

IN THE ENVIRONMENT COURT
AT CHRISTCHURCH
I TE KŌTI TAIAO O AOTEAROA
KI ŌTAUTAHI

IN THE MATTER of the Resource Management Act 1991

AND of appeals under clause 14 of the First
Schedule of the Act

BETWEEN AIRCRAFT OWNERS AND
PILOTS ASSOCIATION (NZ)
INCORPORATED

(ENV-2019-CHC-072)

... (continued on separate page)

Appellants

AND QUEENSTOWN LAKES DISTRICT
COUNCIL

Respondent

Environment Judge J J M Hassan – sitting alone under s279 of the Act

In Chambers at Christchurch

Date of Consent Order: 27 July 2021

CONSENT ORDER

A: Under s279(1)(b) of the Resource Management Act 1991, the Environment
Court, by consent, orders that:

- (1) the appeals are allowed, and Queenstown Lakes District Council is
directed to:



- (a) amend the provisions of Chapters 2 (Definitions), 24 (Wakatipu Basin) and 27 (Subdivision and Development) as set out in Appendix 1, attached to and forming part of this order;
 - (b) make any consequential amendments to the numbering or provisions or to the relevant planning maps resulting from the above amendments.
- (2) the appeals otherwise remain extant.

B: Under s285 of the Resource Management Act 1991, there is no order as to costs.

REASONS

Introduction

[1] These proceedings concern 34 appeals by Aircraft Owners and Pilots Association (NZ) Incorporated¹ and others² against parts of a decision of the Queenstown Lakes District Council regarding provisions of Chapters 2

¹ ENV-2019-CHC-072.

² ENV-2019-CHC-086 Barnhill Corporate Trustee; ENV-2019-CHC-045 Banco Trustees Limited; ENV-2019-CHC-038 Boxer Hill Trust; ENV-2019-CHC-032 Broomfield & Woodlot Properties Limited; ENV-2019-CHC-040 Cassidy Trust; ENV-2019-CHC-066 The Crown Investment Trust; ENV-2019-CHC-085 Darby Planning Limited Partnership; ENV-2019-CHC-024 Donaldson R; ENV-2019-CHC-071 Fairfax A; ENV-2019-CHC-016 Hanan E & M; ENV-2019-CHC-018 Guthrie M; ENV-2019-CHC-047 Henry MP; ENV-2019-CHC-089 Lake Hayes Limited; ENV-2019-CHC-087 Lake Hayes Cellar Limited; ENV-2019-CHC-083 Lake Hayes Investments Limited; ENV-2019-CHC-075 MacColl D; ENV-2019-CHC-068 McFadgen L; ENV-2019-CHC-023 T McQuilkin and A P McQuilkin Family Trust ENV-2019-CHC-082 Monk Roger; ENV-2019-CHC-088 Morven Ferry Limited; ENV-2019-CHC-042 Muspratt JC; ENV-2019-CHC-074 Slopehill Joint Venture; ENV-2019-CHC-060 TJ Investments PTE Limited; ENV-2019-CHC-027 Transpower New Zealand Limited; ENV-2019-CHC-037 Trojan Helmet Limited; ENV-2019-CHC-077 United Estates Ranch Limited; ENV-2019-CHC-020 Van Asch & others; ENV-2019-CHC-065 Wakatipu Equities Limited; ENV-2019-CHC-052 Wakatipu Investments Limited; ENV-2019-CHC-090 Waterfall Park Developments Limited; ENV-2019-CHC-084 Williamson S; ENV-2019-CHC-044 Wills G & Burden T; ENV-2019-CHC-064 Wood C.

(Definitions), 24 (Wakatipu Basin) and 27 (Subdivision and Development) of the Proposed Queenstown Lakes District Plan – Stage 2, allocated as Topic 30 Wakatipu Basin.

[2] The court has now read and considered the consent memorandum of the parties dated 17 December 2020 which proposes to finally determine a number of appeal points allocated to subtopics 1, 2, 3, 4, 5, 6, 7, 8, 10 and 12 of Topic 30 – Wakatipu Basin.

[3] The parties advise that all matters proposed for the court’s endorsement fall within the court’s jurisdiction and conform to the relevant requirements and objectives of the Act including, in particular, Part 2.

Other relevant matters

[4] A number of parties gave notice of an intention to become a party under s274 of the Resource Management Act (‘RMA’) to the relevant appeals, several of whom expressly withdrew their interest in Topic 30.

[5] The consent memorandum records ten parties that did not attend the Topic 30 mediation or advised a lack of interest in this topic. The QLDC recorded its attempts to contact those parties regarding the consent memorandum.³ Given the time that has elapsed since, I consider adequate opportunity has been provided for those parties to express their views on the relief sought.

[6] All relevant parties have signed the memorandum setting out the relief sought.

³ Consent memorandum at [8.3], [8.5], [8.6], [8.9], [8.11], [8.12], [8.14], [8.15], [8.16], [8.17].

Orders

[7] The court makes this order under s279(1) RMA, such order being by consent, rather than representing a decision or determination on the merits pursuant to s297. The court understands for present purposes that:

- (a) all parties to the proceedings have executed the memorandum requesting this order;
- (b) all parties are satisfied that all matters proposed for the court's endorsement fall within the court's jurisdiction and conform to the relevant requirements and objectives of the RMA including, in particular, pt 2.


J J M Hassan
Environment Judge



List of Appellants

ENV-2019-CHC-086	Barnhill Corporate Trustee Limited
ENV-2019-CHC-045	Banco Trustees Limited
ENV-2019-CHC-038	Boxer Hill Trust
ENV-2019-CHC-032	Broomfield & Woodlot Properties Limited
ENV-2019-CHC-040	Cassidy Trust
ENV-2019-CHC-066	The Crown Investment Trust
ENV-2019-CHC-085	Darby Planning Limited Partnership
ENV-2019-CHC-024	Donaldson R
ENV-2019-CHC-071	Fairfax A
ENV-2019-CHC-016	Hanan E & M
ENV-2019-CHC-018	Guthrie M
ENV-2019-CHC-047	Henry MP
ENV-2019-CHC-089	Lake Hayes Limited
ENV-2019-CHC-087	Lake Hayes Cellar Limited
ENV-2019-CHC-083	Lake Hayes Investments Limited
ENV-2019-CHC-075	MacColl D
ENV-2019-CHC-068	McFadgen L
ENV-2019-CHC-023	T McQuilkin and A P McQuilkin Family Trust
ENV-2019-CHC-082	Monk Roger
ENV-2019-CHC-088	Morven Ferry Limited
ENV-2019-CHC-042	Muspratt JC
ENV-2019-CHC-074	Slopehill Joint Venture
ENV-2019-CHC-060	TJ Investments PTE Limited
ENV-2019-CHC-027	Transpower New Zealand Limited
ENV-2019-CHC-037	Trojan Helmet Limited
ENV-2019-CHC-077	United Estates Ranch Limited
ENV-2019-CHC-020	Van Asch & others
ENV-2019-CHC-065	Wakatipu Equities Limited
ENV-2019-CHC-052	Wakatipu Investments Limited
ENV-2019-CHC-090	Waterfall Park Developments Limited
ENV-2019-CHC-084	Williamson S
ENV-2019-CHC-044	Wills G & Burden T
ENV-2019-CHC-064	Wood C

APPENDIX 1

(amendments shown in underline and ~~strikethrough~~ text)

Note: The numbering will need to be corrected in both Chapters 24 and 27, due to the deletion and inclusion of provisions.

CHAPTER 2 - DEFINITIONS

Minor Trimming (For the purposes of Chapters <u>24 and 32</u> only)	Means the removal of not more than 10% of the live foliage from the canopy of the tree or structural scaffold branches within a single calendar year.
minor trimming of a hedgerow (For the purposes of Chapters <u>24 and 32</u> only)	Means the removal of not more than 50% of the live foliage within a single five year period.
Root Protection Zone (For the purposes of Chapters <u>24 and 32</u> only)	Means for a tree with a spreading canopy, the area beneath the canopy spread of a tree, measured at ground level from the surface of the trunk, with a radius to the outer most extent of the spread of the tree's branches, and for a columnar tree, means the area beneath the canopy extending to a radius half the height of the tree. As demonstrated by the diagrams below.
Significant Trimming (For the purposes of Chapters <u>24 and 32</u> only)	Means the removal of more than 10% of the live foliage from the canopy of the tree or structural scaffold branches.

