

**Attachment A: IHP Recommendation Report for the Urban Intensification Variation to the PDP**

**BEFORE AN INDEPENDENT HEARING PANEL  
APPOINTED BY QUEENSTOWN LAKES DISTRICT COUNCIL**

**UNDER THE**

Resource Management Act 1991

And

**IN THE MATTER OF**

the Urban Intensification Variation to the proposed  
Queenstown Lakes District Plan

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**RECOMMENDATION OF THE INDEPENDENT HEARING PANEL**

**23 December 2025**

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## 1. EXECUTIVE SUMMARY

- 1.1 The Variation to Queenstown Lakes Proposed District Plan (**PDP**): Urban Intensification (**UIV**) is the Council's response to, in part, implementing the requirements of the National Policy Statement on Urban Development 2020 (Updated May 2022)<sup>1</sup> (**NPS-UD**). The UIV specifically addresses Policy 5 of the NPS-UD. Policy 5, put simply, requires the District plan to enable urban heights and densities to a level commensurate with the greater of accessibility or the relative demand.
- 1.2 The Council limited the UIV to land within the identified urban environment subject to the PDP (and then not all zones). Excluded from this are parts of the urban environment managed within the Operative District Plan (**ODP**) (largely existing special zones), and any additional but not yet zoned greenfield land. Those would need to be subject to separate plan change processes in due course. The UIV applied to Queenstown, Arthurs Point, Arrowtown, Wānaka and Hāwea.
- 1.3 Urban growth, housing and housing affordability are significant issues in the Queenstown Lakes District (**District**). The District has seen, and the predictions are it will continue to see, significant growth. Coupled with this growth is the pressure on the significant landscapes and environments of the District along with the demands for greater infrastructure capacity. It is, in all senses, a 'wicked problem' about which there is no one right answer, nor community agreement, on how it is best to be resolved. The many submitters had almost just as many different views on what the right approaches and outcomes are. The UIV, while implementing the NPS-UD in part, is one method through which the Council is trying to get ahead of growth and proactively shape how the District will grow in an efficient and sustainable manner for the benefit of its current, and future, communities. With the other methods the Council has within its PDP, or is exploring for future growth, it paves a way for new opportunities growth and intensification in the District.
- 1.4 The process to get to this point has been long; reflecting the controversial nature of such changes and their immense complexity. The UIV was publicly notified on 24 August 2023 and submissions closed on 5 October 2023. The summary of decisions requested was publicly notified on 16 May 2024 and further submissions closed on 14 June 2024 (with additional late submissions). A total of 1274 submissions (including 26 late submissions) and 108 further submissions (including eight late further submissions) were received. Over 7,000 individual submission points were made. In addition, before, during and after the 13 days of hearing we received numerous submitter presentations, lay witness statements, expert witness statements, legal submissions, and memoranda making up many thousands of pages of material.
- 1.5 This has been a significant process in terms of considerable anguish (as people's homes are affected it is immensely personal), time and resources for the District – one which many residents have committed considerable time and effort to. We thank the submitters, especially those who took the effort and time out of their normal daily lives to present to us and share with us candid personal snapshots that enabled us the opportunity to understand their concerns, and how the communities of the District work. We thank too all the experts and lawyers who

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<sup>1</sup> [National Policy Statement on Urban Development 2020](#).

presented to us for helping to shape our recommendations. We finally thank the Council team for a mighty effort given the volume and complexity of the issues and material. They are totally committed to assisting the community and submitters and provided an efficient and professional service throughout the process which was of immense assistance to the Panel.

- 1.6 Having read, listened, asked questions and discussed amongst ourselves, this recommendation decision sets out the reasons for the UIV provisions (and maps) as we recommend them to be (and as attached in **Appendix 1**). Our role is simply **recommendatory**; the final decision is up to the councillors.
- 1.7 So, where did we get to?
- 1.8 Except for Queenstown, which has a particularly extended urban form, the other areas subject to the UIV can be understood as one clearly distinguishable town (Wānaka) and a series of smaller villages. They have obvious edges, and even in the case of Wānaka, can be understood and analytically approached as a single urban area 'in the round'. It happens that this is also how submitters typically described them to us. In the case of Queenstown, this includes numerous neighbourhoods including Fernhill, Sunshine Bay, Kelvin Heights, Frankton, and Remarkables Park. Although all comprising 'Queenstown', the Panel has approached each distinguishable neighbourhood area based on its own context as part of that wider whole. This necessitated identification of a 'central Queenstown' neighbourhood of residential zoned land adjacent to the town centre. Overall, we found this approach to be most relevant to the questions asked by the NPS-UD in the context of Queenstown Lakes District (as opposed to one of New Zealand's large urban areas).
- 1.9 As already stated, the UIV generated significant community interest, with concerns expressed about how the UIV might change the amenities and character of the District's towns and villages. At the outset, the Panel acknowledges the local community tension that national planning directions give rise to in this respect, and that where required changes to existing urban amenities and character must be enabled.
- 1.10 Having said that, we find the NPS-UD is not so blunt or directive that any additional enablement of building height and density identified in a location as commensurate under NPS-UD Policy 5 must be provided for regardless of adverse effects, other local impacts, or practicality. Having identified that a location warrants a NPS-UD Policy 5 'up zoning', which the Panel respectfully proposes as the easier task, the key resource management plan making test is, in concert with the submitters and other relevant RMA requirements, to identify how to most appropriately go about enabling that additional height and density in a real-world setting including to minimise adverse effects of intensification within the scope of the NPS-UD direction.
- 1.11 The Panel has taken the broad overall position that where the NPS-UD warrants upzoning, this must be delivered but in doing so should accommodate the most character and amenity-compatible way based on the circumstances of each town and village.
- 1.12 The UIV is unusual in the context of RMA plan changes. The PDP has already provided a substantial increase in development capacity in all urban locations compared to the ODP that preceded it. It was common ground that there is sufficient plan enabled capacity (short,

medium and long-term) already zoned within the District (though there is a considerable housing affordability issue). Although there is a difference between plan enabled capacity and relative demand for housing and business in a location, the Panel accepts that, generally, there is not a strong case to significantly change the PDP to satisfy the relative demand limb of NPS-UD Policy 5. It was primarily in terms of the other Policy 5 limb – how accessible different locations are by active or passenger transport to a range of commercial activities and community services, that the Panel's inquiry focused mostly on.

- 1.13 The process in reaching our recommendations proved to be one that was particularly relevant to the lived day-to-day experiences of the submitters that 'live and breathe' urban Queenstown, Arthurs Point, Arrowtown, Wānaka, and Hāwea. Although we commend the Council for the depth and quality of accessibility analysis it provided to us, the many stories we heard from submitters describing how they go about their daily lives across the urban environment were particularly helpful for our findings. We completed the hearings with a broad understanding of how people typically perceived the built environment around them, what they felt was close or convenient, and what was not, and in what circumstances. Our findings and recommendations reflect a substantial reliance on that collective submitter knowledge. It follows that although the Panel recommends quite substantial overall change to the UIV, this is highly aligned with what many submitters repeatedly told us about what was accessible, what housing issues were in greatest need of improvement, and that additional density was in most cases seen as less concerning compared to additional building heights, shadows, overlooking, loss of sunlight, and loss of views or a general local built character of small settlements.
- 1.14 The Panel has found that in the Queenstown and Wānaka town centres, an upzoning in line with the notified UIV, and as recommended by Council officers through the process, is required to reflect the very high levels of accessibility within these locations and their capability to accommodate urban intensification in very efficient ways. Other business areas are subject to relatively minor amendments as they are, in the Panel's view, already sufficient to achieve the NPS-UD's requirements.
- 1.15 In terms of residential areas:
  - (a) The Panel has agreed with many submitters that in almost all the urban environment subject to the UIV, additional building height would not be commensurate with accessibility or relative demand. This includes Arthurs Point, Arrowtown, and Hāwea (noting that any existing PDP zone(s) that already provided more than we find the NPS-UD would require would continue to be valid for the reasons previously determined through the PDP). Although we have accepted the Council's evidence that relative demand for attached housing requires additional enablement, we have not been persuaded that there is credible, real-world demand, for three-storey walk up apartments of the scale assumed by the Council and proposed as enabled in the notified UIV. But we have recommended enablement of a substantial additional opportunity for attached housing (2 storey) in the residential zones to appropriately respond to the need for more opportunity for attached housing (in terms of the NPS-UD Policy 5 relative demand limb).

- (b) We did not agree that the existing non-complying activity status for resource consent building height rule infringements continued to be justified, and recommend this be changed to discretionary.
- (c) After considering what many submitters explained to us about affordable housing issues and what accessibility was available, the Panel recommends changes to both the Low Density Suburban Residential Zone (which we recommend be renamed the Suburban Residential zone) and Medium Density Residential Zone to provide a clearer land use consent pathway for higher densities, within the framework of the existing built form rules. This will enable more smaller, lower cost houses and attached houses across much of the urban environment that will be inherently compatible with existing amenity values and built form character (no greater building height, building coverage, shadowing and so on would result).
- (d) In the case of Wānaka, the specific combination of its urban form characteristics and substantial zoned 'greenfield' areas at and adjacent to Three Parks Wānaka allows what we find to be the required upzoning to be largely accommodated in those areas. Further, the Wānaka Town Centre (**WTC**) is constrained in its extent and has limited capacity for commercial and community facility development compared with Three Parks. It was clear to the Panel, after listening to the submission and visiting Three Parks and its surrounds that significant development is underway and that in the short-medium term this will be a significant centre for Wānaka. Although the NPS-UD of itself justifies additional heights in much of the existing (and proposed) MDRZ and HDRZ in Wānaka, we find that the NPS-UD allows us to consider the whole relevant urban environment, rather than requiring a literal site by site, or street by street, approach. This has allowed us to reach an outcome that can implement the NPS-UD while also generally maintaining the character and amenity values of most existing developed areas (while recognising their will be considerable change for some affected residents).
- (e) In the case of Queenstown, we find that for the most part it is not highly accessible by active or passenger transport to a sufficient range of commercial activities and community services that would make apartment-based living (3+ storeys) commensurate or appropriate (or necessary in terms of the relative demand we find to be realistic). The exception is the central neighbourhood adjacent to Queenstown Town Centre (**QTC**), which the Panel finds to be so close and accessible to the town centre that it must be upzoned to give effect to Policy 5 of the NPS-UD.

1.16 Following on from the above, the Panel has largely accepted the Council's proposals to upzone land across the District but other than in the central Queenstown neighbourhood and at and adjacent to Three Parks Wānaka, this should be based on variants of the existing LDSRZ (to become SRZ) and MDRZ, each based on existing PDP height limits but enabling additional smaller and attached dwelling density via land use consent. The Panel has recommended a specific Medium Density Residential A Zone and a High Density Residential A Zone in those latter locations where it agrees with the Council more height than the existing PDP zones provide for are required.

1.17 Overall, the Panel finds that its recommendations:

- (a) implement the NPS-UD;
- (b) appropriately maintain local character and amenity values in the District's urban environments while providing for substantial intensification with a specific emphasis on smaller, attached, lower cost houses that were repeatedly identified as what was of greatest need in the District; and
- (c) will best promote sustainable management and the balance of planning documents relevant to the UIV including the PDP, RPS, and other National Policy Statements.

1.18 For those who wish to keep reading, while we have reviewed all the submissions and material provided, given the scale of it, we simply cannot respond to it all individually and this decision is already long enough. We have approached our recommendatory decision by reviewing the background, high-level drivers, legal issues and policy matters first, then moved through the towns and settlements of the District, before turning to the plan chapters and finally considering the rezoning requests. This made sense for us and hopefully makes this long document more readable. While separated into sections this decision, s32AA evaluations and our recommendations must be read together.

1.19 The provisions (and maps) as we recommend them to be are in **Appendix 1**. As we have noted in Section 22 there will need to be a technical tidy up (formatting, numbering etc) by the Council staff and we support that; this process has been complex enough without those additional tasks.

## 2. BACKGROUND

### RMA issue

2.1 Housing is a critical issue in New Zealand, the importance of which has been emphasised by successive governments. The current Minister for Housing has stated "solving our housing crisis is one of this government's top priorities."<sup>2</sup>

2.2 Reflecting the national significance of housing in 2016 the Government developed the National Policy Statement for Urban Development Capacity. This was replaced by the National Policy Statement for Urban Development 2020 (NPS-UD) which itself was amended in May 2022. Presently, further amendment is being developed with the Minister for Housing stating:<sup>3</sup>

The NPS-UD was a good starting point for strengthening housing growth in cities, but the government is committed to going further to help create competitive urban land markets and abundant development opportunities.

2.3 The amendments to the NPS-UD being explored overlap with some matters before this panel, and raised across numerous submissions, including:<sup>4</sup>

strengthening the existing NPS-UD intensification requirements, including requirements for councils to:

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<sup>2</sup> [Going for Housing Growth speech | Beehive.govt.nz](https://www.beehive.govt.nz/news/going-for-housing-growth-speech)

<sup>3</sup> [Saying yes to housing growth | Beehive.govt.nz](https://www.beehive.govt.nz/news/saying-yes-to-housing-growth)

<sup>4</sup> [FACT SHEET Going for Housing Growth.pdf](#)

- enable intensification along key public transport corridors:
- measure walking catchments using a more prescribed methodology
- enable greater heights within key areas, such as along key transit corridors:
- offset development capacity lost due to some qualifying matters, such as 'special character'; and
- enable intensification across urban areas in line with demand and accessibility.

2.4 QLDC must give effect to the NPS-UD.<sup>5</sup> The s32 Report<sup>6</sup> for the UIV (addressed in detail in Section 3) sets out three key issues which the NPS-UD aims to address and are specific to the District as being: that the District is not delivering well-functioning urban environments; housing in the District is unaffordable; and increased traffic generation (and lack of transport choice) is placing pressure on the transport system.

2.5 The UIV is the method whereby QLDC is varying the PDP to give effect to, primarily, Policy 5 of the NPS-UD. Policy 5 states:

Regional policy statements and District plans applying to tier 2 and 3 urban environments enable heights and density of urban form commensurate with the greater of:

- (a) the level of accessibility by existing or planned active or public transport to a range of commercial activities and community services; or
- (b) relative demand for housing and business use in that location.

2.6 This is the primary driver for, and sets the fundamental scope of, the UIV. QLDC must implement Policy 5 (but in doing so must deliver it in the manner appropriate for the context of the District). It is therefore helpful to also understand the resource management issues related to housing, and urban intensification in particular, within the District.

2.7 The public notice summarised the UIV as follows:

Queenstown Lakes District Council has prepared proposed changes to the Queenstown Lakes Proposed District Plan (PDP) under Schedule 1 of the Resource Management Act 1991 (RMA).

This proposal seeks to amend the PDP by increasing heights and densities in some zones in the Urban environment as well as rezoning land close to the commercial areas in Queenstown, Frankton and Wānaka to enable intensification of development. The proposed variation also includes amendments to planning provisions to recognise the benefits of intensification; to ensure adequate amenity values are provided for within intensification areas; and to ensure that intensification can be serviced.

...

2.8 The fact sheet<sup>7</sup> supporting the public notice states:

Queenstown Lakes District Council (QLDC) is proposing a variation to the Proposed District Plan (PDP) which would increase urban density in some areas of the Queenstown Lakes District.

The changes would:

<sup>5</sup> RMA s75(3).

<sup>6</sup> S32 Report, section 5.2.

<sup>7</sup> [qldc-urban-intensification-variation-a4-factsheet-aug23-web\(2\).pdf](#).

> enable increased heights and densities in some zones, and

> include proposals to rezone land close to commercial areas in Queenstown, Frankton and Wānaka to enable intensification of development.

...

The proposed Urban Intensification Variation gives effect to central government's National Policy Statement on Urban Development (NPS-UD). The NPS-UD sets national direction to ensure Aotearoa New Zealand has well-functioning urban environments that meet the diverse and changing needs of our communities and future generations.

...

A compact urban form may contribute to a well-functioning urban environment by reducing the demand for greenfield development and its effects upon sensitive environments, landscape values and productive land supply as well as the inefficient expansion of infrastructure. A compact urban form may also reduce reliance on private vehicle use; maximise the use and viability of public transport, walking and cycling; and improve the efficient operation of public utilities which will reduce energy demand and limit greenhouse gas emissions. In locations that aren't currently served by public transport, a compact urban form may make the future provision of public transport more viable

...

The proposed Variation applies to existing urban areas within QLDC's PDP. Changes to planning maps are proposed to enable intensification of development in areas close to commercial areas in Queenstown, Frankton and Wānaka. The planning provisions proposed to be amended are within the following chapters of the PDP: ...

...

2.9 The s32 Report succinctly summarises the purpose of the UIV as "This variation is proposed in order to meet [QLDC's] obligations as a Tier 2 local authority under Policy 5 of the ... NPS-UD."<sup>8</sup>

2.10 The s32 Report is clear that while the 2021 Housing and Business Assessment (**2021 HBA**) HBA<sup>9</sup> shows that there is sufficient plan enabled capacity (short, medium and long-term) zoned within the District Plan,<sup>10</sup> and identified in the Spatial Plan, Policy 5 directs that the PDP also "enables heights and density of urban form commensurate with the greater of the level of accessibility and relative demand."<sup>11</sup> The s42A Report (Strategic Overview) states that:<sup>12</sup>

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<sup>8</sup> S32 Report, executive summary.

<sup>9</sup> [3a-attachment-a-housing-development-capacity-assessment-2021-main-report.pdf](#). This document is also often referenced as the 2021 Housing and Business Assessment. During the hearing we were told by the Council that a new HBA was 'imminent' but by the time we closed the hearing had not been provided with that. During our deliberations in December 2025, we discovered that the updated HBA had been released on 23 September 2025. It is not clear to us why the Council did not identify the September 2025 HBA to us prior to the closing of the hearing on 20 October 2025. With the hearing closed, and us not having been able to seek any evidence or submissions on it, we have not included it in our decision making. We note, however, that the 2025 HBA is based off the same high growth figures that Ms Fairgray used in her evidence to us. In doing so the 2025 HBA finds a short-term shortfall of 1000 dwellings primarily due to infrastructure constraints within the Wakatipu Ward. In the medium term it predicts a surplus of 6,100 dwelling and a surplus of 2,800 dwellings in the long-term (but with some localised potential shortfalls. That said, the 2025 HBA notes that proposed PDP changes are likely to significantly increase the development opportunity for different types of dwellings across the District.

<sup>10</sup> S32 Report, section 1, Introduction, at page 4.

<sup>11</sup> S32 Report, section 5.1.14.

<sup>12</sup> At [4.4] and [4.6].

On this basis, the UIV focuses greatest development opportunity into areas of greatest accessibility and demand, enabling more development close to jobs, community services, public and active transport networks, and other amenities.

...

... intensification opportunities are enabled in locations that have greatest accessibility, the development opportunity is scaled to the level of relative demand in each location, and that this occurs within the context of other factors that are important for a well-functioning urban environment.

- 2.11 The s32 Report also makes it clear that Policy 5 of the NPS-UD does not stand on its own and must be read alongside other relevant policies, particularly those relating to a well-functioning urban environment:<sup>13</sup>

The proposed provisions therefore aim to not just enable intensification, but to also ensure adequate amenity values within intensification areas, that development can be serviced and to mitigate any increases in stormwater runoff.

### **Housing affordability**

- 2.12 While housing affordability is not the driver for the UIV it is a critical issue for the District which many submitters raised before us, often on the basis that the UIV would not solve the critical issue of affordable housing<sup>14</sup> in the District. Ms Bowbyes commented:<sup>15</sup>

However, the 2021 HBA identified a shortfall in housing in the affordable price bracket. The shortfall is projected to increase over time due to house prices increasing faster than growth in real incomes in the District, resulting in declining affordability.

- 2.13 Housing, in particular housing affordability, has long been, and remains, an issue in the District.<sup>16</sup> The Queenstown Lakes Spatial Plan 2021 (**Spatial Plan**) states:<sup>17</sup>

Prior to the COVID-19 pandemic, Queenstown Lakes' housing market was the most expensive in New Zealand with the average dwelling costing around \$1million, and average weekly rents of \$650. Coupled with below average incomes, the current average house value to average annual earnings reached a ratio of 20:1. Housing affordability will likely remain an issue after the COVID-19 pandemic.

...

Increases in household incomes have not kept up with the cost of living. Affordability is a particular problem for those working in labour intensive tourism and related industries, as these industries have relatively low productivity and low earnings. Unemployment is low, yet many work multiple jobs to afford to live in the area, resulting in a stressed workforce. This has knock-on implications for their families and community. The shortage of affordable housing is hindering recruitment and retention of workers in a range of sectors and professions. Migrant workers make up a significant portion of the resident population but have very limited options for accessing housing support.

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<sup>13</sup> S32 Report, section 6.1.2.

<sup>14</sup> Affordable housing is not the same as housing affordability as explained in the EIC of Ms Fairgray at [7.2].

<sup>15</sup> S42A Report (Strategic Overview) at 5.36.

<sup>16</sup> See for example the Spatial Plan, page 77.

<sup>17</sup> Spatial Plan, page 43.

- 2.14 The UIV does not, and is not intended to, address the issue of affordable housing. However, Ms Fairgray concludes that "a key economic effect of the notified UIV is to increase housing choice and affordability."<sup>18</sup> Ms Fairgray expands on this:<sup>19</sup>

Housing affordability is not increased through adding dwellings in the lowest dwelling value bands alone. It also requires an increased range of dwelling options that are suited to each household size and type, a share of which require larger dwellings. It is important that increased housing options occur across the dwelling value demand profile to enable the ability for households within different parts of this profile to make trade-offs between housing type, location, size and price. For instance, a three-to-four-bedroom duplex is likely to form a cheaper viable option for a larger family household that may alternatively occupy a larger detached dwelling. While this larger duplex dwelling is unlikely to occur in the lowest dwelling value bands, it increases housing affordability for households that may otherwise occupy dwellings in the mid value bands.

I consider that the dwelling development patterns encouraged in each location by the notified UIV are generally likely to provide significant opportunity for these trade-offs and dwelling choices to occur. In my view, the MDR and HDR Zones are likely to result in a greater range of dwelling types within the more accessible locations.

The market is likely to deliver smaller and cheaper dwellings in these locations in comparison to that enabled under the current provisions, with terraced housing and attached dwellings likely to form core components of this dwelling mix.

- 2.15 Ms Fairgray was also clear<sup>20</sup> that the notified UIV changes to the LDSRZ would also increase housing affordability by increasing the opportunity for the market to deliver smaller detached dwellings.
- 2.16 Ms Fairgray's position aligned with the submission from the Queenstown Lakes Community Housing Trust<sup>21</sup> supporting greater housing density within the residential zone and a wider choice of housing typologies. Ms Scott explained to us during the hearing that the trust has a waiting list of some 1480 (7% of the residential population) and 5% of those are considered high needs (i.e. homeless or living in very poor, insecure, conditions). The submissions before us were that this dire affordability situation has continued (but often they did not consider the UIV would address the issue).

### **Urban capacity and demand**

- 2.17 In relation to broader elements of the NPS-UD the s42A Report (Strategic Overview) states:<sup>22</sup>

In summary, the 2021 HBA identified that the District has sufficient plan-enabled capacity to accommodate housing growth across the urban environment that is more than sufficient to meet the projected demand in all locations of the District in the short, medium and long term. However, the 2021 HBA identified a shortfall in housing in the affordable price bracket. The shortfall is projected to increase over time due to house prices increasing faster than growth in real incomes in the District, resulting in declining affordability.

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<sup>18</sup> EIC Ms Fairgray at [7.2].

<sup>19</sup> EIC Ms Fairgray at [7.9] and [7.10].

<sup>20</sup> EIC Ms Fairgray at [7.11].

<sup>21</sup> Submitter 1273.

<sup>22</sup> At [5.36]. Footnotes removed.

2.18 But growth pressures within the District are significant. The growth pressures are succinctly illustrated in the Queenstown Lakes Spatial Plan 2021 (**Spatial Plan**)<sup>23</sup> which provides<sup>24</sup> 2021 average daily population figures for residents at 41,000 and visitors at 10,000 and the predicted 2051 average daily population figures of 78,000 residents and 42,000 visitors.

2.19 The District was predicted to have sufficient plan enabled capacity in the **2021 HBA**. Since the 2021 HBA the District has continued to see continuing strong growth (both in demand and property prices). In May 2025 QLDC updated its dwelling demand projections and adopted the Statistics New Zealand Estimated Residential Population High Plus series of modelled projections.<sup>25</sup> Ms Fairgray sets out in her evidence the updated demand projections<sup>26</sup> stating:<sup>27</sup>

(a) District level projected growth is 36% higher in the medium term, resulting in an additional net increase of 2,600 dwellings (incl. a margin).

(b) District level projected growth is 40% higher in the long term, resulting in an additional net increase of 8,000 dwellings (incl. a margin); and

(c) A larger portion of the additional growth occurs in the Wanaka Ward where the updated long-term projected growth is 63% higher than in the previous projections (and 55% higher in the medium term). This results in an additional 4,800 net increase (incl. margin) in long-term dwelling demand above that of earlier projections.

2.20 Having considered the above changes, Ms Fairgray updates her original assessment as follows:<sup>28</sup>

The dwelling demand base is projected to approximately double over the long-term. There is a projected demand (including a margin) for a net additional 9,900 dwellings over the medium-term and 27,900 dwellings over the long-term. The projections reflect total dwelling demand, including holiday dwellings, with resident households forming the largest component of demand.

...

Over half (56%) of the net increase is projected to occur in the Whakatipu Ward, amounting to 15,500 dwellings in the long-term. Approximately 44% is projected to occur in the Wanaka Ward (+12,400 dwellings), which is greater than the Ward's estimated share (33-36%) of growth observed over the past 5 to 10 years.

