of Mt Iron and other prominent natural landscapes.
- (d) In regard to the location and design of **carparking**, including bus parking, the Council will not normally approve:
 - (i) Carparking areas that dominate views into the site from the street or other public places.
 - (ii) Any surface carparking between the building and the Mainstreet Collector road.
- (e) Whether any residential development is being proposed and, if so;
 - (i) whether the proposed location and design effectively avoids or mitigates reverse sensitivity issues with other anticipated uses within the subzone; and
 - (ii) Whether it is located within 400 m of amenities including parks, bus stops, shops, and other services. The Council will normally expect both these matters to be addressed at the Outline Development Plan stage.

iii **Matters of discretion – For Comprehensive Development Plan, discretion is reserved in respect of:**

Those matters listed in Rule 12.26.5.5 (i) in regard to Outline Development Plans, and those listed in Rule 12.26.5.5 (v) in regard to restricted discretionary buildings.

iv **Assessment matters - Comprehensive Development Plan**

All those Assessment matters listed in 12.26.5.5 (ii) in relation to the Outline Development Plan and those matters listed in 12.26.5.5 (vi) in relation to restricted discretionary buildings.

v **Matters of discretion – For all buildings, discretion is reserved in respect of:**

- (a) The location, design and external appearance of buildings, including, in particular:
 - (i) Their effect on views from public places.
 - (ii) The identification of public and private parts of sites including main entrances and exits (excluding emergency/ fire exits).
- (b) The location, access, layout and landscaping of off-street car-parking, including the nomination of staff and visitor parking areas, including bus parking.
- (c) Vehicle access;
- (d) Streetscape design, including landscaping;
- (e) Solar orientation and the orientation of buildings in relation to the prevailing winds and sunlight;
- (f) Building location and design, landscaping, and lighting in respect of maximising private and public safety and preventing crime;

- (g) Servicing, including the provision of centralised areas for the storage and collection of recyclable waste.

- (h) The ability to service the building(s), in terms of roading, water supply, and waste water.

- (i) The inclusion of initiatives which help reduce private car use and encourage alternative modes of transport (i.e. Travel demand management).

vi **Assessment Matters - All buildings**

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

The Council will expect to see the following key design outcomes achieved in the design and layout of all buildings within the subzone:

- (a) Buildings are designed to present interesting and varied facades to streets and public spaces, and to avoid repetition. The Council expects building elevations, particularly those which are visible from the street or other public places, to be well articulated. In particular, where any such elevation exceeds 12 m in length, the Council expects monotonous repetition to be mitigated through such means as variations in form, height, materials, texture and colour, or by including recesses or protrusions in the elevation which are of a sufficient depth and width to effectively 'break' any monotony of the form.
- (b) Main entrance points are clearly identifiable from the street and/ or carparking area and have direct connections to footpaths.
- (c) Roof designs create interest as well as emphasising architectural features including main entrance points.
- (d) Landscaping is used to complement building design, not mitigate low quality design elements.

- (e) Diversity in materials, finishes, and building modulation; helping to create interesting facades.
- (f) Facades that face streets and public spaces are heavily fenestrated.
- (g) Parking areas are located to the side or rear of buildings.
- (h) Facilities that are frequented by the general public are situated in visible “easy to find” locations within developments.
- (i) Whether the views along a street or of surrounding landscape features will be preserved through good design and, in particular, through variations in height and the placement of the building and orientation of view shafts.
- (j) Whether the external appearance of the roof top of the building has been designed such that it is not unattractive when viewed from public places such as Mt Iron. The Council will normally expect to see all servicing (e.g. air conditioning units) well screened and, interesting/ varied rooftops where the building is highly visible from public places, including Mt Iron.
- (k) Whether and to what extent initiatives are proposed, which help reduce private car use and encourage alternative modes of transport (i.e. Travel Demand Management). The Council would normally expect the following to have been provided:
 - (i) Cycle and motorcycle parking in a manner which encourages people to travel by these modes. Depending on the development, mobility scooter parking may also be appropriate.
 - (ii) Shower and locker facilities for work places, so employees who choose to walk, run, cycle to work can shower and store clothing.
 - (iii) Effective lighting and signage aimed at assisting someone entering the site or building by foot or bike.

vii **Matters of discretion – For the sale of liquor, for on-site consumption, between the hours of 11pm and 7am, discretion is reserved in respect of:**

- (a) Those matters listed in Rule 12.26.5.4 (i) in respect of the controlled sale of liquor.

12.26.5.6 Assessment matters relating to performance standards

i **Building Height - Assessment Matters**

Whether buildings are designed so that the overheight part of the building is located away from the street frontage, unless it is associated with emphasising an entry point, plaza, or lobby. The Council will not normally approve any noncompliance with the height standard where buildings are within 30m of a street or public open space.

ii **Streetscene and setback from roads - Assessment Matters**

Whether the combination of the location and design of the buildings and the associated landscaping will result in the desired open space character and provide an attractive entrance into to the Commercial Core. The Council will not normally approve buildings:

- (a) Where the main entrances into buildings are not clearly visible from the street and where there are not clear pedestrian pathways to the entrance. Note that visibility from the street is not applicable where the building itself is not visible from the street.
- (b) Unless at least 60% of the area between the road and the closest building is landscaped and free of surface car parking.
- (c) Unless carparking areas are designed in a manner which gives clear priority to pedestrians through the use of paths, pedestrian rights of way, and clearly marked zebra crossings.

iii Permeability/ onsite stormwater disposal - Assessment Matters

The Council is likely to approve a greater proportion of hard surfacing provided methods are proposed on-site which will ensure that post-development runoff (both natural flow and piped) is equivalent to that which would be achieved through restricting hard surfacing to 50% of the site. The Council will normally also expect methods to be proposed to ensure that these systems will be maintained in perpetuity.

iv Residential activities - outdoor living space

Refer to assessment matters 12.26.4.7 (iii) within the residential subzones section

v Residential activities - Street scene and setback from roads

Refer to assessment matters 12.26.4.7 (ii) within the residential subzones section.

12.26.5.7 Non-notification of Applications

- i Except as provided for by the Act, all applications for controlled activities will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons.
- ii Except as provided for by the Act, the following restricted discretionary activities will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons:
 - (a) All applications for **restricted discretionary buildings**, provided they are in accordance with an approved Outline Development Plan.
 - (b) All restricted discretionary applications for **Outline Development Plans or Comprehensive Development Plans** in this subzone; except for Outline Development Plans or Comprehensive Development Plans specifically provided for below under 12.26.5.7(iii).

(c) Note: If the Outline Development Plan or Comprehensive Development Plan is non complying due to the fact it is not in accordance with the Three Parks Structure Plan (refer Rule 12.26.3.1 (10), for example), then it may be notified. All applications for **multi unit developments** in the MDR subzone or on sites approved through an Outline Development Plan resource consent.

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

- (i) Outdoor Living Space;

iii Except as provided for by the Act, the following restricted discretionary activities will be considered without public notification but notice may be served on those persons considered to be adversely affected if those persons have not given their written approval:

(a) Outline Development Plans or Comprehensive Development Plans which either:

- (i) Adjoin another land ownership (including beyond the Three Parks Zone), with the matters for serving notice restricted to consideration of the location and/or design of utilities, servicing, and the mitigation of any conflict between land uses on the boundaries of landowners; or
- (ii) Propose that a collector road connect to adjoining land (including beyond the Three Parks zone), with the matters for serving notice restricted to the consideration of effects of the roading and intersection design.

Note: If the Outline Development Plan or Comprehensive Development Plan is non complying due to the fact it is not in accordance with the Three Parks Structure Plan (refer Rule 12.26.3.1 (10),for example) then it may be notified.

(iii) For the purposes of Rule 12.26.5.7, "adjoin" means existing external neighbouring land that shares a boundary with the part of the Three Parks Zone to which the Outline

Development Plan or Comprehensive Development Plan relates. The definition of adjoining stated at D1 does not apply to Rule 12.26.5.7.

- (iv) For the purposes of Rule 12.26.5.7, Outline Development Plan and Comprehensive Development Plan includes a variation to an Outline Development Plan or Comprehensive Development Plan.

12.26.6 Business (Three Parks) Subzone - Rules

12.26.6.1 Purpose

The **Business subzone** provides for light industrial activities, wholesaling, showrooms, trade-related retail, and those retail activities which are inappropriate in the Commercial Core or can locate in the Business subzone of the Three Parks Zone without detracting significantly from the Town Centre or the Commercial Core within the Three Parks Zone. The intention is to ensure that mainstreet retail aimed at the general public does not 'leak' into this area and undermine the Wanaka Town Centre or the Commercial Core and cause competition in the Business subzone between business uses and retail. Where the mainstreet precinct exists, activities and building types will be required to provide an attractive, active street frontage. Conversely, it is accepted that buildings and activities in the remainder of the business area will not necessarily always provide an attractive street frontage or be of such high quality design.

12.26.6.2 Activity table

Key and notes

CON	Controlled Activity	N-C	Non-Complying Activity
PERM	Permitted Activity	DIS	Discretionary Activity
RDIS	Restricted discretionary Activity		
PRO	Prohibited Activity		
N/A	Performance standard not applicable in the particular subzone.		

Note: Where a proposed activity could possibly be captured by more than one activity/ classification, the most specifically defined activity shall override any other. For example: Where both retail and commercial are both listed the classification for retail over-rides that for commercial as it is more specifically defined.