CHAPTER 27 – SUBDIVISION AND DEVELOPMENT

	Subdivision Activities - District Wide	Activity Status
27.5.9	<p>All subdivision activities, unless otherwise provided for, in the Wakatipu Basin Rural Amenity Zone or the Wakatipu Basin Lifestyle Precinct.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Location of building platforms and <u>vehicle</u> accessways b. Subdivision design and lot layout including the location of boundaries, lot <u>sizes</u> <u>shape</u> and dimensions (<u>but excluding lot area</u>); c. Location, scale and extent of landform modification, and retaining structures; d. Property access and roading; e. Esplanade provision; f. Natural and other hazards; g. Firefighting water supply and access; h. Water supply; i. Network utility services, energy supply and telecommunications; j. Open space and recreation provision; k. <u>Opportunities for nature conservation values Ecological</u>, and natural landscape <u>features</u> <u>enhancement</u>; l. Historic Heritage features; m. Easements; n. Vegetation, removal, and proposed planting; o. Fencing and gates; p. Wastewater and stormwater management; q. Connectivity of existing and proposed pedestrian networks, bridle paths, cycle networks; r. Adverse cumulative impacts on ecosystem services and nature conservation values. <p><u>Advice Note:</u></p> <p><u>Refer to the Wakatipu Basin Rural Amenity Zone location specific rules in 27.7.X.</u></p>	RD
27.5.18A	Within the Wakatipu Basin Lifestyle Precinct, subdivision which does not comply with the minimum net site area	D

	Subdivision Activities - District Wide	Activity Status
	specified in Part 27.6 provided that the minimum net site area is not less than 4,000m ² and the average area of all lots in the subdivision is not less than 1.0ha <u>0.8ha</u> per lot.	
27.5.18B	Within the Wakatipu Basin Lifestyle Precinct, subdivision with a minimum net site area less than 4,000m ² or where the average area of lots in the subdivision is less than 1.0ha <u>0.8ha</u> per lot.	NC
27.5.19	Subdivision that does not comply with the minimum lot areas specified in Part 27.6 with the exception of the Jacks Point Zone which is assessed pursuant to Rule 27.5.17 and Coneburn Industrial Zone Activity Area 2a which is assessed pursuant to Rule 27.5.18, <u>and Wakatipu Basin Lifestyle Precinct Rules 27.5.18A and 27.5.18B.</u>	NC
...	...	
27.5.26	The further subdivision of an allotment that has previously been used to calculate the average lot size net site area for subdivision in the Wakatipu Basin Lifestyle Precinct, except where the further subdivision and any prior subdivision together complies with Rule 27.6.1 <u>or Rule 27.5.18A.</u>	NC

...

27.7 Zone - Location Specific Rules

...

	Zone and Location Specific Rules	Activity Status
<p><u>27.7.X</u></p>	<p><u>Wakatipu Basin Rural Amenity Zone</u></p> <p><u>Setback from Roads</u></p> <p><u>27.7.x.1</u> <u>The minimum setback of any building platform identified through subdivision from any road boundary (other than an unformed road) shall be:</u></p> <p style="margin-left: 40px;">a. <u>75m in the Lifestyle Precinct; and</u></p> <p style="margin-left: 40px;">b. <u>20m in the Rural Amenity Zone.</u></p> <p><u>27.7.x.2</u> <u>The minimum setback of any building platform identified through subdivision from any unformed road shall be 20m in the Rural Amenity Zone and Lifestyle Precinct.</u></p> <p><u>Discretion is restricted to:</u></p> <p style="margin-left: 20px;">a. <u>Building Platform location as it relates to views from the road or unformed road to ONFs and ONLs and other mapped features;</u></p> <p style="margin-left: 20px;">b. <u>Scale of future buildings;</u></p> <p style="margin-left: 20px;">c. <u>Landscaping/planting (existing and proposed).</u></p>	<p><u>RD</u></p>
<p><u>27.7.X</u></p>	<p><u>Setback from Escarpment, Ridgeline and River Cliff Features</u></p> <p><u>27.7.x.3</u> <u>Within the Lifestyle Precinct only, any building platform identified through subdivision, or vehicle access shall be located a minimum of 50m from the boundary of any Escarpment, Ridgeline or River Cliff Feature shown on the planning maps.</u></p> <p><u>Discretion is restricted to:</u></p> <p style="margin-left: 20px;">a. <u>Building platform location as it relates to any Escarpment, Ridgeline or River Cliff Feature shown on the planning maps;</u></p> <p style="margin-left: 20px;">b. <u>Scale of buildings;</u></p> <p style="margin-left: 20px;">c. <u>Landform modification and earthworks;</u></p> <p style="margin-left: 20px;">d. <u>Landscaping/planting (existing and proposed)</u></p>	<p><u>RD</u></p>

<p><u>27.7.X</u></p>	<p><u>Setback from waterbodies</u></p> <p>27.7.x.3 <u>The minimum setback of any building platform identified through subdivision from the bed of a wetland, river or lake shall be 30m.</u></p> <p><u>This rule shall not apply to waterbodies that have been built or are proposed as part of a subdivision or development for the primary purpose of treating and disposing of stormwater.</u></p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"> a. <u>Biodiversity and nature conservation values;</u> b. <u>Landscape and natural character;</u> c. <u>Landform modification and earthworks;</u> d. <u>Natural hazards;</u> e. <u>Esplanade provision.</u> 	<p><u>RD</u></p>
<p><u>27.7.X</u></p>	<p><u>Size of Building Platforms</u></p> <p>27.7.x.4 <u>Any building platform identified shall be not less than 70m² in area and not greater than 1000m² in area.</u></p>	<p><u>NC</u></p>

...

27.9 Assessment Matters for Resource Consents

...

27.9.3 Restricted Discretionary Activity Subdivision Activities

...

27.9.3.3 Assessment Matters in relation to Rule 27.5.9 (Wakatipu Basin Rural Amenity zone and Wakatipu Basin Lifestyle Precinct Subdivision Activities)

General

- a. ~~The extent to which the proposal is consistent with objectives and policies relevant to the matters of discretion.~~
- b. ~~The extent to which the subdivision provides for low impact design that avoids or mitigates adverse effects on the environment.~~

Subdivision Design and Landscape

- c. ~~The extent to which the location of future buildings, ancillary elements and the landscape treatment complements the existing landscape character, visual amenity values and wider amenity values of the Wakatipu Basin Rural Amenity Zone or Wakatipu Basin Lifestyle Precinct, including consideration of:~~

The extent to which the location of future buildings, ancillary elements and landscaping responds to the identified elements set

out in Schedule 24.8 - Landscape Character Units for the relevant landscape unit, and the following assessment matters:

- i. the retention of existing vegetation and landform patterns;
 - ii. the alignment of lot boundaries in relation to landform and vegetation features and neighbouring development;
 - iii. earth mounding, and framework planting to integrate buildings and vehicle accessways;
 - iv. planting of appropriate species that are suited to the general area, including riparian restoration planting having regard to the matters set out in Schedule 24.8 - Landscape Character Units;
 - v. ~~riparian restoration planting;~~
 - vi. the retirement of steep slopes over 15° and restoration planting of ~~steep slopes over 15°~~ to promote slope stabilisation and indigenous vegetation enhancement;
 - vii. ~~how the integration of~~ controls for future development that address addressing such matters as building height, building colours and materials, building coverage, earthworks, retaining, fencing, gates, vehicle accessways (including paving materials), external lighting, and domestic infrastructure (including water tanks), ~~vegetation removal,~~ and proposed plantings might be incorporated in the development in a manner ensuring ongoing compliance;
 - viii. the integration of existing and provision for new public walkways and cycleways/bridlepaths;
 - ix. ~~setting back building platforms, and associated landscaping (including any mounding) from roads to maintain openness and where present, views to the surrounding mountain context~~
 - ix whether the use of varied allotment sizes maintains a sense of spaciousness, or successfully integrates development with existing landform, vegetation or settlement patterns.
- d. The extent to which existing covenants or consent notice conditions need to be retained or are otherwise integrated into the conditions governing the proposed developments ~~so as to ensure that landscape character and visual amenity values are maintained or enhanced.~~
- e. ~~The extent to which the development maintains visual amenity from public places and neighbouring properties.~~
- f. ~~Whether clustering of future buildings or varied allotment sizes as part of subdivision design would offer a better solution for maintaining a sense of openness and spaciousness, or the integration of development with existing landform, vegetation or settlement patterns.~~
- g. The extent to which the development avoids, remedies or mitigates adverse effects on the features, elements and patterns that contribute to the value of adjacent or nearby ONLs and ONFs. This includes consideration of an appropriate setback from such features as well as the maintenance of views from public

roads and other public places to the surrounding ONL and ONF context.

Where the site adjoins an ONF or ONL, the extent to which the development affects the values of that ONF or ONL.

- h. The extent to which the development adversely affects Escarpment, Ridgeline and River Cliff Features shown on the planning maps, and in particular whether a building platform, access or associated earthworks would be visually prominent on escarpments, river cliff features and ridgelines, as viewed from any public place, including roads. ~~the visual amenity values of these features, as viewed from public places outside of the Wakatipu Basin Lifestyle Precinct.~~
- x. Where building platforms are proposed to be located within the road setback, the extent to which future development (including landscaping and mounding) will maintain views to Outstanding Natural Features and the surrounding Outstanding Natural Landscape mountain context when viewed from the road.
- xx. Where the site size and dimensions are such that compliance with the setback from roads, or the setback from any Escarpment, Ridgeline or River Cliff Feature is not practicable, the extent to which any adverse effects arising from the visibility of future buildings or access is mitigated or remedied, acknowledging the constraints of the site.
- i. Whether mitigation elements such as a landscape management plan or proposed plantings should be subject to bonds or and consent notices.
- j. Whether the layout of reserves and accessways provides for adequate public access and use.
- k. Whether the proposed subdivision provides an opportunity to maintain landscape character and visual amenity through the registration of covenants or consent notices requiring open space to be maintained ~~in perpetuity.~~

Access and Connectivity

- l. Whether proposed sites are located and designed so that each site has a minimum frontage that provides for practical, legal and safe access from a formed public road that is suitable for both normal road going vehicles and construction traffic.
- m. Whether the location and design of any proposed pedestrian, cycle, bridle paths and vehicle accessways on the proposed site(s) avoid or minimise any adverse effects on soil stability, landform patterns and features, and vegetation.
- n. Whether subdivision provides for safe and practical pedestrian paths and cycle ways (whether sealed or unsealed) and bridle paths that are located in a manner which connect, or have the potential to connect, to reserves (existing or proposed), roads and existing rural walkways and cycle ways.

