

Chapter 15

Local Shopping Centre Zone

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 15.2.3.2.b | Queenstown Airport Corporation Limited ENV-2018-CHC-093 | |
| Rule 15.5.11 | P D Gordon Family Trust ENV-2018-CHC-077 | Policy 15.2.1.6 |

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

Local Shopping Centres: Albert Town, Arrowtown, Cardrona Valley Road, Fernhill, Frankton, Hawea, Kelvin Heights and Sunshine Bay

15.1 Zone Purpose

The Local Shopping Centre Zone enables small scale commercial and business activities in discrete pockets of land that are accessible to residential areas and people in transit.

The Zone seeks to reduce the necessity for people to travel longer distances to town centres to purchase convenience goods and access services. Due to the nature of the Zone's locations in predominantly residential environments, standards limit the potential adverse effects on residential amenity and discourage the establishment of inappropriate activities. Visitor accommodation and residential activities are provided for in the Zone, adding to the vibrancy and viability of the Zone, whilst contributing to the diversity of housing options enabled by the District Plan.

15.2 Objectives and Policies

15.2.1 Objective – Local Shopping Centres provide a focal point for a range of activities that meet the day to day needs of the community at a limited scale that supplements the function of town centres.

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| Policies | <p>15.2.1.1 Provide for a diverse range of activities that meet the needs of the local community, enable local employment opportunities and assist with enabling the economic viability of local shopping centres.</p> <p>15.2.1.2 Ensure that local shopping centres remain at a small scale that does not undermine the role and function of town centres.</p> <p>15.2.1.3 Enable residential and visitor accommodation activities, but limit their establishment to above ground floor level to ensure that the integrity of activities occurring at street level is maintained, and that the core commercial function of the local shopping centres is not eroded.</p> <p>15.2.1.4 Avoid individual retail activities exceeding 300m² gross floor area and individual office activities exceeding 200m² gross floor area that would adversely affect the:</p> <ul style="list-style-type: none"> a. retention and establishment of a mix of activities within the local shopping centre; b. role and function of town centres and commercial zones that provide for large scale retailing; and c. safe and efficient operation of the transport network. <p>15.2.1.5 Restrict identified retail activities to ensure that the role and function of town centres as the District's principal centres of retailing activity is not threatened.</p> <p>15.2.1.6 Limit the total gross floor area of retail and office activities within the Local Shopping Centre Zone located on Cardrona Valley Road to ensure that the commercial function of Wanaka Town Centre and Three Parks is not adversely affected.</p> |
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15.2.2 Objective – Buildings respond to the existing character, quality and amenity values of their neighbourhood setting.

- Policies
- 15.2.2.1 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 established amenity values.
 - 15.2.2.2 Ensure that development generally comprises a scale that is commensurate with the receiving built environment.
 - 15.2.2.3 Provide for consideration of minor height infringements where they help achieve higher quality design outcomes and do not significantly adversely affect amenity values.
 - 15.2.2.4 Place specific controls on the bulk and location of buildings on sites adjoining Residential-zoned properties to ensure that an appropriate standard of residential amenity is maintained.
 - 15.2.2.5 Control the design and appearance of verandas so they integrate well with the buildings they are attached to complement the overall streetscape and do not interfere with kerbside movements of high-sided vehicles, while providing appropriate cover for pedestrians.
 - 15.2.2.6 Ensure that outdoor storage areas are appropriately located and screened to limit any adverse visual effects and to be consistent with established amenity values.

15.2.3 Objective – Adverse environmental effects received both within and beyond the zone are minimised.

- Policies
- 15.2.3.1 Provide appropriate noise limits to control adverse noise effects generated by activities occurring within the Local Shopping Centre Zone and received by nearby properties.
 - 15.2.3.2 **Require acoustic insulation for critical listening environments (including residential activities and visitor accommodation) to:**
 - a. limit the impact of noise generated within the Zone on occupants; and,
 - b. where relevant, limit the potential for reverse sensitivity effects on Queenstown Airport of buildings within the Queenstown Airport Outer Control Boundary.

| Policy 15.2.3.2.b and relief sought | Appellant Court Number | Consequentially Affected Provisions |
|---|--|-------------------------------------|
| Amend Policy 15.2.3.2.b to clarify it relates to buildings containing Activities Sensitive to Aircraft Noise. | Queenstown Airport Corporation Limited ENV-2018-CHC-093 | |

- 15.2.3.3 Ensure that the location and direction of lights 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.
- 15.2.3.4 Avoid the establishment of activities that are not consistent with established amenity values, cause inappropriate environmental effects, or are more appropriately located in other zones.

