

LOWER DENSITY SUBURBAN RESIDENTIAL 7

7 Lower Density Suburban Residential

Please note: Variations to parts of this chapter have been decided by Council on 7 March 2019 as part of Stage 2 of the PDP. You can view the Stage 2 Decisions, appeals and section 274 notices on our website. The appeal and section 274 periods for the Stage 1 and 2 Decisions have closed.

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
Objective 7.2.2	Queenstown Airport Corporation Limited ENV-2018-CHC-093	
Objective 7.2.6	Transpower New Zealand Limited ENV-2018-CHC-114 (further particulars received)	
Policy 7.2.6.1	Transpower New Zealand Limited ENV-2018-CHC-114	
Policy 7.2.6.2	Transpower New Zealand Limited ENV-2018-CHC-114	
Policy 7.2.6.3	Transpower New Zealand Limited ENV-2018-CHC-114	
Rule 7.5.5	Willowridge Developments Limited ENV-2018-CHC-115 (relief withdrawn)	
Rule 7.5.11	Queenstown Airport Corporation Limited ENV-2018-CHC-093 (relief withdrawn)	
Rule 7.6.1	Transpower New Zealand Limited ENV-2018-CHC-114	

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

This table identifies new provisions sought to be added:

Appellant Court Number	Provision/s Sought to be Added into Chapter 7
Airbnb Australia Pty Ltd ENV-2019-CHC-061	Amend the following permitted activity standards in the Lower Density Suburban Residential (7.5.19), Medium Density Residential (8.5.18), High Density Residential (9.5.15), Arrowtown Residential Historic Management (10.5.10), Large Lot

LOWER DENSITY SUBURBAN RESIDENTIAL 7

	<p>Residential (11.5.14), Business Mixed Use (16.5.13) and zones as follows: Add a new standard: <u>Must comply with the noise limits for the relevant zone in Rules 36.5.1 to 36.5.4 in Chapter 36 Noise.</u> Delete the following two standards: • <u>Must comply with minimum parking requirements of standard 29.8.9 in Chapter 29 Transport.</u> • <u>Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</u></p>
<p>Airbnb Australia Pty Ltd ENV-2019-CHC-061</p>	<ol style="list-style-type: none"> 1. Delete non-compliance activities status statements or letters in the 'non-compliance status' column in Rules 7.5.19, 8.5.18, 9.5.15, 10.5.10, 11.5.14, 22.5.15, 23.5.13, 41.5.1.13, and replace with 'C' to indicate controlled activity status for non-compliance. 2. Delete all matters of discretion listed in the 'non-compliance status' column in Rules 7.5.19, 8.5.18, 9.5.15, 10.5.10, 11.5.14, 22.5.15 and replace with the following; and add the following to the 'non-compliance status' column of Rules 22.5.15, 23.5.13 and 41.5.1.13: <u>Control is reserved to:</u> <ol style="list-style-type: none"> a. <u>The potential impact of the number of paying guests on site per night on the amenity values of the neighbourhood;</u> b. <u>The keeping of records of Homestay use, and availability of records for Council inspection; and</u> c. <u>Monitoring requirements, including imposition of an annual monitoring charge.</u> 3. Amend Rules 21.9.6 and 24.5.22 as follows (in the 'non-compliance status' column): <u>Control is reserved to:</u> <ol style="list-style-type: none"> a. <u>The scale of the activity, including the number of guests per night and the number guest nights the activity operates in a 12 month period;</u> b. <u>The management of noise, rubbish and outdoor activities;</u> a. <u>The potential impact of the number of paying guests on site per night on the amenity values of the neighbourhood;</u> <u>and re-number (b) and (c) to (c) and (d).</u> 4. Amend the 'non-compliance status' columns of rules 16.5.13, 42.5.10 and 43.5.15 as follows: <u>Control is reserved to:</u> <ol style="list-style-type: none"> a. <u>The potential impact of the number of paying guests on site per night on the amenity values of the neighbourhood;</u> a. <u>The location, nature and scale of activities;</u> b. <u>The location, and provision, and screening of parking and access;</u> c. <u>The management of noise, rubbish and outdoor activities;</u> <u>and re-number (d) and (e) to (b) and (c).</u>
<p>Airbnb Australia Pty Ltd ENV-2019-CHC-061</p>	<ol style="list-style-type: none"> 1. Amend the rules to provide for RVA as a permitted activity in all zones rather than controlled, and delete the corresponding matters of control. 2. Introduce new permitted activity standards for RVA in these rules as follows: <ul style="list-style-type: none"> • <u>Must not exceed a cumulative total of 120 nights occupation by paying guests on a site per 12 month period.</u> • <u>Must comply with the noise limits for the relevant zone in Rules 36.5.1 to 36.5.4 in Chapter 36 Noise.</u> • <u>Where the RVA involves construction of a new residential dwelling, the RVA must comply with the minimum parking requirements for a residential unit and/or residential flat (whichever is used for the residential visitor accommodation activity) in Chapter 29 Transport.</u> • <u>The Council must be notified in writing prior to the commencement of a Residential Visitor Accommodation activity.</u> • <u>Up to date records of the Residential Visitor Accommodation activity must be kept, including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</u>

