

10 ARROWTOWN RESIDENTIAL HISTORIC MANAGEMENT ZONE

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

This table identifies new provisions sought to be added:

Appellant Court Number	Provision/s Sought to be Added into Chapter 10
Airbnb Australia Pty Ltd ENV-2019-CHC-061	<p>Amend the following permitted activity standards in the Lower Density Suburban Residential (7.5.19), Medium Density Residential (8.5.18), High Density Residential (9.5.15), Arrowtown Residential Historic Management (10.5.10), Large Lot Residential (11.5.14), Business Mixed Use (16.5.13) and zones as follows: Add a new standard: <u>Must comply with the noise limits for the relevant zone in Rules 36.5.1 to 36.5.4 in Chapter 36 Noise.</u> <u>Delete the following two standards:</u> • <u>Must comply with minimum parking requirements of standard 29.8.9 in Chapter 29 Transport.</u> • <u>Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</u></p>
Airbnb Australia Pty Ltd ENV-2019-CHC-061	<p>1. Delete non-compliance activities status statements or letters in the 'non-compliance status' column in Rules 7.5.19, 8.5.18, 9.5.15, 10.5.10, 11.5.14, 22.5.15, 23.5.13, 41.5.1.13, and replace with 'C' to indicate controlled activity status for non-compliance.</p> <p>2. Delete all matters of discretion listed in the 'non-compliance status' column in Rules 7.5.19, 8.5.18, 9.5.15, 10.5.10, 11.5.14, 22.5.15 and replace with the following; and add the following to the 'non-compliance status' column of Rules 22.5.15, 23.5.13 and 41.5.1.13: <u>Control is reserved to:</u> <u>a. The potential impact of the number of paying guests on site per night on the amenity values of the neighbourhood;</u> <u>b. The keeping of records of Homestay use, and availability of records for Council inspection; and</u> <u>c. Monitoring requirements, including imposition of an annual monitoring charge.</u></p> <p>3. Amend Rules 21.9.6 and 24.5.22 as follows (in the 'non-compliance status' column): <u>Control is reserved to:</u> a. The scale of the activity, including the number of guests per night and the number guest nights the activity operates in a 12 month period; b. The management of noise, rubbish and outdoor activities; <u>a. The potential impact of the number of paying guests on site per night on the amenity values of the neighbourhood;</u> <u>and re-number (b) and (c) to (c) and (d).</u></p> <p>4. Amend the 'non-compliance status' columns of rules 16.5.13, 42.5.10 and 43.5.15 as follows: <u>Control is reserved to:</u> <u>a. The potential impact of the number of paying guests on site per night on the amenity values of the neighbourhood;</u></p>

