

# Chapter 13

# Wanaka Town Centre

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

Provision Subject To Appeal (identified in red text in the relevant chapter/s)	Appellant Court Number	Consequentially Affected Provisions
Policy 13.2.5.6	<del>Annemieke Wright ENV-2018-CHC-105 (relief withdrawn)</del>  Mark Richter ENV-2018-CHC-110	Policies 13.2.5.2 and 13.2.5.7
Policy 13.2.5.7	<del>Annemieke Wright ENV-2018-CHC-105 (relief withdrawn)</del>  Mark Richter ENV-2018-CHC-110	Policy 13.2.5.2
Rule 13.5.7	<del>Annemieke Wright ENV-2018-CHC-105 (relief withdrawn)</del>  Mark Richter ENV-2018-CHC-110	
Rule 13.5.10	<del>Annemieke Wright ENV-2018-CHC-105 (relief withdrawn)</del>  Mark Richter ENV-2018-CHC-110 (further particulars received)	

***This table identifies new provisions sought to be added:***

Appellant Court Number	Provision/s Sought to be Added into Chapter 13
<del>Annemieke Wright ENV-2018-CHC-105 (relief withdrawn)</del>  Mark Richter ENV-2018-CHC-110	Reinstate notified Policy 13.2.5.1.

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



## 13.1

# Zone Purpose

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Town centres provide a focus for community life, retail, entertainment, business and services. They provide a vital function for serving the needs of residents, and as key destinations for visitors to our District, and provide a diverse range of visitor accommodation and visitor-related businesses. High visitor flows significantly contribute to the vibrancy and economic viability of the centres.

Wanaka’s Town Centre is located in a prime lakeside setting, with spectacular views of the mountains and easy access to the lakeside, walkways and public parks. The centre will serve a growing resident population and visitor numbers, for which it plays a vital role as the focal point for community activities and amenities. It will be large enough to provide a range of retailing, business and entertainment options, but remains compact so as to be accessible on foot. Intensifying residential properties and visitor accommodation will adjoin the fringes of the centre, adding to its vibrancy.

## 13.2

# Objectives and Policies

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**13.2.1 Objective** – Wanaka Town Centre remains the principal focus for commercial, administrative, cultural, entertainment and visitor activities in the Upper Clutha area.

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|----------|----------|---|
| Policies | 13.2.1.1 | Provide for a diverse range of activities that meet the needs of residents and visitors, and enable the Town Centre to have a broad economic base that maintains its status as the principal centre recognising the existing mixed use character of that area, and making a clear distinction between that transition area and the adjacent residential zone. |
|          | 13.2.1.2 | Enable residential activities and visitor accommodation activities above ground floor level whilst acknowledging that there will be a lower level of residential amenity due to the mix of activities and late night nature of the TownCentre.  |
|          | 13.2.1.3 | Recognise the important contribution that night time activity makes to the vibrancy and economic prosperity of the Town Centre by enabling restaurant and bar activities to occur without unduly restrictive noise controls.  |

**13.2.2 Objective** – Wanaka is a compact, convenient and attractive Town Centre that has opportunities for controlled expansion and intensification.

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|----------|----------|--|
| Policies | 13.2.2.1 | Provide for future controlled growth opportunities through the Town Centre Transition Overlay, which enables appropriate town centre activities to establish in a discrete area of residential-zoned land adjoining the Town Centre, recognising the existing mixed use character of that area, and making a clear distinction between that transition area and the adjacent residential zone. |
|----------|----------|--|

- 13.2.2.2 Discourage outward expansion of town centre activities in areas other than the Town Centre Transition Overlay in order to ensure that the Town Centre maintains a compact form.
- 13.2.2.3 Enable opportunities for further intensification of development in the Town Centre by providing more generous building heights in the Wanaka Height Precincts.
- 13.2.2.4 Acknowledge and celebrate our cultural heritage, including incorporating reference to Tangata whenua values, in the design of public spaces, where appropriate.

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**13.2.3 Objective – Wanaka Town Centre retains a low scale built form that maintains a human scale.**

- Policies
- 13.2.3.1 Ensure that the scale of development generally comprises no more than two to three storeys, with the potential to develop a recessed fourth storey in the Wanaka Height Precinct P1.
  - 13.2.3.2 Provide for consideration of minor height infringements where they help achieve higher quality design outcomes and do not significantly adversely affect amenity values.