2.21 This increase in projected demand for the Wānaka Ward is predicted by Ms Fairgray to have a greater proportion of detached housing with higher demand for attached dwellings in the Whakatipu Ward.<sup>29</sup> Overall Ms Fairgray estimates:<sup>30</sup>

... there is projected long-term demand for between 11,400 and 14,900 detached dwellings (top section of Table 1 above), with just over half (51% to 52%) occurring in the Whakatipu Ward. I estimate between 10,600 to 10,800 dwellings of the projected long-term demand is for attached dwellings, ranging from duplex pairs up to terraced housing, with over half (58%-59%) in the Whakatipu Ward. In addition, I estimate there is demand

<sup>23</sup> [the-spatial-plan\\_a4-booklet\\_jul21-final-web-for-desktop.pdf \(qldc.govt.nz\) \(Spatial Plan\)](#).

<sup>24</sup> At page 15.

<sup>25</sup> See the s42A Report (Strategic Overview) at [6.5].

<sup>26</sup> EIC Ms Fairgray, Table 1 and Appendix 1.

<sup>27</sup> EIC Ms Fairgray, Appendix 1, at [3].

<sup>28</sup> EIC Ms Fairgray at [4.7] and [4.9].

<sup>29</sup> EIC Ms Fairgray at [4.10].

<sup>30</sup> EIC Ms Fairgray at [4.11].

for 2,200 to 6,000 apartment dwellings, which are likely to make up a larger share of demand into the long-term as the market becomes more established. My assessment shows these are more concentrated into the Whakatipu Ward.

### **Capacity Assessment of UIV Enabled Development Opportunity**

2.22 Ms Fairgray's capacity assessment shows that while only a proportion of the plan enabled capacity is likely to be realised,<sup>31</sup> the notified UIV "substantially increases the plan enabled capacity and level of development opportunity across the District ...".<sup>32</sup> Much of the added dwelling capacity occurs in central parts of the Whakatipu Ward, especially the Queenstown Town Centre. Significant increases in plan enabled capacity are also provided in the Wānaka Ward. Further, the notified UIV is estimated to increase the commercial feasibility capacity by nearly two thirds.

2.23 Importantly, Ms Fairgray estimates that differences between capacity and demand become significantly larger for medium density (attached / terraced housing) under the notified UIV which are otherwise close to or below the level of demand in some parts of the market under the PDP. The importance is that:<sup>33</sup>

... these types of dwellings are likely to meet an increasing and sizeable share of future housing demand, and provide viable housing options for demand substitution from other typologies (e.g. a portion of demand for detached dwellings).

2.24 In relation to development capacity, Ms Morgan in her evidence notes that:<sup>34</sup>

... However, it is important to bear in mind that Ms Fairgray's development capacity analysis does not take into account future urban areas identified in the Queenstown Lakes Spatial Plan 2021. While the Spatial Plan is not a Future Development Strategy and therefore does not technically meet the definition of plan-enabled capacity, the development capacity it identifies remains relevant for the long term. Because this has not been factored into Ms Fairgray's development capacity analysis, in practice the development capacity numbers are likely to be understated in the long term. ...

2.25 The updated<sup>35</sup> differences between capacity and demand shows that despite the increased opportunity in the notified UIV "a shortfall in attached dwellings may occur in the Wānaka ward." Ms Fairgray also states that:<sup>36</sup>

My updated assessment compares updated capacity estimates (to reflect the notified-UIV provisions) with the higher projection of demand (approximately 40% higher in the long-term than my earlier assessment).

### **Relative demand**

2.26 Ms Fairgray considers that relative demand is particularly important when establishing provisions for higher density development and intensification around centres and other key areas of accessibility. It is obviously also particularly important in the context of the UIV given the inclusion of relative demand within Policy 5(b) of the NPS-UD.

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<sup>31</sup> EIC Ms Fairgray at [4.24].

<sup>32</sup> EIC Ms Fairgray at [4.17].

<sup>33</sup> EIC Ms Fairgray at [4.33].

<sup>34</sup> EIC Ms Morgan at [4.9].

<sup>35</sup> EIC Ms Fairgray, Appendix 1.

<sup>36</sup> EIC Ms Fairgray at [4.5].

2.27 Relative demand is explained in the s42A Report (Strategic Overview) as follows:<sup>37</sup>

Relative demand refers to the levels of demand for different dwelling types at each location across the urban environment. For instance, in some locations, there will be more demand for standalone dwellings than attached dwellings, and in other locations, there will be greater demand for more affordable dwellings. Understanding of demand, and the socio-demographic make-up of the market, is very important to understand relative demand, and make appropriate provision for varying patterns of demand in an urban environment.

2.28 Ms Fairgray stated that relative demand<sup>38</sup>

... refers to levels of demand for different dwelling types at each location across the urban environment. Demand for housing is not spread uniformly across a city, with differences in the type and characteristics of demand in each location. The patterns and structures of demand in each location translate into different combinations of dwelling types and sizes, and scales of development sustained and delivered in each area by the market. ...

2.29 Therefore, Ms Fairgray assessed<sup>39</sup> the development opportunity for different types of dwellings enabled in each location and how that aligns with the level of relative demand for different types of housing at each location. That includes location and the spatial extent (which Ms Fairgray considered to be a critical factor<sup>40</sup>) across which the development opportunity is applied and its scale (height and density) within each zone. This assessment is important to avoid under-supply or enabling supply in inappropriate locations; both of which deliver poor economic outcomes.

2.30 The Accessibility and Relative Demand report appended to the s32 Report assessed accessibility and relative demand across the urban environments of the District. That was then relied on, in conjunction with the Economic Assessment also appended to the s32 Report, to inform locations to enable intensification under Policy 5. The Economic Assessment:<sup>41</sup>

... considered both overall capacity (total capacity for each Ward's housing market) as well as the levels of capacity/demand for different types of dwellings in each location, which is important for assessing the alignment of intensification areas with relative demand. ...

2.31 As addressed above, Ms Fairgray found important differences in relation to the patterns of demand between the Whakatipu and Wānaka Wards, reflecting the market conditions of each location.<sup>42</sup> Understanding those differences is important in aligning the development opportunity with the relative demand.

2.32 Overall, Ms Fairgray considers that the notified UIV generally aligns<sup>43</sup> with the relative demand across the District, but she supports further intensification in some areas where it remains within relative demand<sup>44</sup>, and refinements for specific locations to better align the development

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<sup>37</sup> At [6.10].

<sup>38</sup> EIC Ms Fairgray at [4.39].

<sup>39</sup> EIC Ms Fairgray at section 4.

<sup>40</sup> EIC Ms Fairgray at [4.43].

<sup>41</sup> S42A Report at [7.16]. Noting that the s32 assessment was updated for Ms Fairgray's evidence by the (2024-25) Economic Assessment.

<sup>42</sup> EIC Ms Fairgray at [4.10].

<sup>43</sup> EIC Ms Fairgray at [9.20].

<sup>44</sup> EIC Ms Fairgray at [5.37].

enabled with the relative demand for housing in those locations. This is addressed in Section 20 in relation to rezoning.

### **Commercial feasibility**

2.33 Ms Fairgray considers that the feasibility of the notified UIV enabled development opportunity for commercial developers is critical. That makes obvious sense; ultimately delivery of housing is required. Planning is just one factor that affects feasibility.<sup>45</sup> Generally, and linking to relative demand above, Ms Fairgray states that:<sup>46</sup>

... the large increases in enabled yield across much of Queenstown's areas of highest relative demand are likely to form a large commercial incentive for developers.

2.34 Ms Fairgray concludes that the UIV provides for a large increase in development opportunity and a significantly expanded range of typologies as follows:<sup>47</sup>

- (a) For the HDR and MDR zones increased in enabled yields are likely to encourage more intensive typologies with greater development intensity occurring gradually over time. Terraced dwellings are likely to form an important part of the market (especially in the Whakatipu Ward).
- (b) For the LDSRZ reduced lots size and an average land use are likely to increase feasibility in smaller scale infill developments. Importantly this increases the feasibility of the market to deliver smaller dwellings in response to market demand. The modelling indicates that the UIV delivers a significant increase in the development opportunity within the LDSRZ.

### **So what does this all mean?**

2.35 Ms Fairgray considers that the notified UIV will, over the medium to long term, deliver patterns of growth that differ substantially to past patterns of low density. In the process it is important to deliver efficient urban form, especially in relation to accessibility to centres and areas of commercial and social amenity. Ms Fairgray comments:<sup>48</sup>

... The development patterns enabled and encouraged by the notified UIV affect the location of households relative to these areas of amenity. In my view, increased levels of growth within central areas and areas of highest accessibility to amenity is likely to have greater economic benefit than more dispersed patterns of growth.

The urban form of development also has economic effects for infrastructure provision. Intensification in central areas around commercial centres reduces the demand for infrastructure and may also result in lower costs for infrastructure provision. In contrast, patterns of lower density outward urban expansion typically have higher infrastructure costs through the greater physical construction of network extensions required to support this growth.

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<sup>45</sup> It also includes scale and timing or market demand, financial conditions, construction sector capacity, infrastructure provision, etc.

<sup>46</sup> EIC Ms Fairgray at [5.30].

<sup>47</sup> EIC Ms Fairgray, section 5.

<sup>48</sup> EIC Ms Fairgray at [6.6] and [6.7].

2.36 We generally agree with Ms Fairgray<sup>49</sup> that the delivery of what we will term a centres-based, or centres-first, urban form is a more efficient and sustainable pattern of growth than dispersed patterns of development subject to the caveat that we see significant differences between the urban form of the District, being many well-separated and generally small-scale towns and villages, and the large-scale continuous metropolitan urban areas of major cities (where centres-based planning initiatives have been primarily orientated). A centres-based urban form can deliver more efficient consumer access to goods and services, centralisation of infrastructure (including social and public infrastructure) and "reinforces the commercial viability and vitality of centres". But in fairness, in this District the common way of life we were described still relies on people regularly traversing significant distances between the various towns and villages (and other destinations between and around those). This is very different to, and is likely to be permanently very different to, ideas of a commuting suburban living nearby a major city Rapid Transit Network station. We address this further in Sections 4 and 8.

2.37 Ms Fairgray's evidence is that the UIV also provides for a wider range of dwelling types, with the greatest focus on attached dwellings in central areas of the urban environment. This occurs through a combination of greater enabled dwelling yields on parcels already feasible to develop and more parcels becoming feasible to develop. She also considers that the MDR and HDR zones are likely to result in a greater range of dwelling types within more accessible locations with it likely that will deliver smaller and cheaper dwellings within these locations.<sup>50</sup>

2.38 In relation to the Whakatipu Ward, Ms Fairgray found that the UIV HDR and MDR zones provide a significant opportunity for intensification across the central parts of the ward. Each zone delivers different economic benefits:

- (a) HDR supports the viability and vitality of commercial centres if done carefully in appropriate locations. While the HDR market is currently limited in scale it is expected to grow in the long-term across a greater range of locations. Ms Fairgray therefore cautions<sup>51</sup> that provision of very extensive HDR risks diluting it across larger areas.
- (b) MDR is "likely to form an important part of the District's urban intensification and future housing supply."<sup>52</sup> MDR across a wider scale than HDR is likely to have greater economic benefit for urban form that contributes to a well-functioning urban environment. Critically MDR is already well-established and commercially feasible across a range of locations. Ms Fairgray stated, with some caution as to location:

I consider that the notified spatial extent of the MDR Zone is likely to encourage development trajectories that contribute to increasing the efficiency of the urban form over the medium to long-term. The sizeable increases in development opportunity and potential dwelling yield within this zone, in comparison to currently enabled opportunity, is likely to result in higher shares of growth occurring in these central parts of the District. In my view, the spatial extent of the opportunity is relatively expansive, allowing up to intensive terraced housing or walk-up apartment developments across large shares of the central part of the District.

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<sup>49</sup> EIC Ms Fairgray at [6.8].

<sup>50</sup> EIC Ms Fairgray at [7.8].

<sup>51</sup> EIC Ms Fairgray at [6.21].

<sup>52</sup> EIC Ms Fairgray at [6.22].

In my view, it is important that the level of development opportunity provided across these central areas is differentiated from development opportunity provided in more peripheral locations. Provision of similar development opportunity in more peripheral locations may result in a less economically efficient urban form through reducing the share of growth that occurs centrally. ...

2.39 In relation to the Wānaka Ward Ms Fairgray found that:<sup>53</sup>

- (a) the market is less intensive than the central areas of the Whakatipu Ward with a greater share of medium density development as opposed to high density.
- (b) Intensification in the central areas around the town centre and Three Parks is likely to support the commercial viability of both areas; and
- (c) as a result of the updated (May 2025) demand projections further provision of medium density is likely to produce greater economic benefit.

2.40 In relation to dwelling mix Ms Fairgray stated:<sup>54</sup>

I consider that increasing the housing choice within the District is likely to produce economic benefits for current and future households and contribute to a well-functioning urban environment. Increasing the range of dwelling options across different locations both increases the range of neighbourhood areas economically accessible to different households as well as increases the affordability of housing options for households.

I have examined the notified UIV provisions and consider that these economic benefits are likely to occur at both the District and local level across a range of areas. I consider that the range of typologies enabled and encouraged within the main residential zones<sup>22</sup> provide increased choice across different neighbourhoods and within different types of areas (e.g. suburban vs. central). These provide better alignment with patterns of long-term housing need than the distribution of dwellings likely to be delivered under the current PDP provisions.

## The UIV

2.41 The context above has all led to the UIV and provides a summary of the resource management issue. Fundamentally for the UIV, QLDC is required "to give effect to" the NPS-UD.<sup>55</sup> As a Tier 2 (and 3) local authority QLDC has advanced the UIV to:<sup>56</sup>

... give effect to Policy 5 of the NPS-UD and the wider directive of the NPS-UD to ensure a well-functioning urban environment that responds to the diverse and changing needs of people, communities and future generations.

2.42 An overall strategic summary of the UIV is set out in the s42 Report (Strategic Overview). Ms Bowbyes succinctly summarises the strategic approach of the UIV as follows:<sup>57</sup>

... The purpose of the UIV is to give effect to Policy 5 of the NPS-UD and the wider directive of the NPS-UD to ensure a well-functioning urban environment that responds to the diverse and changing needs of people, communities and future generations.

...

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<sup>53</sup> EIC Ms Fairgray at [6.27] – [6.31].

<sup>54</sup> EIC Ms Fairgray at [7.6] and [7.7].

<sup>55</sup> Section 75(3) of the RMA.

<sup>56</sup> Section 32 Report, section 1.

<sup>57</sup> Strategic Overview s 42 Report, at [4.1] – [4.4].

The UIV aims to specifically give effect to Policy 5 of the NPS-UD, through enabling more efficient use of urban land, while also being consistent with the other objectives and policies of the NPS-UD. The implementation of Policy 5 will assist with the achievement of Policy 2 of the NPS-UD, however there are important differences between providing sufficient opportunity for growth on an overall basis (Policy 2) to the differentiated focus instead on the location and scale of development opportunity within the urban environment required under Policy 5. The development patterns encouraged through the application of Policy 5 have important effects on achieving the objectives of a well-functioning urban environment. It is important to ensure that different housing options are enabled in each location (and type of location) within the urban environment that align with the patterns of housing demand in the community in each area.

The aim of the UIV is to enable more development opportunity within existing urban zoned areas (with the exception of ODP zones that are outside the scope of the UIV) in a way that contributes to a well-functioning urban environment. This is enabled by aligning enabled building heights and density to levels commensurate with the level of accessibility and relative demand across different locations within the urban environment. On this basis, the UIV focuses greatest development opportunity into areas of greatest accessibility and demand, enabling more development close to jobs, community services, public and active transport networks, and other amenities.

2.43 By way of a summary the UIV responds to the direction within the NPS-UD in two key ways:<sup>58</sup>

- (a) Upzoning (increase in intensification enabled) of some current zoning; and
- (b) Changes to planning provisions to:
  - (i) enable heights and densities in accordance with Policy 5 and to recognise the benefits of intensification;
  - (ii) to ensure adequate amenity values within intensification areas; and
  - (iii) to ensure that development can be serviced and to mitigate any potential increase in stormwater runoff.

2.44 In relation to upzoning the approach is to extend the HDRZ across central areas with the highest accessibility, MDRZ in central parts on a more widescale basis in accordance with patterns of demand and lower scale opportunity for intensification is provided in outer areas, predominantly through changes to the LDSRZ.

2.45 The UIV changes the planning provisions in the following chapters of the PDP (to varying degrees<sup>59</sup>):

- (a) Chapter 2 – Definitions;
- (b) Chapter 4 – Urban Development
- (c) Chapter 7 – LDSRZ
- (d) Chapter 8 – MDRZ
- (e) Chapter 9 – HDRZ;

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<sup>58</sup> See section 9 of the s32 Report.

<sup>59</sup> A summary can be found at section 9.2 of the s32 Report.

- (f) Chapter 12 – Queenstown Town Centre
- (g) Chapter 13 – Wānaka Town Centre Zone
- (h) Chapter 15 – Local Shopping Centre Zone;
- (i) Chapter 16 – Business Mixed Use Zone; and
- (j) Chapter 27 – Subdivision and Development.

### 3. THE STATUTORY AND PLANNING FRAMEWORK

#### The legal framework

- 3.1 Our decision must accord with the statutory framework set out in the RMA and summarised in various Environment Court cases, including in *Colonial Vineyards Ltd v Marlborough District Council*.<sup>60</sup>
- 3.2 In **Appendix 2**, we set out the legal framework we have applied, adopting the matters set out in Appendices 2A and 2B of the s 32 Report, section 5 of the s42A Report (Strategic Overview) and section 5 of QLDC's opening legal submissions.
- 3.3 We have applied the relevant statutory provisions in making our decision, including Part 2 (as relevant), ss 31, 32, 32AA and 72–76 and Schedule 1 of the RMA. In particular, where our recommendations differ from those set out in the s42A Reports, Rebuttal or Reply evidence on behalf of QLDC, or as sought by submitters who provided s32 or 32AA evaluations, we have set out our s 32AA further evaluation. Otherwise, we rely on the s32AA evaluations provided to us. With the recommendations we propose, we consider that the UIV will assist QLDC in carrying out its functions to achieve the purpose of the RMA.

#### The planning framework

- 3.4 The relevant planning documents in relation to the UIV are the:<sup>61</sup>
- (a) NPS-UD;
  - (b) Operative Otago Regional Policy Statement 2019 (**ORPS19**);
  - (c) Proposed Otago Regional Policy Statement 2021 (**PRPS21**);
  - (d) Queenstown Lakes Proposed District Plan (**PDP**);
  - (e) Queenstown Lakes Spatial Plan 2021;
  - (f) Housing Development Capacity Assessment 2021;
  - (g) The Cry of the People, Te Tangi a Tauira: Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008; and
  - (h) Kāi Tahu ki Otago Natural Resource Management Plan 2005.

<sup>60</sup> *Colonial Vineyard Ltd v Marlborough District Council* [2014] NZEnvC 55 at [17]. Endorsed in various later decision including *Save the Maitai Inc v Nelson City Council* [2024] NZEnvC 155 at [14].

<sup>61</sup> The s32 Report also refers to the National Planning Standards.

3.5 The above documents, and their relevant provisions, are discussed in depth in Appendix 2B of the s 32 Report and Chapter 5 of the s42A Report (Strategic Overview). A summary of them is set out below.

### **NPS-UD**

3.6 The NPS-UD came into effect in August 2020 and seeks to achieve well-functioning urban environments. QLDC, as a Tier 2 (and 3) local authority under the NPS-UD, is required among other matters to:

- (a) enable height and density of urban form commensurate to the greater of the level of accessibility of active or public transport to a range of commercial activities and community services or relative demand for housing and business use in that location (Policy 5); and
- (b) provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term (Policy 2).

3.7 As above, the UIV is intended to give effect to Policy 5 of the NPS-UD.

3.8 The NPS-UD was assessed in the s32 Report and s42A Report (Strategic Overview).<sup>62</sup> We do not repeat all its objectives and policies here, but we have carefully considered them as relevant to the UIV and set out a detailed assessment of Policy 5 in Section 4. We do, as required, specifically address other objectives and policies in the NPS-UD throughout this decision.

### **RPS**

3.9 The UIV is also required to give effect to the operative RPS and have regard to the proposed RPS. The relevant provisions of the operative RPS are set out in the s32 Report. Ms Bowbyes, in the s42A Report (Strategic Overview) states that the relevant provisions of the pRPS remain subject to appeals. We agree that the decisions version of the pRPS should be given "some weight" as it has been through a public hearings process.

3.10 In relation to the relevant provisions Ms Bowbyes in her s42A Report (Strategic Overview) provides the following summary:<sup>63</sup>

In my view, the UIV will assist with achieving pORPS Objective UFD-01 – Development of urban areas, by increasing development opportunities in accessible locations, including within and close to existing commercial centres. Additionally, the UIV will assist with implementing pORPS Policy UFD-P3 – Urban intensification by managing intensification in urban areas so that it contributes to establishing or maintaining the qualities of a well-functioning urban environment and enabling heights and densities that meet the greater of demonstrated demand for housing and/or business use or the level of accessibility provided for by existing or planned active or public transport. The notified UIV implements pORPS method UFD-M2 – District Plans (4) which requires territorial authorities to amend their District plans to identify and provide for locations that are suitable for urban intensification in accordance with UFD-P3.

3.11 Various provisions of the RPS are addressed as relevant throughout our decision.

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<sup>62</sup> S32 Report at pages 6–8 and s 42A Report (Strategic Overview) at [5.3] – [5.25] and [5.31] – [5.35].

<sup>63</sup> At [5.28].

## Proposed District Plan

3.12 Relevant PDP provisions are set out<sup>64</sup> and assessed in the s32 Report and in the s42A Report (Strategic Overview). Ms Bowbyes in the later focuses especially on the PDP Strategic Objectives as follows:<sup>65</sup>

(a) Strategic Objective (S.O) 3.2.1 The development of a prosperous, resilient and equitable economy in the District;

(b) S.O. 3.2.2 Urban growth is managed in a strategic and integrated manner; S.O. 3.2.3 A quality built environment taking into account the character of individual communities; and

(c) S.O. 3.2.6 The District's residents and communities are able to provide for their social, cultural and economic wellbeing and their health and safety.

3.13 Various PDP provisions are addressed as relevant throughout our decision.

## Spatial plan

3.14 The Spatial Plan was developed in a partnership between the Council, Aukaka and Te Ao Marama Inc and the Government (Grow Well | Whaiora). The Spatial Plan:<sup>66</sup>

... sets out a vision and framework for how and where our District will grow, in this case out to 2050. The idea is to ensure that future growth happens in the right place and is supported by the right infrastructure, whether that's pipes in the ground, ways of getting around, access to schools, healthcare or other community facilities.

3.15 Having addressed growth and housing issues (see above) the Spatial Plan proposes a consolidated approach to growth, stating:<sup>67</sup>

Within the existing urban areas of Queenstown and Wānaka, future growth will be focused in locations with good access to facilities, jobs and public transport. This will require enabling higher density development ... and a greater mix of uses than is currently provided for. New housing will increasingly move towards medium and higher density typologies, such as townhouses, terraced housing and apartments. This will help to increase the variety of housing, including more affordable options.

Concentrating growth in the existing urban areas will mean more people live in areas where public transport, cycling and walking is an easy and attractive transport option. This will support committed and future investment in improved public transport and active mode infrastructure, reduce the impact on the environment particularly through emissions reduction, and make the transport system safer and more resilient.

3.16 The Spatial Plan for Outcome 1: Consolidated growth and more housing choice states:<sup>68</sup>

Rapid resident and visitor growth means urban development has been sprawling over a larger area, putting pressure on the environment and infrastructure. Many residents struggle to find affordable, secure homes. We need to focus future growth, concentrate on going up - not out, and providing more affordable housing choice.

3.17 The Spatial Plan foresaw the UIV in the following way:

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<sup>64</sup> See Appendix 3 to the s32Report for a full list of relevant objectives and policies.

<sup>65</sup> At [5.29].

<sup>66</sup> Spatial Plan, page 3.

<sup>67</sup> At page 51.

<sup>68</sup> Spatial Pan at page 65.

The National Policy Statement on Urban Development 2020 requires changes to the planning framework so urban land can be used more efficiently to accommodate growth. Zoning in the District Plan will need to change to enable heights and densities that match:

> Where there is good access by existing or planned public transport to a range of commercial and community services; or

> The relative demand for housing and business use

Increasing heights and densities in these locations will provide for a greater variety of housing, increasing choice for residents, as well as better matching the expected future demand for smaller households and more affordable housing.

3.18 QLDC is presently preparing its Spatial Plan Gen 2.0 (again through the Grow Well Whaiora Partnership). This process will also include an updated Future Development Strategy as set out under clause 3.13 of the NPS-UD. This will provide the "a strategic blueprint for future urban expansion."<sup>69</sup>

## **2021 HBA**

3.19 The 2021 HBA has already been introduced in Section 2. It is an important base document for housing development and planning in the District. As set out above, Ms Fairgray in her evidence relied on an updated assessment of the notified UIV capacity and demand assessment.

3.20 The s42A Report (Strategic Overview) states:<sup>70</sup>

The purpose of the HBA (as outlined in clause 3.20 of the NPS-UD) is to provide information on the demand and supply of housing and business land in the urban environment, and the impact of planning and infrastructure decisions on that demand and supply to inform RMA planning documents, FDSs and long-term plans. In the QLDC context the HBA also assists with our understanding of the competition for the housing resource (such as the use of residential units for short-term letting), and how this impacts on the availability of housing stock for long-term occupation.

In summary, the 2021 HBA identified that the District has sufficient plan-enabled capacity to accommodate housing growth across the urban environment that is more than sufficient to meet the projected demand in all locations of the District in the short, medium and long term. However, the 2021 HBA identified a shortfall in housing in the affordable price bracket. The shortfall is projected to increase over time due to house prices increasing faster than growth in real incomes in the District, resulting in declining affordability.

