

PLAN CHANGE 10

IMPROVING AMENITY IN THE HIGH DENSITY RESIDENTIAL ZONES

Section 32 Report

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For the Queenstown Lakes District Council
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EXECUTIVE SUMMARY

This proposed Plan Change aims to improve the amenity values of the High Density Residential Zone. The project was initiated as a result of the consultation that was undertaken in relation to the “growth Options Study” and the “Outstanding Residential Issues Study” throughout 2004 where ongoing dissatisfaction with the current developments in the High Density Residential Zone was identified.

To address this dissatisfaction a review of the provisions for external amenity in the High Density Residential Zone was deemed necessary and the purpose of the Plan Change was identified as follows:

To improve external amenity values between public and private spaces and between lots in the High Density Residential Zone by developing new provisions for and amending current provisions as they relate to the High Density Residential Zone

One of the most common suggestions and also the more difficult to appropriately include in a regulatory regime involved case-by-case assessment. The only way this could be achieved would be by making all buildings a discretionary activity to be assessed against a list of relevant assessment matters. On the surface this is an interesting idea, but it implies that there is no development that is intended to such an extent that it could be permitted. In a residential zone this would be a difficult position to justify as by its very nature buildings are anticipated in a residential zone.

This Plan Change has therefore identified those buildings that have the potential to create significant effects, and require additional attention to be paid to their effect on the amenity values of the residential environment.

In summary the resulting Plan Change identifies additional objectives and policies to protect and enhance the amenity values of the High Density Residential Zone. It also includes the amendment and addition of new rules and standards to ensure that any building with the potential to detract from amenity values can be appropriately assessed under the objectives and policies. During background work to the Plan Change it was identified that different areas within the Zone would be capable of absorbing higher levels of development than others. Therefore there is a gradation of the intensity of development over three sub-zones in Queenstown and two sub-zones in Wanaka. The separate sub-zones allow different rules to apply to different areas depending on their characteristics.

The new rules can be summarised as follows:

- Removal of controlled activity status of garages in Road Setbacks.
- Require Restricted Discretionary assessment of Multi-Unit Developments (residential and visitor accommodation type buildings) in accordance with the following sub-zone levels:
 - Sub-Zone A = 7 or more units
 - Sub-Zone B = 5 or more units
 - Sub-Zone C = 3 or more units
- Require Restricted Discretionary assessment of buildings over a certain size in accordance with the following sub-zone levels:
 - Sub-Zone A = 500m²
 - Sub-Zone B = 400m²
 - Sub-Zone C = 300m²
- Restrict outdoor storage from road setbacks.
- Remove provision for common walls on internal boundaries.
- Require mutual setback requirements between buildings on the same site.

- Require a minimum 2 metre deep and 4 metre long break and a discontinuous roofline and eave-line for continuous building lengths over 16 metres.
- Restrict building length along any elevation to 30 metres.
- Provide for a range of building coverage levels across the sub-zones as below:
 - Sub-Zone A = 65%
 - Sub-Zone B = 55%
 - Sub-Zone C = 45%
- Require a minimum landscaped area in accordance with the following:
 - Sub-Zone A = 20%
 - Sub-Zone B = 30%
 - Sub-Zone C = 40%
- Limit fence heights in the road setbacks to 1.2 metres.
- Limit height of buildings on sites to the south side of Frankton Road so that they do not rise above the roadway
- Limit floor plane levels of buildings to the north side of Frankton Track.
- Provide for a range of site density levels across the sub-zones as follows:
 - Sub-Zone A = 100m² site area per unit
 - Sub-Zone B = 150m² site area per unit
 - Sub-Zone C = 200m² site area per unit(Note: These are site density measures, not minimum unit sizes)

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1 BACKGROUND

1.1 INTRODUCTION

This proposed Plan Change aims to improve the amenity values of the High Density Residential Zone. It resulted from a study commissioned by Queenstown Lakes District Council known as “The Outstanding Residential Issues Study”.

Feedback during research and consultation led to the conclusion that the current development taking place in the High Density Residential Zone does not meet the community’s aspirations for this area. It would appear that the current rules are not producing the desired results in either Queenstown or Wanaka. In particular, large, bulky, uniform buildings are adversely affecting the amenity of the Zone. These are dominating, degrading and are changing the character of the Zone beyond what is felt necessary or reasonable to achieve a reasonable level of growth.

1.2 THE RESIDENTIAL ISSUES STUDY

In October 2003 the Council put out a brief requesting a proposal to undertake a planning study into outstanding residential issues, covering the following:

- The existing residential densities that are enabled throughout the District;
- The provision of land for visitor accommodation activities; and
- Residential car parking and access issues.

The contract was awarded in February 2004 to a team of consultants led by Ken Tremaine Consulting Limited. At the same time they were awarded the contract to investigate future rezoning of land around Wanaka. These two projects ran hand in hand for some time, and consultation was a joint effort for Wanaka. For Queenstown this was naturally not the case.

The first phase of consultation consisted predominantly of the team supplying information to the public during a public meeting regarding the origin of the study, the fashion in which the study would be undertaken and the matters to be addressed. This was combined with the presentation of Queenstown Lakes District Council’s “Growth Options Study”. This meeting enabled the team to take on board general comments. Following this meeting the brief was already beginning to require some amendments, as it became clear that the main concerns were with the intensive development that is happening and degrading the residential zones. Consequently the amenity in the High Density Residential Zone was added to the project brief.

Boffa Miskell, the urban design specialists on the team, considered some case studies of buildings that were identified as contributing to the degradation of the Zone. These resulted in sets of display panels for the second phase of consultation, which were displayed for one day in each of Queenstown and Wanaka, followed by a public meeting in each town. During the meetings the matter of rezoning more land to High Density drew the most attention. In summary there was little support for rezoning any land to High Density because of the nature of development that was perceived to be taking place in the current High Density Residential Zone. Before any additional land could be identified for higher density zoning, the current rules needed to be amended to ensure the High Density Residential Zone remained just that – a residential zone with a higher density of dwellings than in the Low Density Residential Zone, but one in which amenity values are maintained. The general opinion was that the High Density Zone was turning into an area where developers were cramming in too many low quality units, without sufficient regard to the surroundings. Support was expressed for changes to the rules governing development in the High Density Residential Zone.

The urban designers took these comments on board. Any thoughts of rezoning for additional High Density Residential land were put on hold, while further consideration was given to the nature of the development enabled and ways of ensuring this could become more acceptable. The result was a report from Boffa Miskell, which is attached as Appendix A.

Further refinement took place, after the entire team considered which of the proposed changes would have the most significant effects. The final table of suggestions (Appendix B) was included in the report "Residential Issues Study – November 2004" which was presented to and received by the Strategy Committee at its meeting of 18 November 2004. The Residential Issues Study is available for viewing on the Queenstown Lakes District Council's website.

This Plan Change forms a further detailing, refinement and consideration of these matters.

1.3 SCOPE OF THE PLAN CHANGE

The proposed Plan Change is intended to bring about an improvement in the amenity values of the High Density Residential Zone.

This Plan Change is limited geographically to the High Density Residential Zone with the scope of the Plan Change extending to improving the amenity between lots; aimed at bettering the external amenity values of the Zone. Matters such as view shafts from public places, landscaping, streetscapes and building form are specifically included. Beyond the scope of this Plan Change are internal amenity values such as individual views, individual access to sunlight and outlook from living spaces.

Excluded from this Plan Change are the provisions for Car Parking, Access Widths, Residential Flats, Visitor Accommodation, Affordable Housing and Ground Level, as these are subject to separate Plan Changes taking place. No consideration is given to extending or decreasing the extent of the High Density Residential Zone, or to whether the Zone is appropriately located.

1.4 SCOPE OF THIS ANALYSIS

This analysis is conducted to satisfy the requirements of Section 32 of the Resource Management Act 1991.

Section 32 of the Resource Management Act (the Act) states that an evaluation of the alternatives and benefits and costs of any amendments must be carried out before adopting any Plan Change. The evaluation should examine the extent to which each objective is the most appropriate way to achieve the purpose of the Act; and having regard to their efficiency and effectiveness, whether the policies, rules or other methods are the most appropriate for achieving the objectives.

32(4) directs that for the purposes of this examination an evaluation must take into account

- (a) *the benefits and costs of policies, rules or other methods; and*
- (b) *the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.*

It is recognised that where the aim of a Plan Change such as this one is to achieve such an intangible and relatively subjective matter as "amenity improvement in an urban environment" the alternatives are almost endless. No suggestion is made that the list of alternatives considered in this analysis is exhaustive.

However, as Section 1.2 describes, a significant amount of study, research and consultation took place, which led to the proposal presented to the Strategy Committee in November 2004. Subsequently further consultation was undertaken and the community was given, and took, the opportunity to provide suggestions and comments. It is considered that this is the best and most appropriate means of identifying alternatives.

The scope of the analysis undertaken here is, for this reason, limited to comparing all the suggestions made by the various factions of the community, such as the general public, the Urban Design Panels, and alternatives identified through the Plan Change process.

1.5 THE PROBLEMS FACING THE HIGH DENSITY RESIDENTIAL ZONE

Soaring demand for residential developments, often to be used for visitor accommodation purposes, have raised land prices to the point where economic gain has, in many instances, become the overriding factor governing new construction. This focus on profit has come at an expense in terms of effects on amenity values, with buildings becoming big, bulky and repetitious with little regard to pedestrian, street and neighbourhood amenities and residential character.

The District Plan rules have allowed and to some extent even encouraged this outcome. To alter the future course of development to achieve the goals and aspirations of the community and the purpose of the Act requires changes to the provisions of the District Plan.

1.6 THE PURPOSE OF THE PLAN CHANGE

The purpose of the Plan Change can be summarised as follows:

To improve external amenity values between public and private spaces and between lots in the High Density Residential Zone by developing new provisions for and amending current provisions as they relate to the High Density Residential Zone.

1.7 THE CURRENT SITUATION

The relevant rules currently governing development in the High Density Residential Zone are set out below. The rules regarding the Low Density Residential Zone are cited for comparative purposes.

An analysis of the current issues, objectives and policies is contained in Section 2.6 of this report.

1.7.1 District Plan Rules: Number of Units

Zone standard 7.5.5.2 iii sets out the number of units permitted on a site based on the area of the site. It only contains provisions for the Low Density Residential Zone. There is no minimum or maximum requirement for the number of units on a site in the High Density Residential Zone.

iii Site Density

(a) In the Low Density Residential Zone, the minimum net area for any site shall be 450 m² for each residential unit contained within the site, except that where:

- (i) a site is shown as being located in the Medium Density Residential Sub-Zone; and*
- (ii) the site was contained in a separate Certificate of Title as at 10 October 1995; and*
- (iii) no residential unit has been built on the site; and*
- (iv) the site has an area between 625 m² and 900 m²*

then two residential units may be erected on the site.

(b) the minimum net area for any site for each residential unit established as part of a comprehensive development shall be 200m² except within the Wanaka Low Density Residential Zones shown on Planning Maps 18, 20, 21, 22 and 23 where the minimum net area shall be 350 m².

Zone Subdivision Standard 15.2.6.3(i) sets out the minimum lot sizes as follows:

i Lot sizes

(a) No lots to be created by subdivision, including balance lots, shall have a net area less than the minimum specified for each Zone in the Table below, except as provided for in (c), (d) and (e) below.

<i>Zone</i>	<i>Minimum Lot Area</i>
<i>Low Density Residential</i>	<i>Arthurs Point</i> 800 m ²
	<i>Queenstown Heights Area</i> 1500 m ²
	<i>Wanaka</i> 700 m ²
	<i>Elsewhere</i> 600 m ²
<i>High Density Residential</i>	450 m ²
<i>Residential Arrows town (Historic)</i>	800 m ²

1.7.2 District Plan Rules: Coverage

Both a site standard and a Zone standard refer to the maximum building coverage in the High Density Residential Zone:

7.5.5.1 Site Standards

- i Building Coverage*
In the High Density Residential Zone, the maximum building coverage for all activities on any site shall be 55%.

7.5.5.2 Zone Standards

- ii Building Coverage*
The maximum building coverage for all activities on any site shall be:
- *40% in the Low Density Residential Zone;*
 - *70% in the High Density Residential Zone.*

[For the High Density Residential Zone if the site coverage is greater than 55%, the activity becomes a discretionary activity. If the site coverage exceeds 70%, the activity is assessed as non-complying.]

1.7.3 District Plan Rules: Building Envelope

The building envelope is the area within which building is permitted within the site. It is bounded by setbacks from roads and boundaries, the recession plane, the maximum building height and ground level provisions. The following are the relevant rules in the Plan:

7.5.5.1 Site Standards

- iii Setback from Roads*
- *The minimum setback from road boundaries of any building, other than garages, shall be 4.5 m.*
 - *In the High Density Residential Zone, any parking and outdoor storage located in the setback shall be screened from view from public roads.*
- iv Setback from Internal boundaries*
- (a) Except as provided for below, the minimum setback from internal boundaries for any building shall be:*
- Front Site*
One setback of 4.5m and all other setbacks 2m
- Rear Sites*
Two setbacks of 4.5m and all remaining setbacks to be 2m.

- (b) *Accessory buildings for residential activities other than those used for the housing of animals may be located within the setback distances from internal boundaries, where the total length of the distances from internal boundaries, whether the total length of the walls of accessory buildings within the setback does not exceed 7.5 m in length and there are no windows or openings, other than for carports, along any walls within 2m of an internal boundary.*
- (c) *Eaves, porches, balconies, bay or box windows, steps, chimneys and similar parts of buildings may be located within the minimum building setback as follows:*
 - (i) *eaves up to 0.6m into the setback; and*
 - (ii) *balconies and bay or box windows of less than 3m in length may project into the setback by up to 0.6m. Only one such balcony or bay or box window, intrusion is permitted on each setback of each building; and*
 - (iii) *porches and steps up to 0.6m into a setback; provided they measure no more than 2m parallel to the nearest internal boundary and provided that the floor level of any such porch or the top of any steps shall be no higher than 1m above ground level. Only one such porch or set of steps is permitted on each setback of each building; and*
 - (iv) *chimneys may project into the setback by up to 0.6m provided that the chimney measures no more than 1.2m parallel to the nearest internal boundary. Only one chimney is permitted on each setback of each building; and*
 - (v) *no part of any balcony or window which is located within a setback shall be higher than 3m above ground level.*
- (d) *No setback is required from an internal boundary where buildings share a common wall on that internal boundary.*

vi *Continuous building length*

Where the aggregate length along one elevation of buildings measured parallel to any internal boundary or internal boundaries exceeds 16m; either

- (a) *The entire building(s) shall be set back an additional 0.5m for every 6m of additional length or part thereof from the minimum yard setback (continuous facades) at the same distances from the boundary;*
- Or*
- (b) *That part of the building(s) which exceeds the maximum building length shall be progressively set back 0.5m for every 6m of additional length or part thereof from the minimum yard setback (varied facade(s) with stepped setbacks from the boundary). Refer appendix 4.*

7.5.5.2 Zone Standards

iv *Building Height*

- (a) *Flat sites where the slope is less than 6 degrees i.e. less than 1 in 9.5*

The maximum height for building shall not exceed 8.0m above ground level, measured at any point and the highest part of the building immediately above that point, and in addition no part of any building shall protrude through a recession line inclined towards the site at an angle of 25° and commencing at 2.5m above ground level at any given point on the site boundary.

Except:

- (i) *Gable, hip, dormer and other similar projections may encroach beyond the recession lines provided they are contained within a calculated area(s) no greater than 6m² with*

the apex no higher than a point 1m below the maximum height for the Zone and the base of the area(s) at the level of recession line protrusion.

- (ii) *The maximum height for buildings in the Residential Low and High Density Zones at Wanaka shall be 7m.*
- (iii) *The maximum height for building in that part of the Residential Low Density Zone at Arrowtown shall be 6m, except that within the Arrowtown Scenic protection Area of the Zone the maximum height shall be 5m.*

(b) *Sloping sites where the slope is greater than 6 degrees i.e. greater than 1 in 9.5*

Ground slope in relation to building height shall be determined by measurement over the extremities of each building elevation. Where any elevation indicates a ground slope of greater than 6° (approximately 1:9.5) no part of any building shall protrude through a surface drawn parallel to and 7.0m vertically above the ground.

Except:

- (i) *No part of any accessory building located within the setback distances from internal boundaries shall protrude through recession lines inclined towards the site at an angle of 25° and commencing at 2.5m above ground level at any given point along each internal boundary.*
- (ii) *The maximum height for building in that part of the Residential Low Density Zone at Arrowtown shall be 6m, except that within the Arrowtown Scenic Protection Area of the Zone the maximum height shall be 5m.*

2. THE CONTEXT AND NECESSITY OF THE PLAN CHANGE

This chapter of the report sets out the provisions in the various statutory documents that are achieved through this Plan Change and the extent to which they are met. The current relevant objectives and policies of the District Plan, and the extent to which they are considered the most appropriate way to achieve the purpose of the Act, are also discussed here.

2.1 THE RESOURCE MANAGEMENT ACT (1991)

Section 31 of the Act sets out the functions of territorial authorities. This Plan Change relates specifically to Council's functions under 31(a), which reads:

- (a) *The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:*

Section 74 of the Act requires that the Plan Change be in accordance with the Council's functions under Section 31, the provisions of Part II, its duty under Section 32 and any regulations.

Consideration has been given to these matters, and it has been concluded that Section 74 requirements have been met.

This Plan Change has been prepared as a means of achieving the purpose of the Act, which is expressed in Section 5 as follows:

- (1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) *In this Act, "sustainable management" means managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety while –*
 - (a) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) *Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
 - (c) *Avoiding, remedying or mitigating any adverse effects of activities on the environment.*

This Plan Change will ensure that the community can continue to provide for its wellbeing by still enabling dense residential development and visitor accommodation close to the town centre, contributing to the viability and vibrancy of both the town centre and the High Density Residential Zone. However, the proposed amenity improvements will also ensure an aesthetically and socially pleasant living environment for present and future generations. It will help avoid and mitigate the adverse effects of residential activities on the environment by embedding provisions in the District Plan that will positively affect future development by ensuring amenity values are given a high priority.

Section 7 of the Act lists "other matters" that the Council must have particular regard to. The following sub-sections are of particular relevance to this Plan Change.

- (b) *The efficient use and development of natural and physical resources:*
- (c) *The maintenance and enhancement of amenity values:*
- (f) *Maintenance and enhancement of quality of the environment:*
- (g) *Any finite characteristics of natural and physical resources:*

The proposed Plan Change will result in less dense development than has recently taken place in certain areas of the High Density Residential Zone. This means a less efficient use of land in terms of the area of land that will be required to cater for the residential needs of the District and therefore sub-section 7(b) could be negatively affected. However, improving the amenity value of residential communities can be considered to be an efficient use of the residential areas (a physical resource). In addition, an effort has been made to allow for higher density uses in areas where there is more

capacity to absorb the effects of such development. The Queenstown Lakes District Council “Growth Options Study” and the “Residential Capacity Model” have shown there is a sufficient area of zoned land to meet the needs of the population in Queenstown until 2021. For Wanaka the Studies found sufficient land was residentially zoned to meet the needs until 2020. In addition the “Wanaka Structure Plan Study” has identified areas suitable for possible rezoning which will provide residential land into the future. It is important to note that the above is based on the assumption that all land currently zoned will be developed in a timely manner. If lots remain undeveloped, or currently zoned land remains un-subdivided, then new residential areas will need to be found.

Encouragingly, the proposal will provide an increase in the amenity values of the Zone and enhance the quality of the environment significantly. The amendments will help conserve the finite characteristics of the High Density Residential Zone, in terms of residential character and amenity. Without this Plan Change the High Density Residential Zone is likely to increasingly become a zone where amenity values decrease and the quality of the environment is compromised in favour of financial gain. Already the degradation has progressed to such an extent that reversing it will take a considerable amount of time and it is therefore considered that in this case the benefits of amenity improvement outweigh the cost of a less efficient use of land. This Plan Change is considered essential to achieve sub-sections 7(c) and 7(f) of the Act.

2.2 REGIONAL POLICY STATEMENT FOR OTAGO

Section 75(2) of the Act specifies that the District Plan must not be inconsistent with any Regional Policy Statement or Regional Plan. The Regional Policy Statement for Otago (October 1998) is of some relevance to this Plan Change and therefore the relevant parts of that document have been included:

Objective 9.4.1

To promote the sustainable management of Otago’s built environment in order to:

- a) Meet the present and reasonably foreseeable needs of Otago’s people and communities; and*
- b) Provide for amenity values; and*
- c) Conserve and enhance environmental and landscape quality; and ...*

Policy 9.5.4

To minimise the adverse effects of urban development and settlement, including structures on Otago’s environment through avoiding, remedying or mitigating:

...

- (a) Significant irreversible effects on:
 - (i) Otago community values*
 - (ii) Amenity values**

Policy 9.5.5

To maintain and, where practicable, enhance the quality of life for people and communities within Otago’s built environment through:

- a) Promoting the identification and provision of a level of amenity which is acceptable to the community; and...*

This Plan Change is aimed at improving the amenity values in the High Density Residential Zone, therefore meeting these objectives and policies and therefore is not inconsistent with the Regional Policy Statement for Otago.

2.3 REGIONAL PLAN: WASTE

The Regional Plan: Waste contains policies that relate to waste minimisation including maximising opportunities to reuse, recycle and the recovery of materials from the waste stream. This could have some relevance to this Plan Change however as discussed in Section 6.5 of this report it is considered more appropriate to deal with waste issues through the QLDC Waste Bylaw.

2.4 OTHER RELEVANT DOCUMENTS

Section 74(2)(b) of the Act specifies that a territorial authority shall have regard to any management plans and strategies prepared under other Acts; any relevant entry in the Historic Places Register; and other regulations relating to fisheries resources. The Long-Term Council Community Plan, the Signs Bylaw being prepared under the Local Government Act 2002 and the Historic Places Register have relevance to the Queenstown Lakes District.

2.4.1 Long-Term Council Community Plan

With respect to management plans and strategies prepared under other Acts the Queenstown Lakes District's Long-Term Council Community Plan (CCP) is of relevance. Part of the purpose of the CCP is to describe the activities of the local authority and to describe the community outcomes of the District. The QLDC CCP has identified that rapid community growth and a sensitive environment will result in continuing change to the District Plan. It goes on to state under the Principal Objectives and Goals of the District Plan section (Volume 2, Page 65) that the objectives are:

To have an operative District Plan which reflects the policies and priorities contained within the CCP.

Relevant Goals include:

- *To continuously work toward having an operative plan which is aligned and consistent with the community outcomes outlined in the Community Plan.*
- *To produce and maintain an operative District Plan that is free of errors.*
- *To prepare and notify proposed plan changes to the District Plan, where this is deemed to be necessary, and an effective and efficient method of giving effect to the CCP.*
- *To undertake effective community consultation in respect of plan changes in a manner which meet the requirements of both the RMA and the LGA.*

The following Community Outcomes are relevant to this Plan change:

- *Sustainable growth management.*
- *Quality landscapes and natural environment and enhanced public access.*
- *A safe and healthy community that is strong, diverse and inclusive for people of all age groups and incomes.*
- *High quality urban environments respectful of the character of individual communities.*

With regards to the Goals of the CCP this Plan Change is considered necessary, as an effective and efficient method to give effect to the CCP. It contributes towards having an operative Plan that is aligned and consistent with the Community Outcomes and free of errors. In addition, consultation has taken place that meets the requirements of the RMA and the LGA as outlined in Section 4 of this Report.

The Plan Change is consistent with the Community Outcomes listed above. It will allow growth to occur that is sustainable by encouraging buildings in the High Density Residential Zone that contribute to the attractiveness of the Zone for the enjoyment by future generations of visitors and local residents. Encouragement of buildings that provide for a mix of unit sizes and different levels of density, within the High Density Residential Zone will result in a Plan that is more aligned with a community that is strong, diverse and inclusive for people of all age groups and incomes. The change to the Plan will encourage higher quality urban environments that respect the character of individual communities.

From the above discussion it is considered that this Plan Change will contribute to the Community Outcomes, Goals and the Objectives of the CCP listed above.

2.4.2 QLDC Signs Bylaw

Signage within the High Density Residential Zone has also been identified as a possible factor that can degrade amenity values and should therefore be subject to some control. Signage provisions are currently being determined under a separate process to this Plan Change and will be addressed as part of the Queenstown Lakes District Signs Control Bylaw.

2.4.3 Historic Places Register

The Historic Places Register contains a number of entries that are within the High Density Residential Zone in the Queenstown Lakes District. While this Plan Change will not affect existing structures that have been lawfully established, the Plan Change will affect further development rights on sites identified in the Register the same as any other site. It is considered that improving amenity in the High Density Residential Zone will not have a negative effect on historic sites.

2.5 KAI TAHU KI OTAGO NATURAL RESOURCE MANAGEMENT PLAN 2005

Section 74(2A)(a) of the Act requires that a territorial authority to take into account relevant planning documents recognised by an iwi authority. Kai Tahu ki Otago Natural Resource Management Plan (KTKO NRMP) was released in June 2005. This Plan contains issues, objectives and policies for the Otago region and specific catchments within the region. There are no provisions in the KTKO NRMP that relate to this proposed Plan Change.

2.6 PARTIALLY OPERATIVE DISTRICT PLAN

The District Plan contains two sections that have objectives and policies that relate to the High Density Residential Zone; Section 4: *District Wide Issues*, and Section 7: *Residential Areas*. The following is an analysis of the relevant objectives and policies from these sections of the Plan. Rules pertaining to the residential areas are contained only in Section 7 of the District Plan, which have been itemised under Section 1.7 of this report.

2.6.1 Section 4: District Wide Issues

This section contains objectives and policies for issues that have effect for the entire District. The relevant objectives and associated relevant policies are listed and assessed below:

4.5 Energy

4.5.3 Objectives and Policies

Objective 1 - Efficiency

The conservation and efficient use of energy and the use of renewable energy sources.

Policies:

- 1.3 *To encourage residential sites to be large enough to enable buildings to be constructed to take the greatest advantage of solar energy for heating, both active and passive.*
- 1.4 *To control the location of buildings and outdoor living areas to reduce impediments to access to sunlight.*

4.9 Urban Growth

4.9.3 Objectives and Policies

Objective 1 - Natural Environment and Landscape Values

Growth and development consistent with the maintenance of the quality of the natural environment and landscape values

Policies

- 1.1 *To ensure new growth occurs in a form which protects the visual amenity, avoids urbanisation of land which is of outstanding landscape quality, ecologically significant, or which does not detract from the values of margins of rivers and lakes.*
- 1.2 *To ensure growth does not adversely affect the life supporting capacity of soils unless the need for this protection is clearly outweighed by the protection of other natural or physical resources or important amenity values.*

Objective 2 - Existing Urban Areas and Communities

Urban growth which has regard for the built character and amenity values of the existing urban areas and enables people and communities to provide for their social, cultural and economic well being.

Policies:

- 2.1 *To ensure new growth and development in existing urban areas takes place in a manner, form and location which protects or enhances the built character and amenity of the existing residential areas and small townships.*
- 2.2 *To protect the living environments of existing low-density residential areas by limiting higher density development opportunities within these areas.*

Objective 3 - Residential Growth

Provision for residential growth sufficient to meet the District's needs.

Policies

- 3.1 *To enable urban consolidation to occur where appropriate.*
- 3.2 *To encourage new urban development, particularly residential and commercial development, in a form, character and scale which provides for higher density living environments and is imaginative in terms of urban design and provides for an integration of different activities, e.g. residential, schools, shopping.*

The above objectives are considered to achieve the purpose of the Act and this Plan Change. The policies are effective and appropriate to achieve the objectives. Therefore no changes or additions are proposed to Section 4 of the District Plan.

2.6.2 Section 7: Residential Areas

In this section the relevant issues, objectives and policies are listed and followed by comments on their contribution to the High Density Residential Zone. In accordance with Section 32 of the Act,

consideration is given to the appropriateness of the objectives and policies in achieving the purpose of the Act.

Section 7: *Residential Areas*, of the District Plan splits the issues, objectives and policies for residential areas into District Wide, Queenstown and Wanaka residential areas with no explicit distinction being made between those areas zoned High Density Residential and those areas zoned Low Density Residential.

2.6.2.1 District Wide Provisions

This section of the Plan contains provisions that relate to residential activities District wide. This includes high density and low density along with residential areas in Queenstown, Wanaka, Arrowtown and other areas such as Lake Hayes Estate. The following is a brief examination of the issues, objectives and policies that relate to residential areas district wide. Only those that relate to this Plan Change (i.e. amenity values) are included here.

7.1 Issues, Objectives and Policies

7.1.1 Issues

The District's housing stock represents one of its most important physical resources. People's well being is among other things a reflection of their quality of housing and the environment in which that is set.

Enabling people to provide for their residential needs within the District is one of the Council's functions authorised under the Act. The purpose of the Act is the sustainable management of natural and physical resources, which includes enabling people and communities to provide for their social, economic and cultural well being and for their health and safety. This can only be achieved within a framework which adequately addresses the needs of present and future generations, the life-supporting capacity of air, water, soil and ecosystems, and the adverse environmental effects of activities including the effects on the visual amenity of outstanding landscapes of the District.

Meeting the residential needs of the District's urban population cannot be accommodated within the existing towns, settlements or "rural lifestyle" areas without significantly affecting current residential amenity values ie density levels, protection of views, privacy, or detracting from the significant landscape values and natural features of the District. The Council recognises there is a demand for low-density residential living within rural areas by people wishing to enjoy the quietness and natural environment. However, in deciding how best to meet the residential needs of the District, the Council must have regard to several other matters of relevance under Section 7 of the Act, most importantly:

- the efficient use and development of natural and physical resources;*
- the maintenance and enhancement of amenity values and natural features;*
- the maintenance and enhancement of the quality of the environment.*

The above text provides an introduction to the residential zones and outlines the Councils functions under the Act. This section should be labelled as an introduction and not be included within the Issues section of the Plan as it currently is. The current layout can lead to confusion with the above three bullet pointed statements sometimes being misunderstood as the issues.

iii Character and Scale

- *Enhancement of essential elements which give towns, suburbs or settlements their character, image and attractiveness.***

The existing identity of any particular town or settlement is reflected in its character and scale. These are matters which influence where people choose to live. Components of character and scale include open space, density of development, building height, dominant styles in built form and topographic influences. There is undoubtedly a difference in character and scale between suburban residential and low density rural living environments. There can also be contrast in the character and scale within or

between settlements. Change in the character and scale of residential areas can result from closer subdivision and construction of additional houses at higher densities, redevelopment and replacement of existing houses, and loss of existing open space, garden and tree plantings, loss of views and diminution in the sense of community cohesion and well being.

Some changes may be necessary to provide for the needs of people wanting smaller properties, new and smaller houses, or houses closer to town centres. Such change needs to be managed to avoid adversely affecting the character and scale of areas most valued by residents. The main residential areas have developed a low density character with general protection for views, sunlight admission and privacy. This character is even more profound in smaller settlement areas where development densities have remained low. Pressure for growth will inevitably bring pressure for infill development within these areas.

iv Residential Amenity

- **Protection and enhancement of people's social well being resulting from the amenity values of their living environment.**

People's perception of well being is enhanced by a coherent and pleasant living environment. The main components of this amenity are the location and scale of open space, density of residential development generally and within sites, heights of buildings and dominant building styles. Most of these components lead to a general appreciation of an area, while others relate to the development of individual sites. The way individual sites are developed and their relationship to adjoining sites are important factors in ensuring residential properties have adequate sunlight, daylight and privacy and a feeling of not being closed in or overlooked. In controlling these matters the desirability of allowing reasonable individual flexibility in siting, layout and building design must be acknowledged, including the need to maximise the benefits from good access to solar energy.

Residential areas have always contained a range of complementary non-residential activities relating to the educational, spiritual, social, recreational, and day-to-day economic needs of the residents. Many of these require a residential location because of the service they provide to residents. Some of these activities can have a significant impact in terms of traffic and on-street parking, noise or glare. It is important to ensure a compatibility between residential and non-residential activities and areas.

Home occupations are an important aspect of non-residential activity which provides residents with a source of employment with many social and economic advantages, but which can cause problems in residential areas. The range of activities and their character and scale vary considerably and it is often the traffic-generating and noise aspects of these activities which is of concern. Limitations on the extent of retailing, the scale of activities in terms of area or floorspace and the involvement of persons not living on the site are commonly adopted to mitigate these adverse effects.

'Character and Scale' and 'Residential Amenity' are issues of relevance to this Plan Change that will help ensure the above issues are dealt with in an effective and efficient manner. Both of the above issues are worded in such a way that they read like objectives rather than problems or potential problems that must be resolved to achieve the Purpose of the Act. Therefore they will require some amending to ensure they are actual resource management issues.

7.1.2 District Wide Residential Objectives and Policies

Objective 3 - Residential Amenity.

Pleasant living environments within which adverse effects are minimised while still providing the opportunity for individual and community needs.

This objective does seem to achieve the purpose of the Act by enabling people to provide for their social, economic and cultural well being (*providing the opportunity for individual and community needs*) while sustaining the potential of physical resources to meet needs of future generations (*Pleasant living environments*). However, from comments received it appears that certain 'individual needs', being financial, have overridden the objective of a pleasant living environment. Therefore this objective is not considered to be the most appropriate at achieving the purpose of the Act.

Policies:

- 3.1 *To protect and enhance the cohesion of residential activity and the sense of community and well being obtained from residential neighbours.*

Residential activity and sense of community is being lost in the High Density Residential Zones due to the increased development of multi-unit style apartments that cater for shorter-term accommodation. Therefore this policy is not being fully achieved within the High Density Residential Zones; however it is considered that this should be dealt with in the separate Visitor Accommodation Plan Change.

- 3.2 *To provide for and generally maintain the dominant low density development within the existing Queenstown, Wanaka and Arrowtown residential zones, small townships and Rural Living areas.*

This policy is generally achieved through the provision of the Low Density Residential Zone and associated density provisions in Queenstown, Wanaka and Arrowtown. It is of little relevance to this Plan Change.

- 3.3 *To ensure the external appearance of buildings reflects the significant landscape values and enhance a coherent urban character and form as it relates to the landscape.*

It is unclear what exactly is meant or required by this policy. The explanation for adoption offered does not clarify the meaning but instead confuses matters by stating that 'Council does not propose to influence building design...' and then goes on to state 'This will enhance the character and coherence of the residential built environment as it relates to the visual amenity of the natural landscape.' It appears that buildings in the High Density Residential Zone are not always reflecting the significant landscape values, nor do they enhance a coherent urban character and form. The sentence that begins with 'Council does not propose...' should be altered to read 'The Council proposes to influence building design in the residential areas by the implementation of the policies and rules contained in this Plan'.

- 3.4 *To ensure hours of operation of non-residential activity do not compromise residential amenity values, social well being, residential cohesion and privacy.*

This policy is implemented by way of a rule that limits hours of operation of non-residential activities to between 7:30am and 8:00pm. There are few complaints regarding this with respect to affecting amenity and those that are received usually involve noise from construction activities. These can be effectively dealt with by way of an excessive noise direction being issued. It appears that this policy is being implemented effectively

- 3.5 *To ensure a balance between building activity and open space on sites to provide for outdoor living and planting.*

It is perceived that a balance between buildings and open space in the High Density Residential Zone has not been achieved with buildings now dominating a number of sites and visually dominating public spaces. This is an effective policy and it is important that it is retained and implemented, to improve amenity. The methods need to reflect this.

- 3.6 *To ensure residential developments are not unduly shaded by structures on surrounding properties.*

Shading is an important factor to consider when dealing with improving amenity. Current rules focus on setbacks and recession planes to reduce shading from structures on one site onto neighbouring sites. Consideration should also be given to the fact that most of Queenstown is on the southern side of a hill and therefore a certain amount of shading is inherent regardless of neighbouring buildings. This policy is effective and the current rules contained within the Plan go a long way to ensuring that shading by structures is not excessive.

- 3.7 *To ensure noise emissions associated with non-residential activities are within limits adequate to maintain amenity values.*

As mentioned above excessive noise can be effectively dealt with by the issuance of an excessive noise direction under Section 327 of the Act. This policy is also implemented by a rule in the Plan that places a limit on noise from non-residential activities.

- 3.8 *To encourage on-site parking in association with development in residential areas to ensure the amenity of neighbours and the functioning of streets is maintained.*

The issue of parking has come up time and time again in letters, public meetings and other consultation processes and is an important part of improving amenity in residential areas. This issue is being addressed separately in Plan Change 8 (being notified at the same time as this Plan Change), and therefore is outside the scope of this Plan Change.

- 3.9 *To provide for and encourage new and imaginative residential development forms within the major new residential areas.*

This Plan Change does not deal with new residential areas and therefore this policy is not relevant.

- 3.10 *To require acoustic insulation of buildings located within the airport Outer Control Boundary, that contain critical listening environments.*

There are no High Density Residential Zones within the airport outer Control Boundary so this policy is not relevant to this Plan Change.

Implementation Methods

Objective 3 and associated policies will be implemented through a number of methods including:

(i) **District Plan:**

- (a) *Rules relating to building height, sunlight and outlook for neighbours, street scene, separation from neighbours and outdoor living space.*
- (b) *Rules for heritage and amenities, relocated buildings, protected historic buildings, places and objects and protected trees.*
- (c) *Rules for health and safety, eg for noise and glare.*
- (d) *Rules for subdivision, natural and other hazards, supply of services (water, energy, telecommunications and disposal of wastes), provision of land for open space and recreation and rules for building location.*
- (e) *Rules for transport, parking, access and manoeuvring.*

(ii) **Other Methods:**

- (a) *Implementation of the powers prescribed in Part XII of the Resource Management Act relating to enforcement orders, abatement notices and excessive noise.*
- (b) *Provision of works and services, roading, road linkages and traffic management programmes, and maintenance and development of public open space.*

In relation to improving amenity, the implementation of the policies by way of the District Plan is considered to be appropriate. With high land values and the desire for increased financial returns from developments it is believed that non-enforceable methods, such as voluntary design guidelines, will not achieve the objectives of the Plan. Notwithstanding this, the Council has implemented the Urban Design Panels in Queenstown and Wanaka to review proposed projects as they arise.

Objective 4 - Non-Residential Activities

Non-Residential Activities which meet community needs and do not undermine residential amenity located within residential areas.

Policies:

- 4.1 *To enable non-residential activities in residential areas, subject to compatibility with residential amenity.*
- 4.2 *To enable specific activities to be acknowledged in the rules so as to allow their continued operation and economic well being while protecting the surrounding residential environment.*

Implementation Methods

Objective 4 and associated policies will be implemented through a number of methods including:

(i) District Plan

- (a) *The identification of the living environment and associated rules, site density, building height, sunlight, street scene and landscaping.*
- (b) *The opportunity for a range of non-residential activities to be located in residential zones as permitted activities, subject to rules to protect residential amenity. These rules include matters relating to scale of activities, residential coherence, hours of operation, site size and traffic generation.*

(ii) Other Methods

- (a) *Provision and operation of community facilities.*

The above objective, policies and methods do achieve the purpose of the Act by providing for non-residential activities in residential areas so long as their effects are not detrimental to residential amenity. This enables the community to promote sustainable management of natural and physical resources in that the land is able to sustain multiple uses. In terms of improving amenity the objective is appropriate as it qualifies non-residential activities with the statement ‘...and do not undermine residential amenity...’ Policy 4.1 allows new and amended residential amenity rules to also apply to non-residential activities to ensure compatibility. The policy is considered to be effective and it is considered appropriate not to change these provisions.

2.6.2.2 Queenstown Provisions

The following analysis examines the current issues, objectives, policies and environmental results anticipated as they relate specifically to the Queenstown residential areas.

7.2 Queenstown Residential Areas

Sunshine Bay-Fernhill, Queenstown Bay, Frankton Road, Frankton and Kelvin Peninsula

7.2.1 Resources, Activities and Values

Queenstown comprises Sunshine Bay-Fernhill, Queenstown Bay, Frankton Road, Frankton and Kelvin Peninsula. These areas contain almost half the District’s population and the greater portion of its housing. The residential areas of Queenstown are characterised by lower density development which allows outstanding views of Lake Wakatipu and the mountains. Access to these views is a result of the natural topography and the development standards that have been applied. The greater part of the residential area is suburban in scale and density and the policies in the Plan reinforce that position. Only part of the residential area contains higher density development.

Since this text was drafted in 1995, the character of Queenstown has changed beyond recognition. This paragraph needs to be updated to reflect the types of current development in the High Density Residential Zone.

7.2.2 Issues

The District wide residential issues impact on, and are relevant to, residential activity and amenity in Queenstown. In addition, a number of local issues exist:

- *Provision for visitor accommodation.*
- *Enhancement of views where practicable.*
- *Relationship of development and enhancement of access to the lakeshore.*
- *Minimising the adverse impact and extent of non- residential activities in the residential areas.*
- *Opportunities for increasing residential activity.*
- *Opportunities for improved sunlight admission.*
- *Minimise the impact of the State Highway and the airport on adjoining and surrounding residential areas.*
- *Access to Frankton Road for new development.*
- *The need to acknowledge that settlement is a part of the landscape.*
- *Protection of airport operations from noise sensitive activities within the Outer Control Boundary.*

This list is not really a list of issues; rather it is more a list of ambitions. As this Plan Change only deals with a small part of the residential section of the Plan, namely amenity improvement in the High Density Residential Zone, it is beyond the scope of these amendments to redraft this entire paragraph. However, for the matter being considered it is pertinent that the issues be worded such that they clearly identify the problem.

7.2.3 Objectives and Policies - Queenstown Residential Areas

Objectives -

[1] Residential development and associated activities at a scale, density and character consistent with the existing density, which enhances the essential elements of the surrounding landscape, lakeshore and the visual outlook from residential buildings.