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**13.2.4 Objective – New development achieves high quality urban design outcomes that respond to the town’s built character and sense of place.**

- Policies
- 13.2.4.1 Encourage new developments to be consistent with the design outcomes sought by the Wanaka Town Centre Character Guideline 2011.
  - 13.2.4.2 Encourage building design that integrates with public spaces and facilitates the flow of pedestrians through the town centre by providing guidance through the Wanaka Town Centre Character Guideline 2011.
  - 13.2.4.3 Control the height, scale, appearance and location of buildings in order to achieve a built form that complements the existing patterns of development and is consistent with the amenity values of the Town Centre.
  - 13.2.4.4 Encourage building appearance that is responsive to and reflects the essential character of the Town Centre and its unique environmental setting.
  - 13.2.4.5 Control the design and appearance of verandas so they integrate well with the buildings they are attached to and complement the overall streetscape and do not interfere with kerbside movements of high-sided vehicles, whilst providing appropriate cover for pedestrians.
  - 13.2.4.6 Ensure that outdoor storage areas are appropriately located and screened to limit any adverse visual effects and to be consistent with the amenity values of the Town Centre.

13.2.4.7 Require high quality comprehensive developments on large sites which provide primarily for pedestrian links and lanes, open spaces, outdoor dining, and well planned storage and loading/ servicing areas within the development.

**13.2.5 Objective – Appropriate limits are placed on town centre activities to minimise adverse environmental effects received both within and beyond the Town Centre.**

- Policies
- 13.2.5.1 Acknowledge that some activities occurring in vibrant town centres can generate higher noise emissions by providing a higher noise limit in the Lower Ardmere Entertainment Precinct.
  - 13.2.5.2 Locate the Lower Ardmere Entertainment Precinct so as to minimise the impacts of the higher noise limit on properties in the Residential Zones near the Town Centre.
  - 13.2.5.3 Ensure that the location and direction of lights in the Town Centre does not cause significant glare to other properties, roads, and public places and promote lighting design that mitigates adverse effects on views of the night sky.
  - 13.2.5.4 Acknowledge that parts of the Wanaka Town Centre are susceptible to flood risk and require appropriate measures to limit the impact of flooding or ponding in areas of known risk.
  - 13.2.5.5 Avoid the establishment of activities that are not consistent with the amenity values of the Town Centre, cause inappropriate environmental effects, and are more appropriately located in other zones.
  - 13.2.5.6 **Minimise conflicts between the Town Centre and the adjacent residential zone by avoiding high levels of night time noise being generated on the periphery of the Town Centre.**

Policy 13.2.5.6 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Delete Policy 13.2.5.6.	<del>Annemieke Wright ENV-2018-CHC-105</del> (relief withdrawn)  Mark Richter ENV-2018-CHC-110	Policies 13.2.5.2 and 13.2.5.7

- 13.2.5.7 **Recognise the important contribution that night time activity makes to the vibrancy and economic prosperity of the Town Centre and specifically provide for those activities while mitigating effects on residential amenity by:**
  - a. **enabling night time dining and socialising, both indoors and outdoors, to varying degrees throughout the Town Centre depending on the location of the activity; and**
  - b. **providing for noisier night time activity within the Lower Ardmere Entertainment Precinct in order to minimise effects on Residential Zones adjacent to the Town Centre; and**

- c. ensuring that the nature and scale of licensed premises located north of Ardmore Street result in effects that are compatible with adjoining Residential Zones; and
- d. enabling night time activities within the Town Centre Zone provided they comply with the noise limits; and
- e. requiring acoustic insulation for critical listening environments (including residential activities and visitor accommodation) to limit the impact of town centre noise on occupants.

Policy 13.2.5.7 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Delete Policy 13.2.5.7.	<del>Annemiek Wright ENV-2018-CHC-105</del> (relief withdrawn)  Mark Richter ENV-2018-CHC-110	Policy 13.2.5.2

**13.2.6 Objective** – Pedestrian, cycle and vehicle linkages are safe and convenient, enabling people to easily negotiate their way through and around the Town Centre.