3.21 Clause 3.6 of the NPS-UD requires QLDC to identify housing bottom lines (being the amount of feasible and reasonably expected to be realised development capacity that is sufficient to meet the expected household demand within the urban environment. This was identified through the 2021 HBA and replicated in PDP Chapter 4 (at 4.1.2). While mentioned for completeness, to avoid doubt, housing bottom lines are not within scope of the UIV.

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<sup>69</sup> S42A Report (Strategic) at [5.51].

<sup>70</sup> At [5.35] and [5.36].

## Other planning options for housing

3.22 The UIV is not the sole response to addressing the issue of housing in the District. It must be viewed in context with other options, including greenfield developments both planned (such as Te Pūtahi Ladies Mile (TPLM)<sup>71</sup>) and within the Spatial Plan.<sup>72</sup> Many submitters saw greenfield development as preferential to urban intensification. For the reasons set out in Section 5, we do not; but we do accept that both are required for the District given its growth and housing pressures. Some 97% of the District is ONL or ONF. Growth outwards is severely limited. The issues of growing out in this District are summarised in the Spatial Plan as follows:<sup>73</sup>

Growth pressures have resulted in urban development occurring over an increasingly large, dispersed area. This is changing some areas from a rural character or natural landscape to a more modified rural and urban environment, compromising some aspects of the environment valued by the community and Kāi Tahu.

3.23 Some submitters also talked about the number of holiday houses in the District that are vacant for much of the year. Or the number of Airbnb houses used as holiday / temporary accommodation. Other submitters told us that Queenstown and Wānaka have always been holiday locations. The nature of the housing market in Queenstown is also commented on in the Spatial Plan which states:<sup>74</sup>

The housing market in the Queenstown Lakes has different characteristics to many other areas of New Zealand. The popularity of the area as a holiday destination means there are many unoccupied dwellings (28%), as well as a very high percentage of short-term rentals (such as Air BnB) to long term rentals (49.8%). Rents have increased by 54% over the past five years, over double the New Zealand average. Build costs for new houses are also significantly higher (23%) than the New Zealand average.

3.24 We recognise that Airbnb and empty holiday houses affect those looking to purchase or rent housing in the District (see also Section 5). However, for the former there are other methods of control (and it is not a matter within the scope of the UIV) and for the latter, based on what we heard through submissions, has always been an integral nature of the District.

## Section 32 report

3.25 On 16 May 2023 QLDC released the s32 Report (which was updated on 21 August 2023 to include Lake Hāwea South).

3.26 The report succinctly summarises the purpose of the UIV as "This variation is proposed in order to meet [QLDC's] obligations as a Tier 2 local authority under Policy 5 of the ... NPS-UD."<sup>75</sup>

3.27 The s32 Report identifies the following key issues that the NPS-UD aims to address:<sup>76</sup>

- (a) The District is not delivering well-functioning urban environments:
  - (i) existing provisions are providing a barrier to the development of attached homes with a diversity of housing typologies required;

<sup>71</sup> See [Te Pūtahi Ladies Mile Variation](#).

<sup>72</sup> As set out below the Spatial Plan Gen 2.0 will include the Future Development Strategy which will provide the strategic blueprint for future urban expansion. See s42A Report (Strategic) at [5.51].

<sup>73</sup> Spatial Plan at 42.

<sup>74</sup> Spatial Plan at 43.

<sup>75</sup> Section 32 Report, executive summary.

<sup>76</sup> S32 Report, section 5.2.

- (ii) a shortfall in affordable housing with smaller/attached/denser housing typologies needed to address this issue;
  - (iii) low density of development around commercial areas and along transport routes fails to provide population density to economically support the centres (and to stimulate greater public transport); and
  - (iv) reliance on greenfield subdivision has weakened the competitive operation of land development and additional feasible capacity in existing areas will increase competition.
- (b) Housing in the District is unaffordable:
- (i) a June 2022 median house price to median average earnings ratio for the District of 14:1 (when anything above 5:1 is considered "severely unaffordable");
  - (ii) encouraging and enabling changes to increase the uptake of enable and serviced capacity in a more affordable price range; and
  - (iii) diversity of housing typology.
- (c) Increased traffic generation and lack of transport choice:
- (i) dispersed low density increases reliance on private cars with intensification in appropriate locations allowing people to live closer to their work; and
  - (ii) existing transport constraints within the District.

3.28 With Policy 5 directing the greater enablement of intensification, with a view to help achieve the Policy 1 outcomes, QLDC commissioned accessibility and demand analytics to inform the implementation of Policy 5 of the NPS-UD. This resulted in two recommended options (in parallel with changes to enable more height and density) for rezoning being:<sup>77</sup>

- (a) where commercial zones are strengthened through upzoning of the land surrounding the nodes; and
- (b) where commercial nodes as well as a corridor (with frequent public transport) are strengthened through the upzoning of land surrounding the nodes and corridor.

3.29 Market Economics then modelled these options (and the others listed below) to identify the commercial feasible capacity values for each of the six options and the baseline being considered. Market Economics also advised on how the different options would help meet demand in different locations along with the economic effects of the development patterns encouraged.

3.30 A full review of the District plan then occurred. Although the zoning extent of all urban areas was reviewed, for many areas rezoning is not needed due to the area's level of accessibility and relative demand.

3.31 The s32 Report therefore considered changes to the standards in the following PDP zones:<sup>78</sup>

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<sup>77</sup> Section 32 Report, section 6.1.1.

<sup>78</sup> The UIV also proposes amendments to Chapters 2 (Definitions), 4 (Urban Development) and 27 (subdivision and Development).

- (a) Lower Density Suburban Residential Zone (Chapter 7);
  - (b) Medium Density Residential Zone (Chapter 8);
  - (c) High Density Residential Zone (Chapter 9);
  - (d) Queenstown Town Centre Zone (Chapter 12);
  - (e) Wānaka Town Centre Zone (Chapter 13);
  - (f) Local Shopping Centre Zone.(Chapter 15); and
  - (g) Business Mixed Use Zone (Chapter 16).
- 3.32 Changes were also considered based on existing heights and densities enabled as well as constraints such as hazards, heritage features, airport noise boundaries, reverse sensitivity effects and landscape values. No changes were proposed to many zones<sup>79</sup> on this basis.
- 3.33 The District Plan review also included various other reviews and monitoring including an urban design review by Barker & Associates focusing on building heights and density provisions, provisions to mitigate effects, as well as other provisions that may impend the intention of the UIV.
- 3.34 The s32 Report considered seven options being:<sup>80</sup>
- (a) Option 1: Change zoning around commercial nodes and make the associated provisions more enabling.
  - (b) Option 2: Changes the zoning around commercial nodes and corridors and make the associated provisions more enabling.
  - (c) Option 3: Option 1 plus changes to the standards in the Lower Density Suburban Residential Zone (LDSRZ) related to building heights, average site area, and minimum lot area (subdivision chapter).
  - (d) Option 4: Option 2 plus changes to the standards in the LDSRZ relating to building heights, average site area and minimum site area (subdivision chapter). Ultimately this was the preferred option.<sup>81</sup>
  - (e) Option 5: Option 2 plus apply the Government's Medium Density Residential Standards to the land zoned LDSRZ and MDRZ.
  - (f) Option 7: Status quo.
- 3.35 As above these options were modelled by Market Economics with additional recommendations being made, which help refined the options and provision, including:
- (a) removing the existing density rule for the proposed MDR zoning with Chapter 8 (enabling 3-story walk up apartments to address a long-term shortfall for attached housing in Wānaka);

<sup>79</sup> See the list in section 6.1.2 of the s32 Report.

<sup>80</sup> Section 32 Report, section 11, sets out these options and evaluates them.

<sup>81</sup> Section 32 Report, page 86.

- (b) instead of downzoning the existing HDR in Wānaka, Three Parks and Arthurs Point to MDR, the HDR zoning was kept with bespoke height rules (excluding Arthurs Point) and applying the new HDR recession plane rules;
- (c) instead of down zoning the MDR areas north of Wānaka to LDSR, the MDR was retained and new height (11m +1m – an increase from 7m) and recession plane provisions were applied; and
- (d) instead of downsizing the existing MDR at the top of Queenstown Hill and Arthurs Point, the MDR zoning was kept subject to bespoke height rules (8m) and the proposed MDR recession planes.

3.36 The s32 Report also assesses the exclusions (whole and part) to intensification, with several constraints to intensification identified. As it notes, constraints do not necessarily preclude intensification; rather intensification is to be enabled while appropriately managing constraints.<sup>82</sup> Identified constraints included:

- (a) Gorge Road HDR Zone where QLDC is working to understand the nature, scale and risk of the natural hazard with the current position being intensification is considered inappropriate;
- (b) location specific building height standards in many specific areas around the District due to landscape / ONL values;
- (c) Arrowtown Historic Heritage ('Old Town'), with no changes proposed or the Arrowtown Town Centre Zone nor the Arrowtown Residential Historic Management Zone;
- (d) Queenstown Town Centre Historic Heritage Precincts (and the precinct heights extended across one block);
- (e) the airport air noise boundary (**ANB**) (no change) and outer control boundary (**OCB**) (for which option 2 with provision changes only was preferred<sup>83</sup> and considered to achieve "an appropriate balance between intensification within the OCB while not significantly compromising the safety and efficiency of the airport");<sup>84</sup>
- (f) the Wānaka Town Centre where option 4 (16.5m building height with 4m setback or upper floors above 12m and status quo height in Precinct 1) was preferred<sup>85</sup> as "it will provide a balance between intensification and maintenance of existing character and amenity, particularly from the adjoining public spaces, including the Lake Wānaka ONL;
- (g) stormwater and climate change with measures to help mitigate the increase in impervious surfaces and stormwater runoff;
- (h) the Wānaka aquifer and landslide area where the proposed rule changes are not anticipated to increase effects; and
- (i) setbacks from the State Highway to address reverse sensitivity effects.

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<sup>82</sup> Section 32 Report, section 6.2.

<sup>83</sup> Section 32 Report, pages 43-45.

<sup>84</sup> Section 32 Report, page 47.

<sup>85</sup> Section 32 Report, pages 50-51.

3.37 Due to the UIV implementing the NPS-UD, consultation was limited with more targeted engagement. Consultation occurred with Aukaha and Te Ao Marama with the noted issues relating to climate change, provision of infrastructure for water, stormwater and wastewater disposal.

3.38 Section 9.2 of the s32 Report summarises the proposed changes to the planning provisions. The proposed changes were modelled to provide a:

total plan enabled capacity of 84,200 additional residential units (35.6% increase to the existing plan enabled baseline capacity of 62,100) and a total commercially feasible capacity of 55,400 additional residential units and an additional 23,500 commercially feasible residential units on top of the existing dwelling stock. The percentage of plan enabled capacity that is commercially feasible will also increase by approximately 11%. ...

3.39 The s32 Report concludes that the UIV will:<sup>86</sup>

- (a) provide for a greater diversity in housing typology increasing housing choice that will cater for changing demographics;
- (b) allow for terraced and attached housing that is typically smaller and is considered to contribute to improved housing affordability;
- (c) promote a compact urban form focused around existing commercial areas and a frequent public transport corridor;
- (d) enable more people to live in or near commercial centres which will strengthen and support them and help improve their productivity;
- (e) enable intensification within existing urban areas which do not have an identified significant transport constraint and along key public transport routes;
- (f) align with the Spatial Plan, provide enough capacity to meet demand and does not raise concerns with the District's infrastructure limits (increased density makes investment more viable and feasible in the long-term); and
- (g) align with the objectives and policies of the NPS-UD, in particular Policy 5, in a manner that will achieve a well-functioning urban environment.

### **Notification and submissions**

3.40 The UIV was publicly notified on 24 August 2023 and submissions closed on 5 October 2023. The summary of decisions requested was publicly notified on 16 May 2024 and further submissions closed on 14 June 2024. In addition:

- (a) a summary of three original submissions which were mistakenly omitted from the summary of decisions was notified on 11 July 2024 and further submissions closed on 25 July 2024;
- (b) a summary of two original submissions, and three submission points from an original submission, which were mistakenly omitted from the summary of decisions, was notified on 8 August 2024 and further submissions closed on 22 August 2024; and

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<sup>86</sup> Section 32 Report, page 65.

- (c) a summary of 11 original submissions which were mistakenly omitted from the summary of decisions was notified on 14 February 2025 and further submissions closed on 28 February 2025.

3.41 A total of 1274 submissions (including 26 late submissions) and 108 further submissions (including eight late further submissions) were received. Over 7,000 individual submission points were made.<sup>87</sup>

### **Section 42A report**

3.42 Council officers provided s42A Reports on 6 June 2025.<sup>88</sup> The s 42A Reports and expert evidence provide an analysis of issues raised in submissions and recommended changes in response and covered:

- (a) Amy Bowbyes in relation to strategic overview, submissions on Arrowtown, and the text for Chapters 2 (Definitions), 4 (Urban Development) and 7 (LDSRZ);
- (b) Corinne Frischknecht for Chapters 7 and 8 (Lake Hāwea Residential Zones – text), 8 (MDRZ text), 9 (HDR text), 12 (QTC – text), 13 (WTC – text), 15 (LSCZ – text), 16 (BMU – text), and rezoning: Business and Lake Hāwea Zones;
- (c) Rachel Morgan in relation to rezoning requests for the residential zones;
- (d) Elias Matthee for Chapter 27 (subdivision and development – text);
- (e) Susan Fairgray for economics;
- (f) Cam Wallace for urban design;
- (g) Richard Powell for infrastructure; and
- (h) Richard Knott for heritage (Arrowtown).

3.43 The s42A Reports included recommended changes to the UIV provisions in respect to submissions received which were collated in revised provisions appended to the s42A Report (Strategic Evidence).

### **Expert and lay evidence**

3.44 We received numerous lay witness statements from submitters. Given the numbers we do not list them all here, but they are all available on the website. Again, we greatly appreciate the efforts of those submitters who took the time to provide us with lay evidence. As will become apparent, while not all have been successful, they have greatly influenced our decision and recommendations.

3.45 We received expert evidence from:

- (a) Planning (with many experts providing multiple briefs):

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<sup>87</sup> See, for the Council reply position on each point [amy-bowbyes-reply-evidence-appendix-b-reply-recommended-decisions-on-submissions.xlsx](#). This updated and completed an earlier 16 May 2024 version (which ran to over 700 pages). We thank the Council team for the time taken to compile that list.

<sup>88</sup> Section 42A Reports were provided by Ms Amy Bowbyes (Strategic, Text: Arrowtown, and Text: Definitions, Urban Development, Low Density Residential Zone); Ms Corrine Frischknecht (Text: Medium and High Density Residential Zones, Hāwea Residential, Text: Town Centres and Business Zones, and Rezoning: Town Centres and Business, including at Hāwea); Ms Rachel Morgan (Rezoning Residential); Mr EJ Matthee (Subdivision & Development).

- (i) Mr Ashby;
  - (ii) Ms Clouston;
  - (iii) Mr Edgar;
  - (iv) Mr Edmonds;
  - (v) Mr Freeman;
  - (vi) Ms Keeley;
  - (vii) Mr Kemp;
  - (viii) Mr Vivian; and
  - (ix) Mr Williams;
- (b) Urban design:
- (i) Mr Compton-Moen (4 briefs of evidence);
  - (ii) Ms Costello; and
  - (iii) Mr Harland;
- (c) Landscape:
- (i) Mr Falconer;
  - (ii) Mr Milne; and
  - (iii) Mr Blakely;
- (d) Heritage: Ms Lutz;
- (e) Noise: Mr Day; and
- (f) Groundwater: Mr Thomas.

#### **QLDC rebuttal evidence**

3.46 We received rebuttal evidence, responding to the submitter evidence (and with updated provisions and rezoning recommendations), from:

- (a) Ms Bowbyes (Strategic, Arrowtown, definitions and LDSRZ);
- (b) Ms Frischknecht (Planning Text) and (Business Rezoning);
- (c) Mr Wallace (Urban design);
- (d) Ms Morgan (Residential Rezoning);
- (e) Mr Knott (Heritage Character Urban Design).

#### **The hearing**

3.47 The Panel has read all the background material associated with the UIV, including the notified version of the UIV, the s32 Report and the s42A Reports. The Panel has also read all the submissions filed.

3.48 The hearing commenced on 28 July 2025 at the Arrowtown Athenaeum Hall. During that week we heard from:

- (a) the Council (on 28 and 29 July);
- (b) Submitters 70 (and 303), 172, 210, 302 (and 1300), 345 (and 744, 749, 864 and 1307), 376, 391, 445 (and 447), 632, 691, 710 (and 1290), 713, 732 (and 1362), 747, 818, 882, 896, 907, 1052, 1157, 1229, 1261, 1273, 1174 (and 1280);
- (c) Friends of Arrowtown (1076 and 1272), and again we are very grateful to Mr Howie in particular, for combining 258 submissions so well together; and
- (d) Carter Queenstown (776 and 1337) and Centuria (743 and 1361).

3.49 In the week commencing 4 August we sat at the Queenstown Memorial Centre and hear from submitters in relation to the following submissions.

- (a) 220, 265, 281 (581, 655, 1365, 1366 and 1386), 299 (and 1271)380, 384, 404, 413 (and 417, 1299 and 1366), 414, 425, 433 (and 1215), 480, 556, 566, 627, 632, 641 (657 and 1358), 681 (and 1289), 682 (and 1286), 701, 735 (and 817), 762 (763 (and 1347), 764 (and 1346), 769, 771, 773 and 1333), 765 (and 1330), 766 (and 1331), 767 (and 1336), 768, 774, 776 (1337), 779, 780, 803, 878, 943, 951, 1013 (and 1175), 1131 (and 1258), 1167, 1168 (1169, 1170 and 1328), 1250, 1252 (and 1355), 1253, 1254, 1260, 1313, 1332, 1339, 1340, 1341, 1343, 1344, 1345, 1351, 1352, 1359, 1360, 1382 and 1386;
- (b) We are especially grateful for the Multiple Queenstown Submitters<sup>89</sup> who joined together and instructed Lane Neave, Mr Freeman and Ms Costello to present their case in a co-ordinated and efficient fashion saving considerable hearing time.

3.50 From the 25<sup>th</sup> to the 27<sup>th</sup> of August we sat in Wānaka at the Edgewater Resort. We heard from submitters in relation to the following submissions.

- (a) 1050, 1132, 1133, 1134, 12332, 1282, 1319, 1320, 1321, 1322, 1323 all grouped together, and we refer to them as the "Lismore Street Group" and were represented by MacTodd and Mr Vivian) with submission 859 also relating to Lismore Street; and
- (b) 77 (and 1342), 78, 123, 134, 198 228, 360, 449, 450, 617 (1373 and 1374), 658 (660, 662, 663, 1284 and 1327), 704, 571, 711, 822 (and 1355), 848 (and 875), 893, 921, 927, 948, 956, 1029, 1038 (1039 and 1040).

3.51 The Panel sought requests for site visits and received several responses. We visited all the locations requested.

3.52 The Panel walked through Queenstown town centre<sup>90</sup> (including the PC50 land, Lake, Back Man, Isle and Brecon Streets), the gardens / Park Street and Queenstown Hill to get an understanding of the town centre environment and its surrounds. Separately, all the Panel has driven along the length of Peninsula Road. The Panel drove around:

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<sup>89</sup> Submissions 652, 653, 654, 832, 835, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 983, 984, 985, 986, 987, 991, 997, 998, 999, 1000, 1004, 1006, 1008, 1009 and 1287.

<sup>90</sup> Including those areas identified in the requests by Submitters 776 / 1337, 743 / 1362, 767 / 1336, 771, 765, and Man and Beach Streets as requested by Submitters 1004 and 972.

- (a) Fernhill (including Dart Place, Lochy Road, Vanda Place and Wynyard Crescent<sup>91</sup> and the various hotels);
- (b) Thompson Street and Lomond Crescent<sup>92</sup>;
- (c) Park Street, Brisbane Street,<sup>93</sup> and Suburb Streets<sup>94</sup>,
- (d) Panorama Terrace, Peregrin Place, Sunset Lane (and observed Sunrise Lane), High View Terrace, St George's Ave;
- (e) 1 and 3 Hansen Road, Frankton;<sup>95</sup>
- (f) 111 Frankton-Ladies Mile Highway;<sup>96</sup>
- (g) Lake Hayes estate (to understand the various housing typologies located there);
- (h) Remarkables Crescent, Riverside Road and Kawarau Place;
- (i) Lake Avenue, Yewlett Crescent, Stewart Street;
- (j) Frankton Road (from the suburban shopping centre by the round-a-bout to the CBD end with its hotels (including 31 Frankton Road and the surrounding blocks<sup>97</sup> including the area bounded by Melbourne and Beetham Streets, Centennial Drive and Frankton Road and further towards Frankton we viewed from above down into 221 Frankton Road<sup>98</sup>); and
- (k) Gorge Road.

3.53 The Panel also:

- (a) drove and walked through Arthurs Point (including walking in front of 182 Arthurs Point Road<sup>99</sup>); and
- (b) walked and drove through Arrowtown extensively<sup>100</sup> and at different times during the day to see the effects of sun and shading during winter (including 5 visits to Pritchard Place). We also drove through Butel Park (Manse Road, Bush Creek Road and Essex Ave) and along Jopp Street (to view the Queenstown Lakes Community Housing Trust housing); and
- (c) walked and drove through Wānaka including:
  - (i) the CBD (and the grid of Streets behind it being Brownston, Upton, Warren and Tenby Streets (with a particular visit to the end of Warren Street / Chalmers Street<sup>101</sup>);

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<sup>91</sup> As requested by Submitter 681.

<sup>92</sup> As requested by Submitters 773, 1351, 1348, 1349 and 1350.

<sup>93</sup> As requested by Submitter 413 / 1299.

<sup>94</sup> Including as requested by Submitter 1258.

<sup>95</sup> As requested by Submitters 775 and 776.

<sup>96</sup> As requested by Submitter 768 / 1332.

<sup>97</sup> As requested by Submitter 1344.

<sup>98</sup> As requested by Submitter 769.

<sup>99</sup> As requested by Submitter 1260 / 1338.

<sup>100</sup> Including as requested by Submitter 1076 / 1272.

<sup>101</sup> As requested by Submitter 198.

- (ii) Lakeside Road, Lismore Street, Plantation Road and Anderson Road (and various surrounding areas);
- (iii) the housing development at Northlake and its surrounds;
- (iv) Three Parks, Meadowstone Drive and West Meadows Drive;
- (v) Albert Town; and
- (vi) Lake Hāwea and Hāwea South (including the lake front, the Hāwea Local Shopping Centre Zone off Capell Avenue<sup>102</sup> and along Cemetery Road and Longview Drive).

3.54 Commissioners Cocks and Munro also have an extensive understanding of the urban environments in the District over many years of living and / or working in the District. All the commissioners have also, independently, visited Kelvin Heights and are generally familiar with the area. The Chair had a good, although steep, walk around Fernhill as well to get a sound understanding of that community.

3.55 These visits, and the Panel's knowledge of the District's urban areas, informed by the evidence and most importantly the submissions, gave us an extensive understanding of the urban environment in Arrowtown and let us understand first-hand the issues being raised.

#### **Information provided during the hearing**

3.56 Before presenting we received summary statements from most experts and lay witnesses. We found the summary statements provided a helpful update and enabled a focused hearing.

3.57 We also received numerous lay representations in writing. Again, and as will be clear throughout this decision, we found them helpful during the hearing and have reviewed them all again in coming to our recommendations.

3.58 We received legal submissions on behalf of:

- (a) QLDC (Opening Submissions and QLDC also responded to Minute 4 on 25 July 2025);
- (b) Friends of Arrowtown Village;
- (c) Centuria Property Holdco Limited (Centuria);
- (d) Cater Queenstown 2015 Limited (Cater Group);
- (e) Passion Development Limited;
- (f) Multiple Queenstown Submitters (we thank these parties, and appreciate their efforts, for bringing 19 submissions (a number by the same parties) together to present to us);
- (g) City Impact Church Queenstown Incorporated;
- (h) Coherent Hotel Limited;
- (i) Arthurs Point Land Trust;
- (j) Kelvin Capital Limited;

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<sup>102</sup> As requested by Submitter 449.

- (k) Warwick and Marie Osborne;
- (l) MacFarlane Investments Limited and JL Thompson (**MIL**);<sup>103</sup>
- (m) Bronwyn Teat;
- (n) Lismore Street Group (we thank this group for bringing these aligned submitters together);
- (o) Bush Creek investments Limited;
- (p) Matt Laming;
- (q) John O'Shea, Helen Russell, John Russell and Mary-Louise Stiassny;
- (r) Queenstown Airport Corporation Limited; and
- (s) Brian Keft and the Wānaka Trust.

3.59 Finally, we asked several parties during the hearing to, if they wished, take extra time to consider issues and respond to us in writing. Parties took that opportunity (and provided us with copies of cases) and we are grateful to them for the efforts made to assist us in making our decision and recommendations.

3.60 As will be clear given the extensive council evidence, the number of submissions, the number of submitters who attended the hearing (with in varying ways lawyers, experts and lay witnesses) we received and reviewed an enormous volume of material. All relevant material can be found at [QLDC - Urban Intensification Variation](#).

3.61 Given the volume of material received we have not referred to everything, nor every submission; it is simply too much.<sup>104</sup> But we have read it all, engaged with all matters raised during the hearing and in deliberations, and thank all parties for the significant efforts made to assist us in making our decision and recommendations.

3.62 Finally, the Council provided with its Reply legal submissions, evidence from Ms Bowbyes, Ms Frischknecht, Ms Morgan and Mr Wallace (which also included relevant responses to Minute 6).

3.63 The Council team put in a huge amount of work during the process. We are very grateful to Mrs Scott and Ms Norman for managing the hearing process for us so well and being so responsive to submitters and us. The Council planning team put in a huge effort throughout the whole process (especially Ms Bowbyes, Ms Frischknecht and Mr Matthee who took turns attending the whole hearing and talked extensively with submitters) which was, as is evidenced by the decision and our recommendations, a very complex and lengthy one. We are very grateful to them all for their efforts. To those many who submitted, but especially to those submitters who then took the time to turn up and speak to us in person, we are exceptionally grateful. As will be evidenced from this decision while not all submissions have been accepted, they have all helped us in reaching our decisions and recommendations.

