

## 8 Medium Density Residential

Please note: Variations to parts of this chapter have been decided by Council on 18 March 2021 as part of Stage 3&3b of the PDP. You can view the Stage 3 Decisions and appeals notices on our website. The appeals and section 274 periods for the Stage 1, 2 and 3&3b Decisions have closed.

*This table identifies provisions subject to and consequentially affected by appeals:*

Provision Subject To Appeal (identified in red text in the relevant chapter/s)	Appellant Court Number	Consequentially Affected Provisions
Objective 8.2.5	Transpower New Zealand Limited ENV-2018-CHC-114 (further particulars received) (consent order issued)	
Policy 8.2.5.1	Transpower New Zealand Limited ENV-2018-CHC-114 (consent order issued)	
Policy 8.2.5.2	Transpower New Zealand Limited ENV-2018-CHC-114 (consent order issued)	
Policy 8.2.5.3	Transpower New Zealand Limited ENV-2018-CHC-114 (consent order issued)	
Policy 8.2.8.8	Universal Developments Limited ENV-2018-CHC-101 (consent order issued)	
Rule 8.4.13	Universal Developments Limited ENV-2018-CHC-101 (relief withdrawn)	Objective 8.2.7, Policies 8.2.7.1 and 8.2.7.2
Rule 8.4.16	Universal Developments Limited ENV-2018-CHC-101 (relief withdrawn)	Objective 8.2.7, Policies 8.2.7.1 and 8.2.7.2
Rule 8.5.3	Universal Developments Limited ENV-2018-CHC-101 (consent order issued)	Rule 16.5.11.2
Rule 8.5.13	Transpower New Zealand Limited ENV-2018-CHC-114 (consent order issued)	

*This table identifies new provisions sought to be added:*

Appellant Court Number	Provision/s Sought to be Added into Chapter 8
Friends of Wakatipu Gardens ENV-2018-CHC-098 (appeal withdrawn)	Insert a specific new objective and policy suite in Chapter 8 (Medium Density Residential), as per the amended chapter attached to the appeal, to reflect rezoning request.

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<p>Universal Developments Limited ENV-2018-CHC-101 (relief withdrawn)</p>	<p><del>Provide for community activities as a controlled activity.</del></p>
<p>Mount Crystal Limited ENV-2018-CHC-097 (further particulars received)</p>	<p>Apply a 12m building height limit to Lot 1 DP 9121</p>
<p>Airbnb Australia Pty Ltd ENV-2019-CHC-061</p>	<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>  <ul style="list-style-type: none"> <li>• <del>Must comply with minimum parking requirements of standard 29.8.9 in Chapter 29 Transport.</del></li> <li>• <del>Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</del></li> </ul> </p>
<p>Airbnb Australia Pty Ltd ENV-2019-CHC-061</p>	<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>  <ul style="list-style-type: none"> <li>a. <u>The potential impact of the number of paying guests on site per night on the amenity values of the neighbourhood;</u></li> <li>b. <u>The keeping of records of Homestay use, and availability of records for Council inspection;</u></li> </ul> <u>and</u>  <ul style="list-style-type: none"> <li>c. <u>Monitoring requirements, including imposition of an annual monitoring charge.</u></li> </ul> </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>  <ul style="list-style-type: none"> <li>a. <del>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;</del></li> <li>b. <del>The management of noise, rubbish and outdoor activities;</del></li> </ul> <ul style="list-style-type: none"> <li>a. <u>The potential impact of the number of paying guests on site per night on the amenity values of the neighbourhood;</u></li> </ul> <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>  <ul style="list-style-type: none"> <li>a. <u>The potential impact of the number of paying guests on site per night on the amenity values of the neighbourhood;</u></li> <li>a. <del>The location, nature and scale of activities;</del></li> <li>b. <del>The location, and provision, and screening of parking and access;</del></li> <li>c. <del>The management of noise, rubbish and outdoor activities;</del></li> </ul> <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:  <ul style="list-style-type: none"> <li>• <u>Must not exceed a cumulative total of 120 nights occupation by paying guests on a site per 12 month period.</u></li> <li>• <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></li> <li>• <u>Where the RVA involves construction of a new residential dwelling, the RVA must comply</u></li> </ul> </p>