LOWER DENSITY SUBURBAN RESIDENTIAL 7

<p>Airbnb Australia Pty Ltd ENV-2019-CHC-061</p>	<p>1. For Rules 7.5.18; 8.5.17; 9.5.14; 10.5.9; 11.5.13:</p> <p>a. delete all text within the 'non-compliance status' column except for the following two matters (which have different numbering for each rule): <i>"The keeping of records of RVA use, and availability of records for Council inspection; and Monitoring requirements, including imposition of an annual monitoring charge."</i></p> <p>b. Insert into the 'non-compliance status' column, above the two remaining matters</p> <ul style="list-style-type: none">- 'C' (to indicate controlled activity status).- the statement "<u>Control is reserved to:</u>"- the following new matter of control: "<u>The location and provision of parking and access for the construction of new residential dwellings to be used for RVA</u>" <p>2. For Rules 16.5.12; 21.9.5; 24.5.20; 42.5.9; 43.5.14, within the 'non-compliance status' column, make the following changes:</p> <p>a. delete all matters of control, except the following two (which have different numbering for each rule): <i>"The keeping of records of RVA use, and availability of records for Council inspection; and Monitoring requirements, including imposition of an annual monitoring charge."</i></p> <p>b. add the following new matter of control: "<u>The location and provision of parking and access for the construction of new residential dwellings to be used for RVA</u>"</p> <p>3. For Rules 22.5.14; 23.5.12; 41.5.1.12, within the 'non-compliance status' column, make the following changes:</p> <p>a. delete "D" and replace with "C" (to indicate controlled activity status).</p> <p>b. Add the following text: "<u>Control is reserved to:</u>"</p> <p>c. Add the following matters of control:</p> <ul style="list-style-type: none"><u>a. The location and provision of parking and access for the construction of new residential dwellings to be used for RVA;</u><u>b. The keeping of records of RVA use, and availability of records for Council inspection; and</u><u>c. Monitoring requirements, including imposition of an annual monitoring charge.</u>
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7.1 Zone Purpose

The Lower Density Suburban Residential Zone is the largest residential zone in the District. The District Plan includes such zoning that is within the urban growth boundaries, and includes land that has already been developed - as well as areas that will continue to be developed over time.

Fundamentally the zone provides for both traditional and modern suburban densities and housing forms. Houses will typically be one to two storeys in height, detached and set on sites between 450 and 1000 square metres in area. In addition, and to help meet the needs of the community, the zone also enables increased density by allowing sites down to 300 square metres in area and larger comprehensively designed developments. In addition, non-subdividable residential flats that can be occupied by an independent household are enabled. The overall range of net household densities (including residential flats) could be as high as 1 unit per 150 square metres or as low as 1 unit per 1,000 square metres (or even less). The zone will help to provide a more diverse and affordable housing stock within the District.

Community activities are anticipated in the zone provided adverse effects can be suitably addressed, as these activities are often best located within the residential communities they serve. Home occupations are also provided for.

LOWER DENSITY SUBURBAN RESIDENTIAL 7

Commercial activities are generally not anticipated other than those that are residential-compatible and small-scale, however may be accommodated where necessary to address a demonstrated local need provided residential amenity is not compromised

Visitor accommodation is anticipated in the Visitor Accommodation Sub-Zones shown on planning maps, which have historically provided (and will continue to provide) important locations for visitor accommodation to meet the District's needs. The sub-zones are located in residential areas, and applications for visitor accommodation activities and associated development must address matters that impact on residential amenity, including character, traffic and noise effects. Visitor accommodation located outside of the Visitor Accommodation Sub-Zones is restricted.

The commercial letting of residential properties as short-term accommodation for paying guests on a year-round or permanent basis is restricted where it would result in a loss of residential character, cohesion and amenity values. Low intensity use of residential units, including residential flats, to accommodate paying guests is enabled where the predominant residential character of the environment is retained and the residential amenity values of nearby residents are maintained.

Visitor Accommodation is defined in the District Plan separately from accommodation activities involving paying guests occurring in residential units and residential flats, which are defined as Residential Visitor Accommodation and Homestay activities.

7.2 Objectives and Policies

7.2.1 Objective - Development within the zone provides for a mix of compatible suburban densities and a high amenity low density residential living environment for residents as well as users of public spaces within the zone.