This objective effectively and efficiently achieves the purpose of the Act by enabling present and future generations to develop residential and associated activities to provide for their wellbeing, while avoiding remedying or mitigating adverse effects on the essential elements of the surrounding landscape. However, it would appear that the aspect of this objective 'consistent with the existing density' is not being met in the High Density Residential Zone by the current policies, rules and methods in the Plan as existing density is increasing rapidly. In fact, existing density has increased to such a level that it is no longer considered desirable for new development to be consistent with that level. The removal of this phrase is required to prevent an influx of development at very high density levels.

[2] Higher density residential development around the periphery of the town centre of Queenstown and in new areas of residential development outside the main existing residential areas.

This objective achieves the purpose of the Act by enabling an efficient use of infrastructure, limiting the adverse effects of vehicle use and providing for the well-being of those members of the community wishing to live in and near the more vital and culturally active areas of the District. It also allows for the development of further residential areas outside the current residential areas, such as the Frankton Flats and Jacks Point developments. Over time this objective seems to have been 'over achieved' in terms of density at a cost to the amenity values of the High Density Residential Zone.

Policies:

1. *To enhance the character and amenity of the residential environments by limiting the peripheral expansion of the residential areas and promoting consolidation of the residential community with the retention of easy access to the rural area and lakeshore.*

This policy seems to be encouraging infill development over urban sprawl. Urban sprawl would remove the sense of cohesion and vibrancy provided in a contained residential area and therefore leads to reduced amenity and character of the residential areas. The retention of easy access to rural areas and the lakeshore are important in that they add to the amenity of an area. The policy is imprecisely worded in that it begins with 'To enhance...' when really 'To protect' may be more appropriate. It is difficult to see how 'limiting the peripheral expansion of the residential areas' would 'enhance the character and amenity of the residential environments'; it would be possible to 'protect' these values by limiting expansion.

2. *To resist any peripheral extension of zoned residential areas which would undermine clear distinctions between the residential and rural areas and result in dispersed and uncoordinated residential growth patterns.*

This policy has clear benefits in terms of protecting the character of the rural areas and ensuring infrastructure can be developed in a viable manner. The Growth Options Study has shown that there is presently sufficient residentially zoned land to fulfil the needs of the District over the next 20 years, provided it is developed to potential.

3. *To maintain the general character of established residential environments in terms of density, height, access to sunlight, privacy and views.*

The community response to consultation undertaken as part of this Plan Change has clearly indicated that the District Plan rules have failed to achieve this Policy. Generally it is perceived that the general character of the residential environments, in particular of the High Density Residential Zone, has been degraded. Consultation in Queenstown and Wanaka has brought to the forefront the need not only to maintain the general character, but also to enhance it. The Wanaka community is concerned that the High Density Residential area of Wanaka is likely to become as densely and unharmoniously developed, as they believe has happened in Queenstown. The Queenstown community is concerned because the entire High Density Residential Zone appears to be becoming crammed full of managed apartments in large monolithic buildings, which tend to exclude residents. As the general character of the residential areas has been degraded since this policy was incorporated into the District Plan it would require an amendment to ensure the character of the residential areas are enhanced rather than merely 'maintained'.

4. *To provide for higher density residential activity around the town centre and in new areas of residential development.*

The density of residential activity around the town centre appears to be decreasing, while the density of visitor accommodation and managed apartments is increasing substantially. The density of units in the High Density Residential Zone is extremely high, even in those areas of Queenstown, such as along Frankton Road, that are not in close proximity to the town centre. The conclusion is that the density in the High Density Residential Zone needs to be moderated, in particular the density of visitor accommodation. Visitor accommodation will be addressed in a separate plan change, also the issue of whether higher density residential areas should be proposed in new areas is outside the scope of this Plan Change.

5. *To encourage additional consolidated residential activity in the District.*

Once again it would appear that in the High Density Residential Zone managed apartments for visitor accommodation are driving out residential activity. This is a difficult issue to manage, and will be dealt with as a separate Plan Change that will specifically consider visitor accommodation, but by ensuring amenity values are improved the adverse effects of managed apartments can be reduced in terms of their external appearance.

6. *To provide for a residential environment which allows a range of housing types, including care for the elderly and dependent relatives.*

All the policies refer to both the High Density and the Low Density Residential Zones. It would appear that the rules in the District Plan are not achieving this policy in the High Density Residential Zone.

Current development is focussing almost exclusively on the overseas and out of town investors. The policy appears to be effective; however, the rules that implement this policy are ineffective to the detriment of the amenity values and character of the Zone.

7. *To provide for non-residential activities in residential areas providing they meet residential amenity standards and do not disrupt residential cohesion.*

Residential cohesion is created by a community interacting over an extended period of time. The majority of the current developments in the High Density Residential Zone are aimed at investors, and are intended to be rented out to the short-term visitor. In the High Density Residential Zone the type of development occurring is disrupting the social cohesion. As mentioned the visitor accommodation issue will be addressed in a separate plan change. This policy is effective and will allow for provisions for residential uses to be carried over to the non-residential uses within the Zone.

8. *To ensure the scale and extent of any new Visitor Accommodation in the residential areas does not compromise residential amenity values.*

It is clear from the commentary of a number of the previous policies that this is an extremely important policy that is not being met by the current rules. However, it is noted here, that the activity status of Visitor Accommodation will be considered in a separate Plan Change and is outside the scope of this Plan Change.

Implementation Methods

The objectives and associated policies will be implemented through:

- (h) *District Plan*

Land values are relatively high, and unlikely to decrease in the foreseeable future. This places considerable financial pressure on the returns from any development. It is clear that non-enforceable, non-legislative methods will not achieve a sufficient result to protect such an important asset as the character of residential areas. For this reason it is necessary that the implementation methods for any policies are legally robust and stand a reasonable chance of achieving the objectives. The only regulatory tools available to the Council are the District Plan and Bylaws.

7.2.4 Environmental Results Anticipated

Implementation of the policies and methods for management relating to the established residential areas will result in:

- (i) *Maintenance of the general character and scale of existing residential areas with sites being dominated by open space rather than buildings, providing the opportunity for tree and garden planting around buildings.*

This result has not been achieved; in the High Density Residential Zone the character has changed and buildings that are unsympathetic to amenity values often dominate sites.

- (ii) *Existing residential activity characterised by low building coverage and building height, but with opportunity for variety in building design and style.*

This result has not been achieved; in the High Density Residential Zone the building coverage is high. Extensive earthworks, which legally do not increase building height, have increased the actual appearance of building height.

- (iii) *Maintenance of a residential environment which is pleasant with a high level of on-site amenity in terms of good access to sunlight, daylight and privacy.*

Numerous comments have been made indicating this result is not being achieved. However, it is beyond the scope of this Plan Change to address on-site amenity.

- (iv) *Maintenance of the opportunities for views consistent with the erection of low density, low height buildings.*

Bulky buildings are blocking views from public places, detracting from the stunning scenic environment in which both Queenstown and Wanaka are set.

- (v) *The exclusion or mitigation of activities which cause adverse environmental effects, such as excessive noise, glare, odour, visual distraction, traffic and on- street parking congestion, traffic safety and other hazards.*

Currently the High Density Residential Zone is experiencing a strain on on-street parking and increased traffic. Increasing off-street parking is being dealt with as a separate Plan Change. Additionally, the Zone is experiencing problems with the storage of waste associated with apartment buildings. There appears to be insufficient mitigation of this issue.

- (vi) *Residential coherence except in circumstances of established non- residential uses or where a local need prevails for non- residential activities ancillary to the surrounding residential environment.*

The residential cohesion is diminishing fast, as families and long term residents are moving out of the High Density Residential Zone due to redevelopment of sites resulting in managed apartments that cater for a different market. Residents are being priced out of the local housing market and are forced to commute long distances to obtain affordable housing.

- (vii) *Maintenance of water quality and availability for residential and other activities.*

There appears to be little or no problem with the quality and availability of water.

- (viii) *New residential areas providing for higher density living environments with good integration of open space, aspect, circulation and regard for energy efficiency and convenience to facilities.*

There are no new High Density Residential Areas proposed or needed, and this result is therefore not applicable to this analysis.

- (ix) *Protection of the major visitor accommodation activities consistent with their significant value to the social and economic well being of the community.*

It is difficult to evaluate whether the current high level of development of managed apartments is consistent with their contribution to the social and economic well being of the community. Social cohesion appears to be rapidly diminishing, along with affordable housing and amenity for residents. On balance it is deemed that the visitor accommodation activities have been enabled by the current rules in the District Plan to thrive well beyond their relative importance.

2.6.2.3 Wanaka Provisions

The following analysis examines the current issues, objectives, policies and environmental results anticipated as they relate specifically to the Wanaka residential areas.

7.3 Wanaka Residential Areas

7.3.1 Resources, Activities and Values

Wanaka is the second largest residential area in the District. The town provides an attractive environment for both permanent and holiday residents generally maintaining a low density residential environment. There is some high density development provided for. There is little intrusion of non-residential activity in the main residential areas and residential development has generally occurred at a low density reflecting the preferred lifestyle of the residents and holiday home owners. The purpose of the policies in the Plan is to enhance that position.

In the years since this text was drafted (1995) the character of Wanaka has been changing. This paragraph needs to be updated to recognise the nature of recent development in the High Density Residential Zone and also to concisely set out the community values for the Zone.

7.3.2 Issues

The District wide residential issues impact on and are relevant to residential activity and amenity in Wanaka residential areas.

In addition, a number of local issues exist:

- *protection of the surrounding rural landscape from inappropriate development.*
- *the need for rural living opportunities in close proximity of or abutting the town.*
- *retention of low density residential development.*
- *noise control.*
- *protection of the lakeshore from inappropriate development.*
- *opportunities for peripheral expansion.*
- *minimising the impact of shading of neighbouring sites and loss of vistas from inappropriate tree planting.*

The statement made with respect to the Queenstown issues also applies here. That is, that a number of them are worded as ambitions instead of identifying a resource management problem. It is necessary that for the matter being considered the issue is worded such that it clearly identifies the resource management problem.

7.3.3 Objectives and Policies - Wanaka Residential Area

Objectives:

Residential development which retains the current level of low density activity and is sympathetic to the surrounding visual amenities of the rural areas and lakeshores.

Retention of the general character of the residential environments in terms of density, building height, access to sunlight, privacy and views.

These objectives seem to effectively and efficiently achieve the purpose of the Act by enabling present and future generations to develop residential activities to provide for their wellbeing, while avoiding, remedying or mitigating adverse effects on the essential elements of the surrounding landscape. In the first objective the 'current level of low density activity' is retained through the zoning provisions in Wanaka, with most being zoned Low Density Residential. The second objective identifies key matters that contribute to amenity and character however these are not being addressed as well as they could be.

Policies:

- (a) *To provide for some peripheral expansion of the existing residential areas of the towns in a manner which retains the consolidated form of the towns.*

This policy is being implemented through the Wanaka Structure Plan and subsequent Plan Changes, which aim to extend the residential zones.

- (b) *To provide for rural living opportunities as part of the Wanaka environs.*

This, also, is being addressed by the implementation of the Wanaka Structure Plan and existing Rural Living Zones.

- (c) *To provide limited opportunity for higher density residential development close to the Wanaka town centre.*

The perception is that, although a higher level of development in the High Density Residential Zone would be acceptable, the levels currently starting to emerge, and the levels seen in Queenstown, are too dense, too bulky and too large for the Wanaka environment. This policy is considered to be effective and efficient for the Wanaka area and is achieved through the provision of the High Density Residential Zone although the word 'limited' is considered by some to not have been effectively addressed. It is felt by some people that too much land in Wanaka is zoned High Density. It is specifically expressed in Section 1.3 of this report that 'no consideration is given to extending or decreasing the extent of the High Density Residential Zone, or to whether the Zone is appropriately located'. Changes to the Plan will be necessary to address the issues identified regarding the level of development in the Zone.

- (d) *To ensure non-residential activities in residential areas meet residential amenity standards and do not disrupt residential cohesion and social well being.*

Residential cohesion is created by a community interacting over an extended period of time. A number of the current developments in the High Density Residential Zone are aimed at investors, and are intended to be rented out to the short-term visitor. In the High Density Residential Zone the social cohesion is starting to be disrupted by the type of development occurring. The visitor Accommodation issues will be addressed in a separate plan change.

This policy is considered to be effective and efficient and to fully implement it the changes proposed in this Plan Change will need to be carried over to non-residential activities to ensure consistency between residential and non-residential activities.

- (e) *Avoid the planting and locating of inappropriate tree species so as to reduce the impact of excessive shading and loss of vistas.*

It is now generally accepted that trees and mature vegetation improve the amenity of most residential areas. It has to be accepted and anticipated that as part of the general amenity improvements, the loss of some individual views will occur. The policy is worded such that impacts of loss of vistas are to be reduced so this anticipates that the losses of some views are inevitable. It is considered that this policy is appropriate in achieving the objectives.

Implementation Methods

The objectives and associated policies will be implemented through:

- (i) *District Plan*
 - (a) *To enable a broad range of residential areas.*

Land values are relatively high, and unlikely to decrease in the foreseeable future. This places considerable financial pressure on the returns from any development. As identified for Queenstown, in Wanaka it is clear that non-enforceable, non-legislative methods will not achieve a sufficient result to protect such an important asset as the character of residential areas. For this reason it is necessary that the implementation methods for any policies are legally robust and stand a reasonable chance of achieving the objectives. The only regulatory tools available to the Council are the District Plan and Bylaws.

It is clear from the analysis of the objectives and policies that the issue this Plan Change aims to address is not achieved through the current objectives and policies. Changes will be required to the Plan to ensure the problem areas identified above are sufficiently addressed.

2.7 CONCLUSION – IS THE PLAN CHANGE NECESSARY?

On balance, the purpose of the Act is currently not being achieved by the District Plan. The amenity levels in the High Density Residential Zone are being eroded; making it debatable whether achieving maximum residential and visitor accommodation densities is the most efficient and effective way of using the land. Considering sufficient residentially zoned land is available to meet the community's

needs until 2021, it would seem that greater importance needs to be given to other matters, such as amenity. To improve the amenity values of the High Density Residential Zone it is important that this Plan Change be undertaken.

In addition, the analysis of the objectives, policies and anticipated environmental effects in Section 2.6 of this report shows that a number of them are not being achieved by the current rules. Again, a Plan Change is necessary to enable the rules to be strengthened to better achieve the objectives and policies.

3 RELEVANT NON-STATUTORY DOCUMENTS

3.1 TOMORROW'S QUEENSTOWN

Vision, issues and directions – July 2002

The Tomorrow's Queenstown document was prepared following a public workshop held between 7 and 11 July 2002. Its purpose is to provide a community vision, strategic goals and priorities for Queenstown for the next ten to twenty years.

The document makes a number of statements that are relevant:

Priority issue 1 – managing population growth

How to manage population and household growth. Issues include:

- *Location of growth*
- *Density of growth, style of development*
- *Standards applying to development*

Priority issue 3 – managing visitor growth

How to manage growth in visitor numbers. Issues include:

- *Location and style of visitor accommodation*

Priority issue 10 – an inclusive and caring community

How do we achieve an inclusive and caring community where people of different ages and income levels are welcome? Issues include:

- *Appropriate and affordable housing*

Priority issue 11 – building a sense of place

How to protect and enhance our built environment to create a strong sense of place this could only be Queenstown/Wakatipu Basin. Issues include:

- *New and older buildings and development not appropriate style and scale*
- *View protection*
- *The setting of buildings and development in the landscape*

Priority issue 12 – protecting the natural environment

How do we protect and enhance our natural environment, heritage and place of significance to tangata whenua. Issues include:

- *Urban sprawl and loss of compactness*

These issues do not preclude intensification, and by identifying Priority Issue 12 to include “urban sprawl and loss of compactness” in fact encourages, more intense development over urban expansion into the rural areas. However, the other Priority Issues cited above are the conditions the community placed on the intensification. The proposed Plan Change aims to meet some of these conditions. In particular, Priority Issues 1 and 11 will be better met by the decreased permitted building bulk, greater emphasis on open space and increased “green” landscaping that will result from the amendments.

Under the strategic goal for managing growth, one of the principles identified for growth management is:

5. *New development must be accompanied or preceded by new and/or upgraded infrastructure to provide for increased demand and protect the environment.*

One of the strategies identified is

1. *Increasing the achievable density of large areas within existing urban areas is a key part of making this strategy work. This means:*
 - *Identifying where and how the current high density areas can be further intensified. High density should be around community hubs of Queenstown central and Frankton, and where there is good access to frequent public transport including ferries.*
 - *Identifying where and how traditional residential areas and other areas within urban boundaries can be further intensified. This includes greenfield areas which may otherwise be developed for low density development.*
 - *Staging of further intensification will be partially driven by the ability of the infrastructure to support higher densities.*

Encourage the development of affordable housing to help retain a stable workforce and a vibrant, balanced and diversified community.

Within the rules of the District Plan many larger buildings are within the anticipated size and scale, in other words they are permitted or controlled activities and meet the Site and Zone Standards. This means the Queenstown Lakes District Council has no ability to intervene and assess whether the proposed site is suitable for the level of intensive residential development, whether the access to public transport is sufficient and whether there is any contribution to affordable housing. To create this trigger, the rules need to be amended so that those intensive developments that place an additional strain on infrastructure can be assessed.

One of the strategies of Strategic Goal 9: Building our community is 'Making life in Queenstown more affordable', one of the methods that is recommended as requiring further investigation is:

Changes to the District Plan to enable the development of a greater range of housing choices (eg: encourage "granny flats"/residential flats on existing residential sites).

This is being dealt with through Plan Change 7: Residential Flats, and amendments to development contributions under the Local Government Act 2002. However, the example of residential flats given is not the only method nor is it sufficient. Other methods are also required to provide for a greater range of housing choices.

Strategic Goal 11: Creating quality urban environments includes a couple of paragraphs headed 'Where we are today?' A number of these are of relevance here:

The community has expressed a desire for higher quality of urban development in the Wakatipu. This relates to both the design of individual buildings and spaces (buildings define the spaces between them). It also relates to the overall design of subdivisions and town centres, to make sure that the area as a whole is a pleasant place to live and work and functions efficiently.

There is a concern that some new developments are negatively impacting on the surrounding area, for example, visitor accommodation creating parking problems on residential streets. Some views are being blocked.

This strategic goal includes a number of principles of relevance:

2. *High quality urban developments should be encouraged through a mixture of controls in the District Plan and non-regulatory methods such as design guidelines.*

3. *Intensification of existing urban areas will need to be carefully managed to ensure that new buildings do not negatively impact on important views or on the character/pleasantness of urban areas.*

Recommendations for ensuring quality of developments include:

1. *Prepare a design guide for intensive residential developments. This should address site design, house types, building elements and visual character. This is to provide non-statutory guidelines for property developers and their designers on best practice solutions and designs for intensive housing. This is not about judgements about taste and aesthetics. The objective is to ensure that developments contribute to the public, civic qualities of an area – for example, how a development relates to the street.*
2. *Review the District Plan controls to ensure that the controls allow for and encourage quality intensive residential developments and prevent or discourage poor design.*
3. *The guidelines and the District Plan should set up a framework which allows for negotiation between Council and developers over individual developments within a set of design-based criteria.*

This is almost identical feedback to that received during the Residential Issues Study. It underlines the importance of addressing the negative impact of new developments, as this has been an ongoing community concern. An important point to note here is that an Urban Design Panel has been appointed to consider controversial urban design matters in the District. This panel is expected to assist in the development of design guidelines in the future.

Generally it has been the Council's experience with other non-statutory measures to influence development that the contribution to positive outcomes can be significant if the guidelines support statutory methods. There needs to be a statutory reason why a developer should take note of the guidelines. For example, if the rules in the District Plan are such that larger buildings will be assessed as a discretionary activity with assessment matters concerning amenity, then the developer will look to a guideline or panel for guidance. However, if the District Plan were to establish larger buildings as permitted, the developer does not require resource consent, and the guidelines tend to be ignored in favour of achieving the greatest capital gain.

The most effective way this can be addressed is through rules in the District Plan that enables the Queenstown Lakes District Council to refuse resource consent for inappropriate buildings or to impose effective conditions to avoid, remedy or mitigate the adverse effects of proposed developments.

3.2 WANAKA 2020 REPORT – MAY 2002

The Wanaka 2020 document was prepared following a public workshop held between 24 and 28 May 2002, with the purpose of providing a community vision, strategic goals and priorities for Wanaka for the next ten to twenty years. The following text from the document is of relevance:

Some of the key points regarding Infill/Intensification are:

- *Should be generally encouraged*
- *There should be incentives for sensitive infill in older areas – through amalgamation of lots, concessions on lot size etc.*
- *Newer areas were seen as less suited for infill because of house location on lots.*
- *Encourage future intensification by encouraging mixed lot size in new subdivisions. A new urban extension Zone encouraging mixed size development was favoured.*

This Plan Change may discourage the amalgamation of lots by reducing the permitted building size. Feedback from the Residential Issues Study has indicated that the current rules are achieving redevelopment rather than infill in the older areas. This is not seen as sensitive infill that meets the aims of the community. The proposed Plan Change will encourage smaller buildings, which may possibly result in more infill and less redevelopment of sites.

Under the heading Economy, Employment, Tourism, Airport, Affordable Housing, the following relevant key points are recorded:

Tourist Accommodation in Town

- *There was general opposition to large monolith hotels. It was considered important to blend buildings into the surroundings*

The proposed Plan Change will discourage large buildings; the associated rules and assessment matters will discourage monolithic designs.

Affordable Housing

- *This should be integrated throughout built areas to foster an integrated community.*
- *Incentives to encourage developers and employers to contribute affordable housing should be a priority in future planning.*

The assessment matters for large buildings will ensure the provision of affordable housing is taken into consideration.

3.3 AFFORDABLE HOUSING STRATEGY - 2005

Council adopted the Queenstown Lakes District Affordable Housing Strategy in June 2005. Its purpose is to set out the actions that the Council proposes to undertake over the next five to ten years to address the problem of a lack of access for residents to affordable housing. The strategy contains 'Goals' and focuses on 'Actions' to achieve these.

The overall goal of the Strategy is:

To increase access to quality, affordable housing that is integrated into the community so as to support the community's outcomes related to the sustainable economic, social and environmental development of the QLDC area.

This proposed Plan Change deals with improving the amenity of the High Density Residential Zone and does not specifically consider affordable housing. It is acknowledged that this Plan Change will likely lessen profits of development through requirements for greater landscaping and reducing repetitious buildings among other things and that this may have a flow on effect of increasing the sale price of dwellings. Also, if the amenity of the High Density Residential Zone is improved it should become a more attractive and desirable place to live, which is likely to increase demand in the Zone and therefore may increase property values.

Notwithstanding this, the Plan Change will contribute to increased quality housing from an amenity perspective. This Plan Change may also make it less common for multi-unit developments to be built. As these are usually built for Visitor Accommodation purposes this may provide more accommodation for residents and therefore may have a positive effect on affordability of housing.

Strategy 'Actions' that are relevant to District Plan changes in the High Density Residential Zone are reproduced below, followed by comment as they relate to this Plan Change:

- 14. Investigate the potential for the adoption of incentives such as density bonuses for affordable housing, in any proposals for up-zoning and particularly when zoning new urban areas and, if appropriate, include in the District Plan. Tie the provision of affordable housing to a suitable retention mechanism, and introduce location criteria to ensure affordable housing is located close to activities and transport*
- 17. Identify any unnecessary constraints in the District Plan on nontraditional housing forms in locations that are otherwise appropriate for seasonal workers' housing, and, if so identified, work towards their removal.*

18. *Continue to improve the design standards of intensive housing developments so that they are attractive to permanent residents.*
19. *Introduce affordable housing into the policies of the District Plan so that it can become a relevant matter when Plan Changes/ Variations are proposed, as well as when resource consent applications are considered, for example in relation to discretionary activities. This is so the impacts of planning changes on affordability, both positive and negative, are addressed.*
20. *Investigate how to implement a distinction in the District Plan between higher density visitor accommodation areas and higher density residential areas to provide a stock of housing for permanent residents and ensure that the clear separation is ensured in any new urban zoning. Undertake the implementation.*

Actions 14 and 17 require detailed analysis that is outside the scope of this Plan Change's purpose. This Plan Change is not concerned with up-zoning or zoning new urban areas and does not identify constraints on non-traditional housing forms within the District Plan.

This proposed Plan Change does support Action 18 in that in aiming to improve amenity it will improve the design standards of intensive housing developments so that they are attractive to permanent residents.

Both Actions 19 and 20 have medium timeframes attached to them meaning that they will take place within two to four years from now. Both of these Actions will require further analysis and will be implemented through separate plan changes.

3.4 TRANSPORT AND PARKING STRATEGY – 2005

The Transport and Parking Strategy outlines parking and roading issues in the District and, using projected growth rates, predicts future use to 2021. There are several critical strategic elements highlighted in the Strategy that have relevance to the High Density Residential Zone. In summary, these relevant elements identify problems with transportation with State Highway 6A (Frankton Road), the Queenstown Central Business District (CBD) and the Wanaka Central Business District. The Strategy examines parking issues in Queenstown with Wanaka's parking issues expected to be included in the Strategy in 2006.

Frankton Road is the main access into Queenstown and borders a strip of High Density Residential zoned land between Lake Wakatipu and the road for part of its length. It is predicted that the capacity of Frankton Road will be reached in 2011 on a 'do nothing' basis. While car parking and access is the focus of other Plan Changes currently underway, a congested road as the only access will have an effect of the amenity of the area. Another important aspect to the amenity is the view that is offered to occupants of vehicles as they enter Queenstown along this road. These items are considered to some extent in this Plan Change.

Due to the congestion within the Queenstown CBD and the lack of options to solve this issue the Strategy proposes to redistribute traffic around the CBD. This will mean that the main route for traffic will be through the High Density Residential zoned land surrounding the CBD; namely Melbourne Street, Henry Street and Man Street. It is also likely that Hallenstein Street and Robins Road will need to be upgraded to cater for increased traffic flows. It is considered that increased traffic on these roads will decrease amenity. However, some loss of amenity may be necessary here to maintain a functioning town in terms of transport. The new provisions for landscaping suggested as part of this Plan Change should ensure that landowners are able to provide a buffer between activities on their lots and any roadway.

In Wanaka, the Transportation Strategy anticipates that more traffic will be directed along Brownston Street. This street runs between the Wanaka Town Centre Zone and part of the High Density Residential Zone. This only affects a small section of the High Density Residential Zone and the same logic would apply to this street as it does to the Queenstown Streets mentioned above.

3.5 GROWTH MANAGEMENT OPTIONS STUDY - 2004

This report contains growth projections for the District for the next 20 years. Although the document has little relevance to amenity values there are provisions that relate to density, which can affect amenity. Of particular relevance, are the projections regarding the number of residents and the number of residences required for the next 20 years. Pertinent excerpts include:

Section 2.10.1 Urban Growth Pressures [Queenstown]

...Under a “business-as-usual” approach, and given a high growth rate, all existing residential capacity is likely to be taken up between 2016 to 2021. This will create pressure for new urban areas to be added after 2021, or for much more intensive development to occur in the existing built-up area...

Section 3.2.1 Growth Projections and Demands [Wanaka]

There is a demand for a further 3,700 dwellings between 2001 and 2021. Currently the council estimates that there is capacity for another 4,100 dwellings under the current land use zonings. 670 of these units are in rural-residential areas. An allowance needs to be made for rentable apartments and other forms of accommodation used for visitor accommodation in the higher density zone. There is likely that this demand will reduce the capacity available to around 3,300 dwellings.

4 CONSULTATION PROCESS

In addition to the consultation described below, a summary of the process followed by the Residential Issues Study that initiated this Plan Change is provided in Section 1.2 of this report.

4.1 OPTIONS 2020 WORKSHOPS – MARCH/APRIL 2004

In both Queenstown and Wanaka, workshops were held at the end of March and the beginning of April 2004. These aimed, in part, to inform the public of the work undertaken by the Council as a result of the community consultation in 2002, and, in part, to gain new feedback from the community regarding the current issues facing the District. Feedback was predominantly obtained in the form of 'post-its' on various 'issue boards'. A full set of these notes is available for viewing on the QLDC website. Some relevant comments related to:

Queenstown:

- Affordable housing
- Restrict growth by encouraging up-market developments
- Developers should be held to a higher standard regarding open space, aesthetics, parking, access, affordable staff accommodation
- Increase in open spaces is not a growth management tool, it is a mitigating factor for quality
- Check examples of higher development in similar centres. These can achieve more space between and around developments that are better than wall-to-wall boxes that block everyone's views.
- High Density Residential is the most difficult and critical design area
- Development bonuses for good design
- More protection for existing home owners

Wanaka:

- Taller high quality apartment blocks with alpine look are great. Encourage apartment living
- High Density Zone is an excellent way to allow visitors to be in the hub of the action
- Don't rely on good design from developers- most are dollar driven only. Current rules allow greed. More regulation in High Density Residential Zone.
- Too tight design guidelines will not allow for lateral thinking and outcomes
- Extreme high density should be restricted
- Develop prescriptive site standards
- Enable commitment to zero waste

The sessions and feedback from both towns do not preclude high-density development, however in both cases concern was voiced over the quality of development and the design. The proposed Plan Change addresses these concerns by ensuring sufficient control and discretion over larger buildings.

4.2 PANEL DISPLAY AND PUBLIC MEETINGS - 14 & 15 JUNE 2004

The preliminaries of the proposed Plan Change were printed on a full colour A2 panel and displayed on 14 June in Wanaka and on 15 June in Queenstown. During this time members of the consultant team working on this Plan Change were present to answer questions and gain feedback.

In the evenings of the same days, public meetings took place and the outlines of the proposals were presented to the attendants.

The general response can be summarised as an indication that the public wanted the current character of the residential areas retained. Some increase in densities was generally accepted as necessary and in certain circumstances desirable. The general feedback suggested that different residential areas required different rules, and that the rules need to ensure the character of the area does not change substantially.

4.3 PRESENTATION TO STRATEGY COMMITTEE

On 18 November 2004 the final draft of the Residential Issues Study was presented to the Strategy Committee. It was presented in the Public Excluded part of the meeting as at that stage it was still a draft and the committee needed to be able to include any relevant comments. At its meeting of 9 February 2005 the Committee made the final report available for the public. It has since been accessible on the Queenstown Lakes District Council website.

On 13 April 2005 a draft of this proposed Plan Change was presented at the Strategy Committee meeting where the Committee resolved that the draft be presented to the Urban Design Panels in Queenstown and Wanaka.

4.4 NEWSPAPER ADVERTISEMENT

Following the completion of the Residential Issues Study, a half page newspaper advertisement was included in the Wanaka Sun and Queenstown Mirror in the middle of December advertising the amendments to the rules proposed by the report (attached as Appendix C).

Initially, the response was relatively limited, with only a small number of individual residents providing input into the process, and predominantly supporting the suggestions. The notable exception was the idea of introducing a height to boundary recession plane, which commenced 2 metres above the boundary and angled at 60 degrees toward the site. This would increase the building envelope for flat sites, and marginally limit the envelope of sloping sites. No support was voiced for the increase on flat sites and a number of problems and unintended occurrences were raised with the sloping sites.

A certain amount of criticism was made regarding the timeframe of the newspaper advertisement (just before Christmas) and the fact that no attempt had been made to contact individual resource management consultants. The first comment was addressed by re-advertising in both the newspapers and in the Council's circular 'Scuttlebutt'. The suggestions were also available on the Council website. The second comment was dealt with by way of conversations and meetings with those particular consultants.

The re-advertising resulted in significantly more contact, particularly with developers, resource management consultants, surveyors and lawyers. The main debate centred on when these Plan Changes might be introduced and whether it would be an undue intervention on the property rights of landowners.

In the February meeting the Strategy Committee was presented with the comments that had been received to date. This item was tabled in the public part of the meeting enabling it to be viewed and listened to by any interested party.

4.5 LETTER WANAKA RESIDENTS ASSOCIATION – MARCH 2004

The Wanaka Residents Association sent a letter to Queenstown Lakes District Council expressing a number of concerns they had regarding the provisions in the Partially Operative District Plan, and the consequential development prospects in Wanaka. Extracts from the letter are quoted here. The complete letter is attached as Appendix D.

Introduction

The Wanaka Residents Association has become aware of considerable public concern and dissatisfaction with the recent developments that are occurring in Wanaka in the High Density residential Zone. This concern was expressed at the Association's AGM, in writing to the committee, and at our executive committee meetings. The concerns include the bulk of buildings; impact on adjoining residential development due to overlooking and lack of privacy; and the number of units on small sites with its effects on services and general business of the area.

As examples, on one small residential site of about 1000m², 14 units are apparently being built. In another case, a 22 unit 3-level development in Chalmers Street was given consent in early 2003 though these have not yet started.

District Plan Provisions

The District Plan in section 7.3.3 states that proposed developments in the High Density Residential Zone should “retain the general character of the residential development in terms of density, building height, access to sunlight, privacy and views.”

We note that the assessment criteria for visitor accommodation as a controlled activity in the Queenstown Lakes District Council Plan (QLDC) make much of “compatibility with the existing environment, loss of privacy”, etc but these criteria do not apply to residential development which is a permitted activity.

Development under the District Plan

Points that are apparent are:

- *The 25 degree plane of height in relation to boundary has a significant effect.*
- *Buildings can be built within 4m of each other with living rooms having minimal outlook.*
- *Coverage of over 60% can be achieved.*
- *The spaces between and around buildings are minimal.*
- *There is no limit on the number of units on a site.*

The Local Experience

Developments occurring or proposed in the High Density Zone in Wanaka are giving very high densities, up to 14 units on 1000sqm, i.e. about 70 sqm per unit, with high site coverage and buildings close to boundaries. These developments could be dominating from adjoining properties and appear to offer very low standards of amenity for those sqm will live in them. Parking is minimal in these developments and will result in high numbers of cars parked on street. The high densities will also result in high traffic levels and demands on services.

These densities and bulk of building are far in excess of what is permitted and has been found to be acceptable in other local authority areas.

Subsequently, the Wanaka Residents Association has reiterated these concerns by letter, person and email.

A significant part of the issue identified by the Association concerns internal amenity within lots, which is specifically outside the scope of this Plan Change. However, matters such as views from public places, density, and spaces between buildings have been addressed. In order to address the other concerns of the Association the Queenstown Lakes District Council will need to consider whether a Plan Change based on improving internal amenity may be required.

4.6 URBAN DESIGN PANELS

On 13 April 2005 a draft of this proposed Plan Change was presented at the Strategy Committee meeting where the Committee resolved that the draft be presented to the Urban Design Panels in Queenstown and Wanaka.

Two meetings were held with each of the Urban Design Panels to discuss the draft proposed Plan Change. The Queenstown panel discussed the proposal on 22 April and the Wanaka Panel discussed it on 26 April 2005. Some testing of the proposed provisions was carried out by way of drawings being prepared by a Panel member to illustrate possible outcomes. The proposal was discussed again in Wanaka on 2 May and Queenstown on 13 May 2005.

The outcomes of these discussions have contributed to substantial changes in the proposed Plan Change since it was presented to the Strategy Committee in April.

4.7 STATUTORY CONSULTATION

Clause 3 of Schedule 1 of the Act requires that Council consult with the Minister for the Environment, other Ministers of the Crown that may be affected, and tangata whenua of the area when changing the District Plan. The Council may also consult with anyone else when changing the Plan.

Consultation was undertaken with the Minister for the Environment, Kai Tahu ki Otago, Te Runanga o Ngai Tahu, Kai Tahu o Murihiku (through Te Ao Marama Inc.), the Otago Regional Council and the Historic Places Trust by way of a letter and information explaining the proposed Plan Change sent on 1 August 2005.

The Otago Regional Council replied on 9 August stating that it does not wish to be involved at this stage of consultation.

Te Ao Marama Inc replied on 15 August on behalf of the four Papatipu Runanga of Murihiku. Te Ao Marama stated that it has a direct interest the District Plan provisions with a particular interest regarding sites of historical cultural interest, of which Wakatipu and, to a slightly lesser extent, Wanaka are. Te Ao Marama considers that any degradation and adverse effect on the visual landscape caused by a lack of amenity provisions needs to be avoided. This is in keeping with manawhenua objectives of contributing to a healthy environment. Te Ao Marama supports the purpose of the Plan Change with the option 'Provisions to improve amenity' preferred (this option is contained within Section 6.1 of this report).

In addition to the above, the statutory bodies identified above will receive a copy of the Plan Change and associated Section 32 report when notified for their information and submission.

5 ISSUE

Identification of the key issue follows directly from three sources:

- Requirements of statutory documents;
- Community aspirations as set out in non-statutory documents, and
- Feedback from a number of dedicated consultation efforts.

Developments in the High Density Residential Zone are having a significant negative impact on the character and amenity of our neighbourhoods. Loss of the character and amenity values threatens the sustainable well being of our neighbourhoods and community.

Multi-unit developments and large buildings have been specifically identified as a major contributor to the degradation of the High Density Residential Zone. However, the impact on the character and amenity values stems from all developments in the zone and is not limited to just multi-unit developments or large buildings.

The various issues paragraphs contained in the residential section of the District Plan fail to clearly address this issue. Part 6 of this Report analyses how the issue is best included in the Plan, what objectives and policies are necessary to address it and to achieve the purpose of the Act, and which methods would be most effective. Part 6 concludes by suggesting rule changes that give effect to the proposed objectives and policies.

6 ASSESSMENT OF THE OPTIONS

The considerations in the preceding paragraphs culminated in the issue identified in Part 5 of this Report. Section 2.7 of this report concluded that the Plan Change was necessary to achieve the Purpose of the Act and to give effect to the objectives and policies of the Plan. This chapter considers the alternative changes to the Plan, and considers the costs and benefits of the Plan Change.

6.1 BROAD ALTERNATIVES

6.1.1 Do Nothing

All references to amenity in the High Density Residential Zone would be removed from the Plan. This would result in a less complicated Plan, however would still require a Plan Change and incur the associated cost. Additionally, the protection of the amenity values in the High Density Residential Zone would be completely reliant upon market forces. Considering that this Report and previous studies have shown that the limited protection afforded to the amenity values currently imposed by the Plan is not sufficient, it is deemed that this method would not be an effective means of achieving the Purpose of the Act or the Plan Change.

6.1.2 Rely on Non-regulatory Mechanisms

This would be similar to the scenario described in section 6.1.1 above. However some non-regulatory methods, such as guidelines or education would be introduced. Again this would still require a Plan Change and the associated cost.

This option has the advantage that it does not require an assessment of the effects on amenity of a new development, resulting in a faster and cheaper consent process, or in fact no consent process. However, it has been the Queenstown Lakes District Council's experience over the last decade that non-regulatory methods, without regulatory control, have little or no effect on development proposals. In this situation where it concerns the lucrative redevelopment of High Density Residential sites it is unlikely that any non-regulatory method on its own would be effective in achieving either the purpose of the Act or the Plan Change. However, in combination with statutory requirements, measures such as the already established Urban Design Panel are able to influence developers' choices, and are recommended once this Plan Change is given effect.

6.1.3 Status Quo

The existing provisions in the Plan giving effect to amenity values in the High Density Residential Zone would remain in place. The major advantage of this option is that no Plan Change is needed, resulting in a cost saving for the Council. The benefits of the current objectives, policies and rules are still incurred, however this analysis and the preceding Residential Issues Study have clearly identified that the current provisions do not effectively achieve the purpose of the Act or the purpose of the Plan Change.

6.1.4 Provisions to Improve Amenity

New or amended objectives, policies, rules, implementation methods and assessment matters would be inserted into the District Plan aimed at improving the external amenity of the Zone. By making them part of a statutory document the proposed changes would be enforceable, and assessment would involve consideration of the effects on amenity values. This would be effective in improving amenity.

The major cost of this option is to landowners and developers and to the efficient use of land. Landowners and developers would need to devote more space and financial investment to amenity improvements that benefit the entire Zone, at the expense of decreased density and potentially reduced profits. This would mean less units per area of land, resulting in a less efficient use of land in terms of housing as many persons on as small an area as possible, leaving land available for other

uses such as open space and landscaping. However, as has been mentioned previously, although the supply of land is finite, there is no immediate shortage and the cost to amenity of extremely dense development is considered to outweigh the benefits associated with the efficient use of land. In fact, to achieve the purpose of the Act it is deemed more effective to use land to create pleasant, desirable urban living environments that meet the community's needs, than to use that land to maximise economic benefits to the landowners.

In conclusion, this option is considered to be the most effective way of achieving the purpose of the Act and of the Plan Change and is considered necessary. Various alternatives available to achieve this option are examined below in Sections 6.2 to 6.6.

6.2 ISSUES

The key issue that relates to this Plan Change has been identified in Section 5 of this report as:

Development Pressure

Developments in the High Density Residential Zone are having a significant negative impact on the character and amenity of our neighbourhoods. Loss of the character and amenity values threatens the sustainable well being of our neighbourhoods and community.

This issue is applicable to both Queenstown and Wanaka and needs to be incorporated into the Plan so that objectives and policies can be formulated that contribute to its resolution. As this Plan Change is concerned primarily with the High Density Residential Zones that are found in both Wanaka and Queenstown, changes are recommended to the District wide issues, objectives and policies sections of the Plan (Sections 7.1.1 and 7.1.2) to ensure both areas are incorporated without duplication of the provisions in the two sections that relate specifically to Queenstown and Wanaka residential areas. This will involve the addition of a new part to Section 7.1 that directly relates to the High Density Residential Zones. Amendments are also recommended to the provisions of the more specific Sections 7.2 and 7.3 of the Plan as they relate to amenity values.

As mentioned in Section 2.6.2.1 of this report, issues iii and iv of Section 7.1.1 of the Plan need to be amended so that they are actually problems that need to be resolved and not just comments relating to an issue. It is recommended that the following amended issues be introduced to the Plan.

iii Character and Scale

The essential elements that give towns, suburbs and settlements their character, image and attractiveness are being lost due to large-scale development that is unsympathetic to residential character.

iv Residential Amenity

Amenity values of living environments are being degraded leading to a loss in people's social well-being.