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	<p>a. <u>The location, nature and scale of activities;</u> b. <u>The location, and provision, and screening of parking and access;</u> c. <u>The management of noise, rubbish and outdoor activities;</u> <u>and re-number (d) and (e) to (b) and (c).</u></p>
<p>Airbnb Australia Pty Ltd ENV-2019-CHC-061</p>	<p>1. Amend the rules to provide for RVA as a permitted activity in all zones rather than controlled, and delete the corresponding matters of control.</p> <p>2. Introduce new permitted activity standards for RVA in these rules as follows:</p> <ul style="list-style-type: none"> • <u>Must not exceed a cumulative total of 120 nights occupation by paying guests on a site per 12 month period.</u> • <u>Must comply with the noise limits for the relevant zone in Rules 36.5.1 to 36.5.4 in Chapter 36 Noise.</u> • <u>Where the RVA involves construction of a new residential dwelling, the RVA must comply with the minimum parking requirements for a residential unit and/or residential flat (whichever is used for the residential visitor accommodation activity) in Chapter 29 Transport.</u> • <u>The Council must be notified in writing prior to the commencement of a Residential Visitor Accommodation activity.</u> • <u>Up to date records of the Residential Visitor Accommodation activity must be kept, including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</u>
<p>Airbnb Australia Pty Ltd ENV-2019-CHC-061</p>	<p>1. For Rules 7.5.18; 8.5.17; 9.5.14; 10.5.9; 11.5.13:</p> <p>a. delete all text within the 'non-compliance status' column except for the following two matters (which have different numbering for each rule): <i>"The keeping of records of RVA use, and availability of records for Council inspection; and Monitoring requirements, including imposition of an annual monitoring charge."</i></p> <p>b. Insert into the 'non-compliance status' column, above the two remaining matters</p> <ul style="list-style-type: none"> - 'C' (to indicate controlled activity status). - the statement "<u>Control is reserved to:</u>" - the following new matter of control: "<u>The location and provision of parking and access for the construction of new residential dwellings to be used for RVA</u>" <p>2. For Rules 16.5.12; 21.9.5; 24.5.20; 42.5.9; 43.5.14, within the 'non-compliance status' column, make the following changes:</p> <p>a. delete all matters of control, except the following two (which have different numbering for each rule): <i>"The keeping of records of RVA use, and availability of records for Council inspection; and Monitoring requirements, including imposition of an annual monitoring charge."</i></p> <p>b. add the following new matter of control: "<u>The location and provision of parking and access for the construction of new residential dwellings to be used for RVA</u>"</p> <p>3. For Rules 22.5.14; 23.5.12; 41.5.1.12, within the 'non-compliance status' column, make the following changes:</p> <p>a. delete "D" and replace with "C" (to indicate controlled activity status).</p> <p>b. Add the following text: "<u>Control is reserved to:</u>"</p> <p>c. Add the following matters of control:</p> <ul style="list-style-type: none"> a. <u>The location and provision of parking and access for the construction of new residential dwellings to be used for RVA;</u> b. <u>The keeping of records of RVA use, and availability of records for Council inspection; and</u> c. <u>Monitoring requirements, including imposition of an annual monitoring charge.</u>

10.1 Zone Purpose

This zone covers the older part of the residential settlement of Arrowtown. 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 sensitive development of the historic area of residential Arrowtown in a way that will protect and enhance those characteristics that make it a valuable part of the town for local residents and for visitors attracted to the town by its historic associations and unique character.

In particular the zone seeks to retain the early subdivision pattern and streetscape, and ensure future development is of a scale and design sympathetic to the present character.

Unlike other residential zones, infill housing is not anticipated. However, as with the remainder of the District's residential zones, Residential Flats are provided for as a fundamental part of a standard residential unit to increase the diversity of residential accommodation in the zone as well as recognise the diverse household types and preferences within the District.

The Town Centre Transition Overlay provides for limited expansion of commercial activities in an identified location adjoining the town centre. Any modifications to existing buildings or properties are expected to retain the historical character and qualities of the Old Town Residential Area.

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

Visitor accommodation outside of the Arrowtown Town Centre Transition Overlay and the Visitor Accommodation Sub-Zone is restricted.

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

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

10.2 Objectives and Policies

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10.2.1 Objective – Development retains or enhances the historic character and amenity values of the zone, which is characterised by larger sites, low scale and single storey buildings, the presence of trees and vegetation and limited hard paving.

Policies

10.2.1.1 Apply development controls around building location, scale and appearance, and landscaped areas, to ensure the special character of the area is retained or enhanced.

10.2.1.2 Encourage buildings to be located and designed in a manner that complements the character of the area guided by the Arrowtown Design Guidelines 2016.

10.2.1.3 Control the subdivision of land and regulate density to ensure the character resulting from the existing large lot sizes and historical subdivision pattern is retained.

10.2.1.4 Ensure that any commercial and non-residential activities, including restaurants, maintain or enhance the amenity, quality and character of the zone and surrounding area.

10.2.1.5 Avoid non-residential activities that would undermine the amenity of the zone or the vitality of Arrowtown’s commercial zone.

10.2.2 Objective - Community activities that are best suited to a location within a residential environment close to residents are provided for.