Ref	Activity - Business (Three Parks) Subzone	Activity status (subject to meeting the performance standards in the following table)	
		Business	Business (Main St)
1	Any Activity (including buildings) which meets the performance standards, (including the zone-wide standards), and is not listed in this table as a Controlled, Discretionary, Non-Complying or Prohibited Activity	PERM	PERM
2	Buildings approved by a Comprehensive Development Plan	PERM	PERM
3	The display and retailing of goods produced, processed, or stored on the site up to 20% of the net floor area (NFA) on the site used to produce, process, or store those goods, or 100m ² , whichever is the lesser.	PERM	PERM
4	Automotive and marine suppliers.	PERM	PERM
5	Building suppliers	PERM	PERM
6	Catering equipment suppliers	PERM	PERM

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Ref	Activity - Business (Three Parks) Subzone	Activity status (subject to meeting the performance standards in the following table)	
		Business	Business (Main St)
7	Garden and patio suppliers	PERM	PERM
8	Hire services (except hire/ loan of books, videos, DVDs, and other similar home entertainment items)	PERM	PERM
9	Industrial clothing and safety equipment suppliers	PERM	PERM
10	Office furniture, equipment, and systems suppliers	PERM	PERM
11	Second hand goods outlets	PERM	PERM
12	Service stations, including ancillary retail	PERM	PERM
13	Industrial activities	PERM	PERM
14	Service activity	PERM	PERM
15	Wholesaling	PERM	PERM
16	Offices ancillary to any permitted use	PERM	PERM
17	The sale of liquor for consumption on the premises	N-C	CON
18	Yard-based suppliers	PERM	RDIS
19	Food and beverage outlet	N-C	PERM
20	Buildings, except those already approved by a Comprehensive Development Plan	CON	RDIS
21	Outline Development Plan or variation to an approved ODP Note: Where any element of an application for an Outline Development Plan is a non-complying activity (for example, more than 10% of sites are 'rear sites'), then the Outline Development Plan application becomes non-complying.	RDIS	RDIS

THREE PARKS ZONE - RULES BUSINESS SUBZONES

12

Ref	Activity - Business (Three Parks) Subzone	Activity status (subject to meeting the performance standards in the following table)	
		Business	Business (Main St)
22	Comprehensive Development Plan or variation to an approved CDP Note: Where any element of an application for a Comprehensive Development Plan is a non-complying activity (for example, an over height building is proposed), then the Comprehensive Development Plan application becomes non-complying.	RDIS	RDIS
23	Offices, other than those ancillary to a permitted use or on sites that adjoin a residential subzone.	N-C	CON
24	Offices on sites adjoining a residential subzone. Note: A site shall still be deemed to be “adjoining” where a road separates the site from a residential subzone.	CON	CON
25	Retail activities other than those previously listed in this table in Rules 12.26.6.2 (3) – (19).	N-C	N-C
26	Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, and motorbody building	PERM	N-C
27	Commercial activity	N-C	N-C
28	Airports/ take-off or landing of aircraft other than the use of land and water for emergency landings, rescues and fire fighting.	N-C	N-C
29	Bottle and scrap storage and processing, fish or meat processing, or any activity requiring an Offensive Trade Licence under the Health Act 1956.	N-C	N-C
30	Agriculture, forestry activities, except for Plantation Forestry where the Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017 prevails, and mining	N-C	N-C
31	Visitor accommodation	N-C	N-C
32	Residential activities	N-C	N-C
33	Planting of any wilding species (as identified in Part 5 of the District Plan)	PRO	PRO

12.26.6.3 Performance Standards

Failure to comply with a Performance Standard results in the need to obtain either a restricted discretionary or non complying resource consent, as specified in this table. Where failure to comply with a performance standard results in a restricted discretionary consent being required, the Council's discretion is restricted only to that or those standards that are not complied with.

- i **Refer also to the zone-wide standards in Section 12.26.3.1, relating to:**
 - (a) Earthworks (RDIS)
 - (b) Lighting and Glare (RDIS)
 - (c) Waste and Recycling Storage Space (RDIS)
 - (d) The creation of Rear Sites (N-C)
 - (e) Compliance with an approved Outline Development Plans and Comprehensive Development Plans (N-C)
 - (f) Compliance with the Three Parks Structure Plan (N-C)
 - (g) Staging of development (N-C)
 - (h) Access (N-C)

Ref	Standard - Business (Three Parks) Subzone	Resource consent status if standard not met - Business & Business (Main St precinct) subzones
1	<p>Office(s) or Showroom(s)</p> <p>All office(s) or showroom(s) shall be located at the front of the building(s) and facing the street; except that this does not apply to those on rear sites.</p>	RDIS
2	<p>Setback from roads outside of the mainstreet precinct</p> <p>Outside of the mainstreet precinct, any building over 8 m in height shall be set back at least 3 m from the road boundary(ies).</p>	RDIS

Ref	Standard - Business (Three Parks) Subzone	Resource consent status if standard not met - Business & Business (Main St precinct) subzones
3	<p>Setbacks from roads within the mainstreet precinct</p> <p>Buildings shall be not be setback from the Mainstreet Collector Road other than for the purpose of achieving building indentation at least every 10m as outlined in Standard 12.26.6.3 (8)(iv); except that:</p> <ul style="list-style-type: none"> i Buildings may be setback up to 1.5 metres provided this is continuous for a minimum length of 15 metres, and is provided solely to provide additional footpath width; and/ or ii Buildings may be setback up to 1.5 metres for the purpose of providing a recessed entrance(s) to the building; and/ or iii Buildings may be setback in order to provide for the display and sale of vehicles, machinery, boats and caravans; iv This does not apply to service stations 	RDIS
4	<p>All buildings shall be set back at least 4.5 m from the boundary of any Residential or Tourism and Community Facilities subzone</p>	RDIS
5	<p>Permeability and onsite stormwater disposal</p> <p>Other than for that area of the subzone adjacent to SH84, at least 10% of the area of each site shall be maintained as permeable space, whereby permeable space is any area not covered by building(s) or hard surfacing.</p> <p>Refer Section D for the definitions of “building” and “hard surfacing”.</p>	RDIS
6	<p>Outdoor storage areas</p> <p>Except those used for the sale of vehicles, machinery, boats and caravans, outdoor storage areas:</p> <ul style="list-style-type: none"> i Shall not be located within the building setbacks; and ii Shall be screened from road frontages or subzone boundaries by either a solid fence and/ or dense planting of at least 1.8 m in height; and, in addition; and 	RDIS

Ref	Standard - Business (Three Parks) Subzone	Resource consent status if standard not met - Business & Business (Main St precinct) subzones
	<p>iii Within the business (mainstreet precinct) subzone, shall be located behind the front façade of the principal building on the site and shall be screened from road frontages by either a solid fence and/ or dense planting of at least 1.8 m in height, which is, itself, setback behind the front façade of the building.</p>	
7	<p>Residential subzone boundary fencing</p> <p>A solid fence and/ or dense planting of at least 1.8 m in height shall be erected on the boundary of any residential subzone.</p>	RDIS
8	<p>Additional design standards for Buildings (other than service stations) within the Mainstreet precinct</p> <p>i A minimum of 80% of the ground floor of the façade facing the mainstreet shall be in glazing; and</p> <p>ii All buildings shall provide a continuous canopy projecting over the road boundary a minimum 3.5m (or 0.5m inwards from the road kerb), whichever is the shorter; and</p> <p>iii Any exterior lighting visible from the main street (other than street lights) shall be in the form of wall-washing, up-lighting, or down lighting; and</p> <p>iv All buildings shall provide a clear change in the character of the façade through a change in materials, glazing, colour, style, or articulation at least every 10m along the frontage of the mainstreet. Note: All buildings shall be designed so that the experience along the mainstreet appears to pedestrians like a group of connected but different buildings.</p>	RDIS
9	<p>Additional design standards for development in the Business Subzone adjacent to SH 84</p> <p>i The maximum building coverage for all activities on any site shall be 20%</p> <p>ii At least 20% of the area of each site shall be maintained as permeable space, whereby permeable space is any area not covered by building(s) or hard surfacing.</p> <p>Refer Section D for the definitions of “building” and “hard surfacing”.</p>	RDIS

Ref	Standard - Business (Three Parks) Subzone	Resource consent status if standard not met - Business & Business (Main St precinct) subzones
10	<p>Hours of operation</p> <p>The hours of operation for any activity on a site which adjoins the residential subzone (including those where a road separates the two subzones) shall be limited to between:</p> <p>0730 - 2000, except for service stations.</p>	RDIS
11	<p>Building Height</p> <p>i No building shall exceed a maximum height of 10 metres, provided it is no more than 3 storeys.</p> <p>ii Outside of the mainstreet precinct, any building (or part of a building) within 3 metres of the road boundary shall not exceed a maximum height of 8 m provided it is no more than 2 storeys.</p> <p>iii Buildings shall not project beyond a recession line constructed at an angle of 34° inclined towards the site from points 3m above Low Density Residential or Medium Density Residential subzone boundaries, except that gable ends may project beyond the recession line provided the maximum height of the gable end is no greater than 2.5 metres above the recession line.</p> <p>Refer to Section D for the definition of “storey”</p>	N-C
12	<p>Noise</p> <p>i Activities shall be so conducted that the following noise limits are not exceeded at any point within the boundary of any other site in this subzone:</p> <p>0800 - 2000 hrs 60dBA L₁₀</p> <p>2000 - 0800 hrs 50dBA L₁₀ and 70 dBA L_{max}</p> <p>ii Activities shall not exceed Residential subzone noise limits at any point within the boundary of any site within the Residential subzone.</p> <p>iii Plantation Forestry Noise shall be in accordance with the Resource Management (National Environmental</p>	N-C

Ref	Standard - Business (Three Parks) Subzone	Resource consent status if standard not met - Business & Business (Main St precinct) subzones
	<p>Standard for Plantation Forestry) Regulation 2017.</p> <p>Note: Noise levels (other than construction noise or noise from Plantation Forestry) shall be measured and assessed in accordance with NZS 6801:2008 and NZS 6802:2008.</p>	

12.26.6.4 Controlled Activities – Matters over which control is reserved and Assessment Matters

i Controlled buildings – conditions may be imposed in respect of:

- (a) Landscaping,
- (b) External appearance (including signage, the colour of the building and, in particular, the extent of corporate colours used),
- (c) The location and design of carparking; and
- (d) The visual impact on the streetscape and the experience provided to pedestrians along the street
- (e) The ability to service the building(s), in terms of roading, water supply, and waste water.
- (f) The inclusion of initiatives which help reduce private car use and encourage alternative modes of transport (i.e. Travel demand management).

ii Controlled Buildings – Assessment matters

In considering whether or not to impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) External appearance (including the colour of the building and, in particular, the extent of corporate colours used, lighting, signage and the provision of signage platforms), to avoid or mitigate adverse effects on:
 - (i) street scene;
 - (ii) adjoining or surrounding buildings, particularly those in residential subzones
 - (iii) privacy of adjoining residential properties
 - (iv) The visual approach into Wanaka, along Ballantyne Road.

- (b) Whether the landscaping will be effective at substantially improving the visual appearance of the site and buildings and mitigating adverse effects of outdoor storage and carparking areas, taking account of:

- (i) The nature of planting or materials to be used,
- (ii) The ease of maintenance, and
- (iii) The size of the plants and/ or the time it will take for the plants to mature.