There is also fault with the wording of the specific issues for the Queenstown and Wanaka residential areas. Some of these issues relate to amenity and therefore this opportunity has been taken to reword these relevant issues.

For Queenstown the relevant issue statements are:

- *Enhancement of views where practicable.*
- *Relationship of development and enhancement of access to the lakeshore.*
- *Minimising the adverse impact and extent of non- residential activities in the residential areas.*

- *Opportunities for improved sunlight admission.*

These can be reworded into resource management issues as follows:

The loss of amenity values as experienced from public spaces and neighbouring properties as a result of large scale developments.

The potential loss of public access to the lakeshore resulting from development adjacent to the lake.

The potential adverse effects that non-residential activities may have on residential activities through increased traffic and noise and decreased visual amenity.

For Wanaka the relevant issue statements are:

- *protection of the lakeshore from inappropriate development.*
- *minimising the impact of shading of neighbouring sites and loss of vistas from inappropriate tree planting.*

These can be reworded into resource management issues as follows:

The potential adverse effects that inappropriate development can have on the lakeshore.

Tree planting can lead to the shading of neighbouring sites.

6.3 OBJECTIVES AND POLICIES

6.3.1 District Wide Residential Areas

Objective 3 of Section 7.1.2 of the Plan currently reads:

Objective 3 - Residential Amenity.

Pleasant living environments within which adverse effects are minimised while still providing the opportunity for individual and community needs.

It appears that the provision for 'individual needs' has been achieved at the cost of maintaining amenity values. Therefore this objective has been reworded to ensure that pleasant living environments are achieved and that community needs are recognised:

Objective 3 - Residential Amenity.

Pleasant living environments within which adverse effects are minimised while still providing the opportunity for community needs.

Appropriateness of objective:

Currently, profit driven developments that provide for developers' 'individual needs' are detracting from the residential resource through maximising the number of units per site, lowering costs by use of repetitious buildings and unattractive developments.

The significant change to this objective is to remove the reference: 'providing the opportunity for individual...needs'. This change means that the objective is a more appropriate way of achieving the purpose of the Act as it still allows the use and development of resources at a rate that enables communities to provide for their social, economic and cultural well-being while ensuring that amenity values are enhanced in order to achieve the community needs. Although the removal of the reference

to providing for individual needs may negate the concept of sustainable management that enables 'people' to provide for social, economic and cultural well-being, it is considered that in a wider sense this change will increase sustainability of the residential resource for future generations and help avoid adverse effects on the residential environment.

It has also been identified that some of the relevant policies under this objective are not being implemented to their full extent. It is considered that the development of new rules and the amendment of the existing rules will implement these policies. No changes are recommended to these policies.

In addition to the above amendment to objective 3, it is recommended that a new section be added to Section 7.1 of the Plan that contains objectives and policies for the High Density Residential Zones. This is because the High Density Residential Zones are found in both Wanaka and Queenstown and the addition of the new objectives and policies into Section 7.1 will ensure both areas are incorporated without duplication of the provisions in the Queenstown and Wanaka Sections of the Plan. The recommended objectives and policies stemming from the identified issue are below:

Issue-

Development Pressure

Developments in the High Density Residential Zone are having a significant negative impact on the character and amenity of our neighbourhoods. Loss of the character and amenity values threatens the sustainable well being of our neighbourhoods and community.

Objective 1 - Amenity Values

Sustainable residential communities and neighbourhoods that have high quality amenity values.

Policies-

1. To ensure development enhances the character and amenity values in the zone, by:
 - Improving the aesthetic appeal of the built environment.
 - Ensuring buildings integrate well with the neighbouring locality and provide visual connections with the surrounding built and natural environment.
 - Providing attractive pedestrian access ways and linkages and protecting those that currently exist.
 - Ensuring the maintenance of road setbacks that are free of structures.
 - Ensuring development is of a high architectural quality that ensures the use of articulation within the building form and avoids repetitive and continuous building forms or facades.
 - Ensuring that open space is maintained between buildings on sites, and between neighbouring sites.
 - Encouraging the provision of underground car parking.
2. To avoid visually dominant buildings that overshadow public places, block views and degrade the built environment.
3. To enhance the attractiveness of the zone, including the streetscape, by:
 - Ensuring landscaped areas are dominated by greenery and mature trees in scale and proportion to the size of the building.
 - To require the retention of existing vegetation, especially established trees and native vegetation.
 - Ensuring the effects of developments are internalised to the site and do not detract from the amenities of neighbouring sites and roads.
4. To encourage a mix of housing types and sizes.

Appropriateness of objective:

This objective is considered to be an appropriate way to achieve the purpose of the Act and the purpose of this Plan Change. The objective is aimed at achieving sustainable residential communities that have high amenity values. Sustainable communities are those that are able to provide for social, economic and cultural wellbeing while sustaining physical resources (in this case, land and the residential resource) to meet the needs of future generations, safeguarding life-supporting capacity of air, water, soil and ecosystems, and also avoiding remedying or mitigating adverse effects on the environment.

Achieving high amenity values within the residential communities can only assist in sustaining the residential resource for the needs and wants of future generations due to the pleasantness of the area. It will help safeguard the life supporting capacity due to the possibility of increased landscaping and permeable areas and it will contribute to mitigating adverse effects on the urban environment such as domination of unattractive buildings on the streetscape.

Appropriateness of policies:***Effectiveness:***

The above policies are all considered to be effective in achieving the above objective. They all promote the sustainable use of the residential resource in that they aim to ensure the amenity values within the High Density Residential Zones are protected and even enhanced from their current degraded state. The policies continue to enable people and communities to provide for their social, economic and cultural well being by allowing further development to occur within the Zone.

Providing a residential resource with high amenity values for future generations will ensure their foreseeable needs and choices are sustained. The policies that relate to the attractiveness of the Zone will help safeguard the life supporting capacity of the Zone by encouraging the retention of existing vegetation. Adverse effects such as visual domination of buildings and the closing of pedestrian access links will be avoided. All of the policies are aimed at improving the amenity values of the residential communities and neighbourhoods in the High Density Residential Zone.

Efficiency:

There are a number of costs and benefits of implementing such policies as outlined above. Perhaps the most significant costs will be the economic costs. These will include increased costs for developments not only through administrative processes such as resource consents but also through construction and landscaping requirements. Administrative type costs are likely to increase through higher levels of assessment and greater scrutiny being required as part of the resource and building consent processes. Also the notification of a Plan Change such as this may, for a short time at least, cause amenity values to be the 'topic of the day' thus generating complaints and increasing workloads for Council planning and compliance staff and possibly creating time delays for developers.

Construction costs are likely to increase as a result of policies that limit repetitious building form and facades. This is because several different materials and different construction techniques may be required to complete a building. The retention of existing vegetation on a site and the requirement to have landscaped areas planted, with such plants at a scale and proportion to the building, is also likely to increase costs.

The largest economic cost may result from the fact that to provide buildings that are articulated and provide open space on the site will mean that a lesser number of residential units, visitor accommodation units or apartments are possible on the site. This will mean less income is to be derived from the development. However, this is a speculative cost and it is very possible that smaller, more attractive buildings may command a higher market value over the longer term than the unattractive units being offered in today's market.

This leads to the social costs of the implementation of the above policies. If development costs increase, it is likely that at least some of these costs are passed on to the consumer; the residents and property owners of the District. This may have the effect of leading to less affordability of housing for local residents and therefore pushing them out of Queenstown and Wanaka or even out of the District.

It is anticipated that there will be no environmental costs from the implementation of the above policies.

As with costs there are also a number of benefits to be had with the implementation of the above policies. An economic benefit can be derived from the fact that the High Density Residential Zone may become a more desirable place to live as a result of the policies and therefore leading to an increase of property values within the zone. Incidentally this would also contribute to the social cost outlined above.

The social benefits of the policies could be considerable. Residents will have peace of mind in knowing that developments in the High Density Residential Zone will be designed with amenity values as a focus and not just a side issue if it fits or something to be considered after the building is constructed. A town that has high amenity values will attract residents and visitors who add to the vibrancy of the urban area. Visitors to Queenstown and Wanaka also largely add to the economic well being of the community, District and even the nation, which in turn has significant benefits for residents social and on-going economic well being.

Encouraging a mix of housing types and sizes helps to achieve greater amenity values through the effect it can have on the form of buildings but it will also provide social benefits by providing a mix of housing suitable for all people. This contributes to a sustainable community by providing choice and the availability of future options.

The environmental benefits conferred from these policies are also significant. The policies will lead to the maintenance and enhancement of amenity values, to which Council is required to have particular regard for under Section 7(c) of the Act. Consultation has shown that the types of development that have been occurring in the High Density Residential Zone are considered to have an adverse effect on the amenity values and environment. The implementation of the above policies will reduce this effect and therefore provide benefit.

An additional key benefit is that these policies will help provide long-term sustainability of the High Density Residential Zone by ensuring that development is of a high quality that respects the need to maintain amenity values.

Overall it is regarded that the above environmental and social benefits of the policies outweigh the economic costs. Therefore these policies are considered to be an efficient method in achieving the purpose of the objective.

Risk of acting or not acting:

Through the Residential Issues Study and consultation undertaken as part of this Plan Change it is considered that there is sufficient information to make an informed decision on the above policies.

The risk of not acting is that there will be a further degraded urban environment that detracts from its liveability. There is a very real risk that, if left unchecked, the continued expansion of low quality buildings could lead to a degradation of the District's reputation and result in a tacky, low-value long term future for Queenstown and Wanaka. This would reduce demand into the future with Queenstown and Wanaka losing popularity. The effect of this can have far reaching consequences as the Town's economic prosperity heavily relies on the tourist dollar.

If action is taken at a later date the risk is that there will be a higher cost to pay to restore and enhance the amenity values of the High Density Residential Zone. This cost is likely to increase the longer no action is taken.

Overall appropriateness of policies:

The above discussion has examined the effectiveness, efficiency and the risk of the policies. From this it has been determined that the policies are appropriate for achieving the objective.

As discussed in Section 5 of this report it is considered that multi-unit developments have an effect on the amenity of the High Density Residential Zone. Therefore a separate objective and associated policies have been drawn from the issue and formulated to address the specific effects of these developments.

Objective 2 – Multi-Unit Developments

Multi-unit developments that are designed to a high standard, integrate well with their neighbourhood and streetscape, are located where they are supported by physical and social infrastructure, and any adverse effects on amenity values are avoided where possible.

Policies-

1. To ensure multi-unit developments are located within easy walking distance and promote safe pedestrian access, to all of the following:
 - Existing or proposed shops offering a range of convenience goods and services.
 - An existing or programmed public transport service.
 - A substantial public reserve (or reserves) that provide a range of recreational opportunities.
2. To ensure that multi-unit developments are located in areas served by all of the following:
 - Roads capable of handling increased traffic.
 - Road frontage or nearby kerb-side areas having adequate visitor parking spaces.
 - Community facilities.
 - Essential public services such as water supply, wastewater and stormwater management, and refuse collection.
3. To ensure multi-unit developments are designed to achieve all of the following:
 - Effectively incorporate existing significant vegetation and landforms.
 - Effectively cater for traffic, parking and servicing.
 - Mitigate any reverse sensitivity effects arising from the proximity of non-residential activities in the vicinity.
 - Incorporate suitable crime prevention through environmental design techniques in their layout and methods of access.
4. To ensure multi-unit developments are located on sites that:
 - Enable units to face or relate well to public streets.
 - Relate to nearby properties and public areas in ways that facilitate the integration of the development into the neighbourhood.

Appropriateness of objective:

This objective is considered to be an appropriate way to achieve the purpose of the Act and the purpose of this Plan Change. The objective is focussed on multi-unit developments; a type of development that is considered to have particular effect on the amenity values of the High Density Residential Zone. The objective is considered appropriate as it deals with a specific matter that can have an adverse effect on the sustainable management of the residential resource.

By achieving an environment where multi-unit developments are located where there is infrastructure to support them, so that they integrate well into their neighbourhood and adverse effects on amenity values are avoided allows the community to achieve the purpose of the Act. It does this by promoting the sustainable management of physical resources (residential areas, infrastructure) yet enabling the community to provide for social, economic and cultural well being by enabling the construction multi-unit developments in areas where they are supported.

Appropriateness of policies:

Effectiveness:

The objective considers multi-unit developments in the High Density Residential Zone. The policies also consider this type of development and between them combine to effectively achieve the objective. As multi-unit developments are usually constructed to support a high number of people they are required to be located in areas where they are within easy walking distance of shopping areas, public transport routes and reserves. They also need to be located where roads are capable of handling the increased traffic, near community facilities, and essential public services. In addition to this multi-unit developments need to be in scale with their neighbourhood and be well designed to avoid adverse effects on amenity values.

All of these matters give effect to the objective and therefore ensure the policies are appropriate in achieving the objective.

Efficiency:

Essentially these policies strive to achieve improved amenity values for multi-unit developments in the High Density Residential Zone. These are in addition to the previously discussed objective and policies however they are more detailed on certain points. The costs and benefits discussed for the last policies also apply here as both sets of policies strive to achieve improved amenity values.

The costs and benefits of implementing policies as outlined above are varied. Economic costs to the developer include increased resource consent costs, increased construction costs, increased landscaping costs, and fewer profits to be made of an area of land due to a lesser number of units able to be constructed. Increased costs to the Council and therefore the community will be in the form of extra time required in assessments of proposals and compliance costs. Another cost may be to the landowner who had purchased land with the view to undertake a multi-unit development and now finds that the site is classed as unsuitable under the criteria. This, however, is a speculative cost and therefore only an uncertain possibility.

Social costs may include costs such as increased housing values as developers' costs are passed on to the purchaser, therefore pushing potential residents out of the High Density Residential Zone or the District.

An examination of the benefits reveals that they are numerous. Economic benefits may arise from the fact that the High Density Residential Zone may become a more desirable place to live as a result of these policies and therefore leading to inflation of property values within the zone. Also a considerable benefit is obtained from requiring large scale developments to be located where servicing is available and or provided more efficiently. It means that Council can focus on upgrading services to areas where it is required rather than an ad-hoc approach that may have been necessary in the past to keep up with such developments.

Social benefits of the policies would include the security residents can have in knowing that developments in the High Density Residential Zone will be designed with amenity values as a focus. Also by locating multi-unit developments near reserves and community facilities will allow residents of such developments to be part of the community thereby adding to social cohesion of the Towns.

The environmental benefits are also significant. The policies will lead to the maintenance and enhancement of amenity values, to which Council is required to have particular regard under Section 7(c) of the Act. Consultation has shown that the types of development that have been occurring in the High Density Residential Zone are considered to have an adverse effect on the amenity values and environment. The implementation of the above policies will reduce this effect and therefore provide benefit. These policies will help provide long-term sustainability of the High Density Residential Zone by ensuring that development is of a high quality that respects the need to maintain amenity values.

Overall it is regarded that the above environmental and social benefits of the policies outweigh the economic costs. Therefore these policies are considered to be an efficient method in achieving the purpose of the objective.

Risk of acting or not acting:

Through the Residential Issues Study and consultation undertaken as part of this Plan Change it is considered that there is sufficient information to make an informed decision on the above policies. The risk of not acting is that there will be a further degraded urban environment that detracts from its liveability. This would reduce demand into the future with Queenstown and Wanaka losing popularity. The effect of this can have far reaching consequences as the Town's economic prosperity heavily relies on the tourist dollar.

If action is taken at a later date the risk is that there will be a higher cost to pay to restore and enhance the amenity values of the High Density Residential Zone. This cost is likely to increase the longer no action is taken.

There is also a risk of acting in this case. There is the possibility that the implementation of these policies may increase pressure for these types of developments in the Low Density Residential Zones and other areas outside the residential zones. The risk of this is considered to be low as these areas are controlled by their own provisions, however it is a matter that will require monitoring and if proven to be the case a decision will need to be made as to how best address the issue.

Overall appropriateness of policies:

The above discussion has examined the effectiveness, efficiency and the risk of the policies. From this it has been determined that the policies are appropriate for achieving the objective.

6.3.2 Queenstown Residential Areas

The High Density areas of Queenstown located close to the Town Centre developed from the original tent sites used by early settlers. Consequently, lot sizes have been relatively small with buildings also following this pattern. For over a century this pattern dominated the High Density Residential Zone. Although the Zone has long since extended past the historic subdivision and current subdivisions may be significantly larger, the character of the Town can still be maintained if buildings are limited in size and sufficiently spaced.

The considerable development pressure and the ability to make large capital gains have adversely affected the character of the town. Developers have bought up sites, amalgamated and redeveloped them with the aim of making a large financial gain. This has meant little or no investment into the amenity of the Zone.

Both these matters need to be addressed to effectively and efficiently achieve the purpose of the Act and the Plan Change. It is considered that the two objectives proposed in the previous section will adequately address these concerns, especially when considered in conjunction with the existing specific objectives for the Queenstown residential area. However, as identified in Section 2.6.2.2 of this report objective 1 and some of the policies require wording amendments to either ensure they are sensible or to give them more strength to ensure they can be relied upon when assessing resource consent applications. The relevant objectives and policies are reproduced here with the amended versions of the policies contained within the box below:

Objectives-

- [1] *Residential development and associated activities at a scale, density and character consistent with the existing density, which enhances the essential elements of the surrounding landscape, lakeshore and the visual outlook from residential buildings.*

- [2] *Higher density residential development around the periphery of the town centre of Queenstown and in new areas of residential development outside the main existing residential areas.*

Policies-

- 1 *To enhance the character and amenity of the residential environments by limiting the peripheral expansion of the residential areas and promoting consolidation of the residential community with the retention of easy access to the rural area and lakeshore.*

- 3 *To maintain the general character of established residential environments in terms of density, height, access to sunlight, privacy and views.*

Objectives-

[1] *Residential development and associated activities at a scale, density and character that enhances the essential elements of the surrounding landscape, lakeshore and the visual outlook from residential buildings.*

Policies-

1. *To protect the character and amenity of the residential environments by limiting the peripheral expansion of the residential areas and promoting consolidation of the residential community with the retention of easy access to the rural area and lakeshore.*
3. *To enhance the general character of established residential environments in terms of density, height, access to sunlight, privacy and views.*

Appropriateness of objective:

The amendment to objective 1 is considered appropriate to achieve the purpose of the Act. The existing density in the Queenstown High Density Residential Zone has in recent years increased to levels which much of the community find undesirable. While the objective may have been appropriate ten years ago when proposed, to continue to have an objective of allowing development to be at a scale consistent with this level of density would no longer satisfy community aspirations.

Amenity values of less dense sites needs to be weighed against the competing community need for increased accommodation (resident and visitor). It is considered that the cost to amenity from the density of several developments undertaken in recent years has exceeded the benefits given in terms of efficient use of space. While the odd high density development scattered throughout the zone can be absorbed, the current objective anticipates this high density level of development to occur on all sites.

The change to the objective more directly aims it at achieving the sustainable management of the land and residential resource. In the longer term a more attractive residential area with high amenity values will provide a sustainable resource. The change allows the use, development and protection of the residential resource to provide for peoples well-being today and its use at a rate that will enable the community to provide for future generations needs.

Appropriateness of policies:

Effectiveness:

These two amended policies are effective at achieving the objectives above. The change to policy 1 allows the reader to make sense of the policy. It is possible to see how 'limiting the peripheral expansion of the residential areas' may protect the character and amenity of the residential environment but very difficult to see how it may enhance it. It is now more effective at achieving the objectives in that it allows residential activities to occur in certain areas while protecting amenity values and character of the residential areas. The retention of easy access to rural areas and the lakeshore are important in that they add to the amenity of an area

Policy 3 has had 'To maintain' replaced with "To enhance'. This is necessary and appropriate to achieve the purpose of the objectives. To maintain implies that a proposed development must only fit in with the surroundings to be appropriate. However, the existing general character of the High Density Residential Zone has been degraded to an extent where improvement is required. To enhance will imply that improvement of the general character is required. This more appropriately achieves that first objective in that developments must consistent with the existing density, which enhances essential elements of the landscape among other things.

Efficiency:

The above changes to the existing provisions will have associated costs. Economic costs will include costs to people who will now need to show how they have enhanced the general character of residential environments rather than just maintaining them. This may include the provision of further landscaping or innovative building design in order to address issues such as privacy, views, and access to sunlight.

Environmental benefits stem from the fact that the residential environments will be enhanced leading to improved amenity in the Queenstown residential areas. This has ongoing benefits to the community as it makes the area a more attractive place to live, which can attract more residents and visitors to the Town. This can lead to an ongoing benefit for the local economy.

It is considered that the environmental benefits to be gained for the whole community from this change outweigh economic costs to the people who wish to develop sites in the Queenstown residential areas.

Risk of acting or not acting:

The risk of the change is small. If action is taken then an improvement should be seen in the residential areas of Queenstown over time as the policy is implemented. If the change is not made the residential areas should remain as they are as the general character is still to be maintained.

Overall appropriateness of policies:

From the above discussion it has been determined that the policies are appropriate for achieving the objectives.

6.3.3 Wanaka Residential Areas

The High Density areas of Wanaka are all located close to the Town Centre. The Town evolved as a holiday destination for New Zealanders. Many of the first houses were baches or cribs only used for part of the year. Even today nearly half of the town's housing stock is not occupied during parts of the year. Sites were historically relatively large and contained single unit dwellings surrounded by gardens. New developments are tending to amalgamate sites resulting in significantly higher building coverage.

The considerable development pressure and the ability to make large capital gains have also adversely affected the character of the town. Developers have bought up sites and redeveloped them with the aim of making a large financial gain. This has meant little or no investment in particularly the external amenity of the Zone.

Both these matters need to be addressed to effectively and efficiently achieve the purpose of the Act and the Plan Change. It is considered that the introduction of the District Wide High Density Zone objectives and policies (Section 6.3.1 of this report) will appropriately address these issues in the Zone. Therefore no changes are proposed to the provisions specific to Wanaka.

6.4 IMPLEMENTATION METHODS

In Section 6.1.2 of this report consideration has already been given to the choice between regulatory and non-regulatory methods, and it is clear that in order to improve amenity values, it is necessary to establish regulatory methods.

The only regulatory methods available to the Council are through the Resource Management Act 1991 in the District Plan or through the Local Government Act 2002 in Bylaws. Past experience has shown that any one matter is best dealt with by one piece of legislation. Dividing the regulatory process among statutory documents is liable to cause confusion and contradiction, as for example is the case with the signage regulation in the District.

Section 145 of the Local Government Act 2002 states that bylaws may only be made for one or more of the following purposes:

- (a) Protecting the public from nuisance;
- (b) Protecting, promoting and maintaining public health and safety;
- (c) Minimising the potential for offensive behaviour in public places.

This means that planning and environmental matters must be dealt with under the Resource Management Act 1991.

It is therefore recommended that any offensive matter able to be dealt with through appropriately drafted bylaws and is managed under that regime, with all other matters being dealt with through the District Plan.

When considering the rules and methods for the District Plan attention must be drawn to the many occasions in which it has been emphasised during consultation that it is not so much the density or the bulk or the size of the building with which the community has problems, it is the effect this has on the amenity of the Zone. It would therefore be inappropriate to introduce a set of rules that caused large buildings to be assessed as non-complying activities. This would imply these buildings are not anticipated in the High Density Residential Zone. To the contrary, intensification and higher densities are anticipated in both the Queenstown and the Wanaka High Density areas. However, what is not anticipated is a degradation of the amenity values that seems to go hand in hand with this increased scale. It is therefore appropriate and most effective to introduce a number of rules that will enable the Council to exercise discretion over the effects of large-scale development. The most efficient way of achieving this is through a combination of rules, site standards and assessment matters that will ensure large buildings require a discretionary assessment and enables amenity matters to be considered through the resource consent process.

Several methods of implementing this Plan Change and associated rules have been considered. These range from continuing with the single High Density Residential Zone, providing different zones for Wanaka and Queenstown, and sub-zoning. Sub-zoning the current High Density Residential Zone into distinct sub-zones was found to be the preferred method with three sub-zones identified in Queenstown and two in Wanaka.

Currently the High Density Residential Zone is governed by one set of provisions covering both Queenstown and Wanaka. Separate sub-zones allow different zone and site rules to apply to different areas depending on their characteristics. Matters such as proximity to the town centre, availability of infrastructure, local topography and residential character help to define such areas.

An assessment of the methods in achieving the objectives of the plan is contained in the table below:

	METHODS		
	<i>Retain a single zone</i>	<i>Separate zones for Wanaka and Queenstown</i>	<i>Sub-zoning (2 in Wanaka and 3 in Queenstown)</i>
<i>Effectiveness in achieving the purpose of the Act and objectives of the Plan</i>	Limited effectiveness – a rigid ‘one rule for all’ regime. Has limited ability in allowing people or communities to sustainably manage the residential resource as the single zone covers a wide range of topography and residential character areas. One set of provisions cannot provide the necessary differentiation for these different conditions. Although this method has been utilised to attempt to achieve the objectives of the Plan as it currently reads it has been identified that the current objectives have not	Moderate effectiveness – this regime would allow for differences between the two towns to be considered and Plan provisions to be tailored accordingly thereby allowing for more flexibility and sustainable management of the residential resource. This method would be effective at achieving the objectives of the Plan especially when it comes to implementing the individual objectives for Wanaka and Queenstown.	High level of effectiveness – provisions can be tailored for the individual towns if required and also applied to the different areas within the towns. By enabling the application of different rules and standards to different parts of the residential areas will increase sustainability of the residential resource. This method allows more intense development to occur in areas that can absorb its effects while limiting it in areas that are sensitive to such effects. This method is effective at achieving the objectives of the Plan. By

	<p>been fully achieved. The effectiveness of this method is likely to decrease with the introduction of the proposed objectives. This option appears to be too restrictive or too permissive for certain areas of the High Density Residential Zone.</p>		<p>sub-zoning and applying the policies at different levels of development according to their zone will ensure amenity values are improved in all areas but more so in areas characterised by residential communities and neighbourhoods. It will also ensure that large-scale developments are located where their effects can be absorbed.</p>
Costs and benefits	<p>One of the main causes of costs and benefits of using a single zone is derived from the fact that to achieve the objectives of the Plan and the purpose of the Act the Plan provisions are often inflexible to the character of the site. The provisions are often too restrictive for areas that can absorb more intensive development and can be too permissive for other areas.</p> <p>This can lead to costs such as a loss of development opportunities where policies and rules are too restrictive, which may also lead to increased administrative type costs through resource consents required for activities that cause little effect.</p> <p>In areas where the policies and rules are too permissive inappropriate development may occur without suitable mitigation or control, leading to costs in terms of reduced amenity values.</p> <p>Benefits may arise from this method's simplicity – the method is easy to understand by users of the Plan. This may mean that users are less likely to need to hire professionals to assist with planning matters.</p>	<p>Although there are differences between Wanaka and Queenstown, simply splitting the zoning of the High Density Residential areas between these two towns does not necessarily reduce or add to the costs and benefits identified in the single zoning option.</p> <p>Policies and rules may still be set too permissively or restrictive for the area as often quite localised conditions exist that defines such areas. Developments that are able to be absorbed into the hillside along Lakeside Road, Wanaka, for example may not be suitable on the flat land of Warren Street.</p> <p>This method is still relatively simple and the benefit of this would apply here.</p>	<p>This option provides benefits where the other options cannot. By identifying the areas where more intensive development can occur with less effect the policies and rules can be more targeted to ensure they are efficient.</p> <p>The costs involved with this option would be in its implementation and the period of time it takes for developers and Council Staff to familiarise themselves with it.</p> <p>Also existing zoning has allowed development that may not be well placed. If a clean slate was available then the location of the sub-zoning could well be different.</p>
Efficiency	<p>It is considered that this method is inefficient in that the costs outweigh the benefits.</p>	<p>This option provides further flexibility in the implementation of Plan provisions between Wanaka and Queenstown thereby giving greater efficiency than option 1.</p>	<p>The benefits of this option are considered to far outweigh the limited costs. Therefore it is an efficient method.</p>
Risk of acting or not acting	<p>This method is already in place so there is no additional risk.</p>	<p>The risk of implementing a sub-zone for Wanaka and Queenstown is that, while being more effective than the single zone currently in place, it is still ineffective in targeting provisions to the different areas that can or cannot absorb higher or</p>	<p>This option may also carry some risk. While a study has been undertaken to determine the sub-zone locations it is possible that the sub-zones are located inappropriately or not as well as they could be. Monitoring of developments in the future</p>

		lower intensity of development.	will be required and Plan Changes required if this proves to be the case. The risk of not acting is that development continues to be proposed and built in locations where they are not appropriate and thereby degrading the amenity of the Zone and Towns.
Appropriateness of method	All three of these methods have a certain level of appropriateness and all can achieve the objectives of the Plan; just some are better than others. This method is considered to be the less appropriate of the three options considered.	This option is considered to be more appropriate than the first. It still however lacks the flexibility of the third method. It is therefore less appropriate.	This option is considered to be the most appropriate of the three to achieve the objectives of the Plan. It provides more flexibility to target Plan provisions to different areas where necessary and is an efficient method. Any risk associated with the method can be monitored and overcome by further Plan changes if necessary.

A single zone, equally applicable to all of the High Density Residential Zones in both Wanaka and Queenstown, fails to meet the RMA purpose of sustainable management in that a single zone does not allow for the people to rationally manage “the use, development and protection of natural and physical resources”. One set of land use rules, covering significantly different landscapes cannot be characterised as good management practice.

Multiple sub-zones within each township will better promote the sustainability of local natural and physical resources and to avoid the adverse effects of development activities on the built environment. Dividing Queenstown’s High Density Residential Zone into three sub-zones and Wanaka’s High Density Residential Zone into two sub-zones will create areas where different rules and assessment matters can be specifically tailored to meet the requirements for sustainable resource use while enhancing the social, economic and cultural well-being of the community

Overall, the creation of sub-zones should not detract from the capacity of either township to provide for the housing and infrastructure necessary to accommodate future growth. To that end, the combined allowable density of the sub-zones should be not too dissimilar to the dwelling density allowable under the current zoning and site rules.

To help determine the location of the sub-zones two mini-character studies were undertaken that examined the existing character of areas of the High Density Residential Zone. These studies were assessed along with the location to town, location in relation to transport links, topography, neighbouring zoning and the availability of infrastructure.

The following implementation methods will need to be included into the Plan:

<p>Implementation Methods-</p> <p>(i) District Plan</p> <p>(a) By the use of Sub-Zones to identify land having similar character, amenity and environmental values, within which appropriate development opportunities can be approved.</p> <p>(b) District Plan Rules</p> <p>(ii) Other methods</p> <p>(a) Bylaws</p>

(b) Urban Design Panels

(c) Urban design guidelines

6.5 ALTERNATIVES FOR RULES

It has been identified that rules and standards in the District Plan are the most appropriate means of giving effect to the objectives and policies already in the Plan and those identified in this Report. As has been explained in Section 1.4, amenity and the improvement thereof is an extremely broad topic, and this analysis could consider almost endless possibilities.

The following provides an analysis of broad alternative rule options that have been considered to achieve and implement the new and amended objectives and policies proposed in this Plan Change. These alternatives have been derived from the following sources:

- The Residential Issues Study, November 2004;
- The research into the Residential Issues Study by consultant Boffa Miskell (Appendix B);
- Members of the public as a result of consultation on this issue (Appendix E)
- The members of the Urban Design Panels (Appendix F); or
- By planners in response to comments made throughout the consultation processes outlined in Section 4 of this report.

Methods	Effectiveness in achieving the objectives of the Plan	Costs and Benefits	Efficiency	Risk of acting or not acting	Appropriateness and recommendation
<p>Recession planes</p> <p>Amend Height to Boundary recession plane e.g. a 60 degree angle from 2m above ground level at the boundary on all sites</p> <p>(Currently flat sites are subject to a 25-degree angle at 2.5m above the boundary and sloping sites are not subject to such a provision).</p>	<p>Not effective on flat sites as it will allow more domination of buildings over neighbouring sites. Access to sunlight minimised on flat sites.</p> <p>May be effective on sloping sites to allow more sunlight and less building domination therefore increasing amenity values.</p>	<p>Recession planes can be complicated on sloping sites with boundaries not running perpendicular or parallel to the contours. It could therefore be open for debate, subject to interpretation and expensive to administer. On more steeply sloping sites resource consents are likely to be required for most development as the slope of the ground follows that of the recession plane thereby limiting building height.</p> <p>Will increase the building envelope on flat sites and limit the envelope on sloping sites. This means that on flat sites higher buildings could be located closer to boundaries and on sloping sites higher buildings will be set back further from boundaries, improving open space.</p> <p>This could provide economic benefits to owners of flat sites and costs to owners of sloping sites. There would be an environmental cost to owners of sites that adjoin flat sites where the development has maximised the envelope. Owners of sites that adjoin sloping sites may gain an environmental benefit.</p>	<p>Not efficient on flat sites. Could be efficient on sloping sites however is difficult to implement.</p>	<p>There is some uncertainty in what sites will be affected by the sloping slope problem. However, the risk is low and will mean that developments on such sites will require resource consent.</p> <p>If the rule is not implemented there will be low risk. The current recession plane provisions will still remain in the Plan.</p>	<p>This method can be complex on sloping sites and unlikely to achieve significant amenity improvements that could not be better achieved by other measures, such as the current recession plane rules and building setbacks.</p> <p>Therefore it may be not be appropriate and is not recommended.</p>
<p>Introduce building bulk impact setback requirements</p> <p>E.g. introduce a rule that for every 3 floors above actual ground level there will need to be a building set back of 6m</p>	<p>Could be effective in that it will provide a greater setback for high buildings thereby minimising the dominance over neighbouring sites and protecting privacy. However may encourage more earthworks in order to get same size building on the site.</p>	<p>To get a similar sized building on the site will require more earthworks and therefore a greater economic cost on developers. This could also result in greater environmental costs and potential to affect neighbouring sites through land movement.</p> <p>Could significantly limit the development potential of certain sites causing a large economic cost to owners of those particular sites. It is acknowledged that this is a speculative or potential cost.</p> <p>Higher buildings would be set back further from boundaries, improving open space.</p>	<p>May not be all that efficient. The possible economic cost of lost development and possible environmental costs of maximising development potential of certain sites are likely to outweigh the benefits in terms of amenity values.</p>	<p>There is uncertainty in how many sites will be affected and to what extent. Any risks of this are low as the worst that could happen is that developers will require resource consent to contravene the proposed rule or the earthworks rules – both of which will be assessed. Also there is the possibility that not many sites actually trigger the proposed rule.</p>	<p>It is considered that this rule may not achieve what is wanted. It will increase setbacks for multi level buildings however this does not automatically improve amenity values. The inefficiency of this method means that it is not recommended.</p>

Methods	Effectiveness in achieving the objectives of the Plan	Costs and Benefits	Efficiency	Risk of acting or not acting	Appropriateness and recommendation
<p>Rubbish and recycling</p> <p>Introduce provisions for rubbish/recycling in multi-unit developments</p> <p>This would involve setting aside an area for the collection of refuse and recycling, which would be screened from public viewing. It would also involve ensuring sufficient access and turning circles.</p>	<p>This option would be effective in achieving the objectives of the Plan as it would improve amenity values and contribute towards sustainable communities and pleasant living environments.</p>	<p>It is unclear at this stage how recycling is going to work in the whole District and the means of collection are likely to be dependant upon contractors and Council decisions, it is therefore difficult to determine the appropriate provisions.</p> <p>There would be extra costs to developers and landowners in providing such spaces in terms of construction and lost space for other uses.</p> <p>Improved visual amenity as rubbish, wheelie bins and other unattractive waste collection vessels would not be visible from public spaces. Ensuring sufficient possibility for recycling is in keeping with Council's zero waste to land fill policy.</p> <p>Would be economic for long term pick up of such waste as it would be contained in a purpose built facility for the development.</p>	<p>It is considered that this method would be an efficient method once the appropriate provisions are determined.</p>	<p>There is low risk to implementing such provisions in Wanaka where recycling/rubbish collection methods have been established. In Queenstown there is still some work to do.</p>	<p>This option is appropriate, as it would contribute to the improvement of the amenity values and would be efficient.</p> <p>However, consideration needs to be given to whether the Plan or the Waste Bylaw is the most appropriate place for these provisions. As discussed in Section 6.4 it is considered that bylaws are efficient and appropriate for offensive type matters. It would be suitable to address rubbish collection under the QLDC Waste Bylaw and therefore is not recommended for inclusion into this Plan Change.</p>
<p>View shafts</p> <p>a) Retain/protect view shafts from public spaces.</p> <p>b) Introduce requirements for building breaks (e.g. 4 metre gap every 16 m) on large sites and the alignment with view shafts.</p> <p>c) Identify view shafts that are to be maintained</p> <p>d) Identify iconic features and introduce the</p>	<p>All of the options stated here would be effective at achieving the objectives of the Plan to some extent as the availability of views is considered to enhance amenity values.</p> <p>As views contribute to amenity values the preservation of views from public spaces will contribute to achieving several of the objectives of the Plan.</p> <p>Building breaks may be</p>	<p>Preserving view shafts may impair development of some sites significantly and not affect other sites at all. The method is prescriptive and stifles creativity and may not result in the most efficient use of land.</p> <p>A large amount of work (economic cost) will be required in identifying the iconic features and the result would have a different affect for each different development. Difficulties are likely to arise in identification because the views that contribute most to the local amenity are often not just of the large iconic features, but also of the smaller details.</p> <p>The benefits of such methods would be that it</p>	<p>The method would provide environmental benefits but at a potentially large economic cost to various individual landowners and developers. The identification of iconic features and view shafts could potentially escalate into a time consuming and expensive process.</p> <p>Therefore this method has potential to be inefficient.</p>	<p>The risk of not acting is that the opportunity to preserve view shafts and views of iconic features will be lost or at least partially lost if action takes place at a later date.</p> <p>The risk of acting is that the implementation of such a method may prove to be very rigid and disenabling to anticipated development in the Zone.</p>	<p>The protection of views from public spaces is considered appropriate. However, the implementation of rules to ensure this may be an inefficient method to achieve the protection of views.</p> <p>Identifying the view shafts and public spaces is better done at the time of resource consent application through an assessment of the effects</p>

Methods	Effectiveness in achieving the objectives of the Plan	Costs and Benefits	Efficiency	Risk of acting or not acting	Appropriateness and recommendation
<p>requirement for views of these features to be maintained</p>	<p>effective if they are aligned with each other to produce a view shaft. The positive effect is likely to be limited for views from other buildings however will provide glimpses of views to passing people. The identification of view shafts that are to be maintained would ensure that buildings are positioned so as to not block the view shaft.</p> <p>The preservation of views to iconic features may be effective at meeting the objectives of the Plan however may be very limiting to development, anticipated within the zone.</p>	<p>contributes to the feeling of openness. Views, in particular to natural features, are characteristic of the District. This option would contribute to retaining the unique qualities that attract tourists and residents to the District and therefore contribute to the economic and social wellbeing.</p> <p>Option (b) would contribute to ensuring smaller buildings, and to view shaft maintenance, both of which contribute to amenity improvements.</p> <p>Once iconic features and view shafts are identified options (c) and (d) would be easy to implement</p>			<p>of each development.</p>
<p>Strictly enforce height limit</p> <p>This could be achieved by changing the activity status of breaches of the height limit from discretionary to non-complying</p>	<p>This may be effective in achieving the objectives of the Plan in some cases. However, determining the maximum height of all buildings may actually contribute to a decrease of amenity in other cases.</p> <p>Therefore this method is not considered to be effective.</p>	<p>The topography of the District is such that in many situations the effect of a breach of the height limit is less than minor. This could result in either odd shaped roofs, which follow ground contours strictly, or a dull flat development without any interest. Different heights contribute to the urban character of the Zone and are in keeping with the topography of the District.</p> <p>Costs would also be increased in the resource consent process with more notified applications being processed.</p> <p>A benefit may be that any breach of the height limit, which is more than minor, would result in a notified consent, enabling neighbouring property owners to comment.</p>	<p>It is considered that this method would be an inefficient use of resources for the gains to be had.</p>	<p>This method is inappropriate and not recommended.</p>	<p>This option is not recommended, as it does not give effect to the objectives and policies.</p>

Methods	Effectiveness in achieving the objectives of the Plan	Costs and Benefits	Efficiency	Risk of acting or not acting	Appropriateness and recommendation
<p>Mitigation of construction and earthworks</p> <p>This would be in addition to the existing earthworks rules.</p>	<p>Earthworks and construction are essentially temporary in nature. While they detract from the amenity values within the neighbourhood this is usually only for a short time. So while such measures may be effective in part to achieve the objectives of the Plan the actual overall effectiveness is limited.</p>	<p>The current earthworks rules already provide a certain amount of mitigation of the effect of construction so the implementation of further provisions would add to costs of development and monitoring consents.</p> <p>The effects of dust, visual disruption, vehicle movements and noise would be limited, which would contribute to improved amenity.</p>	<p>Due to the short term nature of the construction or earthworks stage of development the net benefit of such measures would be minimal.</p>	<p>Current practices and guidelines already largely deal with the effects of earthworks and construction. Therefore the risk of not acting is low.</p>	<p>This option is not recommended, as the effects of construction and earthworks are temporary and are managed to a large extent by existing rules. Although they can be significant during the work phase, it is not deemed that the amenity of the Zone is adversely affected to such an extent that it is necessary to increase the control of this activity.</p>
<p>Trade off / Flexibility between various site and zone standards</p> <p>This would involve setting out breaches to the site and zone standards that could be 'countered' by remaining well below other site and zone standard maximums. Instead of the breach being assessed as a discretionary or non-complying activity, it would be assessed as a controlled activity.</p>	<p>The effectiveness of this option is uncertain. Tradability provisions would allow architectural or other features of buildings to be built (adding to amenity) without losing valuable space on the site. However, it could also allow for unattractive buildings or parts of buildings that detract from amenity to contravene Plan standards.</p>	<p>Costs of the method include the uncertainty to neighbours of developments as to where the trade-offs may apply. The developer is given the ability to choose, and may not choose the option with the least adverse effects, but may make choices for alternative economic reasons.</p> <p>It is a difficult method to implement so that it only allows trade-offs that contribute to amenity values of the neighbourhood and does not also allow standards to be exceeded by development that detracts from amenity.</p> <p>Benefits include flexibility that enables a developer to put forward the best option with the least adverse environmental effects. The method also allows for the addition of features that add to amenity and character with few administrative costs.</p>	<p>The possible costs of this method outweigh the potential gains therefore it is not an efficient method.</p>	<p>There is little risk in not implementing trade-off rules. The risk lies in the implementation of such rules in that they may allow undesired developments to proceed as controlled activities with little public input and no ability by Council to decline.</p>	<p>This method is not appropriate and therefore not recommended to be implemented.</p>