Policies

10.2.2.1 Enable the establishment of small scale community activities where adverse effects on the character and amenity values of the area in terms of noise, traffic and visual impact can be avoided or mitigated.

10.2.3 Objective - Development efficiently utilises existing infrastructure and otherwise minimises impacts on infrastructure and road networks

Policies

10.2.3.1 Ensure vehicle access and parking is located and designed to optimise efficiency and safety, and designed in sympathy with the character of the area.

10.2.3.2 Encourage low impact approaches to stormwater management.

10.2.4 Objective - The Arrowtown Town Centre Transition Overlay provides for non-residential activities that provide local employment and commercial services to support the role of the Town Centre Zone.

Policies

10.2.4.1 Provide for commercial activities that are compatible with the established residential scale, character and historical pattern of development within the Arrowtown Town Centre Transition Overlay.

10.2.4.2 Limit retailing in the Town Centre Transition Overlay to ensure that the Town Centre Zone remains the principal focus for Arrowtown’s retail activities.

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10.2.4.3 Ensure that the licenced premises within the Arrow Lane, Wiltshire Street and Berkshire Street Town Centre Transition Overlay protect the amenity of adjoining residential properties.

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

Policies

10.2.5.1 Provide for visitor accommodation and residential visitor accommodation that is appropriate for the low density residential environment in the Arrowtown Town Centre Transition Overlay and the Visitor Accommodation Sub-Zone.

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

10.2.5.3 Ensure that residential visitor accommodation and homestays are of a scale and character that are compatible with the surrounding residential context and maintain residential character and amenity values.

10.2.5.4 Provide opportunities for low intensity residential visitor accommodation and homestays as a contributor to the diversity of accommodation options available to visitors and to provide for social and economic wellbeing.

10.2.5.5 Manage the effects of residential visitor accommodation and homestays outside the Visitor Accommodation Sub-Zone by controlling the scale, intensity and frequency of use and those effects of the activities that differentiate them from residential activities.

10.3 Other Provisions and Rules

10.3.1 District Wide Rules

Attention is drawn to the following District wide chapters.

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

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10.3.2 Interpreting and Applying the Rules

- 10.3.2.1 A permitted activity must comply with all the rules listed in the Activity and Standards tables, and any relevant district wide rules, otherwise a resource consent will be required.
- 10.3.2.2 Where an activity does not comply with a Standard listed in the Standards table, the activity status identified by the 'Non-Compliance Status' column shall apply.
- 10.3.2.3 Where an activity breaches more than one Standard, the most restrictive status shall
- 10.3.2.4 Each residential unit may include a single residential flat and any other accessory buildings.
- 10.3.2.5 The status of any Plantation Forestry will be determined by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.
- 10.3.2.6 References to the Visitor Accommodation Sub-Zones in this Chapter only apply to the sub-zones within the Arrowtown Residential Historic Management Zone.
- 10.3.2.7 The following abbreviations are used within this Chapter.

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

10.4 Rules - Activities

Table 1	Activities located in the Arrowtown Residential Historic Management Zone	Activity Status
10.4.1	Home occupation	P
10.4.2	Minor Alterations and Additions to a Building	P
10.4.3	Recreational Activity	P
10.4.4	Residential Unit Note: Refer to Rule 10.4.6 for construction of new, and alterations and additions to existing, buildings.	P
10.4.5	Homestays	P