- o. Whether site design recognises any impact of roading and access on waterbodies, ecosystems, drainage patterns and ecological values.
- p. Whether any subdivision provides for future roads to serve surrounding land or for road links that need to pass through the subdivision.

Infrastructure and Services

- q. Ensuring there is sufficient capacity and treatment to provide for the safe and efficient disposal of stormwater and wastewater from possible future development without adversely affecting natural water systems and ecological values.
- r. Ensuring the design of stormwater and wastewater disposal systems incorporate measures to reduce runoff rates where there may be damage caused to natural waterway systems.
- s. Whether any subdivision proposal demonstrates how any natural water system on the site will be managed, protected or enhanced.
- t. Whether subdivision provides for an adequate and reliable supply of potable water to each proposed site.
- u. Whether subdivision provides for an adequate and reliable supply of emergency water supply to each site in the event of fire.
- v. Whether subdivision has sufficient capacity for the disposal of any effluent or other wastewater flow within the boundaries of each proposed site regardless of seasonal variations and loading.
- w. Assessing where more than one site will be created, whether a shared or individual wastewater treatment and disposal system is the most appropriate, having regard to any known physical constraints.
- x. Considering the extent to which easements and consent notices should be applied to protect the integrity of stormwater and/or wastewater treatment and disposal systems.
- y. Assessing the extent to which access easements should provide for lines, including electric lines, telecommunication lines and other lines, where such lines or cables are or may be located within any private property and serve other properties or sites.
- z. Whether sites can be connected to services such as telecommunications and electricity using low impact design methods including undergrounding of services.

Natureal Conservation Environment and Cultural values

- aa. Considering the extent to which the subdivision provides for ecological restoration and enhancement. Ecological enhancement may include enhancement of existing vegetation, replanting and weed and pest control.
- ~~bb. Assessing the extent to which the subdivision and subsequent land use on the proposed site(s) adversely affects the historical,~~

- cultural or spiritual significance of any site or waahi tapu of significance to iwi.
- cc. Assessing the extent to which the subdivision design and layout preserves ~~and~~ or enhances areas of archaeological, cultural or spiritual significance.
 - ~~dd. Assessing the extent to which the integrity of any identified heritage feature(s) is maintained and enhanced.~~
 - ee. Considering the benefits of the removal of identified wilding exotic trees.
 - ff. Where the subdivision land includes waterbodies, considering the extent to which remediation measures and methodologies can be employed to avoid, remedy or mitigate any adverse effects on human health, water quality, and to the downstream receiving environment.

Earthworks and Hazards

- gg. The extent to which natural hazard risk is appropriately managed in accordance with the relevant provisions of Chapter 28.
- ~~ff. Considering how earthworks can be undertaken in a manner which mitigates and remedies adverse effects from soil erosion and the generation of sediments into receiving environments.~~
- ~~gg. Considering whether earthworks are likely to have adverse effects on landscape character or visual amenity values which cannot be avoided, remedied or mitigated.~~
- ~~hh. Considering the extent to which subdivision will increase the risks associated with any natural hazard and/or how the subdivision avoids, remedies or mitigates any hazard prone area.~~
- ~~ii. Considering the extent to which contaminated or potentially contaminated soil is able to be treated or disposed of.~~
- ~~jj. Where the subdivision land includes waterbodies, considering the extent to which remediation measures and methodologies can be employed to avoid, remedy or mitigate any adverse effects on human health, water quality, and to the downstream receiving environment.~~
- ~~kk. Considering whether consent notices or other protective instruments are needed to ensure that any hazard or contamination remediation measures and methodologies are implemented at the time of development.~~

27.10 Rules - Non-Notification of Applications

Applications for all controlled and restricted discretionary activities shall not require the written approval of other persons and shall not be notified or limited notified except:

...

- x. Where applications fail to comply with location specific Wakatipu Basin Rural Amenity Zone Rules 27.7.x.1 - Setback from Roads and 27.7.x.3 - Setback from Escarpment, Ridgeline, or River Cliff features.

Key:

All provisions that remain subject to unresolved relief have been shaded grey.

Where provisions have been resolved in part, only the unresolved aspect is shaded grey, with the comment in the margin describing the relief sought.

24. Wakatipu Basin

24.1 Zone Purpose

This chapter applies to the Wakatipu Basin Rural Amenity Zone (Rural Amenity Zone) and its sub-zone, the Wakatipu Basin Lifestyle Precinct (Precinct). The purpose of the Zone is to maintain and or enhance the character and amenity of the Wakatipu Basin, while providing for rural living and other activities. Schedule 24.8 divides the Wakatipu Basin into 23 Landscape Character Units. The Landscape Character Units are a tool to assist identification of the particular landscape character and amenity values sought to be maintained and or enhanced. Controls on the location, nature and visual effects of buildings are used to provide a flexible and design led response to those values.

The Rural Amenity Zone is applied to areas of the Wakatipu Basin which have either reached, or are nearing, a threshold where further landscape modification from subdivision, use and development (including buildings) are not likely to maintain the Wakatipu Basin's landscape values. Other activities that rely on the rural land and landscape resource are contemplated in the Rural Amenity Zone, including recreation, commercial and tourism activities. Farming activities are enabled, while noting that farming is not the dominant activity in many locations.

The purpose of defining the Precinct is to identify areas within the broader Rural Amenity Zone that have the potential to absorb rural living and other development, while still achieving the overall purpose of the Zone. The balance of the Rural Amenity Zone is less enabling of development, while still providing for a range of activities suitable for a rural environment.

The Precinct is applied to specific areas of land within the broader Rural Amenity Zone that have capacity to absorb rural living development. These areas have a variety of existing lot sizes and patterns of development, with landscape character also varying across the Precinct. This includes existing vegetation, including shelterbelts, hedgerows and exotic amenity plantings, which characterise certain areas. Within the Precinct, sympathetically located and well-designed rural living development, which achieves minimum and average lot sizes, is anticipated, while still achieving the overall objectives of the Rural Amenity Zone.

While the Rural Amenity Zone does not contain Outstanding Natural Features or Outstanding Natural Landscapes, it is a distinctive and high amenity value landscape located adjacent to, or nearby to, Outstanding Natural Features and Outstanding Natural Landscapes. There are no specific setback rules for development adjacent to Outstanding Natural Features or Outstanding Natural Landscapes. However, all buildings (except small farm buildings) and subdivision require resource consent to ensure that inappropriate buildings and/or subdivision does not occur adjacent to those features and landscapes. Buildings and development in the Zone and the Precinct are required to be set back from Escarpment, Ridgeline and River Cliff Features shown on the planning maps, to maintain the distinctive and high amenity landscapes of the Wakatipu Basin.

Commented [SG1]: Draft new text, unresolved - as tied to relief seeking either the deletion or amendments to the WBRAZ 80ha density standard.

PART 4

WAKATIPU BASIN 24

Escarpment, ridgeline and river cliff features are identified on the planning maps. Buildings proposed within the prescribed setback of these features require assessment to ensure the values of these landscape features are maintained.

Integral to the management of the Rural Amenity Zone and Precinct is Schedule 24.8, which defines 24 Landscape Character Units. These Landscape Character Units are a tool that assists with the identification of the landscape character and amenity values that are to be maintained or enhanced. Controls on the location, scale and visual effects of buildings are used to provide a design led response to the character and values.

24.2 Objectives and Policies

Objectives 24.2.1 to 24.2.4 and related policies apply to both the Rural Amenity Zone and the Precinct, except the following policies do not apply to the Precinct; and to the balance of the Rural Amenity Zone: 24.2.1.1, 24.2.1.3, 24.2.1.6, 24.2.1.9, 24.2.1.11 and 24.2.1.14. Objective 24.2.5 and related policies apply to the Precinct only.

24.2.1 Objective - Landscape character and visual amenity values in the Wakatipu Basin Rural Amenity Zone are maintained or enhanced.

Commented [SG2]: Part resolved only, with live relief seeking to include reference to "rural amenity values" (C Manners-Wood appeal).

Policies

24.2.1.1 Require an 80 hectare minimum net site area be maintained within the Wakatipu Basin Rural Amenity Zone outside of the Precinct.

Commented [SG3]: Unresolved appeal points seeking deletion or amendment of 80ha density standard for the WBRAZ.

24.2.1.2 Ensure subdivision and development is designed (including accessways, services, utilities and building platforms) to minimise inappropriate modification to the natural landform.

24.2.1.3 Ensure that subdivision and development maintains or enhances the landscape character and visual amenity values identified in Schedule 24.8 - Landscape Character Units.

Commented [SG4]: Part resolved. Live relief seeking to include reference to "rural amenity values" (C Manners-Wood appeal).

24.2.1.4 Maintain or enhance the landscape character and visual amenity values associated with of the Rural Amenity Zone including the Precinct and surrounding landscape context by:

Commented [SG5]: Part resolved only, with live relief seeking to include reference to "rural amenity values" (C Manners-Wood appeal). All other amendments agreed (not shaded grey).

controlling the colour, scale, form, coverage, location (including setbacks from boundaries) and height of buildings and associated infrastructure, vegetation and landscape elements;

b. ~~setting development back from Escarpment, Ridgeline and River Cliff Features shown on the planning maps.~~

24.2.1.5 Require all buildings to be located and designed so that they do not compromise the landscape and amenity values and the natural character of Outstanding Natural Features and Outstanding Natural Landscapes that are either adjacent to the building or where the building is in the foreground of views from a public road or reserve of the Outstanding Natural Landscape or Outstanding Natural Feature.

Commented [SG6]: Part resolved only, with live relief seeking to include reference to "rural amenity values" (C Manners-Wood appeal).