Policies

- 7.2.1.1 Ensure the zone and any development within it is located in areas that are well serviced by public infrastructure, and is designed in a manner consistent with the capacity of infrastructure networks.
- 7.2.1.2 Encourage an intensity of development that maximises the efficient use of the land in a way that is compatible with the scale and character of existing suburban residential development, and maintains suburban residential amenity values including predominantly detached building forms, and predominantly one to two storey building heights.
- 7.2.1.3 Ensure that the height, bulk and location of development maintains the suburban-intensity character of the zone, and maintains the amenity values enjoyed by users of neighbouring properties, in particular, privacy and access to sunlight.
- 7.2.1.4 Require, as necessary, all new buildings, relocated buildings and additions and alterations to existing buildings that contain an Activity Sensitive to Road Noise located adjacent to a State Highway to be designed to maintain internal residential amenity values and, in particular provide protection to sleeping occupants from road noise.
- 7.2.2 **Objective - Development is limited within the Queenstown Airport Air Noise Boundary and Outer Control Boundary in recognition of the severe amenity (noise) constraints now and also likely in the foreseeable future as a result of its increasing intensity of operation and use.**

LOWER DENSITY SUBURBAN RESIDENTIAL 7

Objective 7.2.2 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Objective 7.2.2 as follows: Development of <u>Activities Sensitive to Aircraft Noise</u> is limited within the Queenstown Airport Air Noise Boundary and Outer Control Boundary in recognition of the severe amenity (noise) constraints now and also likely in the foreseeable future as a result of its increasing intensity of operation and use.	Queenstown Airport Corporation Limited ENV-2018-CHC-093	

Policies

- 7.2.2.1 Discourage the creation of any new sites or infill development for Activities Sensitive to Aircraft Noise within the Air Noise Boundary and between the Air Noise Boundary and the Outer Control Boundary on land around Queenstown Airport.
- 7.2.2.2 Require, as necessary, mechanical ventilation of any Critical Listening Environment within new buildings, relocated buildings, and any alterations and additions to existing buildings that contain an Activity Sensitive to Aircraft Noise within the Queenstown Airport Outer Control Boundary.
- 7.2.2.3 Require, as necessary, sound insulation and mechanical ventilation of any Critical Listening Environment within new buildings, relocated buildings, and any alterations and additions to existing buildings that contain an Activity Sensitive to Aircraft Noise within the Queenstown Airport Air Noise Boundary.
- 7.2.3 **Objective - Encourage higher density development where it responds sensitively to the context and character of the locality and is designed to maintain local amenity values.**

Policies

- 7.2.3.1 Encourage densities higher than 1:450 square metres per residential unit where this is designed to fit well with the immediate context, with particular significance attached to the way the development:
- a. manages dominance effects on neighbours through measures such as deeper setbacks, sensitive building orientation and design, use of building articulation and landscaping;
 - b. achieves a reasonable level of privacy between neighbours through measures such as deeper boundary setbacks, offsetting habitable room windows that face each other, or the use of screening devices or landscaping;
 - c. provides activation of streets through the placement of doors, windows and openings that face the street.
- 7.2.3.2 Limit building height on sites smaller than 900 square metres that are proposed to be developed for two or more principal units (i.e. excluding residential flats) so as to mitigate a reduction in spaciousness around and between buildings that otherwise forms part of suburban residential amenity values.
- 7.2.3.3 Encourage landscaped areas to be well-designed and integrated into the development layout and design, providing high amenity spaces for recreation and enjoyment, having particular regard to the visual amenity of streets and street frontages.

LOWER DENSITY SUBURBAN RESIDENTIAL 7

7.2.4 **Objective - Residential development in Arrowtown compatible with the town's existing character**

Policies

7.2.4.1 Ensure development, including infill housing, community activities and commercial development is of a form that is compatible with the existing character of Arrowtown, guided by the Arrowtown Design Guidelines 2016, with particular regard given to:

- a. building design and form;
- b. scale, layout and relationship of buildings to the street frontage(s);
- c. materials and landscape response(s).

7.2.4.2 Avoid flat roofed dwellings in Arrowtown.

7.2.5 **Objective - Community activities serving the needs of people within the zone locate within the zone on sites where adverse effects are compatible with residential amenity values.**

Policies

7.2.5.1 Enable the establishment of community activities where adverse effects on residential amenity values including noise, traffic, lighting, glare and visual impact can be avoided, remedied or mitigated.

7.2.5.2 Ensure any community activities occur in areas which are capable of accommodating traffic, parking and servicing to a level which maintains residential amenity values.

7.2.5.3 Ensure any community activities are of a design, scale and appearance compatible with a residential context.

7.2.6 **Objective - Development efficiently utilises existing infrastructure and minimises impacts on infrastructure networks.**

Objective 7.2.6 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Objective 7.2.6: Development efficiently utilises existing infrastructure and minimises impacts on infrastructure <u>transport</u> networks.	Transpower New Zealand Limited ENV-2018-CHC-114 (as per further particulars received)	

Policies

7.2.6.1 **Ensure access and vehicle parking is located and designed to optimise safety and efficiency of the road network and minimises impacts on on-street vehicle parking.**

Policy 7.2.6.1 and relief sought	Appellant Court Number	Consequentially Affected Provisions

LOWER DENSITY SUBURBAN RESIDENTIAL 7

Amend Policy 7.2.6.1. This Policy does not provide appropriately for the National Grid, and fails to give effect to the Objective and Policies 10 and 11 of the NPSET.	Transpower New Zealand Limited ENV-2018-CHC-114	
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7.2.6.2 **Ensure development is designed consistent with the capacity of existing infrastructure networks and, where practicable, incorporates low impact approaches to stormwater management and efficient use of potable water.**