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Table 1	Activities located in the Arrowtown Residential Historic Management Zone	Activity Status				
10.4.5A	<p data-bbox="344 277 767 304">Residential Visitor Accommodation</p> <p data-bbox="344 342 612 369">Control is reserved to:</p> <ul style="list-style-type: none"> <li data-bbox="344 409 1270 436">a. The scale of the activity, including the number of guests on site per night; <li data-bbox="344 477 1246 504">b. The management of noise, use of outdoor areas, rubbish and recycling; <li data-bbox="344 544 1166 571">c. The location, provision, use and screening of parking and access; <li data-bbox="344 611 1235 678">d. The compliance of the residential unit with the Building Code as at the date of the consent; <li data-bbox="344 719 986 745">e. Health and safety provisions in relation to guests; <li data-bbox="344 786 970 813">f. Guest management and complaints procedures; <li data-bbox="344 853 1262 920">g. The keeping of records of RVA use, and availability of records for Council inspection; and <li data-bbox="344 960 1251 1028">h. Monitoring requirements, including imposition of an annual monitoring charge. <table border="1" data-bbox="344 1068 1232 1263"> <thead> <tr> <th data-bbox="344 1068 935 1135">Rule 10.4.5A and relief sought</th> <th data-bbox="935 1068 1232 1135">Appellant Court Number</th> </tr> </thead> <tbody> <tr> <td data-bbox="344 1135 935 1263">Amend the rules to provide for RVA as a permitted activity in all zones rather than controlled, and delete the corresponding matters of control. Introduce new permitted activity standards.</td> <td data-bbox="935 1135 1232 1263">Airbnb Australia Pty Ltd ENV-2019-CHC-061</td> </tr> </tbody> </table>	Rule 10.4.5A and relief sought	Appellant Court Number	Amend the rules to provide for RVA as a permitted activity in all zones rather than controlled, and delete the corresponding matters of control. Introduce new permitted activity standards.	Airbnb Australia Pty Ltd ENV-2019-CHC-061	C
Rule 10.4.5A and relief sought	Appellant Court Number					
Amend the rules to provide for RVA as a permitted activity in all zones rather than controlled, and delete the corresponding matters of control. Introduce new permitted activity standards.	Airbnb Australia Pty Ltd ENV-2019-CHC-061					

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Table 1	Activities located in the Arrowtown Residential Historic Management Zone	Activity Status
10.4.6	<p>The Construction or external alteration of any buildings</p> <p>This rule does not apply to Minor Alterations and Additions to a Building provided for by Rule 10.4.2.</p> <p>Discretion is restricted to the following with the Arrowtown Design guidelines 2016 being the principal tool to be used in considering the merit of proposals (within the restrictions of discretion):</p> <ul style="list-style-type: none"> a. how new or altered buildings make a positive contribution to the heritage character of the zone; b. building form, appearance, scale and layout including the height to the eaves, ridge, roof shape and pitch; c. exterior materials and colour; d. landscaping and fencing; e. where a site is subject to any natural hazard and the proposal results in an increase in gross floor area: <ul style="list-style-type: none"> i. the nature and degree of risk the hazard(s) pose to people and property; ii. whether the proposal will alter the risk to any site; and iii. the extent to which such risk can be avoided or sufficiently mitigated. <p>The following additional restriction of discretion also applies within the Arrowtown Town Centre Transition Overlay:</p> <ul style="list-style-type: none"> a. retention and enhancement of pedestrian linkages between Buckingham Street and Romans Lane. 	RD
10.4.7	<p>Visitor Accommodation in the Arrowtown Town Centre Transition Overlay and the Visitor Accommodation Sub-Zone</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. The location, nature and scale of activities; b. Parking and access; c. Landscaping; d. Noise generation and methods of mitigation; e. Hours of operation, including in respect of ancillary activities; and f. The external appearance of buildings. 	RD

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Table 1	Activities located in the Arrowtown Residential Historic Management Zone	Activity Status
10.4.8	Community activities	D
10.4.9	Any Activity not listed in Table 1	NC
10.4.10	Commercial activities	NC
10.4.11	Visitor Accommodation not otherwise identified	NC
10.4.12	Panel beating, spray painting, motor vehicle repair or dismantling, fibre glassing, sheet metal work, bottle or scrap storage, motor body building.	PR