24.2.1.6 Provide for farming, commercial, community, recreation, and tourism related and other non-residential activities that rely on the rural land resource, subject to maintaining or enhancing landscape character and visual amenity values.

PART 4

WAKATIPU BASIN 24

- 24.2.1.7 Locate, design, operate and maintain regionally significant infrastructure so as to seek to avoid significant adverse effects on the character of the landscape, while acknowledging that location constraints and/or the nature of the infrastructure may mean that this is not possible in all cases.
- 24.2.1.8 In cases where it is demonstrated that regionally significant infrastructure cannot avoid significant adverse effects on the character of the landscape, such adverse effects shall be minimised.
- 24.2.1.9 Control earthworks and vegetation clearance to minimise adverse effects on landscape character and visual amenity values.
- 24.2.1.10 Enable residential activity within approved and registered building platforms ~~created prior to 21 March 2019~~ subject to achieving appropriate standards.
- 24.2.1.11 ~~Provide for activities, whose built form is subservient to natural landscape elements and that, in areas Schedule 24.8 identifies as having a sense of openness and spaciousness, maintain those qualities.~~
Provide for activities that maintain a sense of spaciousness in which buildings are subservient to natural landscape elements.
- 24.2.1.12 Manage lighting so that it does not cause adverse glare to other properties, roads ~~or~~ public places, or degrade views of the night sky.
- 24.2.1.13 Have regard to the spiritual beliefs, cultural traditions and practices of Tangata Whenua in the manner directed in Chapter 5: Tangata Whenua.
- 24.2.1.14 Ensure subdivision and development maintains a defensible edge between areas of rural living in the Precinct and the balance of the Rural Amenity Zone.
- 24.2.1.15 Require buildings, or building platforms identified through subdivision, to maintain views from roads to Outstanding Natural Features and the surrounding mountain Outstanding Natural Landscape context, where such views exist; including by:
- implementing road setback standards; and
 - ensuring that earthworks and mounding, and vegetation planting within any road setback, particularly where these are for building mitigation and/or privacy, do not detract from views to Outstanding Natural Features or Outstanding Natural Landscapes; while
 - recognising that for some sites, compliance with a prescribed road setback standard is not practicable due to the site size and dimensions, or the application of other setback requirements to the site.
- 24.2.2 Objective – Non-residential activities maintain ~~and~~ or enhance amenity values.**

Policies

- 24.2.2.1 Ensure traffic, noise and the scale and intensity of non-residential activities do not have an adverse impact on landscape character and amenity values ~~that is more than minor, or affect the safe and efficient operation of the roading and trail network or access to public places.~~

Commented [SG7]: Part resolved only, with live relief seeking to include reference to "rural amenity values" (C Manners-Wood appeal).

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24.2.2.2 ~~Ensure that the effects generated by Restrict the type and intensity of non-residential activities (e.g. traffic, noise, hours of operation) to those which are compatible in relation to generated effects (e.g. traffic, noise, and hours of operation) with surrounding uses and the natural environment.~~

24.2.2.3 Ensure non-residential activities other than farming, with the potential for nuisance effects from dust, visual, noise or odour effects, are located a sufficient distance from formed roads, neighbouring properties, waterbodies and any residential activity.

24.2.2.4 Ensure informal airports are located, operated and managed to maintain the surrounding rural amenity.

24.2.3 Objective – Reverse sensitivity effects are avoided or mitigated where rural living opportunities, visitor and tourism activities, community and recreation activities occur.

Policies

24.2.3.1 Ensure informal airports are not compromised by the establishment of incompatible activities.

24.2.3.2 Ensure reverse sensitivity effects on rural living and non-residential activities are avoided or mitigated.

Commented [SG8]: Relief seeking to include specific reference to informal airports (C Manners-Wood appeal).

24.2.3.3 Support productive farming activities such as agriculture, horticulture and viticulture in the Rural Amenity Zone by ensuring that reverse sensitivity issues do not constrain productive activities.

24.2.3.4 ~~Ensure non-farming activities with potential for nuisance effects from dust, visual, noise or odour effects are located a sufficient distance from formed roads, neighbouring properties, waterbodies and any residential activity.~~

24.2.4 Objective – Subdivision and development, and use of land, maintains or enhances water quality, ecological quality, and recreation values while ensuring the efficient provision of infrastructure.

Policies

24.2.4.1 Avoid adverse cumulative impacts on ecosystem services and nature conservation values.

24.2.4.2 Restrict the scale, intensity and location of subdivision, development and use of land in the Lake Hayes catchment, unless it can occur consistently with improvement to water quality in the catchment.

Commented [SG9]: Unresolved appeal points seeking deletion of policy.

24.2.4.3 Provide for improved public access to, and the maintenance and enhancement of, the margins of waterbodies including Mill Creek and Lake Hayes.

24.2.4.4 Provide adequate firefighting water and emergency vehicle access to ensure an efficient and effective emergency response.

24.2.4.5 Ensure development has regard to servicing and infrastructure costs that are not met by the developer.

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- 24.2.4.6 Facilitate the provision of walkway and cycleway networks and ~~consider~~ encourage opportunities for the provision of bridle path networks.
- 24.2.4.7 Ensure traffic generated by non-residential development does not individually or cumulatively compromise road safety or efficiency.
- 24.2.4.8 Encourage the removal of wilding exotic trees at the time of development.
- 24.2.4.9 Encourage the planting, retention and enhancement of indigenous vegetation that is appropriate to the area and planted at a scale, density, pattern and composition that ~~contributes to native habitat restoration~~ enhances indigenous biodiversity values, particularly in locations such as gullies and riparian areas, or to provide stability.

24.2.5 Objective – Rural living opportunities in the Precinct are enabled, provided landscape character and visual amenity values are maintained or enhanced.

~~Objective 24.2.5 and policies 24.2.5.1 to 24.2.5.6 apply to the Precinct only. In the event of a conflict between Objective 24.2.5 and Objectives 24.2.1 to 24.2.4, Objective 24.2.5 prevails.~~

Policies

- 24.2.5.1 Provide for rural living subdivision, development and use of land ~~where it in a way that~~ maintains or enhances the landscape character and visual amenity values identified in Schedule 24.8 - Landscape Character Units.
- 24.2.5.2 ~~Ensure that any development or landscape modification occurs in a sympathetic manner in both developed and undeveloped areas, by promoting~~ Promote design-led and innovative patterns of subdivision and development that maintain or enhance the landscape character and visual amenity values of the Wakatipu Basin overall.
- 24.2.5.3 Provide for non-residential activities, including restaurants, visitor accommodation, ~~and commercial~~ recreation, and recreation activities while ensuring these are appropriately located and of a scale and intensity that ensures that the ~~amenity, quality and landscape~~ character and visual amenity values of the Precinct are maintained or enhanced ~~is retained~~.
- 24.2.5.4 Implement ~~minimum and average lot size and development~~ standards in conjunction with ~~standards controlling building size, location and external appearance, so that~~ provide for subdivision and development while ensuring the landscape character and visual amenity values of the Precinct, as identified in Schedule 24.8, are not compromised by the cumulative adverse effects of development.
- 24.2.5.5 ~~Maintain a defensible edge between areas of rural living in the Precinct and the balance of the Zone.~~
- 24.2.5.6 ~~Retain~~ Encourage the retention and planting of vegetation that contributes to landscape character and visual amenity values of the Precinct, particularly where vegetation is identified as an important element in Schedule 24.8, provided it does not present a high risk of wilding spread.

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24.2.5.7 Require buildings, or building platforms identified through subdivision, or any vehicle access located within a prescribed Escarpment, Ridgeline and River Cliff Features setback as identified on the planning maps, to maintain the values of those features, including by:

- a. ensuring that any buildings, earthworks and landform modification are located and designed so that the values of the feature are maintained; while
- b. recognising that for some sites compliance with the prescribed setback is not practicable due to the site size and dimensions, presence of existing buildings, or the application of other setback requirements.

24.3 Other Provisions and Rules

24.3.1 District Wide

Attention is drawn to the following District Wide chapters.

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
25 Earthworks	26 Historic Heritage	27 Subdivision
28 Natural Hazards	29 Transport	30 Energy and Utilities
31 Signs	32 Protected Trees	33 Indigenous Vegetation and Biodiversity
34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings	36 Noise
37 Designations	Planning Maps	

24.3.2 Interpreting and Applying the Rules

24.3.2.1 A permitted activity must comply with all of the rules (in this case of Chapter 24) and any relevant district wide rules.

24.3.2.2 The surface of lakes and rivers are zoned Rural.

24.3.2.3 Guiding Principle: Previous Approvals

- a. Requirements relating to building platforms and conditions of consents, including landscaping or other visual mitigation, that are registered on a site's computer freehold register as part of a resource consent approval by the Council are considered by the Council to remain relevant and will remain binding unless altered or cancelled.
- b. Applicants may apply to alter or cancel any conditions of an existing resource consent as a component of an application for resource consent for development. Whether it may be appropriate for the Council to maintain, or to alter or cancel these conditions shall be assessed against the extent to which a resource consent application accords with the objectives and provisions of the Wakatipu Basin Rural Amenity Zone and Wakatipu Basin Lifestyle Precinct (as applicable).

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24.3.2.4 These abbreviations for the class of activity status are used in the following tables. Any activity which is not permitted (P) or prohibited (PR) requires resource consent.

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

24.3.2.5 The Wakatipu Basin Lifestyle Precinct is a sub-zone of the Wakatipu Basin Rural Amenity Zone and all rules in Table 24.1 apply to the Precinct. Where specific rules and standards are identified for the Precinct in Tables 24.2 and 24.3, these prevail over the Rural Amenity Zone rules in Table 24.1.