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	<p><u>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></p> <ul style="list-style-type: none"> <li>• <u>The Council must be notified in writing prior to the commencement of a Residential Visitor Accommodation activity.</u></li> <li>• <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></li> </ul>
<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:  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  - '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> <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:  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>  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:  a. delete "D" and replace with "C" (to indicate controlled activity status).  b. Add the following text: "<u>Control is reserved to:</u>"  c. Add the following matters of control:  <u>a. The location and provision of parking and access for the construction of new residential dwellings to be used for RVA;</u>  <u>b. The keeping of records of RVA use, and availability of records for Council inspection; and</u>  <u>c. Monitoring requirements, including imposition of an annual monitoring charge.</u></p>
<p>Airbnb Australia Pty Ltd ENV-2019-CHC-061</p>	<p>Add the following policy to the Medium Density Residential Zone in the group of policies under objective 8.2.11:  <u>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.</u></p>
<p>Well Smart Investments Group ENV-2019-CHC-062</p>	<p>A suite of district plan provisions including new or stronger objectives and policies that recognise the benefits of commercial visitor accommodation activities and development, and provide for "visitor accommodation" in all zones, especially in the High Density, Medium Density, and Town Centre Zones.</p>
<p>Well Smart Investments Group ENV-2019-CHC-062</p>	<p>To enable visitor accommodation activities within the High Density Residential, Medium Density Residential, and Town Centre Zones as a controlled activity or a restricted discretionary activity if site and zone standards are breached. In the event that the High Density Residential Zoning differs from that which was notified through Planning Map 37, the submitter seeks to identify a visitor accommodation subzone over the area that was notified as High Density.</p>

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

## 8.1 Zone Purpose

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

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

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

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

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

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

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

Visitor accommodation located outside of the Visitor Accommodation Sub-Zones and the Wānaka Town Centre Transition Overlay is restricted, although residential visitor accommodation is provided for in proximity to the Wānaka town centre.

The commercial letting of residential properties as short-term accommodation for paying guests on a year-round or permanent basis is restricted, where it would result in a loss of residential character,

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cohesion and amenity values. Low intensity use of residential units, including residential flats, to accommodate paying guests is enabled, where the predominant residential character of the environment is retained and the residential values amenity of nearby residents are maintained.

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

Zone Purpose 8.1 and relief sought	Appellant Court Number
<p>Site-specific relief as part of a requested rezoning:</p> <p>Amend 8.1 Zone Purpose as follows:</p> <p>The zone is situated in locations in Queenstown, Frankton, Arrowtown <del>and</del> Wānaka <u>and Hāwea</u> that are within identified urban growth boundaries, and easily accessible to local shopping zones, town centres or schools by public transport, cycling or walking. The Medium Density Residential Zone provides for an increased density of housing in locations that are supported by adequate existing or planned infrastructure.</p>	<p>Universal Developments Hawea Limited ENV-2021- CHC-037-03</p>

## 8.2 Objectives and Policies

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

#### Policies

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

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

#### Policies

- 8.2.2.1 Ensure buildings address streets and other adjacent public space with limited presentation of unarticulated blank walls or facades to the street(s) or public space(s).

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- 8.2.2.2 Require visual connection with the street through the inclusion of windows, outdoor living areas, low profile fencing or landscaping.
- 8.2.2.3 Ensure street frontages are not dominated by garaging through consideration of their width, design and proximity to the street boundary.
- 8.2.2.4 Ensure developments reduce visual dominance effects through variation in facades and materials, roof form, building separation and recessions or other techniques.
- 8.2.2.5 Ensure landscaped areas are well designed and integrated into the design of developments, providing high amenity spaces for residents, and to soften the visual impact of development, with particular regard to any street frontage(s).
- 8.2.2.6 Require consideration of the relevant design elements identified in the Residential Zone Design Guide 2021.

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

## **Policies**

- 8.2.3.1 Apply permitted activity and resource consent requirements based on recession plane, building height, setbacks and site coverage controls as the primary means of ensuring reasonable maintenance of neighbours' privacy and amenity values.
- 8.2.3.2 Where a resource consent is required for new development, reasonably minimise the adverse effects of the new development on the amenity values enjoyed by occupants of adjoining sites, and have particular regard to the maintenance of privacy for occupants of the development site and neighbouring sites through the application of setbacks, offsetting of habitable room windows from one another, screening or other means.
- 8.2.3.3 Ensure development along the western side of Designation 270<sup>1</sup> has the least possible impact on views from the formed walkway to the west toward Lake Wānaka and beyond, and generally limit development on land immediately adjoining the western side of Designation 270 to the permitted building height, recession plane, site coverage and setback limits (including between units) to achieve this.