Table 2	Activities within the Arrowtown Town Centre Transition Overlay Additional to or in Place of those in Table 1	Activity Status
10.4.13	Commercial activities (except where specified for retail activities)	P
10.4.14	Community Activities	P
10.4.15	Licensed Premises (except where specified in Rule 10.4.15A) Premises licensed for the consumption of alcohol on the premises between the hours of 8am and 11pm.	P

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10.4.15A	<p>Licensed Premises in the area located between Arrow Lane, Wiltshire Street and Berkshire Street</p> <p>Premises licensed for the consumption of alcohol on the premises between the hours of 8am and 11pm, provided that this rule shall not apply to the sale of liquor:</p> <ul style="list-style-type: none">a. to any person who is residing (permanently or temporarily) on the premises;b. to any person who is present on the premises for the purpose of dining up until 12am. <p>Discretion is restricted to:</p> <ul style="list-style-type: none">a. the scale of the activity;b. car parking and traffic generation;c. effects on amenity values;d. noisee. hours of operation;f. where a site is subject to any natural hazard and the proposal results in an increase in gross floor area;<ul style="list-style-type: none">i. the nature and degree of risk the hazard(s) pose to people and property;ii. whether the proposal will alter the risk to any site; andiii. the extent to which such risk can be avoided or sufficiently mitigated.	RD
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10.4.16	<p>Licensed Premises</p> <p>Premises licensed for the consumption of alcohol on the premises between the hours of 11pm and 8am, provided that this rule shall not apply to the sale of liquor:</p> <ul style="list-style-type: none"> a. to any person who is residing (permanently or temporarily) on the premises; b. to any person who is present on the premises for the purpose of dining up until 12am. Discretion is restricted to: <ul style="list-style-type: none"> c. the scale of the activity; d. car parking and traffic generation; e. effects on amenity values; f. noise; g. hours of operation; h. where a site is subject to any natural hazard and the proposal results in an increase in gross floor area; <ul style="list-style-type: none"> i. the nature and degree of risk the hazard(s) pose to people and property; ii. whether the proposal will alter the risk to any site; and iii. the extent to which such risk can be avoided or sufficiently mitigated. iv. 	RD
10.4.17	<p>Retail Activities</p> <p>Retailing restricted to goods manufactured on site and ancillary products, and comprising no more than 10% of the gross floor area</p>	D
10.4.18	<p>Any activity not listed in either Table 1 or Table 2, except for Plantation Forestry where the Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017 prevails.</p>	NC

10.5 Rules – Standards for Activities

Table 2	Standards for Activities: Arrowtown Residential Historic Management Zone	Non-compliance status
10.5.1	<p>Building Height</p> <p>A maximum height limit of 5 metres.</p>	NC
10.5.2	<p>Density</p> <p>Not more than one Residential Unit per 650 square metres of net site area.</p>	NC
10.5.3	<p>Building Coverage</p>	NC

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Table 2	Standards for Activities: Arrowtown Residential Historic Management Zone	Non-compliance status
	The maximum building coverage shall be 30% of the net site area.	
10.5.4	<p>Combined Building Coverage and Impervious Surfaces</p> <p>The total area covered by building coverage and impervious surfaces on any site shall not exceed 35% of the net site area.</p>	NC
10.5.5	<p>Road Boundary Setbacks</p> <p>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</p> <p>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.</p>	<p>RD</p> <p>Discretion is restricted to the following with the Arrowtown Design guidelines 2016 being the principal tool to be used in considering the merit of proposals (within the matters of discretion):</p> <ol style="list-style-type: none"> a. streetscape character and amenity values, including the extent to which the building(s) sit compatibly with neighbours to the side and across the street; b. building dominance on neighbouring properties and the street; c. landscaping; d. parking and manoeuvring.
10.5.6	<p>Side and Rear Boundary Setbacks</p> <p>10.5.6.1 Side and rear boundary setbacks: 3.0m.</p> <p>10.5.6.2 Exceptions to side and rear boundary setbacks:</p> <ol style="list-style-type: none"> a. accessory buildings for residential activities are permitted within the setback distance, providing they do not exceed 7.5m in length and comply with a recession plane of 2.5m vertical measured at the boundary, and a 35 degree plane inwards; 	<p>RD</p> <p>Discretion is restricted to the following with the Arrowtown Design guidelines 2016 being the principal tool to be used in considering the merit of proposals (within the matters of discretion):</p> <ol style="list-style-type: none"> a. effects on open space, privacy sunlight access and amenity values of neighbouring properties; b. building dominance.