Methods	Effectiveness in achieving the objectives of the Plan	Costs and Benefits	Efficiency	Risk of acting or not acting	Appropriateness and recommendation
<p>Activity status of developments</p> <p>All development would be a discretionary activity (at minimum) to be assessed against policies and objectives</p>	<p>This would contribute to achieving the objectives of the Plan, as all developments would be assessed against the policies with the view of achieving the objectives.</p>	<p>The main cost of this method is that it is very inflexible and would pose an economic cost on all developments in the Zone. It would also likely increase costs for the Council with more staff required to assess resource consents.</p> <p>The benefit is that it contributes to enabling the Council to exercise more control over the public amenity and visual effects on public space of private development. This would result in the purpose of the Act being better achieved.</p>	<p>It is considered that the cost of this method on developers, the community and the Council would outweigh the benefits to be gained. The benefits can be gained through a more targeted approach.</p>	<p>There is some risk of implementing such a regime. The Council needs to be sure that it can retain or contract enough staff to be able to process the extra resource consent applications that will result.</p> <p>If other provisions capture the activities that cause the most effect then the risk of not implementing such a method will be low.</p>	<p>This option is not recommended. It is considered unreasonable and not appropriate that a single unit dwelling (for example) should be assessed as discretionary in a residential zone. A certain level of development is anticipated and only when this level is exceeded is discretionary assessment appropriate.</p>
<p>Garages in street setbacks</p> <p>Change the activity status of garages in street setbacks from controlled to discretionary</p>	<p>Currently garages within street setbacks are a controlled activity. While Council has control over the external appearance, landscaping and location among other things, it cannot decline such activities even if it does detract from the amenity of the area.</p> <p>Therefore this method would be effective in achieving the objectives of the Plan as it will ensure amenity values are not compromised.</p>	<p>Costs will include the extra time spent processing consents for a discretionary assessment. The average cost of processing a controlled activity consent for a garage in the street setback is \$626.92. The cost of a basic discretionary assessment (based on earthworks consents) is about \$1337.00. However it is noted that there have been few consents applied for to exceed the current rule alone.</p> <p>Benefits will be that assurance is given that amenity values will not be compromised with the Council having the ability to decline applications if inappropriate. Open space along street frontages will be retained resulting in less imposing buildings on the streetscape.</p>	<p>It is considered that the benefits to the wider community of this method outweigh the direct economic cost to the few individuals who wish to have a garage in the street setback. Therefore this method is efficient.</p>	<p>There is no risk in implementing this method. The risk of not implementing the method is that further undesirable development (garages) may be located in street setbacks where they detract from the local amenity.</p>	<p>This method is considered to be appropriate and is recommended.</p>
<p>Multi-Unit Developments</p> <p>Introduce new provisions that trigger a discretionary assessment for Multi Unit Developments</p>	<p>As discussed previously in this report, multi-unit type developments have been identified as a leading contributor to the</p>	<p>The option of requiring discretionary review for all such developments would impose large costs on both the community (in terms of resources required to offer substantive reviews) and on developers (in terms of time and economic</p>	<p>The benefits of introducing higher discretion relating to multi-unit developments outweigh the costs therefore it is an efficient method.</p>	<p>The risks of implementing such provisions are low. The risk of not implementing is that multi-unit developments continue to</p>	<p>Option (b) is considered to be appropriate and a restricted discretionary regime for multi-unit developments is</p>

Methods	Effectiveness in achieving the objectives of the Plan	Costs and Benefits	Efficiency	Risk of acting or not acting	Appropriateness and recommendation
<p>a) Require all multi-unit developments to undergo discretionary review.</p> <p>b) Require limited discretionary review for multi-unit developments containing over a certain number of units</p>	<p>degradation of amenity values within the High Density Zone.</p> <p>The options outlined here are both easy to understand and can easily relate to existing development and density of the sub-zones.</p> <p>They are both considered to be effective at achieving the objectives of the Plan.</p>	<p>costs).</p> <p>Requiring a limited discretionary review as in option (b) will limit the assessment costs somewhat as the assessment will only deal with the factors that Council wishes to consider. This option would only require assessment once a level of development is reached that is considered to not meet the objectives and policies of the Plan.</p> <p>Such rules will add to costs of obtaining resource consent for such developments and when assessed under the policies will likely increase construction costs.</p> <p>The benefits of such rules will be an increase in the quality of the consented developments therefore leading to higher amenity values and increased social and environmental benefit.</p>	<p>Requiring full discretionary activity status hardly seems justified for developments when it is the design and enhancement of amenity that is of most concern. A limited discretionary regime (option b) would be more efficient in this regard.</p>	<p>degrade the amenity of neighbourhoods.</p>	<p>recommended. This should be related to the sub-zoning method of implementation to allow different trigger levels for assessment under the rule.</p>
<p>Size and bulk of buildings</p> <p>Introduce provisions that limit building size and bulk.</p> <p>a) Impose only a maximum size footprint rule. This would restrict the maximum size of buildings.</p> <p>b) Impose a footprint rule and a connection rule. A connection rule would allow flexibility in the application of the footprint rules so that larger buildings may be built, but not as a single, monolithic bulk.</p> <p>c) Impose a maximum size footprint, connection and a footprint/perimeter</p>	<p>A number of different options have been examined here. It is considered that all options would be effective in achieving the objectives of the Plan.</p> <p>Option (a) is very easy to understand and implement and allows assessment of large buildings that may detract from the amenity values.</p> <p>Option (b) introduces a connection element so that the large buildings can be joined allowing for more flexibility.</p> <p>Option (c) goes further and</p>	<p>Costs of limiting building size and bulk include potential loss of development rights as allowed for under current rules. Large, cost effective buildings would be subjected to more rigorous assessment and may therefore be discouraged, possibly resulting in less efficient use of the land resource. The method could raise the cost of new housing by eliminating the possibility of creating larger buildings. On a large site, the rule could result in a dreary repetition of similar sized buildings squeezed within close proximity of each other. There is also likely to be cost increases through more resource consents being applied for.</p> <p>In addition to the above the costs relating to the connection rule may include a loss of possible view shafts and open space. The footprint/perimeter ratio rule would add further construction costs to achieve the required articulation. It is also a complex method and is likely to result in increased costs in the</p>	<p>Overall it is considered that the environmental and social benefits to the community would outweigh economic costs imposed by implementing option (a).</p> <p>Although there are possibly high economic costs, the benefits in terms of improved amenity, pleasant living environments, buildings that are in scale, density and character with the community expectations are also great. Over the longer term the benefits of the reduction in the bulk and size of buildings and ensuring larger buildings are assessed under the objectives and policies will</p>	<p>The risk of implementing option (a) is low.</p> <p>Options (b) to (d) may carry higher risk in that people may find the methods complex to implement leading to misinterpretations.</p> <p>The risk of not implementing such provisions is that buildings will continue to be large, dominating and unattractive.</p>	<p>Option (a) is considered appropriate and recommended as it assists in giving effect to the objectives and policies of the Plan and the purpose of the Plan Change and the Act.</p> <p>This provision should also be linked to the sub-zoning to allow a gradation of assessment trigger depending on the location of the development.</p>

Methods	Effectiveness in achieving the objectives of the Plan	Costs and Benefits	Efficiency	Risk of acting or not acting	Appropriateness and recommendation
<p>ratio rule. A perimeter rule would supplement the other two rules by eliminating the possibility of creating a flat, bulky building.</p> <p>d) Impose only a footprint/perimeter ratio rule.</p> <p>e) Specify building sizes, types and styles.</p>	<p>introduces a footprint/perimeter ratio. The ratio, also relevant to option (d), would be effective in creating articulation of the building facades. However, it is difficult to understand and to implement therefore reducing its effectiveness.</p> <p>Option (e) would be effective and has been successfully applied in several overseas communities. However, it seems overly restrictive for application here and would likely result in protracted discussions on building style and size thereby reducing its effectiveness under an effects based regime such is the RMA.</p>	<p>implementation of the rule through resource consent processing and monitoring. People are likely to have problems interpreting the ratio rule which may lead to costs and compliance issues.</p> <p>Benefits of limiting building size and bulk are that smaller buildings are encouraged. This would contribute to amenity values in that there is less domination of large buildings over neighbouring sites and streets. A connection rule would allow for larger buildings through joining 'cells' through a smaller connection. While this may negate the ideals for open space it would allow developers and architects to create innovative buildings with character and which contribute to amenity values.</p> <p>The footprint/perimeter ratio will add to this by requiring buildings to be articulated and while not able to eliminate the possibility of ugly buildings, it can help serve to reduce their apparent scale and size and thus avoid overly bulky and intrusive buildings.</p> <p>With the combination of the three facets of the building bulk methods the environmental effects of large buildings can be assessed enabling the objectives and policies to be considered. The costs and benefits of each option would carry through into this option along with extra costs in the implementation of the multiple rules as one. Drafting the rule to ensure all aspects and loopholes are addressed would be very difficult.</p>	<p>add to the attractiveness of the High Density Zone and thereby contributing to the sustainability of the community.</p> <p>The method, in particular option (a) is considered to be an efficient method to achieve the objectives of the Plan.</p>		
<p>Setback provisions</p> <p>a) Increase setback requirements</p> <p>b) 4.5 metres for every boundary</p> <p>c) Relate setback distance to site size</p> <p>d) Relate setback distance to building size</p>	<p>There are a number of different options proposed here. They are all effective at helping to achieve the objectives of the Plan. Implementing several together will likely to further achieve the objectives.</p>	<p>The cost of increasing all or some setbacks will be in the lost potential to build within that area. When considered with the site coverage provisions this should not result in less available land to build on, just that the location of the buildings on the site will change.</p> <p>Benefits include less domination of buildings over neighbouring sites, increased direct and reflected sunlight to sites and more open space. These all contribute to amenity.</p>	<p>From the assessment of costs and benefits it is considered that amending the current setback provisions in accordance with options (e) and (f) will be efficient.</p> <p>Other options are likely to cause high economic costs and therefore are not</p>	<p>There is low risk involved with implementing the options outlined here.</p> <p>If Options (e) and (f) are not implemented then there is a risk of degraded amenity values in the High density Zone.</p>	<p>The current rules go a long way to achieving the objectives of the Plan. Amending these provisions will see an improvement in the level of amenity in the High Density Zone through the encouragement of smaller buildings, more open space, maintenance</p>

Methods	Effectiveness in achieving the objectives of the Plan	Costs and Benefits	Efficiency	Risk of acting or not acting	Appropriateness and recommendation
<p>e) Remove provision that allows for common walls of buildings to have no setback</p> <p>f) Introduce a provision to require a separation distance between buildings on the same site.</p>		<p>Relating setbacks to site size may further increase costs and would probably encourage further subdivision of sites. Relating the setback to building size would likely encourage smaller buildings and may increase construction costs through the inefficiencies associated with smaller buildings.</p> <p>It is reasonable to assume that larger sites will attract larger developments. This would require greater setbacks for larger sites, ensuring the setback is in proportion to the building therefore providing benefits. The relation of setback to building size would encourage smaller buildings regardless of site size.</p> <p>Removal of the common walls provision would mean that buildings cannot extend over boundaries and will need to be separated by the setback distances. This would have costs in terms of building efficiency as smaller buildings on each site would be required. This may encourage the amalgamation of sites prior to work being undertaken.</p> <p>Separation distances between buildings on the same site would possibly encourage larger buildings as an attempt to circumvent the rule. There would also be a possible loss of available building space.</p> <p>The benefits of these provisions are that there will be increased open space, light, air, privacy, view shafts and sunshine leading to improved amenity for residents of the sites, for neighbouring sites and for the wider community.</p>	efficient.		of view shafts, and more sunlight. Therefore implementing options (e) and (f) is considered appropriate and are recommended.
<p>Continuous building length provisions</p> <p>a) Retain the present rule requiring a one-half metre setback in the building wall.</p>	Option (a), although currently accepted by developers and incorporated into most building proposals, does not	Option (b) could have the effect of increasing building costs, depending upon the development proposal. These costs may be reduced if the provision allows the façade to contain a break and then step back to the original building line	It is considered that option (b) would be an efficient method to achieve the objectives of the Plan. The contribution to amenity	The risk of not implementing is mitigated with the current provision already in place offering some articulation of façades. However, as	Methods (b) and (c) are considered to be appropriate to help achieve the objectives of the Plan. They are

Methods	Effectiveness in achieving the objectives of the Plan	Costs and Benefits	Efficiency	Risk of acting or not acting	Appropriateness and recommendation
<p>b) Adopt a rule requiring greater articulation in long building façades by making the breaks larger and more obvious.</p> <p>c) Adopt a rule that limits the total length of building façades.</p> <p>d) Eliminate the current rule against continuous building length.</p>	<p>produce interesting articulations in building façades because the minor setback is often unnoticeable. It is considered ineffective at meeting the objectives of the Plan.</p> <p>Option (b) and (c) are considered to be an effective methods to help achieve the objectives of the Plan. Limiting the length and requiring breaks in facades will result in gains in appearance and amenity values. This will increase the attractiveness of buildings for long-term occupancy, thereby raising the sustainability of the buildings above what might otherwise be proposed. Increased sustainability serves the purpose of the RMA and meets the objectives of the District Plan</p> <p>Option (d) would be ineffective. The objective of creating more architecturally interesting buildings and avoiding bulky buildings uncharacteristic of the traditional urban centres would not be satisfied if the rule were deleted.</p>	<p>again as no additional building space would be lost.</p> <p>Larger building breaks will create spaces sufficiently large enough for trees and other landscaping. The detailed articulation that the option requires would add to the building appearance and contribution to amenity values.</p> <p>Option (c) may increase economic costs if the maximum length is set too low. Set too high and the cost is imposed on the environment and the amenity of the Zone. Limiting building length will help create smaller looking buildings</p>	<p>outweighs any extra costs to development.</p>	<p>mentioned, the existing provisions do not adequately provide for decent articulation and if left unadjusted will result in decreased amenity values.</p> <p>There is no maximum length rule in the Plan at present so the risk of implementing this method is that it may decrease necessary development if the limit is set too low. If the limit is not imposed the risk is that extremely long buildings are developed detracting from the amenity and residential character of the area.</p>	<p>therefore recommended.</p>
<p>Building Coverage</p> <p>a) Leave the current site rule of 55% and zone rule of 70% unaltered.</p>	<p>Different building coverage rules for different areas supports long-term sustainable land use by</p>	<p>New coverage rules may upset plans underway by some developers. Raising the coverage level may detract from amenity in certain areas and lowering it is likely to raise the amenity values</p>	<p>Although option (d) reduces the intensity of development on some sites, it also increases the allowable</p>	<p>There is low risk of implementing or not implementing such provisions. There are</p>	<p>This option is considered appropriate, as it will help reduce building coverage and therefore encourage</p>

Methods	Effectiveness in achieving the objectives of the Plan	Costs and Benefits	Efficiency	Risk of acting or not acting	Appropriateness and recommendation
<p>b) Lower the levels for site coverage.</p> <p>c) Raise the allowable level of site coverage.</p> <p>d) A combination of (b) and (c) above.</p>	<p>encouraging more intense development on suitable central sites while placing reasonable limits on the over-development of more remote urban sites.</p> <p>Lowering the coverage levels or increasing them for the whole zone is not effective in achieving the objectives of the Plan as it will not provide for community needs in terms of housing or may decrease the amount of open space to undesirable levels.</p> <p>Therefore it is considered that utilising both methods in conjunction with sub-zoning would be effective in achieving the objectives.</p>	<p>through allowing increased open space and smaller buildings.</p> <p>Costs of lowering the coverage will include economic costs to some developers who were aiming to maximise the current levels allowed. It may also lead to an inefficient use of the land resource in that not as many residential units can be provided on the sites.</p> <p>Benefits would be that there is increased open space available for landscaping or outdoor living space. This adds to the character of the neighbourhood and overall amenity of the zone.</p> <p>The costs of increasing the coverage limits would be that larger buildings might be built that could impose on the surrounding neighbourhood and streetscape. The benefit may be that there is a more efficient use of the land resource in terms of residential density. Car parking and storage may be encouraged to be located underground or within the building itself.</p>	<p>coverage on others, in an effort to maintain an overall balance in residential development potential. Increasing allowable coverage in areas close to the urban centres will tend to increase population density within walking distance of commercial concentrations, thus reducing transportation demand. Conversely, lowering allowable coverage in areas more remote from urban centres will decrease the potential number of people requiring transportation into town. Overall, the benefit to the community outweighs the possible loss of development profits on the outlying sites that may have been planned for higher density developments. It is therefore considered that this is an efficient method.</p>	<p>already provisions within the Plan that determine coverage levels for the High Density Residential Zone. The implementation of this provision will gradate the coverage across the sub-zones rather than just one set level.</p> <p>There may be a risk in that the coverage permissions are applied where they are inconsistent with the character, location and topography of the area.</p>	<p>smaller buildings and increased open space in areas further from the town centres and areas where there is high existing residential character. This will help achieve the objectives of the Plan and is therefore recommended.</p>
<p>Landscaping coverage</p> <p>Introduce a new provision to require landscaping:</p> <p>a) Require all developments to set aside a certain percentage of their land area for landscaping.</p> <p>b) Provide a gradation of landscaping requirements across the sub-zones.</p> <p>c) No requirements for</p>	<p>The careful use of space between buildings is one of the key things that can add to the creation of sustainable living environments. Landscaping also enhances the amenity value of residential neighbourhoods, therefore contributing to meeting the objectives of the District Plan. For this reason options (a), (b) and possibly (c) are considered to be effective.</p>	<p>The cost of requiring landscaping on sites includes the direct cost of the landscaping in terms of purchase of materials and cost of contractors. The use of space for landscaping also means that it cannot be used for other purposes such as parking or more buildings.</p> <p>Option (c) may reduce this cost. However, while additional parking is needed, the trade-off between parking and landscaping should not become the focus for the solution to the problem. Substituting parking lots for landscaped areas would not enhance the urban environment.</p> <p>Other costs are that landscaping can be difficult</p>	<p>This rule would combine well with the building coverage rules. The cost it imposes is in providing an adequately landscaped setting for every new building. All occupants of the building will share this cost. The considerable benefits, on the other hand, will accrue to both the occupants and the public at large.</p> <p>By establishing landscape</p>	<p>There is a low risk of implementing such provisions. This stems from the fact that landscaping may block views from buildings on the site or on neighbouring sites. Over time this may detract from the amenity of the individual sites. It is considered that this is offset by the benefit of the landscaping to the wider community.</p> <p>The risk of not implementing</p>	<p>As the purpose of the Plan Change is to improve the amenity values within the Zone, it is appropriate to include a standard that requires landscaped areas.</p> <p>Option (b) is considered to be an appropriate method to achieve the objectives of the Plan and is recommended.</p>

Methods	Effectiveness in achieving the objectives of the Plan	Costs and Benefits	Efficiency	Risk of acting or not acting	Appropriateness and recommendation
<p>landscaping if the area is used for parking.</p> <p>d) No requirements for landscaping</p>		<p>to monitor as plants can become diseased and die, and it is often a matter of opinion whether they are being correctly maintained. Earthworks often remove topsoil and with it the life supporting capacity of the soil, making green landscaping difficult unless topsoil is retained. Mature trees can also block individual views from buildings.</p> <p>There are a number of benefits that arise from introducing landscaping requirements. Permeable surfaces absorb stormwater taking pressure off infrastructure and reducing the risk of flooding. Green open areas increase the pleasantness of the neighbourhood and the amenity of the Zone as a whole. If the size of plantings are in scale with the building size this can have a considerable impact on softening the adverse effects of the development. The provisions would also encourage greater creativity in solutions for parking and garaging.</p>	<p>coverage requirements compatible with sub-zone residential densities, a balance can be achieved between the competing objectives of enhancing environmental amenities and providing a diversity of housing to meet different residential needs and preferences.</p> <p>Option (b) is therefore considered to be an efficient method to achieve the objectives of the Plan.</p>	<p>the provisions is the continuation of developments that show little regard to the streetscape, neighbouring sites and the amenity of the Zone. Landscaping, while not preventing this on its own, will help to mitigate the effects of this to a large extent.</p>	
<p>Site density</p> <p>a) Introduce a new provision that limits site density on all sites</p> <p>b) Grade density limits across the sub-zones.</p> <p>c) Do not introduce density limits</p>	<p>Limiting the number of units on a site will help to meet the objectives of the Plan by discouraging large buildings consisting of primarily small units.</p> <p>Widening the gradation in allowable densities across the High Density Residential Sub-Zones will broaden the range of housing choices for residents desiring different neighbourhood densities. The current split, between only low and high-density neighbourhoods, creates too large a gap between the two. Reducing densities in some areas while increasing it in others within the High Density Zone gives residents more choice,</p>	<p>The costs of introducing limits to site density include potential loss of developer profits from less units able to be built on each site. Because the method is relatively prescriptive it may not necessarily result in the most efficient use of land.</p> <p>Because of the potential loss of profits the method may encourage developers to maximise the size of individual units to reach maximum coverage limits in an effort to regain any of loss income. This may also result in an associated cost of a loss of a mix of housing types that cater to all facets of the community.</p> <p>These costs are offset by the benefits of the method. It is clear to everyone; both developer and neighbour, as to how many units can be built on a site. There would be a set limit on the number of units per site, which is likely to result in less adverse effects in terms of vehicle movements and noise.</p>	<p>It is considered that the benefits of this method; such as preserved urban amenities, views and a sense of community that can result from a limit to density outweigh the possible costs to those developers who may have been looking at maximising densities to increase profits.</p> <p>Implementing density provisions would be efficient to achieve the objectives of the Plan.</p>	<p>There is some risk in implementing this method. Restricting densities in the High Density Zone may encourage more development to occur outside the zone. It may also result in large units being built, and therefore may not reduce building bulk as anticipated.</p> <p>The risk of not implementing the method is that future developments continue to get denser to a stage where they detract from the urban amenity through increased traffic movements and noise.</p>	<p>In order for neighbouring properties and purchasers in the Zone to be able to accurately gauge the extent of development, and the likely effect on the area it is important to provide clear planning regulations. This provision would provide certainty.</p> <p>In addition it would meet the objectives and policies of the Plan by decreasing the potential density of the High Density Residential Zone and improving amenity values.</p> <p>Therefore this option is</p>

Methods	Effectiveness in achieving the objectives of the Plan	Costs and Benefits	Efficiency	Risk of acting or not acting	Appropriateness and recommendation
	<p>thereby increasing the potential for a greater number of resident-occupied units close to the town centres. This outcome is consistent with the purpose of the RMA to create sustainable environments and with the District Plan to create a wide range of housing choices.</p> <p>Options (a) and (b) are considered to be effective at achieving the objectives of the Plan with option (b) being the most effective.</p>	<p>The method also has great benefits for infrastructure planning. A set density enables Council to plan accurately for the demand of services such as roading, water supply, wastewater and storm water requirements.</p>			<p>considered appropriate and is recommended.</p>
<p>Fence heights</p> <p>a) Introduce a provision that limits the height of fences in the street setbacks.</p> <p>b) Prohibit fences in the street setbacks.</p>	<p>Limits on fences would contribute to amenity values of the Zone through protecting the openness of the streetscape and increasing the connection and relationship between the public and private realm.</p> <p>Therefore both options would be effective at achieving the objectives of the Plan.</p>	<p>There are a number of costs and benefits to restricting fences in the High density Zone.</p> <p>Fences give individuals maximum control over their private property and personal environment. Fences are sometimes needed to control children and pets, to prevent unwanted trespass, and to provide a sense of private space. The loss of these attributes would be a great cost to the individual landowner.</p> <p>Fences contribute to the destruction of the openness of streetscapes and the sense of connection between people and the built environment. Limits to fencing would reduce many of the above effects.</p> <p>The visual link from public to private space can help create a sense of connection. The visual link also produces an important transition area between the public street and the private interior of a dwelling. Well-designed fences can benefit the community by increasing neighbourhood attractiveness.</p>	<p>Eliminating all fences would impose a high personal cost to residents that would not be offset by any community amenity. This option is considered to be inefficient.</p> <p>Placing a restriction on the height of fencing offers a reasonable compromise between the need for personal enclosure and the need for public connections to the private environment.</p> <p>A restriction on fence height does not economically damage property owners as it neither requires fences nor prohibits them. This option is considered to be efficient.</p>	<p>There would be very low risk, if any, from implementing a limit on fence heights.</p> <p>The risk of not implementing the provision is that high fences are built along street boundaries that detract from the streetscape and amenity and prevent the interaction between people and the built environment.</p>	<p>It is considered that a limit on fence heights in the street setback is appropriate and is recommended.</p>

Methods	Effectiveness in achieving the objectives of the Plan	Costs and Benefits	Efficiency	Risk of acting or not acting	Appropriateness and recommendation
<p>Frankton Road and Frankton Track</p> <p>Introduce new provisions to limit building height on sites below Frankton Road and to limit buildings encroaching onto the Frankton Track.</p> <p>a) Height restrictions along sections of Frankton Road</p> <p>b) Retaining the existing 7-metre height plane rule for properties along Frankton Road</p> <p>c) Limit development to 2 metres above Frankton Track.</p> <p>d) Increase setbacks along Frankton Track.</p> <p>e) Allowing development to sink to the level of Frankton Track.</p>	<p>The existing views and amenity values of the road and track represent a very limited resource. Their protection is considered necessary to maintain the amenity of the main entrance to Queenstown.</p> <p>Options (a), (c) and (d) will be effective at achieving this and the therefore the objectives of the Plan.</p>	<p>The costs of restricting height on sites below Frankton Road would not be all that great. A visual assessment of the area concerned has revealed that few properties will be affected. Of those that are the main cost will be a loss of development rights through a lower height possible. If owners of these sites wish to build through the new limit then they will incur resource consent costs.</p> <p>The benefits of implementing this method will be that the views to the lake and mountains as one drives into town along Frankton Road will be preserved. Failing to stop further encroachments above the roadway will eventually destroy the amenity of the views for everyone.</p> <p>The costs of limiting development to two metres above Frankton Track will also be minimal. There are very few sites along the Frankton Track that would be required to excavate below this level. The cost will be for those owners who wish to excavate below this level to gain increased building height.</p> <p>The benefits of limiting development to two metres above Frankton Track lies in what the provision will prevent. The intrusion of residential living directly alongside the Track destroys the sense of remoteness and privacy now enjoyed by Track users. There is also has a negative reverse sensitivity on the residential units in that passers-by would be able to peer directly into the living spaces.</p> <p>By placing development well above normal eye level the privacy of both Track users and adjacent residential units are mutually preserved.</p> <p>The costs of an increased setback along the Frankton Track may be higher for site owners than the previously described method. A number of sites would find that an increased setback</p>	<p>Options (a) and (c) are considered to be efficient methods to preserve the amenity values of the Frankton Track and the Frankton Road.</p> <p>The implementation of the height limitation rule should only have a minor affect on most properties along Frankton Road and none will be particularly affected by the minimum elevation rule. Most existing buildings do not rise above the roadway and none drop to the level of Frankton Track. Continuing this tradition does not impose a real cost since compliance requires little effort. The public will benefit from the preservation of the remarkable views now presented along Frankton Road and the quiet beauty of Frankton Track.</p>	<p>There will be little risk of implementing these provisions.</p> <p>The risk of not implementing such provisions is that views from Frankton Road and the amenity of the Frankton Track are lost.</p>	<p>Options (a) and (c) are considered to be appropriate methods for achieving the objectives of the Plan and are therefore recommended for implementation.</p>

Methods	Effectiveness in achieving the objectives of the Plan	Costs and Benefits	Efficiency	Risk of acting or not acting	Appropriateness and recommendation
		<p>could impinge on building plans more so than the proposed two-metre level provision.</p> <p>The benefits of this option may be less than that gained for the two-metre level provision. An increased setback may not decrease the effects of development at the track level unless that setback was set at a large distance that would then overly restrict development.</p>			

6.6 SPECIFIC RULES

From the above analysis the following rules are considered necessary in order to effectively achieve the objectives and policies to be implemented as part of this Plan Change:

6.6.1 Controlled Activities

- Replace Rule 7.5.3.2(i) with the following:

i **Garages**

Garages within the minimum setback from road boundaries in the Low Density Residential Zone, in respect of the location, external appearance, height, materials, landscaping, screening and vehicle access.

The alteration of this rule is necessary to allow the implementation of the amended setback distance rules as explained later in this report.

6.6.2 Restricted Discretionary Activities

- Introduce a new rule that requires discretionary (restricted) assessment for Multi-Unit Developments as follows:

Multi-Unit Developments

*The construction of, alteration to, or addition to any building(s) on any site in the High Density Residential Sub-Zones where the result will be, or will exceed, the number of **units** specified in Table 1 shall be a Restricted Discretionary Activity in respect of all of the following:*

- *The location, external appearance and design of the building(s);*
- *The location of the development;*
- *The location, nature and scale of landscaping on site;*
- *Parking and site access; and*
- *The relationship of the building(s) to the street, other public areas and the neighbourhood;*

Table 1

Sub-Zone	Number of units
<i>High Density Residential Sub-Zone A</i>	<i>7</i>
<i>High Density Residential Sub-Zone B</i>	<i>5</i>
<i>High Density Residential Sub-Zone C</i>	<i>3</i>

Purpose and Rationale

Requiring a discretionary activity consent for multi-unit developments allows assessment of the aspects of these types of developments that are considered to degrade amenity values. Developments that fail to meet the objectives and policies of the Plan are discouraged through this level of assessment as consent is able to be declined if the development is inappropriate.

Discretionary review represents the single most effective means for the community to influence proposed development. Discretion, however, extends the time to obtain a consent and raises the cost of that consent. It must therefore be limited to only those projects that, without review, might fail to achieve the objectives and policies of the Plan.

The rule triggers a discretionary review at a lower development size in the lowest density sub-zone and at a higher development size in the highest density sub-zone. In effect this means that a larger development in the lowest density sub-zone would require a discretionary consent while the same development in one of the higher density sub-zones would not. Greater discretion is required in the

lower density sub-zones in order to carefully preserve the neighbourhood amenities so critical to attracting and holding long-term residents.

Past developments have often ignored their impact on their surrounding urban environment and have afforded few, if any, public amenities. The rule is intended to encourage developers to consider urban design principles, and the impact of their buildings on community and neighbourhood amenities. The number of units in a development that would trigger this discretionary review is considered to reflect a reasonable gradation of values across the sub-zones. These levels have been derived from an assessment of the nature of existing development in the different sub-zones. Consideration has been given to the point where it is considered a development appears to have a commercial nature that is inconsistent with the residential character and to the point where the development might fail to achieve the objectives and policies of the Plan.

- Introduce a new rule that requires discretionary (restricted) assessment for buildings over a specified size:

Building Size

The construction of, alteration to, or addition to any building in the High Density Residential Sub-Zones that exceeds the maximum building footprint sizes specified in Table 2 shall be a Restricted Discretionary Activity in respect of all of the following:

- *The location, external appearance and design of building;*
- *The location, nature and scale of landscaping on site; and*
- *The relationship of the building to the street, other public areas and the neighbourhood;*

Table 2:

Sub-Zone	Maximum Building Footprint
<i>High Density Residential Sub-Zone A</i>	<i>500m²</i>
<i>High Density Residential Sub-Zone B</i>	<i>400m²</i>
<i>High Density Residential Sub-Zone C</i>	<i>300m²</i>

Purpose and Rationale

Many new developments appear large and bulky, relative to their surrounding neighbourhood environment. Such massive structures often present an unattractive commercial appearance. Neighbourhoods with such large buildings tend to be less attractive to long-term residents who prefer neighbourhoods with smaller buildings, more suited to a residential scale. Besides their appearance, bulky buildings offer fewer opportunities for visual penetration of the site, thereby reducing the attractiveness of the streetscape to passers-by, both pedestrians and vehicles. The overall attractiveness of the Queenstown and Wanaka built environment represents an important asset to be protected for the enjoyment by future generations of visitors as well as local residents. If our urban residential areas become dominated by large buildings, much of the charm of our towns will be lost and, along with it, those tourists who value such charm.

Limits on the footprint size of buildings offer one method to limit building bulk. Three different building size limits pertain to the three different sub-zones. For comparison a 500m² building fits into a 22.3m square, a 400m² building fits into a 20m square, and a 300m² building into a 17.3m square. These are all substantial buildings, yet smaller than what otherwise might be proposed on sites of a sufficiently large size. A 300m² building two floors in height, for example, could easily accommodate six to eight substantial apartment units while a 500m² building could hold as many as 15 units.

This provision knits in well with the rule relating to Multi-unit Developments. While the Multi-unit Development rule requires resource consent for developments that contain multiple units, this rule triggers an assessment for buildings over a certain size. Both rules are required as there are examples where certain developments may have adverse effects on amenity values yet they would fail to require assessment under just one rule. For example, large buildings may be proposed that only have one unit (a large dwelling) or even no units, if used for a non-residential activity. Therefore the Building Size rule is required to ensure these are assessed for amenity purposes. Alternatively there

are examples where developments may be comprised of several identical but smaller buildings. These may slip under the assessment threshold for large buildings but still have significant effect on amenity values. The Multi-unit Development rule will enable these to be assessed.

In order to build large buildings, developers often amalgamate a series of smaller sites to obtain a site sufficiently large enough to contain a major development. The joining of sites cannot be legally prevented. The limit on building size, however, coupled with the rule requiring internal setbacks, reduces the financial incentive to amalgamate smaller sites since a single large building would be restricted. Smaller sites containing smaller buildings better reflect the traditional character of Queenstown and Wanaka than do the large developments that have occurred in recent years.

6.6.3 Site Standards

- Replace Site Standards 7.5.5.1(iii) and 7.5.5.1(iv) relating to setbacks with the following:

iii Setback from Roads

- (a) *In the Low Density Residential Zone the minimum setback from road boundaries of any building, other than garages, shall be 4.5m.*
- (b) *In the High Density Residential Zone the minimum setback from road boundaries of any building, and/or outdoor storage, shall be 4.5m.*
- (c) *In the High Density Residential Zone, any parking located in the setback shall be screened from view from public roads.*

iv Setback from Internal Boundaries

- (a) *Except as provided for below, the minimum setback from internal boundaries for any building shall be;*

Front Site

One setback of 4.5m and all other setbacks 2m.

Rear Sites

Two setbacks of 4.5m and all remaining setbacks to be 2m.

- (b) *Accessory buildings for residential activities other than those used for the housing of animals may be located within the setback distances from internal boundaries, where the total length of the walls of accessory buildings within the setback does not exceed 7.5m in length and there are no windows or openings, other than for carports, along any walls within 2m of an internal boundary.*
- (c) *Eaves, porches, balconies, bay or box windows, steps chimneys and similar parts of buildings may be located within the minimum building setback as follows:*
 - (i) *Eaves up to 0.6m into the setback; and*
 - (ii) *Balconies and bay or box windows of less than 3m in length may project into the setback by up to 0.6m. Only one such balcony or bay or box window, intrusion is permitted on each setback of each building; and*
 - (iii) *Porches and steps up to 0.6m into a setback; provided they measure no more than 2m parallel to the nearest internal boundary and provided that the floor level of any such porch or the top of any steps shall be no higher than 1m above ground level. Only one such porch or set of steps is permitted on each setback of each building; and*

- (iv) *Chimneys may project into the setback by up to 0.6m provided that the chimney measures no more than 1.2m parallel to the nearest internal boundary. Only one chimney is permitted on each setback of each building; and*
- (v) *No part of any balcony or window, which is located within a setback, shall be higher than 3m above ground level.*
- (d) *In the Low Density Residential Zone no setback is required from an internal boundary where buildings share a common wall on that internal boundary.*
- (e) *Where two or more buildings are located on a single lot within the High Density Residential Zone, the mutual setback requirements will apply as if an internal boundary exists to separate the buildings.*

Purpose and Rationale

Setbacks provide for privacy between neighbouring properties and reduce the amount of intrusion of adjacent buildings into the visual and sun-space amenity of neighbouring properties. Garages and outdoor storage within the road setback have been identified as key contributors to decreased amenity values.

Changes to the existing setback rules as they relate to the High Density Zone provides additional protection to neighbouring properties whose amenity values may otherwise be compromised by developments. Outdoor storage is now excluded from the road setback space, common walls between sites are now excluded and a new rule specifies that when two or more buildings occupy the same site that the setback rules apply to each building as though they occupied separate sites.

Balanced against the possible loss of development potential is the gain from increased privacy, light, air, view shafts, space and sunshine for neighbouring residents, the residents who will occupy the dwellings and the wider public. This is a certain increase in amenity value and weighing the costs against these benefits shows this rule change to raise the efficiency of land use within the District. The gain in resident amenity value translates directly into a more sustainable residential environment, thus supporting the purposes of the RMA and the objectives of the District Plan.

- Introduce a new standard relating to continuous building length:

Continuous Building Length in the High Density Residential Zone

- (a) *No unbroken building length shall exceed 16m. Breaks in building length shall be a minimum of 2m in depth and 4m in width for the full height of the wall and shall include a discontinuous eave line and roofline at the break.*
- (b) *The aggregate length along any true elevation of a building, including breaks, shall not exceed 30m.*

Refer Appendix 4

Purpose and Rationale

The rule restricting continuous building lengths greater than 16 metres seeks to provide visual and aesthetic relief from long, bulky walls that would otherwise detract from the attractiveness of neighbourhoods. Long, unbroken walls generally characterize commercial developments and so are inappropriate in residential zones.

Requiring a break of two metres in the depth of the building line, rather than the half metre currently in the Plan, will better achieve the intent of the rule as will requiring the break to be at least four metres in length. The shallow half metre break has proven too little to reduce the apparent bulk of a long wall. Requiring a deeper break will offer architects an opportunity to create more interesting façades and will enhance the attractiveness of their buildings.

This rule could decrease the efficiency of development by increasing building costs. However, since the building coverage rule requires open space and the landscape rule requires planted areas the size of the break in the building length offers an opportunity to use the resulting space for planting and, coupled with the setback rule, leaves sufficient space plantings in proportion to the building. The rule requires no additional loss of building size. It does provide a gain in building appearance and in amenity value in the form of more light and air to penetrate along the building perimeter.

Gains in appearance and amenity values increase the attractiveness of buildings for long-term residential occupancy, thereby raising the sustainability of the buildings above what might otherwise be proposed. Increased sustainability serves the purpose of the RMA and meets the objectives of the District Plan.

- Replace Site Standard 7.5.5.1(i) with the following:

Building Coverage

In the High Density Residential Sub-Zones, the maximum building coverage for all activities on any site shall be in accordance with Table 3:

Table 3

Sub-Zone	Building Coverage
<i>High Density Residential Sub-Zone A</i>	<i>65%</i>
<i>High Density Residential Sub-Zone B</i>	<i>55%</i>
<i>High Density Residential Sub-Zone C</i>	<i>45%</i>

Purpose and Rationale

The creation of three Sub-Zones within the existing high density residential zone allows for a greater appreciation of topography, neighbourhood character, accessibility and other features that differentiate one area from another. Each Sub-Zone also supports different densities of development. The differential rules for building coverage recognize both the desire for a gradation of density and the capability of a Sub-Zone to absorb a given density.

The coverage maximums vary from highest to lowest density. The highest density increases the allowable building coverage to encourage a more intensive use of the land; the medium density leaves the current rule unchanged; the lowest density reduces building coverage to less than half of the site yet maintains coverage higher than that of the Low Density Residential Zone (40%). These levels reflect the existing character of these areas, and are considered to be levels of coverage that are able to be absorbed in the sub-zones.

Although the rule will reduce the intensity of development on some sites, it will also increase the allowable coverage on other sites in an effort to maintain an overall balance in development potential for the High Density Residential Zone. Increasing allowable coverage in areas close to the urban centres will tend to increase population density within walking distance of commercial concentrations, thus reducing transportation demand. Conversely, lowering allowable coverage in areas more distant from urban centres will decrease the potential number of people requiring transportation into town. Overall, the benefit to the community outweighs the possible loss of development profits on the few outlying sites that may have been planned for higher density developments.

Differential building coverage rules support long-term sustainable land use by encouraging more intense development on suitable central sites while placing reasonable limits on the over-development of more remote urban sites. Shifting the fraction of persons living within a reasonable walking distance of towns promotes personal health while decreasing transportation dependency.

- Introduce a new Site Standard that requires a certain area of sites to be landscaped:

Landscape Coverage

The minimum coverage for landscaped area on any site in the High Density Residential Sub-Zones shall be in accordance with Table 4:

Table 4

Sub-Zone	Landscape Site Coverage
<i>High Density Residential Sub-Zone A</i>	20%
<i>High Density Residential Sub-Zone B</i>	30%
<i>High Density Residential Sub-Zone C</i>	40%

- (i) *The landscaped area shall not be utilised for car parking or vehicle manoeuvring areas.*
- (ii) *At least half of this landscaped area must consist of permeable surfaces and planted.*
- (iii) *The planted area shall include plantings of a nature and scale appropriate to the building.*
- (iv) *The planted area shall be predominantly visible from public spaces and serve to enhance the streetscape.*

Purpose and Rationale

Landscaping forms an important element of the urban streetscape and provides welcome relief from the hard edges of buildings. Many new developments have paid only lip service to the provision of adequate landscaping. The requirement that a percentage of a site be devoted to landscaping, with at least one-half of that percentage being permeable and planted supports the “greening” of our urban residential environment. Excluding car parking from landscaped areas encourages developers to place parking underground or within the building thereby adding to the external amenity of the development. Planting softens the hard surfaces of high density developments, providing a connection between people and the urban environment. This rule complements the site coverage rule described above.