3.64 On 20 October 2025 we issued Minute 7 closing the hearing.

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<sup>103</sup> Submission 767 included JL Thompson in the submitter name.

<sup>104</sup> And nor does the RMA require it for decisions (CI10(3) of Schedule 1).

## **The nature of the recommendation**

- 3.65 The Panel members are all accredited in accordance with ss 39A and 39B of the RMA. We were appointed by the QLDC to hear submissions on the UIV and to make a **recommendation** to QLDC. It is the Councillors who will make the final decision on whether or not to accept our recommendations.
- 3.66 Given the number of submissions received, solely for efficiency, we have moved reasonably quickly through the submissions. We have read and considered all the relevant material. We apologise where we gloss over a matter of particular interest to a submitter, but we simply cannot efficiently address them all in detail (and for some we simply agree with the s42A report or the authors evidence for the reasons they have provided). That is especially so in relation to where we have not specifically set out the details of all submitters who appeared before us. While we would have liked to have done so that task was simply too great.
- 3.67 We have therefore focused on what we consider to be the key matters. Where we explain our findings, we have taken the same approach. We have not made specific findings on every single matter that we have changed in our recommended provisions. Again, the task is simply too big, and the value has been focusing on the key issues affecting the provisions, not those that are less than minor and/or consequential changes that have occurred.
- 3.68 While separated into sections this decision, s32AA evaluations and our recommendations **must** be read together. The provisions (and maps) as we recommended them to be in **Appendix 1**.
- 3.69 Given the number of submitters, we have not tried to update Appendix B to Ms Bowbyes Reply evidence (Reply Recommended Decisions on Submissions). Rather, we have been clear in a general sense as to the recommendations we have made. The submissions which align with our recommendations in **Appendix 1** are accepted (in whole or part) and those that do not align are rejected (in whole or part).

## **4. ADMINISTRATIVE, LEGAL AND POLICY MATTERS**

- 4.1 During the process three key administrative / legal matters arose being:
- (a) Acceptance of late submissions;
  - (b) Whether numerous submissions were "on" the UIV (on which we received extensive material); and
  - (c) How Policy 5 of the NPS-UD is to be interpreted and applied.
- 4.2 We address each of these matters in turn below.

### **LATE SUBMISSIONS**

- 4.3 As set out above there were 26 late submissions and eight late further submissions. The acceptance of these submissions is set out in Minute 2. In accepting these late submissions, we were satisfied that the interests of any relevant person would not be adversely affected (there is no prejudice) and that accepting them would not cause any delay to the process.

*Pages 36-90 omitted*

LDSRZ and MDRZ, we recommend no change to their current PDP spatial extent in Arthurs Point.

7.18 Where land already has a PDP zoning that enables more than what we have described above, being the HDRZ, that zoning should remain given it has been arrived at through a thorough and completed prior planning process unrelated to the specific needs of Policy 5 of the NPS-UD. We refer to our separate commentary on the amendments we have otherwise determined are appropriate within the HDRZ as part of the UIV based on NPS-UD Policy 1 (well-functioning urban environment), and otherwise appropriately aligning the PDP residential zones with one another.

7.19 Our key findings are that:

- (a) The spatial extent of PDP zones in Arthurs Point should not be changed because of the UIV either via NPS-UD Policy 5(a) or 5(b). In the case of Arthurs Point Trustee Limited's land, we find the evidence in support of the change of zoning was more focused on considerations of environmental effects and other detailed design solutions than the substantive NPS-UD Policy 5 questions raised by the UIV. We have not been persuaded that an upzoning (specifically the mid-terrace) has been justified and we agree with Ms Frischknecht that the arguments put to us seem better suited to an application for resource consent.
- (b) Provisions of the LDSRZ (now SRZ) and MDRZ should be amended to enable a pathway for greater residential densities on land within the framework of existing zone standards, and to otherwise manage the effects of the overall extent of densification to be enabled.
- (c) The existing PDP HDRZ will remain with the minor amendments we recommend to that zone.

7.20 We refer to our overall s32AA analysis in Section 21 for additional reasons that also apply to Arthurs Point.

7.21 Overall, we therefore accept submissions (in whole or in part) supporting our recommended provisions in **Appendix 1** and reject those submissions (in whole or part) that oppose them.

## **8. ARROWTOWN**

### **Background / key issues**

8.1 Arrowtown is a famous tourist destination known for its gold-mining heritage, landscape setting, and historic heritage-rich built form.<sup>265</sup> It has a thriving commercial centre with multiple food and beverage outlets, a primary school, numerous parks and trails, and bus access to the District's other key centres. It has a small and constrained industrial zone. It also has no greenfield area of live zoned 'expansion' land, although this was nevertheless an option promoted by many submitters including by extending Arrowtown towards SH6 (one we find we lack scope to action). It has in recent decades expanded into two bulbs – one western and one southern, parts of both of which sit outside the UIV.

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<sup>265</sup> A detailed background and overview context to Arrowtown is provided in the Statement of Evidence of Ms Lutz, 4 July 2025, at Appendix 1.

- 8.2 Arrowtown is also known for, and many submitters attested to, issues of a winter inversion layer, shadowing, and permafrost. Recreational trails along the Arrow River and gold-mining heritage are also important recreational facilities.
- 8.3 Although subject to degrees of contention between submitters, Arrowtown is also well-known for its historic heritage character both in terms of its commercial centre and in terms of at least its 'core' of typically cottage-style residential dwellings.
- 8.4 Arrowtown, its unique character, and its specific other natural and physical characteristics:
- (a) are reflected within the PDP with location-specific objectives and policies that give particular recognition to its character; and
  - (b) were explained to us through submission after submission as we read them and by those who presented during the hearing.

### **Submissions / s42A Report / evidence / legal and lay argument**

- 8.5 We received extensive submissions (566 original submissions alone, with using Mr Howie's figures which we are happy to rely on, some 476 requesting to exclude Arrowtown in part or in full<sup>266</sup>) relating to Arrowtown. We also heard from many submitters in person during the hearing days in Arrowtown (see section 2 above) and some in other centres. As mentioned during the hearing, and in Section 2 we are very grateful all the Friends of Arrowtown, and Mr Howie in particular, for combining 258 submissions so well together. That saved us considerable hearing time and enabled a far more focused, and represented (by Mr Todd and Ms Hill), presentation of the submissions. We also wish to note, for their efforts, Louise and Justin Wright<sup>267</sup> for providing us with additional shading / dwelling type material and insight into the Arrowtown character and issues of significance given their expertise (though not presenting as experts) but also as residents. We simply received so many submissions that we cannot mention, and do not propose to try even try and reference, them all in any meaningful way. That also applies to those who kindly took the time out of their days to present to us, which we greatly valued and added so much real flavour to the words of their submissions. But as will be apparent from this decision we found them immensely helpful, and they greatly influenced the recommendations we have made.
- 8.6 The overall character of Arrowtown presented to us across many submissions was succinctly summarised by Ms Lutz on behalf of the Friends of Arrowtown as:<sup>268</sup>
- Its special character stems from a combination of factors such as a modest building scale, a strong relationship to topography and landscape, mature vegetation, including historic tree avenues, organically developed street networks, and a high degree of continuity between historic and contemporary buildings in both scale and materiality.
- 8.7 The notified UIV proposed a substantial 'ring' of MDRZ around the historic core but as explained in detail in Ms Bowbyes s42A Report (Arrowtown) the Council considerably changed

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<sup>266</sup> Speaking Notes of Mr Hosie.

<sup>267</sup> Submission 747. Mr and Mrs Wright also provided us with extensive lay evidence dated 8 July 2025.

<sup>268</sup> Summary Statement of Ms Lutz at [4].

its view on this and no longer supported the notified extent of additional development enablement. Ms Bowbyes summarises the changed approach as follows:<sup>269</sup>

MDRZ:

(a) I recommend that notified Rule 8.5.1 (for Arrowtown only) be amended to enable a permitted building height of 8m plus an additional 1m for pitched roof forms only, which would enable 2 storey development. I recommend that the non-complying activity status for breaches be retained;

(b) I recommend that notified Rule 8.5.7 (for Arrowtown only) be amended to apply the following recession planes and retain the current restricted discretionary activity status and matters of discretion for breaches:

- (i) Southern boundary 2.5m & 35 degrees
- (ii) Northern boundary 2.5m & 55 degrees
- (iii) Western & eastern boundaries 2.5m & 45 degrees

LDSRZ:

(c) I recommend that notified Rule 7.5.1 (for Arrowtown only) be amended to enable a permitted building height of 6.5m and a restricted discretionary building height band of 6.5m – 8m. I recommend that the non-complying activity status for buildings exceeding 8m be retained. I recommend the following matters of discretion for the restricted discretionary height band:

- (i) consistency with Arrowtown's character, as described with the Arrowtown Design Guidelines 2016;
- (ii) any sunlight, shading or privacy effects created by the proposal on adjacent sites and/or their occupants; and
- (iii) external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties.

8.8 Ms Bowbyes explains how these changes will better recognise Arrowtown's character (and align with the existing Arrowtown specific PDP objectives and policies) while still delivering increased opportunities for intensification (and by doing so aligning with SO 3.2.2). In her s42A Report (Arrowtown) Ms Bowbyes provides s32AA analysis for all the proposed changes.

8.9 The submissions were primarily opposed to the Council's approach (especially as notified but also as set out in the s42A Report), except for the decision to exclude the Arrowtown Town Centre zone and the Arrowtown Residential Historic Management zone from the UIV – which was widely agreed with. The Council proposed to borrow from the provision made within the NPS-UD for 'qualifying matters' that Tier 1 councils may use to limit the amount of intensification otherwise required by the NPS-UD to achieve this. The 'qualifying matters' approach was also relied on heavily to justify the s42A position of less intensification being taken forwards than was notified.

8.10 In summary, the submissions raised a wide variety of issues but by far the most predominant was that there was no acceptable outcome that included 3-storey buildings given concerns over adverse historic heritage and/or character effects on Arrowtown. In his lay statement Mr Hanan

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<sup>269</sup> S42A Report Ms Bowbyes at [3.2].

(210) commented, which was widely reflected (and noting that the s42A Report proposed reduced heights/density) that:<sup>270</sup>

the proposed 12-meter building height rule does not align with the character, values, and needs of Arrowtown. The potential negative impacts on visual amenity, shade, infrastructure load, neighbour relations, heritage value, environmental sustainability, and community sentiment highlight the need for a more context-sensitive approach to urban planning. Maintaining lower building heights is essential for preserving the unique charm and liveability of Arrowtown, ensuring it remains a vibrant and attractive place for future generations.

8.11 Mr Hosie, on behalf of the Friends of Arrowtown, provided us with a helpful summary table of the concerns raised by members in their submissions as follows:<sup>271</sup>

<b>SUBMISSION POINTS SUMMARY</b>	
Sunlight	72%
Character	72%
Amenity	51%
Infrastructure	51%
Views	49%
Arrowtown Design Guidelines	42%
History & Heritage	40%
Spatial Plan	30%
Lack of Consultation	25%
Traffic and Parking	18%

8.12 Evidence in favour of the status quo was substantial, with common themes summarised by Mr Clarke as follows:<sup>272</sup>

The Variation flies in the face of good community-led planning. The s42A report suggests changes that are clearly an improvement but will still have serious unacceptable consequences. In my view the Variation is an ideological, one size fits all, solution rather than a practical solution in the case of Arrowtown. It will erode the 'special character' of Arrowtown for ever, further stretch infrastructure and will not in my view result in the desired outcomes of affordability or mixed typography. It would have been far better to have left Arrowtown out of the Variation and undertake further community-lead planning that would allow for well-planned redevelopment and growth, as we have done so successfully up until now.

8.13 Over the Hearing days in Arrowtown we spent our breaks walking around to see some of the different sites discussed and also undertook additional visits in the mornings prior to Hearing

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<sup>270</sup> At [31].

<sup>271</sup> Speaking Notes of Mr Hosie. Note, as above, this reflects 258 member submissions but, as Mr Howie noted and we agree, it is reflective of the wider submissions too.

<sup>272</sup> Speaking Notes of Mr Clarke at [12].

commencement (and the Chair on two weekends). This was invaluable in helping us verify and test what we were hearing by way of direct in-person experiences.

- 8.14 In terms of expert evidence, the Council's expert Mr Knott considered that historic heritage values under s6 RMA and special character and amenity values under s7 RMA could be delineated and, in his opinion, the major constraint was a s7 amenity values one, not a s6 historic heritage one.<sup>273</sup> Although he supported the Council's s42A version of additional enablements, he opposed the Council's earlier notified enablement derived from Mr Wallace's s32 accessibility work. Mr Wallace for his part confirmed that he maintained the opinions that led to the notified provisions for Arrowtown which included:<sup>274</sup>

A notable feature of the existing character in the New Town neighbourhoods is the generally low-density and scale of development, along with a development pattern consistent with post-war development. This is characterised by a more curvilinear street and block pattern with cul-de-sacs. Architectural styles are consistent with progressive periods of development and the urban form of the New Town is comparable to many other urban areas in the District and New Zealand constructed since World War II. ... This type of development is likely to be reflective of development trends and feasibility of the time rather than a specific desire to retain the character of Arrowtown.

- 8.15 For Friends of Arrowtown Village, Ms Lutz agreed with Mr Knott to the extent that s7 RMA amenity values applied across Arrowtown but also advised that the entirety of Arrowtown fell under the remit of s6 RMA on the basis that while not all dwellings or sites in Arrowtown were of themselves historic heritage buildings, they contributed to the overall historic heritage values of the town and importantly informed appreciation of the historic heritage buildings themselves. The Panel understood that Ms Lutz's opinion applied also to the two 'bulbs' of Arrowtown that are excluded from the UIV. Upon questioning from the Panel, Ms Lutz confirmed that no additional planning controls or restrictions would be necessary over and above the current PDP framework to appropriately protect, maintain or otherwise manage the s6 RMA issues she had identified; it was the prospect of additional intensification (specifically building heights) that most concerned her.

- 8.16 Mr Philip Blakely prepared expert landscape evidence for the Friends of Arrowtown. He told us how landscape character, amenity and heritage values are all "inextricably intertwined and linked"<sup>275</sup> in Arrowtown in a way that "differs from all other towns". He also addressed the surrounding landscapes and ONLs / ONFs and the importance of retaining visibility to them (especially in relation to building height). Applying that, Mr Blakely emphasised the adverse effects of the proposed Variation and considered that the status quo MDRZ was appropriate and for the LDRZ potentially a 0.5m height increase and "some" increase in density may be appropriate via discretionary consent. His conclusion, which reflects the position of many submissions, was:<sup>276</sup>

Arrowtown is a nationally important heritage town. It is precious and unique. There is a responsibility to manage future development that is sensitive and responsive to context. Blanket urban intensification as

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<sup>273</sup> See Memorandum of Counsel for Queenstown Lakes District Council Regarding Minute 4, 25 July 2025.

<sup>274</sup> S32 Report, Appendix 4, Urban Design Report, at section 8.2.

<sup>275</sup> Summary Statement Mr Blakely at [4].

<sup>276</sup> Summary Statement Mr Blakely at [24].

proposed in the Variation and to a lesser extent by the s42A amendments is inappropriate and are not compatible with Arrowtown's character. New development needs to recognise and be responsive to context and character.

- 8.17 Ms Bowbyes responds to Mr Blakely in her rebuttal evidence recognising the tension between urban development and maintaining people's appreciation of outstanding landscapes. She referenced the TPLM decision which found, given that some 97% of the District is an ONL/ONF, urban development will inevitably be juxtaposed against outstanding natural features and landscapes and found that this of itself is not an inherent adverse effect. She considers the same position applies here.<sup>277</sup>
- 8.18 Although the specialness of Arrowtown's character was effectively unchallenged, many lay submitters explained in detail that the current PDP approach did not work satisfactorily, and in many instances, we were pointed to recent-builds that were seen as contrary to Arrowtown's character, and that were not appropriate also in terms of adverse effects on immediate neighbours (in particular in relation to a recent development on Premier Place which we visited several times). The key concern was that the PDP only mandates a consideration and response to Arrowtown's character where a resource consent is needed, not for permitted activities. We visited many recent-builds in Arrowtown and acknowledge that many seemed to be of high build and aesthetic quality. They also tended to be 2-storeys in height, and larger-scale dwellings. What the Panel should do about that was a topic enjoying less agreement within the submitters. Some sought that no permitted dwellings be allowed making consideration of Arrowtown's character mandatory, whereas others were clear to the Panel that losing existing permitted activity entitlements would not be acceptable.
- 8.19 Multiple submitters assisted the Panel in understanding what types of living and dwellings were likely to be sought in Arrowtown (see Section 2). Key messages the Panel took from this were that:
- (a) There was no short or medium-term real-world likelihood of 3+ storey apartment living being sought (even Ms Fairgray, although supporting the 3-storey MDRZ enablement proposed in the UIV to apply now, advised us of her analysis indicating actual demand might not exist for 20+ years);
  - (b) Serious concerns as to whether affordable housing was realistically possible were consistently raised Sections 2 and 5, with the Queenstown Lakes Community Housing Trust advising that unless land was provided at very low cost / free, its model did not currently work in Arrowtown. We visited its 'Tewa Banks' development in Jopp Street and were impressed with the outcomes achieved;
  - (c) Providing for additional building height and density allowances would likely lead to even larger and higher-priced dwellings being constructed that would exacerbate both affordability and built-character conflicts;
  - (d) Loss of existing provision for sunlight would be highly adverse given existing permafrost and shadowing conditions prevalent in Arrowtown; and

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<sup>277</sup> Rebuttal Ms Bowbyes at [5.7].

- (e) Substantial support for higher-density greenfield development was expressed, although as it relates to Arrowtown no greenfield land was included in the UIV. Existing zones well-away from Arrowtown were recommended including the recently zoned TPLM area as well as comments about extending towards SH6 (which is already occurring).
- 8.20 In relation to infrastructure Mr Powell's evidence for Arrowtown<sup>278</sup> is that for water supply and wastewater developers may need to remove any localised constraints at the time of consents.
- 8.21 Finally, by way of evidence, in her reply evidence Ms Bowbyes in response to questions from the Panel carefully considered various options (and their costs and benefits) for the UIV provisions within Arrowtown being:<sup>279</sup>
- (a) Option 1: Extend Arrowtown's urban environment;
  - (b) Option 2: Retain the current PDP LDSRZ and MDRZ provisions for Arrowtown and apply the ADG to activities that are currently permitted;
  - (c) Option 3: Apply the s42A recommended provisions to the LDSRZ and MDRZ, amended to apply the ADG to all buildings; and
  - (d) 5.5 Option 4: Apply the notified provisions to the LDSRZ and MDRZ, amended to apply the ADG to all buildings.

## **Findings / decision / provision changes / s32AA**

### *Exclusion of the "old Arrowtown" Town Centre zone and AHRMZ from the Variation*

- 8.22 It is common ground that the 'old town' or Arrowtown exhibits excellent and coherent historic heritage values, from which the community derives not only social and cultural benefits, but important economic ones associated with tourism and the visitor economy.
- 8.23 We do not accept the Council's proposed use of quasi-qualifying matters to justify excluding the old town from the Variation; qualifying matters do not apply to Tier 2 councils and the NPS-UD does not provide a method within the NPS-UD to read-down what Policy 5 requires. But purely in terms of our evaluation of the totality of planning documents in front of us (and accepting the statutory hierarchy), effects on the environment, and the submissions received, we agree that enabling additional height and density of development within the historic "old town" would have significant and unacceptable adverse effects, to the extent that s6(f) of the RMA would not be being recognised and provided for.
- 8.24 While we recognise Ms Hill's arguments that the NPS-UD has already implemented Part 2 and does not set a requirement to be overridden<sup>280</sup> there is nothing we see in the NPS-UD, including Policy 5, that suggests it has a power to override s6 RMA in the event of a direct conflict; rather in applying Policy 5 in context we must also recognise and provide for s6 matters of national importance. We therefore support the notified UIV approach of excluding these zones but for different reasons.

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<sup>278</sup> EIC Mr Powell at [5.22] – [5.25].

<sup>279</sup> Reply Ms Bowbyes at [5.4].

<sup>280</sup> Submitters' Reply Legal Submissions, 25 August 2025, at [14].

- 8.25 The Panel is satisfied that the way that any “commensurate” up-zoning identified as necessary under the NPS-UD is provided for is of itself a matter at the discretion of the council. We find that any identified NPS-UD response does not only apply to individual sites, but also to parts of urban environments or whole urban environments depending on the context and facts of the situation, and what outcome would be overall the most appropriate having regard to the full suite of applicable RMA documents, submission responses, and other procedural requirements separate to the NPS-UD. In the case of Arrowtown, we find that a commensurate NPS-UD Policy 5 enablement should be provided in the context of the village as a whole given its small spatial scale, walkability and high level of aesthetic coherence.<sup>281</sup> In other words, the Panel finds that just because sites “A” and “B” within an urban environment contribute to a justification for greater height and density enablement under NPS-UD policy 5 in that location, there is no reason why both sites “A” and “B” need to be resultantly up-zoned. Based on an overall RMA evaluation including non-NPS-UD factors, it could be that only one of “A” or “B” needs to be up-zoned to implement the NPS-UD’s requirements. Or potentially a different site “C”.
- 8.26 The upshot of this is that the Panel agrees with the Council and submitters that the Arrowtown TCZ and ARMHZ should not be the subject of any NPS-UD-based up-zoning. However, we do not entirely agree that as part of a relevant urban environment they should have been excluded from the UIV in the way the Council explained. Their contribution to informing what overall level of up-zoning would be commensurate in NPS-UD Policy 5 terms is a mandatory consideration even if that land would not justifiably form part of the solution of then enabling that commensurate upzoning for Arrowtown as a whole.
- 8.27 The reason we do not entirely agree is because the Council did not entirely exclude the TCZ and ARMHZ from the UIV process; the land was included in the relevant economic, spatial, demand and accessibility analyses undertaken as part of the UIV, with the overall extent of intensification proposed in the UIV for Arrowtown proposal based in large part on resident’s access to the TCZ. Put simply, the Council has effectively done what the Panel determined it could do above - with the TCZ and ARMHZ corresponding to “site A” in that analogy, and the MDRZ and LDSRZ zones around those and proposed in the UIV to accommodate NPS-UD-mandated intensification forming “site B”. For completeness, the submitters seeking separate greenfield land to manage more growth would be the equivalent of “site C”.
- 8.28 The Panel confirms that in its recommendations the additional intensification recommended within the LDSRZ and MDRZ includes the overall commensurate response identified for the entirety of Arrowtown village including the TCZ and ARMHZ.
- 8.29 What we have excluded is the residential zoned land located in each of the two residential bulbs of Arrowtown that was excluded from the UIV. For that land the Panel understands that a separate future NPS-UD exercise would still need to be undertaken such as for other urban-zoned ODP land across the District. In reaching this position the Panel notes that it has not used s6 RMA to override or not implement the NPS-UD in Arrowtown’s TCZ or ARHMZ (or

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<sup>281</sup> This aligns with the Statement of Evidence of Ms Lutz, 4 July 2025, Appendix 2 where she states, in section 8: "Arrowtown does not function in this way. As a small township within the UGB, even the most distant residential streets—such as e.g. Advance Terrace—are located within approximately 1.5 kilometres, or a 20-minute walk, from the town centre. The entire township already operates within a ‘walkable catchment’, making conventional urban intensification logic not applicable in this context."

other zones); it has used s6 RMA to help shape the most appropriate resultant planning response to Policy 5 across the village as a whole based on how the Panel has interpreted the relevant “urban environment” that the NPS-UD policy 5 applies to. The question of whether s6 RMA could be relied on to override, and hence not implement, NPS-UD policy 5 was ultimately not one that the Panel found itself having to confront.

*Approach to land outside of the historic heritage core – historic heritage and amenity values (character)*

- 8.30 While we accept, especially in relation to the old town but also in pockets of the new town, especially by the river, Mr Blakely's concept of Arrowtown-ness reflecting the history of character design control in the town and its setting (and the multitude of submissions we heard). We do not agree with the importance of views to ONLs / ONFs as a rationale for reduced intensification in the context of Arrowtown or the District. From our site visits around the District such views are common (reflecting that some 97% of the District is so rated).
- 8.31 We had difficulty reconciling the expert evidence Mr Knott and Ms Lutz with our own site observations and the lay evidence provided by many submitters opposed to the Variation. Specifically:
- (a) We place no weighting on Ms Lutz' comments relating to other locations in New Zealand that have not been the subject to NPS-UD Policy 5 upzoning. It was not explained to us that her examples were relevant, such as whether Akaroa in Christchurch was actually within a relevant urban environment of that relevant local authority, in the way that Arrowtown is in the Queenstown Lakes District.
  - (b) We are dubious of how the entirety of Arrowtown could be the subject of s6 of the RMA but not require any Plan protections or provisions to reflect that (permitted activities including demolition and replacement of dwellings and modest intensification do not appear to us as being satisfactory in relation to a s6 RMA protection).
  - (c) We do not accept that contemporary houses built now as permitted activities and which involve the demolition of previous dwellings on those sites can be credibly argued as recognising and providing for historic heritage under s6 of the RMA, and we do not accept that such dwellings exhibit any relevant historic heritage values of their own, nor outside the old town, collectively.
  - (d) As described above, many submitters explained to us that the current plan regime of permitted activities and a design guideline (which has no compulsion about it in the case of permitted activities) were not working to satisfactorily maintain character or amenity values. Our physical site inspections led us to agree that many of the recent house builds around Arrowtown lack any obvious historic heritage or built character 'Arrowtown-ness'. Our on-the-ground reality considerably undermined the conclusions of both Ms. Lutz and Mr Knott, which we found to be too generalised and idealistic, devoid of 'real world' consideration. We simply do not agree that all of Arrowtown is a s6 historic heritage township.