- Policies**
- 13.2.6.1 Implement street, traffic and car parking management and other public open space improvements to enhance pedestrian amenity and improve the flow of pedestrians, cyclists and vehicles through the Town Centre.
  - 13.2.6.2 Provide pedestrian linkages that promote coherence of the built form of the Town Centre and are designed so as to receive levels of sunlight and weather protection as appropriate to the overall character of the particular locality.
  - 13.2.6.3 Minimise opportunities for criminal activity through incorporating Crime Prevention Through Environmental Design (CPTED) principles as appropriate in the design of lot configuration, public and semi-public spaces, linkages and landscaping.
  - 13.2.6.4 Provide an adequate range of parking options so residents and visitors can access the Town Centre with off-street parking predominantly located at the periphery in order to limit the impact of vehicles.

## 13.3

## Other Provisions and Rules

### 13.3.1 District Wide

Attention is drawn to the following District Wide chapters.

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

### 13.3.2 Interpreting and Apply the Rules

- 13.3.2.1 A permitted activity must comply with all the rules listed in the Activity and Standards tables.
- 13.3.2.2 Where an activity does not comply with a Standard listed in the Standards table, the activity status identified by the 'Non-Compliance Status' column shall apply.
- 13.3.2.3 Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.
- 13.3.2.4 The following abbreviations are used within this Chapter.

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

## 13.4 Rules - Activities

	Activities located in the Wanaka Town Centre Zone	Activity Status
13.4.1	Activities which are not listed in this table and comply with all standards	P
13.4.2	Verandas Control is reserved to: Design, appearance, materials, impact on and relationship to adjoining verandas (to be guided by the Wanaka Town Centre Character Guideline 2011) to avoid, remedy or mitigate adverse effects on: <ul style="list-style-type: none"> <li>i. Neighbouring buildings and verandas</li> <li>ii. The extent to which the veranda affects the use and enjoyment of the streetscape and</li> <li>iii. The appearance of the building</li> <li>iv. The enabling of unobstructed kerbside movements of high-sided vehicles</li> </ul>	C
13.4.3	Visitor Accommodation Control is reserved to: <ul style="list-style-type: none"> <li>a. The location, provision, and screening of access and parking, traffic generation, and Travel Demand Management;</li> <li>b. Landscaping;</li> <li>c. The location, nature and scale of visitor accommodation and ancillary activities relative to one another within the site and relative to neighbouring use;</li> <li>d. the location and screening of bus and car parking from public places to ensure visual amenity is adequately protected; and</li> <li>e. where the site adjoins a residential zone:                             <ul style="list-style-type: none"> <li>i. noise generation and methods of mitigation; and</li> <li>ii. hours of operation, in respect of ancillary activities.</li> </ul> </li> </ul>	C



	Activities located in the Wanaka Town Centre Zone	Activity Status
13.4.4	<p>Buildings</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>a. external appearance and materials;</li> <li>b. signage platform;</li> <li>c. lighting;</li> <li>d. impact on the street (to be guided by the Wanaka Town Centre Character Guideline 2011); and</li> <li>e. where a site is subject to any natural hazard and the proposal results in an increase in gross floor area: <ol style="list-style-type: none"> <li>i. the nature and degree of risk the hazard(s) pose to people and property;</li> <li>ii. whether the proposal will alter the risk to any site; and</li> <li>iii. the extent to which such risk can be avoided or sufficiently mitigated.</li> </ol> </li> </ol> <p>To ensure that:</p> <ol style="list-style-type: none"> <li>a. the design of the building blends well with and contributes to an integrated built form;</li> <li>b. the external appearance of the building is sympathetic to the surrounding natural and built environment. The use of stone, schist, plaster or natural timber is encouraged;</li> <li>c. the views along a street or of significant view-shafts have been considered and responded to;</li> <li>d. the building facade provides an active interface to open space on to which it fronts, and the detail of the facade is sympathetic to other buildings in the vicinity, having regard to: <ol style="list-style-type: none"> <li>i. building materials;</li> <li>ii. glazing treatment;</li> <li>iii. symmetry;</li> <li>iv. external appearance;</li> <li>v. human scale;</li> <li>vi. vertical and horizontal emphasis; and</li> <li>vii. storage areas are appropriately located and screened.</li> </ol> </li> </ol>	RD