- (c) Whether and to what extent initiatives are proposed, which help reduce private car use and encourage alternative modes of transport (i.e. Demand Management). The Council would normally expect the following to have been provided:

- (i) Cycle and motorcycle parking in a manner which encourages people to travel by these modes. Depending on the development, mobility scooter parking may also be appropriate.
- (ii) Shower and locker facilities for work places, so employees who choose to walk, run, cycle to work can shower and store clothing.
- (iii) Effective lighting and signage aimed at assisting someone entering the site or building by foot or bike.

iii Offices within the mainstreet precinct and adjoining the residential subzone – Conditions may be imposed in respect of:

- (a) Any reverse sensitivity issues that may arise with respect to existing and permitted business activities in the vicinity
- (b) Any positive contributions to the establishment of an active street frontage
- (c) The amenity of the office environment for workers

- (d) Initiatives which help reduce private car use and encourage alternative modes of transport (i.e. Travel Demand Management).
- (e) Noise insulation

iv **Offices – Assessment Matters**

In considering whether or not to impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) Whether reverse sensitivity issues have been adequately avoided through methods such as ensuring that incompatible uses do not establish in the vicinity (which may include consent notices on titles which restrict certain uses) and/ or through noise insulation.
- (b) Whether the office will present an active and vibrant front to the main street through offices facing the street, through upstairs offices including balconies for the use of staff (as part of the lunch room for example).
- (c) Whether the office provides natural light for workers and the provision of outdoor open space, either at ground or in the form of balconies and decks.
- (d) Whether and to what extent facilities are provided which encourage workers to walk, cycle, carpool, or take public transport to work. The Council expects such initiatives to be included in the site design.

v **The sale of liquor for onsite consumption - Conditions may be imposed in respect of:**

- (a) The scale of this activity,
- (b) car parking,
- (c) retention of amenity,

- (d) noise; and
- (e) hours of operation.

vi **The sale of liquor for onsite consumption - Assessment Matters**

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) The character, scale and intensity of the proposed use (including the hours, frequency of use) and its compatibility in relation to surrounding and/or adjoining uses.
- (b) The topography of the site and neighbouring area and how this will affect noise emissions beyond the site.
- (c) The nature of existing and permitted or controlled future uses on nearby sites.
- (d) The location of car parking for the site.
- (e) The adequacy of noise insulation, screening and buffer areas between the site and residential uses.
- (f) The previous history of the site and the relative impact of adverse effects caused by activities associated with sale of liquor.
- (g) Any proposed noise management plan and the ability to mitigate noise effects.

12.26.6.5 **Restricted discretionary Activities – Matters over which discretion is reserved and Assessment Matters**

i **Matters of discretion - For Buildings within the Mainstreet precinct, discretion is reserved in respect of:**

- (a) External appearance (including lighting, signage, the colour of the building and, in particular, the extent of corporate colours used), including, for that area of business land to the north of the

Commercial Core, the external appearance when viewed from State Highway 84 and from Mt Iron.

- (b) The location and design of carparking (including access thereto); and
- (c) Landscaping
- (d) The landscape treatment and/ or identified future use of any building setbacks being proposed (e.g. the addition of smaller buildings within the road setback).
- (e) The provision of an active frontage and the experience provided to pedestrians along the street.
- (f) The ability to service the building(s), in terms of roading, water supply, and waste water.
- (g) The inclusion of initiatives which help reduce private car use and encourage alternative modes of transport (i.e. Travel Demand Management).

ii Buildings within the Mainstreet precinct - Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) Those matters listed in 12.26.6.4 (ii) in regard to controlled buildings, and those listed in 12.26.6.5 (v)(b) in regard to building platforms shown as part of an Outline Development Plan; and, in addition:
- (b) The building's contribution to the creation of an active street frontage. The Council normally expects:
 - (i) Pedestrian amenity and opportunities for pedestrian movement to be maximised along the main street through the provision of footpaths, verandas, interesting façade design (which should include the main pedestrian entrance

into the building), minimal vehicle crossings, and the avoidance, where possible, of any deliveries or servicing from the main street.

- (ii) Vehicle access from the main street to be minimised and avoided where possible, through the provision of a rear lane which provides vehicular access to both service areas and to carparking or through vehicle crossings being shared between properties wherever possible.

- (c) For that area of the business subzone adjacent to SH84 , whether the design of the buildings (including landscaping, lighting, signage) is attractive and whether the design of the roof top (i.e. the 5th dimension) is such that obvious, unattractive air conditioning units and other such utilities are avoided or attractively screened.

iii Matters of discretion – For yard-based suppliers within the mainstreet precinct, discretion is reserved in respect of:

- (a) The effect on the visual amenity and the pedestrian experience arising from the outdoor storage and/ or display of goods

Note: For the avoidance of doubt, this includes the sale of vehicles and garden supplies.

iv Matters of discretion – For any Outline Development Plan, discretion is reserved in respect of:

- (a) All those matters listed in Rule 12.26.4.5 (i) in relation to the LDR and MDR subzones, except where identified that the matter is specific to the residential subzones; and
- (b) The location and indicative design of carparking, acknowledging that this will need to be further refined as part of subsequent land use consents once carparking requirements are known.

- (c) Landscaping, including the landscape treatment and/ or identified future use of any building setbacks being proposed (e.g. the addition of smaller buildings within the road setback).

v **Outline Development Plan – Assessment matters**

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) All those matters listed as Assessment matters in 12.26.4.5 (ii) relation to the LDR and MDR subzones, except where identified that the matter is specific to the residential subzones; and:
- (b) In regard to building platforms, whereas the Council would normally prefer buildings to not be setback from the road, where building platforms are proposed to be setback from the road boundary, the Council will expect the setback to:
 - (i) Be landscaped in a manner that enhances the visual appearance of the building and improves the pedestrian experience; or
 - (ii) Be for the purpose of providing for smaller buildings to be added at a later stage. Note: The Council will expect to a) to see some mechanism proposed to ensure that such infill does occur, and b) for this space to be landscaped and maintained in the interim; or
 - (iii) Be used for the purpose of displaying goods such as motor vehicles.

vi **Matters of discretion - For Comprehensive Development Plan, discretion is reserved in respect of:**

Those matters listed in rule 12.26.6.5 (iv) in regard to the Outline Development Plan plus those listed in rules 12.26.6.4 (i) and 12.26.6.5 (i) in regard to controlled and restricted discretionary buildings, as relevant to the application.

vii **Assessment matters - Comprehensive Development Plan**

All those Assessment matters listed in 12.26.6.5 (v) in relation to the Outline Development Plan and those matters listed in 12.26.6.4 (ii) and 12.26.6.5 (ii) in relation to buildings, as relevant to the application.

12.26.6.6 Assessment matters relating to performance standards

i **Setback from Roads and Internal Boundaries – Assessment Matters**

Refer to those assessment matters in 12.26.6.5 (v), in regard to Outline Development Plans and those in 12.26.6.4 (ii), and 12.26.6.5 (ii) in regard to Buildings.

ii **Design Standards in the Mainstreet precinct – Assessment Matters**

Refer to those assessment matters in 12.26.6.5 (ii) in regard to Buildings.

iii **Outdoor Storage Areas – Assessment Matters**

The Council would not normally approve any storage visible from the road, except for the outdoor display of goods for sale, whereby the display of the goods will be a positive contribution to the visual appearance and pedestrian experience of the street.

iv Permeability/ onsite stormwater disposal – Assessment Matters

The Council is likely to approve a greater proportion of hard surfacing provided methods are proposed on-site which will ensure that post-development runoff (both natural flow and piped) is equivalent to that which would be achieved through restricting hard surfacing to 50% of the site. The Council will normally also expect methods to be proposed to ensure that these systems will be maintained in perpetuity.

12.26.6.7 Non-notification of Applications

i Except as provided for by the Act, all applications for controlled activities will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons.

ii Except as provided for by the Act, the following restricted discretionary activities will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons:

(a) All applications for **restricted discretionary buildings**, provided they are in accordance with an approved ODP.

(b) All restricted discretionary applications for **Outline Development Plans or Comprehensive Development Plans** in this subzone; except for Outline Development Plans or Comprehensive Development Plans specifically provided for below under 12.26.6.7iii).

Note: If the Outline Development Plan or Comprehensive Development Plan is non complying due to the fact it is not in accordance with the Three Parks Structure Plan (refer Rule 12.26.3.1 (10),for example) then it may be notified.

(c) Applications for the exercise of the Council’s discretion in respect of the following **Performance Standards**:

(i) Additional design standards for Buildings (other than service stations) within the mainstreet precinct.

(ii) Outdoor storage areas,

(iii) Permeability and onsite stormwater disposal.

iii Except as provided for by the Act, the following restricted discretionary activities will be considered without public notification but notice may be served on those persons considered to be adversely affected if those persons have not given their written approval:

(a) All restricted discretionary applications for **Outline Development Plans or Comprehensive Development Plans** in this subzone; except for Outline Development Plans or Comprehensive Development Plans which either:

(i) Adjoin another land ownership (including beyond the Three Parks Zone), with the matters for serving notice restricted to consideration of the location and/or design of utilities, servicing, and the mitigation of any conflict between land uses on the boundaries of landowners; or

(ii) Propose that a collector road connect to adjoining land (including beyond the Three Parks zone), with the matters for serving notice restricted to the consideration of effects of the roading and intersection design.

Note: If the Outline Development Plan or Comprehensive Development Plan is non complying due to the fact it is not in accordance with the Three Parks Structure Plan (refer Rule 12.26.3.1 (10),for example) then it may be notified.

iv For the purposes of Rule 12.26.6.7, “adjoin” means existing external neighbouring land that shares a boundary with the part of the Three Parks Zone to which the Outline Development Plan or Comprehensive Development Plan relates. The definition of adjoining stated at D1 does not apply to Rule 12.26.6.7.

v For the purposes of Rule 12.26.6.7, Outline Development Plan and Comprehensive Development Plan includes a variation to an Outline Development Plan or Comprehensive Development Plan.

12.26.7 COMMERCIAL CORE - RULES

12.26.7.1 Purpose

The **Commercial Core subzone** will evolve in a staged manner to eventually include large format retail, specialty stores, office space, visitor accommodation, residential, community facilities, and public open space. In the initial stages, development will comprise almost exclusively of large format retail, in response to a demonstrated demand and a desire to not undermine the vitality and viability of the Wanaka Town Centre. As a result, it is acknowledged that the street frontage and mainstreet character will become increasingly attractive and vibrant in future stages as more smaller buildings with active frontages are introduced.

12.26.7.2 Activity Table - Commercial Core Subzone

Key and notes

CON	Controlled Activity	N-C	Non-Complying Activity
PERM	Permitted Activity	DIS	Discretionary Activity
RDIS	Restricted discretionary Activity		
PRO	Prohibited Activity		
N/A	Performance Standard not applicable in the particular subzone.		

Note: Where a proposed activity could possibly be captured by more than one activity/ classification, the most specifically defined activity shall override any other. For example: Where both retail and commercial are both listed the classification for retail over-rides that for commercial as it is more specifically defined.