- (e) Our own observations reinforced to us that there is an obvious difference in character between what is described in the Arrowtown Design Guidelines 2016 as the 'old town' and the 'new town' (see **Figure 3**). Historic heritage and highly coherent character values without doubt predominate in the old-town area in terms of all of:
  - (i) Typical dwelling sizes and heights; and
  - (ii) Street type and character.
- (f) It was obvious to us that the larger-scale buildings with less-Arrowtown-ness about them were much more common in the new-town areas, especially the outer areas that were fundamentally subdivided and first-developed in recent decades (opposed to being redevelopments of previous dwellings or infill on existing allotments). We found no coherent pattern of character but rather, as common in towns across New Zealand, especially holiday destinations, a mix of styles that have evolved with the concept of a 'crib' (and now to some very large houses), but which have retained a consistent 1-2 storey scale of largely detached dwellings on separate sites.

**Figure 3 – 'Old' and 'new' town areas from the Arrowtown Design Guidelines 2016 (page 4), no scale**



8.32 In conclusion, other than the Town Centre Zone and ARHMZ, we do not accept the argument that Arrowtown as a whole contains historic heritage and/or amenity values constraints of such spatially continuous coherence or significance that no enablement of height of density at all beyond the status quo could be acceptable. Although we would agree the many houses we visited were of a high-quality and offering high amenity it was just not the case that there was a specialness that distinguished them from equally beautiful homes in beautiful settings we visited in parts of Wānaka, Arthurs Point, Hāwea and Queenstown.

*What is commensurate?*

- 8.33 We acknowledge that of the District's settlements other than Queenstown and Wānaka, Arrowtown offers the greatest level of accessibility both on account of its own scale and range of commercial activities and community services, and its proximity to the eastern urban edges of Queenstown. But we find that despite being "more" accessible than Arthurs Point and Hāwea, Arrowtown is not sufficiently accessible that 3-storey apartment-style living would be "commensurate" (noting we have previously found it would also not be justified under NPS-UD Policy 5(b) either). Most residents will regularly still need to commute away from the village in meeting their daily needs and in many (if not most) cases, this will be by private vehicle.
- 8.34 We find that for Arrowtown, which is still a small village in the context of New Zealand's various settlements, 2-storey development in line with the bulk and location standards of the existing zones would be commensurate, in terms of building heights and associated scales and massing.
- 8.35 However, as also discussed above, we find that additional density within that bulk and location framework would be commensurate and is justified to implement Policy 5 NPS-UD in both the LDSRZ and MDRZ. We refer to our earlier discussion of the approach we have determined to be most appropriate for those zones.
- 8.36 Although not a matter we find confined to Arrowtown, when we discussed issues of greater density (but not height) in Arrowtown, a key concern identified by submitters was in terms of on-site car parking for dwellings, which we have touched upon earlier. It was explained to us by numerous submitters that in Arrowtown car parking along streets is even more important including in terms of facilitating tourist / visitor access given the wide regional and even international draw that Arrowtown has. Many submitters explained to us that more vehicles are being parked on the street berms and, as there are no footpaths, creating problems for people walking. The Panel accepts that in this context it creates a valid resource management concern. Although the Council has Local Government Act powers to manage public roads and parking spaces, the Panel accepts that the overall scale of on-street parking likely to result from intensification arising from the notified UIV is relevant.
- 8.37 As explained earlier, subpart 3.38 of the NPS-UD prohibits the imposition of any minimum car parking requirement in a District plan. It does provide for accessible car parks. The Panel accepts that it cannot require car parking with any development resulting from the UIV and cannot grant relief to those submitters that sought requirements for all resident car parking to be on site.
- 8.38 In consideration of the effects of most concern to the submitters, the Panel finds that it is the importance of day-time supply that allows social and economic wellbeing through provision for drop-offs, emergency or service vehicles, loading and unloading of shopping, occasional contractor access, home occupations and so on. The inability of the higher densities of development otherwise seen by the Panel as commensurate with Arrowtown's accessibility to be reasonably serviceable in a manner that does not rely on the (unrealistic) assumption that conveniently located, existing on-street car parking will always be on-hand would present potentially significant social and economic effects for Arrowtown (but in fairness also the other

towns and villages subject to the UIV). It is also simply reality that suburban-type residential units require day-to-day loading and servicing which is often entirely vehicle-based (i.e., such as tradesperson with specialised equipment in a vehicle that cannot be substituted via bicycle or bus) especially within Arrowtown (and the District generally given its dispersed nature and climate/topography).

8.39 The Panel accepts the serious concerns of submitters relating to potential adverse effects arising from intensification but is also prohibited by the NPS-UD from simply requiring a minimum general car parking provision for dwellings proposed because of UIV-based additional intensification. But in consideration of what the NPS-UD does provide for and the consequential potential adverse effects that additional intensification could result in, the Panel has decided as follows (for all the District's SRZ and MDRZ not just Arrowtown):

(a) For all dwellings that seek higher density than the permitted standards allow, a minimum net area must also be provided demonstrating how the dwelling complies with the relevant development standards; has legal access compliant with the District Plan's requirements; and has at least one small vehicle loading space for a private car sized light commercial vehicle designed to comply with the District Plan's requirements for standard car parking spaces. The reasons for this approach are in summary:

(i) Although individuals may choose to want a private car park or not, the Panel has no doubt that over the lifetime of a dwelling (and the unlimited period of any subdivision approved based on that dwelling), every dwelling will have reasonable need of adjacent loading access for such things as:

- (1) Contractor / building maintenance access including where the contractor needs convenient access to the vehicle where tools or equipment are stored;
- (2) Home occupations and business;
- (3) Uber / taxi or courier drop-offs or, importantly pick-ups that may not be secure or practicable from a public street;
- (4) Emergency service vehicle access; or
- (5) Household shopping unloading and courier drop offs/collection.

8.40 We are mindful of numerous other location-specific matters:

(a) Retaining the existing Arrowtown Design Guidelines is not in the Panel's view acceptable. As mentioned above, and by Ms Lutz in her evidence,<sup>282</sup> their effectiveness is limited at any rate, especially for permitted activities. Ms Bowbyes accepted during the hearing that the guidelines were premised on the development outcomes provided within the PDP and that a future plan change process would be required to update those to match the Variation. While she sought the retention of the guidelines in the interim, we do not accept that it is effective or efficient under s32 of the RMA to include reference to a document that is not properly designed for its purpose. We have removed reference to

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<sup>282</sup> Statement of Evidence of Ms Lutz, 4 July 2025, Appendix 2, section 8.

the Arrowtown Design Guidelines, but in so doing have retained appropriate reference to the existing character of Arrowtown within the Plan. This includes specific relevant topic headings used within the guideline.

- (b) We have determined that we have no grounds to revisit the settled PDP other than in direct service of the UIV. Despite our agreement with many submitters that the permitted activities possible within Arrowtown have not in many cases maintained or contributed sympathetically to Arrowtown's character, ultimately, we do not agree that we have a proper basis to address this; such as by removing existing permitted activities. For this reason, we have also determined not to revisit the basis of sunlight access to and between sites, although we are appreciative to those that contributed to the Council's reply on this matter.
- (c) But in the case of dwellings on sites smaller (i.e., that are higher density) than the status quo minimums in the Plan, we are satisfied that in what is already to be a restricted discretionary activity an additional discretion should apply requiring the development to be compatible with Arrowtown's existing character. This will ensure any additional adverse effects arising from that greater density will not be locally inappropriate. It also reflects the existing PDP policies for Arrowtown which, in having worked carefully through all the matters we must apply in the context of Arrowtown (and the submissions we heard) we consider to be an appropriate outcome that still gives effect to Policy 5.

8.41 We find that our approach will be not only compatible with Arrowtown's character, but it will also in at least some instances likely lead to superior character outcomes than the status quo Plan seems to be at times delivering. In particular:

- (a) We consider our approach will enable greater variation in dwelling and site sizes than is currently the case.
- (b) The effect of the Panel's approach is to work within the existing built form framework of the PDP (which in terms of building heights is already "commensurate" in Policy 5 NPS-UD terms) and look to promote more housing choice, diversity and variation – particularly in terms of lower cost housing, a point that many submitters, we feel fairly, criticised the Council's approach for a lack of. We consider that despite many submitters telling us plainly that there would and could be no affordable housing in Arrowtown, it is possible to improve the status quo in relation to housing affordability. Our recommendations will make it easier for more people to provide smaller and lower cost dwellings, on more sites and so contribute to more total opportunity for this type of housing than is currently possible.
- (c) One of the character differences between 'old' and 'new' Arrowtown is the higher frequency of small, geometrically simple cottages or cribs in the former; and conversely the larger, contemporary dwellings (reflecting many different design eras and styles) that are more predominant in the latter. It was the large-scale of some of the newer-builds that contributed to concerns expressed by many submitters that they were not respecting Arrowtown's character. Plan provisions that provide a clearer consenting pathway for

more smaller dwellings - but not more larger ones – is in the Panel's finding inherently consistent with some of the key character aspects of the village.

- (d) The effect of our recommendations is to make it simpler on those sites that are not large enough to accommodate two large-scale family houses due to the historic placement of an existing dwelling to provide a smaller house on the balance and contribute to local housing variety – in ways that would not be otherwise viable without demolition of the initial dwelling.

8.42 We lastly consider the evidence presented to us regarding the “fit” between Policy 5 on the one hand, and on the other opinions on the import of Policy 1 NPS-UD as well as existing PDP policies seeking protection and maintenance of Arrowtown’s character. We are satisfied that our findings have, after considerable thought of navigating a pathway where they can work together, heavily reliant on the submissions we received, landed at an outcome that allows the various policy directives to sit in acceptable concert, with no significant incompatibilities.

8.43 Our key findings are that:

- (a) The Arrowtown Town Centre zone and ARMHZ exhibit significant s6 RMA historic heritage values and should not be subject to any Policy 5 up-zoning. Although the Council excluded these from the UIV, the Panel agrees with this and does not consider any separate or future ‘catch up’ process such as is still required for other ODP urban zones also excluded from the UIV is required. The Panel confirms that the additional density it has identified as commensurate under Policy 5 for Arrowtown village as a whole (but excluding existing residential-zoned land in the two ‘bulbs’ of Arrowtown excluded from the UIV, which will be subject to that separate future process referred to in this paragraph) has been fully provided for in the LDSRZ and MDRZ.
- (b) The spatial extent of PDP zones in Arrowtown were not proposed to be changed by, and should not be changed by, the UIV. It is not the case that there is any ‘shortfall’ of Policy 5 enablement resulting from no additional enablements being specifically recommended within the Town Centre zone and ARMHZ.
- (c) Provisions of the LDSRZ (now SRZ) and MDRZ should be amended to enable a clearer pathway for greater residential densities on land within the framework of existing zone standards, and to otherwise manage the effects of the overall extent of intensification to be enabled.
- (d) Proposals to exceed the permitted density limits within the LDSRZ (now SRZ) or MDRZ should be subject to an additional matter of discretion of Arrowtown’s existing character.
- (e) All other references in the LDSRZ (now SRZ) and MDRZ to the Arrowtown Design Guidelines 2016 should be removed and replaced with reference to “Arrowtown’s existing character”. Existing PDP references to the Arrowtown Design Guidelines 2016 should be retained within the Town Centre zone, ARMHZ, and LSCZ noting that these are not proposed to substantially change and their compatibility with the Guideline content will continue.

8.44 We refer to our overall s32AA analysis in Section 21 for additional reasons that also apply to Arrowtown.

8.45 Overall, we therefore accept submissions (in whole or in part) supporting our recommended provisions in **Appendix 1** and reject those submissions (in whole or part) that oppose them.

## **9. WĀNAKA**

### **Background and key issues**

9.1 Wānaka (including Albert Town) is the second-largest settlement in the District, and it is a relatively large-sized urban town by New Zealand standards. It has undergone substantial expansion in the past 30 years with the lake and the two rivers, Clutha and Cardrona creating an urban boundary. Its town centre and separate commercial areas provide a locally significant employment base, with the Three Parks area development well-underway but also, and importantly, still possessing a large greenfield (but live-zoned) area of flat land away from sensitive landscapes or landforms.

9.2 Apartment-style living is already well-evident in Wānaka in its town centre and in (predominantly) visitor accommodation-based developments generally adjacent to that. Other examples are however present including in the under-development Northlake subdivision.

9.3 Wānaka includes Albert Town in its north-east and occupies something of a bowl form between hills on the northern side and foothills on the southern. In the sloped areas the road network is less-connected and less-direct, but overall, the town is quite well connected and is criss-crossed by natural recreational facilities or trails. From many locations spectacular views are available, and the town is a well-known base for ski-related activities at nearby facilities.

9.4 Wānaka is now almost continuously urban between Riverbank Road (east) through to Lake Wānaka (west). Existing zoned greenfield land in the east, towards Riverbank Road, sits in very close proximity to the Three Parks centre – planned to be a major commercial centre for the town. Unlike the existing town centre, the Three Parks centre has the capability to accommodate substantial additional commercial floorspace and through the hearings we were advised of rapid development and the recent granting of resource consent for a 5-level hospital at Sir Tim Wallis Drive. In relatively short order the Three Parks centre will have even more commercial activities and community services that cannot feasibly be accommodated in the constrained Wānaka town centre. The Panel has concluded that as the east-side expansion continues, it is inevitable on the submissions and evidence we heard, and our site visit, that overall accessibility characteristics will change from the historic west-side / lakefront ‘bias’ observable today.

9.5 Some urban areas were excluded due to being covered in the ODP but not the PDP. That includes the under-construction and quite large Northlake subdivision.

### **Submissions / s42A Report / evidence / legal and lay argument**

9.6 The Council's proposal was, in summary, to expand the MDRZ and HDRZ adjacent to the two key commercial nodes, and enable greater height in the MDRZ, HDRZ, TCZ, LSCZ and BMUZ. Upzoning was proposed in both existing developed and zoned greenfield parts of Wānaka.

*Pages 106-215 omitted*

**APPENDIX 1 – REVISED CHAPTER PROVISIONS AND MAPS AS RECOMMENDED BY THE PANEL**

**[Separate Document]**

## 4 URBAN DEVELOPMENT

### 4.1 Purpose

The purpose of this Chapter is to elaborate on the strategic direction in Chapter 3 and set out the objectives and policies for managing the spatial location and layout of urban development within the District. This chapter forms part of the strategic intentions of this District Plan and will guide planning and decision making for urban growth and development within the District. This chapter does not address site or location specific physical aspects of urban development (such as built form) - reference to zone and District wide chapters is required for these matters.

This chapter gives effect to the National Policy Statement on Urban Development (NPS-UD), which requires that local authorities provide at least sufficient development capacity to meet the current and future needs of the District's community. This chapter provides the strategic planning framework to achieve effective and efficient urban environments that can meet demand for the development of land for housing and businesses. Provision is made for a range of dwelling types and locations and business environments and for the District's urban areas to development and change over time in response to the changing needs of the District's community.

The District experiences considerable growth pressure and contains high-growth urban areas as defined in the NPS-UDC. Urban growth within the District occurs within an environment that is revered for its natural amenity values, and the District relies, in large part for its social and economic wellbeing on the quality of the landscape, open spaces and the natural and built environment. If not properly controlled, urban growth can result in adverse effects on the quality of the built environment, with flow on effects to the impression and enjoyment of the District by residents and visitors. Uncontrolled urban development can result in the fragmentation of rural land; and poses risks of urban sprawl, disconnected urban settlements and a poorly coordinated infrastructure network. The roading network of the District is under some pressure and more low density residential development located remote from employment and service centres has the potential to exacerbate such problems.

The objectives and policies for Urban Development provide a framework for a managed approach to urban development that utilises land and resources in an efficient manner, and preserves and enhances natural amenity values. The approach seeks to achieve integration between land use, transportation, infrastructure, services, open space networks, community facilities and education; and increases the viability and vibrancy of urban areas.

Urban Growth Boundaries are established for the urban areas of the Wakatipu Basin (including Queenstown, Frankton, Jacks Point and Arrowtown) and Wānaka, and where required around other settlements, providing a tool to manage anticipated growth while protecting the individual roles, heritage and character of these areas. Specific policy direction is provided for these areas, including provision for increased density to contribute to more compact and connected urban forms that achieve the benefits of integration and efficiency and offer a quality environment in which to live, work and play.

#### 4.1.1 Application of this Chapter

Chapter 1 (Introduction) provides an explanation of the structure of the District Plan including the application of the strategic chapters of the District Plan applying across the Queenstown Lakes District, and the two-volume approach consisting of Volume A and Volume B.

Chapter 3 provides overarching strategic direction for the Queenstown Lakes District. The Chapter 3 strategic objectives and policies are further elaborated on in Chapter 4, which provides more detailed objectives and policies for urban development. Chapter 4 applies district wide over Volume A and

Volume B land. The principal role of Chapters 3 to 6 collectively is to provide direction for the more detailed provisions related to zones and specific topics contained elsewhere in the District Plan.

#### 4.1.2 Housing Bottom Lines

• <i>Housing Bottom Lines for Queenstown Lakes urban environment</i>			
<i>Ward</i>	<i>Short-medium term (2020 – 2030)</i>	<i>Long term (2031- 2050)</i>	<i>30 Year Total (2020 – 2050 additional)</i>
<i>Wakatipu</i>	3750	7830	11,580
<i>Wānaka</i>	2470	5150	7,620
<b>Total</b>	<b>6220</b>	<b>12,980</b>	<b>19,200</b>

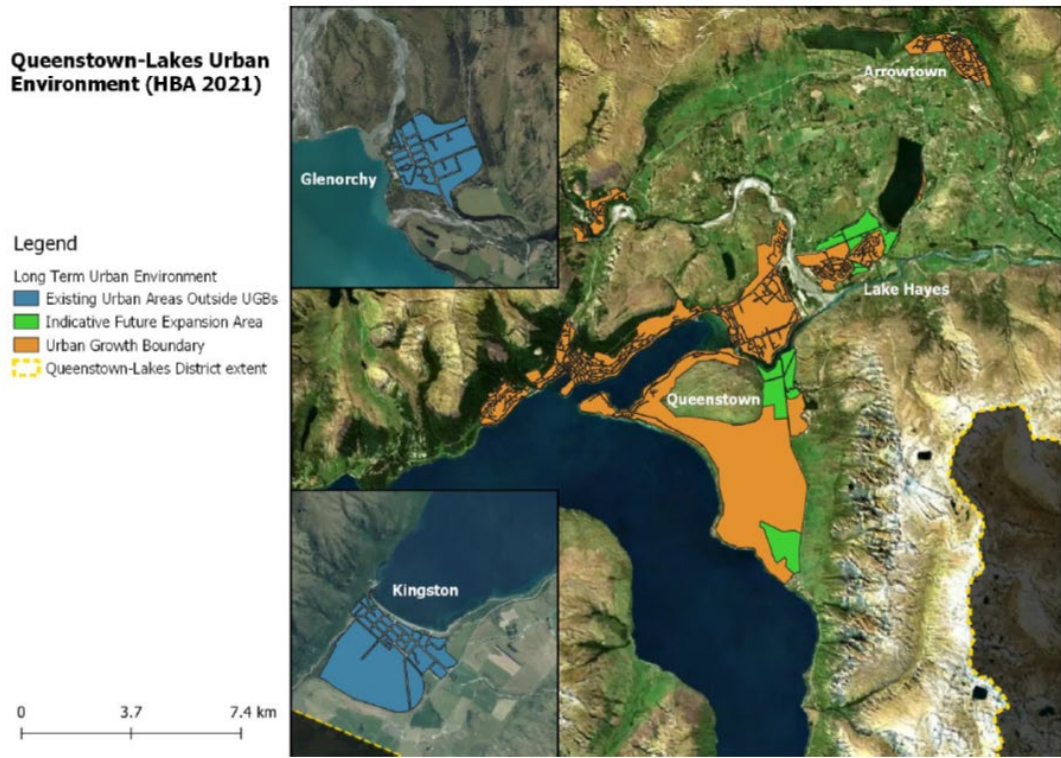
*The housing bottom lines were identified through the Housing Development Capacity Assessment for Queenstown Lakes District 2021 (HBA (housing) 2021) and have been inserted into the District Plan as part of the implementation of the National Policy Statement for Urban Development 2020.*

*They are intended to represent the amount of feasible and reasonably expected to be realised development capacity that is sufficient to meet the expected housing demand within the urban environment, along with a competitiveness margin. The competitiveness margin is 20% for the short-medium term and 15% for the long term.*

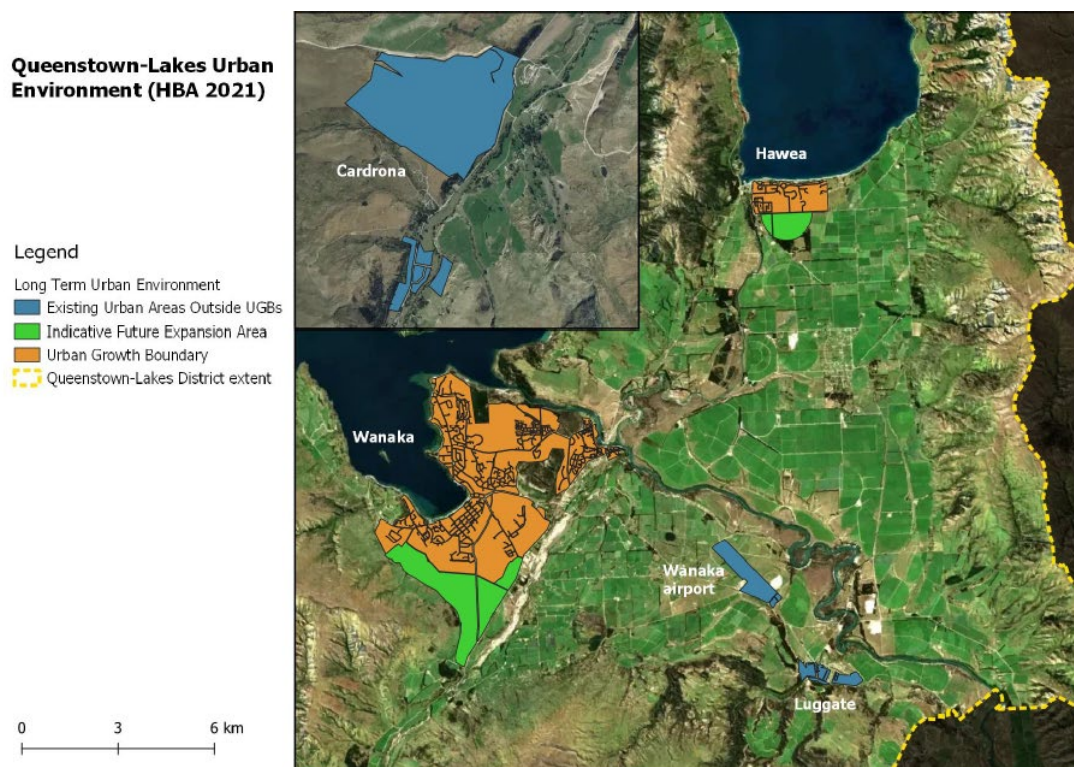
*Queenstown Lakes District Council is required to enable the development represented in the housing bottom lines through the district plan, structure plans and infrastructure strategies.*

*The housing bottom lines relate to the Queenstown Lakes urban environment. An urban environment means any area of land that is, or is intended to be, predominantly urban in character and that is, or is intended to be, part of housing and labour market of at least 10,000 people. This definition allows areas identified for future urban development to be included in the defined urban environment. It also allows discrete locations of urban land that have a functional relationship with each other in terms of the housing and labour market to be part of the urban environment, even when they are not contiguous.*

*The areas included within the Queenstown Lakes District Urban Environment are shown in figure one and two below:*



*Figure one: Wakatipu Ward*



*Figure two: Wānaka Ward*

## 4.2 Objectives and Policies

### 4.2.1 Objective - Urban Growth Boundaries used as a tool to manage the growth of urban areas within distinct and defensible urban edges. (from Policies 3.3.13 and 3.3.14)

#### Policies

4.2.1.1 Define Urban Growth Boundaries, where required, to identify the areas that are available for the growth of urban settlements.

4.2.1.2 Focus urban development primarily on land within and adjacent to the existing larger urban areas and, to a lesser extent, within and adjacent to smaller urban areas, towns and rural settlements.

4.2.1.3 Ensure that urban development is contained within the defined Urban Growth Boundaries, and that aside from urban development within existing towns and rural settlements, urban development is avoided outside of those boundaries.

4.2.1.4 Ensure Urban Growth Boundaries encompass, at a minimum, sufficient, feasible development capacity and urban development opportunities consistent with:

- a. the anticipated medium term demand for housing and business land within the District assuming a mix of housing densities and form;
- b. ensuring the ongoing availability of a competitive land supply for urban purposes;
- c. the constraints on development of the land such as its topography, its ecological, heritage, cultural or landscape significance; or the risk of natural hazards limiting the ability of the land to accommodate growth;
- d. the need to make provision for the location and efficient operation of infrastructure, commercial and industrial uses, and a range of community activities and facilities;
- e. a compact and efficient urban form;
- f. avoiding sporadic urban development in rural areas;
- g. minimising the loss of the productive potential and soil resource of rural land; and
- h. a future development strategy for the District that is prepared in accordance with the National Policy Statement on Urban Development Capacity.

4.2.1.5 When locating Urban Growth Boundaries or extending towns and rural urban settlements through plan changes, protect the values of Outstanding Natural Features and Outstanding Natural Landscapes.

4.2.1.6 When locating Urban Growth Boundaries or extending towns and rural settlements through plan changes to provide for urban development, have particular regard to minimising significant adverse effects on the values of open rural landscapes.

4.2.1.7 Review and amend Urban Growth Boundaries as required, to address changing community needs, respond to monitoring evidence, or to enable appropriate urban development (having regard to Policy 4.2.1.4).

4.2.1.8 Contain urban development of existing rural settlements that have no defined Urban Growth Boundary within land zoned for that purpose.