Activities located in the Wanaka Town Centre Zone		Activity Status
13.4.5	<p>Licensed Premises</p> <p>Premises licensed for the consumption of alcohol on the premises between the hours of 11pm and 8am, provided that this rule shall not apply to the sale of liquor:</p> <p>13.4.5.1 To any person who is residing (permanently or temporarily) on the premises; and/or</p> <p>13.4.5.2 To any person who is present on the premises for the purpose of dining up until 12am.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>• the scale of the activity;</li> <li>• car parking and traffic generation;</li> <li>• effects on amenity (including that of adjoining residential zones and public reserves);</li> <li>• the configuration of activities within the building and site (e.g. outdoor seating, entrances);</li> <li>• noise issues; and</li> <li>• hours of operation.</li> </ul>	RD
13.4.6	Industrial Activities not otherwise provided for in this table	NC
13.4.7	Factory Farming	PR
13.4.8	Forestry Activities	PR
13.4.9	Mining Activities	PR
13.4.10	Airport	PR
13.4.11	Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building.	PR
13.4.12	Fish or meat processing (excluding that which is ancillary to a retail premises such as a butcher, fishmonger or supermarket).	PR
13.4.13	Any activity requiring an Offensive Trade Licence under the Health Act 1956.	PR

# 13.5

## Rules - Standards

	Standards for activities located in the Wanaka Town Centre Zone	Non-compliance status
13.5.1	<p>Setbacks and sunlight access – sites adjoining a Residential zone</p> <p>13.5.1.1 Buildings shall not project beyond a recession line constructed at an angle of 34° inclined towards the site from points 3m above any Residential Zone boundary.</p> <p>13.5.1.2 Where a site adjoins a Residential Zone all buildings shall be set back not less than 3m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>the visual effects of the height, scale, location and appearance of the building, in terms of dominance and loss of privacy on adjoining properties and any resultant shading effects.</li> </ol>
13.5.2	<p>Storage</p> <p>13.5.2.1 For all buildings with frontage to Helwick Street, Dunmore Street and Ardmore Street (west of Bullock Creek) storage areas shall be situated within the building or accessed from a service lane at the rear of the property.</p> <p>13.5.2.2 In all other parts of the Town Centre Zone storage areas shall be screened from view from all public places and adjoining zones.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>the effects on visual amenity;</li> <li>consistency with the character of the locality; and</li> <li>whether pedestrian and vehicle access is compromised.</li> </ol>
13.5.3	<p>Residential Activities</p> <p>All residential activities shall be restricted to first floor level or above, with the exception of foyer and stairway spaces at ground level to facilitate access to upper levels.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>the effects on surrounding buildings and activities; and</li> <li>the maintenance of an active street frontage.</li> </ol>
13.5.4	<p>Flood Risk</p> <p>No building greater than 20m<sup>2</sup> with a ground floor level less than RL 281.9 masl shall be relocated to a site, reconstructed on a site, within this zone.</p> <p>Note: This ground floor minimum includes 1.3 metres to allow for wave action where necessary.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>the level of risk from flooding and whether the risk can be appropriately avoided or mitigated; and</li> <li>the extent to which the construction of the building will result in the increased vulnerability of other sites to flooding.</li> </ol>
13.5.5	<p>Verandas</p> <p>Every building with road frontage to Helwick Street, Dunmore Street and Ardmore Street shall, on its erection or on being reconstructed or altered in a way that substantially changes its external appearance at the road frontage, be provided with a veranda which shall be situated no higher than 3m above pavement level and shall provide continuous cover for pedestrians.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>consistency with the Wanaka Town Centre Character Guideline (2011);</li> <li>effects on pedestrian amenity;</li> <li>the human scale of the built form; and</li> <li>historic heritage values (where relevant).</li> </ol>