Policy 7.2.6.2 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Policy 7.2.6.2. This Policy does not provide appropriately for the National Grid, and fails to give effect to the Objective and Policies 10 and 11 of the NPSET.	Transpower New Zealand Limited ENV-2018-CHC-114	

7.2.6.3 **Integrate development with all transport networks and in particular, and where practicable, improve connections to public transport services and active transport networks (tracks, trails, walkways and cycleways).**

Policy 7.2.6.3 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Policy 7.2.6.3. This Policy does not provide appropriately for the National Grid, and fails to give effect to the Objective and Policies 10 and 11 of the NPSET.	Transpower New Zealand Limited ENV-2018-CHC-114	

7.2.7 **Objective - Commercial development in the zone is small scale and generates minimal amenity value impact**

Policies

7.2.7.1 Provide commercial activities, including home occupation activities, that directly serve the day-to-day needs of local residents, or enhance social connection and vibrancy of the residential environment, provided these do not undermine residential amenity values or the viability of any nearby centre.

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

7.2.7.3 Ensure that the noise effects from commercial activities are compatible with the surrounding environment and residential amenity values.

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

LOWER DENSITY SUBURBAN RESIDENTIAL 7

7.2.8 **Objective - Visitor accommodation, residential visitor accommodation and homestays are enabled at locations, and at a scale, intensity and frequency, that maintain the residential character and amenity values of the zone.**

Policies

- 7.2.8.1 Provide for visitor accommodation and residential visitor accommodation in the Visitor Accommodation Sub-Zones that are appropriate for the low density residential environment, ensuring that adverse effects on residential amenity values are avoided, remedied or mitigated.
- 7.2.8.2 Restrict the establishment of visitor accommodation in locations outside the Visitor Accommodation Sub-Zones to ensure that the zone maintains a residential character.
- 7.2.8.3 Ensure that residential visitor accommodation and homestays are of a scale and character that are compatible with the surrounding residential context and maintain residential character and amenity values.
- 7.2.8.4 Provide opportunities for low intensity residential visitor accommodation and homestays as a contributor to the diversity of accommodation options available to visitors and to provide for social and economic wellbeing.
- 7.2.8.5 Manage the effects of residential visitor accommodation and homestays outside the Visitor Accommodation Sub-Zone by controlling the scale, intensity and frequency of use and those effects of the activities that differentiate them from residential activities.

7.3 Other Provisions and Rules

7.3.1 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 & 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 & Relocated Buildings	36. Noise
37. Designations	Planning Maps	

7.3.2 Interpreting and Applying the Rules

- 7.3.2.1 A permitted activity must comply with all the rules listed in the Activity and Standards tables, and any relevant district wide rules, otherwise a resource consent will be required.

LOWER DENSITY SUBURBAN RESIDENTIAL 7

- 7.3.2.2 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.
- 7.3.2.3 Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.
- 7.3.2.4 Proposals for development resulting in more than one (1) residential unit per site shall demonstrate that each residential unit is fully contained within the identified net area for each unit.
- 7.3.2.5 Each residential unit may include a single residential flat and any other accessory buildings.
- 7.3.2.6 The status of any Plantation Forestry will be determined by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.
- 7.3.2.7 References to the Visitor Accommodation Sub-Zones in this Chapter only apply to the sub-zones within the Lower Density Suburban Residential Zone.
- 7.3.2.8 The following abbreviations are used within this Chapter.

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

7.4 Rules - Activities

	Activities located in the Low Density Residential Zone	Activity status
7.4.1	Home occupations	P
7.4.2	Informal airports for emergency landings, rescues and fire fighting	P
7.4.3	Residential units, where the density of development does not exceed one residential unit per 450m ² net area	P
7.4.4	Hospital at the 'Lakes District Hospital Site' shown on Planning Map 33	

LOWER DENSITY SUBURBAN RESIDENTIAL 7

	Activities located in the Low Density Residential Zone	Activity status
7.4.5	Homestays	P
7.4.6	<p>Residential Visitor Accommodation</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> a. The scale of the activity, including the number of guests on site per night; b. The management of noise, use of outdoor areas, rubbish and recycling; c. The location, provision, use and screening of parking and access; d. The compliance of the residential unit with the Building Code as at the date of the consent; e. Health and safety provisions in relation to guests; f. Guest management and complaints procedures; g. The keeping of records of RVA use, and availability of records for Council inspection; and h. Monitoring requirements, including imposition of an annual monitoring charge. 	C
7.4.7	<p>Visitor Accommodation in the Visitor Accommodation Sub- Zone</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. The location, nature and scale of activities; b. Parking and access; c. Landscaping; d. Noise generation and methods of mitigation; e. Hours of operation, including in respect of ancillary activities; and f. The external appearance of buildings. 	RD