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Table 2	Standards for Activities: Arrowtown Residential Historic Management Zone	Non-compliance status
	<ul style="list-style-type: none"> b. gable end roofs may penetrate above the building recession plane by no more than one third of the gable height; c. recession planes do not apply to site boundaries fronting the street or a reserve. <p>Note: Refer to the recession planes interpretive diagram in Chapter 2 Definitions.</p>	
10.5.7	<p>Glare</p> <ul style="list-style-type: none"> a. all exterior lighting shall be directed downward and away from the adjacent sites and roads; b. no activity on any site shall result in greater than a 3.0 lux spill (horizontal or vertical) of lights onto any other site measured at any point inside the boundary of the other site. 	NC
10.5.8	<p>Building Restriction Area</p> <p>No building shall be located within a building restriction area as identified on the District Plan web mapping application.</p>	NC
10.5.9	<p>Residential Visitor Accommodation</p> <p>10.5.9.1 Must not exceed a cumulative total of 90 night's occupation by paying guests on a site per 12 month period.</p> <p>10.5.9.2 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</p> <p>10.5.9.3 Must comply with the minimum parking requirements for a residential unit and/or residential flat (whichever is used for the residential visitor</p>	<p>Sites within the Visitor Accommodation Sub-Zone and/or Town Centre Transition Overlay:</p> <p>RD*</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. The location, nature and scale of activities; b. The location, provision, use and screening of parking and access; c. The management of noise, outdoor lighting, use of outdoor areas, rubbish and recycling. d. The compliance of the residential unit with the Building Code as at the date of the consent;