### 4.2.2 A Objective - A compact, integrated and well designed urban form within the Urban Growth Boundaries that:

- (i) is coordinated with the efficient provision, use and operation of infrastructure and services; and
- (ii) is managed to ensure that the Queenstown Airport is not significantly compromised by the adverse effects of incompatible activities.

**4.2.2 B Objective - Urban development within Urban Growth Boundaries that maintains and enhances the environment and rural amenity and protects Outstanding Natural Landscapes and Outstanding Natural Features, and areas supporting significant indigenous flora and fauna. (From Policy 3.3.13, 3.3.17, 3.3.29)**

- 4.2.2.1 Integrate urban development with existing or proposed infrastructure so that:
- a. Urban development is serviced by infrastructure of sufficient capacity; and
  - b. reverse sensitivity effects of activities on regionally significant infrastructure are minimised; and
  - c. in the case of the National Grid, reverse sensitivity effects avoided to the extent reasonably possible and the operation, maintenance, upgrading and development of the National Grid is not compromised.
- 4.2.2.2 Allocate land within Urban Growth Boundaries into zones which are reflective of the appropriate land use having regard to:
- a. its topography;
  - b. its ecological, heritage, cultural or landscape significance if any;
  - c. any risk of natural hazards, taking into account the effects of climate change;
  - d. connectivity and integration with existing urban development;
  - e. convenient linkages with public transport;
  - f. the need to provide a mix of housing densities and forms within a compact and integrated urban environment;
  - g. the level of existing and future amenity that is sought (including consideration of any identified special character areas);
  - h. the need to make provision for the location and efficient operation of infrastructure and utilities, including regionally significant infrastructure;
  - i. the need to provide open spaces and community facilities that are located and designed to be safe, desirable and accessible;
  - j. the function and role of the town centres and other commercial and industrial areas as provided for in Chapter 3 Strategic Objectives 3.2.1.2 - 3.2.1.5 and associated policies; and
  - k. the need to locate emergency services at strategic locations.
- 4.2.2.3 Enable an increased density of well-designed residential development in close proximity to town centres, public transport routes, community and education facilities, while ensuring development is consistent with any structure plan for the area and responds to the character of its site, the street, open space and surrounding area.

- 4.2.2.4 Encourage urban development that enhances connections to public recreation facilities, reserves, open space and active transport networks.
- 4.2.2.5 Require larger scale development to be comprehensively designed with an integrated and sustainable approach to infrastructure, buildings, street, trail and open space design.
- 4.2.2.6 Promote energy and water efficiency opportunities, waste reduction and sustainable building and subdivision design.
- 4.2.2.7 Explore and encourage innovative approaches to design to assist provision of quality affordable housing.
- 4.2.2.8 In applying plan provisions, have regard to the extent to which the minimum site size, density, height, building coverage and other quality controls have a disproportionate adverse effect on housing affordability.
- 4.2.2.9 Ensure Council-led and private design and development of public spaces and built development maximises public safety by adopting “Crime Prevention Through Environmental Design”.
- 4.2.2.10 Ensure lighting standards for urban development avoid unnecessary adverse effects on views of the night sky.
- 4.2.2.11 Ensure that the location of building platforms in areas of low density development within Urban Growth Boundaries and the capacity of infrastructure servicing such development does not unnecessarily compromise opportunities for future urban development.

#### **Wakatipu Basin Specific Policies**

- 4.2.2.12 Define the Urban Growth Boundary for Arrowtown, as shown on the District Plan web mapping application that preserves the existing urban character of Arrowtown and avoids urban sprawl into the adjacent rural areas.
- 4.2.2.13 Define the Urban Growth Boundaries for the balance of the Wakatipu Basin, as shown on the District Plan web mapping application that:
  - a. are based on existing urbanised areas;
  - b. identify sufficient areas of urban development and the potential intensification of existing urban areas to provide for predicted visitor and resident population increases over the planning period;
  - c. enable the logical and sequenced provision of infrastructure to and community facilities in new areas of urban development;
  - d. protect the values of Outstanding Natural Features and Outstanding Natural Landscapes;
  - e. avoid sprawling and sporadic urban development across the rural areas of the Wakatipu Basin.
- 4.2.2.14 Ensure appropriate noise boundaries are established and maintained to enable operations at Queenstown Airport to continue and to expand over time.
- 4.2.2.15 Manage the adverse effects of noise from aircraft on any Activity Sensitive to Aircraft Noise within the airport noise boundaries while at the same time providing for the efficient operation of Queenstown Airport.

- 4.2.2.16 Protect the airport from reverse sensitivity effects of any Activity Sensitive to Aircraft Noise via a range of zoning methods.
- 4.2.2.17 Ensure that Critical Listening Environments of all new buildings and alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise within the Queenstown Airport Air Noise boundary or Outer Control boundary are designed and built to achieve appropriate Indoor Design Sound Levels.
- 4.2.2.18 Manage the adverse effects of noise from Queenstown Airport by conditions in Designation 2 including a requirement for a Noise Management Plan and a Queenstown Airport Liaison Committee.
- 4.2.2.19 Ensure that development within the Arrowtown Urban Growth Boundary provides:
- a. an urban form that is sympathetic to the character of Arrowtown, including its scale, density, layout and legibility, guided by the Arrowtown Design Guidelines 2016;
  - b. opportunity for sensitively designed medium density infill development in a contained area closer to the town centre, so as to provide more housing diversity and choice and to help reduce future pressure for urban development adjacent or close to Arrowtown's Urban Growth Boundary;
  - c. a designed urban edge with landscaped gateways that promote or enhance the containment of the town within the landscape, where the development abuts the urban boundary for Arrowtown;
  - d. for Feehley's Hill and land along the margins of Bush Creek and the Arrow River to be retained as reserve areas as part of Arrowtown's recreation and amenity resource;
  - e. recognition of the importance of the open space pattern that is created by the inter-connections between the golf courses and other Rural Zone land.
- 4.2.2.20 Rural land outside of the Urban Growth Boundaries is not used for urban development until a change to the Plan amends the urban Growth boundary and zones additional land for urban development purposes.

**Upper Clutha Basin Specific Policies**

- 4.2.2.21 Define the Urban Growth Boundaries for Wānaka and Lake Hāwea Settlement, as shown on the District Plan web mapping application that:
- a. are based on existing urbanised areas;
  - b. identify sufficient areas of urban development and the potential intensification of existing urban areas to provide for predicted visitor and resident population increases in the Upper Clutha Basin over the planning period;
  - c. have community support as expressed through strategic community planning processes;
  - d. utilise the Clutha and Cardrona Rivers and the lower slopes of Mt. Alpha as natural boundaries to the growth of Wānaka; and
  - e. avoid sprawling and sporadic urban development across the rural areas of the Upper Clutha Basin.

- 4.2.2.22 Rural land outside of the Urban Growth Boundaries is not used for urban development until a change to the Plan amends the Urban Growth Boundary and zones additional land for urban development purposes.

## 7 ~~Lower Density~~ Suburban Residential

### 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 t~~To help meet the needs of the community, the zone also enables ~~increased density by allowing sites down to an average of 300 square metres in area and larger comprehensively designed developments to enable~~ a range of house sizes and typologies. 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 through two pathways: one for permitted activities (including vacant fee simple lots) based on minimum allotment standards, and another enabling suburban-compatible higher density via restricted discretionary activity consent, which also enables appropriately-scaled attached houses.

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.

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 the District Plan web mapping application, 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.**

## PART 3 ~~LOWER DENSITY~~ SUBURBAN RESIDENTIAL 7

### 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 (~~excluding existing residential densities~~), 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~~ achieves a suburban-intensity character of the zone, and maintains ~~reasonable~~ the amenity values ~~for 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.
- 7.2.1.5 ~~Require consideration of the relevant design elements identified in the Residential Zone Design Guide 2023-2021.~~
- 7.2.1.6 Require buildings and development within Kawarau Heights to be:
- located in accordance with the Structure Plan contained in Section 27.13.15; and
  - consistent with the design outcomes sought by the Kawarau Heights Design Guidelines 2020 ~~except where the guidelines would conflict with the densities of development enabled by the zone rules.~~
- 7.2.1.7 Require all bedrooms within new or relocated buildings located within 250m of the Riverbank Road frost fan (as identified on the Riverbank Road Structure Plan contained in Section 27.13.18) to be designed to maintain internal residential amenity values and protection to sleeping occupants from frost fan noise.

**7.2.2 Objective - Development of Activities Sensitive to Aircraft Noise is limited within the Queenstown Airport Air Noise Boundary and Outer Control Boundary in recognition of the amenity (noise) constraints now and also likely in the foreseeable future as a result of its increasing intensity of operation and use.**

### 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.

## PART 3 ~~LOWER DENSITY~~ SUBURBAN RESIDENTIAL 7

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. complies with the standards of the zone; or otherwise
- b. manages dominance effects on neighbours through measures such as deeper setbacks, sensitive building orientation and design, use of building articulation and landscaping; ~~and~~
- c. 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; and
- d. 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.~~

7.2.3.2 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.

~~7.2.3.3 Provide for higher density development within Kawarau Heights that is consistent with the design outcomes sought by the Kawarau Heights Design Guidelines 2020.~~

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

### Policies

7.2.4.1 Ensure development that requires a resource consent, including infill housing, community activities and commercial development is of a form that is compatible with the existing character of Arrowsmith, ~~guided by the Arrowsmith Design Guidelines 2021~~ 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); and

- d. [encouraging a mix of dwelling sizes and densities, particularly small houses.](#)

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 [and planned](#) infrastructure and minimises impacts on infrastructure networks.**

**Policies**

7.2.6.1 Ensure access and vehicle parking [for each residential unit, including reasonable day-to-day loading and servicing needs,](#) is located and designed to optimise safety and efficiency of the road network and minimises impacts on on-street vehicle parking.

7.2.6.2 Ensure development is designed consistent with the capacity of existing [and/or planned](#) infrastructure networks [\(including any upgrades\),](#) and, where practicable, incorporates low impact approaches to stormwater management and efficient use of potable water.

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).

**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.

## PART 3 **LOWER DENSITY SUBURBAN RESIDENTIAL 7**

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

### **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 suburban 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	District Plan web mapping application	

### **7.3.2 Interpreting and Applying the Rules**

## PART 3 ~~LOWER DENSITY~~ SUBURBAN RESIDENTIAL 7

- 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.
- 7.3.2.2 Where an activity does not comply with a Standard listed in the Standards tables, 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, ~~or where land use consent for an average density is sought under Rule 7.4.9, demonstrate compliance with the average density sought.~~
- 7.3.2.5 Each residential unit may include a single residential flat and any other accessory buildings.
- 7.3.2.6 References to the Visitor Accommodation Sub-Zones in this Chapter only apply to the sub-zones within the ~~Lower Density~~ Suburban Residential Zone.
- 7.3.2.7 The status of any Plantation Forestry will be determined by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.
- ~~7.3.2.8 For sites in Kawarau Heights (as identified in the Structure Plan in Section 27.13.15), the Kawarau Heights Design Guidelines 2020 apply, instead of the Residential Zone Design Guide 2019.~~
- 7.3.2.9 The following abbreviations are used within this Chapter.

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

- 7.3.2.9A Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances ("NZECP34:2001") is mandatory under the Electricity Act 1992. All activities, such as buildings, earthworks and conductive fences regulated by NZECP34:2001, including any activities that are otherwise permitted by the District Plan must comply with this legislation. Chapter 30 Energy and Utilities part 30.3.3.2.c has additional information in relation to activities and obligations under NZECP34:2001.
- ~~7.3.2.10 For sites in Arrowtown, the Arrowtown Design Guidelines 2023<sup>16</sup> 2016 apply, instead of the Residential Zone Design Guide 2023<sup>1</sup> 2021.~~

### 7.4 Rules - Activities

	Activities located in the <del>Lower Density</del> Suburban Residential Zone	Activity status
7.4.1	Home occupations	P
7.4.2	Informal airports for emergency landings, rescues and fire fighting	P

PART 3 **LOWER DENSITY SUBURBAN RESIDENTIAL 7**

	Activities located in the <del>Lower Density</del> Suburban Residential Zone	Activity status
7.4.3	Residential units, where the density of development does not exceed one residential unit per 450 <u>square metres</u> <sup>m<sup>2</sup></sup> net area; <del>or</del>  (i) <del>one residential unit per 800m<sup>2</sup> net area at Lake Hāwea South within Area B as identified in the Structure Plan in 27.7.19.</del>	P

<p><u>7.4.4</u></p>	<p><u>Residential units, with less than 450 square metres net area per residential unit and that comply with the following:</u></p> <ul style="list-style-type: none"> <li>(i) <u>the rules in section 7.5 of this Chapter;</u></li> <li>(ii) <u>each residential unit must provide legal access from a public road to the net area of that residential unit, in compliance with any relevant access standards within Chapter 29 (this access may be shared with that of other residential units); and</u></li> <li>(iii) <u>each residential unit must have at least one off-street small-vehicle loading space compliant with relevant Chapter 29 standards for a private car parking space (including access and manoeuvring) legally attached to the residential unit and within or within 30m of the unit’s net area.</u></li> </ul> <p><u>Note (1) – The purpose of the small-vehicle loading space is to provide for the reasonably foreseeable day-to-day loading and servicing needs of residential units over their lifetime including for construction / maintenance where a work vehicle with tools or equipment must be close-by; deliveries or drop-offs, emergency services; or home-occupation customers.</u></p> <p><u>Note (2) – Clause 3.38 of the NPSUD (May 2022) does not allow District Plans to contain any requirements relating to the provision of minimum car parking for development. The small-vehicle loading bay is expressly not a car park and is for the reasonably foreseeable loading and service needs of residential units. However, in line with Clause 3.38 of the NPSUD, where the small-vehicle loading space is not needed for loading or service use, it is permitted for it to be used as an interim parking space.</u></p> <p><u>Note (3) – For the avoidance of doubt, the small vehicle loading space may be positioned in front of other car parks that may be provided in a development – such as an area of driveway or manoeuvring area in front of a residential garage.</u></p> <p><u>Note (4) – For the avoidance of doubt, there is nothing about the requirement for a small-vehicle loading space that affects or removes the ability for additional car parking to be separately provided on a site.</u></p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"> <li>a. <u>parking and access layout, safety and efficiency;</u></li> <li>b. <u>privacy for occupants of the subject site and neighbouring sites;</u></li> <li>c. <u>in Arrowtown, consistency with Arrowtown’s existing character;</u></li> <li>d. <u>capacity of existing or planned infrastructure for potable water, stormwater, and wastewater services;</u></li> <li>e. <u>waste and recycling and collection;</u></li> </ul>	<p><u>PRD</u></p>
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PART 3 **LOWER DENSITY SUBURBAN RESIDENTIAL 7**

	Activities located in the <del>Lower Density</del> Suburban Residential Zone	Activity status
	<p>f. <u>where a site is subject to any natural hazard and the proposal results in an increase of floor area:</u></p> <ul style="list-style-type: none"> <li>i. <u>the nature and degree of the risk the hazard(s) pose to people and property;</u></li> <li>ii. <u>whether the proposal will alter the risk to any site; and</u></li> <li>iii. <u>the extent to which such risk can be avoided or sufficiently mitigated.</u></li> </ul> <p>g. <u>Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is shown within the adjacent road, any adverse effects on that infrastructure.</u></p> <p>h. <u>For all of the above, discretion is not restricted to the resultant density of development proposed, which is of itself not limited.</u></p>	
7.4.4 <del>5</del>	Hospital at the 'Lakes District Hospital Site' shown on the District Plan web mapping application	P
7.4.5 <del>6</del>	Homestays	P
7.4.6 <del>7</del>	Residential Visitor Accommodation	P
7.4.6 <del>7</del> A	<p>Visitor Accommodation in the Visitor Accommodation Sub-Zone</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. The location, nature and scale of activities;</li> <li>b. Parking and access;</li> <li>c. Landscaping;</li> <li>d. Noise generation and methods of mitigation;</li> <li>e. Hours of operation, including in respect of ancillary activities; and</li> <li>f. The external appearance of buildings.</li> </ul>	RD

PART 3 **LOWER DENSITY SUBURBAN RESIDENTIAL 7**

	Activities located in the <del>Lower Density</del> Suburban Residential Zone	Activity status
7.4.7 <u>8</u>	<p>Commercial activities – 100m<sup>2</sup> or less gross floor area Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. benefits of the commercial activity in servicing the day-to-day needs of local residents;</li> <li>b. hours of operation;</li> <li>c. parking, traffic and access;</li> <li>d. noise;</li> <li>e. design, scale and appearance;</li> <li>f. in Arrowtown, consistency with Arrowtown’s <u>existing</u> character, <del>as described within the Arrowtown Design Guidelines 202316 2016</del>;</li> <li>and</li> <li>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"> <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> </ul> </li> </ul>	RD

	Activities located in the <del>Lower Density</del> Suburban Residential Zone	Activity status
7.4.8 <u>9</u>	<p><del>Residential Units that do not comply with Rule 7.4.4., unless provided for by rule 7.4.4, where the density of development exceeds one residential unit per 450m<sup>2</sup> net area but does not exceed one residential unit per 300m<sup>2</sup> average net area., excluding</del></p> <p><del>This rule does not apply to sites located within the Air Noise Boundary; or located between the Air Noise Boundary and Outer Control Boundary of Queenstown Airport; or at the Lake Hāwea South within Area B as identified in the Structure Plan in 27.7.19.</del></p> <p><del>Discretion is restricted to:</del></p> <ul style="list-style-type: none"> <li><del>a. — how the design advances housing diversity, including through providing a range of unit sizes and typologies;</del></li> <li><del>b. — and how the design promotes sustainability either through construction methods, design or function;</del></li> <li><del>c. — privacy for occupants of the subject site and neighbouring sites;</del></li> <li><del>d. — in Arrowtown, consistency with Arrowtown’s character, as described within the Arrowtown Design Guidelines 2023<del>16</del> 2016;</del></li> <li><del>e. — street activation;</del></li> <li><del>f. — building dominance;</del></li> <li><del>g. — capacity of existing or planned infrastructure/servicing for potable water, stormwater and wastewater services;</del></li> <li><del>h. — low impact stormwater design;</del></li> <li><del>i. — parking and access layout: safety, efficiency and impacts on on-street parking and neighbours;</del></li> <li><del>j. — design and integration of landscaping;</del></li> <li><del>k. — where a site is subject to any natural hazard and the proposal results in an increase in gross floor area:</del> <ul style="list-style-type: none"> <li><del>l. — the nature and degree of risk the hazard(s) pose to people and property:</del> <ul style="list-style-type: none"> <li><del>i. the nature and degree of risk the hazard(s) pose to people and property;</del></li> <li><del>ii. whether the proposal will alter the risk to any site; and</del></li> <li><del>iii. the extent to which such risk can be avoided or sufficiently mitigated.</del></li> </ul> </li> </ul> </li> <li><del>m) — In Kawarau Heights, consistency with the Kawarau Heights Design Guidelines 2020 and Structure Plan contained in Section 27.13.15.</del></li> <li><del>nm) — Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is located within the adjacent road, any adverse effects on that infrastructure.</del></li> </ul>	RDD
7.4.9 <u>10</u>	Commercial recreation	D

**PART 3 LOWER DENSITY SUBURBAN RESIDENTIAL 7**

	<b>Activities located in the Lower Density Suburban Residential Zone</b>	<b>Activity status</b>
7.4.110	Community activities, other than the hospital provided for by Rule 7.4.45	D
7.4.121	Retirement villages	D
7.4.132	Activities which are not listed in this table	NC
7.4.143	Commercial activities – greater than 100m <sup>2</sup> gross floor area	NC
7.4.154	Visitor Accommodation not otherwise identified	NC
7.4.165	Airports not otherwise listed in this table	PR
7.4.176	Bulk material storage	PR
7.4.187	Factory Farming	PR
7.4.198	Fish or meat processing	PR
7.4.2019	Forestry activities, except for Plantation Forestry where the Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017 prevails.	PR
7.4.210	Manufacturing and/or product assembling activities	PR
7.4.221	Mining	PR
7.4.232	Panel beating, spray painting, motor vehicle repair or dismantling, fibre glassing, sheet metal work, bottle or scrap storage, motor body building	PR
7.4.243	Any activity requiring an Offensive Trade Licence under the Health Act 1956	PR

**7.5A — Rules — Standards for Restricted Discretionary and Discretionary Activities under Rules 7.4 and 7.5**

	<b>Standards for activities in the Lower Density Residential Zone</b>	<b>Non-compliance status</b>
7.5A.1	For all restricted discretionary and discretionary activities under Rules 7.4 and 7.5, applications for resource consent shall include a statement confirming that the relevant design elements from the Residential Zone Design Guide 2023/2021 have been considered, including a summary of any particular aspects of the proposal that have resulted from that consideration.	NC

**7.5 Rules - Standards**

	Standards for activities in the <b>Lower Density Suburban Residential Zone</b>	Non-compliance status
7.5.1	<p>Building Height (for flat sites)</p> <p>7.5.1.1 <del>A Wānaka and Hāwea: M-maximum height of 78 metres except where specified in Rule 7.5.1.2.</del></p> <p>7.5.1.2 <del>Arrowtown: Maximum of 6.5 metres.</del></p> <p>7.5.1.2a3 Kawarau Heights: Maximum of 4.5m and 6m as identified on the Structure Plan in 27.13.15.</p> <p><u>7.5.1.2b Arrowtown: Up to 6.5m permitted, and the restricted discretionary building height shall be building heights exceeding 6.5m to a maximum of 8m.</u></p> <p><u>7.5.1.2c Arrowtown: Maximum building height shall not exceed 8m.</u></p> <p>7.5.1.4 <del>All other locations: Maximum of 8 metres.</del></p>	<p><del>NC</del></p> <p><b>RD</b></p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"> <li>a. <u>consistency with Arrowtown’s existing character, as described within the Arrowtown Design Guidelines 2016;</u></li> <li>b. <u>any sunlight, shading or privacy effects created by the proposal on adjacent sites and/or their occupants; and</u></li> <li>c. <u>external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties.</u></li> </ul> <p><b>NC</b></p>
7.5.2	<p>Building Height (for sloping sites)</p> <p>7.5.2.1 <del>Arrowtown: Maximum of 6 metres.</del></p> <p>7.5.2.2 <del>Lake Avenue Height Restriction Area on the District Plan web mapping application: No building or any part of a building shall protrude through 343.50 MASL.</del></p>	<p><b>NC</b></p>

	Standards for activities in the <del>Lower Density</del> Suburban Residential Zone	Non-compliance status
	7.5.2.3 — 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 900m<sup>2</sup> net area and more than 1 residential unit will result per site, the following height provisions apply:</p> <ul style="list-style-type: none"> <li>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;</li> <li>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;</li> <li>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.</li> </ul>	D
7.5.24	<p>Airport Noise – Queenstown Airport (excluding any non-critical listening environments)</p> <p>7.5.2.1 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>7.5.2.2 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 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>	NC

	Standards for activities in the <del>Lower Density</del> Suburban Residential Zone	Non-compliance status
	<p>7.5.2.3 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>	
7.5.35	<p>Building Coverage</p> <p>A maximum of 40%.</p>	D
7.5.46	<p>Landscaped permeable surface coverage</p> <p>At least 30% of the site area shall comprise landscaped (permeable) surface.</p>	NC
7.5.57	<p>Recession plane:</p> <p><del>a. on flat sites applicable to all buildings;</del></p> <p><del>b. on sloping sites only applicable to accessory buildings.</del></p> <p>7.5.57.1 Northern boundary: 2.5m and 55 degrees.</p> <p>7.5.57.2 Western and eastern boundaries: 2.5m and 45 degrees.</p> <p>7.5.57.3 Southern boundary: 2.5m and 35 degrees.</p> <p>Exemptions:</p> <p>a. gable end roofs may penetrate the building recession plane by no more than one third of the gable height;</p> <p>b. recession planes do not apply to site boundaries adjoining a Town Centre Zone, Business Mixed Use Zone, Local Shopping Centre Zone or fronting a road, or a park or reserve.</p>	<p><del>NC-RD</del></p> <p><u>Discretion is restricted to:</u></p> <p>a. <u>sunlight, shading or privacy effects created by the proposal on adjacent sites and/or their occupants;</u></p> <p>b. <u>external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties;</u></p> <p>c. <u>in Arrowtown, consistency with Arrowtown’s existing character, as described within the Arrowtown Design Guidelines 2023 2016;</u></p> <p>d. <u>where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is located within the adjacent road, any</u></p>

	Standards for activities in the <del>Lower Density</del> Suburban Residential Zone	Non-compliance status
		<u>adverse effects on that infrastructure.</u>
7.5.68	<p>Minimum Boundary Setbacks</p> <p>7.5.68.1 Road boundary: 4.5m</p> <p>7.5.68.2 All other boundaries: 2m</p> <p>Exceptions to boundary setbacks:</p> <ul style="list-style-type: none"> <li>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;</li> <li>b. any building may locate within a boundary setback distance by up to 1m for an area no greater than 6m<sup>2</sup> provided the building within the boundary setback area has no windows or openings;</li> <li>c. eaves may be located up to 600mm into any boundary setback distance along eastern, western and southern boundaries;</li> <li>d. eaves may be located up to 1m into any boundary setback distance along northern boundaries.</li> </ul>	D
7.5.79	<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 <u>except where the proposal is being made under Rule 7.4.4, in which case the minimum separation distance between residential units shall be 2m.</u></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"> <li>a. whether site constraints justify an alternative separation distance;</li> <li>b. whether an overall better amenity values outcome is being achieved, including for off-site neighbours;</li> <li>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;</li> </ul>