LOWER DENSITY SUBURBAN RESIDENTIAL 7

	Activities located in the Low Density Residential Zone	Activity status
7.4.8	<p>Commercial activities – 100m² or less gross floor area Discretion is restricted to:</p> <ul style="list-style-type: none"> a. benefits of the commercial activity in servicing the day-to-day needs of local residents; b. hours of operation; c. parking, traffic and access; d. noise; e. design, scale and appearance; f. in Arrowtown, consistency with Arrowtown’s character, as described within the Arrowtown Design Guidelines 2016; and g. where a site is subject to any natural hazard and the proposal results in an increase in gross floor area: <ul style="list-style-type: none"> i. the nature and degree of risk the hazard(s) pose to people and property; ii. whether the proposal will alter the risk to any site; and iii. the extent to which such risk can be avoided or sufficiently mitigated. 	RD
7.4.9	<p>Residential Units, where the density of development exceeds one residential unit per 450m² net area but does not exceed one residential unit per 300m² net area, excluding sites located within the Air Noise Boundary or located between the Air Noise Boundary and Outer Control Boundary of Queenstown Airport.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. how the design advances housing diversity and promotes sustainability either through construction methods, design or function; b. privacy for occupants of the subject site and neighbouring sites; c. in Arrowtown, consistency with Arrowtown’s character, as described within the Arrowtown Design Guidelines 2016; d. street activation; e. building dominance; f. parking and access layout: safety, efficiency and impacts on on-street parking and neighbours; g. design and integration of landscaping; h. where a site is subject to any natural hazard and the proposal results in an increase in gross floor area: i. the nature and degree of risk the hazard(s) pose to people and property: <ul style="list-style-type: none"> i. the nature and degree of risk the hazard(s) pose to people and property; ii. whether the proposal will alter the risk to any site; and iii. the extent to which such risk can be avoided or sufficiently mitigated. 	RD

LOWER DENSITY SUBURBAN RESIDENTIAL 7

	Activities located in the Low Density Residential Zone	Activity status
7.4.10	Commercial recreation	D
7.4.11	Community activities, other than the hospital provided for by Rule 7.4.4	D
7.4.12	Retirement villages	D
7.4.13	Activities which are not listed in this table	NC
7.4.14	Commercial activities – greater than 100m ² gross floor area	NC
7.4.15	Visitor Accommodation not otherwise identified	NC

LOWER DENSITY SUBURBAN RESIDENTIAL 7

	Activities located in the Low Density Residential Zone	Activity status
7.4.16	Airports not otherwise listed in this table	PR
7.4.17	Bulk material storage	PR
7.4.18	Factory Farming	PR
7.4.19	Fish or meat processing	PR
7.4.20	Forestry activities, except for Plantation Forestry where the Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017 prevails.	PR
7.4.21	Manufacturing and/or product assembling activities	PR

LOWER DENSITY SUBURBAN RESIDENTIAL 7

	Activities located in the Low Density Residential Zone	Activity status
7.4.22	Mining	PR
7.4.23	Panel beating, spray painting, motor vehicle repair or dismantling, fibre glassing, sheet metal work, bottle or scrap storage, motor body building	PR
7.4.24	Any activity requiring an Offensive Trade Licence under the Health Act 1956	PR

7.5 Rules - Standards

	Standards for activities in the Low Density Residential Zone	Non-compliance status
7.5.1	<p>Building Height (for flat sites)</p> <p>7.5.1.1 Wanaka: Maximum of 7 metres.</p> <p>7.5.1.2 Arrowtown: Maximum of 6.5 metres.</p> <p>7.5.1.3 All other locations: Maximum of 8 metres.</p>	NC
7.5.2	<p>Building Height (for sloping sites)</p> <p>7.5.2.1 Arrowtown: Maximum of 6 metres.</p> <p>7.5.2.2 Lake Avenue Height Restrictions Area on Planning Map 33: No building or any part of a building shall protrude through 343.50 MASL</p>	NC

LOWER DENSITY SUBURBAN RESIDENTIAL 7

	Standards for activities in the Low Density Residential Zone	Non-compliance status
	7.5.2.2 In all other locations: Maximum of 7 metres.	
7.5.3	<p>In addition to Rules 7.5.1 and 7.5.2, where a site is less than 900m² net area and more than 1 residential unit will result per site, the following height provisions apply:</p> <p>a. where residential units are proposed in addition to an existing residential unit, then the additional residential unit(s) shall not exceed 5.5m in height;</p> <p>b. where no residential units exist on the site, or where an existing residential unit is being demolished to provide for 2 or more new residential units on the site, then all proposed residential units shall not exceed 5.5m in height;</p> <p>c. items (a) and (b) above do not apply where a second residential unit is being created within an existing residential unit that is taller than 5.5m.</p>	D
7.5.4	<p>Airport Noise – Queenstown Airport (excluding any non-critical listening environments)</p> <p>7.5.4.1 Buildings within the Outer Control Boundary and Air Noise Boundary</p> <p>Buildings and alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise (ASAN) shall be designed to achieve an Indoor Design Sound Level of 40 dB Ldn within any Critical Listening Environment, based on the 2037 Noise Contours.</p> <p>7.5.4.2 Compliance within the Air Noise Boundary (ANB)</p> <p>Compliance shall be demonstrated by either adhering to the sound insulation requirements in Rule 36.6.1 and installation of mechanical ventilation to achieve the</p>	NC