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

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

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## Policies

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

- a. building design and form;
- b. scale, layout and relationship of buildings to the street frontage(s);
- c. materials and landscape response(s) including how landscaping softens the building mass relative to any street frontage(s).

8.2.4.2 Avoid flat roofed dwellings in Arrowtown.

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

Objective 8.2.5 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Objective 8.2.5: Development efficiently utilises existing infrastructure and minimises impacts on <del>infrastructure</del> <u>transport</u> networks.	<del>Transpower New Zealand Limited</del> ENV-2018-CHC-114 (as per further particulars received) (consent order issued)	

## Policies

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

Policy 8.2.5.1 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Policy 8.2.5.1 to give effect to the Objective and Policies 10 and 11 of the NPSET.	<del>Transpower New Zealand Limited</del> ENV-2018-CHC-114 (consent order issued)	

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

Policy 8.2.5.2 and relief sought	Appellant Court Number	Consequentially Affected Provisions

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Amend Policy 8.2.5.2 to give effect to the Objective and Policies 10 and 11 of the NPSET.	<del>Transpower New Zealand Limited</del> ENV-2018-CHC-114 (consent order issued)	
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8.2.5.3 Integrate development with all transport networks and in particular, and where practicable, improve connections to public transport services and active transport networks (tracks, trails, walkways and cycleways).

Policy 8.2.5.3 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Policy 8.2.5.3 to give effect to the Objective and Policies 10 and 11 of the NPSET.	<del>Transpower New Zealand Limited</del> ENV-2018-CHC-114 (consent order issued)	

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

## Policies

- 8.2.6.1 Enable the establishment of community activities where adverse effects on residential amenity values including noise, traffic, lighting, glare and visual impact can be avoided or mitigated.
- 8.2.6.2 Ensure any community activities occur in areas which are capable of accommodating traffic, parking and servicing to a level which maintains residential amenity values.
- 8.2.6.3 Ensure any community activities are of a design, scale and appearance compatible with a residential context.

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

## Policies

- 8.2.7.1 Provide for commercial activities, including home occupation activities, that directly serve the day-to-day needs of local residents, or enhance social connection and vibrancy of the residential environment, provided these do not undermine residential amenity values or the viability of any nearby Town Centre.
- 8.2.7.2 Ensure that any commercial development is of low scale and intensity, and does not undermine the local transport network or availability of on-street vehicle parking for non-commercial use.
- 8.2.7.3 Ensure that the noise effects from commercial activities are compatible with the surrounding environment and residential amenity values.



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

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

## Policies

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

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

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

8.2.8.4 Provide for safe transport connections that:

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

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

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

Policy 8.2.8.8 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Delete Policy 8.2.8.8 or amend to clarify its intent and effect.	Universal Developments Limited ENV-2018-CHC-101 (consent order issued)	

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

## **Policies**

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

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

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

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

## **Policies**

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

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

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

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

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

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

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

## 8.3 Other Provisions and Rules

### 8.3.1 District Wide

Attention is drawn to the following District Wide chapters.

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

### 8.3.2 Interpreting and Applying the Rules

- 8.3.2.1 A permitted activity must comply with all the rules listed in the Activity and Standards tables, and any relevant district wide rules, otherwise a resource consent will be required.
- 8.3.2.2 Where an activity does not comply with a Standard listed in the Standards table, the activity status identified by the Non-Compliance Status column shall apply.
- 8.3.2.3 Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.
- 8.3.2.4 Additional activities are provided for in the Wānaka Town Centre Transition Overlay and apply in addition to the other activities provided for throughout the zone. In the event of any inconsistency arising, the more specific Wānaka Town Centre Transitional Overlay rules shall prevail.
- 8.3.2.5 Proposals for development resulting in more than one (1) residential unit per site shall demonstrate that each residential unit is fully contained within the identified net area for each unit.
- 8.3.2.6 Each residential unit may include a single residential flat and any other accessory buildings.