Ref	Activity - Commercial Core Subzone	Activity status (provided all performance standards are met, including compliance with an approved Outline Development Plan)
1	Any Activity (including buildings) which complies with all the relevant Performance Standards, (including the zone-wide standards), and is not listed as a Controlled, Discretionary, Non-Complying or Prohibited Activity	PERM
2	Premises licensed for the sale and consumption of liquor between the hours of 7 am – 11 pm	PERM
3	Residential activities identified in an approved Outline Development Plan or Comprehensive Development Plan	PERM
4	Visitor Accommodation activities identified in an approved Outline Development Plan or Comprehensive Development Plan.	PERM
5	Buildings approved by a Comprehensive Development Plan	PERM
6	Retail activity which either: <ul style="list-style-type: none"> i Does not result in the total amount of retail in the Commercial Core subzone exceeding any of the following 	PERM

Ref	Activity - Commercial Core Subzone	Activity status (provided all performance standards are met, including compliance with an approved Outline Development Plan)
	<p>thresholds:</p> <ul style="list-style-type: none"> (a) 10,000m² Gross Floor Area (excluding waste storage areas); and (b) 5 individual specialty retail tenancies; and (c) A total of 10 individual retail tenancies (of any size and including the specialty retail stores); OR <p>ii Does exceed one of the thresholds listed in (i) above but has been specifically approved as part of an Outline Development Plan or Comprehensive Development Plan.</p> <p>Note: Whilst the retail activity itself is permitted until one of these thresholds is met, the ODP and the buildings themselves will still require restricted discretionary Resource Consents.</p>	
7	<p>Outline Development Plan or Variation (other than to uplift additional retail space) to an approved Outline Development Plan.</p> <p>Note 1: Where any element of an application for an Outline Development Plan is a non-complying activity (for example, more than 10% of sites are 'rear sites'), then the Outline Development Plan application becomes non-complying.</p> <p>Note 2: The approval of "indicative future retail space" as part of an approved Outline Development Plan is not an indication that the retail will be approved within any specific time period. Rather, in respect of "indicative future retail space" only the spatial aspects of those building platforms and the associated parking and open spaces are approved by the initial Outline Development Plan.</p>	RDIS
8	<p>A Variation to an approved Outline Development Plan or Comprehensive Development Plan for the sole purpose of uplifting additional retail space.</p> <p>Note: This has been separated out as its own 'activity' as the matters of discretion in relation to such a variation are limited to only those matters relating to the effects of additional retail.</p>	RDIS

Ref	Activity - Commercial Core Subzone	Activity status (provided all performance standards are met, including compliance with an approved Outline Development Plan)
9	Comprehensive Development Plan or variation (other than to uplift additional retail space) to an approved CDP Note: Where any element of an application for a Comprehensive Development Plan is a non-complying activity (for example, an over height building is proposed), then the Comprehensive Development Plan application becomes non-complying.	RDIS
10	Buildings, except those already approved by a Comprehensive Development Plan	RDIS
11	Premises licensed for the sale and consumption of liquor between the hours of 11 pm and 7 am; except that: This rule shall not apply to the sale of liquor to any person who is residing on the premises (permanently or temporarily) or to any person who is present on the premises for the purpose of dining.	RDIS
12	Residential activities (not identified on an approved ODP or CDP)	N-C
13	Visitor accommodation (not identified on an approved ODP or CDP)	N-C
14	Service station	N-C
15	Factory Farming, Forestry Activities, mining	N-C
16	Commercial boarding kennels and commercial catteries	N-C
17	Airports/ take-off or landing of aircraft other than the use of land and water for emergency landings, rescues and fire fighting.	N-C
18	Planting of any wilding species (as identified in Part 5 of the District Plan)	PRO
19	Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building, fish or meat processing, or any activity requiring an Offensive Trade Licence under the Health Act 1956.	PRO

12.26.7.3 Performance Standards in the Commercial Core Subzone

Failure to comply with a Performance Standard results in the need to obtain either a restricted discretionary or non complying resource consent, as specified in this table. Where failure to comply with a performance standard results in a restricted discretionary consent being required, the Council's discretion is restricted only to that or those standards that are not complied with.

Refer also to the zone-wide standards in Section 12.26.3.1 relating to:

- (a) Earthworks (RDIS)
- (b) Lighting and Glare (RDIS)
- (c) Waste and Recycling Storage Space (RDIS)
- (d) The creation of Rear Sites (N-C)
- (e) Compliance with an approved Outline Development Plans and Comprehensive Development Plans (N-C)
- (f) Compliance with the Three Parks Structure Plan (N-C)
- (g) Staging of development (N-C)
- (h) Access (N-C)

Ref	Standard - Commercial Core Subzone	Resource consent status if the standard is not met
1	<p>Residential Activities</p> <p>All residential activities shall be restricted to first floor level or above.</p>	RDIS
2	<p>Outdoor living Space</p> <p>i Any building or part of a building used for residential activities shall provide an outdoor living space for each residential unit, which:</p> <p>(a) Contains a continuous area of 5m² with a minimum dimension of 2m; and</p>	RDIS

Ref	Standard - Commercial Core Subzone	Resource consent status if the standard is not met												
	<p>(b) Is immediately accessible from either a lounge or family room; and</p> <p>(c) Is for the exclusive use of that unit</p> <p>Except that:</p> <p>ii Units of less than 45 m² GFA and which are to be used either as 'temporary worker households' or as student accommodation, shall provide a minimum outdoor living area of 4 m² with a minimum dimension of 1.5m per unit, which may be provided either separately for each unit and/ or in the form of communal space(s).</p> <p>Note: The restriction on use shall be lodged as a consent notice on the title(s).</p>													
3	<p>Internal Residential amenity standards</p> <p>i Accommodation units shall be designed to achieve the following minimum daylight standards:</p> <p>(a) Living rooms and living/dining areas shall have a total clear glazed area of exterior wall no less than 20% of the floor area of that space.</p> <p>(b) At least one bedroom shall have a total clear glazed area of exterior wall no less than 20% of the floor area of that space.</p> <p>(c) No bedrooms shall rely on natural light borrowed from another naturally lit room.</p> <p>ii Residential units shall comply with the following minimum unit sizes:</p> <table border="1" data-bbox="282 1123 1809 1390"> <thead> <tr> <th data-bbox="282 1123 1487 1187">Unit type by bedroom</th> <th data-bbox="1498 1123 1809 1187">Minimum residential unit size (GFA)</th> </tr> </thead> <tbody> <tr> <td data-bbox="282 1195 1487 1259">Studio within a dormitory type housing development, where each studio unit contains a bathroom but does not contain a living area or kitchen but, rather, shares communal living and kitchen areas</td> <td data-bbox="1498 1195 1809 1259">17m²</td> </tr> <tr> <td data-bbox="282 1267 1487 1299">1</td> <td data-bbox="1498 1267 1809 1299">45m²</td> </tr> <tr> <td data-bbox="282 1307 1487 1339">2</td> <td data-bbox="1498 1307 1809 1339">70m²</td> </tr> <tr> <td data-bbox="282 1347 1487 1378">3</td> <td data-bbox="1498 1347 1809 1378">90m²</td> </tr> <tr> <td data-bbox="282 1386 1487 1418">4</td> <td data-bbox="1498 1386 1809 1418">115m²</td> </tr> </tbody> </table>	Unit type by bedroom	Minimum residential unit size (GFA)	Studio within a dormitory type housing development, where each studio unit contains a bathroom but does not contain a living area or kitchen but, rather, shares communal living and kitchen areas	17m ²	1	45m ²	2	70m ²	3	90m ²	4	115m ²	RDIS
Unit type by bedroom	Minimum residential unit size (GFA)													
Studio within a dormitory type housing development, where each studio unit contains a bathroom but does not contain a living area or kitchen but, rather, shares communal living and kitchen areas	17m ²													
1	45m ²													
2	70m ²													
3	90m ²													
4	115m ²													

Ref	Standard - Commercial Core Subzone	Resource consent status if the standard is not met
	<p>iii The minimum floor to ceiling height for habitable rooms (including servicing) shall be 2.4m and for kitchens, bathrooms, hallways, toilets, lobbies, laundries and service areas shall be 2.3m minimum floor to ceiling height.</p> <p>iv The minimum width of common area corridors shall be 1.5m.</p> <p>v The minimum width of a corridor/lobby space immediately adjacent to the lift shall be 2.7m, measured at 90 degrees to the lift doors, for the full combined width of the lift doors.</p>	
4	<p>Storage</p> <p>Storage areas for non-residential buildings shall be situated within the building or accessed from a service lane at the rear of the property and sheltered and screened from view from all public places and adjoining subzones by a solid fence.</p> <p>Also refer zone-wide minimum standards for waste and recycling storage space.</p>	RDIS
5	<p>Building setback from Internal Boundaries</p> <p>Where the site adjoins a residential subzone or public open space, buildings should be setback at least 4.5 m along that internal boundary.</p>	RDIS
6	<p>Building Setback from Roads</p> <p>All buildings, other than large format retail buildings, shall be built up to the street boundary along the full street frontage of the site except where the setback is for the purpose of:</p> <ul style="list-style-type: none"> (a) Providing a pedestrian link or public space; or (b) Providing a recessed entrance(s) to the building, which is no greater than 1.5m in depth and 2m in width. 	RDIS
7	<p>Sunlight and Outlook of Residential Neighbours</p> <p>Buildings within this subzone shall not project beyond a recession line constructed at an angle of 34° inclined towards the site from points 3m above Low Density Residential subzone or Medium Density Residential subzone boundaries. Except that gable ends may project beyond the recession line where the maximum height of the gable ends is no greater than 2.5m above the recession line.</p>	RDIS

Ref	Standard - Commercial Core Subzone	Resource consent status if the standard is not met
8	<p>Building Coverage</p> <p>The maximum building coverage for all activities on any site shall be 90%</p>	RDIS
9	<p>Staging of retail activities</p> <p>Unless approved as part of an application for an Outline Development Plan or Comprehensive Development Plan, any retail development which results in the total amount of retail in the Commercial Core subzone exceeding one or more of the following thresholds:</p> <ul style="list-style-type: none"> i 10,000m² Gross Floor Area (excluding waste storage areas); and ii 5 individual specialty retail tenancies; and iii A total of 10 individual retail tenancies (of any size and including the specialty retail stores). <p>Refer to Section D for definitions of “tenancy”, “specialty retail”, and “large format retail”.</p>	N-C
10	<p>Building Height</p> <ul style="list-style-type: none"> i The building shall be a maximum height of 15 m provided it is no more than 3 storeys; ii Buildings fronting the Mainstreet Collector road (as shown in the Three Parks Structure Plan) shall be a minimum of 2 storeys along the mainstreet frontage <p>Note: Whilst the upper floors may not necessarily be occupied in the initial stages of development, they must be designed and developed such that they can be occupied in the future.</p> <p>Also refer to Standard 12.26.7.3 (7) entitled “Sunlight and Outlook of Residential Neighbours”, regarding the requirement for a recession plane relative to the adjoining residential subzone.</p> <p>Refer to Section D for a definition of “storey”.</p>	N-C
11	<p>Noise</p>	N-C

Ref	Standard - Commercial Core Subzone	Resource consent status if the standard is not met
	<p>i Activities shall be so conducted that the following noise limits are not exceeded at any point within the boundary of any other site in this subzone:</p> <p>daytime (0800 - 2200 hrs) 60dBA L₁₀</p> <p>night time (2200 - 0800 hrs) 50dBA L₁₀ and 70dBA L_{max}</p> <p>And:</p> <p>ii Activities shall not exceed Residential subzone noise limits at any point within the boundary of any site within the Residential subzones.</p> <p>iii Construction noise shall be measured and assessed in accordance with NZS 6803:1999.</p> <p>iv Plantation Forestry Noise shall be in accordance with the Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017.</p> <p>Note: Noise levels (other than construction noise or noise from Plantation Forestry) shall be measured and assessed in accordance with NZS 6801:2008 and NZS 6802:2008.</p>	