15.2.3.5 For development of the site(s) at 1 Hansen Road, between Hansen Road and the Frankton Cemetery (as shown on Planning Maps 31, 31a and 33), in addition to other Zone-wide requirements:

- a. ensure that development is undertaken in an integrated manner, having particular regard to ensuring the safe and efficient operation of the transport network;
- b. implement specific controls to limit effects on the historic values of the neighbouring cemetery.

15.3

Other Provisions and Rules

15.3.1 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 | | |

15.3.2 Interpreting and Applying the Rules

- 15.3.2.1 A permitted activity must comply with all the rules listed in the Activity and Standards tables.
- 15.3.2.2 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.
- 15.3.2.3 Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.
- 15.3.2.4 The following abbreviations are used within this Chapter.

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

15.4

Rules - Activities

| | Activities located in the Local Shopping Centre Zone | Activity Status |
|--------|--|-----------------|
| 15.4.1 | Activities which are not listed in this table and comply with all standards | P |
| 15.4.2 | <p>Verandas</p> <p>Control is reserved to:</p> <ol style="list-style-type: none"> design; materials; external appearance; the impact on, and relationship to, adjoining verandas; and the enabling of unobstructed kerbside movements of high-sided vehicles. | C |

| Activities located in the Local Shopping Centre Zone | | Activity Status |
|--|---|-----------------|
| 15.4.3 | <p>15.4.3.1 Buildings</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. external appearance, including materials glazing treatment vertical and horizontal emphasis and the location of storage; b. signage platforms; c. lighting; d. the impact of the building on the streetscape, compatibility with adjoining buildings and contribution to an integrated built form; e. where residential units are proposed provision of private or communal open space, or a combination thereof; f. where a site is subject to natural hazards and the proposal results in an increase in gross floor area; and g. natural hazards where the proposal results in an increase in gross floorarea: <ul style="list-style-type: none"> i. the nature and degree of risk the hazard(s) pose to people and property; ii. whether the proposal will alter the risk to any site; and iii. whether such risk can be avoided or sufficiently reduced. <p>15.4.3.2 Development of 1 Hansen Road only</p> <p>The following additional requirements apply to the Local Shopping Centre Zone located between Hansen Road and Frankton Cemetery (as shown on Planning Maps 31, 31a and 33):</p> <ul style="list-style-type: none"> a. applications for buildings shall be accompanied by a Spatial Layout Plan for the entire part of this site, which is zoned Local Shopping Centre, showing: <ul style="list-style-type: none"> i. the location, width and design of roads, laneways, footpaths and accessways, which shall include consideration of pedestrian/cycling connectivity and safety as well as the potential for vehicular access to and from the Local Shopping Centre Zone land to the west of the Frankton Cemetery; ii. proposed building locations and parking areas; iii. concept landscape design treatment; iv. detailed landscaping plan addressing the interface between development and the Frankton Cemetery for the purpose of managing effects on the amenity and historic values in and around the cemetery; and v. three waters infrastructure. <p>Note: where relevant, applications may rely upon an approved Spatial Layout Plan submitted as part of a prior application for this site.</p> <p>Discretion is restricted to consideration of the following in addition to the matters above:</p> <ul style="list-style-type: none"> a. historic heritage and the amenity values of the Frankton Cemetery; b. the safe and efficient operation of the transport network; c. pedestrian/cycling connectivity and safety; d. amenity values; and e. three waters infrastructure. | RD |

| | Activities located in the Local Shopping Centre Zone | Activity Status |
|---------|--|-----------------|
| 15.4.4 | <p>Visitor Accommodation</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. the location, provision, and screening of access and parking, traffic generation, and Travel Demand Management; b. landscaping; c. the location, nature and scale of visitor accommodation and ancillary activities relative to one another within the site and relative to neighbouring uses; d. the location and screening of bus and car parking from public places; and e. where the site adjoins a residential zone: <ol style="list-style-type: none"> i. noise generation and methods of mitigation; and ii. hours of operation of ancillary activities. | RD |
| 15.4.5 | <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> <ol style="list-style-type: none"> a. to any person who is residing (permanently or temporarily) on the premises; and/or b. to any person who is present on the premises for the purpose of dining up until 12am. <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. the scale of the activity; b. car parking and traffic generation; c. effects on amenity (including that of adjoining residential zones and public reserves); d. the configuration of activities within the building and site (e.g. outdoor seating, entrances); e. noise issues; and f. hours of operation. | RD |
| 15.4.6 | Appliance Stores, Electronic and Electrical goods Stores, Fashion Stores, Furniture and Floor Covering Stores | NC |
| 15.4.7 | Industrial Activities not otherwise provided for in this Table | NC |
| 15.4.8 | Factory Farming | PR |
| 15.4.9 | Forestry Activities | PR |
| 15.4.10 | Mining Activities | PR |
| 15.4.11 | Airport | PR |
| 15.4.12 | Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building. | PR |
| 15.4.13 | Fish or meat processing (excluding that which is ancillary to a retail premises such as a butcher, fishmonger or supermarket). | PR |
| 15.4.14 | Any activity requiring an Offensive Trade Licence under the Health Act 1956. | PR |