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

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

8.3.2.9 The following abbreviations are used within this Chapter.

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

8.3.2.9A Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances ("NZECP34:2001") is mandatory under the Electricity Act 1992. All activities, such as buildings, earthworks and conductive fences regulated by NZECP34: 2001, including any activities that are otherwise permitted by the District Plan must comply with this legislation. Chapter 30 Energy and Utilities part 30.3.3.2.c has additional information in relation to activities and obligations under NZECP34:2001.

8.3.2.10 For sites in Arrowtown, the Arrowtown Design Guidelines 2016 apply, instead of the Residential Design Guide 2021.

## 8.4 Rules - Activities

	Activities located in the Medium Density Residential Zone	Activity Status
8.4.1	Commercial activities in the Wānaka Town Centre Transition Overlay	P
8.4.2	Community activities in the Wānaka Town Centre Transition Overlay	P
8.4.3	Home occupations	P
8.4.4	Informal airports for emergency landings, rescues and fire fighting	P
8.4.5	In the Wānaka Town Centre Transition Overlay, Licenced Premises for the consumption of alcohol on the premises between the hours of 8am and 11pm, and also to: <ul style="list-style-type: none"> <li>i. any person who is residing (permanently or temporarily) on the premises;</li> <li>ii. any person who is present on the premises for the purpose of dining up until 12am.</li> </ul>	P
8.4.6	Residential unit <ul style="list-style-type: none"> <li>8.4.6.1 One (1) per site in Arrowtown (see Rule 8.4.10.1).</li> <li>8.4.6.2 For all locations outside of Arrowtown, three (3) or less per site.</li> </ul> <p>Note: Additional rates and development contributions may apply for multiple units located on one site.</p>	P

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	Activities located in the Medium Density Residential Zone	Activity Status				
8.4.7	Homestays	P				
8.4.7A	<p style="color: red;"><b>Residential Visitor Accommodation</b></p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> <li>a. The scale of the activity, including the number of guests on site per night;</li> <li>b. The management of noise, use of outdoor areas, rubbish and recycling;</li> <li>c. The location, provision, use and screening of parking and access;</li> <li>d. The compliance of the residential unit with the Building Code as at the date of the consent;</li> <li>e. Health and safety provisions in relation to guests;</li> <li>f. Guest management and complaints procedures;</li> <li>g. The keeping of records of RVA use, and availability of records for Council inspection; and</li> <li>h. Monitoring requirements, including imposition of an annual monitoring charge.</li> </ul> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="background-color: #d3d3d3;"><b>Rule 8.4.7A and relief sought</b></td> <td style="background-color: #d3d3d3;"><b>Appellant Court Number</b></td> </tr> <tr> <td>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>Airbnb Australia Pty Ltd ENV-2019-CHC-061</td> </tr> </table>	<b>Rule 8.4.7A and relief sought</b>	<b>Appellant Court Number</b>	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
<b>Rule 8.4.7A and relief sought</b>	<b>Appellant Court Number</b>					
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					
8.4.8	<p>Buildings in the Wānaka Town Centre Transition Overlay</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. external design and appearance including the achievement of a development that is compatible with the town centre transitional context, integrating any relevant views or view shafts;</li> <li>b. the external appearance of buildings, including that the use of stone, schist, plaster or natural timber be encouraged;</li> <li>c. privacy for occupants of the subject site and neighbouring sites;</li> <li>d. street activation;</li> <li>e. where a site is subject to any natural hazard and the proposal results in an increase in gross floor area: <ul style="list-style-type: none"> <li>i. the nature and degree of risk the hazard(s) pose to people and property;</li> <li>ii. whether the proposal will alter the risk to any site; and</li> <li>iii. the extent to which such risk can be avoided or sufficiently mitigated.</li> </ul> </li> </ul>	RD				