High residential densities without any landscaped areas would lack an important amenity. However, it is recognised that a reasonable balance between landscaping and building is necessary. Therefore a gradation of landscaping requirements is provided across the sub-zones. By establishing landscape coverage requirements compatible with sub-zone residential densities, a balance can be achieved between the competing objectives of enhancing environmental amenities and providing a diversity of housing to meet different residential needs and preferences.

Expanding the landscaped environment adds to the creation of sustainable living environments, in accord with the purpose of the RMA. Landscaping also enhances the amenity value of residential neighbourhoods, therefore contributing to meeting the objectives of the District Plan.

- Insert a new Site Standard that limits the height of fences:

Fence Heights

No visually opaque fence constructed or otherwise erected within the Road Setback shall exceed 1.2m in height above ground level.

Purpose and Rationale

Fences have positive attributes in that they can protect properties from casual trespass by passers-by, provide occupants with privacy, and contain pets and small children from leaving the premises. Fences also have negative attributes in that they can create a physical and emotional barrier between public and private spaces. Such barriers can detract from the pedestrian experience, figuratively pushing people away from fences and toward vehicle traffic. Ideally, fences should provide positive aspects for property owners yet not detract from the amenity value of the streetscape. Any single rule intended to achieve this result will not be entirely satisfactory, as it cannot fit every case. But a single, simple rule does establish a clear standard for everyone.

Limiting the height of opaque, constructed fences along street fronts to 1.2m allows passers-by to see over the fence into the private space without physically intruding into the space. This rule allows hedges and other planting to grow beyond that height if desired or for transparent materials, such as wire or glass to be used above the height limit.

The rule does not economically damage property owners in any major way as it neither requires fences nor prohibits them. Instead, the rule improves the public amenity value of the streetscape for the wider community. The visual link from public to private space can help create a sense of connection among neighbours. The visual link also produces an important transition area between the public street and the private interior of a dwelling. Well-designed fences can benefit the community by increasing neighbourhood attractiveness.

- Introduce a new Site Standard to limit building height on sites below Frankton Road and to limit buildings encroaching onto the Frankton Track.

Height and Elevation Restrictions along Frankton Road and Frankton Track

(a) No building or building element on the south side of Frankton Road (SH6A) shall rise above the roadway centreline.

(i) This Rule applies to those properties from Cecil Road (Paper Road) to, and including, Lot 1 DP 12665 (commonly known as 595 Frankton Road).

(b) No building floor plane to the north side of the Frankton Track shall be constructed less than two metres above the centreline of the Track.

(i) This Rule applies to those properties in the High Density Residential Zone from Cecil Road (Paper Road) to, and including, Lot 12 DP 10787 (commonly known as 723 Frankton Road).

Refer to Appendix 4

Purpose and Rationale

The existing views and amenity values of the road and track represent a very limited resource, which can be easily destroyed by inappropriate developments.

The drive into Queenstown along Frankton Road offers spectacular views over the Frankton Arm and to the mountains beyond. Those views form the first impressions of Queenstown for most arriving visitors and add a great deal to the amenity values of Queenstown. Protection of these views along Frankton Road will help protect Queenstown's image as a premiere tourist destination. The height limitation, set at the Frankton Road centreline, will allow both pedestrians and persons in vehicles to look over the buildings to the views beyond. This height limitation would affect new construction from Cecil Road (approximately opposite the Pounamu site) to the 595 Frankton Road address. Beyond 595 the roadway drops and the height limitation would be impracticable to apply.

A second issue surrounds protecting the amenity value of the Frankton Track, both for residents and for visitors. Buildings placed too close or too low to the track detract from the users' enjoyment by disturbing the tranquillity of the pedestrian experience. Protection of the track from intrusive buildings will preserve the track's amenity values. The requirement that no ground floor level may be constructed less than two metres above the centre line of Frankton Track prevents dwelling units from visually intruding on the track and avoids track users from becoming distracted by views into dwelling units.

6.6.4 Zone Standards

- Introduce a new Zone Standard that limits site density:

Site Density in the High Density Residential Zone

In the High Density Residential Sub-Zones, the maximum density of residential units to the site area shall not exceed that shown in Table 5:

Table 5

Sub-Zone	Minimum net site area per residential unit
<i>High Density Residential Sub-Zone A</i>	<i>100m²</i>
<i>High Density Residential Sub-Zone B</i>	<i>150m²</i>
<i>High Density Residential Sub-Zone C</i>	<i>200m²</i>

Purpose and Rationale

Setting limits on site density, as measured by dividing the number of proposed dwelling units by the net area of the site, offers a means to prevent future developers from overcrowding a site with tiny studio apartments as has occurred recently in Auckland. The rule requires that for each unit on the site, the site must be of a minimum size. For example, a site of 1000m² could support 10 units in Sub-Zone A, six in Sub-Zone B and five in Sub-Zone C. Of course the Multi-Unit Development rule would require an assessment in relation amenity values for these numbers of units depending on their location. By contrast, the Low Density Residential Zone allows two dwellings on a 900m² site, thus requiring a minimum of 450m² per dwelling unit.

A lower residential density would push new housing into the open basin areas and would be counter to the objectives of preserving landscapes and environmental amenities. Raising residential densities would achieve a greater concentration of population close to town centres in keeping with some objectives but will thwart other objectives that strive to preserve urban amenities, views and a sense of community. Finding a balance between too low a density and too high a density is difficult. Therefore gradations in site densities across the sub-zones is intended to produce a greater diversity of housing types and neighbourhood characteristics than would otherwise be obtained if all sub-zones were constructed at the same density.

The rule will prevent densities from increasing to undesirable numbers. In addition the relative certainty in projecting maximum future site densities within the sub-zones will support estimates of future demand for infrastructure, resulting in more accurate forecasts of capital expenditures.

6.7 ASSESSMENT MATTERS

Assessment matters are included to assist the Council in its implementation the District Plan's policies. They also provide information, in addition to the objectives and policies, for people applying for resource consent as to what will be assessed as part of their application.

It is proposed to replace or add as necessary the following assessment matters to the Plan:

When considering a development as it relates to amenity values and urban design, reference may be made to the Urban Design Bibliography, which consists of:

- 1) North Shore City: Good Solutions Guide for Intensive Residential Developments; August 2001.
- 2) City of Auckland: The Residential Design Guide for developments in Residential Zones in Strategic Growth Management Areas; September 2001.
"Design Elements", Part 3, pp 25-76 with particular reference to "Good Design Suggestions" on pp 29,35-36, 42-43, 55, 59, 70, and 76.
- 3) City of Auckland: Appendix 10 - The Residential Design Guide for Developments in Residential Zones in Specified Growth Areas; August 2004.
- 4) Wellington District Plan: Multi Unit Developments Design Guide; 25 June 2004
"Design Elements", Chapter 3, pp 4-19
- 5) Ministry for the Environment: Urban Design Case Studies; March 2005
- 6) Ministry for the Environment: NZ Urban Design Protocol; March 2005
"Key Urban Design Qualities", Chapter 3, pp 18-24
- 7) Ministry for the Environment: People, Places and Spaces: A Design Guide for Urban New Zealand; March 2002.

Multi-unit Developments

When considering applications to exceed the number of units specified for Multi-unit Developments Council shall have regard to the following:

1. When considering the location, external appearance and design of the building(s) the following matters shall be taken into account:
 - (a) The standard of architectural qualities of the development;
 - (b) The development contains an integrated design theme and seeks to create visual character and variety through articulation, materials and colour;
 - (c) Creative use of design is used to create a building(s) so that the perceived bulk of the building(s) is not increased in the sense that space and openness as viewed from public and private places is not diminished;
 - (d) Views to and from public spaces and from neighbouring sites are preserved;
 - (e) The development does not dominate surrounding sites through excessive bulk or result in more than minor shading of neighbouring private and public properties;
 - (f) Repetitive and continuous building forms and large, flat or blank walls are avoided;
 - (g) Roof lines and pitches are varied but harmonious throughout the development
 - (h) The development and building design mitigates reverse sensitivity effects from existing activities in the vicinity; and
 - (j) Crime prevention measures, such as lighting, are an integral part of the development.
2. When considering the location of the development the following matters shall be taken into account:
 - (a) The location of existing or proposed shopping areas;
 - (b) The location of existing or proposed public transport links;
 - (c) The location of existing or proposed reserves and parks;
 - (d) The provision and availability of essential public services;
 - (e) Increased traffic flows of nearby roads;
 - (f) The size of the site is such that it is able to enable the development to relate to nearby properties and enable units to relate well to public streets
 - (g) The proximity to nearby community facilities; and
 - (h) The proximity to nearby road frontage or areas of sufficient size to allow parking for visitors.
3. When considering the location, nature and scale of landscaping on site the following matters shall be taken into account:
 - (a) Existing vegetation on the site is retained, and existing trees and native vegetation are incorporated into the site and landscape design;
 - (b) Additional landscaping is integrated and complementary to existing vegetation;
 - (c) On site landscaping enhances the appearance of the building and the streetscape;
 - (d) Trees and other plantings are in proportion to the size of the building;
 - (e) The incorporation of areas of native bush and any natural water courses into the development;
 - (f) Landscaping mitigates effects of car parking and manoeuvring areas and assists with stormwater management;
4. When considering parking and site access the following matters shall be taken into account:
 - (a) Traffic, parking, manoeuvring areas and access to the site are effectively catered for;
 - (b) Separation of pedestrian and vehicular manoeuvring areas;
 - (c) The layout of the development facilitates the safe movement of pedestrians and vehicles onto and off the road network; and
 - (d) Access to the site is situated so that it minimises impacts of noise and other effects of neighbouring sites;

5. When considering the relationship of the building to the street, other public areas and the neighbourhood the following matters shall be taken into account:
 - (a) The development draws on the surrounding built form and natural environment in its design and appearance;
 - (b) The development is sensitive to the residential character and amenity of the locality;
 - (c) The development integrates well with the immediate locality and contributes positively to the wider street scene;
 - (d) Building elevations are broken up by the use of articulation, the use of landscaping and the use of architectural features;
 - (e) Continuous building forms, including flat facades are avoided;
 - (f) Units are orientated so that they relate to the street; and
 - (g) Car parking and manoeuvring areas does not dominate the appearance of the development as viewed from neighbouring sites and public areas.

Building Size

When considering applications to exceed the Building Size maximums Council shall have regard to the following:

1. When considering the location, external appearance and design of the building the following matters shall be taken into account:
 - (a) The standard of architectural qualities of the development;
 - (b) The building seeks to create visual character and variety through articulation, materials and colour and avoids repetitive building forms;
 - (c) Design is used to create a building so that the perceived bulk of the building is not increased in the sense that space and openness as viewed from public and private places is not diminished;
 - (d) Views to and from public spaces and from neighbouring sites are preserved;
 - (e) The building does not dominate surrounding sites through excessive bulk or result in more than minor shading of neighbouring private and public properties; and
 - (f) Large, flat and blank walls are avoided.
 - (g) The avoidance of the appearance of building bulk through the efficient use of the site, e.g. underground car parking and basements.
2. When considering the location, nature and scale of landscaping on site the following matters shall be taken into account:
 - (a) The retention of existing vegetation on the site, and the incorporation of existing trees and native vegetation into the site and landscape design;
 - (b) Additional landscaping is integrated and complementary to existing vegetation;
 - (c) On site landscaping enhances the appearance of the building and the streetscape; and
 - (d) Trees and other plantings are in proportion to the size of the building;
3. When considering the relationship of the building to the street, other public areas and the neighbourhood the following matters shall be taken into account:
 - (a) The building draws on the surrounding built form and natural environment in its design and appearance;
 - (b) The building is sensitive to the residential character and amenity of the locality;
 - (c) The building integrates well with the immediate locality and contributes positively to the wider street scene;
 - (d) Building elevations should be broken up by the use of articulation, the use of landscaping and the use of architectural features; and
 - (e) The avoidance of continuous building forms, including flat facades.

Setback from Roads

- (a) The provision of adequate space for landscaping in the vicinity of road boundaries, which will mitigate the effects of the building intrusion into the street scene;
- (b) The ability to provide adequate on-site parking and manoeuvring for vehicles;
- (c) The compatibility the proposed building has with the appearance, layout and scale of other buildings and sites in the surrounding area, including the setback of existing buildings in the vicinity from road boundaries;
- (d) The proposed building size, form, proportions, roof line, style and external appearance that is similar to or in keeping with those of existing buildings on the site;
- (e) The adverse effect the building will have on the historic character of Arrowtown;
- (f) The preservation of views to and from public spaces;
- (g) The provision of an equal or greater amount of open space on the site that contributes to the sense of space and openness as viewed from public places;
- (h) Significant (more than minor) public and pedestrian amenity values in terms of building appearance and function resulting from the setback infringement;
- (i) Shadowing on any adjacent property or public road is avoided; and
- (j) Any likely future increases in the usage of the road.

Setback from Neighbours

- (a) Whether due to the proximity of the intruding building:
 - (i) The loss of access to daylight on adjoining sites;
 - (ii) The loss of privacy on adjoining sites;
 - (iii) There is any visual dominance on the outlook from adjoining sites and buildings.
- (b) The provision of adequate space for landscaping around buildings;
- (c) Any difficulty of access to the building or to adjoining rear sites due to the proximity or location of the building;
- (d) The adverse effects of the proximity of buildings housing animals in terms of noise, smell, or vermin on adjoining sites.
- (e) Any adverse effects on adjoining sites of the proximity of buildings housing scheduled community or private recreation facilities in terms of noise, glare or vibration which is inconsistent with the suburban living environment.
- (f) The ability to mitigate any adverse effects of the proposal on adjoining sites.
- (g) Any adverse effects of the proximity or bulk of the building, in terms of the loss of the historic character of Arrowtown.
- (h) Views to and from public spaces are preserved;
- (i) The provision of an equal or greater amount of open space on the site that contributes to the sense of space and openness as viewed from public places;

- (j) Any significant (more than minor) public and pedestrian amenity values in terms of building appearance and function resulting from the setback infringement;
- (k) Shadowing on any adjacent property is avoided.

Continuous Building Length

- (a) The visual dominance caused by the building(s) length detracting from the outlook from the street and adjoining sites, which is out of character with the local area;
- (b) The continuous building length detracting from the pleasantness and openness of the site, as viewed from the street and adjoining site;
- (c) The mitigation of adverse effects of continuous building length through increased separation distances, screening or use of other materials;
- (d) The preservation of views to and from public spaces and from neighbouring sites;
- (e) The use of design to create a building so that the perceived bulk of the building is not increased in the sense that space and openness as viewed from public and private places is not diminished;
- (f) The avoidance of shadowing on adjacent properties and public roads;
- (g) The avoidance of the use of unsightly repetitious elements; and
- (h) The avoidance of facades with a large flat appearance.

Building Coverage in the High Density Residential Zone

- (a) The provision of adequate space for landscaping in addition to the buildings, and the preservation of existing vegetation on the site;
- (b) The compatibility of the proposed buildings with the scale of other buildings in the surrounding area;
- (c) The avoidance of visual domination as a result of building coverage which is out of character with the local environment;
- (d) The provision of adequate on-site vehicle parking and manoeuvring space;
- (e) The maintenance of privacy, sunlight and day light on adjoining properties;
- (f) The provision of adequate outdoor space on the site for all outdoor activities associated with residential and other activities permitted on the site;
- (g) The avoidance of any adverse effects of the increased coverage;
- (h) The preservation of views to and from public spaces and from neighbouring private spaces;
- (i) The use of design to create a building so that the perceived bulk of the building is not increased in the sense that space and openness as viewed from public and private places is not diminished;
- (j) Any significant (more than minor) public amenity values in terms of overall building appearance and function resulting from the increased building coverage;
- (k) The increased building coverage is offset by a significant (more than minor) pedestrian amenity;

- (l) The avoidance of shadowing on any adjacent property or public road; and
- (m) The avoidance of the use of unsightly repetitious elements.

Landscaping Coverage

- (a) The landscaping of the remaining open space on the site in such a manner as to add a significant (more than minor) amenity to the public;
- (b) The resultant landscaping creates a significant pedestrian amenity; and
- (c) The contribution of the land not landscaped has to the amenity of the site and neighbourhood;

Fence Heights

The creation of a significant (more than minor) pedestrian amenity; and

The necessity of the increased fence in terms of private and public safety.

Frankton Road and Track

1. When considering applications to exceed the permitted height of structures along Frankton Road in the High Density Residential Zone Council shall have regard to, but not be limited to, the following:
 - (a) The effect on views from any vehicle travelling along Frankton Road to the lake and mountains;
 - (b) The addition to public and pedestrian amenity from the increased height;
 - (c) Shadowing onto the Frankton Track.
2. When considering applications to seek relief from the floor plane elevation limit of structures along the Frankton Track in the High Density Residential Zone Council shall have regard to, but not be limited by, the following:

The adverse effects has on the amenity of pedestrians along the Track;

The avoidance of landscaping as a mitigation method of views into private spaces;

The addition to public and pedestrian amenity from the lowered floor plane;

The intrusion the resultant development has on the privacy and isolation one experiences in using the Track.

6.8 DEFINITIONS

The following definition is required:

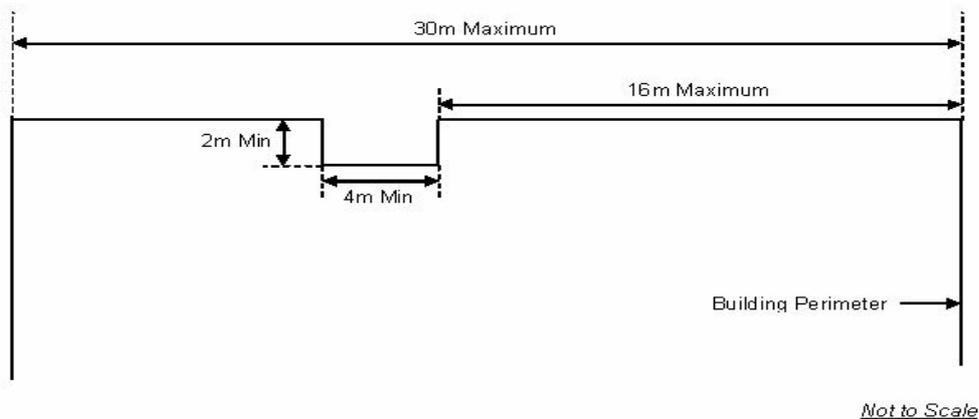
Unit: Means any residential unit, residential flat, or visitor accommodation unit of any type.

6.9 INTERPRETATIVE DIAGRAMS

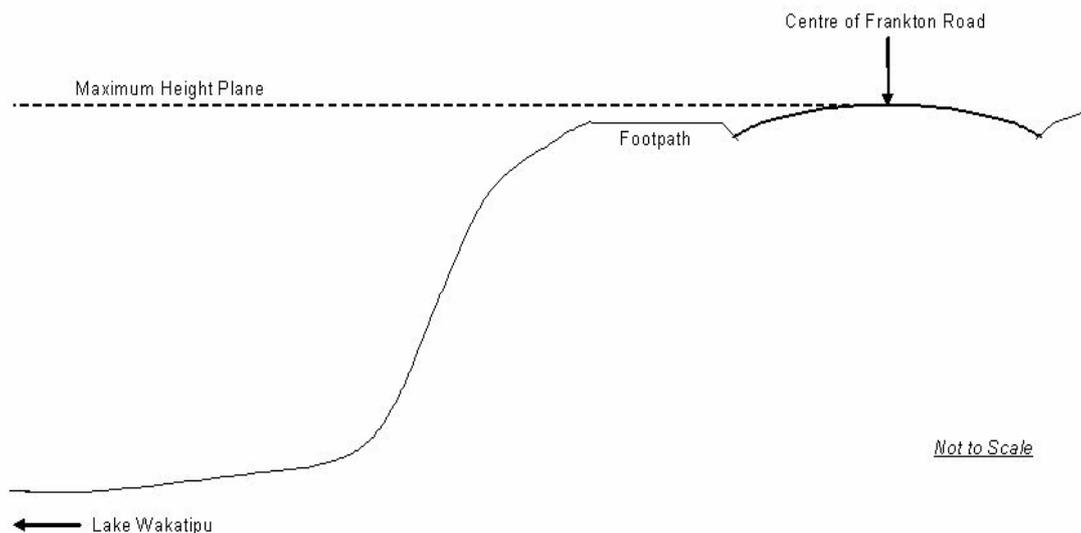
Two of the site standards in Section 6.6.3 above refer the reader to Appendix Four of the Plan. This appendix contains diagrams to assist the Plan user in the interpretation of the rules. It is considered that the standards relating to Continuous Building Length in the High Density Residential Zone and the Height and Elevation Restrictions along Frankton Road and Frankton Track would benefit from interpretative diagrams.

These diagrams are reproduced below:

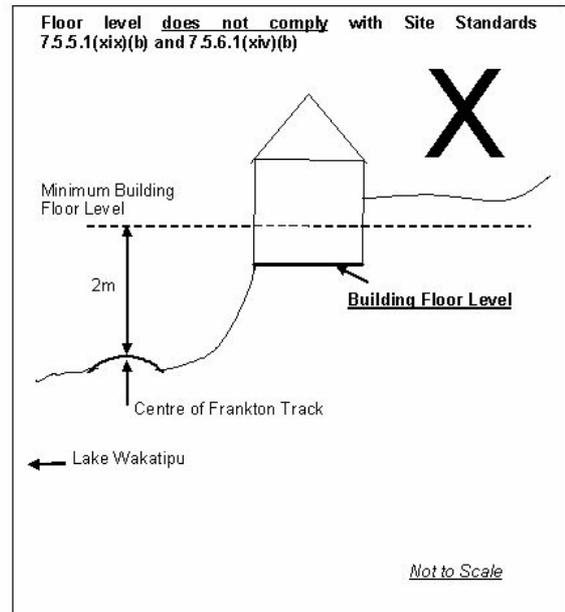
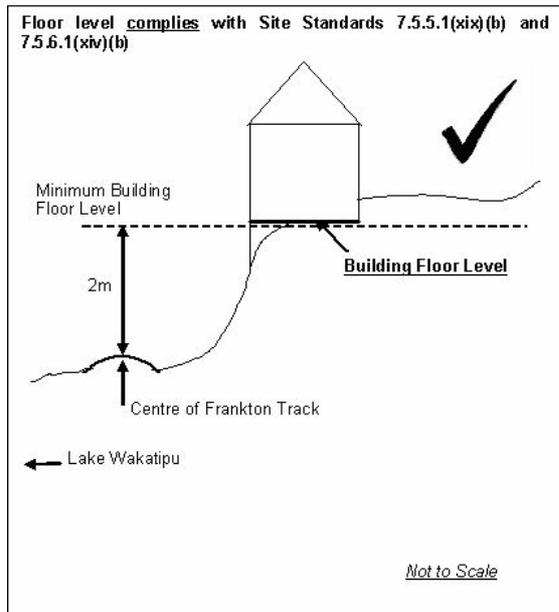
4. Continuous Building Length in the High Density Residential Zone (for illustrative purposes)



9. Height Restriction along Frankton Road (for illustrative purposes)



10. Elevation Restriction along Frankton Track (for illustrative purposes)



7 CONCLUSION

This report has analysed the range of options for improving the amenity of the High Density Residential Zone. In assessing each option, relevant statutory and non-statutory documents have been considered. The effectiveness, efficiency, risk and appropriateness of objectives and the methods including policies have been assessed in accordance with the Act, in addition to the results of consultation undertaken in 2004 and 2005.

As a result of this analysis it has been decided to undertake a Plan Change as outlined in Section 8 of this report.

8 PLAN CHANGE

The following pages show the changes that will be made to the District Plan with underlined text to be added and struck through text to be deleted.

In addition to these changes there will also be changes to various Planning Maps in accordance with the attached maps to show the location of the High Density Residential Sub-Zones. The maps that will be altered are:

Map 20
Map 21
Map 31
Map 31a
Map 32
Map 33
Map 34
Map 35
Map 36
Map 37

The 'Legend for Planning Maps' will also be altered accordingly.

There will also be a new definition incorporated into the plan regarding the term 'Unit' as it relates to Multi-unit Developments. This is below:

UNIT	Means any residential unit, residential flat, or visitor accommodation unit of any type.
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7. Residential Areas

7.1 Issues, Objectives and Policies

7.1.1 Introduction Issues

The District's housing stock represents one of its most important physical resources. People's well being is among other things a reflection of their quality of housing and the environment in which that is set.

Enabling people to provide for their residential needs within the District is one of the Council's functions authorised under the Act. The purpose of the Act is the sustainable management of natural and physical resources, which includes enabling people and communities to provide for their social, economic and cultural well being and for their health and safety. This can only be achieved within a framework which adequately addresses the needs of present and future generations, the life-supporting capacity of air, water, soil and ecosystems, and the adverse environmental effects of activities including the effects on the visual amenity of outstanding landscapes of the District.

Meeting the residential needs of the District's urban population cannot be accommodated within the existing towns, settlements or "rural lifestyle" areas without significantly affecting current residential amenity values ie density levels, protection of views, privacy, or detracting from the significant landscape values and natural features of the District. The Council recognises there is a demand for low-density residential living within rural areas by people wishing to enjoy the quietness and natural environment. However, in deciding how best to meet the residential needs of the District, the Council must have regard to several other matters of relevance under Section 7 of the Act, most importantly:

- the efficient use and development of natural and physical resources;

- the maintenance and enhancement of amenity values. and natural features;
- the maintenance and enhancement of the quality of the environment.

7.1.2 Issues

i **Growth and Availability of Land**

- **The provision for and location of new residential activity**

In considering the provision for and location of land for residential use, the Council must balance the need for and location of residential activity against the need to promote the sustainable management of the District's resources and amenities. These include services, energy efficiency, the life supporting capacity of soils, natural hazards, landscape, rural amenity, and social well being.

- **Natural Hazards**

Parts of the towns and settlements are subject to flooding and other hazards. In other areas, residential expansion in areas at risk from flooding will, in the long-term, increase the amount and value of property vulnerable to flooding damage. The location of new development should minimise that risk.

Refer also Part 4.8

- **Productive Land**

The future welfare of the District is not fully reliant on primary production of these soils but subdivision and development will result in the loss of their productive capacity. Any expansion over versatile soils needs to be balanced against the sustainable management of other natural and physical resources such as energy, infrastructure, services and the effects on important amenities.

Refer also Part 5

- **Servicing**

Servicing infrastructure is a major physical resource and its efficient utilisation is of concern to the District. The costs of providing infrastructure to the community and future land areas is an important factor where the success of resource management can be measured in terms of efficiency. Efficient use of existing infrastructure must also be measured against other fundamental District objectives such as residential forms and protection of the visual amenities.

ii Landscape

- **The relationship of urban areas to the natural landscape**

The District is dominated by a landscape of outstanding quality which provides a sense of place and belonging for all communities as well as the source of economic activity and recreation. The attraction and quality of the residential environments and any extensions to those environments must be closely related to the need to protect and enhance the visual amenity of the District.

Refer also Part 4.2

iii Character and Scale

- **The essential elements that give towns, suburbs and settlements their character, image and attractiveness are being lost due to large-scale development that is unsympathetic to residential character.**

- ~~Enhancement of essential elements which give towns, suburbs or settlements their character, image and attractiveness.~~

The existing identity of any particular town or settlement is reflected in its character and scale. These are matters which influence where people choose to live. Components of character and scale include open space, density of development, building height, dominant styles in built form and topographic influences. There is undoubtedly a difference in character and scale between suburban residential and low density rural living environments. There can also be contrast in the character and scale within or between settlements. Change in the character and scale of residential areas can result from closer subdivision and construction of additional houses at higher densities,

redevelopment and replacement of existing houses, and loss of existing open space, garden and tree plantings, loss of views and diminution in the sense of community cohesion and well being.

Some changes may be necessary to provide for the needs of people wanting smaller properties, new and smaller houses, or houses closer to town centres. Such change needs to be managed to avoid adversely affecting the character and scale of areas most valued by residents. The main residential areas have developed a low density character with general protection for views, sunlight admission and privacy. This character is even more profound in smaller settlement areas where development densities have remained low. Pressure for growth will inevitably bring pressure for infill development within these areas.

iv Residential Amenity

- **Amenity values of living environments are being degraded leading to a loss in people's social well-being.**

- ~~Protection and enhancement of people's social well being resulting from the amenity values of their living environment.~~

People's perception of well being is enhanced by a coherent and pleasant living environment. The main components of this amenity are the location and scale of open space, density of residential development generally and within sites, heights of buildings and dominant building styles. Most of these components lead to a general appreciation of an area, while others relate to the development of individual sites. The way individual sites are developed and their relationship to adjoining sites are important factors in ensuring residential properties have adequate sunlight, daylight and privacy and a feeling of not being closed in or overlooked. In controlling these matters the desirability of allowing reasonable individual flexibility in siting, layout and building design must be acknowledged, including the need to maximise the benefits from good access to solar energy.

Residential areas have always contained a range of complementary non-residential activities relating to the educational, spiritual, social, recreational, and day-to-day economic needs of the residents. Many of these require a residential location because of the service they provide to residents. Some of these activities can have a significant impact in terms of traffic and on-

street parking, noise or glare. It is important to ensure a compatibility between residential and non-residential activities and areas.

Home occupations are an important aspect of non-residential activity which provides residents with a source of employment with many social and economic advantages, but which can cause problems in residential areas. The range of activities and their character and scale vary considerably and it is often the traffic-generating and noise aspects of these activities which is of concern. Limitations on the extent of retailing, the scale of activities in terms of area or floorspace and the involvement of persons not living on the site are commonly adopted to mitigate these adverse effects.

Refer also Part 4.9

7.1.32 District Wide Residential Objectives and Policies

Objective 1 - Availability of Land

Sufficient land to provide for a diverse range of residential opportunities for the District's present and future urban populations, subject to the constraints imposed by the natural and physical environment.

Policies:

- 1.1 *To zone sufficient land to satisfy anticipated residential demand.*
- 1.2 *To enable new residential areas in the District.*
- 1.3 *To promote compact residential development.*
- 1.4 *To enable residential growth in areas which have primary regard to the protection and enhancement of the landscape amenity.*
- 1.5 *To maintain a distinction between the urban and rural areas in order to assist in protecting the quality and character of the surrounding environment and visual amenity.*

Implementation Methods

Objective 1 and associated policies will be implemented through:

(i) District Plan

- (a) To enable a broad range of residential areas.

Explanation and Principal Reasons for Adoption

The population of the District is growing and the Council recognises and accepts the need to provide for growth.

While the residential areas of the District comprise only a small percentage of the total land area there are, in the context of the natural and physical resources, constraints on further expansion and severe limitations on the amount of land available and suitable for development. The major concern for the Council in accommodating future residential growth is the impact on natural and physical resources and on the landscape amenity.

The Council seeks to achieve urban consolidation. As such the objectives and policies do impact on the form of development to the extent the effects on specific resources and amenities (eg landscape amenities) are anticipated and managed.

Refer also Part 6

Objective 2 - Residential Form

A compact residential form readily distinguished from the rural environment which promotes the efficient use of existing services and infrastructure.

Policies:

- 2.1 *To contain the outward spread of residential areas and to limit peripheral residential or urban expansion.*
- 2.2 *To limit the geographical spread and extent of rural living and township areas. Where expansion occurs, it should be managed having regard to the important District-wide objectives.*

2.3 To provide for rural living activity in identified localities.

2.4 In new residential areas encourage and provide for development forms which provide for increased residential density and careful use of the topography.

Implementation Methods

Objective 2 and associated policies will be implemented through:

(i) District Plan:

- (a) The identification of a pattern of land uses in support of a strategy of urban consolidation.
- (b) Zoning provisions for a range of living environments.
- (c) Zoning areas for rural living activities.
- (d) Associated rules for subdivision (lot size) and transport.

Explanation and Principal Reasons for Adoption

The spatial pattern of a settlement and the way in which it uses its resources determines the character and scale of the urban environment. This is a key factor influencing the magnitude of energy consumption and the efficient use of existing resources, including land and infrastructure. The policies are aimed at a compact urban form, with residential activity related to central commercial areas and readily accessible by all modes of transport.

The Council believes this policy will be most effective in protecting the significant landscape amenities of the District, reducing the use of private motor vehicles and have a beneficial effect in terms of the efficient use of existing resources and infrastructure, while catering for the residential needs of the District's population.

In the new residential areas, Council wishes to promote new and imaginative residential developments which have regard to the surrounding

landscape amenity as well as for energy efficiency, convenience and social well being.

Refer also Parts 4, 10 and 11

Objective 3 - Residential Amenity.

Pleasant living environments within which adverse effects are minimised while still providing the opportunity for individual and community needs.

Policies:

- 3.1 To protect and enhance the cohesion of residential activity and the sense of community and well being obtained from residential neighbours.
- 3.2 To provide for and generally maintain the dominant low density development within the existing Queenstown, Wanaka and Arrowtown residential zones, small townships and Rural Living areas.
- 3.3 To ensure the external appearance of buildings reflects the significant landscape values and enhance a coherent urban character and form as it relates to the landscape.
- 3.4 To ensure hours of operation of non-residential activity do not compromise residential amenity values, social well being, residential cohesion and privacy.
- 3.5 To ensure a balance between building activity and open space on sites to provide for outdoor living and planting.
- 3.6 To ensure residential developments are not unduly shaded by structures on surrounding properties.
- 3.7 To ensure noise emissions associated with non-residential activities are within limits adequate to maintain amenity values.
- 3.8 To encourage on-site parking in association with development in residential areas to ensure the amenity of neighbours and the functioning of streets is maintained.

3.9 To provide for and encourage new and imaginative residential development forms within the major new residential areas.

3.10 To require acoustic insulation of buildings located within the airport Outer Control Boundary, that contain critical listening environments.

Implementation Methods

Objective 3 and associated policies will be implemented through a number of methods including:

(i) District Plan:

- (a) Rules relating to building height, sunlight and outlook for neighbours, street scene, separation from neighbours and outdoor living space.
- (b) Rules for heritage and amenities, relocated buildings, protected historic buildings, places and objects and protected trees.
- (c) Rules for health and safety, eg for noise and glare.
- (d) Rules for subdivision, natural and other hazards, supply of services (water, energy, telecommunications and disposal of wastes), provision of land for open space and recreation and rules for building location.
- (e) Rules for transport, parking, access and manoeuvring.

(ii) Other Methods:

- (a) Implementation of the powers prescribed in Part XII of the Resource Management Act relating to enforcement orders, abatement notices and excessive noise.
- (b) Provision of works and services, roading, road linkages and traffic management programmes, and maintenance and development of public open space.

The purpose of policies is to achieve the consolidation of residential activity and protection of residential amenity values. Although non-residential activities are an integral part of the residential environment they have the potential to create adverse effects relating to noise, visual detracting, traffic and loss of residential neighbours. A high standard of amenity is sought for residential areas which are sensitive to adverse effects. Although it may not be possible or desirable to prohibit all non-residential activities from residential neighbourhoods, it is necessary to ensure the establishment of such activities does not adversely affect people's social well being. The effect on community cohesion, and hence well being, arises from the removal of permanent residents as much as from the visual disruption and loss of amenity caused by establishment of these activities.

The relationship between open spaces and built form is one of the main determinants of the character of an area. The policies reflect the importance of open space in providing opportunity for outdoor living and amenity.

Access to sunlight is an important factor in residential amenity and the policies are directed at ensuring that, with the exception of major topographical features, buildings are not unduly shaded by neighbouring buildings in a manner which diminishes the amenity of a site or a neighbourhood.

The residential areas are sensitive noise environments and this is a major factor which must be taken into account when considering the impact of other activities. Noise in a residential area is likely to result from non-residential activities and as such the plan includes provisions setting noise standards for non-residential activities in the residential zones. Noise from normal residential living, including animals and social events will be controlled through the excessive noise provisions of the Act.

The District contains landscapes of national significance and urban development can have a significant effect on the enhancement and protection of that amenity. The Council ~~does not~~ proposes to influence building design in the ~~established~~ residential areas by the implementation of the policies and rules contained in this Plan. This will enhance the character and coherence of the residential built environment as it relates to the visual amenity of the natural landscape.

Traffic is an integral part of all residential environments, but also has the potential to affect the amenity of residential streets. The Plan seeks to ensure adequate

Explanation and Principal Reasons for Adoption

provision for off-street parking in a manner which protects the amenity of local streets.

Within the major new areas of residential zoning the Council strongly encourages a more imaginative approach to subdivision and development. The Council believes the quality of the District's residential environments would be significantly enhanced by design solutions that moved away from traditional subdivision solutions. In this respect the Council will be looking to encourage a range of residential densities, variations in roading patterns, imaginative use of reserves, open space and pedestrian and roading linkages, attention to visual outlook and solar aspect, and extensive use of planting.

Objective 4 - Non-Residential Activities

Non-Residential Activities which meet community needs and do not undermine residential amenity located within residential areas.

Policies:

- 4.1 *To enable non-residential activities in residential areas, subject to compatibility with residential amenity.*
- 4.2 *To enable specific activities to be acknowledged in the rules so as to allow their continued operation and economic well being while protecting the surrounding residential environment.*

Implementation Methods

Objective 4 and associated policies will be implemented through a number of methods including:

(i) District Plan

- (a) The identification of the living environment and associated rules, site density, building height, sunlight, street scene and landscaping.
- (b) The opportunity for a range of non-residential activities to be located in residential zones as permitted activities, subject to

rules to protect residential amenity. These rules include matters relating to scale of activities, residential coherence, hours of operation, site size and traffic generation.

(ii) Other Methods

- (a) Provision and operation of community facilities.

Explanation and Principal Reasons for Adoption

Non-Residential Activities are an integral part of the residential environment in that they provide a service to local residents or enable people to work at home. However, non-residential activities do have the potential to detract from residential amenity by way of noise, traffic and scale of operation.

The Plan acknowledges the practical requirement of visitor accommodation and the historical development of that activity within the residential areas, particularly close to the main town centres and fronting main roads. It is also a recognition of the importance of the activity to the economic and social well being of the District. All the major operations are protected by zoning or scheduling.

A number of non-residential activities have developed in residential areas and currently provides either a service to the area or are not incompatible with residential amenity. These activities have been acknowledged to provide security of the activity and protection for residential amenity.

It is recognised non-residential activities have the potential to create adverse effects in respect of matters such as noise and hours of operation. A high standard of amenity will be sought for non-residential activities in residential areas.

7.1.4 High Density Residential Zones – District Wide

7.1.4.1 Issue

Development Pressure

Developments in the High Density Residential Zone are having a significant negative impact on the character and amenity of our neighbourhoods. Loss of

the character and amenity values threatens the sustainable well being of our neighbourhoods and community

7.1.4.2 Objectives and Policies

Objective 1 – Amenity Values

Sustainable residential communities and neighbourhoods that have high quality amenity values.

Policies-

1. To ensure development enhances the character and amenity values in the zone, by:
 - Improving the aesthetic appeal of the built environment.
 - Ensuring buildings integrate well with the neighbouring locality and provide visual connections with the surrounding built and natural environment.
 - Providing attractive pedestrian access ways and linkages and protecting those that currently exist.
 - Ensuring the maintenance of road setbacks that are free of structures.
 - Ensuring development is of a high architectural quality that ensures the use of articulation within the building form and avoids repetitive and continuous building forms or facades.
 - Ensuring that open space is maintained between buildings on sites, and between neighbouring sites.
 - Encouraging the provision of underground car parking.
2. To avoid visually dominant buildings that overshadow public places, block views and degrade the built environment.
3. To enhance the attractiveness of the zone, including the streetscape, by:
 - Ensuring landscaped areas are dominated by greenery and mature trees in scale and proportion to the size of the building.

- To require the retention of existing vegetation, especially established trees and native vegetation.
- Ensuring the effects of developments are internalised to the site and do not detract from the amenities of neighbouring sites and roads.

4. To encourage a mix of housing types and sizes.

Objective 2 – Multi-Unit Developments

Multi-unit developments that are designed to a high standard, integrate well with their neighbourhood and streetscape, are located where they are supported by physical and social infrastructure, and any adverse effects on amenity values are avoided where possible.

Policies-

1. To ensure multi-unit developments are located within easy walking distance and promote safe pedestrian access, to all of the following:
 - Existing or proposed shops offering a range of convenience goods and services.
 - An existing or programmed public transport service.
 - A substantial public reserve (or reserves) that provide a range of recreational opportunities.
2. To ensure that multi-unit developments are located in areas served by all of the following:
 - Roads capable of handling increased traffic.
 - Road frontage or nearby kerb-side areas having adequate visitor parking spaces.
 - Community facilities.
 - Essential public services such as water supply, wastewater and stormwater management, and refuse collection.
3. To ensure multi-unit developments are designed to achieve all of the following:
 - Effectively incorporate existing significant vegetation and landforms.

- Effectively cater for traffic, parking and servicing.
- Mitigate any reverse sensitivity effects arising from the proximity of non-residential activities in the vicinity.
- Incorporate suitable crime prevention through environmental design techniques in their layout and methods of access.

4. To ensure multi-unit developments are located on sites that:

- Enable units to face or relate well to public streets.
- Relate to nearby properties and public areas in ways that facilitate the integration of the development into the neighbourhood.

Implementation Methods-

(i) District Plan

(a) By the use of Sub-Zones to identify land having similar character, amenity and environmental values, within which appropriate development opportunities can be approved.