12.26.7.4 Restricted discretionary Activities – Matters over which discretion is reserved and Assessment Matters

i Matters of discretion – For Outline Development Plans, discretion is reserved in respect of:

- (a) All those matters listed in rule 12.26.4.5 (i) in relation to the LDR and MDR subzones, except where identified that the matter is specific to the residential subzones, and, in addition:
- (b) The location and amount/ extent of visitor accommodation and residential activities.
- (c) The location and design of carparking (including vehicle accesses from collector roads)
- (d) In regard to retail development beyond the first 20,000m² GFA of retail space, the amount of parking to be provided and how this is appropriate. Note: The Council will reserve the right to impose a maximum or minimum amount of parking as a condition.
- (e) The location and design of bicycle parking along the mainstreet (limited to that part of the mainstreet that is subject to the ODP application).
- (f) With respect to the first Outline Development Plan applied for, whether the urban structure shows elements of a pedestrian-orientated 'mainstreet' urban core, and that the urban structure will enable it to become a pedestrian-orientated 'mainstreet' urban core over time. This will include showing future road links, how land use will intensify, and how walk-ability will be achieved.
- (g) The effects of proposed additional retail activity, excluding any 'indicative future retail space' shown on the Outline Development Plan, shall be a matter of discretion wherever:
 - (i) The retail activity applied for, excluding any 'indicative future retail space' shown on the Outline Development

Plan, will result in the total amount of retail in the Commercial Core exceeding 10,000m² GFA; or

- (ii) The retail activity applied for, excluding any 'indicative future retail space' shown on the Outline Development Plan, will result in the total number of specialty retail tenancies in the Commercial Core I exceeding 5; or
- (iii) The retail activity applied for, excluding any 'indicative future retail space' shown on the Outline Development Plan, will result in the maximum number of retail tenancies in the Commercial Core exceeding 10;
- (iv) Whereby the Council's discretion is restricted to:
 - a. The outcomes of a Wanaka Town Centre Health Check.
 - b. The outcomes of a Retail Needs Assessment.
 - c. The maximum Gross Floor Area of each unit proposed.
 - d. Evidence that the development proposed will more clearly give effect to the desired pedestrian-orientated 'mainstreet' urban core and facilitate later stages to also achieve this outcome.
 - e. The extent to which the 3 Parks Zone, as a whole, is working toward becoming an integrated mixed use area, including residential, retail, and employment land.

ii Outline Development Plans - Assessment matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) All those matters listed as Assessment matters listed in 12.26.4.5 (ii) in relation to the LDR and MDR subzones, except where identified that the matter is specific to the residential subzones; and:

- (b) Whether **crime prevention through Environmental Design (CPTED) principles** have been applied in the indicative layout of buildings, open spaces, access ways, service areas, carparking, any proposed controls on the built form, and the location of proposed tenancies in relation to one another.
- (c) Whether the amount and type of **open space** proposed is appropriate. The Council will not normally approve an Outline Development Plan unless open space is provided in appropriate forms and locations.
- (d) In considering the location of **building platforms** (and the proposed streetscape design), the Council will consider the effect of any increased or reduced setback or any additional height being proposed (beyond the general 3 storey rule) on the streetscape, the adequate provision of space for pedestrian movement, and the treatment (e.g. landscaping) of any proposed set-back.
 - (i) Note: Larger setbacks may be acceptable in earlier stages if this is intended to enable later 'sleeving' by smaller buildings. Larger setbacks will be less acceptable in later Outline Development Plans (particularly those lodged after the retail thresholds outlined in Rule 12.26.7.4 (g) above have been exceeded) as these later Outline Development Plans will be expected to give effect to the sleeving of large format retail buildings.
- (e) The general layout of building platforms should enable the resultant buildings to share vehicle access points and carparking.
- (f) Whether the views along a street and/ or of surrounding landscape features, including Mt Iron, have been preserved and enhanced through the placement of the buildings, with respect to view shafts.
- (g) Whether the Outline Development Plan clearly identifies those building platforms for which the retail space is being applied for as part of the Outline Development Plan application and those platforms which identify "indicative future retail space".

Note 1: Where the Outline Development Plan includes more retail floor space than is supported by the Town Centre health check and needs assessment, the applicant is expected to show the surplus retail as "indicative".

Note 2: Those platforms which are identified as "indicative future retail space" will require a Variation to the Outline Development Plan in order for retail to be approved for those spaces. There will be a condition or advice note on the consent that those shown as "subject to variation or land use consent" will require further consent.

- (h) Whether the location and/ or design of proposed **visitor accommodation and residential activities** will minimise reverse sensitivity issues and any potential future incompatibility issues between them and commercial activities and road noise. The Council may impose conditions that preclude the location of visitor accommodation or residential on certain building platforms if it considers that reverse sensitivity issues will make the site unsuitable for these uses or it may place conditions on subsequent uses relating to acoustic insulation or hours of operation on sites that form part of the application.
- (i) Whether the location and/ or design of proposed **visitor accommodation and residential activities** will provide a good living environment and contribute positively to the streetscape and safety of the area through 24 hour occupancy and passive surveillance. The Council would normally expect apartments to face the street, entry lobbies to have direct access onto streets and has a preference for dual-aspect apartments within perimeter block layouts (i.e. whereby the front of units face across the street, and the back of units face inwards across courtyards which, in turn, provide adequate separation from other buildings.
- (j) Whether the **carparking** associated with visitor accommodation or residential activity can be located and/ or designed so as to not adversely affect the ability to achieve a consolidated urban core. The Council would normally

(k) Whether the location and design of carparking areas minimises its impact on the urban form, congestion on the mainstreet, and pedestrian amenity, through:

(i) The co-location and shared usage of carparks (thus reducing the sheer amount). The Outline Development Plan should seek to avoid carparking designed for the sole use of one building owner or tenant. There is an expectation that carparking is located and structured (through ownership, lease agreements, and consent notices) such that they are able to be shared and that such arrangements will be secured long term. An exception to this is Visitor Accommodation, which should provide onsite, dedicated parking and, as such, is best suited at the periphery of the Commercial Core.

(ii) Locating carparking to the side or rear of buildings so that it is not visually dominant when viewed from the street.

(iii) Minimising the number of vehicle accesses from the main street, through the provision of a rear lane which provides vehicular access to both service areas and to carparking or through vehicle crossings being shared between properties wherever possible.

(l) In addition to assessment matters in 12.26.4.5 (ii) which relate to roading design, where the Mainstreet Collector passes through the Commercial Core, the Council expects it to:

(i) Be designed as a low speed environment (for example, 30 km), where it passes through the Commercial Core

(ii) Be a two way, 2 lane road with a carriageway; and

(iii) Include parallel parking on both sides of the road; and

(iv) Include a dedicated cycle path within the road corridor; and

(v) Include street trees

(vi) Include footpaths on both sides of between x and y m in width

All of which should be achievable within a 20 m width.

Note: Of particular relevance, Assessment Matter 12.26.4.5 (ii)(a) states that the Council expects roading cross sections to be provided; to see the use of roundabouts avoided in places where there is anticipated to be high numbers of pedestrians and cyclists; and expects public transport facilities and/or infrastructure or space to enable the future development of public transport facilities and/ or infrastructure, noting an expectation for space to be provided in the road reserve for a bus stop to be located every 400 m along any bus route.

(m) Whether the level of carparking proposed in stages beyond the first 20,000m² of retail space will be appropriate in light of:

(i) effects on the role, function, vitality and vibrancy of the Town Centre,

(ii) the promotion of the use of public transport if it is available;

(iii) the efficient use of land;

(iv) the creation of a pleasant, pedestrian friendly environment;

(v) the need to adequately provide for the demands that the proposed development will create.

Note: The Council would not normally approve an amount of car parking that substantially exceeds the car parking standards for developments prior to 10,000m² of retail floor space being developed.

(n) The Council will normally expect short term **bicycle parking** to be provided along the mainstreet footpath at a rate of 1 to 2 bicycle stands every 50 metres and that these be designed and located so as to not block the footpath and to adhere to any Bicycle Parking Standards adopted by the Council.

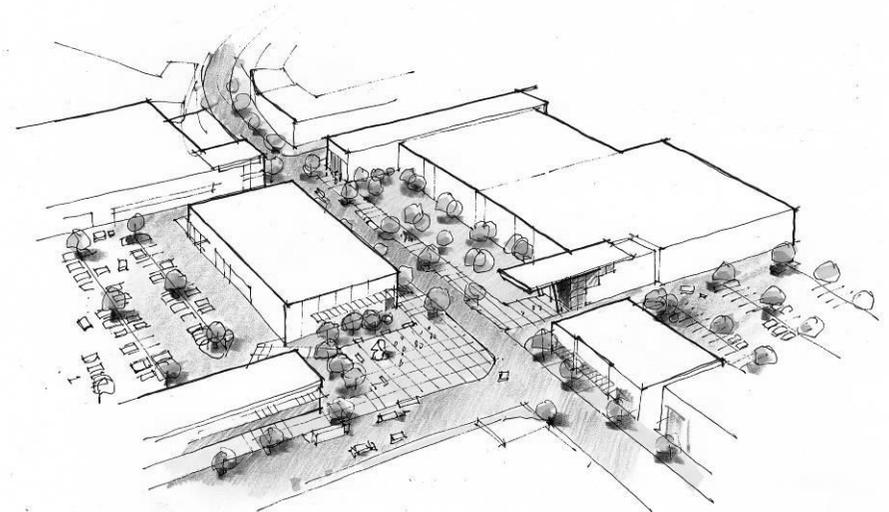
- (o) Whether sites are designed so that **buildings and/or landscaping** are the dominant features visible from streets and open spaces.
- (p) With respect to Outline Development Plans prior to the retail thresholds being met (as per 12.26.7.4 (g) above), whether the indicative layout demonstrates elements of attractive pedestrian-orientated development and indications that these elements will become increasingly apparent **over time** as the Commercial Core develops into an attractive, pedestrian-orientated 'mainstreet' commercial core. The Council expects this to be facilitated through:
 - (i) Establishing a pedestrian-friendly block size (including showing any future roading and pedestrian links) and providing pedestrian space;
 - (ii) A mix of appropriately located uses (with the greatest intensity at the core, and the lowest at edge), which will reinforce an eventual retail mainstreet with employment and other uses around it;
 - (iii) Providing for land use intensification through, amongst other techniques, setting large format retail buildings back from the mainstreet in order to provide for smaller buildings to be built along the street edge in the future or ensuring that the large format buildings present a small scale character to the street or can be retrofitted to establish a specialty retail character. The Council expects the applicant to propose mechanisms (such as consent notices or restrictive covenants) in order to ensure such intensification occurs within a reasonable timeframe. The Council also expects the applicant to demonstrate how a future intensified urban environment can function appropriately and achieve the outcomes sought by this Plan.