PART 3 **LOWER DENSITY SUBURBAN RESIDENTIAL 7**

	Standards for activities in the <del>Lower Density</del> Suburban Residential Zone	Non-compliance status
		in Arrowtown, consistency with Arrowtown’s <del>existing</del> character, <del>as described within the Arrowtown Design Guidelines 202316 2016.</del>
7.5.810	<p><b>Building Length</b></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> <ol style="list-style-type: none"> <li>external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties;</li> <li>in Arrowtown, consistency with Arrowtown’s <del>existing</del> character, <del>as described within the Arrowtown Design Guidelines 202316 2016.</del></li> </ol>
7.5.911	<p><b>Density</b></p> <p>The maximum site density shall be:</p> <ol style="list-style-type: none"> <li><del>one residential unit or dwelling per 300m<sup>2</sup> average net site area, calculated over the entire site, or</del></li> <li><del>one residential unit or dwelling per 800m<sup>2</sup> net site area at Lake Hāwea South within Area B as identified in the Structure Plan in 27.7.19.</del></li> </ol> <p><del>Note: Density shall be calculated over the entire site and where a site has previously been relied upon to calculate an average density, the site shall not be relied upon again for density calculations.</del></p>	NC
7.5.102	<p><b>Waste and Recycling Storage Space</b></p> <p>7.5.102.1 Residential activities shall provide, sufficient space for waste and recycling bins per residential unit.</p> <p>7.5.102.2 Waste and Recycling bins shall be:</p> <ol style="list-style-type: none"> <li>located where it is easy to manoeuvre for kerbside collections and avoid impeding vehicle movements within and through the site; and</li> </ol>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>Effects on amenity values; <del>and</del></li> <li>Size, location and access of waste and recycling storage space; <del>and</del></li> <li><del>Consistency with the Residential Zone Design Guide 20231 2021</del></li> </ol>

	Standards for activities in the <del>Lower Density</del> Suburban Residential Zone	Non-compliance status
	<ul style="list-style-type: none"> <li>b. not directly visible from adjacent sites, roads and public spaces; or</li> <li>c. screened with materials that are in keeping with the design of the building.</li> </ul>	
7.5.113	<p>Lighting and Glare</p> <p>7.5.113.1 All exterior lighting shall be directed downward and away from adjacent sites and roads.</p> <p>7.5.113.2 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>	<p>RD</p> <p>Discretion is restricted to the effects of lighting and glare on:</p> <ul style="list-style-type: none"> <li>a. amenity values of adjoining sites;</li> <li>b. the safety of the Transport Network;</li> <li>c. the night sky; and</li> <li>d. the navigational safety of passenger carrying vessels operating at night.</li> </ul>
7.5.124	<p>Setback of buildings from water bodies</p> <p>The minimum setback of any building from the bed of a river, lake or wetland shall be 7m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. indigenous biodiversity values;</li> <li>b. visual amenity values;</li> <li>c. landscape character;</li> <li>d. open space and the interaction of the development with the water body;</li> <li>e. environmental protection measures (including landscaping and stormwater management);</li> <li>f. whether the waterbody is subject to flooding or natural hazards and any mitigation to manage the location of the building.</li> </ul>
7.5.135	Road Noise - State Highway	NC

	<b>Standards for activities in the Lower Density Suburban Residential Zone</b>	<b>Non-compliance status</b>
	<p>Any new residential buildings or buildings containing Activities Sensitive to Road Noise, located within:</p> <ul style="list-style-type: none"> <li>a. 80 metres of the boundary of a State Highway that has a speed limit of 70km/h or greater; or</li> <li>b. 40 metres of the boundary of a State Highway that has a speed limit less than 70km/h.</li> </ul> <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>	
7.5.146	<p><b>Building Restriction Area</b></p> <p>Where a building restriction area is shown on the District Plan web mapping application, no building shall be located within the restricted area.</p>	NC
7.5.157	<p><b>Home Occupation</b></p> <p>7.5.157.1 No more than 1 full time equivalent person from outside the household shall be employed in the home occupation activity.</p> <p>7.5.157.2 The maximum number of two-way vehicle trips shall be:</p> <ul style="list-style-type: none"> <li>a. heavy vehicles: none permitted;</li> <li>b. other vehicles: 10 per day.</li> </ul> <p>7.5.157.3 Maximum net floor area of 60m<sup>2</sup>.</p> <p>7.5.157.4 Activities and storage of materials shall be indoors.</p>	D
7.5.168	<p><b>Residential Visitor Accommodation where:</b></p> <p>7.5.168.1 The total nights of occupation by paying guests on a site do not exceed a cumulative total of 90 nights per annum from the date of initial registration.</p> <p>7.5.168.2 A single residential unit (inclusive of a residential flat) must be rented to a maximum of one (1) group of guests at any one time.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. The location, nature and scale of activities;</li> <li>b. Vehicle access and parking;</li> <li>c. The management of noise, rubbish, recycling and outdoor activities;</li> <li>d. Privacy and overlooking;</li> </ul>

	Standards for activities in the <del>Lower Density</del> Suburban Residential Zone	Non-compliance status
	<p>7.5.168.3 The number of guests must not exceed 2 adults per bedroom and the total number of adults and children must not exceed:</p> <ul style="list-style-type: none"> <li>• 3 in a one-bedroom residential unit</li> <li>• 6 in a two-bedroom residential unit</li> <li>• 9 in a three-bedroom or more residential unit</li> </ul> <p>7.5.168.4 No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated.</p> <p>7.5.168.5 Outdoor space is not used between the hours of 10:00pm and 7:00am and sign/s are installed and visible from the outdoor space advising the permitted hours of use.</p> <p>7.5.168.6 Rubbish and recycling is not left on/adjacent to the road, except on the day of collection.</p> <p>7.5.168.7 The activity is registered with Council prior to commencement.</p> <p>7.5.168.8 Council is provided with the following information at the time of registration:</p> <ul style="list-style-type: none"> <li>a. the contact details of the person and/or organisation responsible for managing the property and responding to any complaints; and</li> <li>b. confirmation that the immediately adjacent neighbouring properties, including any property with shared access arrangements, have been provided written notice that the property is to be used for residential visitor accommodation and the contact details of the person and/or organisation responsible for managing the property and responding to any complaints.</li> </ul> <p>7.5.168.9 The information required by Standard 8 is reviewed and resubmitted to Council on an annual basis (from the date of</p>	<ul style="list-style-type: none"> <li>e. Outdoor lighting;</li> <li>f. Guest management and complaints procedures;</li> <li>g. The keeping of records of residential visitor accommodation use, and availability of records for Council inspection; and</li> <li>h. Monitoring requirements, including imposition of an annual monitoring charge.</li> </ul>

	Standards for activities in the <del>Lower Density</del> Suburban Residential Zone	Non-compliance status
	<p>registration of the activity), including the annual provision of written notice to neighbours required by Standard 8.b.</p> <p>7.5.168.10 Up to date records of the activity are kept including:</p> <ul style="list-style-type: none"> <li>a. a record of the date and duration of guest stays and the number of guests staying per night; and</li> <li>b. a detailed record of any complaints received and remediation actions taken.</li> </ul> <p>7.5.168.11 The records required by Standard 10 are provided to Council on an annual basis from the date of registration and made available for inspection by Council with 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 7.5.168.1 to 7.5.168.11.</p>	
7.5.179	<p>Homestay</p> <p>7.5.179.1 The total number of paying guests on a site does not exceed five per night.</p> <p>7.5.179.2 No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated.</p> <p>7.5.179.3 Council is notified in writing prior to the commencement of a Homestay activity.</p> <p>7.5.179.4 Up to date records of the Homestay activity are 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 7.5.179.1 to 7.5.179.4.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. The location, nature and scale of the activities;</li> <li>b. Privacy and overlooking;</li> <li>c. The management of noise, rubbish, recycling and outdoor activities;</li> <li>d. The keeping of records of Homestay use, and availability of records for Council inspection;</li> <li>e. Monitoring requirements, including imposition of an annual monitoring charge; and</li> <li>f. Vehicle access and parking.</li> </ul>
7.5.20	<p><del>A building or structure located within the Wānaka Substation Building Restriction Area as shown on</del></p>	<p>NC</p>

PART 3 **LOWER DENSITY SUBURBAN RESIDENTIAL 7**

	Standards for activities in the <del>Lower Density</del> Suburban Residential Zone	Non-compliance status
	<p><del>the District Plan web mapping application and Three Parks Structure Plan (27.13.12).</del></p> <p><del>The Building Restriction Area and this standard do not apply if Designation 337 is removed from the District Plan.</del></p> <p><del>Advice note: Council will give specific consideration to Aurora Energy Limited as an affected person for the purposes of section 95E of the Act.</del></p>	
7.5.182 1	<p>Flood Risk – Hāwea only</p> <p>Buildings with a gross floor area greater than 20m2 shall have a ground floor level not less than RL 349.2 masl (449.2 Otago Datum) at Hāwea.</p>	NC
7.5.192 2	<p>Residential Units – Templeton Street (Lot 1 DP 27171, SO 2440)</p> <p>No residential unit shall be constructed on the land subject to the earthworks shown on the plan contained in Appendix 7.7 prior to:</p> <p>a. the completion of those earthworks in accordance with the fill area and minimum finished ground levels as shown in Appendix 7.7; and</p> <p>b. the top soiling and establishment of permanent vegetation cover on the outer batter (facing the Cardrona River); and</p> <p>c. the establishment of a legal mechanism to protect in perpetuity the finished fill levels and outer batter (including vegetative cover) from interference, removal or damage.</p>	NC
7.5.203	<p>Frost Fan Noise - Riverbank Road</p> <p>7.5.203.1 Any new residential or relocated building located within 250m of the frost fan as identified on the Riverbank Road Structure Plan in Section 27.13.18 shall be designed, constructed and maintained to ensure that, within the external building envelope surrounding any bedroom (when windows are closed), the internal level does not exceed 30dBLAeq(15min), however this rule shall not apply if the frost fan is decommissioned.</p>	NC

	Standards for activities in the <del>Lower Density</del> Suburban Residential Zone	Non-compliance status
	<p>7.5.203.2 Compliance within 250m of the Frost Fan</p> <p>Compliance shall be demonstrated by either adhering to the sound insulation requirements in Rule 36.8.1, or by submitting a certificate to the Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the 30dB LAeq(15min) with the windows closed</p> <p><i>For the purposes of this rule, "external building envelope" means an envelope defined by the outermost physical parts of the building, normally the cladding and roof;</i></p> <p><i>For the purposes of this rule "decommissioned" means that the frost fan is dismantled and/or removed from the site and/or permanently taken out of operation.</i></p>	

**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 7.4.498 except where:
  - a. vehicle crossing or right of way access on or off a State Highway is sought;
  - b. in relation to the electricity distribution network and where Rule 7.4.498(kmg) is relevant. the Council will give specific consideration to Aurora Energy Limited as an affected person for the purposes of section 95E of the Act.
- 7.6.1.2 Visitor Accommodation and residential visitor accommodation in the Visitor Accommodation Sub-Zones

**7.7 Appendix**

**7.7 Templeton Street Fill Area Plan**



## 8 Medium Density Residential

### 8.1 Zone Purpose

The Medium Density Residential Zone has the purpose of providing land for residential development at greater density than the ~~Lower Density Suburban Residential Zone~~. In conjunction with the ~~other High Density Residential Zones and Lower Density Suburban Residential Zone~~, this zone will play a key role in minimising urban sprawl and increasing housing supply. The zone will primarily accommodate residential land uses, but may also support limited non-residential activities where these enhance residential amenity or support an adjoining Town Centre, and do not impact on the primary role of the zone to provide housing supply.

The zone is situated in locations in Queenstown, ~~Arthurs Point~~, Frankton, Arrowtown, Wānaka and Hāwea that are within identified urban growth boundaries, and easily accessible to local shopping zones, town centres or schools by public transport, cycling or walking. The Medium Density Residential Zone provides for an increased density of housing in locations that are supported by adequate existing or planned infrastructure.

The zone will enable a greater supply of diverse housing options for the District. The main forms of residential development anticipated are terrace housing (~~townhouses~~), semi-detached housing and ~~detached townhouses with permitted activities limited to a net area per residential unit of 250 square metres low rise apartments on small sites of 250m<sup>2</sup> or greater~~. The zone will undergo changes –to existing densities and built ~~form~~ characteristics over time to provide for the social, economic, cultural and environmental wellbeing of the District’s community. In particular, the zone will provide a greater diversity of housing options for smaller households including single persons, couples, small young families and older people seeking to downsize. It will also enable more rental accommodation for the growing population of transient workers in the District.

While providing for a higher density of development than is anticipated in the ~~Lower Density Suburban Residential Zone~~, the zone incorporates development controls to ensure ~~that~~ the reasonable maintenance of amenity values ~~is maintained~~. Building heights will be ~~generally up to three~~ two storeys.

Development will be required to achieve high standards of urban design, providing site responsive built forms and utilising opportunities to create vibrant public spaces and active transport connections (walking and cycling). In Arrowtown, where a resource consent is required, consideration will need to be given to the town’s ~~special existing character, and the design criteria identified by the Arrowtown Design Guidelines 2023/16 2016~~.

Community activities are anticipated given the need for such activities within residential areas and the high degree of accessibility of the zone for residents.

Visitor accommodation is anticipated in the Visitor Accommodation Sub-Zones shown on the District Plan web mapping application, which have historically provided (and will continue to provide) important locations for visitor accommodation to meet the District’s needs, and in the Wānaka Town Centre Transition Overlay. 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 and the Wānaka Town Centre Transition Overlay is restricted, although residential visitor accommodation is provided for in proximity to the Wānaka town centre.

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 ~~values~~ 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.

## 8.2 Objectives and Policies

### 8.2.1 Objective - Medium density development occurs close to employment centres which encourage travel via non-vehicular modes of transport or via public transport.

#### Policies

- 8.2.1.1 Provide opportunities for medium density housing close to town centres, local shopping zones, activity centres and public transport routes.
- 8.2.1.2 Provide for compact development forms that encourage a diverse housing supply and contribute toward containing the outward spread of residential growth away from employment centres.
- 8.2.1.3 Enable increased densities where they are located within easy walking distance of employment centres and public transport routes, subject to environmental constraints including local topography, stability and waterways, that may justify a limitation in density or the extent of development.
- 8.2.1.4 Enable medium density development through a variety of different housing forms including terrace, semi-detached, duplex, townhouse, or low-rise apartments, or small lot detached housing.

### 8.2.2 Objective - Development contributes to the creation of a new, high quality built character within the zone through quality urban design solutions which positively respond to the site, neighbourhood and wider context.

#### Policies

- 8.2.2.1 Ensure buildings address streets and other adjacent public space with limited presentation of unarticulated blank walls or facades to the street(s) or public space(s).
- 8.2.2.2 Require visual connection with the street through the inclusion of windows, outdoor living areas, low profile fencing or landscaping.
- 8.2.2.3 Ensure street frontages are not dominated by garaging through consideration of their width, design and proximity to the street boundary.
- 8.2.2.4 Ensure developments reduce visual dominance effects through variation in facades and materials, roof form, building separation and recessions or other techniques.
- 8.2.2.5 Ensure landscaped areas are well designed and integrated into the design of developments, providing high amenity spaces for residents, and to soften the visual impact of development, with particular regard to any street frontage(s).

8.2.2.6 ~~Require consideration of the relevant design elements identified in the Residential Zone Design Guide 2023-2024.~~

**8.2.3 Objective - Development provides high quality living environments for residents and provides reasonable maintenance of amenity values enjoyed on adjoining sites, while taking into account the ~~changing~~ future character intended within the zone.**

#### Policies

8.2.3.1 ~~Apply permitted activity and resource consent requirements based on recession plane, building height, setbacks and site coverage controls as the primary means of ensuring reasonable maintenance of neighbours' privacy and amenity values.~~

8.2.3.2 ~~Where a resource consent is required for new development, reasonably minimise the adverse effects of the new development on the amenity values enjoyed by occupants of adjoining sites, and have particular regard to the maintenance of privacy for occupants of the development site and neighbouring sites through the application of setbacks, offsetting of habitable room windows from one another, screening or other means.~~

~~8.2.3.1 Require that development within the zone responds to its context, characteristics of the site and planned built form and local amenity and anticipated character acknowledging that amenity values will change over time as intensification occurs.~~

~~8.2.3.2 Ensure that development provides high quality living environments with the following associated built form outcomes:~~

- ~~a. achieving high levels of visual interest and avoiding apparent blank or unarticulated walls or facades;~~
- ~~b. achieving well-overlooked, activated streets and public open spaces, including by not visually or spatially dominating street edges with garaging, parking or access ways;~~
- ~~c. achieving a variation and modulation in building mass;~~
- ~~d. use landscaped areas to provide permeable surface for stormwater disposal and to add to the visual amenity values of the development for on-site residents or visitors, neighbours, and the wider public;~~
- ~~e. providing a high level of amenity that meets the day-to-day needs of occupants on-site; and~~
- ~~f. applying recession plane, building height, setbacks and site coverage standards as the primary means of providing for access to sunlight, privacy and ensuring an acceptable level of dominance for adjoining sites, acknowledging that alternative designs enabled through the resource consent process may achieve the same or better outcomes in terms of amenity values.~~

8.2.3.3 Ensure development along the western side of Designation 270<sup>1</sup> has the least possible impact on views from the formed walkway to the west toward Lake Wānaka and beyond, and generally limit development on land immediately adjoining the western side of

<sup>1</sup> Running south from Aubrey Road, Wanaka

Designation 270 to the permitted building height, recession plane, site coverage and setback limits (including between units) to achieve this.

**8.2.4 Objective - In Arrowtown medium density development occurs in a manner compatible with the town's character.**

**Policies**

8.2.4.1 Ensure development that requires resource consent, 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 2023/16 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) including how landscaping softens the building mass relative to any street frontage(s); and
- d. achieving a mix of dwelling sizes and densities, particularly small houses.

8.2.4.2 Avoid flat roofed dwellings in Arrowtown.

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

**Policies**

8.2.5.1 Ensure access and vehicle parking is located and designed to optimise safety and efficiency of the road network and minimise adverse effects on on-street vehicle parking.

8.2.5.2 Encourage a reduction in car parking provision where a site is located within 800m of a bus stop or the edge of the Town Centre Zone to help facilitate mode shift.

8.2.5.2 Ensure development is designed consistent with the capacity of existing and/or planned infrastructure networks or upgrades, and where practicable, incorporates low impact approaches to stormwater management and efficient use of potable water.

8.2.5.3 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).

**8.2.6 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**

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

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

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

**8.2.7 Objective - Commercial development is small scale and generates minimal adverse effects on residential amenity values.**

**Policies**

8.2.7.1 Provide for 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 Town Centre.

8.2.7.2 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.

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

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

**8.2.8 Objective - A high quality residential environment at Frankton North that is integrated with the surrounding roading network, pedestrian and cycle access, and appropriate servicing.**

**Policies**

8.2.8.1 Ensure subdivision and development is undertaken in accordance with the Frankton North Structure Plan (Schedule 27.13.9) to promote integration and provision of access to and throughout Frankton North.

8.2.8.2 Encourage a low impact stormwater design that utilises on-site treatment and storage / dispersal approaches.

8.2.8.3 Avoid the impacts of stormwater discharges on the State Highway network.

8.2.8.4 Provide for safe transport connections that:

- a. avoid any new access to the State Highway;
- b. integrate with the pedestrian and cycle path as shown on the Frankton North Structure Plan (Schedule 27.13.9). and the road network and public transport routes on the southern side of State Highway 6; and
- c. ensure that, where direct access to the primary road shown on the Frankton North Structure Plan (Schedule 27 .13.9) is not available, the standard and layout of Internal Road connections are of a form that accounts for long-term traffic demand without the need for subsequent retrofitting or upgrade.

Note: Attention is drawn to the need to consult with the New Zealand Transport Agency (NZTA) prior to determining an internal and external road network design under this policy.

Note: Attention is drawn to the need to obtain a Section 93 notice from the NZ Transport Agency for all subdivisions on adjoining State Highways which are declared Limited Access Roads. The NZ Transport Agency should be consulted and a request made for a notice under Section 93 of the Government Roadway Powers Act 1989.

**8.2.9 Objective – Non-residential developments which support the role of the Town Centre and are compatible with the transition to residential activities are located within the Wānaka Town Centre Transition Overlay.**

**Policies**

8.2.9.1 Enable non-residential activities to establish in a discrete area of residential-zoned land adjoining the Wānaka Town Centre, where these activities suitably integrate with and support the role of the Town Centre.

8.2.9.2 Require non-residential and mixed use activities to provide a quality built form which activates the street, minimises the visual dominance of parking and adds visual interest to the urban environment.

8.2.9.3 Ensure the amenity values of adjoining residential properties outside of the Wānaka Town Centre Transition Overlay are maintained through design and the application of setbacks.

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

**Policies**

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

8.2.10.2 Require all new and altered buildings containing an Activity Sensitive to Aircraft Noise (ASAN) located within the Queenstown Airport Air Noise Boundary or Outer Control Boundary to be designed and built to achieve an internal design sound level of 40 dB Ldn.

**8.2.11 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.**

8.2.11.1 Provide for visitor accommodation and residential visitor accommodation in the Visitor Accommodation Sub-Zones and the Wānaka Town Centre Transition Overlay Sub-Zones, and for residential visitor accommodation in proximity to the Wānaka town centre, that are appropriate for the medium density residential environment, ensuring that adverse effects on residential amenity values are avoided, remedied or mitigated.

8.2.11.2 Restrict the establishment of visitor accommodation in locations outside the Visitor Accommodation Sub-Zones and the Wānaka Town Centre Transition Overlay to ensure that the zone maintains a residential character.

8.2.11.3 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.

- 8.2.11.4 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 that differentiate them from residential activities.
- 8.2.11.5 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.

### 8.3 Other Provisions and Rules

#### 8.3.1 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	District Plan web mapping application	

#### 8.3.2 Interpreting and Applying the Rules

- 8.3.2.1 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.
- 8.3.2.2 Where an activity does not comply with a Standard listed in the Standards tables, the activity status identified by the Non-Compliance Status column shall apply.
- 8.3.2.3 Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.
- 8.3.2.4 Additional activities are provided for in the Wānaka Town Centre Transition Overlay and apply in addition to the other activities provided for throughout the zone. In the event of any inconsistency arising, the more specific Wānaka Town Centre Transitional Overlay rules shall prevail.
- 8.3.2.5 ~~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.~~
- 8.3.2.6 Each residential unit may include a single residential flat and any other accessory buildings.

8.3.2.7 References to Visitor Accommodation Sub-Zones in this Chapter only apply to the sub-zones within the Medium Density Residential Zone.

8.3.2.8 The status of any Plantation Forestry will be determined by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.

8.3.2.9 The following abbreviations are used within this Chapter.

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

8.3.2.98A Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances ("NZECP34:2001") is mandatory under the Electricity Act 1992. All activities, such as buildings, earthworks and conductive fences regulated by NZECP34: 2001, including any activities that are otherwise permitted by the District Plan must comply with this legislation. Chapter 30 Energy and Utilities part 30.3.3.2.c has additional information in relation to activities and obligations under NZECP34:2001.