# MEDIUM DENSITY RESIDENTIAL 8

	Activities located in the Medium Density Residential Zone	Activity Status				
<b>8.4.9</b>	<p style="color: red;">Commercial Activities in Queenstown, Frankton or Wānaka:100m<sup>2</sup> or less gross floor area</p> <p style="color: red;">Discretion is restricted to all of the following:</p> <ul style="list-style-type: none"> <li>a. benefits of the commercial activity in servicing the day-to-day needs of local residents;</li> <li>b. hours of operation;</li> <li>c. parking, traffic and access;</li> <li>d. noise;</li> <li>e. design, scale and appearance;</li> <li>f. where a site is subject to any natural hazard and the proposal results in an increase in gross floor area;                             <ul style="list-style-type: none"> <li>i. the nature and degree of risk the hazard(s) pose to people and property;</li> <li>ii. whether the proposal will alter the risk to any site; and</li> <li>iii. the extent to which such risk can be avoided or sufficiently mitigated.</li> </ul> </li> </ul>	RD				
<table border="1" style="width: 100%; border-collapse: collapse; margin-top: 20px;"> <thead> <tr style="background-color: #d9ead3;"> <th style="width: 60%;">Rule 8.4.9 and relief sought</th> <th style="width: 40%;">Appellant Court Number</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">                     Site-specific relief as part of a requested rezoning:                       Delete Rule 8.4.9 as follows:                       Commercial Activities in Queenstown, Frankton or Wānaka:100m<sup>2</sup> or less gross floor area RD                 </td> <td style="padding: 5px; vertical-align: top;">                     Universal Developments                      Hawea Limited ENV-2021-                      CHC-037-03                 </td> </tr> </tbody> </table>		Rule 8.4.9 and relief sought	Appellant Court Number	Site-specific relief as part of a requested rezoning:  Delete Rule 8.4.9 as follows:  Commercial Activities in Queenstown, Frankton or Wānaka:100m <sup>2</sup> or less gross floor area RD	Universal Developments Hawea Limited ENV-2021- CHC-037-03	
Rule 8.4.9 and relief sought	Appellant Court Number					
Site-specific relief as part of a requested rezoning:  Delete Rule 8.4.9 as follows:  Commercial Activities in Queenstown, Frankton or Wānaka:100m <sup>2</sup> or less gross floor area RD	Universal Developments Hawea Limited ENV-2021- CHC-037-03					

# MEDIUM DENSITY RESIDENTIAL 8

<b>8.4.10</b>	<p>Residential unit</p> <p>8.4.10.1 One (1) or more per site within the Arrowtown Historic management Transition Overlay Area</p> <p>8.4.10.2 Two (2) or more per site in Arrowtown.</p> <p>8.4.10.3 For all locations outside of Arrowtown, four (4) or more per site.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. location, external appearance, site layout and design of buildings and fences and how the development addresses its context to contribute positively to the character of the area;</li> <li>b. building dominance relative to neighbouring properties and public spaces including roads;</li> <li>c. how the design advances housing diversity and promotes sustainability either through construction methods, design or function;</li> <li>d. privacy for occupants of the subject site and neighbouring sites;</li> <li>e. in Arrowtown, consistency with Arrowtown’s character, utilising the Arrowtown Design Guidelines 2016 as a guide;</li> <li>f. street activation;</li> <li>g. parking and access layout: safety, efficiency and impacts on on-street parking and neighbours;</li> <li>h. design and integration of landscaping;</li> <li>i. for land fronting State Highway 6 between Hansen Road and the Shotover River: <ul style="list-style-type: none"> <li>i. safe and effective functioning of the State Highway network;</li> <li>ii. integration with other access points through the zone to link up to Hansen Road, the Hawthorne Drive/State Highway 6 roundabout and/or Ferry Hill Drive; and</li> <li>iii. integration with pedestrian and cycling networks, including to those across the State Highway.</li> </ul> </li> <li>j. where a site is subject to any natural hazard and the proposal results in an increase in gross floor area: <ul style="list-style-type: none"> <li>i. the nature and degree of risk the hazard(s) pose to people and property;</li> <li>ii. whether the proposal will alter the risk to any site; and</li> <li>iii. the extent to which such risk can be avoided or sufficiently mitigated.</li> </ul> </li> </ul>	RD
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# MEDIUM DENSITY RESIDENTIAL 8