	Standards for activities located in the Wanaka Town Centre Zone	Non-compliance status						
13.5.6	<p>Setbacks from front boundaries</p> <p>All buildings shall be built up to the street boundary along the full street frontage of the site except where a pedestrian link is provided. Nothing in this rule shall preclude the inclusion of recessed entrances within any facade up to a depth of 1.5m and a width of 2m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>the effects on the quality of the overall streetscape (including sunlight access, the creation of a consistent building setback and widening of the street over time).</li> </ol>						
13.5.7	<p><b>Acoustic insulation</b></p> <p>13.5.7.1 A mechanical ventilation system shall be installed for all critical listening environments in accordance with Table 5 in Chapter 36.</p> <p>13.5.7.2 All elements of the façade of any critical listening environment shall have an airborne sound insulation of at least 40 dB Rw+Ctr determined in accordance with ISO 10140 and ISO 717-1.</p> <table border="1" style="margin-top: 20px;"> <thead> <tr> <th>Rule 13.5.7 and relief sought</th> <th>Appellant Court Number</th> <th>Consequentially Affected Provisions</th> </tr> </thead> <tbody> <tr> <td>Amend Rule 13.5.7 to remove the presumption that the obligation to mitigate the effects of unreasonable noise rests with the noise receiver. Any mitigation obligation should be imposed on a noise maker.</td> <td><del>Annemieke Wright ENV-2018-CHC-105</del> (relief withdrawn)  Mark Richter ENV-2018-CHC-110</td> <td></td> </tr> </tbody> </table>	Rule 13.5.7 and relief sought	Appellant Court Number	Consequentially Affected Provisions	Amend Rule 13.5.7 to remove the presumption that the obligation to mitigate the effects of unreasonable noise rests with the noise receiver. Any mitigation obligation should be imposed on a noise maker.	<del>Annemieke Wright ENV-2018-CHC-105</del> (relief withdrawn)  Mark Richter ENV-2018-CHC-110		<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>the noise levels that will be received within the critical listening environments, with consideration including the nature and scale of the residential or visitor accommodation activity;</li> <li>the extent of insulation proposed; and</li> <li>whether covenants exist or are being volunteered which limit noise emissions on adjacent sites and/or impose no complaints covenants on the site.</li> </ol>
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13.5.8	<p>Maximum building height for all buildings other than those in the Wanaka Height Precincts</p> <p>The maximum building height shall be 8m to the eave line and 10m to the ridge line.</p>	NC						
13.5.9	<p>Maximum building height for buildings in the Wanaka Height Precincts</p> <p>13.5.9.1 In Height Precinct P1, the maximum building height shall be 12m to the eave line and 14m to the ridge line.</p> <p>13.5.9.2 In Height Precinct P1, any fourth storey (excluding basements) and above shall be set back a minimum of 3m from the building frontage.</p> <p>13.5.9.3 In Height Precinct P2, the maximum building height shall be 10m to the eave line and 12m to the ridge line and shall comprise no more than 3 storeys, excluding basements.</p>	NC						

	Standards for activities located in the Wanaka Town Centre Zone	Non-compliance status
13.5.10	<p>Noise</p> <p>Town Centre Zone (including the Lower Ardmore Entertainment Precinct):</p> <p>13.5.10.1 Sound* from activities in the Town Centre Zone (excluding sound from the sources specified in rules 13.5.10.3 to 13.5.10.5 below) shall not exceed the following noise limits at any point within any other site in this zone:</p> <ul style="list-style-type: none"> <li>a. Daytime (0800 to 2200hrs) 60 dB L<sub>Aeq(15 min)</sub></li> <li>b. Night-time (2200 to 0800hrs) 50 dB L<sub>Aeq(15 min)</sub></li> <li>c. Night-time (2200 to 0800hrs) 75 dB L<sub>AFmax</sub></li> </ul> <p>*measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008</p> <p>13.5.10.2 Sound from activities in the Town Centre Zone (excluding sound from the sources specified in rules 13.5.10.3 and 13.5.10.4 below) which is received in another zone shall comply with the noise limits set for the zone the sound is received in.</p> <p>13.5.10.3 Within the Town Centre Zone but excluding those sites north of Ardmore Street, sound* from music shall not exceed the following limits:</p> <ul style="list-style-type: none"> <li>a. 60 dB L<sub>Aeq(5 min)</sub> at any point within any other site in the Lower Ardmore Entertainment Precinct; and</li> <li>b. 55 dB L<sub>Aeq(5 min)</sub> at any point within any other site outside the Lower Ardmore Entertainment Precinct.</li> </ul> <p>*measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008, and excluding any special audible characteristics and duration adjustments.</p> <p>13.5.10.4 Within the Town Centre Zone but excluding those sites north of Ardmore Street, sound* from voices shall not exceed the following limits:</p> <ul style="list-style-type: none"> <li>a. 65 dB LAeq(15 min) at any point within any other site in the Entertainment Precinct; and</li> <li>b. 60 dB LAeq(15 min) at any point within any other site outside the Entertainment Precinct.</li> </ul> <p>*measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008.</p> <p>13.5.10.5 Within the Town Centre Zone but excluding those sites north of Ardmore Street, sound* from any loudspeaker outside a building shall not exceed 75 dB LAeq(5 min) measured at 0.6 metres from the loudspeaker.</p> <p>* measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008, excluding any special audible characteristics and duration adjustments.</p>	NC