LOWER DENSITY SUBURBAN RESIDENTIAL 7

	Standards for activities in the Low Density Residential Zone	Non-compliance status						
	<p>requirements in Rule 36.6.2, or by submitting a certificate to the Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open.</p> <p>7.5.4.3 Compliance between the Outer Control Boundary (OCB) and the Air Noise Boundary (ANB)</p> <p>Compliance shall be demonstrated by either installation of mechanical ventilation to achieve the requirements in Rule 36.6.2 or by submitting a certificate to the Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open.</p>							
7.5.5	<p>Building Coverage</p> <p>A maximum of 40%.</p> <table border="1"> <thead> <tr> <th>Rule 7.5.5 and relief sought</th> <th>Appellant Court Number</th> <th>Consequentially Affected Provisions</th> </tr> </thead> <tbody> <tr> <td>Amend Rule 7.5.5 to provide for 50% building coverage for lots between 450m² and 700m².</td> <td>Willowridge Developments Limited ENV-2018-CHC-115 (relief withdrawn)</td> <td></td> </tr> </tbody> </table>	Rule 7.5.5 and relief sought	Appellant Court Number	Consequentially Affected Provisions	Amend Rule 7.5.5 to provide for 50% building coverage for lots between 450m ² and 700m ² .	Willowridge Developments Limited ENV-2018-CHC-115 (relief withdrawn)		D
Rule 7.5.5 and relief sought	Appellant Court Number	Consequentially Affected Provisions						
Amend Rule 7.5.5 to provide for 50% building coverage for lots between 450m ² and 700m ² .	Willowridge Developments Limited ENV-2018-CHC-115 (relief withdrawn)							
7.5.6	<p>Landscaped permeable surface coverage</p> <p>At least 30% of the site area shall comprise landscaped (permeable) surface.</p>	NC						

LOWER DENSITY SUBURBAN RESIDENTIAL 7

	Standards for activities in the Low Density Residential Zone	Non-compliance status
7.5.7	<p>Recession plane:</p> <ul style="list-style-type: none"> a. on flat sites applicable to all buildings; b. on sloping sites only applicable to accessory buildings. <p>7.5.7.1 Northern boundary: 2.5m and 55 degrees.</p> <p>7.5.7.2 Western and eastern boundaries: 2.5m and 45 degrees.</p> <p>7.5.7.3 Southern boundary: 2.5m and 35 degrees.</p> <p>Exemptions:</p> <ul style="list-style-type: none"> a. gable end roofs may penetrate the building recession plane by no more than one third of the gable height; b. recession planes do not apply to site boundaries adjoining a Town Centre Zone, or fronting a road, or a park or reserve. 	NC
7.5.8	<p>Minimum Boundary Setbacks</p> <p>7.5.8.1 Road boundary: 4.5m</p> <p>7.5.8.2 All other boundaries: 2m</p> <p>Exceptions to boundary setbacks:</p> <ul style="list-style-type: none"> a. accessory buildings for residential activities may be located within the boundary setback distances (other than from road boundaries), where they do not exceed 7.5m in length, there are no windows or openings (other than for carports) along any walls within 1.5m of an internal boundary, and they comply with rules for Building Height and Recession Plane; b. any building may locate within a boundary setback distance by up to 1m for an area no greater than 6m² provided the building within the boundary setback area has no windows or openings; c. eaves may be located up to 600mm into any boundary setback distance 	D

LOWER DENSITY SUBURBAN RESIDENTIAL 7

	Standards for activities in the Low Density Residential Zone	Non-compliance status
	<p>along eastern, western and southern boundaries;</p> <p>d. eaves may be located up to 1m into any boundary setback distance along northern boundaries.</p>	
7.5.9	<p>Building Separation within Sites</p> <p>For detached residential units on the same site, a minimum separation distance of 4m between the residential units within the development site applies.</p> <p>Note: This rule does not apply to attached dwellings.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. whether site constraints justify an alternative separation distance; b. whether an overall better amenity values outcome is being achieved, including for off-site neighbours; c. design of the units, with particular regard to the location of windows and doors, so as to limit the potential for adverse effects on privacy between units; d. in Arrowtown, consistency with Arrowtown's character, as described within the Arrowtown Design Guidelines 2016.
7.5.10	<p>Building Length</p> <p>The length of any building facade above the ground floor level shall not exceed 16m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties; b. in Arrowtown, consistency with Arrowtown's character, as described within the Arrowtown Design Guidelines 2016