15.5

Rules - Standards

| | Standards for activities located in the Local Shopping Centre Zone | Non- compliance Status |
|--------|--|--|
| 15.5.1 | <p>Building Coverage</p> <p>15.5.1.1 Maximum building coverage - 75%.</p> <p>15.5.1.2 Except that in the Local Shopping Centre Zone located between Hansen Road and Frankton Cemetery the maximum building coverage shall be 50%</p> | <p>RD*</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the effects on the quality of the overall streetscape; and b. the ability to meet outdoor storage requirements; <p>RD*</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the effects on the quality of the overall streetscape; and b. the ability to meet outdoor storage requirements; c. the traffic effects of additional building coverage, including the effects on the State Highway, with particular regard to the intersection between Hansen Road and State Highway 6. |
| 15.5.2 | <p>Setbacks and Sunlight Access – sites adjoining any Residential zone, Township Zone or public open space</p> <ul style="list-style-type: none"> a. buildings shall not project beyond a recession line constructed at an angle of 35° inclined towards the site from points 3m above any Residential Zone or Township Zone boundary; b. where the site adjoins any Residential zone, Township Zone or public open space the setback shall be not less than 3m. | <p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the visual effects of the height, scale, location and appearance of the building, in terms of <ul style="list-style-type: none"> i. dominance; ii. loss of privacy on adjoining properties; and iii. any resultant shading effects. |
| 15.5.3 | <p>Acoustic insulation (excluding development within the Outer Control Boundary (OCB) Queenstown)</p> <ul style="list-style-type: none"> a. a mechanical ventilation system shall be installed for all critical listening environments in accordance with Table 5 in Chapter 36; b. all elements of the facade 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>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. 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; b. the extent of insulation proposed; and c. whether covenants exist or are being volunteered which limit noise emissions on adjacent sites and/or impose no complaints covenants on the site. |

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| 15.5.4 | Acoustic insulation: development within the Outer Control Boundary (OCB) Queenstown a. a mechanical ventilation system shall be installed for all critical listening environments in accordance with Rule 36.6.2 in Chapter 36. b. all elements of the facade 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. | NC |
|--------|--|----|

| | Standards for activities located in the Local Shopping Centre Zone | Non- compliance Status |
|--------|--|------------------------|
| 15.5.5 | <p>Development of 1 Hansen Road</p> <p>The following additional standards shall apply to development in the Local Shopping Centre Zone located between Hansen Road and Frankton Cemetery (as shown on Planning Maps 31, 31a and 33):</p> <ol style="list-style-type: none"> a. the total gross floor area dedicated to retail uses shall not exceed 4000m²; b. the total gross floor area dedicated to office uses shall not exceed 3000m²; c. no retail or office activities (aside from those ancillary to permitted uses) shall take place until an upgrade of the intersection between Hansen Road and State Highway 6 has occurred; d. the total number of residential units (for the purposes of this rule, this shall include residential flats) shall not exceed 50 units; e. there shall be no vehicle access directly onto the State Highway; f. buildings shall be set back a minimum distance of 6m from the boundary with the State Highway; and g. buildings shall be set back a minimum distance of 4m from the boundary with Frankton Cemetery. | D |
| 15.5.6 | <p>Residential and Visitor Accommodation Activities</p> <p>All residential and visitor accommodation activities shall be restricted to first floor level or above.</p> | NC |
| 15.5.7 | <p>Building Height</p> <ol style="list-style-type: none"> a. for the Local Shopping Centre Zone located at Albert Town, Arrowtown, Fernhill, Hawea, Sunshine Bay and Cardrona Valley Road the maximum building height shall be 7m; b. for all other areas in the Local Shopping Centre Zone the maximum building height shall be 10m. | NC |