8.3.2.10 [For sites in Arrowtown, the Arrowtown Design Guidelines 2023/16 2016 apply, instead of the Residential Design Guide 2021/3 2021.](#)

## 8.4 Rules - Activities

	Activities located in the Medium Density Residential Zone	Activity Status
8.4.1	Commercial activities in the Wānaka Town Centre Transition Overlay	P
8.4.2	Community activities in the Wānaka Town Centre Transition Overlay	P
8.4.3	Home occupations	P
8.4.4	Informal airports for emergency landings, rescues and fire fighting	P
8.4.5	In the Wānaka Town Centre Transition Overlay, Licenced Premises for the consumption of alcohol on the premises between the hours of 8am and 11pm, and also to: <ol style="list-style-type: none"> <li>i. any person who is residing (permanently or temporarily) on the premises;</li> <li>ii. any person who is present on the premises for the purpose of dining up until 12am.</li> </ol>	P

	Activities located in the Medium Density Residential Zone	Activity Status
<b>8.4.6</b>	<p>Residential unit</p> <p>8.4.6.1 One (1) per site in Arrowtown (see Rule 8.4.10.1) <u>provided the net area per residential unit is no less than 250 square metres.</u></p> <p>8.4.6.2 For all locations outside of Arrowtown, three (3) or less per site <u>provided the net area per residential is no less than 250 square metres.</u></p> <p>Note: Additional rates and development contributions may apply for multiple units located on one site.</p>	P
<b>8.4.7</b>	Homestays	P
<b>8.4.7A</b>	Residential Visitor Accommodation	P
<b>8.4.8</b>	<p>Buildings in the Wānaka Town Centre Transition Overlay</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. external design and appearance including the achievement of a development that is compatible with the town centre transitional context, integrating any relevant views or view shafts;</li> <li>b. the external appearance of buildings, including that the use of stone, schist, plaster or natural timber be encouraged;</li> <li>c. privacy for occupants of the subject site and neighbouring sites;</li> <li>d. street activation;</li> <li>e. 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"> <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> </ul> </li> </ul>	RD
<b>8.4.8A</b>	<p>All buildings (including associated earthworks) within the area specified on the District Plan web mapping application in Arthurs Point on the northern side of Arthurs Point Road.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. Location of buildings;</li> <li>b. Infrastructure and access design;</li> <li>c. Foundation design based on site-specific Geotechnical investigations;</li> <li>d. Earthworks and retaining design;</li> <li>e. Stormwater control and management; and</li> <li>f. Natural hazard mitigation.</li> </ul>	RD

	Activities located in the Medium Density Residential Zone	Activity Status
8.4.9	<p>Commercial Activities in Queenstown, Frankton or Wānaka:100m<sup>2</sup> or less gross floor area</p> <p>Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> <li>a. benefits of the commercial activity in servicing the day-to-day needs of local residents;</li> <li>b. hours of operation;</li> <li>c. parking, traffic and access;</li> <li>d. noise;</li> <li>e. design, scale and appearance;</li> <li>f. 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"> <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> </ul> </li> </ul>	RD

<p><b>8.4.10</b></p>	<p>Residential unit</p> <p>8.4.10.1 One (1) or more per site within the Arrowtown Historic management Transition Overlay Area</p> <p>8.4.10.2 Two (2) or more per site in Arrowtown.</p> <p>8.4.10.3 For all locations outside of Arrowtown, four (4) or more per site.</p> <p>8.4.10.4 <u>Developments including at least one residential unit that do not comply with the minimum net area requirement in rule 8.4.6, and that comply with the following:</u></p> <p>(i) <u>the rules in section 8.5 of this Chapter;</u></p> <p>(ii) <u>each residential unit must provide legal access from a public road to the net area of that residential unit, in compliance with any relevant access standards within Chapter 29 (this access may be shared with that of other residential units); and</u></p> <p>(iii) <u>each residential unit must have at least one off-street small-vehicle loading space compliant with relevant Chapter 29 standards for a private car parking space (including access and manoeuvring) legally attached to the residential unit and within or within 30m of the residential unit's net area.</u></p> <p><u>Note (1) – The purpose of the small-vehicle loading space is to provide for the reasonably foreseeable day-to-day loading and servicing needs of residential unit over their lifetime including for construction / maintenance where a work vehicle with tools or equipment must be close-by; deliveries or drop-offs, emergency services; or home-occupation customers.</u></p> <p><u>Note (2) – Clause 3.38 of the NPSUD (May 2022) does not allow District Plans to contain any requirements relating to the provision of minimum car parking for development. The small-vehicle loading bay is expressly not a car park and is for the reasonably foreseeable loading and service needs of residential units.</u></p> <p><u>. However, in line with Clause 3.38 of the NPSUD, where the small-vehicle loading space is not needed for loading or service use, it is permitted for it to be used as an interim parking space.</u></p> <p><u>Note (3) – For the avoidance of doubt, the small vehicle loading space may be positioned in front of other car parks that may be provided in a development – such as an area of driveway or manoeuvring area in front of a residential garage.</u></p> <p><u>Note (4) – For the avoidance of doubt, there is nothing about the requirement for a small-vehicle loading space that affects or removes</u></p>	<p>RD</p>
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	<p><u>the ability for additional car parking to be separately provided on a site.</u></p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>a. location, external appearance, site layout and design of buildings and fences and how the development addresses its context, <u>including site topography and orientation and to</u> contributinges positively to the <u>planned urban form and</u> character of the area;</li> <li><del>b. building dominance relative to neighbouring properties and public spaces including roads;</del></li> <li><del>c. residential amenity values for occupants of buildings on the site;</del></li> <li><del>d. how the design advances housing diversity, including through providing a range of unit sizes and typologies;</del></li> <li><del>e. how the design promotes sustainability either through construction methods, design or function;</del></li> <li>f. privacy for occupants of <u>the subject site and</u> neighbouring sites, <u>including cumulative privacy effects resulting from several household units enabling overlooking of another unit of units;</u></li> <li>g. in Arrowtown, consistency with Arrowtown's <u>existing</u> character, <u>utilising the Arrowtown Design Guidelines 202316-2016 as a guide;</u></li> <li>h. <u>well-overlooked public spaces including roads street activation;</u></li> <li>i. parking and access layout: safety, efficiency <del>and impacts on on-street parking and neighbours;</del></li> <li><del>j. design and integration of landscaping;</del></li> <li>k. <u>capacity of existing or planned infrastructure /servicing for potable water, stormwater and wastewater services;</u></li> <li><del>l. low impact stormwater design;</del></li> <li><del>m. waste and recycling storage space and collection;</del></li> <li>n. <u>the location and visibility of garages and parking from public spaces including roads;</u></li> <li><del>o. orientation of indoor and outdoor living spaces to maximise access to sunlight and /or vistas throughout the year and minimising direct line of sight between living areas of different units on the same site;</del></li> <li><del>p. The safety and convenience for pedestrian and cyclist access.</del></li> <li>q. for land fronting State Highway 6 between Hansen Road and the Shotover River:       <ol style="list-style-type: none"> <li>i. safe and effective functioning of the State Highway network;</li> </ol> </li> </ol>	
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	Activities located in the Medium Density Residential Zone	Activity Status
	<ul style="list-style-type: none"> <li>ii. integration with other access points through the zone to link up to Hansen Road, the Hawthorne Drive/State Highway 6 roundabout and/or Ferry Hill Drive; and</li> <li>iii. integration with pedestrian and cycling networks, including to those across the State Highway.</li> </ul> <p>r. where a site is subject to any natural hazard and the proposal results in an increase in gross floor area:</p> <ul 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> </ul> <p>s. <u>where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is located within the adjacent road, any adverse effects on that infrastructure;</u></p> <p>t. <u>for all of the above, discretion is not restricted to the resultant density of development proposed, which is of itself not limited.</u></p>	
<b>8.4.11</b>	<p>Visitor Accommodation in the Visitor Accommodation Sub-Zone and Wānaka Town Centre Transition Overlay</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. The location, nature and scale of activities;</li> <li>b. Parking and access;</li> <li>c. Landscaping;</li> <li>d. Noise generation and methods of mitigation;</li> <li>e. Hours of operation, including in respect of ancillary activities;</li> <li>f. The external appearance of buildings; and</li> <li>g. Infrastructure, servicing and capacity.</li> </ul>	RD
<b>8.4.12</b>	Commercial recreation	D
<b>8.4.13</b>	Community activities	D
<b>8.4.14</b>	Retirement villages	D
<b>8.4.15</b>	Activities which are not listed in this table	NC

	Activities located in the Medium Density Residential Zone	Activity Status
8.4.16	Commercial Activities greater than 100m2 gross floor area	NC
8.4.17	Visitor Accommodation not otherwise identified	NC
8.4.18	Airports not otherwise defined	PR
8.4.19	Bulk material storage	PR
8.4.20	Factory farming	PR
8.4.21	Fish or meat processing	PR
8.4.22	Forestry activities, except for Plantation Forestry where the Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017 prevails.	PR
8.4.23	Manufacturing and/or product assembling activities	PR
8.4.24	Mining	PR
8.4.25	Panel beating, spray painting, motor vehicle repair or dismantling, fibre glassing, sheet metal work, bottle or scrap storage, motor body building	PR
8.4.26	Any activity requiring an Offensive Trade Licence under the Health Act 1956	PR

### ~~8.5A — Rules — Standards for Restricted Discretionary and Discretionary Activities under Rules 8.4 and 8.5~~

	<del>Standards for activities in the Medium Density Residential Zone</del>	<del>Non-compliance status</del>
<del>8.5A.1</del>	<del>For all restricted discretionary and discretionary activities under Rules 8.4 and 8.5, applications for resource consent shall include a statement confirming that the relevant design elements from the Residential Zone Design Guide 20213_2021 have been considered, including a summary of any particular aspects of the proposal that have resulted from that consideration.</del>	<del>NC</del>

## 8.5 Rules - Standards

	Standards for activities located in the Medium Density Residential Zone	Non-compliance status
8.5.1	<p>Building Height (<u>for flat and sloping sites</u>)</p> <p><del>8.5.1.1a Hāwea, Wānaka and Arrowtown: A maximum of 7 metres is permitted.</del></p> <p><del>8.5.1.1b Arrowtown: between 7m up to 8m is restricted discretionary.</del></p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"> <li>a. <u>consistency with Arrowtown’s existing character;</u></li> <li>b. <u>any sunlight, shading or privacy effects created by the proposal on adjacent sites and/or their occupants; and</u></li> <li>c. <u>external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties.</u></li> </ul> <p>8.5.1.1c Arrowtown: height above 8m is a non complying activity.</p> <p><del>8.5.1.2—All other locations—rthurs Point: Within the areas specified on the District Plan web mapping application:</del></p> <ul style="list-style-type: none"> <li>a. On the <u>knoll on the southern side of Arthurs Point Road: a maximum of 465masl.</u></li> <li>b. <u>All other locations: a maximum of 8 metres; or</u></li> </ul> <p><del>8.5.1.2—Queenstown Hill, Bridesdale and Clearview: Within the area specified on the District Plan web mapping application a maximum of 8 metres.</del></p> <p><del>8.5.1.3 Arrowtown: a maximum of 8m plus an additional 1m for pitched roof forms only.</del></p> <p><del>8.5.1.34 All other locations: A maximum of 118 metres plus an additional 1m for pitched roof forms only.</del></p>	D
8.5.2	<p>Sound insulation and mechanical ventilation</p> <p>Any residential buildings, or buildings containing an activity sensitive to road noise, and located within</p>	NC

	Standards for activities located in the Medium Density Residential Zone	Non-compliance status
	<p>80m of a State Highway shall be designed to achieve an Indoor Design Sound Level of 40Db LAeq24h.</p> <p>Compliance with this rule can be demonstrated by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level.</p>	
8.5.3	<p>Development on land at Frankton North shall be undertaken in accordance with the Frankton North Structure Plan (Schedule 27.13.9), including:</p> <ol style="list-style-type: none"> <li>Providing for a primary road that links State Highway 6 to Quail Rise;</li> <li>Providing for internal connections from the primary road that ensure vehicle access to all sites;</li> <li>Precluding any new vehicular access to the State Highway network; and</li> <li>Providing for a pedestrian and cycle path along the boundary with State Highway 6. This is intended to provide a minimum path width of 2.5 metres, within the existing State Highway corridor, or where there is insufficient land within the State Highway corridor, within adjacent private land.</li> </ol>	NC
8.5.4	<p><b>Building Coverage</b></p> <p>8.5.4.1 A maximum of 45%.</p> <p>8.5.4.2 For the zone at Frankton North located adjacent to Quail Rise, a maximum of 50%.</p>	<p>RD</p> <p>Discretion is restricted to the following:</p> <ol style="list-style-type: none"> <li>external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties;</li> <li><del>external amenity effects on amenity values for future occupants of buildings on the site</del> achievement of a spacious on-site amenity including setbacks from boundaries and between buildings within a site;</li> <li>effects on <del>privacy views</del>, sunlight and shading on adjacent</li> </ol>

	Standards for activities located in the Medium Density Residential Zone	Non-compliance status
		<p>properties <u>and/or occupiers of adjacent land</u>;</p> <p>d. parking and access layout: safety, efficiency and impacts on on-street parking and neighbours;</p> <p>e. in Arrowtown, consistency with Arrowtown’s <u>existing character, as described within the Arrowtown Design Guidelines 202316-2016</u>;</p> <p>f. <u>stormwater related effects including flooding and water nuisance.</u></p>
<p><b>8.5.5</b></p>	<p>Density</p> <p><del>The maximum site density shall be one residential unit per 250m<sup>2</sup> net site area.</del></p>	<p>RD</p> <p>Discretion is restricted to:</p> <p><del>a. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties;</del></p> <p><del>b. internal and external amenity values for future occupants of buildings on the site;</del></p> <p><del>c. privacy for occupants of the subject site and neighbouring sites, including cumulative privacy effects resulting from several household units enabling overlooking of another unit or units;</del></p> <p><del>d. parking and access layout: safety, efficiency and impacts on on street parking and neighbours;</del></p> <p><del>e. noise;</del></p> <p><del>f. servicing including waste storage and collection;</del></p> <p><del>g. in Arrowtown, consistency with Arrowtown’s character, as</del></p>

	Standards for activities located in the Medium Density Residential Zone	Non-compliance status
		<del>described within the Arrowtown Design Guidelines 2016.</del>
<p><b>8.5.5</b></p>	<p><u>Outdoor Living Space (per unit) – Applies only where rule 8.4.6 is not complied with</u></p> <p><u>8.5.5.1 Each residential or visitor accommodation unit at ground floor level, must have outdoor living space that is a minimum of 20m<sup>2</sup> and that comprises ground floor, balcony, patio, or roof terrace space that:</u></p> <ol style="list-style-type: none"> <li>a) <u>Where located at ground level has no dimension less than 3m; and</u></li> <li>b) <u>Where provided in the form of a balcony, patio, or roof terrace, is at least 8m<sup>2</sup> in area and has a minimum dimension of 1.8 m.</u></li> </ol> <p><u>8.5.5.2 Each residential or visitor accommodation unit located wholly above ground floor level, must have an outdoor living space that is a minimum of 8m<sup>2</sup> in area with a minimum dimension of 1.8m.</u></p> <p><u>8.5.5.3 Where multiple units are located on a site, the outdoor living spaces may be grouped cumulatively in a communally accessible location or be private spaces located directly adjacent to each unit.</u></p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li><del>a. <u>Effects on amenity values for future occupants of buildings on the site;</u></del></li> <li>b. <u>Meeting the needs of the number of occupants the residential unit is designed to accommodate.</u></li> <li>c. <u>The extent to which the <del>breach</del>infringement is necessary to enable the provision of housing diversity and options for smaller households on the site.</u></li> <li>d. <u>The accessibility of public open space and recreation reserves in close proximity to the site.</u></li> </ol>
<p><b>8.5.6</b></p>	<p><u>Outlook Space (per unit) – Applies only where rule 8.4.6 is not complied with</u></p> <p><u>The minimum dimensions for the required outlook space for each residential or visitor accommodation unit are as follows:</u></p> <ol style="list-style-type: none"> <li>a. <u>A <del>principal</del> main living room/space must have an outlook space with a minimum dimension of 4m in depth and 4m in width; and</u></li> <li>b. <u>All other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width <del>and</del>;</u></li> </ol> <p><u>Note: If there is more than one window or glass door in a room, <del>the</del> outlook space is measured from the largest one.</u></p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li><del>a. <u>Effects on amenity values for future occupants of buildings on the site</u>Privacy, and access to sun and daylight;</del></li> <li>b. <u>The extent to which the <del>breach</del>infringement is necessary to enable the provision of housing diversity and options for smaller units on the site.</u></li> </ol>

	Standards for activities located in the Medium Density Residential Zone	Non-compliance status
8.5.75	<p>Recession plane</p> <p><u>a. On flat sites applicable to all buildings;</u></p> <p><u>b. On sloping sites only applicable to accessory buildings.</u></p> <p><u>All locations (excluding Arrowtown):</u></p> <p>8.5.76.1 <u>Northern Southern</u> Boundary: <u>42.5m and 3555</u> degrees.</p> <p>8.5.756.2 <u>Western and Eastern All other</u> Boundaries: <u>42.5m and 6045</u> degrees.</p> <p><u>8.5.6.3 Southern Boundaries: 2.5m and 35 degrees.</u></p> <p><u>Arrowtown only:</u></p> <p><u>8.5.7.3 Southern boundary 2.5m &amp; 35 degrees.</u></p> <p><u>8.5.7.4 Northern boundary 2.5m &amp; 55 degrees.</u></p> <p><u>8.5.7.5 Western &amp; eastern boundaries 2.5m &amp; 45 degrees.</u></p> <p>8.5.76.36 Gable end roofs may penetrate the building recession plane by no more than one third of the gable height.</p> <p>8.5.76.47 Recession planes do not apply to site boundaries adjoining a <u>Town Centre Zone, Business Mixed Use Zone, Local Shopping Centre Zone</u>, fronting the road, or a park or reserve.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. any sunlight, shading or privacy effects created by the proposal on adjacent sites and/or their occupants;</p> <p>b. effects on any significant public views (based on an assessment of public views undertaken at the time of the proposal, in addition to any specified significant public views identified within the District Plan);</p> <p>c. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties;</p> <p>d. in Arrowtown, consistency with Arrowtown's <u>existing character, as described within the Arrowtown Design Guidelines 202316 2016.</u></p> <p>e. Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is located within the adjacent road, any adverse effects on that infrastructure.</p>
8.5.87	<p>Landscaped permeable surface</p> <p>At least 25% of site area shall comprise landscaped permeable surface.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. stormwater related effects including flooding and water nuisance;</p> <p>b. visual amenity and the mitigation of the visual effects of buildings and any vehicle parking areas,</p>

	Standards for activities located in the Medium Density Residential Zone	Non-compliance status
		<p>particularly in relation to any streets or public spaces;</p> <p>c. in Arrowtown, consistency with Arrowtown’s <u>existing character, as described within the Arrowtown Design Guidelines 202316 2016.</u></p>
<p><b>8.5.98</b></p>	<p>Minimum Boundary Setback</p> <p>a. road boundary setback: 3m minimum, except for:</p> <ul style="list-style-type: none"> <li>i. State Highway boundaries, where the setback shall be 4.5m minimum;</li> <li>ii. garages, where the setback shall be 4.5m minimum;</li> <li>iii. <del>Building setbacks (excluding garages) on sites that adjoin two road frontages, where each frontage is more than 10m in length, shall include one road boundary setback of 3m, and one road boundary setback of 1.5m. The 3m road boundary setback shall be applied to any road boundary frontage that adjoins an Arterial or Collector Road.</del></li> </ul> <p>b. all other boundaries: 1.5m.</p> <p>Exceptions to setback requirements other than any road boundary setback.</p> <p>Accessory buildings for residential activities may be located within the setback distances, where they do not exceed 7.5m in length, there are no windows or openings (other than for carports) along any walls within 1.5m of an internal boundary, and they comply with rules for Building Height and Recession Plane.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties;</li> <li>b. streetscape character and amenity;</li> <li>c. any sunlight, shading or privacy effects created by the proposal on adjacent sites and/or their occupants;</li> <li>d. effects on any significant public views (based on an assessment of public views undertaken at the time of the proposal, in addition to any specified significant public views identified within the District Plan);</li> <li>e. parking and access layout: safety, efficiency and impacts on on-street parking and neighbours;</li> <li>f. in Arrowtown, consistency with Arrowtown’s <u>existing character, as described within the Arrowtown Design Guidelines 202316 2016.</u></li> <li>g. Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is located within the adjacent road, any adverse effects on that infrastructure.</li> </ul>

	Standards for activities located in the Medium Density Residential Zone	Non-compliance status
<b>8.5.109</b>	<p>Building Length</p> <p>The length of any building facade above the ground floor level shall not exceed 24m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties;</li> <li>in Arrowtown, consistency with Arrowtown's <del>existing</del> character, <del>as described within the Arrowtown Design Guidelines 2016.</del></li> </ol>
<b>8.5.1140</b>	<p>Waste and Recycling Storage Space</p> <p>8.5.1140.1 <del>Each residential unit Residential activities of three units or less</del> shall provide, a minimum of 2m<sup>2</sup> space for waste and recycling storage per residential unit or flat.</p> <p>8.5.1140.2 Waste and recycling bins shall be:</p> <ol style="list-style-type: none"> <li>Located where it is easy to manoeuvre for kerbside collections and avoiding impeding vehicle movements within and through the site; and</li> <li>Not directly visible from adjacent sites, roads and public spaces; or</li> <li>Screened with materials that are in keeping with the design of the building; <del>and</del></li> <li><del>Subject to a communal or private collection arrangement where the number of bins required by a development cannot be accommodated within the available kerbside space in front of the development site, including not impeding the footpath.</del></li> </ol>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>Effects on amenity values;</li> <li>Size, location and access of waste and recycling storage space;</li> <li><del>Whether there is sufficient space for safe kerbside collection to occur; and</del></li> <li><del>Whether a suitable communal or other alternative waste and recycling storage and collection solution is available.</del></li> <li><del>Consistency with the Residential Zone Design Guide 2023/ 2021.</del></li> </ol>
<b>8.5.1211</b>	<p>Lighting and Glare</p> <p>8.5.1211.1 All exterior lighting shall be directed downward and away from the adjacent sites and roads.</p> <p>8.5.1211.2 No activity on any site shall result in greater than a 3.0 lux spill (horizontal or vertical) of lights onto</p>	<p>RD</p> <p>Discretion is restricted to the effects of lighting and glare on:</p> <ol style="list-style-type: none"> <li>amenity values of adjoining sites;</li> <li>the safety of the Transport Network;</li> </ol>

	Standards for activities located in the Medium Density Residential Zone	Non-compliance status
	any other site measured at any point inside the boundary of the other site.	c. the night sky; and d. the navigational safety of passenger carrying vessels operating at night.
<b>8.5.1312</b>	<p>Setback of buildings from water bodies</p> <p>The minimum setback of any building from the bed of a river, lake or wetland shall be 7m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. indigenous biodiversity values;</li> <li>b. visual amenity values;</li> <li>c. landscape character;</li> <li>d. open space and the interaction of the development with the water body;</li> <li>e. environmental protection measures (including landscaping and stormwater management);</li> <li>f. whether the waterbody is subject to flooding or natural hazards and any mitigation to manage the location of the building.</li> </ul>
<b>8.5.1413</b>	<p>Garages</p> <p>Garage doors and their supporting structures (measured parallel to the road) shall not exceed 50% of the width of the front elevation of the building which is visible from the street.</p>	D
<b>8.5.1514</b>	<p>Home Occupation</p> <p>8.5.135.1 No more than 1 full time equivalent person from outside the household shall be employed in the home occupation activity.</p> <p>8.5.135.2 The maximum number of two-way vehicle trips shall be:</p> <ul style="list-style-type: none"> <li>a. heavy vehicles: none permitted;</li> <li>b. other vehicles: 10 per day.</li> </ul> <p>8.5.135.3 Maximum net floor area of 60m<sup>2</sup>.</p> <p>8.5.135.4 Activities and storage of materials shall be indoors.</p>	D
<b>8.5.1615</b>	Building Restriction Area	NC

	Standards for activities located in the Medium Density Residential Zone	Non-compliance status
	No building shall be located within a building restriction area as identified on the District Plan web mapping application.	
<del>8.5.17</del>	<del>A building or structure located within the Wānaka Substation Building Restriction Area as shown on the District Plan web mapping application and Three Parks Structure Plan (27.13.12).  The Building Restriction Area and this standard do not apply if Designation 337 is removed from the District Plan.</del>	<del>NC</del>
<del>8.5.18</del> <b>8.5.1816</b>	Residential Visitor Accommodation where: <p>8.5.<del>18</del><b>16</b>.1 The total nights of occupation by paying guests on a site do not exceed a cumulative total of 90 nights per annum from the date of initial registration.</p> <p>8.5.<del>18</del><b>16</b>.2 A single residential unit (inclusive of a residential flat) must be rented to a maximum of one (1) group of guests at any one time.</p> <p>8.5.<del>18</del><b>16</b>.3 The number of guests must not exceed 2 adults per bedroom and the total number of adults and children must not exceed:</p> <ul style="list-style-type: none"> <li>• 3 in a one-bedroom residential unit</li> <li>• 6 in a two-bedroom residential unit</li> <li>• 9 in a three-bedroom or more residential unit.</li> </ul> <p>8.5.<del>18</del><b>16</b>.4 No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated.</p> <p>8.5.<del>18</del><b>16</b>.5 Outdoor space is not used between the hours of 10:00pm and 7:00am and sign/s are installed and visible from the</p>	RD <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>a. The location, nature and scale of activities;</li> <li>b. Vehicle access and parking;</li> <li>c. The management of noise, rubbish, recycling and outdoor activities;</li> <li>d. Privacy and overlooking;</li> <li>e. Outdoor lighting;</li> <li>f. Guest management and complaints procedures;</li> <li>g. The keeping of records of residential visitor accommodation use, and availability of records for Council inspection; and</li> <li>h. Monitoring requirements, including imposition of an annual monitoring charge.</li> </ol>

	Standards for activities located in the Medium Density Residential Zone	Non-compliance status
	<p>outdoor space advising the permitted hours of use.</p> <p>8.5.186.6 Rubbish and recycling is not left on/adjacent to the road, except on the day of collection.</p> <p>8.5.186.7 The activity is registered with Council prior to commencement.</p> <p>8.5.186.8 Council is provided with the following information at the time of registration:</p> <ul style="list-style-type: none"> <li>a. The contact details of the person and/or organisation responsible for managing the property and responding to any complaints; and</li> <li>b. Confirmation that the immediately adjacent neighbouring properties, including any property with shared access arrangements, have been provided with written notice that the property is to be used for residential visitor accommodation and the contact details of the person and/or organisation responsible for managing the property and responding to any complaints.</li> </ul> <p>8.5.186.9 The information required by Standard 8 is reviewed and resubmitted to Council on an annual basis (from the date of registration of the activity), including the annual provision of written notice to neighbours required by Standard 8.b.</p> <p>8.5.186.10 Up to date records of the activity are kept including:</p> <ul style="list-style-type: none"> <li>a. A record of the date and duration of guest stays and the number of guests staying per night; and</li> </ul>	

	Standards for activities located in the Medium Density Residential Zone	Non-compliance status
	<p>b. A detailed record of any complaints received and remediation actions taken.</p> <p>8.5.186.11 The records required by Standard 10 are provided to Council on an annual basis from the date of registration and made available for inspection by Council with 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 8.5.1718.1 to 8.5.1817.11.</p>	
<b>8.5.1917</b>	<p>Homestay</p> <p>8.5.197.1 The total number of paying guests on a site does not exceed five per night.</p> <p>8.5.197.2 No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated.</p> <p>8.5.197.3 Council is notified in writing prior to the commencement of a Homestay activity.</p> <p>8.5.197.4 Up to date records of the Homestay activity are 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 8.5.198.1 to 8.5.198.4.</p>	<p>RD</p> <p>Discretion is restricted to</p> <ol style="list-style-type: none"> <li>The location, nature and scale of the activities;</li> <li>Privacy and overlooking;</li> <li>The management of noise, rubbish, recycling and outdoor activities;</li> <li>The keeping of records of Homestay use, and availability of records for Council inspection;</li> <li>Monitoring requirements, including imposition of an annual monitoring charge; and</li> <li>Vehicle access and parking.</li> </ol>
<b>8.5.2018</b>	<p>No fencing shall be constructed in a building restriction area adjoining Hayes Creek and the Outstanding Natural Landscape at Bridesdale.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>Visual amenity values;</li> <li>Landscape character.</li> </ol>

**8.6 Rules - Non-Notification of Applications**

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

8.6.1.1 Residential units which comply with Rule 8.4.10 and all of the standards in Rule 8.5.

8.6.1.2 Visitor Accommodation and residential visitor accommodation within the Visitor Accommodation Sub-Zone and Wānaka Town Centre Transition Overlay.