	Activities located in the Medium Density Residential Zone	Activity Status						
<b>8.4.11</b>	<p>Visitor Accommodation in the Visitor Accommodation Sub-Zone and Wānaka Town Centre Transition Overlay</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>a. The location, nature and scale of activities;</li> <li>b. Parking and access;</li> <li>c. Landscaping;</li> <li>d. Noise generation and methods of mitigation;</li> <li>e. Hours of operation, including in respect of ancillary activities;</li> <li>f. The external appearance of buildings; and</li> <li>g. Infrastructure, servicing and capacity.</li> </ol>	RD						
<b>8.4.12</b>	Commercial recreation	D						
<b>8.4.13</b>	<p>Community activities</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #d9ead3;">Rule 8.4.13 and relief sought</th> <th style="background-color: #d9ead3;">Appellant Court Number</th> <th style="background-color: #d9ead3;">Consequentially Affected Provisions</th> </tr> </thead> <tbody> <tr> <td>Provide for Commercial activities under 100m<sup>2</sup> as a controlled activity.</td> <td>Universal Developments Limited ENV-2018-CHC-101 (relief withdrawn)</td> <td>Objective 8.2.7, Policies 8.2.7.1 and 8.2.7.2</td> </tr> </tbody> </table>	Rule 8.4.13 and relief sought	Appellant Court Number	Consequentially Affected Provisions	Provide for Commercial activities under 100m <sup>2</sup> as a controlled activity.	Universal Developments Limited ENV-2018-CHC-101 (relief withdrawn)	Objective 8.2.7, Policies 8.2.7.1 and 8.2.7.2	D
Rule 8.4.13 and relief sought	Appellant Court Number	Consequentially Affected Provisions						
Provide for Commercial activities under 100m <sup>2</sup> as a controlled activity.	Universal Developments Limited ENV-2018-CHC-101 (relief withdrawn)	Objective 8.2.7, Policies 8.2.7.1 and 8.2.7.2						
<b>8.4.14</b>	Retirement villages	D						
<b>8.4.15</b>	Activities which are not listed in this table	NC						
<b>8.4.16</b>	<p>Commercial Activities greater than 100m<sup>2</sup> gross floor area</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #d9ead3;">Rule 8.4.16 and relief sought</th> <th style="background-color: #d9ead3;">Appellant Court Number</th> <th style="background-color: #d9ead3;">Consequentially Affected Provisions</th> </tr> </thead> <tbody> <tr> <td>Provide for Commercial activities greater than 100m<sup>2</sup> as a discretionary activity.</td> <td>Universal Developments Limited ENV-2018-CHC-101 (relief withdrawn)</td> <td>Objective 8.2.7, Policies 8.2.7.1 and 8.2.7.2</td> </tr> </tbody> </table>	Rule 8.4.16 and relief sought	Appellant Court Number	Consequentially Affected Provisions	Provide for Commercial activities greater than 100m <sup>2</sup> as a discretionary activity.	Universal Developments Limited ENV-2018-CHC-101 (relief withdrawn)	Objective 8.2.7, Policies 8.2.7.1 and 8.2.7.2	NC
Rule 8.4.16 and relief sought	Appellant Court Number	Consequentially Affected Provisions						
Provide for Commercial activities greater than 100m <sup>2</sup> as a discretionary activity.	Universal Developments Limited ENV-2018-CHC-101 (relief withdrawn)	Objective 8.2.7, Policies 8.2.7.1 and 8.2.7.2						



## MEDIUM DENSITY RESIDENTIAL 8

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

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

	Standards for activities in the Medium Density Residential Zone	Non-compliance status
8.5A.1	For all restricted discretionary and discretionary activities under Rules 8.4 and 8.5, applications for resource consent shall include a statement confirming that the relevant design elements from the Residential Zone Design Guide 2021 have been considered, including a summary of any particular aspects of the proposal that have resulted from that consideration.	NC