Note 1: The Council will not approve a street layout, streetscape, or building platforms that prevent this transition from occurring.

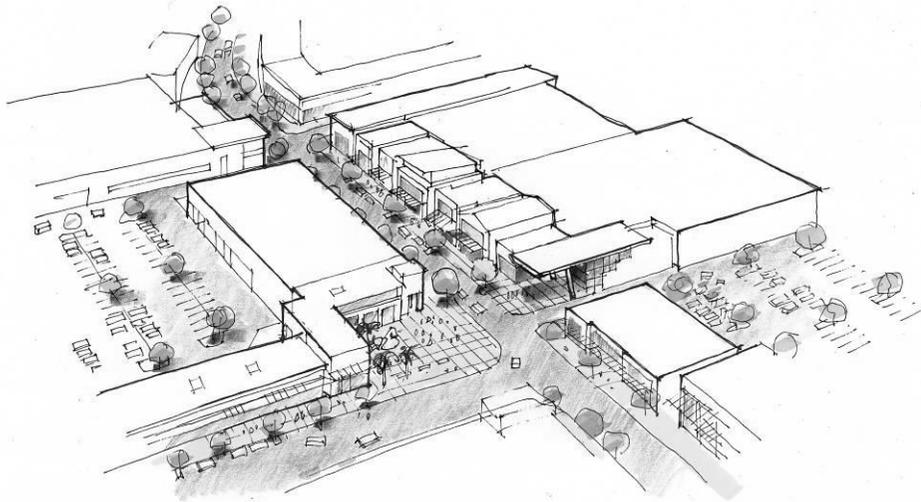
Note 2: A limited amount of large format retail development may be expected to front the main street provided that it presents an attractive human-scale appearance and provided that the long term outcomes consist primarily of specialty retail fronting the street. A manner in which a more human scale may be achieved is through articulating the built form so as to break down the scale of the external appearance of the buildings.

Note 3: While it is accepted that the short term outcomes will not be as attractive or pedestrian-orientated as outcomes resulting from later stages of development, this shall not be seen as a reason to propose or approve unattractive buildings in the short term.

Example of built form that would be expected to eventuate at early stages of development:



Example of built form that would be expected to eventuate over the long term:



Note 1: This scenario would be expected to be achieved after substantial population growth in Wanaka and in the Three Parks Zone and would be subject to satisfying the tests for future Outline Development Plan approvals in the Commercial Core such as the Town Centre Health Check.

Note 2: The above diagrams are indicative of concepts only. There is no guarantee the design shown would prove appropriate to the applicant or satisfy all requirements to gain consent.

(q) In considering the **Wanaka Town Centre Health Check**, the Council will not normally approve the Outline Development Plans unless it is satisfied that the development will not undermine the vitality of the Wanaka Town Centre. An assessment of the vitality of the Town Centre shall be based on analysis that includes the consideration of the following indicators (insofar as the information can be obtained):

- i The pedestrian activity at key locations at a variety of times and days of the week and during various seasons.
- ii The rental values in various parts of the Town Centre , and how they have changed over time and how they compare with other comparable provincial towns
- iii The land values in various parts of the Town Centre, and how they have changed over time and how they compare with other comparable provincial towns.

Note: whether land and rent values are notably low or high are both relevant considerations.

- iv The yields being achieved (i.e. the return (from rent) on the land) and how they have changed over time and how they compare with other comparable provincial towns.
- v The feasibility of sites in the Town Centre to otherwise accommodate the development proposed in the Commercial Core including the consideration of
 - a. site constraints (such as access, topography, hazards and designations);
 - b. the development aspirations of owners of potential development sites (if known);
 - c. the possibility that ownership patterns may be concentrated with few owners with the potential to constrain competition;
 - d. site sizes;
 - e. the feasibility of amalgamating sites (having particular regard to fragmented ownership).

f. the likelihood that the sites could be developed in a timeframe that would satisfy demand in a reasonable time period

g. the land value of potential sites and whether the proposed uses (if known) or building formats would in fact realistically locate on such sites given the likely development costs relative to fair market rents.

- vi Vacancy rates in the Town Centre (in terms of the number of units and floor space as a percentage of the Town Centre total) and the time taken to re-let vacant properties.
- vii The percentage of turnover that tenants spend on rent and how they have changed over time and how they compare with other comparable provincial towns.
- viii The extent of 'retail leakage' outside of the Upper Clutha area and how this has changed over time. The Council will be looking to understand whether the increase in retail choice (provided by previous retail development at 3 parks and potentially elsewhere in the Upper Clutha) is resulting in residents spending more locally and less in other centres; and whether the additional proposed retail is be expected to further reduce retail leakage outside of the area.
- ix The number of independent specialty retailers, excluding "multiples" or "chain stores".
- x The presence and number of charity shops or premises used for election offices, community projects, or other temporary uses as an indicator of underutilised land or buildings.
- xi How amenable the Wanaka Town Centre is to pedestrians, cyclists, public transport, taxis, and cars; acknowledging:

- a. that convenience, safety and accessibility are important to maintaining its attractiveness and, hence, its viability and
- b. that development can effect such matters.

xii The environmental quality and amenity offered by the Wanaka Town Centre (including safety levels, the streetscape and open spaces, traffic impacts, pedestrian amenity, and the buildings themselves), and the extent to which the amount and type of development and redevelopment occurring might be contributing to or detracting from these (including through encouraging or discouraging public or private investment).

xiii A comparison to the document entitled “Wanaka Town Centre Health Check 2010 - Baseline Information” and the additional documents referenced in that report.

Note: These indicators shall be considered in combination, acknowledging that taking them in isolation could enable trade competitors to skew the outcome.

- (r) Whether the **Retail Needs Assessment** adequately demonstrates a demand for the additional retail floorspace proposed and that the Three Parks Zone is an appropriate location for these building types and anticipated uses.
- (s) In assessing the appropriateness of the **Gross Floor Area** of each unit proposed, consider whether the proposed retail formats/ layouts will result in an appropriate mix and scale of retail, commercial and residential uses, which will incrementally result in a main street character and pedestrian environment within the Commercial Core.
- (t) Consideration of whether since the Council Decision was issued on the Plan Change that created the Three Parks Zone, there has been any fundamental change in the strategic planning by the Council such that the vitality of other commercial areas need to be given regard. This may include future iterations of the

Wanaka Structure Plan or other community planning exercises carried out in the wider Wanaka region in accordance with the Local Government Act 2002 and adopted by Council.

(u) In considering **the extent of the Outline Development Plan and staging**, the council will consider whether a Land Management Plan has been provided, outlining what the interim use of land will be on adjoining Commercial Core land and how this will be managed until it is developed.

(v) In regard to **open space areas**, in addition to those Assessment Matters listed in 12.26.4.5, a number of public and semi-public open spaces should be provided within the Commercial Core; the number, type and location of which should be commensurate with the amount of development and the anticipated number of employees and residents working and living within the Commercial Core. These spaces are expected to include:

- (i) A public square of approximately 30m x 30m in size;
- (ii) A village green of approximately 30m x 40m in size;
- (iii) A number of pocket parks which provide a mix of experiences, including hardscape, active, urban spaces surrounded by commercial uses as well as softer space which offer an escape from the commercial atmosphere and traffic. In regard to the latter, these may not necessarily be located on busy intersections.

iii **Matters of discretion – For Comprehensive Development Plans, discretion is reserved in respect of:**

Those matters listed in rule 12.26.7.4 (i) in regard to the Outline Development Plan plus those listed in rule 12.26.7.4 (v) in regard to controlled and RDIS buildings, as appropriate to the application.

iv **Comprehensive Development Plans – Assessment Matters**

Those Assessment Matters listed in 12.26.7.4 (ii) in regard to the Outline Development Plan plus those listed in 12.26.7.4 (vi) in regard to controlled and restricted discretionary buildings.

v **Matters of discretion – For Variations to Outline Development Plans seeking to uplift more retail space beyond the initial release allowed by Rule 12.26.7.2(6), discretion is reserved in respect of:**

- (a) The outcomes of a Wanaka Town Centre Health Check.
- (b) The outcomes of a Retail Needs Assessment.
- (c) The maximum Gross Floor Area of each unit proposed.
- (d) Evidence that the development proposed will more clearly give effect to the desired pedestrian-orientated ‘mainstreet’ urban core and facilitate later stages to also achieve this outcome.
- (e) The extent to which the 3 Parks Zone, as a whole, is working toward becoming an integrated mixed use area, including residential, retail, and employment land.
- (f) Where relevant, the amount of parking to be provided and how this is appropriate will be a consideration once the total amount of retail development exceeds 20,000m² GFA. Note: The Council will reserve the right to impose a maximum or minimum amount of parking as a condition.

vi **Variations to Outline Development Plans seeking to uplift more retail space beyond the initial release allowed by Rule 12.26.7.2(6) – Assessment matters**

In considering those matters of discretion, the Council will consider but not be limited to Assessment Matters 12.26.7.4(ii)(l),(p),(q),(r), and (s) in regard to the Outline Development Plan

vii **Matters of discretion – For all buildings, discretion is reserved in respect of:**

- (a) Design and external appearance, including (but not limited to) height and massing, signage and the provision of signage platforms, the colour of the building and, in particular, the extent of corporate colours used.
- (b) Setbacks from internal boundaries,
- (c) Setback from roads
- (d) Access
- (e) Landscaping
- (f) The provision for and screening of outdoor storage
- (g) The design and landscaping of associated parking areas
- (h) The ability to service the building(s), in terms of roading, water supply, and waste water.
- (i) The inclusion of initiatives which help reduce private car use and encourage alternative modes of transport (i.e. Travel Demand Management).

viii **All Buildings – Assessment matters**

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) Where the use of buildings or the land adjoining the building is identified in the ODP to change over time (such as large format retail later in-filled with finer grained retail), buildings should be designed to clearly show how this transition will occur as easily as possible.