Standards for activities located in the Wanaka Town Centre Zone	Non-compliance status						
<p><b>Exemptions:</b></p> <p>a. the noise limits in 13.5.10.1 and 13.5.10.2 shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999.;</p> <p>b. the noise limits in 13.5.10.1 to 13.5.10.5 shall not apply to outdoor public events pursuant to Chapter 35 of the District Plan.</p> <p><b>Note:</b> Sound from activities in this zone which is received in another zone shall comply with the noise limits set out in Chapter 36 for that zone.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #D3D3D3;">Rule 13.5.10 and relief sought</th> <th style="background-color: #D3D3D3;">Appellant Court Number</th> <th style="background-color: #D3D3D3;">Consequentially Affected Provisions</th> </tr> </thead> <tbody> <tr> <td style="vertical-align: top;"> <p>Amend Rule 13.5.10 as follows:</p> <p>Town Centre Zone <del>(including the Lower Ardmore Entertainment Precinct):</del></p> <p>13.5.10.1 Sound* from activities in the Town Centre Zone <del>(excluding sound from the sources specified in rules 13.5.10.3 to 13.5.10.5 below)</del> shall not exceed the following noise limits at any point within any other site in this zone:</p> <p>a. Daytime (0800 to 2200hrs) 60 dB LAeq(15 min)</p> <p>b. Night-time (2200 to 0800hrs) 50 dB LAeq(15 min)</p> <p>c. Night-time (2200 to 0800hrs) 70<del>5</del> dB LAFmax</p> <p>*measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008</p> <p>13.5.10.2 Sound from activities in the Town Centre Zone <del>(excluding sound from the sources specified in rules 13.5.10.3 and 13.5.10.4 below)</del> which is received in another zone shall comply with the noise limits set for the zone the sound is received in.</p> <p><del>13.5.10.3 Within the Town Centre Zone but excluding those sites north of Ardmore Street, sound* from music shall not exceed the following limits:</del></p> <p>a. <del>60 dB LAeq(5 min) at any point within any other site in the Lower</del></p> </td> <td style="vertical-align: top;"> <p><del>Annemieke Wright ENV-2018-CHC-105 (relief withdrawn)</del></p> <p>Mark Richter ENV-2018-CHC-110 (further particulars received)</p> </td> <td></td> </tr> </tbody> </table>	Rule 13.5.10 and relief sought	Appellant Court Number	Consequentially Affected Provisions	<p>Amend Rule 13.5.10 as follows:</p> <p>Town Centre Zone <del>(including the Lower Ardmore Entertainment Precinct):</del></p> <p>13.5.10.1 Sound* from activities in the Town Centre Zone <del>(excluding sound from the sources specified in rules 13.5.10.3 to 13.5.10.5 below)</del> shall not exceed the following noise limits at any point within any other site in this zone:</p> <p>a. Daytime (0800 to 2200hrs) 60 dB LAeq(15 min)</p> <p>b. Night-time (2200 to 0800hrs) 50 dB LAeq(15 min)</p> <p>c. Night-time (2200 to 0800hrs) 70<del>5</del> dB LAFmax</p> <p>*measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008</p> <p>13.5.10.2 Sound from activities in the Town Centre Zone <del>(excluding sound from the sources specified in rules 13.5.10.3 and 13.5.10.4 below)</del> which is received in another zone shall comply with the noise limits set for the zone the sound is received in.</p> <p><del>13.5.10.3 Within the Town Centre Zone but excluding those sites north of Ardmore Street, sound* from music shall not exceed the following limits:</del></p> <p>a. <del>60 dB LAeq(5 min) at any point within any other site in the Lower</del></p>	<p><del>Annemieke Wright ENV-2018-CHC-105 (relief withdrawn)</del></p> <p>Mark Richter ENV-2018-CHC-110 (further particulars received)</p>		
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Ardmore Entertainment Precinct; and  
b. ~~55 dB LAeq(5 min) at any point within any other site outside the Lower Ardmore Entertainment Precinct. \*measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008, and excluding any special audible characteristics and duration adjustments.~~