24.3.2.6 All activities, including any listed permitted activities are subject to the rules and standards contained in Tables 24.1 to and 24.3.

24.3.2.7 For Plantation Forestry the Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017 prevails.

24.3.2.8 Rules 24.5.1.1 to 24.5.1.5 do not apply to residential units, including residential flats, located within a building platform approved by resource consent, and registered on the applicable record of title.

24.3.3 Advice Notes

24.3.3.1 Clarifications of the meaning of root protection zone, minor trimming of a hedgerow, minor trimming and significant trimming are provided in Chapter 2 – Definitions.

24.3.3.2 On-site wastewater treatment is subject to the Otago Regional Plan: Water. In particular, Rule 12.A.1.4 of the Otago Regional Plan: Water requires that within the Lakes Hayes Catchment all on-site wastewater treatment systems are operated in accordance with a resource consent obtained from the Otago Regional Council.

24.3.3.3 All objectives, policies and assessment matters will be applicable as part of any subdivision application, to the extent that they are relevant, despite policies 24.2.1.15 and 24.2.5.7 referring to the terms subdivision and building platform specifically.

24.4 Rules – Activities

	Table 24.1 – Activities in the Wakatipu Basin Rural Amenity Zone	Activity Status
24.4.1	Any activity not listed in Tables 24.1 and 24.2.	NC
24.4.2	Farming activity.	P

Commented [SG10]: Unresolved appeal points in relation to default status relating to WBRAZ only.

Resolved in relation to the Lifestyle Precinct.

Amendment to remove reference to Table 24.2 agreed as a consequence of deletion of Table 24.2.

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	Table 24.1 – Activities in the Wakatipu Basin Rural Amenity Zone	Activity Status
	Residential activities and buildings	
24.4.3	The use of land or buildings for residential activity except as otherwise provided for in Table 24.1 and Table 24.2 and subject to the standards in Table 24.32.	P
24.4.4	The alteration of any lawfully established building used for residential activity.	P
24.4.5	The construction of buildings for a residential flat not exceeding 150m² gross floor area and attached to the residential unit.	P
24.4.6	The construction of buildings for residential activity, including residential flats, that are located within a building platform approved by a resource consent, and registered on the applicable record of title Computer Freehold Register before 21 March 2019. Control is reserved over: <ul style="list-style-type: none"> a. <u>Effects on landscape character associated with the bulk and external appearance of buildings</u> Landscape character; b. Visual amenity values; c. Access; d. Infrastructure; e. Landform modification, <u>exterior lighting</u>, landscaping and planting (existing and proposed). 	C
24.4.7	The construction of buildings for residential activity that are not provided for by in Rule 24.4.5 or 24.4.6 and are not contrary to or Rule 24.4.8. Discretion is restricted to: <ul style="list-style-type: none"> a. <u>Effects on landscape character associated with the bulk and external appearance of buildings</u> Landscape character; b. <u>Visual amenity values;</u> c. Access; d. Infrastructure; e. Landform modification, <u>exterior lighting</u>, landscaping and planting (existing and proposed); f. Natural hazards. 	RD
24.4.8	The construction of buildings for residential activity outside a building platform approved by a resource consent and registered on the applicable record of title Computer Freehold Register on a site where there is such a building platform.	NC

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	Table 24.1 – Activities in the Wakatipu Basin Rural Amenity Zone	Activity Status
	Non-residential activities and buildings	
24.4.9	Farm buildings.	P
24.4.10	Roadside stall buildings.	P
24.4.11	Home occupation.	P
<u>24.4.x</u>	<u>The alteration of any lawfully established building used for a non-residential activity.</u>	<u>P</u>
24.4.12	24.4.12.1 Informal airports in the Wakatipu Basin Rural Amenity Zone.	P
	24.4.12.2 Informal airports in the Lifestyle Precinct	D
24.4.13	Retail sales of farm and garden produce and wine grown, reared or produced on-site or handicrafts produced on the site.	P
24.4.14	Commercial recreational activities that are undertaken on land, outdoors and involve not more than 12 persons in any one group.	P
24.4.15	Residential visitor accommodation and homestays.	P
24.4.16	Retail sales of farm and garden produce and wine grown, reared or produced on-site or handicrafts produced on the site where the access is onto a State Highway. Discretion is restricted to: a. Access to, and safety of, the transport network; b. On-site parking in relation to safety and manoeuvring.	RD
24.4.17	Industrial activities directly associated with wineries and underground cellars within a vineyard. Discretion is restricted to: a. Noise; b. Access and parking in relation to safety and manoeuvring; c. Traffic generation; d. Odour; e. Hours of operation; f. Waste treatment and disposal.	RD
24.4.18	The construction and alteration of buildings for non-residential activities, not otherwise provided for in Table 24.1. Discretion is restricted to: a. Landscape character;	RD

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	Table 24.1 – Activities in the Wakatipu Basin Rural Amenity Zone	Activity Status
	<ul style="list-style-type: none"> b. Visual amenity; c. Access; d. Natural hazards; e. Infrastructure; f. Landform modification, landscaping and planting (existing and proposed). 	
24.4.19	Commercial recreational activities that are undertaken on land, outdoors and involve more than 12 persons in any one group.	D
24.4.20	Cafes and restaurants.	D
24.4.21	Visitor accommodation.	D
24.4.22	Community activities.	D
24.4.23	Any commercial or Industrial activity not otherwise provided for in Table 24.1 including those associated with farming.	NC
24.4.24	Panelbeating, spray painting, motor vehicle repair or dismantling, fibre glassing, sheet metal work, bottle or scrap storage, motorbody building, or any activity requiring an Offensive Trade Licence under the Health Act 1956 except where such activities are undertaken as part of a farming activity, residential activity or as a permitted home occupation.	
	24.4.24.1 Within the Wakatipu Basin Rural Amenity Zone	NC
	24.4.24.2 Within the Lifestyle Precinct	PR

	Table 24.2: Activities in the Wakatipu Basin Lifestyle Precinct	Activity Status
	Residential activities	
24.4.25	Residential flat not exceeding 150m ² gross floor area that is separated from the principal residential unit by no more than 6 metres, that is not provided for in Rule 24.4.6, and is not contrary to Rule 24.4.8. Note: Residential flats attached to the principal residential unit are covered by Rule 24.4.5.	D
24.4.26	Residential flat not exceeding 150m ² gross floor area that is separated from the principal residential unit by more than 6 metres, that is not provided for in Rule 24.4.6, and is not contrary to Rule 24.4.8.	NC
	Non-residential activities	

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24.4.27	Informal airports.	D
24.4.28	Panel beating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building, or any activity requiring an Offensive Trade Licence under the Health Act 1956 except where such activities are undertaken as part of a farming activity, residential activity or as a permitted home occupation.	PR
	Clearance of exotic vegetation	
24.4.29	Clearance, works within the root protection zone or significant trimming of exotic vegetation that is of a height greater than 4.6 metres. Discretion is restricted to: a. The extent of clearance; b. Trimming and works within the root protection zone; c. Replacement planting.	RD

24.5 Rules - Standards

The following standards apply to all activities.

	Table 24.32 - Standards	Non-compliance status
24.5.1	Residential Density	
24.5.1.1	For sites with a net site area of 1 hectare or less and zoned in part or whole Wakatipu Basin Lifestyle Precinct, a maximum of one residential unit per site.	NC
24.5.1.2.	For sites with a net site area greater than 1 hectare and zoned in part or whole Wakatipu Basin Lifestyle Precinct, no more than one residential unit per hectare on average of the net site area zoned Wakatipu Basin Lifestyle Precinct.	NC
24.5.1.3	Where Rule 24.5.1.1 or Rule 24.5.1.2 applies, all residential units (including residential flats) must be located within the area zoned Wakatipu Basin Lifestyle Precinct.	NC
24.5.1.4	Any site in the Wakatipu Basin Rural Amenity Zone located wholly outside the Precinct in respect of which <u>resource consent creating the site was granted before 21 March 2019, and a the Computer</u>	NC

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	Table 24.32 - Standards	Non-compliance status
	Freehold Register record of title subsequently issued, for the site was issued before 21 March 2019 and with an area less than 80 hectares, a maximum of one residential unit per site.	
24.5.1.5	For that part of all other sites in the Wakatipu Basin Rural Amenity Zone wholly located outside of the Precinct, a maximum of one residential unit per 80 hectares net site area.	NC
<u>24.5.XX</u>	<p>Residential Flats</p> <p><u>24.5.XX.1 Within the Wakatipu Basin Lifestyle Precinct, any residential flat must be separated from the principal residential unit by no more than 10 metres.</u></p> <p><u>24.5.XX.2 Rule 24.5.xx.1 does not apply to a residential flat located within a building platform approved by a resource consent, and registered on the applicable record of title.</u></p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. <u>Effects on landscape character associated with the location of buildings and cumulative adverse effects.</u></p>
24.5.2	<p>Alterations to buildings for residential activities not located within a building platform</p> <p>Alterations to a building not located within a building platform must not increase the ground floor area by more than 30% in any ten year period.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. <u>Effects on landscape character associated with the bulk and external appearance of buildings;</u> <u>Visual amenity;</u></p> <p>b. <u>External appearance Landform modification, landscaping and planting (existing and proposed);</u></p> <p>c. Infrastructure.</p>
24.5.3	<p>Building Material and Colours</p> <p>Any building and its alteration, including shipping containers that remain on site for</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. <u>Effects on landscape character associated with the bulk and</u></p>

Commented [SG11]: Unresolved appeal points seeking deletion or amendment of 80ha density standard for the WBRAZ.
 Note that the tracked amendments have been agreed by all parties.