(b) District Plan Rules

(ii) Other methods

(a) Bylaws

(b) Urban Design Panels

(c) Urban design guidelines

7.2 Queenstown Residential Areas Sunshine Bay-Fernhill, Queenstown Bay, Frankton Road, Frankton and Kelvin Peninsula

7.2.1 Resources, Activities and Values

Queenstown comprises Sunshine Bay-Fernhill, Queenstown Bay, Frankton Road, Frankton and Kelvin Peninsula. These areas contain almost half the District's population and the greater portion of its housing. The residential areas of Queenstown are characterised by lower density development which allows outstanding views of Lake Wakatipu and the mountains. Access to these views is a result of the natural topography and the development standards that have been applied. The greater part of the residential area is suburban in scale and density and the policies in the Plan reinforce that position. Only part of the residential area contains higher density development.

High Density Residential Areas

Until recently these areas were characterised by a high density of single unit dwellings, interspersed with two or three level multi-unit developments predominantly serving the visitor accommodation market. Lot sizes were historically based on the early tent settlements and underlying subdivision patterns reflect this with small lot sizes.

Redevelopments in the High Density Residential Zone are having a significant impact on the character, scale and density of the environment. Increasingly multi unit developments are starting to dominate with maximum density being achieved by combining lots, major earthworks and the creation of large bulky buildings on more than four levels. This is destroying the charm, feel and look of the Zone. Although the Zone is capable of absorbing some development of this size, it is not appropriate for every lot. It is essential that any large scale development is combined with increased and enhanced amenity provisions for the neighbourhood.

7.2.2 Issues

The District wide residential issues impact on, and are relevant to, residential activity and amenity in Queenstown. In addition, a number of local issues exist:

- Protection of the predominantly low density residential environment.
- Provision for visitor accommodation.

- Enhancement of views where practicable.
- Relationship of development and enhancement of access to the lakeshore.
- Minimising the adverse impact and extent of non-residential activities in the residential areas.
- The loss of amenity values as experienced from public spaces and neighbouring properties as a result of large scale developments.
- The potential loss of public access to the lakeshore resulting from development adjacent to the lake
- The potential adverse effects that non-residential activities may have on residential activities through increased traffic and noise and decreased visual amenity.
- Opportunities for increasing residential activity.
- Opportunities for improved sunlight admission.
- Minimise the impact of the State Highway and the airport on adjoining and surrounding residential areas.
- Access to Frankton Road for new development.
- The need to acknowledge that settlement is a part of the landscape.
- Protection of airport operations from noise sensitive activities within the Outer Control Boundary.

7.2.3 Objectives and Policies - Queenstown Residential Areas

Objectives -

Residential development and associated activities at a scale, density and character consistent with the existing density, which that enhances the essential elements of the surrounding landscape, lakeshore and the visual outlook from residential buildings.

Provision for new consolidated residential areas at identified locations.

Objectives-

Higher density residential development around the periphery of the town centre of Queenstown and in new areas of residential development outside the main existing residential areas.

Policies:

- 1 To ~~enhance~~ protect the character and amenity of the residential environments by limiting the peripheral expansion of the residential areas and promoting consolidation of the residential community with the retention of easy access to the rural area and lakeshore.
- 2 To resist any peripheral extension of zoned residential areas which would undermine clear distinctions between the residential and rural areas and result in dispersed and uncoordinated residential growth patterns.
- 3 To ~~maintain~~ enhance the general character of established residential environments in terms of density, height, access to sunlight, privacy and views.
- 4 To provide for higher density residential activity around the town centre and in new areas of residential development.
- 5 To encourage additional consolidated residential activity in the District.
- 6 To provide for a residential environment which allows a range of housing types, including care for the elderly and dependent relatives.
- 7 To provide for non-residential activities in residential areas providing they meet residential amenity standards and do not disrupt residential cohesion.

8 To ensure the scale and extent of any new Visitor Accommodation in the residential areas does not compromise residential amenity values.

Implementation Methods

The objectives and associated policies will be implemented through:

(i) District Plan

- (a) To enable a broad range of residential areas.

Explanation and Principal Reasons for Adoption

The policies reinforce the District wide objectives for residential activity of consolidation and enhancement of residential amenity values. In addition, the policies seek to maintain the general character of the majority of the existing residential environment which will provide a degree of certainty and security for residents by limiting changes to the scale, density and type of activity in the residential areas. This policy recognises the importance of the living environment to the social well being of the District's residents.

The Council has made provision for a increase in residential zoning in the Queenstown-Wakatipu Basin. The areas identified have been chosen because they are well situated to ensure growth takes place in a manner and location which enhances the District's natural and physical resources and amenity values.

Refer 7.5.4

7.2.4 Environmental Results Anticipated

Implementation of the policies and methods for management relating to the established residential areas will result in:

- (i) Maintenance of the general character and scale of existing residential areas with sites being dominated by open space rather than buildings, providing the opportunity for tree and garden planting around buildings.

- (ii) Existing residential activity characterised by low building coverage and building height, but with opportunity for variety in building design and style.
- (iii) Maintenance of a residential environment which is pleasant with a high level of on-site amenity in terms of good access to sunlight, daylight and privacy.
- (iv) Maintenance of the opportunities for views consistent with the erection of low density, low height buildings.
- (v) The exclusion or mitigation of activities which cause adverse environmental effects, such as excessive noise, glare, odour, visual distraction, traffic and on-street parking congestion, traffic safety and other hazards.
- (vi) Residential coherence except in circumstances of established non-residential uses or where a local need prevails for non-residential activities ancillary to the surrounding residential environment.
- (vii) Maintenance of water quality and availability for residential and other activities.
- (viii) New residential areas providing for higher density living environments with good integration of open space, aspect, circulation and regard for energy efficiency and convenience to facilities.
- (ix) Protection of the major visitor accommodation activities consistent with their significant value to the social and economic well being of the community.
- (x) Maintain and enhance the amenity of the High Density Residential Zone.
- (xi) Redevelopment in the High Density Residential Zone providing for enhanced neighbourhood amenity.

7.3 Wanaka Residential Areas

7.3.1 Resources, Activities and Values

Wanaka is the second largest residential area in the District. The town provides an attractive environment for both permanent and holiday residents generally maintaining a low density residential environment. There is some high density development provided for. There is little intrusion of non-residential activity in the main residential areas and residential development has generally occurred at a low density reflecting the preferred lifestyle of the residents and holiday home owners. The purpose of the policies in the Plan is to enhance that position.

High Density Residential Areas

These areas are characterised by single unit dwellings with well maintained, established gardens. New multi-unit developments are starting to change and dominate the character of the High Density Residential Zone and for new developments maximum density is being achieved by major earthworks and the creation of large bulky buildings on more than two levels. Although the Zone can absorb some larger buildings, this should only occur if the essential character, scale and residential nature of the area is maintained

7.3.2 Issues

The District wide residential issues impact on and are relevant to residential activity and amenity in Wanaka residential areas. In addition, a number of local issues exist:

- protection of the surrounding rural landscape from inappropriate development.
- the need for rural living opportunities in close proximity of or abutting the town.
- retention of low density residential development.
- noise control.
- ~~protection of the lakeshore from inappropriate development.~~
- opportunities for peripheral expansion.
- ~~minimising the impact of shading of neighbouring sites and loss of vistas from inappropriate tree planting.~~
- The potential adverse effects that inappropriate development can have on the lakeshore.

- Tree planting can lead to the shading of neighbouring sites.

7.3.3 Objectives and Policies - Wanaka Residential Area

Objectives:

Residential development which retains the current level of low density activity and is sympathetic to the surrounding visual amenities of the rural areas and lakeshores.

Low density rural living development in identified locations in close proximity to Wanaka.

Retention of the general character of the residential environments in terms of density, building height, access to sunlight, privacy and views.

Policies:

- 1 *To provide for some peripheral expansion of the existing residential areas of the towns in a manner which retains the consolidated form of the towns.*
- 2 *To provide for rural living opportunities as part of the Wanaka environs.*
- 3 *To provide limited opportunity for higher density residential development close to the Wanaka town centre.*
- 4 *To ensure non-residential activities in residential areas meet residential amenity standards and do not disrupt residential cohesion and social well being.*
- 5 *Avoid the planting and locating of inappropriate tree species so as to reduce the impact of excessive shading and loss of vistas*

Implementation Methods

The objectives and associated policies will be implemented through:

- (i) **District Plan**

- (a) To enable a broad range of residential areas.

Explanation and Principal Reasons for Adoption

The Wanaka residential area contains a different character to Queenstown both as a result of different development pressures and community aspirations. The objectives and policies are directed at promoting and protecting the current general form and density of development and to enhance the residential areas by way of greater care for the relationship of the residential areas to the surrounding rural and lakeshore environments. In all respects the policies seek to promote consolidation of the residential areas with some provision for peripheral expansion as well as areas of rural residential development. This will provide for a range of lifestyles while avoiding any adverse effects on the important surrounding visual amenity of the topography, lakes and rivers.

The growth opportunities identified at Wanaka are provided for in a form and location that will consolidate the urban area of town and accommodate anticipated residential growth.

7.3.4 Environmental Results Anticipated

Refer Clause 7.2.4.

7.4 Arrowtown Residential Areas

7.4.1 Resources, Activities and Values

Arrowtown is an important residential area in the District. Over the last decade and principally through the operation of specific planning controls, the historic character of the central part of the residential area has been retained and enhanced.

The residential area of Arrowtown falls into two distinct areas:

- the historic inner area of the town;
- the surrounding residential development.

The balance of surrounding residential area forms part of the District's low density residential resource and does not contain the heritage or character elements that make up the central residential area.

The central area covers that part of the residential area of Arrowtown which has a distinctive character and atmosphere which has evolved from the pattern set at the time of early gold mining in the District. This the character and atmosphere depends upon the relationship developed between generally large sites established at the time of original subdivision, the small individual residential buildings erected during the development of the town and the wide road reserves with narrow sealed carriageways. This relationship has created a situation in which wide grass verges with surface drainage and mature street trees combine with the variety of mature trees and shrubs on the private land to produce the amenity values that have become associated with Arrowtown.

Buildings in the historic area are of such importance to its character that specific controls are necessary to protect the present development and to encourage future development to reflect the historic, aesthetic and amenity characteristics and values of the existing development. In most parts of this area, these buildings combine with the avenues of street trees and proximity to the historic town centre to provide a significant physical and natural resource of considerable interest and value to residents and visitors.

7.4.2 Issue

Loss of the essential character of the Arrowtown historic residential area through inappropriate development.

The essential character of Arrowtown is important because it provides a unique natural and physical resource for its residents. It is a source of identity for the town and a physical resource which can be sustainably managed as an attraction to visitors who contribute to the general welfare of the community.

The essential character is contributed to by a roading and subdivision pattern set out at the time of the establishment of the town. The essential character is determined by lot size, scale of buildings in relation to lot size and streetscape, a building resource containing structures of historic importance and a streetscape

with a remarkably consistent pattern throughout the area originally laid out for the town.

Inappropriate development would generally detract from and undermine this character and the amenity values of Arrowtown.

7.4.3 Objectives and Policies - Residential Arrowtown Historic Management Zone

Objectives:

Development undertaken in the historic residential area to retain or enhance the present character and avoid any adverse effects on the amenity values of the area.

Residential development characterised by low density and low height.

Consolidation of the residential area of the town.

Policies:

- 1 *To establish a Residential Historic Management Zone around the historic town centre of Arrowtown in which particular controls are applied to conserve the residential heritage and building character.*
- 2 *To control the subdivision of land in such a way that the character resulting from the existing large lot sizes in the residential area is retained.*
- 3 *To control the form and location of buildings in such a way that the character resulting from the existing scale of development is retained or enhanced.*
- 4 *To identify and protect buildings or groups of buildings of particular architectural, historic or cultural value.*

Refer also Part 13

5 *To protect and retain the historic roading patterns in such a way that they will continue to serve the changing needs of the community.*

6 *To identify and protect those elements contributing to the character of the streetscape.*

Refer also Part 13

7 *To control the external appearance of buildings in such a way that the buildings do not detract from the character of the Residential Historic Management Zone.*

8 *To limit the expansion of the residential area outside of the identified zone boundaries.*

Implementation Methods

The Objectives and associated Policies will be implemented through a number of methods including:

(i) District Plan

(a) District Plan rules to ensure:

- lot sizes sufficient to provide for low site coverage;
- using existing buildings to determine street setbacks;
- limiting multi-unit development;
- reduced site coverage;
- strict control on building heights;
- identification and protection of groups of buildings;
- protection of the historic roading pattern and street trees;
- new buildings constructed in a manner sympathetic in scale, materials and finishes to their surroundings and all existing

buildings managed or altered in a manner similar in material and finishes to its original style.

(ii) Other Methods

- (a) Preparation of an information guide to explain the importance of features covered by the protection list.
- (b) Ongoing maintenance and reconditioning of the sumps and channels associated with the open swale stormwater drainage system.

Explanation and Principal Reasons for Adoption

Arrowtown provides a unique built heritage resource with outstanding visual amenities. The policies are directed at protecting, enhancing and sustaining that resource and those amenity values. The special amenity of Arrowtown creates a distinctive precinct which contributes to the sense of identity and historical continuity of the locality and the District. It contributes a significant number of heritage features which provide a coherence, diversity and historic value that is worthy of protection and enhancement.

Site coverage is an important factor in establishing the character of the area as a whole. With existing site coverage for the main buildings averaging 17% within a range from 7% to 31%, the site for an average building of 100m² should be in the order of 600m², with an overall coverage including accessory buildings and sealed surfaces of 30%.

Multi-unit dwellings are not characteristic of the area and any attempt to provide for multi-unit dwellings, in a way which increases density of development without subdivision, will undermine the character of the area by creating de facto subdivisions by way of unit or cross lease title.

For existing lots with existing buildings, the main structure, not accessory buildings, will provide the dimension of the front yard. This will have the beneficial effect of allowing the existing relationship between the buildings and the street frontage to be the norm and thus retain the character created by that relationship. A standard front yard requirement would result in that yard eventually becoming the pattern, which would completely

destroy the character associated with the area. The range within the front yard average of 9m is from 2.5m to 18.25m determined through detailed analysis of the existing sites. An examination of corner sites indicates that the typical setback used in past development applied to one street frontage only. Sufficient variation will result by applying front yard requirements to one frontage only. As a result, development will continue to provide the same type of random setback which is characteristic of the present development.

The height of buildings will be controlled to achieve a scale that conforms to the general character established by the historic development of the town. In the historic area the character is determined by the predominance of single storey buildings with a few buildings, both old and relatively new, of two storeys. Allowing for steeply pitched roofs buildings should be restricted to a maximum of two effective storeys.

The preparation of an information guide suitable to explain the importance of features covered by the protection list for the maintenance and conservation of these unique and special features. This is an important aspect of any conservation plan which is in part dependent upon the goodwill of the owners. Some of the rules which apply to development in this area are intended to make the conservation and continued use of these buildings and sites easier for the owner. It is important that correct advice and assistance be given to the owners in exchange for the restriction the community has suggested.

An essential element of the character of the area is provided by the streets. It is important for visitors that these present a clear and easily read pattern. Much of this can be provided by clear signage and design. The major streets should also be distinguished from local roads and appropriate works programmes implemented to achieve this objective.

Provision for the conservation and maintenance of street trees by a qualified arborist shall be made, with a commitment to replacement planting and new planting in character with existing street planting within the town.

Both of the above matters will provide an assurance to the community that the special constraints on development in the Arrowtown Historic Management Areas (residential and town centre) will be matched by a commitment of the Council to retain and maintain the street pattern essential to the special character of the area.

The development and redevelopment of buildings must be treated with care. Superficial imitation of genuine historic features can lead to confusion between old and the new, with little advantage to either. It is important that the general character of the area be protected by all buildings being maintained or altered in a way sympathetic to their original construction and materials. This is especially important with listed buildings which should be subject to special protection and assistance in the form of guidance and advice. It is more important that new buildings reflect the scale and character of the Arrowtown Historic Management Area, rather than imitate a particular age and style of building.

7.4.4 Environmental Results Anticipated

Implementation of the policies and methods for management relating to the Arrowtown historic residential area will result in:

- (i) The conservation of an historical resource which is of special amenity value for the District and the country.
- (ii) A reasonable standard of privacy and amenity for residents of the zone.
- (iii) New development and redevelopment which enhances the character of the zone.
- (iv) Retention and enhancement of the characteristics of openness, small scale and low density.
- (v) Retention of the visual amenity of the area within the zone, particularly the relationship in terms of scale and location between buildings and vegetation.
- (vi) Retention of the historic roading pattern and in particular characteristics which contribute to the streetscape.
- (vii) The exclusion of activities which do not contribute to or promote the historic residential character of the zone.

7.5 Low Density and High Density Residential Zone Rules

7.5.1 Zone Purposes

7.5.1.1 Low Density Residential Zone

The purpose of the zone is to provide for low density permanent living accommodation, maintaining a dominance of open space and low building coverage. The zone seeks to maintain and enhance the low density residential areas with ample open space, low rise development and minimal adverse effects experienced by residents. Special amenity provisions remain in respect of the form, style and appearance of development on the terrace face along McDonnell Road at Arrowtown, being the Arrowtown Scenic Protection Area identified as part of the Zone.

Other activities are permitted in the zone provided they meet environmental standards which keep the activities compatible with residential activity and amenity. A number of established activities, mainly visitor accommodation facilities, have been scheduled to ensure full protection of these activities acknowledging their contribution to the local economy.

7.5.1.2 High Density Residential Zone

The purpose of the zone is to make provision for the continuation and establishment of higher density residential activity in recognition of these areas proximity to the town centres, entertainment, shopping facilities and the transport routes which provide a link to attractions elsewhere in the District.

Visitor accommodation has been acknowledged in the zone to protect those activities and the important contribution they make to the economic and social well being of the community.

Other non-residential activities, compatible with high density residential activities are permitted in the zone provided they meet the site and zone standards and have primary regard for residential amenity.

7.5.2 District Rules

Attention is drawn to the following District Wide Rules which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- (i) Heritage Protection - Refer Part 13
- (ii) Transport - Refer Part 14
- (iii) Subdivision, Development and Financial Contributions - Refer Part 15
- (iv) Hazardous Substances - Refer Part 16
- (v) Utilities - Refer Part 17
- (vi) Signs - Refer Part 18
- (vii) Relocated Buildings and Temporary Activities - Refer Part 19

7.5.3 Activities

7.5.3.1 Permitted Activities

Any Activity which complies with all the relevant **Site** and **Zone** Standards and is not listed as a **Controlled, Discretionary, Non-Complying or Prohibited** Activity, shall be a **Permitted Activity**.

7.5.3.2 Controlled Activities

The following shall be **Controlled Activities** provided that they are not listed as a **Prohibited, Non-Complying or Discretionary Activity** and they comply with all the relevant **Site** and **Zone** Standards. The matters in respect of which the Council has reserved control are listed with each **Controlled Activity**.

i Garages

Garages within the minimum setback from road boundaries in the Low Density Residential Zone, in respect of the location, external

appearance, height, materials, landscaping, screening and vehicle access.

ii Visitor Accommodation in the High Density Residential Zone and Visitor Accommodation Sub-Zone

In respect of:

- The location, external appearance and design of buildings;
- The location, nature and scale of activities on site;
- The location of parking and buses and access;
- Noise, and
- Hours of operation.

iii Buildings for

- (a) non-residential activities; and
- (b) Commercial Recreation Activities, Community Activities, Health Care Facilities, and Retail Sales ancillary to any Commercial Recreation Activity, Community Activity or Health Care Facility, within a Commercial Precinct;

In respect of the matters listed in Assessment Matter 7.7.2 (iii)

7.5.3.3 Restricted Discretionary Activities

The following shall be **Restricted Discretionary Activities** provided that they are not listed as a **Prohibited, Non-Complying or Discretionary Activity** and they comply with all the relevant **Zone** Standards. The matters in respect of which the Council has reserved control are listed with each **Restricted Discretionary Activity**.

i Multi-Unit Developments

The construction of, alteration to, or addition to any building(s) on any site in the High Density Residential Sub-Zones where the result will be, or will exceed, the number of **units** specified in Table 7.1 shall be a **Restricted Discretionary Activity** in respect of all of the following:

- The location, external appearance and design of the building(s);

- The location of the development;
- The location, nature and scale of landscaping on site;
- Parking and site access; and
- The relationship of the building(s) to the street, other public areas and the neighbourhood;

Table 7.1

<u>Sub-Zone</u>	<u>Number of units</u>
High Density Residential Sub-Zone A	7
High Density Residential Sub-Zone B	5
High Density Residential Sub-Zone C	3

ii Building Size

The construction of, alteration to, or addition to any building in the High Density Residential Sub-Zones that exceeds the maximum building footprint sizes specified in Table 7.2 shall be a Restricted Discretionary Activity in respect of all of the following:

- The location, external appearance and design of building;
- The location, nature and scale of landscaping on site; and
- The relationship of the building to the street, other public areas and the neighbourhood;

Table 7.2

<u>Sub-Zone</u>	<u>Maximum Building Footprint</u>
High Density Residential Sub-Zone A	500m ²
High Density Residential Sub-Zone B	400m ²
High Density Residential Sub-Zone C	300m ²

7.5.3.43 Discretionary Activities

The following shall be **Discretionary Activities** provided they are not listed as a **Prohibited or Non-Complying** Activity and they comply with all the relevant **Zone** Standards:

i Visitor accommodation in the low density residential zone, excluding the visitor accommodation sub-zone, in respect of:

- The location, external appearance and design of buildings;
- The location, nature and scale of activities on site;
- The location of parking and buses and access;
- Noise, and
- Hours of operation

ii The sale of liquor from visitor accommodation.

Note: For the purposes of this Rule, the definitions of visitor accommodation and hotel do not include the sale of liquor.

iii Retail Sales, except for Retail Sales ancillary to any Commercial Recreation Activity, Community Activity or Health Care Facility, within a Commercial Precinct.

iv Commercial Recreation Activities except within a Commercial Precinct.

v Comprehensive Residential Developments located in the Low Density Residential Zone.

vi Any Activity which is not listed as a Non-Complying Activity or Prohibited Activity and which complies with all the Zone Standards but does not comply with one or more of the Site Standards shall be a Discretionary Activity with the exercise of the Council's discretion being confined to the matter(s) specified in the standard(s) not complied with.

7.5.3.54 Non-Complying Activities

The following shall be **Non-Complying Activities**, provided that they are not listed as a **Prohibited Activity**:

i Factory Farming

ii **Forestry Activities**

iii **Mining Activities**

iv **Airports**

Airports **other than** the use of land and water for emergency landings, rescues and fire fighting.

Any activity which is not listed as a **Prohibited activity** and which does not comply with one or more of the relevant **Zone** standards, shall be a **Non-Complying Activity**.

7.5.3.65 Prohibited Activities

The following shall be **Prohibited Activities**:

- (i) **Except** as part of a Controlled or Permitted Activity: Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building, fish or meat processing, or any activity requiring an Offensive Trade Licence under the Health Act 1956.
- (ii) It is a prohibited activity in the Wanaka Residential Zone to plant the following trees:
 - Pinus radiata
 - Pinus muricata
 - Pinus contorta
 - Pinus ponderosa
 - Pinus sylvstris
 - Pinus nigra
 - Douglas Fir
 - All Eucalyptus varieties

7.5.4 Non-Notification of Applications

Any application for a resource consent for the following matters may be considered without the need to obtain a written approval of affected persons and need not be notified in accordance with Section 93 of the Act, unless the Council considers special circumstances exist in relation to any such application:

(i) All applications for **Controlled** Activities.

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

- Access
- Outdoor Living Space
- Flood Risk.

7.5.5 Standards - Residential Activities

7.5.5.1 Site Standards - Residential Activities and Visitor Accommodation in the High Density Residential Zone

i **Building Coverage**

In the High Density Residential Sub-Zones, the maximum building coverage for all activities on any site shall be 55% in accordance with Table 7.3:

Table 7.3

Sub-Zone	Building Coverage
High Density Residential Sub-Zone A	65%
High Density Residential Sub-Zone B	55%
High Density Residential Sub-Zone C	45%

ii **Scale and Nature of Activities**

The following limitations apply to all activities; **other than** residential, farming, viticulture and wine making activities and those visitor accommodation activities which are Discretionary Activities:

- (a) The maximum gross floor area of all buildings on the site used for any activity, other than discretionary retail, restaurant and cafe activities, and those activities listed above shall be 100m² ;
- (b) No goods, materials or equipment shall be stored outside a building; and

- (c) All manufacturing, altering, repairing, dismantling or processing of any goods or articles shall be carried out within a building.

iii Setback from Roads

- In the Low Density Residential Zone the minimum setback from road boundaries of any building, other than garages, shall be 4.5m.
- In the High Density Residential Zone the minimum setback from road boundaries of any building, and/or outdoor storage, shall be 4.5m.
- In the High Density Residential Zone, any parking and ~~outdoor storage~~ located in the setback shall be screened from view from public roads.

iv Setback from Internal Boundaries

- (a) **Except** as provided for below, the minimum setback from internal boundaries for any building shall be:

Front Site

one setback of 4.5m and all other setbacks 2m.

Rear Sites

Two setbacks of 4.5m and all remaining setbacks to be 2m.

- (b) Accessory buildings for residential activities other than those used for the housing of animals may be located within the setback distances from internal boundaries, where the total length of the walls of accessory buildings within the setback does not exceed 7.5m in length and there are no windows or openings, other than for carports, along any walls within 2m of an internal boundary.
- (c) Eaves, porches, balconies, bay or box windows, steps, chimneys and similar parts of buildings may be located within the minimum building setback as follows:

- (i) eaves up to 0.6m into the setback; and
- (ii) balconies and bay or box windows of less than 3m in length may project into the setback by up to 0.6m. Only one such balcony or bay or box window, intrusion is permitted on each setback of each building; and
- (iii) porches and steps up to 0.6m into a setback; provided they measure no more than 2m parallel to the nearest internal boundary and provided that the floor level of any such porch or the top of any steps shall be no higher than 1m above ground level. Only one such porch or set of steps is permitted on each setback of each building; and
- (iv) chimneys may project into the setback by up to 0.6m provided that the chimney measures no more than 1.2m parallel to the nearest internal boundary. Only one chimney is permitted on each setback of each building; and
- (v) no part of any balcony or window which is located within a setback shall be higher than 3m above ground level.

- (d) In the Low Density Residential Zone ~~No~~ setback is required from an internal boundary where buildings share a common wall on that internal boundary.

- (e) Where two or more buildings are located on a single lot within the High Density Residential Zone, the mutual setback requirements will apply as if an internal boundary exists to separate the buildings.

v Access

Each residential unit shall have legal access to a formed road.

vi Continuous Building Length in the Low Density Residential Zone

Where the aggregate length along one elevation of buildings measured parallel to any internal boundary or internal boundaries exceeds 16 m; either:

- (a) The entire building(s) shall be set back an additional 0.5 m for every 6 m of additional length or part thereof from the minimum yard setback (continuous façades) at the same distances from the boundary;

or

- (b) That part of the building(s) which exceeds the maximum building length shall be progressively set back 0.5 m for every 6 m of additional length or part thereof from the minimum yard setback (varied façade(s) with stepped setbacks from the boundary).

Refer Appendix 4

vii Continuous Building Length in the High Density Residential Zone

- (b) No unbroken building length shall exceed 16m. Breaks in building length shall be a minimum of 2m in depth and 4m in width for the full height of the wall and shall include a discontinuous eave line and roofline at the break.

- (b) The aggregate length along any true elevation of a building, including breaks, shall not exceed 30m.

Refer Appendix 4

viii Outdoor Living Space

- (a) The minimum provision of outdoor living space for each residential unit and residential flat contained within the net area of the site within the Low Density Residential Zone shall be:

36m² contained in one area with a minimum dimension of 4.5m at the ground floor level and 8m² contained in one area with a minimum dimension of 2m at any above ground floor level.

- (b) The minimum provision of outdoor living space for each residential unit and residential flat contained within the net

area of the site within the High Density Residential Zone, shall be:

20m² contained in one area with a minimum dimension of 3m at the ground floor level and 8m² contained in one area with a minimum dimension of 2m at any above ground floor level.

- (c) The outdoor living space shall be readily accessible from a living area.

- (d) No outdoor living space shall be occupied by any building, other than an outdoor swimming pool, or accessory building of less than 8m² gross floor area, driveway or parking space.

ix External Appearance of Buildings

All metal cladding, roofing or fences shall be painted or otherwise coated with a non-reflective finish

ix Arrowtown Scenic Protection Area

In addition to any of the above requirements, residential activities located in the area of the Residential Low Density Zone at Arrowtown identified as the Arrowtown Scenic Protection Area on the District Plan Maps, shall be subject to the following additional **Site Standards**:

- (a) The angle of the roof of any building shall not exceed 40° from the horizontal.

- (b) Any external paintwork is to be completed within 2 years of the building being first used for the intended purpose.

- (c) If an excavation involves a cut of more than 1.5m in vertical height in order to provide a building platform or foundations for any dwelling, then in addition to any other requirements contained in this plan or in any other legislation:

- (i) the building platform or foundations must be designed by a registered engineer; and

- (ii) the registered engineer who designed the foundations must certify that the design is suitable for the purpose of supporting the proposed dwelling; and
- (iii) the plans, specifications and engineers certificate must be approved by the Council before any excavation is commenced; and
- (iv) all works must be carried out under the supervision of a registered engineer who shall, within seven days of the works being completed, lodge with the Council a certificate the works have been carried out in accordance with plans and specifications approved by the Court.

xj Flood Risk

No building, greater than 20m² gross floor area, shall be constructed or relocated, with a ground floor level less than:

- (a) RL 312.0m above sea level (412.0m Otago Datum) at Queenstown and Frankton.
- (b) RL 281.9m above sea level (381.9m Otago Datum) at Wanaka.

xij Building Height (Lot 141 Block XX Shotover Survey District)

On Lot 141 Block XX Shotover Survey District the maximum height for building shall not exceed 10 metres above ground level.

Refer Appendix and Definition of Height and Ground Level

xiii Boundary Planting (Wanaka)

- (a) No tree or hedgerow boundary planting shall exceed 1.9 metres in height within 2 metres of the boundary, at any point of its length.

xiiiv Building Height - Lift Towers

No lift tower within a visitor accommodation development in the High Density Residential Zone shall exceed the maximum height for buildings in this zone.

xiv Low Density Residential Zone - Frankton Corner / Hansen Road

The following standards shall apply to any development on Pt Sec 5 Block XXI Shotover SD, or any subdivided lot thereof, (on the northern side of State Highway 6 between Hansen Road and Frankton Cemetery - as show on Planning Map 33):

- (a) No landscaping (including the removal of any of the existing trees as well as new planting) shall be carried out within 4 metres of the historic stone wall on the boundary of the Frankton Cemetery.
- (b) All vehicle access shall be via Hansen Road to the State Highway. There shall be no vehicle access direct onto the State Highway.

The landscaping shall:

- consist of trees and underplanting to a depth of at least 5 metres; and
- contain trees planted at a maximum of 5 metre intervals, be specimens of at least 1.5 metres in height at the time of planting and shall be a species capable of reaching at least 3 metres in height at maturity; and
- be irrigated, maintained and any plants or trees that die or become, diseased or damaged replaced.

xvi Earthworks

The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.

1. Earthworks

- (a) The total volume of earthworks does not exceed **100m³** per site (within a 12 month period). For clarification of “volume”, see interpretative diagram 5.
- (b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed **200m²** in area within that site (within a 12 month period).
- (c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed **20m³** (notwithstanding provision 17.2.2).
- (d) No earthworks shall:
 - (i) expose any groundwater aquifer;
 - (ii) cause artificial drainage of any groundwater aquifer;
 - (iii) cause temporary ponding of any surface water.

2. Height of cut and fill and slope

- (a) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.
- (b) The maximum height of any cut shall not exceed 2.4 metres.
- (c) The maximum height of any fill shall not exceed 2 metres.

3. Environmental Protection Measures

- (a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be

revegetated within 12 months of the completion of the operations.

- (b) Any person carrying out earthworks shall:
 - (i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.
 - (ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.
- (c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.

4. Protection of Archaeological sites and sites of cultural heritage

- (a) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.
- (b) The activity shall not affect Ngai Tahu’s cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.

xvii Landscape Coverage

The minimum coverage for landscaped area on any site in the High Density Residential Sub-Zones shall be in accordance with Table 7.4:

Table 7.4

<u>Sub-Zone</u>	<u>Landscape Site</u>
-----------------	-----------------------

	Coverage
High Density Residential Sub-Zone A	20%
High Density Residential Sub-Zone B	30%
High Density Residential Sub-Zone C	40%

- (i) The landscaped area shall not be utilised for car parking or vehicle manoeuvring areas.
- (ii) At least half of this landscaped area must consist of permeable surfaces and planted.
- (iii) The planted area shall include plantings of a nature and scale appropriate to the building.
- (iv) The planted area shall be predominantly visible from public spaces and serve to enhance the streetscape.

xviii Fence Heights

No visually opaque fence constructed or otherwise erected within the Road Setback shall exceed 1.2m in height above ground level.

xix Height and Elevation Restrictions along Frankton Road and Frankton Track

- (a) No building or building element on the south side of Frankton Road (SH6A) shall rise above the roadway centreline.
 - (i) This Rule applies to those properties from Cecil Road (Paper Road) to, and including, Lot 1 DP 12665 (commonly known as 595 Frankton Road).
- (b) No building floor plane to the north side of the Frankton Track shall be constructed less than two metres above the centreline of the Track.

(i) This Rule applies to those properties in the High Density Residential Zone from Cecil Road (Paper Road) to, and including, Lot 12 DP 10787 (commonly known as 723 Frankton Road).

Refer to Appendix 4

7.5.5.2 Zone Standards - Residential Activities and Visitor Accommodation in the High Density Residential Zone

i Building Line Restriction

Where a building line restriction is shown on the District Plan Maps, no building shall be located within the restricted area as identified on the Planning Map.

ii Building Coverage

The maximum building coverage for all activities on any site shall be:

- 40% in the Low Density Residential Zone;
- 70% in the High Density Residential Zone.

iii Site Density

In the Low Density Residential Zone, the minimum net area for any site shall be 450m² for each residential unit contained within the site, **except** that where:

- (a) (i) a site is shown as being located in the Medium Density Residential Sub-Zone; and
- (ii) the site was contained in a separate Certificate of Title as at 10 October 1995; and
- (iii) no residential unit has been built on the site; and
- (iv) the site has an area between 625m² and 900m²

then two residential units may be erected on the site.

- (b) the minimum net area for any site for each residential unit established as part of a comprehensive residential development shall be 200m² except within the Wanaka Low Density Residential zones shown on Planning Maps 18, 20, 21, 22 and 23 where the minimum net area shall be 350m².

iv Site Density in the High Density Residential Zone

In the High Density Residential Sub-Zones, the maximum density of residential units to the site area shall not exceed that shown in Table 7.5:

Table 7.5

<u>Sub-Zone</u>	<u>Minimum net site area per residential unit</u>
High Density Residential Sub-Zone A	100m ²
High Density Residential Sub-Zone B	150m ²
High Density Residential Sub-Zone C	200m ²

iv Building Height

(a) Flat sites where the slope is less than 6 degrees i.e. less than 1 in 9.5

The maximum height for building shall not exceed 8.0m above ground level, measured at any point and the highest part of the building immediately above that point, and in addition no part of any building shall protrude through a recession line inclined towards the site at an angle of 25° and commencing at 2.5m above ground level at any given point on the site boundary.

except:

- (i) Gable, hip, dormer and other similar projections may encroach beyond the recession lines provided they are contained within a calculated area(s) no greater than 6m² with the apex no higher than a

point 1m below the maximum height for the zone and the base of the area(s) at the level of recession line protrusion.

- (ii) This rule shall not apply to Lot 141 Block XX Shotover Survey District (refer Rule 7.5.5.1xi).
- (iii) The maximum height for buildings in the Residential Low and High Density Zones at Wanaka shall be 7m.
- (iv) The maximum height for building in that part of the Residential Low Density Zone at Arrowtown shall be 6m, except that within the Arrowtown Scenic protection Area of the zone the maximum height shall be 5m.
- (v) The maximum height for buildings in the High Density Residential Zone located immediately west of the Kawarau Falls Bridge shall be 10 Metres and in addition no building shall protrude through a horizontal line drawn due north commencing at 7 metres above any given point along the required boundary setbacks at the southern zone boundary.
- (vi) This rule shall not apply to any lift tower within a visitor accommodation development in the High Density Residential Zone, which exceeds the maximum height permitted for buildings in the relevant zone by no more than 3 metres.
- (vii) For the purposes of calculating the height of buildings on part Section 1 Block V and part Section I Block IV, Town of Frankton, notwithstanding the definition of "Ground Level" in this plan, "ground level" at any point within that land shall be the level of a straight line drawn parallel to Douglas Street between the following two lines:
 - (aa) A straight line running along the Robertson Street southern boundary between datum level 343.50RL at the southeast corner and datum level 341.50RL at the southwest corner.
 - (bb) A straight line running along the Humphrey Street northern boundary between datum level 344.40RL at the northeast corner and datum level 340.30RL at the northwest corner.

(b) Sloping sites where the slope is greater than 6 degrees i.e greater than 1 in 9.5

Ground slope in relation to building height shall be determined by measurement over the extremities of each building elevation. Where any elevation indicates a ground slope of greater than 6° (approximately 1: 9.5) no part of any building shall protrude through a surface drawn parallel to and 7.0m vertically above the ground.

Where all elevations indicate a ground slope of less than 6 degrees (approximately 1:9.5), then rule 7.5.5.2(iv) (a), which relates to flat sites, shall apply.

except:

- (i) No part of any accessory building located within the setback distances from internal boundaries shall protrude through recession lines inclined towards the site at an angle of 25° and commencing at 2.5m above ground level at any given point along each internal boundary.
- (ii) This rule shall not apply to Lot 141 Block XX Shotover Survey District (refer Rule 7.5.5.1xi)
- (iii) the maximum height for building in that part of the Residential Low Density Zone at Arrowtown shall be 6m, except that within the Arrowtown Scenic Protection Area of the zone the maximum height shall be 5m.
- (iv) The maximum height for buildings in the High Density Residential Zone located immediately west of Kawarau Falls Bridge shall be 10metres and in addition no building shall protrude through a horizontal line drawn due north commencing at 7 metres above any given point along the required boundary setbacks at the southern zone boundary.
Refer Appendix 4 and Definition of Height & Ground Level
- (v) This rule shall not apply to any lift tower within a visitor accommodation development in the High Density Residential

Zone, which exceeds the maximum height permitted for buildings in the relevant zone by no more than 3 metres.

vi Airport Noise - Queenstown Airport

- (a) On any site located within the Outer Control Boundary as indicated on the District Plan Maps, any building or part of a building used for residential activities or visitor accommodation shall be insulated from aircraft noise so as to meet an indoor design level of 40 dBA Ldn, except for non-critical listening environments where no special sound insulation is required.
- (b) This control shall be met in either of the following two ways:

EITHER:

(i) By providing a certificate from a recognised acoustic engineer stating that the proposed construction will achieve the internal design noise level.
OR:

(ii) The building shall be constructed and finished in accordance with the provisions of Table 7.64 in part 7.5.5.2.

Table 47.6 – Acoustic Insulation of Buildings Containing Noise Sensitive Activities (except non-critical listening areas)

BUILDING ELEMENT	REQUIRED CONSTRUCTION
External Walls	Exterior: 20mm timber or 6mm fibre cement Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar) Two layers of 12.5mm gypsum plasterboard* (Or an equivalent combination or exterior and interior wall mass)
Windows	Up to 40% of wall area: Minimum thickness 6mm

	glazing** Up to 60% of wall area: Minimum thickness 8mm glazing** Up to 80% of wall area: Minimum thickness 8mm laminated glass or minimum 10mm double glazing** Aluminium framing with compression seals (or equivalent)
Pitched Roof	Cladding: 0.5mm profiled steel or tiles or 6mm corrugated fibre cement Frame: Timber truss with 100mm acoustic blanket (R2.2 Batts or similar) Ceiling: 12.5 gypsum plaster board*
Skillion Roof	Cladding: 0.5mm profiled steel or 6mm fibre cement Sarking: 20mm particle board or plywood Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar) Ceiling: 2 layers of 9.55mm gypsum plasterboard*
External Door	Solid core door (min 24kg/m2) with weather seals

* Where exterior walls are of brick veneer or stucco plaster the internal linings need to be no thicker than 9.5mm gypsum plasterboard

** Typical acoustic glazing usually involves thick single panes or laminated glass. Where two or more layers of glass are employed with an air gap between, total thickness of window glass may be calculated as the total of all glass layers (excluding air gap) provided that at least one glass layer shall be of a different thickness to the other layer(s)

vij Glare

- (a) All fixed exterior lighting shall be directed away from the adjacent sites and roads; and
- (b) No activity on any site shall result in greater than a 3.0 lux spill (horizontal and vertical) of light onto any other site measured at any point inside the boundary of the other site.

viii Building Platforms

Where a building platform is indicated for a site on the subdivision plan, all building shall be located entirely within the building platform.

ix Heavy Vehicle Storage

Except for visitor accommodation, no more than one heavy vehicle shall be stored or parked overnight on any site for any activity. This standard applies to residential and non-residential activities cumulatively and only one heavy vehicle in total shall be stored or parked overnight on any site.

x Keeping of Animals

There shall be no keeping of pigs.

xi Roof Colours

The colour of any roof on any dwelling or accessory building situated on any part of the land situated south of State Highway 6 ("Ladies Mile") and southwest of Lake Hayes which is zoned Low Density Residential as shown on Planning Map 30, shall be within the range of browns, greens, greys and blue greys.

xii Noise

Visitor Accommodation activities shall be so conducted that the following noise limits are not exceeded at any point within the boundary of any other site within this zone:

Daytime 0800- 2000 hours	50dBA L ₁₀
Night-time 2000- 0800 hours	40dBA L ₁₀ and 70dBAL _{max}

Noise levels shall be measured and assessed in accordance with NZS 6801:1991 and NZS6082:1991.