- (b) Whether there is a clear connection between front entrances and the street. The Council will not normally approve applications where entrances are located along the side or rear of a building, or not clearly visible from the street.
- (c) Sites should be designed so that buildings and/or landscaping are the dominant features visible from streets and open spaces; with car parking areas located to the side or rear of buildings and the carparks themselves should be landscaped.
- (d) Buildings should be orientated to enable vehicle access points and carparking to be shared.
- (e) Buildings for large format retail or similar use are designed so that service needs will not interfere with the quality of the public footpath or public entrances into the building.
- (f) The Council will not normally approve large format retail buildings which have frontage to the mainstreet Collector road to be built up to the road boundaries but, instead:
 - (i) Expects the building to be setback for the majority of the length of the façade an appropriate depth to enable smaller buildings to infill this space in the future; or
 - (ii) Expects the design of the large format building to be able to be converted in the future so as to provide a specialty retail shopping frontage unless the building presents an appearance reminiscent of smaller built forms suited to specialty retail buildings as discussed in note 3 following 12.26.7.4 (p). While some large format retail presenting the appearance of human-scale specialty retail buildings will be acceptable, Council will not normally approve Outline Development Plans that provide for a predominance of this building form fronting the main street. The predominant manner in which an attractive main street frontage shall be achieved shall be through the use of sleeving by specialty retail stores.
- (g) Whether servicing and waste storage areas are located to the side or rear of buildings, wherever possible. This needs to be accessed separately from the public entrance.
- (h) Whether the external appearance of the building contributes to an integrated built form.
- (i) Whether bright or highly visible colours are proposed for the exterior of the building, noting that the excessive use of highly visible and recognisable colours (particularly corporate colours) on a building will be considered to be fulfilling the function of a sign and is considered to be inappropriate
- (j) Whether the external appearance of the building is complementary to adjacent buildings, having regard to:
 - (i) Building materials
 - (ii) Glazing treatment
 - (iii) Symmetry
 - (iv) External appearance
 - (v) Vertical and horizontal emphasis
- (k) Whether main customer entrances are located directly off the street. The Council will not normally approve a building that backs onto the street and only has its entrances facing inwards to on-site parking areas.
- (l) Whether and to what extent glazing dominates the façade facing the street. The Council will not normally approve buildings which do not include significant glazing, except that where it is proposed that the building be sleeved with smaller buildings at a later stage, the glazing need not dominate the façade.
- (m) Where buildings are located adjacent to open space, they should 'front' that space with openings and extensive glazing and the design should provide clear cues as to what is private, semi-

- public, and public space and should ensure good passive surveillance of the space.
- (n) Whether any increased or reduced setback or lowered or increased facade height has a positive or adverse effect on:
- (i) The streetscape; noting, in regard to height, that it is not considered appropriate that surrounding parapet walls be added to large format buildings in order to create a visual presence well in excess of what is required to contain their internal volumes.
 - (ii) The adequacy or provision of space for pedestrian movement;
 - (iii) The treatment (e.g. landscaping) in the proposed set-back.
- (o) Whether the views along a street or of surrounding landscape features, including Mt Iron, have been preserved and enhanced through good design and, in particular, through variations in height and the placement of the building and orientation of view shafts.
- (p) Whether the external appearance of the roof top of the building has been designed such that it is not unattractive when viewed from public places such as Mt Iron. The Council will normally expect to see all servicing (e.g. air conditioning units) well screened and, interesting/ varied rooftops where the building is highly visible from public places, including Mt Iron.
- (q) Whether the building, if within the mainstreet precinct, provides a continuous veranda along its road frontages, in a manner which is complementary to those of adjacent buildings, and contributes to pedestrians' use and enjoyment of the street. In considering whether a veranda is appropriate for a particular building, the Council will consider:
- (i) whether the adjacent buildings have or will have verandas and therefore whether a veranda is contributing to continuous pedestrian cover,
 - (ii) the volume of existing or anticipated pedestrian movement in the vicinity,
 - (iii) Whether the veranda complements or detracts from the architectural design of the building.
 - (iv) Whether the design of the veranda provides an attractive pedestrian environment which does not have a feeling of darkness and an unpleasant sense of enclosure. The Council will not normally approve a veranda design that does not have some form of transparency, such as glass.
 - (v) The Council will not normally require buildings that are setback from the mainstreet (in order to enable smaller buildings to infill the space in the future) to provide verandas and in the initial phases of development, may impose conditions that verandas be added to buildings by a specified later date.
 - (vi) Whether and to what extent initiatives are proposed, which help reduce private car use and encourage other alternatives modes of transport. The Council would normally expect the following to have been provided:
 - a. Cycle and motorcycle parking in a manner which encourages people to travel by these modes. Depending on the development, mobility scooter parking may also be appropriate.
 - b. Shower and locker facilities for work places, so employees who choose to walk, run, cycle to work can shower and store clothing.
 - c. Effective lighting and signage aimed at assisting someone entering the site or building by foot or bike.
- (r) Whether the building, in the context of others in the vicinity, contributes to a streetscape which boasts a variety of interesting roof forms and design, which together contribute to visual interest, legibility and the character of the street/ area.
- (s) Council will not normally approve buildings where the 15 metre height limit has been used to exaggerate the internal

dimensions of large format retail buildings or to enable buildings that appear of a greater scale than 3 storeys. The 15 metre height limit is instead intended to enable creative design responses per assessment matter 12.26.7.4(viii)(r) above.

- (t) Whether the ratio of the building height relative to the width of the adjacent street or open space contributes positively to the streetscape.
- (u) Whether the building(s) encourage greater height around the mainstreet relative to other areas in the commercial core, so as to emphasise the sense of arrival to the centre.

ix **Matters of discretion – For the sale of liquor, for on-site consumption, between the hours of 11pm and 7am, discretion is reserved in respect of:**

- (a) Hours of operation; and
- (b) The effects on residential subzones and residential activities within the Commercial Core subzone that are either existing or have been approved as part of an Outline Development Plan resource consent.

x **The sale of liquor, for on-site consumption, between the hours of 11pm and 7am – Assessment Matters**

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) The character, scale and intensity of the proposed use (including the hours, frequency of use) and its compatibility in relation to surrounding and/or adjoining uses.
- (b) The topography of the site and neighbouring area and how this will affect noise emissions beyond the site.

- (c) The nature of existing and permitted or controlled future uses on nearby sites.
- (d) The location of car parking for the site.
- (e) The adequacy of noise insulation, screening and buffer areas between the site and residential uses.
- (f) The previous history of the site and the relative impact of adverse effects caused by activities associated with sale of liquor.
- (g) Any proposed noise management plan and the ability to mitigate noise effects.

12.26.7.5 Assessment matters relating to performance standards

i **Height – Assessment Matters**

In considering whether or not to grant consent or impose conditions in regard to height, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) The character, scale and intensity of the proposed use and its compatibility in relation to surrounding and/or adjoining residential neighbourhoods.
- (b) The effect on the existing and foreseeable future amenities of the neighbourhood, particularly in relation to noise and traffic generation.
- (c) The topography of the site and neighbouring areas.
- (d) The nature of existing and permitted future uses on nearby sites.
- (e) The adequacy and location of car parking for the site.
- (f) The adequacy of screening and buffer areas between the site and other uses.

- (g) The previous history of the site and the relative impact of adverse effects caused by activities associated with sale of liquor.

ii **Setbacks from roads – Assessment Matters**

- (a) The effect of buildings being set back from the road boundary on the quality of the streetscape, particularly in terms of a) the ability to achieve a sense of enclosure, b) to provide pleasant spaces and footpaths for pedestrian movement, and c) to provide verandas over such areas.
- (b) The treatment (e.g. landscaping) of any proposed set-back

iii **Loading and Outdoor Storage – Assessment Matters**

- (a) The effect of any off-street loading or outdoor storage area on the visual amenity and public enjoyment of the street
- (b) The form, nature, type and servicing of any loading area and the effects of these on the immediate and surrounding locality.

iv **Setback from Internal Boundaries and Sunlight and Outlook of adjoining residential subzones – Assessment Matters**

- (a) Any adverse impacts on the use and enjoyment of residential properties, particularly outdoor living spaces or main living areas of dwellings;
- (b) The effect on adjoining land from increased shadowing and the number of properties involved;
- (c) The visual effects of building height, scale and appearance, in terms of dominance and loss of privacy on adjoining properties;
- (d) Any proposed landscaping adjacent to the boundary, and the extent to which it would adversely effect or improve the outlook from any affected residential property;

v **Building coverage – Assessment Matters**

Whether retaining part of the site as unbuilt space will serve a useful function in terms of:

- (a) Providing a pedestrian linkage; or
- (b) Reducing congestion along the footpath; or
- (c) Providing for on-site storage, loading, and unloading of goods

Note: The Council's expectation is that unless there is a need for the unbuilt space then the building should cover the entire site.

12.26.7.6 Non-notification of Applications

- i Except as provided for by the Act, all applications for **controlled activities** will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons.

- ii Except as provided for by the Act, the following restricted discretionary activities will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons:

- (a) All applications for **restricted discretionary buildings**, provided they are in accordance with an approved ODP.
- (b) All restricted discretionary applications for **Outline Development Plans or Comprehensive Development Plans**:
 - (i) Where the effects of additional retail activity are not required to be considered pursuant to Rule 12.26.7.4(i)(g) (due to the maximum thresholds relating to the amount and type of retail not being exceeded); **or**
 - (ii) Where the effects of additional retail activity is required to be considered pursuant to rule 12.26.7.4(i)(g) but the outcome of that assessment ("the Town Centre Health

Check”) shows there is a no more than minor effect on the existing town centre;

- (iii) **Except** for Outline Development Plans or Comprehensive Development Plans provided for specifically below under 12.26.7.6(iii).

Note 1: The effects of any “indicative future retail space” shown on an Outline Development Plan need not be considered pursuant to rule 12.26.7.4(i)(g) and shall not be considered in terms of whether notification is required.

Note 2: If the Outline Development Plan or Comprehensive Development Plan is non complying due to the fact it is not in accordance with the Three Parks Structure Plan (refer Rule 12.26.3.1 (10),for example) then it may be notified.

- (c) Applications for the exercise of the Council’s discretion in respect of the following **performance standards**:

- (i) Internal residential amenity standards
- (ii) outdoor living
- (iii) Building coverage

- iii Except as provided for by the Act, the following **restricted discretionary activities** will be considered without public notification but notice may be served on those persons considered to be adversely affected if those persons have not given their written approval:

- (a) Outline Development Plans or Comprehensive Development Plans where the effects of additional retail activity are not required to be considered (as outlined in 12.26.7.6(ii) above; and which either:

- (i) Adjoin another land ownership (including beyond the Three Parks Zone), with the matters for serving notice restricted to consideration of the location and/or design of

utilities, servicing, and the mitigation of any conflict between land uses on the boundaries of landowners; or

- (ii) Propose that a collector road connect to adjoining land (including beyond the Three Parks zone), with the matters for serving notice restricted to the consideration of effects of the roading and intersection design.

- iv For the purposes of Rule 12.26.7.6, "adjoin" means existing external neighbouring land that shares a boundary with the part of the Three Parks Zone to which the Outline Development Plan or Comprehensive Development Plan relates. The definition of adjoining stated at D1 does not apply to Rule 12.26.7.6.

- v For the purposes of Rule 12.26.7.6, Outline Development Plan and Comprehensive Development Plan includes a variation to an Outline Development Plan or Comprehensive Development Plan.

12.26.8 Deferred Commercial Core subzone - Rules

12.26.8.1 Purpose

The **Deferred Commercial Core Subzone** provides for an area which can be rezoned for commercial development in the future, once the existing Commercial Core Subzone within the 3 Parks Zone has been largely developed and there is a clear need for more land to be released. In the interim, this area is able to be farmed or used as open space and outdoor recreation.

12.26.8.2 Activity Table – Deferred Commercial Core Subzone

Key and notes

CON	Controlled Activity	N-C	Non-Complying Activity
PERM	Permitted Activity	DIS	Discretionary Activity
RDIS	Restricted discretionary Activity		
PRO	Prohibited Activity		
N/A	Performance standard not applicable in the particular subzone.		