Commented [SG12]: Unresolved appeal points seeking deletion or amendment of 80ha density standard for the WBRAZ.
 Note that the tracked amendments have been agreed by all parties.

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	Table 24.32 - Standards	Non-compliance status
	<p>more than six months, are subject to the following:</p> <p>All exterior surfaces* must be coloured in the range of browns, greens or greys including;</p> <p>24.5.3.1 Pre-painted steel and all roofs must have a light reflectance value not greater than 20%; and</p> <p>24.5.3.2 All other exterior surface** finishes, except for schist, must have a light reflectance value of not greater than 30%.</p> <p>* Excludes soffits, windows and skylights (but not glass balustrades).</p> <p>** Includes cladding and built landscaping that cannot be measured by way of light reflectance value but is deemed by the Council to be suitably recessive and have the same effect as achieving a light reflectance value of 30%.</p>	<p>external appearance of buildings<u>landscape character;</u></p> <p>Visual amenity values;</p> <p>b. Visual prominence from both public places and private locations.</p>
24.5.4	<p>Building Size<u>Ground Floor Area</u></p> <p>Where a residential building is constructed within a building platform under Rule 24.4.6 the ground floor area of all buildings must not exceed 500m².</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. landscape character<u>Building scale and form;</u></p> <p>b. Visual amenity <u>Visual prominence from both public places and private locations.</u></p>
24.5.5	<p>Building coverage</p> <p>The ground floor area<u>building coverage</u> of all buildings <u>on a site</u> not subject to Rule 24.5.4 must not exceed 15% of net site area, or 500m² ground floor area, whichever is the lesser.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. landscape character <u>Building scale and form;</u></p> <p>b. Visual amenity <u>Visual prominence from both public places and private locations.</u></p>

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	Table 24.32 - Standards	Non-compliance status
24.5.6	<p>Setback from internal boundaries</p> <p>The minimum setback of any building from internal boundaries shall be 10m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Building location, character, scale and form; b. External appearance including materials and colours; c. Landform modification/planting (existing and proposed).
24.5.7	<p>Height of buildings</p>	
24.5.7.1	<p>The maximum height of buildings shall be 6.5m.</p>	<p>RD</p> <p>For buildings with a height greater than 6.5m and no more than 8m, discretion is restricted to:</p> <ul style="list-style-type: none"> a. Building location, character, scale and form including the pitch of roofs. <u>Visual prominence from both public places and private locations;</u> b. External appearance including materials and colours; c. Landform modification/planting (existing and proposed). <p>Note: 24.5.7.2 applies to buildings with a height greater than 8m.</p>
24.5.7.2	<p>The maximum height of buildings shall be 8m.</p>	NC
24.5.8	<p>Setback from roads</p> <p><u>24.5.8.1</u> The minimum setback of any building from <u>any road boundaries (other than an unformed road)</u> shall be 75m in the Precinct and 20m elsewhere in the Rural Amenity Zone.</p> <p><u>24.5.8.2</u> The minimum setback of any building from <u>any unformed road</u> shall be 20m in the Rural Amenity Zone and Lifestyle Precinct.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Building location, character, scale and form; b. External appearance including materials and colours; c. Landscaping/planting (existing and proposed).

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	Table 24.32 - Standards	Non-compliance status
	<p><u>24.5.8.3 Rules 24.5.8.1 and 24.5.8.2 do not apply to the construction of buildings for residential activity pursuant to Rule 24.4.6.</u></p>	
24.5.9	<p>Setback from the Queenstown Trail</p> <p>Any building shall be located a minimum of 75m from the boundary of any identified Queenstown Trail Setback as shown on the planning maps.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Building location, character, scale and form; b. External appearance including material and colours; c. Landscaping/planting (existing and proposed).
24.5.10	<p>Setback from Escarpment, Ridgeline and River Cliff Features</p> <p><u>24.5.10.1 Within the Lifestyle Precinct only,</u> A any building or vehicle accessway shall be located a minimum of 50m from the boundary of any Escarpment, Ridgeline or River Cliff Feature shown on the planning maps.</p> <p><u>24.5.10.2 Rule 24.5.10.1 does not apply to the construction of buildings for residential activity pursuant to Rule 24.4.6.</u></p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Building location, character, scale and form; b. External appearance including materials and colours; c. Landform modification/planting (existing and proposed).
24.5.11	<p>Setback from boundaries of non-residential buildings housing animals</p> <p>The minimum setback from boundaries for any building whose primary purpose is to house animals shall be 30m.</p>	<p>RD</p> <p>Discretion is restricted to the following:</p> <ul style="list-style-type: none"> a. Open space, rural living character and amenity; b. Privacy, views and outlook from neighbouring properties and public places; c. Reverse sensitivity effects on adjacent properties including odour and noise; d. Landform modification/planting (existing and proposed).
24.5.12	<p>Setback of buildings from waterbodies</p>	RD

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	Table 24.32 - Standards	Non-compliance status
	<p>The minimum setback of any building from the bed of a wetland, river or lake shall be 30m.</p> <p>This rule does not apply to:</p> <p>a. <u>waterbodies that have been built as part of a subdivision or development for the primary purpose of treating and disposing of stormwater, or</u></p> <p>b. <u>the construction of buildings for residential activity pursuant to Rule 24.4.6.</u></p>	<p>Discretion is restricted to the following:</p> <p>a. Biodiversity values;</p> <p>b. Natural Hazards;</p> <p>c. Visual and recreational amenity values;</p> <p>d. Landscape and natural character;</p> <p>e. Open space.</p>
24.5.13	<p>Farm buildings</p> <p>a. The maximum gross floor area of any farm building shall be 50m².</p> <p>b. All exterior surfaces shall be coloured in the range of black, browns, greens or greys (except soffits).</p> <p>c. Pre-painted steel and all roofs shall have a reflectance value not greater than 20%.</p> <p>d. All other surface finishes shall have a reflectance value of not greater than 30%.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. Building location, character, scale and form;</p> <p>b. External appearance including materials and colours; and</p> <p>c. Landform modification/planting (existing and proposed).</p>
24.5.14	<p>Home occupations</p> <p>d. The maximum net floor area of home occupation activities shall be 150m².</p> <p>e. No goods materials or equipment shall be stored outside a building.</p> <p>f. All manufacturing, altering, repairing, dismantling or processing of any goods or articles shall be carried out within a building.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. The nature, scale and intensity of the activity;</p> <p>b. Visual amenity from neighbouring properties and public places;</p> <p>c. Noise, odour and dust;</p> <p>d. Access, safety and transportation.</p>
24.5.15	<p>Roadside stalls</p> <p>a. The maximum ground floor area shall be 5m².</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. Building location, character, scale and form;</p>

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	Table 24.32 - Standards	Non-compliance status
	<ul style="list-style-type: none"> b. Stalls shall not be higher than 2.0m from ground level. c. The minimum sight distance along the road from the stall or stall access shall be 250m. d. The minimum distance of the stall or stall access from an intersection shall be 100m; and, the stall shall not be located on the legal road reserve. 	<ul style="list-style-type: none"> b. External appearance including materials and colours; c. Access and safety; d. Parking <u>in relation to safety and manoeuvring.</u>
24.5.16	<p>Retail Sales</p> <p>The maximum gross floor area of buildings shall be 25m² for retail sales of farm and garden produce and wine grown, reared or produced on-site or handicrafts produced on the site.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Building location, character, scale and form; b. External appearance including materials and colours; c. Access safety and transportation effects; d. Parking; <u>and access and in relation to safety and manoeuvring.</u>
24.5.17	<p>Glare</p> <ul style="list-style-type: none"> a. All fixed exterior lighting shall be directed away from adjacent roads and sites. b. Activities on any site shall not result in more than a 3 lux spill (horizontal and vertical) of light to any other site, measured at any point within the boundary of the other site. c. There shall be no upward light spill. 	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Lighting location and number of lights; b. Proximity to roads, public places and neighbours; c. Height and direction of lights; d. Lux levels.
24.5.18	<p>Informal airports</p> <p>Other than in the case of informal airports for emergency landings, rescues, fire-fighting and activities ancillary to farming activities:</p> <ul style="list-style-type: none"> a. Informal airports shall not exceed a frequency of use of 2 flights per day; 	<p>D</p>

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	Table 24.32 - Standards	Non-compliance status
	<p>b. Informal airports shall be located a minimum distance of 500 metres from any other zone or the notional boundary of any residential dwelling not located on the same site;</p> <p>Advice note: For the purpose of this rule a flight includes two aircraft movements i.e. an arrival and a departure.</p>	
24.5.19	<p>Firefighting water and access</p> <p>Buildings for residential activity that do not have reticulated water supply or where there is insufficient fire-fighting water supply must provide the following provision for firefighting:</p> <p>a. A water supply of 20,000 litres and any necessary couplings;</p> <p>b. A hardstand area adjacent to the firefighting water supply capable of supporting fire service vehicles;</p> <p>c. Firefighting water connection point within 6m of the hardstand, and 90m of the building;</p> <p>d. Access from the property boundary to the firefighting water connection capable of accommodating and supporting fire service vehicles.</p> <p>Advice note: excludes non-habitable accessory buildings.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. the extent to which SNZ PAS 4509: 2008 can be met including the adequacy of the water supply;</p> <p>b. the accessibility of the firefighting water connection point for fire service vehicles;</p> <p>c. whether and the extent to which the building is assessed as a low fire risk.</p>
24.5.20	<p>Residential visitor accommodation</p> <p>Residential visitor accommodation – Excluding the Lifestyle Precinct</p> <p>24.5.20.1 Must not exceed a cumulative total of 90 nights occupation by paying guests on a site per 12 month period.</p> <p>24.5.20.2 The Council must be notified in writing prior to the commencement of a Residential Visitor Accommodation activity.</p>	<p>C</p> <p>Control is reserved to:</p> <p>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;</p> <p>b. The management of noise, rubbish and outdoor activities;</p>