- (a) Visitor accommodation activities conducted within the Residential Zone shall not exceed adjoining zone noise limits at any point within the boundary of any site within that adjoining zone.
- (b) Activities conducted in adjoining zones shall not exceed Residential Zone noise limits at any point within the boundary of any site within the Residential Zone.

xiii Low density residential zone – Frankton Corner / Hansen Road

The following standards shall apply to any development on Part Sections 5 and 120 Block I Shotover SD and Lot 1 DP 26426, or any subdivided lot thereof, (on the northern side of State Highway 6 and Hansen Road near the Frankton Corner – as shown on Planning Map 33):

- (a) Prior to the erection of any buildings, a 1.5 metre wide compacted gravel footpath shall be constructed on the State Highway along the frontage between Hansen Road and the Frankton Cemetery. The final design and location of that footpath shall be as approved by Transit New Zealand.
- (b) All vehicle access shall be via Hansen Road to the State Highway. There shall be no vehicle access direct onto the State Highway.

7.5.6 Standards - Non-Residential Activities (other than Visitor Accommodation in the High Density Residential Zone)

7.5.6.1 Site Standards - Non-Residential Activities (other than Visitor Accommodation in the High Density Residential Zone).

i Nature and Scale of Activities except for community facilities within the Community Facility Subzone.

- (a) No more than one full-time equivalent person who permanently resides elsewhere than on the site may be employed in a non-residential activity on the site.
- (b) No more than 40m² of the gross floor area of all the buildings on a site shall be used for activities, other than residential activities.

Nothing in this Site Standard applies within a Commercial Precinct to any Commercial Recreation Activity, Community Activity, Health Care Facility, or Retail Sales ancillary to any Commercial Recreation Activity, Community Activity or Health Care Facility.

- (c) Paragraphs (a) and (b) of this rule shall not apply to any visitor accommodation activity.

ii Setback from Roads

- (a) The minimum setback from road boundaries of any building and outdoor storage shall be 4.5m except community facilities within the Community Facility Sub-Zone where the minimum setback from road boundaries shall be 5.0 metres; and
- (b) Parking areas shall be screened from adjoining road(s) to at least 1.8m in height, except where adjoining vehicle crossings. Where such screening is by way of planting it shall be for a minimum depth of 1.5m along the road frontage(s).

iii Setback from Internal Boundaries

- (a) **Except** as provided for below, the minimum setback from internal boundaries for any building shall be:

Front Sites

One setback of 4.5m and all other setbacks 2m.

Rear Sites

Two setbacks of 4.5m and all remaining setbacks to be 2.0m. At least one of the 4.5m setbacks must be adjoining an internal boundary of at least 15m in length.

- (b) Eaves, porches, balconies, bay and box windows, steps, chimneys and similar parts of buildings may be located within the minimum building setback as follows:
- (i) eaves up to 0.6m into setback; and
 - (ii) balconies and bay or box windows of less than 3m in length may project into the setback by up to 0.6m. Only one such balcony or bay or box window, intrusion is permitted on each setback of each building; and
 - (iii) porches and steps up to 0.6m into a setback; provided they measure no more than 2m parallel to the nearest internal boundary and provided that the floor level of any such porch or the top of any steps shall be no higher than 1m above ground level. Only one such porch or set of steps is permitted on each setback of each building; and
 - (iv) chimneys may project into the setback by up to 0.6m provided that the chimney measures no more than 1.2m parallel to the nearest internal boundary. Only one chimney is permitted on each setback of each building; and
 - (v) no part of any balcony or window which is located within a setback shall be higher than 3m above ground level.
- (c) In the Low Density Residential Zone No setback is required from an internal boundary where buildings share a common wall on that internal boundary.
- (d) No part of any building, designed and/or used for the housing of animals shall be permitted to locate within 2m of any internal boundary.
- (e) Community Facilities in a Community Facility Sub-Zone shall be set back a minimum of 5 metres from internal boundaries.

- (f) No part of any building which is to be used for visitor accommodation shall be permitted to locate within 4metres of an internal boundary, where the site(s) adjoining that internal boundary is zoned residential.
- (g) Parking and outdoor storage areas associated with visitor accommodation activities shall be adequately screened from adjoining properties.
- (h) Where two or more buildings are located on a single lot within the High Density Residential Zone, the mutual setback requirements will apply as if an internal boundary exists to separate the buildings.

iv Continuous Building Length in the Low Density Residential Zone

Where the aggregate length along one elevation of buildings measured parallel to any internal boundary or internal boundaries exceeds 16 m; either

- the entire building(s) shall be set back an additional 0.5 m for every 6 m of additional length or part thereof from the minimum yard setback (continuous façades) at the same distances from the boundary)
- or
- that part of the building(s) which exceeds the maximum building length shall be progressively set back 0.5 m for every 6 m of additional length or part thereof from the minimum yard setback (varied façade(s) with stepped setbacks from the boundary).

Refer Appendix 4

v Continuous Building Length in the High Density Residential Zone

- (b) No unbroken building length shall exceed 16m. Breaks in building length shall be a minimum of 2m in depth and 4m in width for the full height of the wall and shall include a discontinuous eave line and roofline at the break.
- (b) The aggregate length along any true elevation of a building, including breaks, shall not exceed 30m.

Refer Appendix 4

vi Arrowtown Scenic Protection Area

The **Site** standards set out for Residential Activities in the Arrowtown Scenic Protection Area also apply to Non-Residential Activities in the Arrowtown Scenic Protection Area.

vii Flood Risk

No building, greater than 20m² gross floor area, shall be constructed or relocated, with a ground floor level less than:

- (a) RL 312.0 m above sea level (412.0m Otago Datum) at Queenstown and Frankton.
- (b) RL 281.9 m above sea level (381.9m Otago Datum) at Wanaka.

viii Landscaping and Screening - Community Facility Sub-Zone

- (a) All community facilities shall landscape an area with a minimum width of 5 metres along all road and internal boundaries.
- (b) All outdoor storage shall be situated behind buildings and/or screened from roads, reserves and adjoining sites by either a solid fence of at least 2metres minimum height, or dense planting of the same height.

viii Landscaping - Visitor Accommodation Activities

~~Where a site is to be used for visitor accommodation activities, at least 10% of the total area of the site shall be landscaped in order to maintain and enhance the residential amenity of the surrounding area.~~

ix Landscape Coverage

The minimum coverage for landscaped area on any site in the High Density Residential Sub-Zones shall be in accordance with Table 7.7:

Table 7.7

Sub-Zone	Landscape Site Coverage
High Density Residential Sub-Zone A	20%
High Density Residential Sub-Zone B	30%
High Density Residential Sub-Zone C	40%

- (i) The landscaped area shall not be utilised for car parking or vehicle manoeuvring areas.
- (ii) At least half of this landscaped area must consist of permeable surfaces and planted.
- (iii) The planted area shall include plantings of a nature and scale appropriate to the building.
- (iv) The planted area shall be predominantly visible from public spaces and serve to enhance the streetscape.

ix Building Height - Lift Towers

No lift tower within a visitor accommodation development in the Visitor Accommodation Sub-Zone shall exceed the maximum height for buildings in this zone.

xi Earthworks

The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.

1. Earthworks

- (a) The total volume of earthworks does not exceed **100m³** per site (within a 12 month period). For clarification of “volume”, see interpretative diagram 5.
- (b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed **200m²** in area within that site (within a 12 month period).

- (c) Where any earthworks are undertaken within 7m of a water body the total volume shall not exceed **20m³** (notwithstanding provision 17.2.2).
- (d) No earthworks shall:
 - (i) expose any groundwater aquifer;
 - (ii) cause artificial drainage of any groundwater aquifer;
 - (iii) cause temporary ponding of any surface water.

2. Height of cut and fill and slope

- (a) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.
- (b) The maximum height of any cut shall not exceed 2.4 metres.
- (c) The maximum height of any fill shall not exceed 2 metres.

3. Environmental Protection Measures

- (a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.
- (b) Any person carrying out earthworks shall:
 - (i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.

- (ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.

- (c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.

4. Protection of Archaeological sites and sites of cultural heritage

- (a) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.
- (b) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.

xii Building Coverage

In the High Density Residential Sub-Zones, the maximum building coverage for all activities on any site shall be in accordance with Table 7.8:

Table 7.8

Sub-Zone	Building Coverage
High Density Residential Sub-Zone C	45%

xiii Fence Heights

No visually opaque fence constructed or otherwise erected within the Road Setback shall exceed 1.2m in height above ground level.

xiv Height and Elevation Restrictions along Frankton Road and Frankton Track

(a) No building or building element on the south side of Frankton Road (SH6A) shall rise above the roadway centreline.

(i) This Rule applies to those properties from Cecil Road (Paper Road) to, and including, Lot 1 DP 12665 (commonly known as 595 Frankton Road).

(b) No building floor plane to the north side of the Frankton Track shall be constructed less than two metres above the centreline of the Track.

(i) This Rule applies to those properties in the High Density Residential Zone from Cecil Road (Paper Road) to, and including, Lot 12 DP 10787 (commonly known as 723 Frankton Road).

Refer to Appendix 4

7.5.6.2 Zone Standards - Non-Residential Activities (other than Visitor Accommodation in the High Density Residential Zone)

i Building Line Restriction

Where a building line restriction is shown on the District Plan Maps, no building shall be located within the restricted area as identified on the Planning Map.

ii Building Coverage

The maximum building coverage for all activities on any site shall be 40% in the Low Density Residential Zone and 55% in the High Density Residential Zone, except within a Commercial Precinct where the maximum building coverage shall be 70%.

(a) The maximum building coverage for community facilities within a Community Facility Sub-Zone in a Low Density Residential Zone shall be 50%.

iii Building Height

(a) Flat sites where the slope is less than 6 degrees i.e. less than 1 in 9.5

The maximum height for building shall not exceed 8.0m above ground level, measured at any point and the highest part of the building immediately above that point, and in addition no part of any building shall protrude through a recession line inclined towards the site at an angle of 25° and commencing at 2.5m above ground level at any given point on the site boundary.

Except:

(i) Gable, hip, dormer and other similar projections may encroach beyond the recession lines provided they are contained within a calculated area(s) no greater than 6m² with the apex no higher than a point 1m below the maximum height for the zone and the base of the area(s) at the level of recession line protrusion.

(ii) The maximum height for buildings in that part of the Residential High Density Zone located on the eastern side of Fernhill Road shall be 10m.

(iii) The maximum height for buildings in the Residential Low and High Density Zones at Wanaka shall be 7m.

(iv) The maximum height for building in that part of the Residential Low Density Zone at Arrowtown shall be 6m, except that within the Arrowtown Scenic Protection Area of the zone the maximum height shall be 5m.

(v) The maximum height for buildings in the High Density Residential Zone located immediately west of the Kawarau Falls Bridge shall be 10 metres and in addition no building shall protrude through a horizontal line drawn due north commencing at 7 metres above any given point along the required boundary setbacks at the southern zone boundary.

- (vi) The maximum height for a community facility building in the Community Facility Sub-Zone shall be 10 metres other than for the facilities at 20 Park Street, Queenstown and 32 McBride Street, Frankton where the maximum height shall be 7 metres.
- (vii) This rule shall not apply to any lift tower within a visitor accommodation development in the Visitor Accommodation Sub-Zone, which exceeds the maximum height permitted for buildings in the relevant zone by no more than 3 metres.
- (viii) The maximum height for buildings located within the Visitor Accommodation Sub-Zone located on Lake Avenue, Frankton shall be 7 metres and in addition no building or part of any building shall protrude through a horizontal plane drawn at RL 343.50 masl (being 443.50m, Otago Datum)
- (ix) For the purposes of calculating the height of buildings on part Section 1 Block V and part Section 1 Block IV, Town of Frankton, notwithstanding the definition of "Ground Level" in this plan, "ground level" at any point within that land shall be the level of a straight line drawn parallel to Douglas Street between the following two lines:
 - (aa) A straight line running along the Robertson Street southern boundary between datum level 343.50RL at the southeast corner and datum level 341.50RL at the southwest corner.
 - (bb) A straight line running along the Humphrey Street northern boundary between datum level 344.40RL at the northeast corner and datum level 340.30RL at the northwest corner.

Refer Planning Map 33

(b) Sloping sites where the slope is greater than 6 degrees i.e greater than 1 in 9.5

Ground slope in relation to building height shall be determined by measurement over the extremities of each building elevation. Where any elevation indicates a ground slope of greater than 6°

(approximately 1:9.5) no part of any building shall protrude through a surface drawn parallel to and 7.0m vertically above the ground.

Where all elevations indicate a ground slope of less than 6 degrees (approximately 1:9.5), then rule 7.5.6.2(iii) (a), which relates to flat sites, shall apply.

Except:

- (i) No part of any accessory building located within the setback distances from internal boundaries shall protrude through recession lines inclined towards the site at an angle of 25° and commencing at 2.5m above ground level at any given point along each internal boundary.
- (ii) The maximum height for buildings in that part of the Residential High Density Zone located on the eastern side of Fernhill Road shall be 10m.
- (iii) The maximum height for building in that part of the Residential Low Density Zone at Arrows town shall be 6m, except that within the Arrows town Scenic Protection Area for the zone the maximum height shall be 5m.
- (iv) The maximum height for buildings in the High Density Residential Zone located immediately west of the Kawarau Falls Bridge shall be 10 metres and in addition no building shall protrude through a horizontal line drawn due north commencing at 7metres above any given point along the required boundary setbacks at the southern zone boundary.
- (v) This rule shall not apply to any lift tower within a visitor accommodation development in the Visitor Accommodation Sub-Zone, which exceeds the maximum height permitted for buildings in the relevant zone by no more than 3 metres.
- (vi) The maximum height for buildings located within the Visitor Accommodation Sub-Zone located on Lake Avenue, Frankton shall be 7 metres and in addition no building or part of any building shall

protrude through a horizontal plane drawn at RL 343.50 masl (being 443.50m, Otago Datum)

Refer Planning Map 33

Refer Appendix 4 and Definition of Height & Ground Level

iv Hours of Operation

Except for

- (a) Residential care facilities and visitor accommodation or community facilities located in the Community Facility Sub-Zone;
- (b) Commercial Recreation Activities, Community Activities, Health Care Facilities and Retail Sales ancillary to any Commercial Recreation Activities, Community Activities and Health

Care Facilities, within a Commercial Precinct.

Hours of operation shall be limited to between the hours:

0730 - 2000

except that where:

- (a) the entire activity is located within a building and occupies not more than 40m² of floor space; and
- (b) each person engaged in the activity outside the above hours resides permanently on the site; and
- (c) there are no visitors, clients or deliveries to or from the site outside the above hours; and
- (d) all other relevant zone standards are met

the activity may be carried out outside the above hours.

v Nature and Scale of Activities

Except for community facilities within the Community Facility Sub-Zone: No goods shall be displayed, sold or offered for sale from a site other than handicrafts, goods grown, reared or produced on the site.

- (a) At least one person engaged in the activity must reside on the site.
- (b) No more than three full-time equivalent persons who permanently reside elsewhere than on the site shall be employed in undertaking a non-residential activity on the site.
- (c) No goods, materials or equipment shall be stored outside a building, except for vehicles associated with the activity parked on the site overnight and the storage of outdoor items ancillary to a visitor accommodation activity located on the site, such as outdoor furniture.
- (d) All manufacturing, altering, repairing, dismantling or processing of any materials, goods or articles shall be carried out within a building.

Subclauses (a) and (b) of this Zone Standard do not apply within a Commercial Precinct to any Commercial Activity, Community Activity, Health Care Facility, or Retail Sales ancillary to any Commercial Recreation Activity, Community Activity or Health Care Facility.

- (e) Paragraphs (a) and (b) of this rule shall not apply to any visitor accommodation activity.

vi Retail Sales

Retail Sales, except for Retail Sales ancillary to any Commercial Recreation Activity, Community Activity or Health Care Facility within a Commercial Precinct.

- (a) No goods shall be displayed, sold or offered for sale from a site other than:

- handicrafts; or
- goods grown, reared or produced on the site; or
- retail sales which are ancillary to visitor accommodation located on the site.

vii Noise

- (a) Non-residential activities shall be so conducted that the following noise limits are not exceeded at any point within the boundary of any other site within this zone:

Daytime 0800 - 2000 hours	50dBA L ₁₀
Night-time 2000 - 0800 hours	40dBA L ₁₀ and L _{max} 70dBA

Noise levels shall be measured and assessed in accordance with NZS 6801:1991 and NZS 6802:1991.

- (b) Noise from aircraft operations at Queenstown Airport is exempt from the above standards.
- (c) Construction noise shall comply with and be measured and assessed in accordance with the relevant New Zealand Standard.
- (d) Activities conducted in adjoining zones shall not exceed Residential Zone noise limits at any point within the boundary of any site within the Residential Zone.

viii Airport Noise - Queenstown Airport

- (a) On any site located within the Outer Control Boundary as indicated on the District Plan Maps, any building or part of a building used for community activities shall be insulated from aircraft noise so as to meet an indoor design level of 40 dBA

L_{dn}, except for non-critical listening environments where no special sound insulation is required.

- (b) This control shall be met in either of the following two ways:

EITHER:

- (i) By providing a certificate from a recognised acoustic engineer stating that the proposed construction will achieve the internal design noise level.

OR:

- (v) The building shall be constructed and finished in accordance with the provisions of Table 4.7.9 in part 7.5.6.2.

Table 4.7.9 – Acoustic Insulation Of Buildings Containing Noise Sensitive Activities (except non-critical listening areas)

BUILDING ELEMENT	REQUIRED CONSTRUCTION
External Walls	Exterior: 20mm timber or 6mm fibre cement Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar) Two layers of 12.5 mm gypsum plasterboard* (Or an equivalent combination of exterior and interior wall mass)
Windows	Up to 40% of wall area: Minimum thickness 6mm glazing** Up to 60% of wall area: Minimum thickness 8mm glazing** Up to 80% of wall area: Minimum thickness 8mm laminated glass or minimum 10mm double glazing** Aluminium framing with compression seals (or equivalent)
Pitched Roof	Cladding: 0.5mm profiled steel or tiles or 6mm corrugated cement Frame: Timber truss with 100mm acoustic blanket (R2.2 Batts or similar) Ceiling: 12.5 gypsum plasterboard*

Skillion Roof	Cladding: 0.5 mm profiled steel or 6mm fibre cement Sarking: 20mm particle board or plywood Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar) Ceiling: 2 layers of 9.5mm gypsum plasterboard*
External Door	Solid core door (min 24kg/m2) with weather seals

* Where exterior walls are of brick veneer or stucco plaster the internal linings need to be no thicker than 9.5mm gypsum plasterboard

** Typical acoustic glazing usually involves thick single panes or laminated glass. Where two or more layers of glass are employed with an air gap between, total thickness of window glass may be calculated as the total of all glass layers (excluding air gap) provided that at least one glass layer shall be of a different thickness to the other layer(s)

ix Glare

- (a) All fixed exterior lighting shall be directed away from adjacent sites and roads; and
- (b) No activity on any site shall result in greater than a 3.0 lux spill (horizontal and vertical) of light onto any other site, measured at any point inside the boundary of the other site.

x Boarding and Keeping of Animals

No animals shall stay overnight on a site, except for a maximum of 4 animals in the care of a registered veterinarian for medical or surgical purposes. There shall be no keeping of pigs or commercial livestock.

xi Heavy Vehicle Storage

Except where a site is to be used for visitor accommodation no more than one heavy vehicle shall be stored or parked overnight on any site for any activity. This standard applies to residential and non-

residential activities cumulatively and only one heavy vehicle in total may be stored or parked overnight on any site.

xii External Appearance of Buildings

All metal cladding, roofing or fences shall be painted or otherwise coated with a non-reflective finish.

xiii Building Platforms

Where a building platform is indicated for a site on the subdivision plan, all building shall be located entirely within the building platform.

xiv Roof Colours

The colour of any roof on any dwelling or accessory building situated on any part of the land situated south of State Highway 6 ("Ladies Mile") and southwest of Lake Hayes which is zoned Low Density Residential as shown on Planning Map 30 shall be within the range of browns, greens, greys and blue greys.

xv Site Density in the High Density Residential Zone

In the High Density Residential Sub-Zones, the maximum density of residential units to the site area shall not exceed that shown in Table 7.10:

Table 7.10

<u>Sub-Zone</u>	<u>Minimum net site area per residential unit</u>
<u>High Density Residential Sub-Zone A</u>	<u>100m²</u>
<u>High Density Residential Sub-Zone B</u>	<u>150m²</u>
<u>High Density Residential Sub-Zone C</u>	<u>200m²</u>

7.5.7 Resource Consent - Assessment Matters

The Assessment Matters which apply to the consideration of resource consents in the Low Density and High Density Residential Zones are specified in Rule 7.7

7.6 Residential Arrowtown Historic Management Zone Rules

7.6.1 Zone Purpose

This Zone covers the older part of the residential settlement of Arrowtown. It is generally located north of Kent and Boundary Streets and surrounds the town centre. The area has a distinctive character and atmosphere which has evolved from the development pattern set at the time of early gold mining in the District.

The purpose of this zone is to allow for the continued development of the historic area of residential Arrowtown in a way that will enhance and protect those characteristics which make it a valuable part of the town for local residents and for visitors attracted to the town by its historic associations, unique character and outstanding individual buildings. In particular the management area seeks to retain the early subdivision pattern and streetscape, ensure future development is at a scale sympathetic to the present character, and to encourage the protection and conservation of the trees and shrubs.

7.6.2 District Rules

Attention is drawn to the following District Wide Rules which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- (i) Heritage Protection - Refer Part 13
- (ii) Transport - Refer Part 14
- (iii) Subdivision, Development and Financial Contributions - Refer Part 15
- (iv) Hazardous Substances - Refer Part 16
- (v) Utilities - Refer Part 17

(vi) Signs - Refer Part 18

(vii) Relocated Buildings and Temporary Activities - Refer Part 19

7.6.3 Activities

7.6.3.1 Permitted Activities

- (i) Any Residential Activity which complies with all the **Site** and **Zone** Standards for Residential Activities and is not listed as a **Controlled, Discretionary, Non-Complying** or **Prohibited Activity**.
- (ii) Any Non-Residential Activity which complies with all the **Site** and **Zone** Standards for Non-Residential Activities and is not listed as a **Controlled, Discretionary, Non-Complying** or **Prohibited Activity**.

7.6.3.2 Controlled Activities

- i Visitor Accommodation within the Visitor Accommodation Sub Zone

7.6.3.3 Discretionary Activities

The following shall be **Discretionary Activities** provided that they are not listed as a **Prohibited** or **Non-Complying Activity** and they comply with all of the relevant **Zone** Standards.

- i **Trees**
The removal of any tree greater than 2.5m high and the pruning, trimming or topping of any tree greater than 4m high.
- ii **Buildings**
Buildings with the exercise of the Council's discretion being limited to the external appearance and finish of the building.

iii **Visitor Accommodation**

iv **Retail Sales**

- v Any Activity which is not listed as a **Non-Complying or Prohibited Activity** and complies with all the **Zone** Standards but does not comply with one or more of the **Site** Standards shall be a **Discretionary Activity** with the exercise of the Council's discretion being restricted to the matter(s) specified in the standard(s) not complied with.

7.6.3.4 Non-Complying Activities

The following shall be **Non-Complying Activities** provided that they are not listed as a **Prohibited Activity**.

i **Factory Farming**

ii **Forestry Activities**

iii **Mining Activities**

iv **Airport**

The take-off or landing of aircraft other than for emergency rescues or fire-fighting.

- v Any Activity which is not listed as a **Prohibited Activity** and does not comply with one or more of the **Zone** Standards.

7.6.3.5 Prohibited Activities

The following shall be **Prohibited Activities**:

- (i) Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody

building, fish or meat processing or Any Activity requiring an Offensive Trade Licence under the Health Act 1956.

7.6.4 Non-Notification of Applications

Any application for a resource consent for the following matters may be considered without the need to obtain a written approval of affected persons and need not be notified in accordance with Section 93 Resource Management Act 1991, unless the Council considers special circumstances exist in relation to any such application:

- (i) All applications for **Controlled** Activities.
- (ii) Applications for the exercise of the Council's discretion in respect of the following **Site** Standards:
- Access
 - Outdoor Living Space
 - Flood Risk.

7.6.5 Standards – Residential Activities

7.6.5.1 Site Standards - Residential Activities

i **Setback from Roads**

The minimum setback from road boundaries of any building shall be:

- (a) Where existing buildings (other than accessory buildings) are already located on the site - the shortest distance from the road boundary to the building (other than an accessory building) measured at right angles to the front boundary; or
- (b) Where no existing buildings (other than accessory buildings) are located on the site the mean of the setback of any buildings (other than accessory buildings) located on the immediately adjoining lots or 6.0m, whichever is the greater.

ii **Setback from Internal Boundaries**

The minimum setback from internal boundaries of any building shall be 3m except as follows.

- (a) Accessory buildings for residential activities may be located within the setback distances from internal boundaries, where the total length of the walls of accessory buildings within the setback does not exceed 7.5m in length and there are no windows or openings along any walls within 2m of an internal boundary.
- (b) Eaves, porches, balconies, bay or box windows, steps, chimneys and similar parts of buildings may be located within the minimum building setback as follows:
 - (i) eaves up to 0.6m into the setback; and
 - (ii) balconies and bay or box windows of less than 3m in length may project into the setback by up to 0.6m. Only one such balcony or bay or box window intrusion is permitted on each setback of each building; and
 - (iii) porches and steps up to 0.6m into a setback; provided they measure no more than 2m parallel to the nearest internal boundary and provided that the floor level of any such porch or the top of any steps shall be no higher than 1m above ground level. Only one such porch or set of steps is permitted on each setback of each building; and
 - (iv) chimneys may project into the setback by up to 0.6m provided that the chimney measures no more than 1.2m parallel to the nearest internal boundary. Only one chimney is permitted on each setback of each building; and
 - (v) no part of any balcony or window which is located within a setback shall be higher than 3m above ground level.

- (c) No part of any building designed and/or used for the housing of animals shall be permitted to locate within 2m of any internal boundary.
- (d) No setback is required where buildings on adjoining sites have a common wall on an internal boundary provided that only one common wall is permitted per residential unit.

iii Access

Each residential unit shall have legal access to a formed road.

iv Continuous Building Length

Where the aggregate length of buildings measured parallel to any internal boundary exceeds 16m; either

- the entire building(s) shall be set back an additional 0.5 m for every 6 m of additional length or part thereof from the minimum yard setback (continuous façades) at the same distances from the boundary)
- or
- that part of the building(s) which exceeds the maximum building length shall be progressively set back 0.5 m for every 6 m of additional length or part thereof from the minimum yard setback (varied façade(s) with stepped setbacks from the boundary).

Refer Appendix 4

v Outdoor Living Space

- (a) The minimum provision of outdoor living space for each residential unit, contained within the net area of the site, shall be 36m² contained in one area with a minimum dimension of 4.5m.
- (b) The outdoor living space shall be readily accessible from a living area.
- (c) No outdoor living space shall be occupied by any building (other than an outdoor swimming pool, or accessory building of less than 8m² gross floor area), driveway or parking space.

vi Earthworks

The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.

1. Earthworks

- (a) The total volume of earthworks does not exceed **100m³** per site (within a 12 month period). For clarification of “volume”, see interpretative diagram 5.
- (b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed **200m²** in area within that site (within a 12 month period).
- (c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed **20m³** (notwithstanding provision 17.2.2).
- (d) No earthworks shall:
 - (i) expose any groundwater aquifer;
 - (ii) cause artificial drainage of any groundwater aquifer;
 - (iii) cause temporary ponding of any surface water.

2. Height of cut and fill and slope

- (a) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be

located up to the boundary, if less or equal to 0.5m in height.

- (b) The maximum height of any cut shall not exceed 2.4 metres.
- (c) The maximum height of any fill shall not exceed 2 metres.

3. Environmental Protection Measures

- (a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.
- (b) Any person carrying out earthworks shall:
 - (i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.
 - (ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.
- (c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.

4. Protection of Archaeological sites and site of cultural heritage

- (a) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.

- (b) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.

7.6.5.2 Zone Standards - Residential Activities

i Site Density

The minimum net area for any site for each residential unit shall be 650m²; except that:

- For residential units to be erected on vacant shares of fee simple titles over which there is/are existing cross-lease(s) or on unit titles where a proposed unit development plan is already approved, as at the date of notification of the District Plan, there shall be no minimum net area for the site, provided that all other applicable Site and Zone Standards are complied with, or resource consents obtained in respect of those Site Standards not complied with.

ii Building Height

The maximum height for buildings shall be 5m.

iii Building Coverage

The total area covered by hard surfacing and buildings on any site shall not exceed 30% of the net site area.

iv Glare

- (a) All fixed exterior lighting shall be directed away from the adjacent sites and roads; and
- (b) No activity on any site shall result in greater than a 3.0 lux spill (horizontal and vertical) of light onto any other site measured at any point inside the boundary of the other site.

v Heavy Vehicle Storage

No more than one heavy vehicle shall be stored or parked overnight on any site for any activity. This standard applies to residential and non-residential activities cumulatively and only one heavy vehicle in total shall be stored or parked overnight on any site.

vi Keeping of Animals

There shall be no keeping of pigs.

7.6.6 Standards - Non-Residential Activities

7.6.6.1 Site Standards - Non-Residential Activities

i Nature and Scale of Activities

- (a) No more than one full-time equivalent person who permanently resides elsewhere than on the site may be employed in a non-residential activity on the site.
- (b) No more than 40m² of the gross floor area of the buildings on a site shall be used for activities, other than residential activities. Provided that this standard does not apply to visitor accommodation which is a Permitted Activity.

ii Setback from Roads

The minimum setback from road boundaries of any building for a non-residential activity shall be:

- (a) Where existing buildings (other than accessory buildings) are already located on the site - the shortest distance from the road boundary to the building (other than an accessory building) measured at right angles to the front boundary; or
- (b) Where no existing buildings (other than accessory buildings) are located on the site - the mean of the setback of any buildings (other than accessory buildings) located on the immediately adjoining lots or 6.0m, whichever is the greater.

iii Setback from Internal Boundaries

- (a) Minimum setback from internal boundaries of any building for any non-residential activity shall be 3m.

- (b) Eaves, porches, balconies, bay and box windows, steps, chimneys and similar parts of buildings may be located within the minimum building setback as follows:
- (i) eaves up to 0.6m into setback; and
 - (ii) balconies and bay or box windows of less than 3m in length may project into the setback by up to 0.6m. Only one such balcony or bay or box window intrusion is permitted on each setback of each building; and
 - (iii) porches and steps up to 0.6m into a setback; provided they measure no more than 2m parallel to the nearest internal boundary and provided that the floor level of any such porch or the top of any steps shall be no higher than 1m above ground level. Only one such porch or set of steps is permitted on each setback of each building; and
 - (iv) chimneys may project into the setback by up to 0.6m provided that the chimney measures no more than 1.2m parallel to the nearest internal boundary. Only one chimney is permitted on each setback of each building; and
 - (v) no part of any balcony or window which is located within a setback shall be higher than 3m above ground level.
- (c) No part of any building designed and/or used for the housing of animals shall be permitted to locate within 2m of any internal boundary.

iv Continuous Building Length

Where the aggregate length of buildings measured parallel to any internal boundary exceeds 16 m; either

- the entire building(s) shall be set back an additional 0.5 m for every 6 m of additional length or part thereof from the minimum

yard setback (continuous façades) at the same distances from the boundary)

or

- that part of the building(s) which exceeds the maximum building length shall be progressively set back 0.5 m for every 6 m of additional length or part thereof from the minimum yard setback (varied façade(s) with stepped setbacks from the boundary).

Refer Appendix 4

7.6.6.2 Zone Standards - Non-Residential Activities

i Building Coverage

The total area covered by hard surfacing and buildings on any site shall not exceed 30% of the net site area.

ii Building Height

The maximum height for buildings shall be 5m.

iii Hours of Operation

Hours of operation shall be limited to between the hours:

- 0730 - 2000

except that where:

- (a) the entire activity is located within a building and occupies not more than 40m² of floor space; and
- (b) each person engaged in the activity outside the above hours resides permanently on the site; and
- (c) there are no visitors, clients or deliveries to or from the site outside the above hours; and
- (d) all other relevant zone standards are met;

- (e) the activity may be carried out outside the above hours.

iv Nature and Scale of Activities

- (a) At least one person engaged in the activity must reside on the site.
- (b) No more than three full-time equivalent persons who permanently reside elsewhere than on the site shall be employed in undertaking a non-residential activity on the site.
- (c) No more than 60m² of the gross floor area of the buildings on a site shall be used for activities other than residential activities.
- (d) No goods, materials or equipment shall be stored outside a building, except for vehicles associated with the activity parked on the site overnight.
- (e) All manufacturing, altering, repairing, dismantling or processing of any materials, goods or articles shall be carried out within a building.

v Retail Sales

No goods shall be displayed, sold or offered for sale from a site other than handicrafts, goods grown, reared or produced on the site.

vi Noise

- (a) Non-residential activities shall be so conducted that the following noise limits are not exceeded at any point within the boundary of any other site within this zone:

Daytime 0800 - 2000 hours 50dBA L10

Night time 2000 - 0800 hours 40dBA L10 and Lmax
70dBA

Noise levels shall be measured and assessed in accordance with NZS 6801:1991 and NZS 6802:1991.

- (b) Construction noise shall comply with and be measured and assessed in accordance with the relevant New Zealand Standard.
- (c) Activities conducted in adjoining zones shall not exceed Residential Zone noise limits at any point within the boundary of any site within the Residential Zone.

vii Glare

- (a) All fixed exterior lighting shall be directed away from adjacent sites and roads; and
- (b) No activity on any site shall result in greater than a 3.0 lux spill (horizontal and vertical) of light onto any other site, measured at any point inside the boundary of the other site.

viii Boarding and Keeping of Animals

No animals shall stay overnight on a site, except for a maximum of 4 animals in the care of a registered veterinarian for medical or surgical purposes. There shall be no keeping of pigs or commercial livestock.

ix Heavy Vehicle Storage

No more than one heavy vehicle shall be stored or parked overnight on any site for any activity. This standard applies to residential and non-residential activities cumulatively and only one heavy vehicle in total shall be stored or parked overnight on any site.

7.6.7 Resource Consent – Assessment Matters

The Assessment Matters which apply to the consideration of resource consents in the Residential Arrowtown Historic Management Zone are specified in Rule 7.7.

7.7 Resource Consents - Assessment Matters Residential Zones

7.7.1 General

- (i) The following Assessment Matters are methods included in the District Plan, in order to enable the Council to implement the Plan's policies and fulfil its functions and duties under the Act.
- (ii) In considering resource consents for land use activities, in addition to the applicable provisions of the Act, the Council shall apply the relevant *Assessment Matters* set out in Clause 7.7.2 below.
- (iii) In the case of *Controlled and Discretionary Activities*, where the exercise of the Council's discretion is restricted to the matter(s) specified in a particular standard(s) only, the assessment matters taken into account shall only be those relevant to that/these standard(s).
- (iv) In the case of *Controlled Activities*, the assessment matters shall only apply in respect to conditions that may be imposed on a consent.
- (v) Where an activity is a *Discretionary Activity* because it does not comply with one or more relevant Site Standards, but is also specified as a *Controlled Activity* in respect of other matter(s), the Council shall also apply the relevant assessment matters for the Controlled Activity when considering the imposition of conditions on any consent to the discretionary activity.
- (vi) When considering a development as it relates to amenity values and urban design, reference may be made to the Urban Design Bibliography, which consists of:
 - (a) North Shore City: Good Solutions Guide for Intensive Residential Developments; August 2001.

- (b) City of Auckland: The Residential Design Guide for developments in Residential Zones in Strategic Growth Management Areas; September 2001.
"Design Elements", Part 3, pp 25-76 with particular reference to "Good Design Suggestions" on pp 29,35-36, 42-43, 55, 59, 70, and 76.
- (c) City of Auckland: Appendix 10 - The Residential Design Guide for Developments in Residential Zones in Specified Growth Areas; August 2004.
- (d) Wellington District Plan: Multi Unit Developments Design Guide; 25 June 2004
"Design Elements", Chapter 3, pp 4-19
- (e) Ministry for the Environment: Urban Design Case Studies; March 2005.
- (f) Ministry for the Environment: NZ Urban Design Protocol; March 2005.
"Key Urban Design Qualities", Chapter 3, pp 18-24
- (g) Ministry for the Environment: People, Places and Spaces: A Design Guide for Urban New Zealand; March 2002.

7.7.2 Assessment Matters

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

i **Controlled Activity - Garages within road setback provisions**

Conditions may be imposed to ensure that:

- (a) The garage is sited and designed to mitigate against any adverse effects on the visual values of the streetscape and views.
- (b) The location and design of vehicle access is such to protect the safe and efficient movement of vehicles.

ii **Controlled Activity - Visitor Accommodation**

Conditions may be imposed to ensure that:

- (a) Compatibility with amenity values of the surrounding environment considering the visual amenity of the street, neighbouring properties or views of the lake; and
 - (i) The character, scale and intensity of the proposed use and its compatibility in relation to surrounding and/or adjoining residential neighbourhoods
 - (ii) The nature of the development in the context of the permitted future uses on nearby sites
 - (iii) Loss of privacy
 - (iv) The proximity of outdoor facilities to residential neighbours
 - (v) Hours of operation
 - (vi) The ability to landscape/plant to mitigate visual effects
 - (vii) Whether the external appearance of the buildings complements the surrounding landscape and urban character, including when viewed from the lake.
- (b) Any adverse effects from the activity are avoided, remedied or mitigated in terms of:
 - (i) The adequacy and location of car parking for the site
 - (ii) Noise, vibration and lighting from vehicles entering and leaving the site
 - (iii) Pedestrian safety within the vicinity of the activity
 - (iv) Provision for coaches to be parked off-site
- (c) Mitigation of noise emissions beyond the property boundary considering:

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

iii Controlled Activity - Buildings for Non-Residential Activities

Conditions may be imposed in respect of:

- (a) The location, height, external appearance and methods of construction to avoid or mitigate adverse effects on:
 - (i) the street scene;
 - (ii) adjoining or surrounding buildings;
 - (iii) public open space, amenity linkages and view corridors;
 - (iv) the visual amenity of open spaces, streets and the surrounding landscape.
- (b) The relationship of the building to its neighbours in terms of its built form, and to other built elements in the Zone, including public open spaces.
- (c) The relationship of parking, access and manoeuvring areas in respect of access point options for joint use of car parking and the safety of pedestrians.
- (d) The extent and quality of any landscaping proposed and the effectiveness of proposed planting in enhancing the general character of the area, screening car parking areas, and the impact on residential uses.

iv Multi-Unit Developments – Restricted Discretionary Activity

When considering applications to exceed the number of units specified for multi-unit developments Council shall have regard to the following:

1. When considering the location, external appearance and design of the building(s) the following matters shall be taken into account:
 - (a) The standard of architectural qualities of the development;
 - (b) The development contains an integrated design theme and seeks to create visual character and variety through articulation, materials and colour;
 - (c) Creative use of design is used to create a building(s) so that the perceived bulk of the building(s) is not increased in the sense that space and openness as viewed from public and private places is not diminished;
 - (d) Views to and from public spaces and from neighbouring sites are preserved;
 - (e) The development does not dominate surrounding sites through excessive bulk or result in more than minor shading of neighbouring private and public properties;
 - (f) Repetitive and continuous building forms and large, flat or blank walls are avoided;
 - (g) Roof lines and pitches are varied but harmonious throughout the development;
 - (h) The development and building design mitigates reverse sensitivity effects from existing activities in the vicinity; and
 - (i) Crime prevention measures, such as lighting, are an integral part of the development.

 2. When considering the location of the development the following matters shall be taken into account:
 - (i) The location of existing or proposed shopping areas;
 - (j) The location of existing or proposed public transport links;
 - (k) The location of existing or proposed reserves and parks;
 - (l) The provision and availability of essential public services;
 - (m) Increased traffic flows of nearby roads;
 - (n) The size of the site is such that it is able to enable the development to relate to nearby properties and enable units to relate well to public streets
 - (o) The proximity to nearby community facilities; and

 - (p) The proximity to nearby road frontage or areas of sufficient size to allow parking for visitors.
3. When considering the location, nature and scale of landscaping on site the following matters shall be taken into account:
 - (a) Existing vegetation on the site is retained, and existing trees and native vegetation are incorporated into the site and landscape design;
 - (b) Additional landscaping is integrated and complementary to existing vegetation;
 - (c) On site landscaping enhances the appearance of the building and the streetscape;
 - (d) Trees and other plantings are in proportion to the size of the building;
 - (e) The incorporation of areas of native bush and any natural water courses into the development;
 - (f) Landscaping mitigates effects of car parking and manoeuvring areas and assists with stormwater management;

 4. When considering parking and site access the following matters shall be taken into account:
 - (e) Traffic, parking, manoeuvring areas and access to the site are effectively catered for;
 - (f) Separation of pedestrian and vehicular manoeuvring areas;
 - (g) The layout of the development facilitates the safe movement of pedestrians and vehicles onto and off the road network; and
 - (h) Access to the site is situated so that it minimises impacts of noise and other effects of neighbouring sites;

 5. When considering the relationship of the building to the street, other public areas and the neighbourhood the following matters shall be taken into account:
 - (a) The development draws on the surrounding built form and natural environment in its design and appearance;
 - (b) The development is sensitive to the residential character and amenity of the locality;

- (c) The development integrates well with the immediate locality and contributes positively to the wider street scene;
- (d) Building elevations are broken up by the use of articulation, the use of landscaping and the use of architectural features;
- (e) Continuous building forms, including flat facades are avoided;
- (f) Units are orientated so that they relate to the street; and
- (g) Car parking and manoeuvring areas does not dominate the appearance of the development as viewed from neighbouring sites and public areas.

v Building Size – Restricted Discretionary Activity

When considering applications to exceed the Building Size maximums Council shall have regard to the following:

2. When considering the location, external appearance and design of the building the following matters shall be taken into account:
 - (a) The standard of architectural qualities of the development;
 - (b) The building seeks to create visual character and variety through articulation, materials and colour and avoids repetitive building forms;
 - (c) Design is used to create a building so that the perceived bulk of the building is not increased in the sense that space and openness as viewed from public and private places is not diminished;
 - (d) Views to and from public spaces and from neighbouring sites are preserved;
 - (e) The building does not dominate surrounding sites through excessive bulk or result in more than minor shading of neighbouring private and public properties; and
 - (f) Large, flat and blank walls are avoided.
 - (g) The avoidance of the appearance of building bulk through the efficient use of the site, e.g. underground car parking and basements.