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Table 2	Standards for Activities: Arrowtown Residential Historic Management Zone	Non-compliance status						
	<p style="text-align: center; color: red;">accommodation activity) in Chapter 29 Transport.</p> <p style="color: red;">Note: The Council may request that records are made available to the Council for inspection, at 24 hours' notice, in order to monitor compliance with rules 10.5.9.1 to 10.5.9.3.</p> <table border="1" data-bbox="331 600 874 1124"> <thead> <tr> <th data-bbox="338 609 715 725">Rule 10.5.9 and relief sought</th> <th data-bbox="721 609 868 725">Appellant Court Number</th> </tr> </thead> <tbody> <tr> <td data-bbox="338 734 715 967">Rule 10.5.9 Residential Visitor Accommodation ... 10.5.9.2 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</td> <td data-bbox="721 734 868 967">Wayfare Group Ltd ENV-2019-CHC-076</td> </tr> <tr> <td data-bbox="338 976 715 1120">Non-compliance with any of the permitted activity standards for RVA should default to a controlled activity in all zones.</td> <td data-bbox="721 976 868 1120">Airbnb Australia Pty Ltd ENV-2019-CHC-061</td> </tr> </tbody> </table>	Rule 10.5.9 and relief sought	Appellant Court Number	Rule 10.5.9 Residential Visitor Accommodation ... 10.5.9.2 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.	Wayfare Group Ltd ENV-2019-CHC-076	Non-compliance with any of the permitted activity standards for RVA should default to a controlled activity in all zones.	Airbnb Australia Pty Ltd ENV-2019-CHC-061	<ul style="list-style-type: none"> e. Health and safety provisions in relation to guests; f. Guest management and complaints procedures; g. The keeping of records of RVA use, and availability of records for Council inspection; and h. Monitoring requirements, including imposition of an annual monitoring charge. <p>All other sites:</p> <p style="padding-left: 40px;">Standard 10.5.9.1: 91-180 nights RD >180 nights NC</p> <p>All other Standards: NC</p> <p>For RD non-compliance with Standard 10.5.9.1 discretion is restricted to:</p> <ul style="list-style-type: none"> i. The nature of the surrounding residential context, including its residential amenity values, cohesion and character, and the effects of the activity on the neighbourhood; j. The cumulative effect of the activity, when added to the effects of other activities occurring in the neighbourhood; k. The scale and frequency of the activity, including the number of guests on site per night; l. The management of noise, use of outdoor areas, rubbish and recycling; m. The location, provision, use and screening of parking and access; n. The compliance of the residential unit with the Building Code as at the date of the consent; o. Health and safety provisions in relation to guests; p. Guest management and complaints procedures;
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Rule 10.5.9 Residential Visitor Accommodation ... 10.5.9.2 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.	Wayfare Group Ltd ENV-2019-CHC-076							
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Table 2	Standards for Activities: Arrowtown Residential Historic Management Zone	Non-compliance status				
		<p>q. The keeping of records of RVA use, and availability of records for Council inspection; and</p> <p>r. Monitoring requirements, including imposition of an annual monitoring charge.</p>				
10.5.10	<p>Homestay</p> <p>10.5.10.1 Must not exceed 5 paying guests on a site per night.</p> <p>10.5.10.2 Must comply with minimum parking requirements of standard 29.8.9 in Chapter 29 Transport.</p> <p>10.5.10.3 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</p> <p>10.5.10.4 The Council must be notified in writing prior to the commencement of a Homestay activity.</p> <p>10.5.10.5 Up to date records of the Homestay activity must be kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</p> <p>Note: The Council may request that records are made available to the Council for inspection, at 24 hours' notice, in order to monitor compliance with rules 10.5.10.1 to 10.5.10.5.</p> <table border="1" style="width: 100%; margin-top: 10px;"> <thead> <tr> <th style="text-align: center;">Rule 10.5.10 and relief sought</th> <th style="text-align: center;">Appellant Court Number</th> </tr> </thead> <tbody> <tr> <td>Rule 10.5.10 Homestay ...10.5.10.3 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</td> <td>Wayfare Group Ltd ENV-2019-CHC-076</td> </tr> </tbody> </table>	Rule 10.5.10 and relief sought	Appellant Court Number	Rule 10.5.10 Homestay ...10.5.10.3 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.	Wayfare Group Ltd ENV-2019-CHC-076	<p>Standards 10.5.10.1 and 10.5.10.2: RD</p> <p>All other Standards: NC</p> <p>For non-compliance with Standards 10.5.10.1 and 10.5.10.2 discretion is restricted to:</p> <ul style="list-style-type: none"> a. The nature of the surrounding residential context, including its residential amenity values and character, and the effects of the activity on the neighbourhood; b. The cumulative effect of the activity, when added to the effects of other activities occurring in the neighbourhood; c. The scale and frequency of the activity, including the number of nights per year; d. The management of noise, use of outdoor areas, rubbish and recycling; e. The location, provision, use and screening of parking and access; f. The keeping of records of Homestay use, and availability of records for Council inspection; and g. Monitoring requirements, including imposition of an annual monitoring charge.
Rule 10.5.10 and relief sought	Appellant Court Number					
Rule 10.5.10 Homestay ...10.5.10.3 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.	Wayfare Group Ltd ENV-2019-CHC-076					

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Table 2	Standards for Activities: Arrowtown Residential Historic Management Zone		Non-compliance status
	Non-compliance with any of the permitted activity standards for Homestays should default to a controlled activity in all zones.	Airbnb Australia Pty Ltd ENV-2019-CHC-061	

10.6 Rules – Non-Notification of Applications

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

10.6.1.1 Visitor Accommodation and residential visitor accommodation in the Arrowtown Town Transition Overlay and the Visitor Accommodation Sub-Zone.