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	Table 24.32 - Standards	Non-compliance status
	<p>24.5.20.3 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.</p> <p>24.5.20.4 Smoke alarms must be provided in accordance with clause 5 of the Residential Tenancies (Smoke Alarms and Insulation) Regulations 2016.</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 24.5.20.1 to 24.5.20.4.</p>	<p>c. The compliance of the residential unit with the Building Code as at the date of the consent;</p> <p>d. Health and safety provisions in relation to guests;</p> <p>e. Guest management and complaints procedures;</p> <p>f. The keeping of records of RVA use, and availability of records for Council inspection; and</p> <p>g. Monitoring requirements, including imposition of an annual monitoring charge.</p>
24.5.21	<p>Residential visitor accommodation – Lifestyle Precinct only</p> <p>24.5.21.1 Must not exceed a cumulative total of 90 nights occupation by paying guests on a site per 12 month period.</p> <p>24.5.21.2 The Council must be notified in writing prior to the commencement of a Residential Visitor Accommodation activity.</p> <p>24.5.21.3 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.</p>	D

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	Table 24.32 - Standards	Non-compliance status
	<p>24.5.21.4 Smoke alarms must be provided in accordance with clause 5 of the Residential Tenancies (Smoke Alarms and Insulation) Regulations 2016.</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 24.5.21.1 to 24.5.21.4</p>	
24.5.22	<p>Homestay</p> <p>Homestay– Excluding the Lifestyle Precinct</p> <p>24.5.22.1 Must not exceed 5 paying guests on a site per night.</p> <p>24.5.22.2 The Council must be notified in writing prior to the commencement of a Homestay activity.</p> <p>24.5.22.3 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 24.5.22.1 to 24.5.22.3.</p>	<p>C</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> 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; c. The keeping of records of Homestay use, and availability of records for Council inspection; and d. Monitoring requirements, including imposition of an annual monitoring charge.
24.5.23	<p>Homestay – Lifestyle Precinct only</p> <p>24.5.23.1 Must not exceed 5 paying guests on a site per night.</p>	<p>D</p>

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	Table 24.32 - Standards	Non-compliance status
	<p>24.5.23.2 The Council must be notified in writing prior to the commencement of a Homestay activity.</p> <p>24.5.23.3 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 24.5.23.1 to 24.5.23.3.</p>	
<u>24.5.24</u>	<p><u>Alterations to buildings used for non-residential activities, not located within a building platform.</u></p> <p><u>Alterations to a building not located within a building platform must not increase the ground floor area by more than 10% in any ten year period.</u></p>	<p><u>RD</u></p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. <u>Landscape character;</u> b. <u>Visual amenity;</u> c. <u>Infrastructure;</u> d. <u>Landform modification, landscaping and planting (existing and proposed).</u>
<u>24.5.25</u>	<p><u>Exotic vegetation within Landscape Character Unit 5: Dalefield</u></p> <p>24.5.25.1 <u>Clearance, works within the root protection zone or significant trimming of exotic vegetation that is of a height greater than 4.6 metres.</u></p> <p>24.5.25.2 <u>Rule 24.5.25.1 does not apply if:</u></p> <ul style="list-style-type: none"> a. <u>The vegetation is identified as a wilding exotic tree in Chapter 34 (Wilding Exotic Trees).</u> b. <u>The vegetation is either dead, diseased or damaged, or likely to cause an imminent hazard to life or</u> 	<p><u>RD</u></p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. <u>The extent of clearance or works within the root protection zone;</u> b. <u>Effects on landscape character and visual amenity associated with the removal of the vegetation;</u> c. <u>Replacement planting;</u>

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	Table 24.32 - Standards	Non-compliance status
	<p><u>property. To ensure compliance with b:</u></p> <p><u>i Council must be notified in writing prior to the works commencing; and</u></p> <p><u>ii Following the works, Council must be provided with a report or written statement from a qualified arborist confirming that the vegetation was dead, diseased or damaged or likely to cause an imminent hazard to life or property.</u></p>	<p>d. <u>Risk to health and safety arising from the vegetation.</u></p>

24.6 Non-notification of applications

Any application for resource consent for controlled or restricted discretionary activities shall not require the written consent of other persons and shall not be notified or limited-notified, with the exception of the following:

- a. Rule 24.5.4 Building Size.
- b. Rule 24.5.5 Building coverage.
- c. Rule 24.5.6 Setback from internal boundaries.
- d. Rule 24.5.7 Height of buildings.
- e. Rule 24.5.8 Setback from roads.
- f. Rule 24.5.10 Setback from Escarpment, Ridgeline or River Cliff Feature.
- g. Rule 24.4.16 Retail sales of farm and garden produce and wine, where the access is onto a State Highway.
- h. Rule 24.5.XX Residential Flat separated from the principal residential unit by more than 10 metres, within the Lifestyle Precinct.

24.7 Assessment Matters

24.7.1 In considering whether or not to grant consent and/or impose conditions on a resource consent, regard shall be had to the assessment matters set out at 24.7.3 to 24.7.15.

24.7.2 ~~All proposals for controlled activities or restricted discretionary activities will also be assessed as to whether they are consistent with the objectives and policies relevant to the identified matters of control or discretion (as applicable) in this Chapter 24 as well as those~~

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in Chapters 3—Strategic Direction; Chapter 4—Urban Development; Chapter 6—Landscapes and Chapter 28—Natural Hazards.

Assessment Matters-Controlled Activities <u>Rule 24.4.6</u>	
24.7.3	<p>The construction of buildings for residential activity <u>within an approved building platform pursuant to Rule 24.4.6:</u></p> <p><u>Landscape character including external appearance associated with the bulk of the building, access, landform modification, exterior lighting, landscaping and planting and visual amenity</u></p> <ol style="list-style-type: none"> a. Whether the location, form, scale, design and finished materials <u>external appearance</u> including colours of the building(s) adequately responds to the identified landscape character and visual amenity qualities of the landscape <u>character units values</u> set out in Schedule 24.9 8—Landscape Character Units and the criteria set out below. b. The extent to which the location and design of buildings, and ancillary elements and the any landscape treatment complements the existing landscape character and visual amenity values, including consideration of: <ol style="list-style-type: none"> i. building height; ii. building colours and materials; iii. building coverage; iv. design, size and location of accessory buildings; v. the design and location of landform modification, retaining, fencing, gates, <u>vehicle access ways</u> (including paving materials), external lighting, domestic infrastructure (including water tanks), vegetation removal, and proposed planting; vi. the retention of existing vegetation and landform patterns; vii. earth mounding and framework planting to integrate buildings and accessways; viii. planting of appropriate species that are suited to the general area having regard to the matters set out in Schedule 24.9 8—Landscape Character Units; ix. riparian restoration planting; x. the retirement and restoration planting of steep slopes over 15° to promote slope stabilisation and indigenous vegetation enhancement; and xi. the integration of existing and provision for new public walkways and cycleways/bridlepaths. c. The extent to which existing covenants or consent notice conditions need to be retained or are otherwise integrated into the proposed development in a manner that maintains or enhances landscape character and visual amenity values. d. The extent to which the development maintains visual amenity in the landscape, particularly from public places. e. Whether clustering of buildings or varied densities of the development areas would better maintain a sense of openness and spaciousness, or better integrate development with existing landform and vegetation or settlement patterns.

Assessment Matters-Controlled Activities Rule 24.4.6	
	<p>f. Where a residential flat is not located adjacent to the residential unit, the extent to which this could give rise to sprawl of buildings and cumulative effects.</p> <p>g. The extent to which the development <u>building is designed to</u> avoids, remedy-ies or mitigates adverse effects on the features, elements and patterns that contribute to the value of adjacent or nearby ONLs and ONFs. This includes consideration of the appropriate setback from such features as well as the maintenance of views from public roads and other public places to the surrounding ONL and ONF context.</p> <p>h. Whether mitigation elements such as a landscape management plan or proposed plantings should be subject to bonds or covenants.</p> <p>i. The merit of the removal of wilding exotic trees at the time of development.</p> <p>j. Whether the proposed development provides an opportunity to maintain landscape character and visual amenity through the registration of covenants requiring open space to be maintained in perpetuity.</p>
24.7.4	<p>Infrastructure and access</p> <p>a. The extent to which the proposal provides for adequate <u>access, and on-site</u> wastewater disposal and water supply. The provision of shared infrastructure servicing to more than one property is preferred in order to minimise environmental effects.</p> <p>b. The extent to which the proposed access utilises an existing access or provides for a common access in order to reduce visual and environmental effects, including traffic safety, minimising earthworks and vegetation removal.</p>

Assessment Matters- Restricted Discretionary Activities	
24.7.5	<p>New buildings (and alterations to existing buildings) including farm buildings and residential flats,; and infringements of the standards for building coverage, building size, building material and colours, and building height:</p> <p>Landscape character and visual amenity</p> <p>a. Whether the location, form, scale, design and finished materials including colours of the building(s) adequately responds to the identified landscape character and visual amenity qualities of the landscape character units set out in Schedule 24.8 – Landscape Character Units and the criteria set out below.</p> <p><u>The extent to which the building, ancillary elements and landscaping responds to the identified values set out in Schedule 24.8 – Landscape Character Units for the relevant landscape unit, and the following assessment matters.</u></p> <p>b. The extent to which the location and design of buildings and ancillary elements and the landscape treatment complement the existing landscape character and visual amenity values, including consideration of:</p> <p>i. building height;</p>