LOWER DENSITY SUBURBAN RESIDENTIAL 7

	Standards for activities in the Low Density Residential Zone	Non-compliance status						
7.5.11	<p>Density</p> <p>The maximum site density shall be one residential unit or dwelling per 300m² net site area.</p> <table border="1"> <thead> <tr> <th>Rule 7.5.11 and relief sought (relief withdrawn)</th> <th>Appellant Court Number</th> <th>Consequentially Affected Provisions</th> </tr> </thead> <tbody> <tr> <td>Amend Rule 7.5.11 as follows: The maximum site density shall be one residential unit or dwelling per 300m² net site area.</td> <td>Queenstown Airport Corporation Limited ENV-2018-CHC-093 (relief withdrawn)</td> <td></td> </tr> </tbody> </table>	Rule 7.5.11 and relief sought (relief withdrawn)	Appellant Court Number	Consequentially Affected Provisions	Amend Rule 7.5.11 as follows: The maximum site density shall be one residential unit or dwelling per 300m ² net site area.	Queenstown Airport Corporation Limited ENV-2018-CHC-093 (relief withdrawn)		NC
Rule 7.5.11 and relief sought (relief withdrawn)	Appellant Court Number	Consequentially Affected Provisions						
Amend Rule 7.5.11 as follows: The maximum site density shall be one residential unit or dwelling per 300m ² net site area.	Queenstown Airport Corporation Limited ENV-2018-CHC-093 (relief withdrawn)							
7.5.12	<p>Waste and Recycling Storage Space</p> <p>7.5.12.1 Residential activities shall provide, as a minimum, space for a 120 litre residential wheelie bin and 240 litres recycling wheelie bin per residential unit.</p> <p>7.5.12.2 All developments shall suitably screen waste and recycling storage space from the road or public space, in keeping with the building development, or provide space within the development that can be easily accessed by waste and recycling collections.</p>	NC						
7.5.13	<p>Glare</p> <p>7.5.13.1 All exterior lighting shall be directed downward and away from the adjacent sites and roads.</p> <p>7.5.13.2 No activity on any site shall result in greater than a 3.0 lux spill (horizontal or vertical) of lights onto any other site measured at any point inside the boundary of the other site.</p>	NC						
7.5.14	Setback of buildings from water bodies	RD						

LOWER DENSITY SUBURBAN RESIDENTIAL 7

	Standards for activities in the Low Density Residential Zone	Non-compliance status
	The minimum setback of any building from the bed of a river, lake or wetland shall be 7m.	Discretion is restricted to: <ul style="list-style-type: none"> a. indigenous biodiversity values; b. visual amenity values; c. landscape character; d. open space and the interaction of the development with the water body; e. environmental protection measures (including landscaping and stormwater management); f. whether the waterbody is subject to flooding or natural hazards and any mitigation to manage the location of the building.
7.5.15	<p>Road Noise - State Highway</p> <p>Any new residential buildings or buildings containing Activities Sensitive to Road Noise, located within:</p> <ul style="list-style-type: none"> a. 80 metres of the boundary of a State Highway that has a speed limit of 70km/h or greater; or b. 40 metres of the boundary of a State Highway that has a speed limit less than 70km/h. <p>shall be designed, constructed and maintained to ensure that the internal noise levels do not exceed 40dB LAeq(24h) for all habitable spaces including bedrooms.</p>	NC
7.5.16	<p>Building Restriction Area</p> <p>Where a building restriction area is shown on the District Planning Maps, no building shall be located within the restricted area.</p>	NC

LOWER DENSITY SUBURBAN RESIDENTIAL 7

	Standards for activities in the Low Density Residential Zone	Non-compliance status		
7.5.17	<p>Home Occupation</p> <p>7.5.17.1 No more than 1 full time equivalent person from outside the household shall be employed in the home occupation activity.</p> <p>7.5.17.2 The maximum number of two-way vehicle trips shall be:</p> <p>a. heavy vehicles: none permitted;</p> <p>b. other vehicles: 10 per day.</p> <p>7.5.17.3 Maximum net floor area of 60m².</p> <p>7.5.17.4 Activities and storage of materials shall be indoors.</p>			
7.5.18	<p>Residential Visitor Accommodation</p> <p>7.5.18.1 Must not exceed a cumulative total of 90 nights occupation by paying guests on a site per 12 month period.</p> <p>7.5.18.2 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</p> <p>7.5.18.3 Must comply with the minimum parking requirements for a residential unit and/or residential flat (whichever is used for the residential visitor accommodation activity) in Chapter 29 Transport.</p> <p>Note: The Council may request that records are made available to the Council for inspection, at 24 hours' notice, in order to monitor compliance with rules 7.5.18.1 to 7.5.18.3.</p> <table border="1" data-bbox="475 1892 1037 2020"> <tr> <td>Rule 7.5.18 and relief sought</td> <td>Appellant Court Number</td> </tr> </table>	Rule 7.5.18 and relief sought	Appellant Court Number	<p>Sites within the Visitor Accommodation Sub-Zone:</p> <p>RD</p> <p>Discretion is restricted to:</p> <p>a. The location, nature and scale of activities;</p> <p>b. The location, provision, use and screening of parking and access;</p> <p>c. The management of noise, outdoor lighting, use of outdoor areas, rubbish and recycling;</p> <p>d. The compliance of the residential unit with the Building Code as at the date of the consent;</p> <p>e. Health and safety provisions in relation to guests;</p> <p>f. Guest management and complaints procedures;</p> <p>g. The keeping of records of RVA use, and availability of</p>
Rule 7.5.18 and relief sought	Appellant Court Number			