Note: Where a proposed activity could possibly be captured by more than one activity/ classification, the most specifically defined activity shall override any other. For example, where both retail and commercial activities are both listed, the classification for retail over-rides that for commercial as it is more specifically defined.

Ref	Activity – Deferred Commercial Core Subzone	Activity status (provided the performance standards are met)
1	Any Activity which is not listed as a Permitted, Controlled, Discretionary or Prohibited Activity	N-C
2	Farming activities	PERM
3	Commercial recreation activities	PERM
	Airports limited to the use of land for: (a) emergency landings, rescues and fire fighting;	PERM

Ref	Activity – Deferred Commercial Core Subzone	Activity status (provided the performance standards are met)
	(b) activities ancillary to farming activities within the subzone.	
4	Farm buildings on any holdings (as defined) less than 100 hectares in area and at a density of no more than one farm building per 50 hectares;	CON
5	Mining, limited to mineral exploration, which does not involve more than 20m ³ in volume in any one hectare	CON
6	Earthworks, as per Rule 5.3.3.2 of the Rural General Zone	CON
7	Forestry and Shelterbelt Planting within 20m of the boundary of the boundary with another site beyond the subzone	RDIS
8	Mining Activities, except for: <ul style="list-style-type: none"> (a) Mineral prospecting; (b) Mineral exploration which does not involve bulk sampling exceeding 20m³ in volume in any one hectare; (c) Mining by means of hand-held, non-motorised equipment and suction dredging, where the total motive power of any dredge does not exceed 10 horsepower (7.5 kilowatt); and (d) The mining of aggregate for farming activities provided the total volume does not exceed 1000m³ in any one year. 	RDIS
9	Outline Development Plan or a variation to an approved ODP. Note: Where any element of an application for an Outline Development Plan is a non-complying activity (for example, more than 10% of sites are 'rear sites'), then the Outline Development Plan application becomes non-complying.	N-C
10	Comprehensive Development Plan or a variation to an approved CDP. Note: Where any element of an application for a Comprehensive Development Plan is a non-complying activity (for example, an over height building is proposed), then the Comprehensive Development Plan application becomes non-complying.	N-C
11	Forestry Activities	RDIS

Ref	Activity – Deferred Commercial Core Subzone	Activity status (provided the performance standards are met)
12	Airports, other than the use of land for: <ul style="list-style-type: none"> (a) emergency landings, rescues and fire fighting; (b) activities ancillary to farming activities. 	N-C
13	Factory Farming	N-C
14	The Planting of the following wilding tree species: <ul style="list-style-type: none"> • Contorta or lodgepole pine (<i>Pinus contorta</i>) • Scots pine (<i>Pinus sylvestris</i>) • Douglas fir (<i>Pseudotsuga menziesii</i>) • European larch (<i>Larix decidua</i>) • Corsican pine (<i>Pinus nigra</i>) • Radiata Pine (<i>Pinus radiata</i>) 	N-C
15	Any activity not listed in this table	N-C
16	Buildings except for controlled farm buildings	PRO

12.26.8.3 Performance Standards

Failure to comply with a standard will result in the need to obtain either a restricted discretionary or non complying resource consent, as specified in this table. Where failure to comply with a performance standard results in a restricted discretionary consent being required, the Council's discretion is restricted only to that or those standards that are not complied with.

Refer also to the zone-wide standards relating to:

- (a) Lighting and Glare (RDIS)
- (b) Waste and Recycling Storage Space (RDIS)

- (c) The creation of Rear Sites (N-C)
- (d) Compliance with an approved Outline Development Plans and Comprehensive Development Plans (N-C)
- (e) Compliance with the Three Parks Structure Plan (N-C)
- (f) Staging of development (N-C)
- (g) Access (N-C)

Ref	Standard – Deferred Commercial Core Subzone	Resource consent status if standard not met
1	<p>Commercial Recreation Activities</p> <p>No commercial recreational activities shall be undertaken except where:</p> <ul style="list-style-type: none"> (a) The recreation activity is outdoors; (b) The scale of the recreation activity is limited to five people in any one group. 	RDIS
2	<p>Farm Buildings</p> <ul style="list-style-type: none"> (a) No farm building shall be replaced, extended or constructed: <ul style="list-style-type: none"> (i) On any holdings (as defined) less than 100 hectares in area; or (ii) At a density of more than one farm building per 50 hectares; (b) The existence of a farm building approved under Rule 12.26.8.2(2) shall not be considered the permitted baseline for development. 	N-C
3	<p>Noise</p> <p>Non-residential activities shall be conducted such that the following noise levels are not exceeded, neither at, nor within, the notional boundary of any residential unit, other than residential units on the same site as the activity:</p>	

Ref	Standard – Deferred Commercial Core Subzone	Resource consent status if standard not met
	<p>(a) during daytime (0800 to 2000 hrs) L10 50dBA.</p> <p>(b) during night time (2000 to 0800 hrs) L10 40dBA and Lmax 70dBA. except:</p> <p>(i) When associated with farming and forestry activities, this standard shall only apply to noise from stationary motors and stationary equipment. Any noise from Plantation Forestry shall be in accordance with the Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017.Noise from aircraft operations at Queenstown Airport is exempt from the above standards.</p> <p>Construction noise shall comply with and be measured and assessed in accordance with the relevant New Zealand Standard.</p>	
4	Earthworks, as per Site Standard 5.3.5.1(viii) of the Rural General Zone	RDIS

12.26.8.4 Controlled Activities – Matters over which the Council has reserved control and Assessment Matters

i Commercial Recreation Activities - Assessment Matters

In considering whether or not to impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) Whether the materials and colour to be used are consistent with the rural landscape of which the tow or lift or building will form a part.
- (b) Balancing environmental considerations with operational characteristics.
- (c) Potential effect on surrounding environment.
- (d) Impact of lighting on the enjoyment of an adjoining property.

ii Matters of Control - Mining, limited to mineral exploration, in respect of:

- (a) Terrain disturbance including vegetation clearance and volumes of material to be removed;
- (b) Rehabilitation of a site;
- (c) Siting of roads or any buildings; and
- (d) Dust and noise.

iii Mining, limited to mineral exploration – Assessment Matters

In considering whether or not to impose conditions, conditions may be imposed on mineral exploration in order that:

- (a) the amount of vegetation cleared and volumes of material removed will be minimal and the adverse effects to landscape and nature conservation values and water quality are minimised;
- (b) rehabilitation of the site is completed which ensures:
 - (i) the long term stability of the site;
 - (ii) that the landforms or vegetation on finished areas are visually integrated into the landscape;
 - (iii) that the land is returned to its original productive capacity, where appropriate.
- (c) roads or buildings are located in such a way as to minimise impacts to landscape, conservation, and amenity values;
- (d) dust is minimised where amenity values are at risk. Methods may include wetting down of tracks or heaped overburden;
- (e) noise is minimised where amenity values are at risk. Methods may include restricted hours of operation or appropriate mufflers on machinery.

iv Earthworks – Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, those matters listed in 5.4.2.3(xxviii) of the Rural General Zone.

12.26.8.5 Restricted Discretionary Activities – Matters over which discretion is reserved and Assessment Matters

i Commercial Recreational Activities – Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) The extent to which the recreational activity will result in levels of traffic or pedestrian activity which are incompatible with the adjacent residential and commercial areas
 - (b) Any adverse effects of the proposed activity in terms of:
 - (i) noise, vibration and lighting, which is incompatible with the levels acceptable in the adjacent residential subzone
 - (ii) loss of privacy or a sense of remoteness or isolation for those living in the residential subzone.
 - (iii) levels of traffic congestion or reduction in levels of traffic safety which are inconsistent with the classification of the adjoining road.
 - (iv) pedestrian safety in the vicinity of the activity.
 - (v) litter and waste.
 - (vi) any cumulative effect from the activity in conjunction with other activities in the vicinity.
 - (c) The extent to which the nature and character of the activity would be compatible with the character of the surrounding environment.
 - (d) The extent to which the proposed activity will result in a loss of privacy, amenity values or sense of security for residents within the rural environment.
 - (e) The extent to which the recreational activity will positively or adversely affect the range of recreational opportunities available in the District or the quality of experience of the people partaking of those opportunities.
 - (f) The extent to which the use of the land for the recreational activity will compromise levels of public safety, particularly where
 - conflict between operators may make a reasonable level of public safety impossible or difficult to achieve.
- ii **Forestry - Assessment Matters**
- (a) In considering whether the proposed forestry has the potential to cause wilding spread, the following matters shall be taken into account:
 - (i) The species of trees proposed, and their potential to naturalise and spread;
 - (ii) The location of the site, having particular regard to the slope and the exposure to wind;
 - (iii) The surrounding land use, having particular regard to land downwind from the site;
 - (iv) Whether a risk assessment has been completed by the applicant;
 - (v) Whether management plans are proposed for the eradication and/or control of wilding spread.
 - (b) In considering whether the forestry activity will adversely affect landscape values of the surrounding environment, the following matters shall be taken into account:
 - (i) The existing character of the surrounding landscape, having particular regard to whether it has an open character at present;
 - (ii) The potential to block important views from roads and other public places;
 - (iii) The proximity to neighbouring properties, and the potential to shade and/or block views from neighbouring residences.

(c) In considering whether the forestry activity will adversely affect the ecological values of the surrounding environment, the following matters shall be taken into account:

- (i) The existing ecological values of the subject land and the surrounding environment, having particular regard to the potential effects on existing indigenous ecosystems;
- (ii) Current and future demand on water resources.

(d) In considering the effects associated with the maintenance and harvesting of forestry activities, the following matters shall be taken into account:

- (i) Traffic Generation
- (ii) Volume and disposal of hazardous waste, and hazardous substances
- (iii) Production of noise and odour;
- (iv) Associated earthworks, and potential effects on water quality

iii Mining – Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) The extent to which mining activities will adversely affect:
 - (i) amenity values.
 - (ii) recreational values.
 - (iii) nature conservation values.

(iv) landscape and visual amenity values.

(v) historical, cultural or known archaeological artefacts or sites.

(vi) life supporting capacity of soils, water and air.

(vii) public access to and along the lake, river or waterway.

(b) The ability of the proposal to rehabilitate the site during and after mining.

(c) The ability of the company to:

(i) provide a contingency plan for early mine closure.

(ii) adequately monitor operations and the effects on the receiving environment.

(d) The necessity of the company to provide a bond to Council reviewed annually, for the purpose of rehabilitating operation areas in the event of non-compliance with terms and conditions of any consent, premature closure or abandonment of the mine.

iv Earthworks – Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, those matters listed in 5.4.2.3(xxviii) of the Rural General Zone.

12.26.8.6 Non-notification of Applications

i Except as provided for by the Act, all applications for controlled activities will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons and will be assessed according to matters the Council has reserved control over in the Plan.