Assessment Matters- Restricted Discretionary Activities	
	<ul style="list-style-type: none"> ii. building colours and materials; iii. building coverage; iv. design, size and location of accessory buildings; v. the design and location of landform modification, retaining, fencing, gates, <u>vehicle accessways</u> (including paving materials), external lighting, domestic infrastructure (including water tanks), vegetation removal, and proposed planting; vi. the retention of existing vegetation and landform <u>patterns, and proposed new planting;</u> vii. earth mounding and framework planting to integrate buildings and <u>vehicle accessways;</u> viii. planting of appropriate species that are suited to the general <u>area, including having regard to the matters set out in Schedule 24.8 – Landscape Character Units;</u> riparian restoration planting; ix. the retirement of <u>steep slopes over 15°</u> and restoration planting of <u>steep slopes over 15°</u> to promote slope stabilisation and indigenous vegetation enhancement; and x. the integration of existing and provision for new public walkways and cycleways/bridlepaths. <p>c. The extent to which existing covenants or consent notice conditions need to be retained or are otherwise integrated into the conditions governing the proposed development, so as to ensure that landscape character and visual amenity values are maintained or enhanced in a manner that maintains or enhances landscape character and visual amenity values.</p> <p>d. The extent to which the development maintains visual amenity in the landscape, particularly from public places.</p> <p>e. Whether clustering of buildings or varied densities of the development areas would better maintain a sense of openness and spaciousness or better are integrate development with existing landform and vegetation or settlement patterns<u>In the case of multiple buildings or residential units not otherwise addressed as part of a previous subdivision, the extent to which a sense of spaciousness is maintained, and whether the buildings are integrated with existing landform, vegetation or settlement patterns.</u></p> <p>f. Where a residential flat is not located adjacent to the residential unit, the extent to which this could give rise to sprawl of buildings and cumulative effects.</p> <p>g. The extent to which the development avoids, remedies or mitigates adverse effects on the features, elements and patterns that contribute to the value of adjacent or nearby ONLs and ONFs. This includes consideration of the appropriate setback from such features as well as the maintenance of views from public roads and other public places to the surrounding ONL and ONF context. Where the site adjoins an ONF or ONL, the extent to which the development affects the values of that ONF or ONL.</p> <p>h. Whether mitigation elements such as a landscape management plan or proposed plantings should be subject to bonds or covenants.</p> <p>i. The merit of the removal of wilding exotic trees at the time of development.</p>

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	<p>j. Whether the proposed development provides an opportunity to maintain landscape character and visual amenity through the registration of covenants requiring open space to be maintained in perpetuity.</p>
24.7.6	<p>Servicing, firefighting water, natural hazards, infrastructure and access</p> <p>a. The extent to which the proposal provides for adequate on-site wastewater disposal and water supply. The provision of shared infrastructure servicing to more than one property is preferred in order to minimise environmental effects.</p> <p>b. The extent to which the proposed access utilises an existing access or provides for a common access in order to reduce visual and environmental effects, including traffic safety, minimising earthworks and vegetation removal.</p> <p>c. Whether adequate provision is made for firefighting activities and provision for emergency vehicles.</p> <p>d. The extent to which the objectives and policies set out in Chapter 28, Natural Hazards, are achieved.</p>
24.7.7	<p>Non-residential activities</p> <p>Whether the proposal achieves:</p> <p>a. An appropriate scale and intensity of the activity in the context of the amenity and character of the surrounding area including reference to the identified elements set out in Schedule 24.8 – Landscape Character Units for the relevant landscape character unit.</p> <p>b. Adequate visual amenity for neighbouring properties and from public places.</p> <p>c. Minimisation of any noise, odour and dust.</p> <p>d. Access that maintains the safety and efficiency of the roading and trail network.</p>
24.7.8	<p>Setback from boundaries, Queenstown Trail, roads and Escarpments, Ridgeline and River Cliff Features</p> <p>Whether the proposal achieves:</p> <p>a. The maintenance of <u>the identified</u> landscape character and visual amenity <u>values</u> with<u>including</u> reference to the identified elements set out in Schedule 24.8 - Landscape Character Units for the relevant landscape unit.</p> <p>b. The maintenance of views to the surrounding mountain context.</p> <p>c. Adequate privacy, outlook and amenity for adjoining properties.</p>
24.7.8B	<p><u>Setback from roads and Escarpments, Ridgeline and River Cliff Features</u></p> <p>a. <u>Whether the proposal achieves:</u></p> <p>i. <u>The maintenance of the identified landscape character and visual amenity values set out in Schedule 24.8 - Landscape Character Units for the relevant landscape unit, while having regard to the site constraints identified in (b).</u></p>

Assessment Matters- Restricted Discretionary Activities	
	<p>ii. <u>For roads, maintenance of views to Outstanding Natural Features and the surrounding Outstanding Natural Landscape mountain context.</u></p> <p>iii. <u>For Escarpments, Ridgeline and River Cliff Features, development that is not visually prominent.</u></p> <p>b. <u>Where a site is located wholly within any prescribed setback, or involves a proposal to alter, or redevelop, an existing building that is within any prescribed setback. Regard shall be had to mitigating or remedying as far as practicable any adverse effects arising from the visibility of the building, while acknowledging the existing constraints of the site and presence of existing buildings within the prescribed setback.</u></p>
24.7.9	<p>Setback from boundaries of non-residential buildings housing animals</p> <p>Whether the proposal achieves:</p> <p>a. The maintenance of landscape character and visual amenity including reference to the identified elements set out in Schedule 24.8 – Landscape Character Units for the relevant landscape character unit.</p> <p>b. Minimisation of adverse odour, dust and/or noise effects on any neighbouring properties.</p>
24.7.10	<p>Setback of buildings from waterbodies</p> <p>Whether the proposal achieves:</p> <p>a. The maintenance or enhancement of biodiversity values.</p> <p>b. The maintenance or enhancement of landscape character and visual amenity values including reference to the identified elements set out in Schedule 24.8 – Landscape Character Units for the landscape character unit that the proposal falls into.</p> <p>c. The maintenance or enhancement of open space.</p> <p>d. Mitigation to manage any adverse effects of the location of the building including consideration of whether the waterbody is subject to flooding or natural hazards.</p>
24.7.11	<p>Roadside stalls</p> <p>Whether the proposal achieves:</p> <p>a. An appropriate scale and intensity of the activity in the context of the surrounding landscape character and visual amenity values.</p> <p>b. Preservation of visual amenity for neighbouring properties and from public places.</p> <p>c. Minimisation of any noise, odour and dust.</p> <p>d. Adequate parking, access safety and avoids adverse transportation effects.</p>
24.7.12	<p>Retail sales</p> <p>Whether the proposal ensures:</p>

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	<ul style="list-style-type: none"> a. An appropriate scale and intensity of the activity in the context of the surrounding landscape character and visual amenity values. b. Preservation of visual amenity for neighbouring properties and from public places. c. Minimisation of any noise, odour and dust. d. Adequate parking, access safety and avoids adverse transportation effects.
24.7.13	<p>Glare</p> <ul style="list-style-type: none"> a. The effects on adjacent roads and neighbouring sites. b. The extent of likely visual dominance from light fixtures, poles and lux levels. c. The nature and extent of any effects on character and amenity, including the night sky. d. The nature and extent of any effects on privacy, views and outlook from neighbouring properties. e. Whether there will be any reverse sensitivity effects on adjacent properties.
24.7.14	<p>Clearance, works within the root protection zone or significant trimming of exotic vegetation over 4m <u>6m</u> in height in <u>Landscape Character Unit 5: Dalefield</u></p> <ul style="list-style-type: none"> a. The degree to which the vegetation contributes to the landscape character and visual amenity values, and the extent to which the clearance or significant trimming would reduce those values. b. The potential for buildings and development to become more visually prominent. c. The merits of any proposed mitigation or replacement plantings. d. The effects on the health and structural stability of the vegetation. e. The merit of the removal of identified wilding exotic trees. <u>Whether the works are reasonably necessary to enable the efficient use of the site.</u>

24.8 Guidance

For inclusion under the "Acronyms used in Schedule 24.8" section.

Schedule 24.8 – Landscape Character Units identifies and describes 24 landscape character units, all of which are within the Wakatipu Basin. The schedule is a tool to assist with the identification of the landscape character and amenity values that are to be maintained or enhanced within each landscape character unit, and across the Wakatipu Basin more generally.

The landscape character unit descriptions contain both factual information and evaluative content. The description of each landscape character unit must be read in full. Each

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description, as a whole, expresses the landscape character and visual amenity values of that unit.

Although the landscape character unit descriptions apply to specific areas within the Wakatipu Basin that share similar landscape or settlement pattern characteristics, they do not uniformly describe the landscape character of any unit. Across each unit there is likely to be variation in landform, development and vegetation patterns, which will require consideration and assessment through consent applications. The descriptions also acknowledge that there will be change, through future development and use, particularly within the Lifestyle Precinct.

The descriptions are based on the scale of the relevant landscape character unit, and should not be taken as prescribing the values and/or capacity of specific sites. The descriptions are intended to be read collectively to inform landscape decision-making in the Wakatipu Basin, by highlighting the important elements that are to be maintained or enhanced within certain landscape character units.