LOWER DENSITY SUBURBAN RESIDENTIAL 7

	Standards for activities in the Low Density Residential Zone	Non-compliance status
	<p>Rule 7.5.18 Residential Visitor Accommodation</p> <p>7.5.18.1 Must not exceed a cumulative total of 90 nights occupation by paying guests on a site per 12 month period.</p> <p>7.5.18.2 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</p> <p>7.5.18.3 Must comply with the minimum parking requirements for a residential unit and/or residential flat (whichever is used for the residential visitor accommodation activity) in Chapter 29 Transport.</p> <p>Note: The Council may request that records are made available to the Council for inspection, at 24 hours' notice, in order to monitor compliance with rules 7.5.18.1 to 7.5.18.3.</p>	<p>Wayfare Group Ltd ENV-2019-CHC-076</p> <p>records for Council inspection; and</p> <p>h. Monitoring requirements, including imposition of an annual monitoring charge.</p> <p>All other sites:</p> <p>Standard 7.5.18.1: 91-180 nights RD >180 nights NC</p> <p>All other Standards: NC</p> <p>For RD non-compliance with Standard 7.5.18.1 discretion is restricted to:</p> <ul style="list-style-type: none"> i. The nature of the surrounding residential context, including its residential amenity values, cohesion and character, and the effects of the activity on the neighbourhood; j. The cumulative effect of the activity, when added to the effects of other activities occurring in the neighbourhood; k. The scale and frequency of the activity, including the number of guests on site per night; l. The management of noise, use of outdoor areas, rubbish and recycling; m. The location, provision, use and screening of parking and access; n. The compliance of the residential unit

LOWER DENSITY SUBURBAN RESIDENTIAL 7

	Standards for activities in the Low Density Residential Zone	Non-compliance status
		<p>with the Building Code as at the date of the consent;</p> <ul style="list-style-type: none"> o. Health and safety provisions in relation to guests; p. Guest management and complaints procedures; q. The keeping of records of RVA use, and availability of records for Council inspection; and r. Monitoring requirements, including imposition of an annual monitoring charge.
7.5.19	<p>Homestay</p> <p>7.5.19.1 Must not exceed 5 paying guests on a site per night.</p> <p>7.5.19.2 Must comply with minimum parking requirements of standard 29.8.9 in Chapter 29 Transport.</p> <p>7.5.19.3 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</p> <p>7.5.19.4 The Council must be notified in writing prior to the commencement of a Homestay activity.</p> <p>7.5.19.5 Up to date records of the Homestay activity must be kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</p> <p>Note: The Council may request that records are made available to the Council for inspection, at 24 hours' notice, in order to monitor compliance with rules 7.5.19.1 to 7.5.19.5.</p>	<p>Standards 7.5.19.1 and 7.5.19.2: RD</p> <p>All other Standards: NC</p> <p>For non-compliance with Standards 7.5.19.1 and 17.5.19.2 discretion is restricted to:</p> <ul style="list-style-type: none"> a. The nature of the surrounding residential context, including its residential amenity values and character, and the effects of the activity on the neighbourhood; b. The cumulative effect of the activity, when added to the effects of other activities occurring in the neighbourhood; c. The scale and frequency of the activity, including the number of nights per year;

LOWER DENSITY SUBURBAN RESIDENTIAL 7

	Standards for activities in the Low Density Residential Zone	Non-compliance status				
	<table border="1"> <tr> <td>Rule 7.5.19 and relief sought</td> <td>Appellant Court Number</td> </tr> <tr> <td>Rule 7.5.19 ... 7.5.19.3 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</td> <td>Wayfare Group Ltd ENV-2019-CHC-076</td> </tr> </table>	Rule 7.5.19 and relief sought	Appellant Court Number	Rule 7.5.19 ... 7.5.19.3 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.	Wayfare Group Ltd ENV-2019-CHC-076	<ul style="list-style-type: none"> d. The management of noise, use of outdoor areas, rubbish and recycling; e. The location, provision, use and screening of parking and access; f. The keeping of records of Homestay use, and availability of records for Council inspection; and g. Monitoring requirements, including imposition of an annual monitoring charge.
Rule 7.5.19 and relief sought	Appellant Court Number					
Rule 7.5.19 ... 7.5.19.3 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.	Wayfare Group Ltd ENV-2019-CHC-076					

7.6 Rules - Non-Notification of Applications

7.6.1 **The following Restricted Discretionary activities shall not require the written approval of affected persons and shall not be notified or limited notified:**

7.6.1.1 Residential units pursuant to Rule 7.4.7, except where vehicle crossing or right of way access on or off a State Highway is sought.

Rules 7.6.1 and 7.6.1.1. and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Rule 7.6.1. This would allow resource consent applications for residential units (including National Grid Sensitive Activities within the National Grid Yard or Corridor) to be processed without notification to Transpower. If the intention is for National Grid Sensitive Activities to be regulated by the zone chapters (rather than Chapter 30), then the notification rules need to facilitate that.	Transpower New Zealand Limited ENV-2018-CHC-114	

7.6.1.2 Visitor Accommodation and residential visitor accommodation in the Visitor Accommodation Sub-Zones