13.5.10.4 Within the Town Centre Zone but excluding those sites north of Ardmore Street, sound\* from voices shall not exceed the following limits:  
a. ~~65 dB LAeq(15 min) at any point within any other site in the Entertainment Precinct; and~~  
b. ~~60 dB LAeq(15 min) at any point within any other site outside the Entertainment Precinct. \*measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008.~~

13.5.10.5 Within the Town Centre Zone but excluding those sites north of Ardmore Street, sound\* from any loudspeaker outside a building shall not exceed 75 dB LAeq(5 min) measured at 0.6 metres from the loudspeaker.  
\* measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008, excluding any special audible characteristics and duration adjustments.  
Exemptions:  
a. the noise limits in 13.5.10.1 and 13.5.10.2 shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999.;

b. the noise limits in 13.5.10.1 to 13.5.10.2 shall not apply to outdoor public events pursuant to Chapter 35 of the District Plan. Note: Sound from activities in this zone which is received in another zone shall comply with the noise limits set out in Chapter 36 for that zone.

13.5.11	<p>Glare</p> <p>13.5.11.1 All exterior lighting, other than footpath or pedestrian link amenity lighting, installed on sites or buildings within the zone shall be directed away from adjacent sites, roads and public places, and directed downward so as to limit the effects on views of the night sky.</p> <p>13.5.11.2 No activity shall result in a greater than 10 lux spill (horizontal or vertical) of light onto any adjoining property within the Zone, measured at any point inside the boundary of any adjoining property.</p> <p>13.5.11.3 No activity shall result in a greater than 3 lux spill (horizontal or vertical) of light onto any adjoining property which is zoned residential measured at any point more than 2m inside the boundary of the adjoining property.</p> <p>13.5.11.4 External building materials shall either be coated in colours which have a reflectance value of between 0 and 36%; or consist of unpainted wood (including sealed or stained wood), unpainted stone, unpainted concrete, or copper.</p> <p>Except that:</p> <p>a. architectural features, including doors and window frames, may be any colour; and</p> <p>b. roof colours shall have a reflectance value of between 0 and 20%.</p>	NC
13.5.12	<p>Service Lanes</p> <p>Any development, redevelopment or substantial alteration of any site or property within this zone shall make provision for such service lane or through-site pedestrian access as indicated on Planning Map No. 21. Such provision shall be taken into account in the assessment of development levies applicable to the development, redevelopment or alteration. Service lanes shall be subdivided and vested in the Council.</p>	NC



	Standards for activities located in the Wanaka Town Centre Zone	Non-compliance status
13.5.13	<p>Maximum building coverage in relation to comprehensive developments</p> <p>13.5.13.1 When undertaking a comprehensive development (as defined), the maximum building coverage calculated over the whole land area shall be 75%.</p> <p>13.5.13.2 When undertaking a comprehensive development the application shall include a comprehensive development plan that covers the entire development area and is of sufficient detail to enable the matters of discretion listed to be fully considered.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>the adequate provision of pedestrian links, open spaces, outdoor dining opportunities;</li> <li>the adequate provision of storage and loading/ servicing areas;</li> <li>the provision of open space within the site, for outdoor dining or other purposes;</li> <li>the site layout and location of buildings, public access to the buildings, and landscaping, particularly in relation to how the layout of buildings and open space interfaces with the street edge and any adjoining public places and how it protects and provides for view shafts, taking into account the need for active street frontages, compatibility with the character and scale of nearby residential zones, and the amenity and safety of adjoining public spaces and designated sites.</li> </ol>

## 13.6

## Rules - Non-Notification of Applications

13.6.1 Applications for Controlled activities shall not require the written approval of other persons and shall not be notified or limited-notified.

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

13.6.2.1 Buildings.

13.6.2.2 Building coverage in relation to comprehensive developments.

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

13.6.3.1 Setbacks and sunlight access - sites adjoining a Residential Zone.