2. When considering the location, nature and scale of landscaping on site the following matters shall be taken into account:

- (a) The retention of existing vegetation on the site, and the incorporation of existing trees and native vegetation into the site and landscape design;
- (b) Additional landscaping is integrated and complementary to existing vegetation;
- (c) On site landscaping enhances the appearance of the building and the streetscape; and
- (d) Trees and other plantings are in proportion to the size of the building;

3. When considering the relationship of the building to the street, other public areas and the neighbourhood the following matters shall be taken into account:

- (a) The building draws on the surrounding built form and natural environment in its design and appearance;
- (b) The building is sensitive to the residential character and amenity of the locality;
- (c) The building integrates well with the immediate locality and contributes positively to the wider street scene;
- (d) Building elevations should be broken up by the use of articulation, the use of landscaping and the use of architectural features; and
- (e) The avoidance of continuous building forms, including flat facades.

ivj Discretionary Activity - Comprehensive Residential Development

- (a) Any adverse effects of the activity in terms of:
 - (i) Noise, vibration and lighting from vehicles entering and leaving the site or adjoining road, which is incompatible with the levels acceptable in a low-density residential environment.
 - (ii) Loss of privacy
 - (iii) Level of traffic congestion or reduction in levels of traffic safety which are inconsistent with the classification of the adjoining road.

- (iv) Pedestrian safety in the vicinity of the activity.
 - (v) Any cumulative effect of traffic generation from the activity in conjunction with traffic generation from other activities in the vicinity.
- (b) The ability to mitigate any adverse effects of the additional traffic generation such as through the location and design of vehicle crossings, parking and loading areas or through the provision of screening and other factors which may reduce the effect of the additional traffic generation, such as infrequency of the activity, or limited total time over which the traffic movements occur.
 - (c) Any adverse effects of the proximity or bulk of the buildings, in terms of visual dominance by buildings of the outlook from adjoining sites and buildings, which is out of character with the local environment.
 - (d) Any adverse effects of the proximity or bulk of the buildings, in terms of loss of access to daylight on adjoining sites.
 - (e) The ability to provide adequate opportunities for garden and tree plantings around buildings.
 - (f) The extent to which any proposed buildings will be compatible with the scale of other buildings in the surrounding area and will not result in visual domination as a result of building coverage which is out of character with the local environment.
 - (g) The ability to provide adequate vehicle parking and manoeuvring space on site.
 - (h) The extent to which the increased building coverage would have any adverse effects on adjoining properties in terms of dominance by buildings, loss of privacy, access to sunlight and daylight and loss of opportunities for views.

- (i) The ability to provide adequate outdoor space on the site for all outdoor activities associated with residential and other activities permitted on the site.
- (j) The ability to mitigate any adverse effects of increased coverage

vii Discretionary Activity - Visitor Accommodation

- (a) Compatibility with amenity values of the surrounding environment considering the visual amenity of the street, neighbouring properties or views of the lake; and
 - (i) The character, scale and intensity of the proposed use and its compatibility in relation to surrounding and/or adjoining residential neighbourhoods
 - (ii) The nature of the development in the context of the permitted future uses on nearby sites
 - (iii) Loss of privacy
 - (iv) The proximity of outdoor facilities to residential neighbours
 - (v) Hours of operation
 - (vi) The ability to landscape/plant to mitigate visual effects
 - (vii) Whether the external appearance of the buildings complements the surrounding landscape and urban character, including when viewed from the lake.
- (b) Any adverse effects in terms of:
 - (i) The adequacy and location of car parking for the site
 - (ii) Noise, vibration and lighting from vehicles entering and leaving the site or adjoining road, which is incompatible with the levels acceptable in a low-density residential environment.

- (iii) Loss of privacy.
 - (iv) Levels of traffic congestion or reduction in levels of traffic safety which are inconsistent with the classification of the adjoining road.
 - (v) Pedestrian safety in the vicinity of the activity.
 - (vi) Any cumulative effect of traffic generation from the activity in conjunction with traffic generation from other activities in the vicinity.
 - (vii) Provision for coaches to be parked off-site
 - (viii) The ability to mitigate any adverse effects of the additional traffic generation such as through the location and design of vehicle crossings, parking and loading areas or through the provision of screening and other factors which may reduce the effect of the additional traffic generation, such as infrequency of the activity, or limited total time over which the traffic movements occur.
- (c) Mitigation of noise emissions beyond the property boundary considering:
- (i) The adequacy of mitigation measures, including the layout of outdoor activities (for example barbecues, spa pools), and the ability to screen those activities by vegetation, fencing or building.
 - (ii) Measures that can be incorporated into the premises to provide for acoustic insulation and /or attenuation of noise emissions.
- (d) The ability to supply water, and dispose of sewage, stormwater and other wastes consistent with Regional Council requirements.
- (e) The ability to provide adequate, potable water supply, adequate firefighting provisions, and to dispose of sewage, stormwater and other wastes so as to avoid potential adverse effects.
- viii Discretionary activity- Sale of liquor from visitor accommodation activities**
- (a) Compatibility with amenity values of the surrounding environment considering:
- (i) The character, scale and intensity of the proposed use and its compatibility in relation to surrounding and/or adjoining residential neighbourhoods
 - (ii) The nature of the development in the context of the permitted future uses on nearby sites
 - (iii) The relative impact of adverse effects caused by activities associated with the sale of liquor, including its availability to persons other than those residing on the premises and the maximum number of persons that may be present in any licensed area
 - (iv) Loss of privacy
 - (v) The proximity of outdoor facilities to residential neighbours
 - (vi) Hours of operation
- (b) Avoidance of noise emissions beyond the property boundary considering:
- (i) The adequacy of mitigation measures, including the layout of outdoor activities (for example barbecues, spa pools), and the ability to screen those activities by vegetation, fencing or building.
 - (ii) Measures that can be incorporated into the premises to provide for acoustic insulation and /or attenuation of noise emissions.

vix Building Height - Lift Towers - Site Standard

- (a) The extent to which protrusion through the height plane is necessary to enable more efficient and/or appropriate use of the site within the height plane.
- (b) Whether alternative lift technology is available and/or appropriate which would enable efficient use of the site.
- (c) Any adverse effects of the height, bulk or location of the lift tower in terms of visual dominance of the outlook from adjoining or nearby sites and buildings.
- (d) Any adverse effects of the height, bulk or location of the lift tower in terms of loss of access to daylight on adjoining sites.
- (e) Any adverse effects of the location of the lift tower in terms of noise on adjoining sites.
- (f) Any increased adverse effects of the visitor accommodation development on the residential character of the neighbourhood due to the height, bulk or location of the lift tower.
- (g) Whether any earthworks have been carried out on the site prior to the date of notification (10 October 1995) that have lowered the level of the site.
- (h) Whether there are rules requiring the site to be built up.

xviii Building Height - Site Standard (Lot 141 Block XX Shotover Survey District).

- (a) Whether the architectural style is sympathetic to the mountain setting and local context.
- (b) Whether the height of the building is appropriate to the scale of the natural landforms and vegetation of the area.
- (c) Whether the building is likely to create adverse effects of shading on Fernhill Road and neighbouring properties.

ixi Discretionary Activity and Zone Standard - Retail Sales

- (a) The extent to which the activity will result in levels of traffic generation or pedestrian activity which are incompatible with the character of the surrounding residential area.
- (b) Any adverse effect of the likely traffic generation from the proposed activity in terms of:
 - (i) Noise and vibration from vehicles entering and leaving the site or adjoining road, which is incompatible with the noise levels acceptable in a low-density residential environment.
 - (ii) Glare from headlights of vehicles entering and leaving the site or adjoining road which is intrusive for residents or occupants of adjoining residential sites.
 - (iii) Levels of traffic congestion or reduction in levels of traffic safety which are inconsistent with the classification of the adjoining road.
 - (iv) Reduction in the availability of on-street parking which is such as to cause a nuisance for residents, occupants or visitors to adjoining residential sites.
 - (v) Fumes from vehicles entering or leaving the site, which are objectionable to residents or occupiers of adjoining residential sites.
 - (vi) Any cumulative effect of traffic generation from the activity in conjunction with traffic generation from other activities in the vicinity.
- (c) The extent to which the proposed traffic generation will be compatible with or not result in adverse effects upon activities in the surrounding neighbourhood.
- (d) The ability to mitigate any adverse effects of the additional traffic generation such as through the location and design of vehicle crossings, parking and loading areas or through the provision of screening and other factors which may reduce the effect of the additional traffic generation, such as infrequency of the activity, or limited total time over which the traffic movements occur.

- (e) Any adverse effects of increased levels of pedestrian activity as a result of the retail sales in terms of noise, disturbance and loss of privacy which is inconsistent with the low-density suburban living environment.
- (f) The extent to which retail sales from the site are an integral and necessary part of other activities being undertaken on the site and assist in providing alternative home-based employment and income-generating opportunities for residents or occupiers of the site.
- (g) The proximity of the site of the retail sales to the sites of scheduled commercial or community activities, or to arterial roads.

xii Building Height - Zone Standard

- (a) Whether any earthworks have been carried out on the site prior to the date of notification (10 October 1995) that have lowered the level of the site.
- b) Whether there are rules requiring the site to be built up.

xiii Coverage

- (a) The extent to which there will remain on the site opportunities for landscaping in addition to buildings.
- (b) The ability to provide adequate opportunity for landscaping around buildings.
- (c) The extent to which there is a need for increased building coverage in order to undertake the proposed activities on site.
- (d) The extent to which any proposed buildings will be compatible with the scale of other buildings in the surrounding area and will not result in visual domination as a result of building coverage which is out of character with the local environment.

- (e) The ability to provide adequate on-site vehicle parking and manoeuvring space.
- (f) The extent to which increased building coverage would have any adverse effects on adjoining properties in terms of dominance by buildings, loss of privacy, sunlight and day light and loss of opportunities for views.
- (g) The ability to provide adequate outdoor space on the site for all outdoor activities associated with residential and other activities permitted on the site.
- (h) The ability to mitigate any adverse effects of increased coverage.
- (i) The extent to which increased building coverage or hardsurface coverage would have any adverse effects on the historic character of Arrowtown.

xiv Building Coverage in the High Density Residential Zone

- (a) The provision of adequate space for landscaping in addition to the buildings, and the preservation of existing vegetation on the site;
- (b) The compatibility of the proposed buildings with the scale of other buildings in the surrounding area;
- (c) The avoidance of visual domination as a result of building coverage which is out of character with the local environment;
- (d) The provision of adequate on-site vehicle parking and manoeuvring space;
- (e) The maintenance of privacy, sunlight and day light on adjoining properties;
- (f) The provision of adequate outdoor space on the site for all outdoor activities associated with residential and other activities permitted on the site;
- (g) The avoidance of any adverse effects of the increased coverage;
- (h) The preservation of views to and from public spaces and from neighbouring private spaces;

- (i) The use of design to create a building so that the perceived bulk of the building is not increased in the sense that space and openness as viewed from public and private places is not diminished;
- (j) Any significant (more than minor) public amenity values in terms of overall building appearance and function resulting from the increased building coverage;
- (k) The increased building coverage is offset by a significant (more than minor) pedestrian amenity;
- (l) The avoidance of shadowing on any adjacent property or public road; and
- (m) The avoidance of the use of unsightly repetitious elements.

xvii Setback from Roads

- ~~(a) The extent to which the intrusion into the street scene is necessary in order to allow more efficient, practical use of the remainder of the site.~~
- ~~(b) The extent to which the proposed building will detract from the coherence, openness and attractiveness of the site as viewed from the street and adjoining sites.~~
- ~~(c) The ability to provide adequate opportunity for landscaping in the vicinity of road boundaries, which will mitigate the effects of the building intrusion into the street scene.~~
- ~~(d) The ability to provide adequate on-site parking and manoeuvring for vehicles.~~
- ~~(e) The extent to which the proposed building will be compatible with the appearance, layout and scale of other buildings and sites in the surrounding area, including the setback of existing buildings in the vicinity from road boundaries.~~

- ~~(f) The extent to which the proposed building will have size, form, proportions, roof line, style, external appearance which are similar to or in keeping with those of existing buildings on the site.~~
- ~~(g) The extent to which the location of the proposed building would adversely affect the historic character of Arrowtown.~~
- (a) The provision of adequate space for landscaping in the vicinity of road boundaries, which will mitigate the effects of the building intrusion into the street scene;
- (b) The ability to provide adequate on-site parking and manoeuvring for vehicles;
- (c) The compatibility the proposed building has with the appearance, layout and scale of other buildings and sites in the surrounding area, including the setback of existing buildings in the vicinity from road boundaries;
- (d) The proposed building size, form, proportions, roof line, style and external appearance that is similar to or in keeping with those of existing buildings on the site;
- (e) The adverse effect the building will have on the historic character of Arrowtown;
- (f) The preservation of views to and from public spaces;
- (g) The provision of an equal or greater amount of open space on the site that contributes to the sense of space and openness as viewed from public places;
- (h) Significant (more than minor) public and pedestrian amenity values in terms of building appearance and function resulting from the setback infringement;
- (i) Shadowing on any adjacent property or public road is avoided; and
- (j) Any likely future increases in the usage of the road.

xviii Setback from Neighbours

- ~~(a) The extent to which intrusion towards the internal boundary is necessary to enable more efficient, practical use of the remainder of the site.~~
- ~~(b) Any adverse effects of the proximity or bulk of the building, in terms of visual dominance by buildings of the outlook from adjoining sites and buildings, which is out of character with the local environment.~~
- ~~(c) Any adverse effects on adjoining sites of the proximity of the building, in terms of reduced privacy through being overlooked from or being in close proximity to neighbouring buildings, to an extent which is inconsistent with the suburban living environment.~~
- ~~(d) Any adverse effects of the proximity or bulk of the building in terms of loss of access to daylight on adjoining sites.~~
- ~~(e) The ability to provide adequate opportunities for landscaping around buildings.~~
- ~~(f) Any adverse effects of the proximity of the building in terms of difficulty of access to the building or to adjoining rear sites.~~
- ~~(g) Any adverse effects of the proximity of buildings housing animals in terms of noise, smell, or vermin on adjoining sites.~~
- ~~(h) Any adverse effects on adjoining sites of the proximity of buildings housing scheduled community or private recreation facilities in terms of noise, glare or vibration which is inconsistent with the suburban living environment.~~
- ~~(i) The ability to mitigate any adverse effects of the proposal on adjoining sites.~~
- ~~(j) Any adverse effects of the proximity or bulk of the building, in terms of the loss of the historic character of Arrowtown.~~

- (a) Whether due to the proximity of the intruding building:

- (i) The loss of access to daylight on adjoining sites;
- (ii) The loss of privacy on adjoining sites;
- (iii) There is any visual dominance on the outlook from adjoining sites and buildings.

- (b) The provision of adequate space for landscaping around buildings;
- (c) Any difficulty of access to the building or to adjoining rear sites due to the proximity or location of the building;
- (d) The adverse effects of the proximity of buildings housing animals in terms of noise, smell, or vermin on adjoining sites.
- (e) Any adverse effects on adjoining sites of the proximity of buildings housing scheduled community or private recreation facilities in terms of noise, glare or vibration which is inconsistent with the suburban living environment.
- (f) The ability to mitigate any adverse effects of the proposal on adjoining sites.
- (g) Any adverse effects of the proximity or bulk of the building, in terms of the loss of the historic character of Arrowtown.
- (h) Views to and from public spaces are preserved;
- (i) The provision of an equal or greater amount of open space on the site that contributes to the sense of space and openness as viewed from public places;
- (j) Any significant (more than minor) public and pedestrian amenity values in terms of building appearance and function resulting from the setback infringement;
- (k) Shadowing on any adjacent property is avoided.

xivii Access

- (a) The extent to which alternative formed access can be assured to the activity in the long-term.
- (b) The extent to which the level and nature of the use will make it unlikely that access by way of a formed road will ever be necessary.
- (c) The level of financial contribution required to be made to the Council towards the formation of the road to a standard suitable for access, taking into account the levels of traffic likely to be generated by the use of the residential unit in relation to the existing use of the road, as referred to in Rule 15.2.5.
- (d) The extent to which access to any State Highway will adversely affect the safe and efficient movement of vehicles.

xviii Continuous Building Length

- ~~(a) Any adverse effects of the continuous building length in terms of visual dominance by building(s) of the outlook from the street and adjoining sites, which is out of character with the local area.~~
- ~~(b) The extent to which the continuous building length detracts from the pleasantness and openness of the site, as viewed from the street and adjoining site.~~
 - ~~(i) The ability to mitigate any adverse effects of continuous building length through increased separation distances, screening or use of other materials.~~
- (a) The visual dominance caused by the building(s) length detracting from the outlook from the street and adjoining sites, which is out of character with the local area;
- (b) The continuous building length detracting from the pleasantness and openness of the site, as viewed from the street and adjoining site;
- (c) The mitigation of adverse effects of continuous building length through increased separation distances, screening or use of other materials;

- (d) The preservation of views to and from public spaces and from neighbouring sites;
- (e) The use of design to create a building so that the perceived bulk of the building is not increased in the sense that space and openness as viewed from public and private places is not diminished;
- (f) The avoidance of shadowing on adjacent properties and public roads;
- (g) The avoidance of the use of unsightly repetitious elements; and
- (h) The avoidance of facades with a large flat appearance.

xixvi Landscaping

- (a) The extent to which landscaping should be undertaken to protect and enhance a desirable level of residential amenity, including the need to provide open space, mature trees, and the screening of parking and outdoor storage associated with visitor accommodation activities from adjoining sites.
- (b) The landscaping of the remaining open space on the site in such a manner as to add a significant (more than minor) amenity to the public;
- (c) The resultant landscaping creates a significant pedestrian amenity; and
- (d) The contribution of the land not landscaped has to the amenity of the site and neighbourhood;

xxvii Outdoor Living Space

- (a) The extent to which the reduction in outdoor living space and/or its location will adversely affect the ability of the site to provide for the outdoor living needs of likely future residents of the site.
- (b) Any alternative provision on, or in close proximity to, the site for outdoor living space to meet the needs of likely future residents.

- (c) The extent to which the reduction in outdoor living space or the lack of access to sunlight is compensated for by alternative space within buildings with access to ample sunlight and fresh air.
- (d) Whether the residential units are to be used for elderly persons housing and the extent to which a reduced area of outdoor living space will adequately provide for the outdoor living needs of the likely residents of the site.

xxviii Landscaping – Low density residential zone Frankton Corner/ Hansen Road

- (a) With respect to landscaping (removal of existing trees as well as new planting) adjacent to the historic stone wall on the boundary of the Frankton Cemetery, whether:
 - (i) removal of existing trees will damage the stone wall;
 - (ii) new landscaping will maintain the integrity and enhance the views of the historic stone wall;
 - (iii) consultation with local community groups and historical society has been undertaken.
- (b) With respect to landscaping within the building line restriction area adjoining State Highway 6, whether:
 - (i) the landscaping will enhance the entrance to Queenstown
 - (ii) the landscaping design will complement and harmonise with other landscaping adjacent to State Highway 6 on the Frankton Flats;
 - (iii) the landscaping will mitigate the visual effects of development;
 - (iv) the design incorporates alternatives such as mounding to compensate for reduction in tree planting.

- (v) how the issue of ongoing maintenance has been addressed.

xixiii Nature and Scale of Non-Residential Activities

- (a) The extent to which the scale of the activity and the proposed use of the buildings will be compatible with the scale of other buildings and activities in the surrounding area and will not result in visual dominance as a result of the area of buildings used, which is out of character with the low density suburban environment.
- (b) The extent to which the character of the site will remain dominated by landscaping rather than by buildings and areas of hard surfacing.
- (c) The extent to which the activity will result in the loss of residential activity on the site.
- (d) The extent to which the activities on the site remain dominated by residential activity, rather than by activities which are not associated with or incidental to residential activity on the site.
- (e) Any adverse effects of the activity in terms of noise, vibration, glare, loss of privacy, traffic and/or parking congestion.
- (f) The extent to which the activity provides a local function by meeting the needs of residents principally within the surrounding residential environment.
- (g) The ability to mitigate any adverse effects of the increased scale of activity.
- (h) The extent to which the activity will detract from the coherence and attractiveness of the site as viewed from adjoining roads and sites.
- (i) Any adverse effects of the activity on the outlook of people on adjoining sites, including the loss of residential character.
- (j) The extent to which the activity will be compatible with the appearance, layout and functioning of other sites in the adjoining area.

- (k) The ability to mitigate any adverse effects of the activity on adjoining roads and sites.
- (l) The extent to which additional employment will result in levels of traffic generation or pedestrian activity which are incompatible with the character of the surrounding residential area.
- (m) The extent to which additional employment is an integral and necessary part of other activities being undertaken on the site and assists in providing alternative home-based employment and income generating opportunities for residents or occupiers of the site.

xxiv Fence Heights

- (a) The creation of a significant (more than minor) pedestrian amenity;and
- (b) The necessity of the increased fence in terms of private and public safety.

xxv Frankton Road and Track

1. When considering applications to exceed the permitted height of structures along Frankton Road in the High Density Residential Zone Council shall have regard to, but not be limited to, the following:
 - (d) The effect on views from any vehicle travelling along Frankton Road to the lake and mountains;
 - (e) The addition to public and pedestrian amenity from the increased height;
 - (f) Shadowing onto the Frankton Track.
2. When considering applications to seek relief from the floor plane elevation limit of structures along the Frankton Track in the High Density Residential Zone Council shall have regard to, but not be limited by, the following:

- (a) The adverse effects has on the amenity of pedestrians along the Track;
- (b) The avoidance of landscaping as a mitigation method of views into private spaces;
- (c) The addition to public and pedestrian amenity from the lowered floor plane;
- (d) The intrusion the resultant development has on the privacy and isolation one experiences in using the Track.

xxvi Trees

- (a) The extent to which pruning, trimming or topping of a tree is necessary due to the health of the tree or any potential hazard that exists.
- (b) The effect of any trimming or changes on the root system of the tree or on the trees appearance or health.
- (c) Whether the tree or trees are currently causing, or likely to cause, significant damage to buildings, services or property, whether public or privately owned.
- (d) Whether the tree or trees seriously restrict any development.
- (e) Any substitute or compensating tree planting or landscaping proposed.
- (f) The effect of pruning, trimming or topping of the tree on the amenity and historic character of the Residential Arrowtown Historic Management Zone.

xxvii Arrowtown Scenic Protection Area

- (a) The extent to which any departure from the standards will detract from the views of Arrowtown.
- (b) The extent to which any departure would impinge on the visual outlook and open space provisions of the surrounding rural areas.

- (c) The extent to which any mitigation measures are available to maintain and enhance the purpose of the Arrowtown Scenic Protection Area.

xxviii Additional Matters – Arrowtown

The extent to which any building blends harmoniously with and contributes to the historic character of the residential area. In this regard the following matters are important:

(a) **Building Form**

The extent to which the building forms generally match the common building forms of the old town area.

The primary building form should be a gabled rectangular planned structure with a maximum street frontage of 12 m and with a maximum height to the eaves of 3.0 m. The maximum building height generally should be 4.0 m to the ridge.

A larger building can be constructed by combining additional primary building forms in parallel or at right angles. Other elements which can be added are verandahs and lean-tos.

(b) **Roofs**

The extent to which any roofs proposed reflects the following:

Main roofs should be gabled only, with pitches varying between 25 and 35 degrees. The main roof may comprise a salt-box roof pitch where the street elevation roof pitch is higher than the rear roof pitch. Lean-to and veranda roof pitches should generally be less than the main roof pitch. Subsequent lean-to's should generally be a lesser pitch again. Veranda roofs may be hipped. Dormer windows are not appropriate, but glazed skylights in the plane of the roof which project no more than 100mm are acceptable.

(c) **Location**

The extent to which the location of buildings reflects the following:

Houses should be located centrally between the side boundaries with the long wall of the main rectangular form parallel with the street. Subsequent building forms should generally be, no closer to the street boundary than the principal form and can be at right angles or parallel to the principal building form.

(d) **Exterior Materials and Finishes**

The extent to which the exterior materials and finishes reflects the following:

Building materials and their finishes generally shall be:

- schist with lime mortar with or without a low percentage of cement for walls and chimneys, with a natural finish or finished with a lime, sand plaster and/or a natural limewash;
- painted timber rusticated or shiplap weatherboards for walls;
- painted corrugated steel or uncoated timber shingles for roofs;
- painted timber for roof and wall coverboards, baseboards, and cornerboards;
- painted timber windows, glazing bars, sills, and frames;
- painted timber door panels, stiles, mullions, rails, glazing bars, sills, and frames;
- natural or limewashed bricks for chimneys;
- painted timber architraves to doors and windows for timber clad houses;
- lime-sand rendered architraves may be applied to schist buildings;
- painted corrugated steel for walls;
- painted timber framing to verandahs.

(e) **Details**

Gables and eaves shall generally not overhang walls by more than 300mm.

Verandahs can have broken-back roofs or roofs springing from immediately under the gutterboard of the main roof. Veranda roofs can be hipped or half gables. Veranda posts should have a positive base detail which does not decrease in dimension from the main support post.

Decoration if applied, should be simple and be limited to bargeboards and the veranda frieze or fringe. Reproduction of details shall be avoided and the use of new ornamentation designs, where used, is encouraged.

In simple rectangular house forms, chimneys shall generally be located at either end of the house, either expressed on the exterior or within the interior of the house. In 'T' plan house forms a chimney may be located at the junction of the two rectangular forms. Chimneys on the ridge shall project a minimum of 300mm above the ridge line. Chimneys can also be located at the rear of the house.

(f) **Proportions**

The range of facade should be between 1: 2.5 and 1: 4.4. Window proportions, should be approximately 1: 2.5 without a toplight and 1: 3.2 with a toplight.

The general proportion of opening to solid wall should not be more than 3: 1.

(g) **Colour**

Colours should be similar to the original colour schemes.

h) **Ancillary Buildings**

(i) Garages should be to the rear of the building and follow the general design principles as for the main building.

(ii) Fences shall generally match the design and heights of original fences.

xxix. ~~xxiii~~ Additional Matters – Community Facilities

(a) **Screening**

(i) The type of goods or vehicles to be stored on site, their visual appearance and the extent to which the site is visible from adjoining sites, particularly from residential areas and

the effect this will have on the amenities and character of the area.

(ii) The location of the storage area in relation to buildings and options for the alternative layout of activities on site.

(b) **Landscaping**

(i) The extent of the visual impact of buildings, outdoor parking and outdoor storage areas where a reduced area of landscaping is proposed having regard to its visibility from adjoining sites, public places or the road and in particular, from sites of residential activity.

(ii) The extent to which other factors may compensate for a reduced landscape area such as:

- a higher quality of planting over a smaller area.
- a higher standard of architectural design which is not visually obtrusive.
- The type of building materials used.
- The location of different activities on site and their relationship to the boundaries of the site and their visibility from the general area.

(iii) The importance of improving the standard of landscape having regard to the visual appearance of the site, the length of boundary open to public view and the impact of buildings and activities within the site on the character and amenity of the area, particularly where a low standard of landscaping currently exists.

xxxiv Earthworks

1. Environmental Protection Measures

(a) Whether and to what extent proposed sediment/erosion control techniques are adequate to ensure that sediment remains on-site.

(b) Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.

- (c) Whether earthworks will be completed within a short period, reducing the duration of any adverse effects.
- (d) Where earthworks are proposed on a site with a gradient >18.5 degrees (1 in 3), whether a geotechnical report has been supplied to assess the stability of the earthworks.
- (e) Whether appropriate measures to control dust emissions are proposed.
- (f) Whether any groundwater is likely to be affected, and any mitigation measures are proposed to deal with any effects. NB: Any activity affecting groundwater may require resource consent from the Otago Regional Council.

2. **Effects on landscape and visual amenity values**

- (a) Whether the scale and location of any cut and fill will adversely affect:
 - the visual quality and amenity values of the landscape;
 - the natural landform of any ridgeline or visually prominent areas;
 - the visual amenity values of surrounding sites
- (b) Whether the earthworks will take into account the sensitivity of the landscape.
- (c) The potential for cumulative effects on the natural form of existing landscapes.
- (d) The proposed rehabilitation of the site.

3. **Effects on adjacent sites:**

- (a) Whether the earthworks will adversely affect the stability of neighbouring sites.
- (b) Whether the earthworks will change surface drainage, and whether the adjoining land will be at a higher risk of inundation, or a raised water table.
- (c) Whether cut, fill and retaining are done in accordance with engineering standards.

4. **General amenity values**

- (a) Whether the removal of soil to or from the site will affect the surrounding roads, and neighbourhood through the deposition of sediment, particularly where access to the site is gained through residential areas.
- (b) Whether the activity will generate noise, vibration and dust effects, which could detract from the amenity values of the surrounding area.
- (c) Whether natural ground levels will be altered.

5. **Impacts on sites of cultural heritage value:**

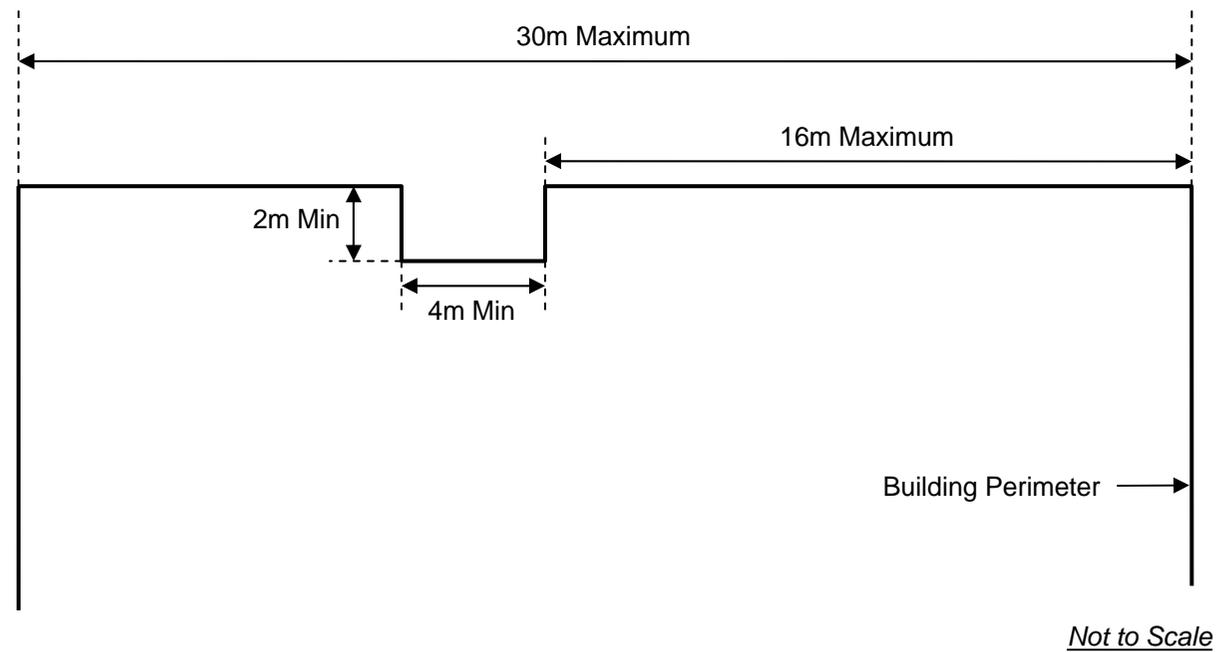
- (a) Whether the subject land contains Waahi Tapu or Waahi Taoka, or is adjacent to a Statutory Acknowledgement Area, and whether tangata whenua have been notified.
- (b) Whether the subject land contains a recorded archaeological site, and whether the NZ Historic Places Trust has been notified.

Appendix 4

Interpretative Diagrams

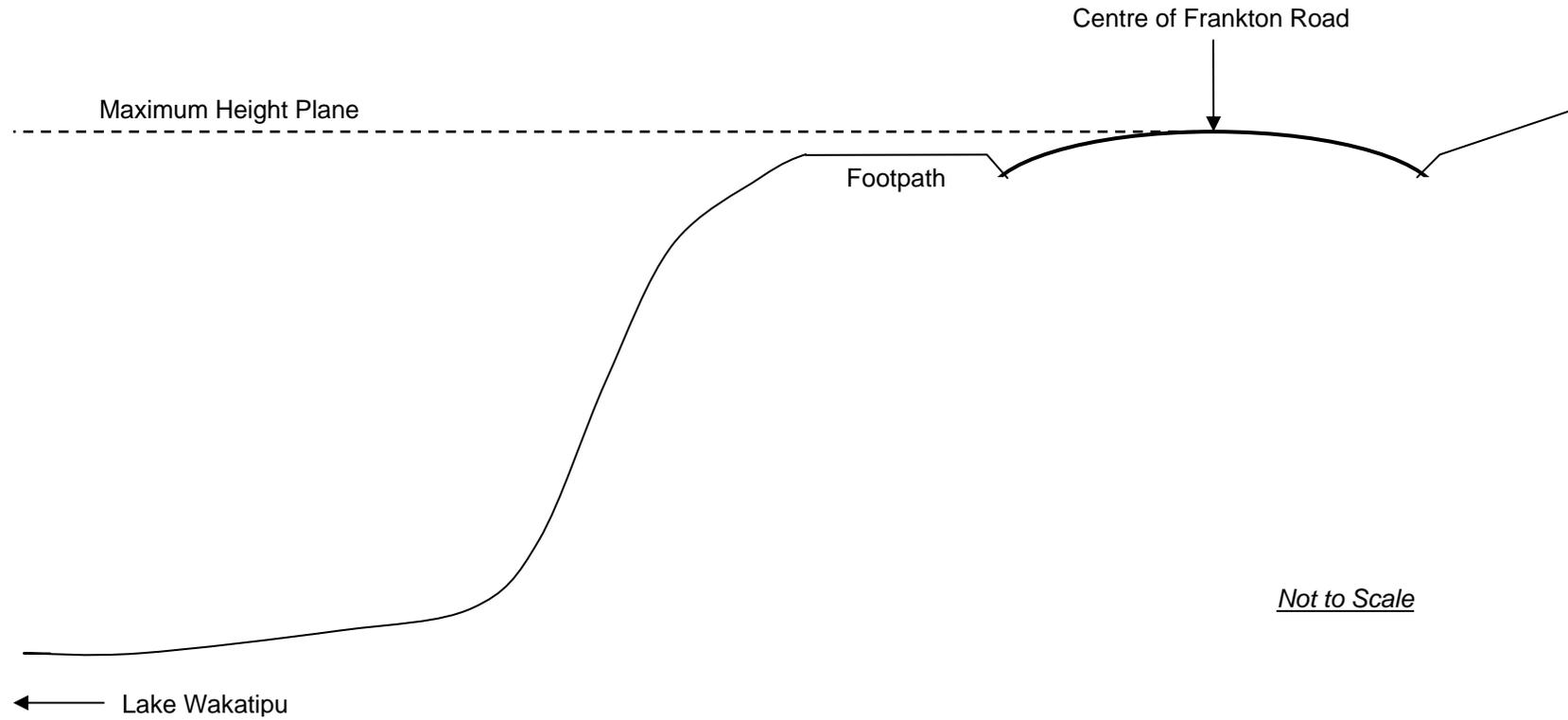
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4. Continuous Building Length in the High Density Residential Zone (for illustrative purposes)

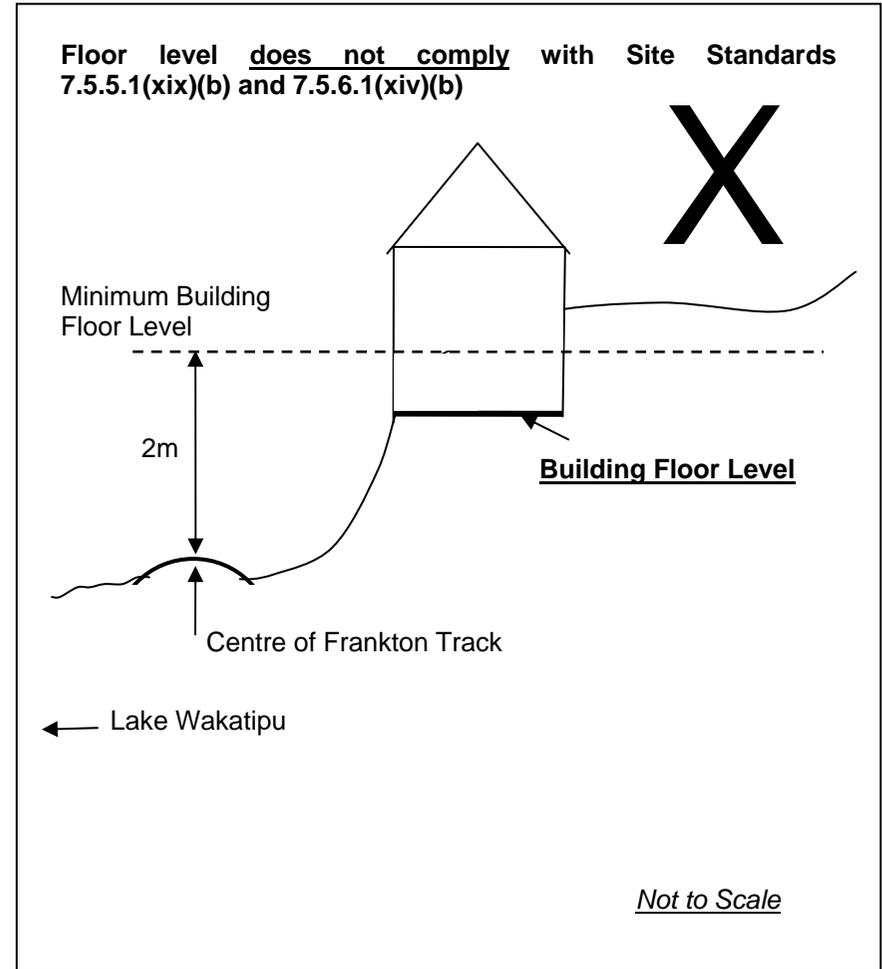
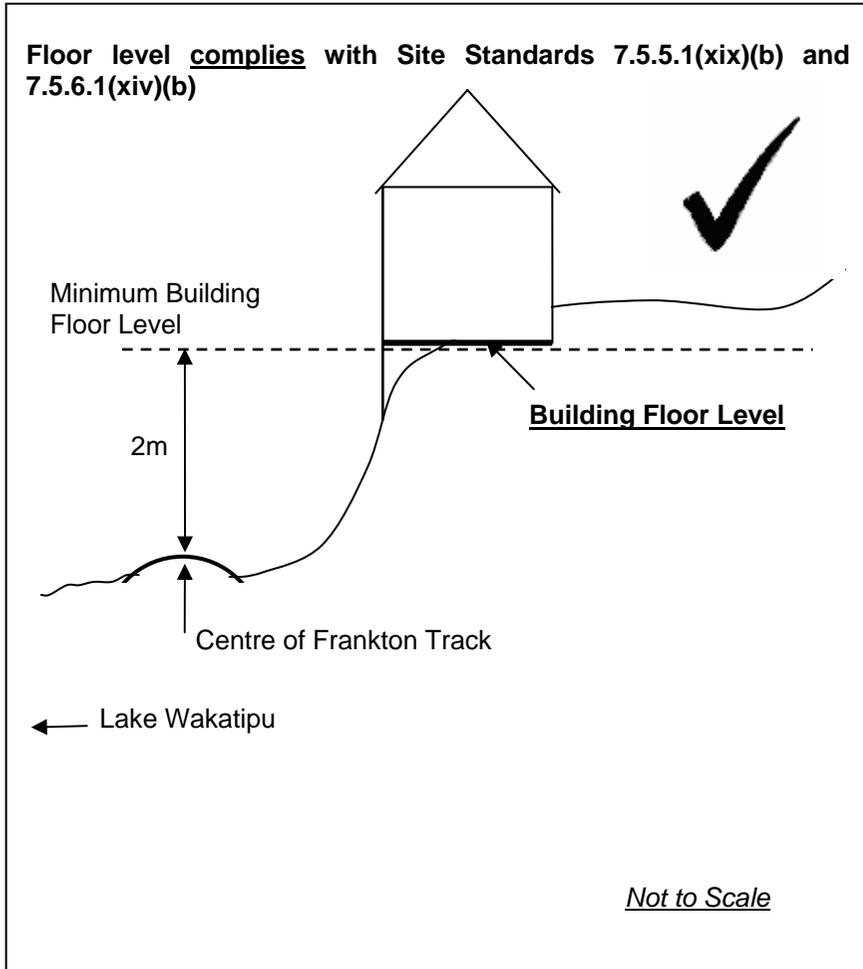


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9. Height Restriction along Frankton Road (for illustrative purposes)



10. Elevation Restriction along Frankton Track (for illustrative purposes)



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Place holder for maps titled:

- ‘Proposed High Density Residential Sub-Zones – Queenstown (Map 1)’
- ‘Proposed High Density Residential Sub-Zones – Queenstown (Map 2)’
- ‘Proposed High Density Residential Sub-Zones – Wanaka’