| | Standards for activities located in the Local Shopping Centre Zone | Non- compliance Status | | | | | | | | | |
|---------------|--|--------------------------------|-------------------|--------------------------------|---------------|-------------------|--------------------------------|---------------|-------------------|--------------------------|----|
| 15.5.8 | <p>Noise</p> <p>Sound* from activities shall not exceed the following noise limits at any point within any other site in this zone:</p> <table border="0" style="margin-left: 40px;"> <tr> <td style="padding-right: 20px;">a. Daytime</td> <td style="padding-right: 20px;">(0800 to 2200hrs)</td> <td>60 dB L_{Aeq(15 min)}</td> </tr> <tr> <td>b. Night-time</td> <td>(2200 to 0800hrs)</td> <td>50 dB L_{Aeq(15 min)}</td> </tr> <tr> <td>c. Night-time</td> <td>(2200 to 0800hrs)</td> <td>75 dB L_{AFmax}</td> </tr> </table> <p>*measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008</p> <p>Exemptions:</p> <ol style="list-style-type: none"> a. the noise limits shall not apply to construction sound which shall be assessed in accordance and comply with NZS6803:1999.; b. the noise limits shall not apply to sound associated with airports or windfarms. Sound from these sources shall be assessed in accordance and comply with the relevant New Zealand Standard, either NZS 6805:1992, or NZS 6808:1998. For the avoidance of doubt the reference to airports in this clause does not include helipads other than helipads located within any land designated for Aerodrome Purposes in this Plan; c. the noise limits shall not apply to sound from aircraft operations at Queenstown Airport. <p>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.</p> | a. Daytime | (0800 to 2200hrs) | 60 dB L _{Aeq(15 min)} | b. Night-time | (2200 to 0800hrs) | 50 dB L _{Aeq(15 min)} | c. Night-time | (2200 to 0800hrs) | 75 dB L _{AFmax} | NC |
| a. Daytime | (0800 to 2200hrs) | 60 dB L _{Aeq(15 min)} | | | | | | | | | |
| b. Night-time | (2200 to 0800hrs) | 50 dB L _{Aeq(15 min)} | | | | | | | | | |
| c. Night-time | (2200 to 0800hrs) | 75 dB L _{AFmax} | | | | | | | | | |
| 15.5.9 | <p>glare</p> <ol style="list-style-type: none"> a. 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; b. 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; c. no activity shall result in a greater than 3 lux spill (horizontal or vertical) of light onto any adjoining property which is in any Residential zone or Township Zone measured at any point more than 2m inside the boundary of the adjoining property; d. all roofs of buildings shall be finished or treated so they do not give rise to glare when viewed from any public place or neighbouring property. | NC | | | | | | | | | |
| 15.5.10 | <p>Retail and Office activities</p> <ol style="list-style-type: none"> a. individual Retail activities shall not exceed 300m² gross floor area; b. individual Office activities shall not exceed 200m² gross floor area. <p>Note: All associated office, storage, staffroom and bathroom facilities used by the activity shall be included in the calculation of the gross floor area.</p> | NC | | | | | | | | | |

| | Standards for activities located in the Local Shopping Centre Zone | Non- compliance Status | | | | | | |
|--------------------------------|--|-------------------------------------|---------------------------|-------------------------------------|---------------------|---|-----------------|---|
| 15.5.11 | <p>Retail and Office Activities in the Local Shopping Centre Zone located at Cardrona Valley Road, Wanaka</p> <p>The total combined area of retail and office activities shall occupy no more than 3,000m² gross floor area.</p> <p>Note: For the purposes of this rule the gross floor area calculation applies to the total combined area of retail and office activities within the entire Local Shopping Centre Zone at Cardrona Valley Road.</p> <table border="1" data-bbox="331 432 1196 624"> <thead> <tr> <th data-bbox="331 432 689 528">Rule 15.5.11 and relief sought</th> <th data-bbox="689 432 920 528">Appellant Court Number</th> <th data-bbox="920 432 1196 528">Consequentially Affected Provisions</th> </tr> </thead> <tbody> <tr> <td data-bbox="331 528 689 624">Delete Rule 15.5.11</td> <td data-bbox="689 528 920 624">P D Gordon Family Trust ENV-2018-CHC-077</td> <td data-bbox="920 528 1196 624">Policy 15.2.1.6</td> </tr> </tbody> </table> | Rule 15.5.11 and relief sought | Appellant Court Number | Consequentially Affected Provisions | Delete Rule 15.5.11 | P D Gordon Family Trust ENV-2018-CHC-077 | Policy 15.2.1.6 | D |
| Rule 15.5.11 and relief sought | Appellant Court Number | Consequentially Affected Provisions | | | | | | |
| Delete Rule 15.5.11 | P D Gordon Family Trust ENV-2018-CHC-077 | Policy 15.2.1.6 | | | | | | |

15.6

Rules - Non-Notification of Applications

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

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

15.6.2.1 Buildings (Rule 15.4.3).

15.6.2.2 Building coverage, except for applications to exceed permitted building coverage between Hansen Road and Frankton Cemetery (Rule 15.5.1.2).

15.6.3 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:

15.6.3.1 Setbacks and sunlight access – sites adjoining any Residential zone, Township Zone or public open space.