# MEDIUM DENSITY RESIDENTIAL 8

## 8.5 Rules - Standards

	Standards for activities located in the Medium Density Residential Zone	Non-compliance status				
8.5.1	<p><b>Building Height (for flat and sloping sites)</b></p> <p>8.5.1.1 Wānaka and Arrowtown: A maximum of 7 metres.</p> <p>8.5.1.2 All other locations: A maximum of 8 metres.</p> <table border="1"> <thead> <tr> <th>Rule 8.5.1 and relief sought</th> <th>Appellant Court Number</th> </tr> </thead> <tbody> <tr> <td> <p>Site-specific relief as part of a requested rezoning:</p> <p>Amend Rule 8.5.1 Building Height as follows:</p> <p>8.5.1.1 Wanaka <del>and</del> Arrowtown <del>or</del> <u>Hāwea</u>: A maximum of 7 metres.</p> </td> <td> <p>Universal Developments Hawea Limited ENV-2021-CHC-037-03</p> </td> </tr> </tbody> </table>	Rule 8.5.1 and relief sought	Appellant Court Number	<p>Site-specific relief as part of a requested rezoning:</p> <p>Amend Rule 8.5.1 Building Height as follows:</p> <p>8.5.1.1 Wanaka <del>and</del> Arrowtown <del>or</del> <u>Hāwea</u>: A maximum of 7 metres.</p>	<p>Universal Developments Hawea Limited ENV-2021-CHC-037-03</p>	NC
Rule 8.5.1 and relief sought	Appellant Court Number					
<p>Site-specific relief as part of a requested rezoning:</p> <p>Amend Rule 8.5.1 Building Height as follows:</p> <p>8.5.1.1 Wanaka <del>and</del> Arrowtown <del>or</del> <u>Hāwea</u>: A maximum of 7 metres.</p>	<p>Universal Developments Hawea Limited ENV-2021-CHC-037-03</p>					
8.5.2	<p>Sound insulation and mechanical ventilation</p> <p>Any residential buildings, or buildings containing an activity sensitive to road noise, and located within 80m of a State Highway shall be designed to achieve an Indoor Design Sound Level of 40Db LAeq24h.</p> <p>Compliance with this rule can be demonstrated by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level.</p>	NC				
8.5.3	<p>Development on land at Frankton North shall be undertaken in accordance with the Frankton North Structure Plan (Schedule 27.13.9), including:</p> <ol style="list-style-type: none"> <li>Providing for a primary road that links State Highway 6 to Quail Rise;</li> <li>Providing for internal connections from the primary road that ensure vehicle access to all sites;</li> <li>Precluding any new vehicular access to the State Highway network; and</li> <li>Providing for a pedestrian and cycle path along the boundary with State Highway 6. This is intended to provide a minimum path width of 2.5 metres, within the existing State Highway corridor, or where there is insufficient land within</li> </ol>	NC				

# MEDIUM DENSITY RESIDENTIAL 8

Standards for activities located in the Medium Density Residential Zone		Non-compliance status						
<p>the State Highway corridor, within adjacent private land.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #d3d3d3;">Rule 8.5.3 and relief sought</th> <th style="background-color: #d3d3d3;">Appellant Court Number</th> <th style="background-color: #d3d3d3;">Consequentially Affected Provisions</th> </tr> </thead> <tbody> <tr> <td> <ul style="list-style-type: none"> <li>Delete Rule 8.5.3.1 or amend to clarify its intent and effect.</li> <li>Amend Rule 8.5.3 to provide further clarity in respect of landscaping requirements.</li> </ul> </td> <td> <p><del>Universal Developments Limited</del>  <del>ENV-2018-CHC-101</del>                      CHC-101                      (consent order issued)</p> </td> <td> <p>Rule 16.5.11.2</p> </td> </tr> </tbody> </table>		Rule 8.5.3 and relief sought	Appellant Court Number	Consequentially Affected Provisions	<ul style="list-style-type: none"> <li>Delete Rule 8.5.3.1 or amend to clarify its intent and effect.</li> <li>Amend Rule 8.5.3 to provide further clarity in respect of landscaping requirements.</li> </ul>	<p><del>Universal Developments Limited</del>  <del>ENV-2018-CHC-101</del>                      CHC-101                      (consent order issued)</p>	<p>Rule 16.5.11.2</p>	
Rule 8.5.3 and relief sought	Appellant Court Number	Consequentially Affected Provisions						
<ul style="list-style-type: none"> <li>Delete Rule 8.5.3.1 or amend to clarify its intent and effect.</li> <li>Amend Rule 8.5.3 to provide further clarity in respect of landscaping requirements.</li> </ul>	<p><del>Universal Developments Limited</del>  <del>ENV-2018-CHC-101</del>                      CHC-101                      (consent order issued)</p>	<p>Rule 16.5.11.2</p>						
<b>8.5.4</b>	<p><b>Building Coverage</b></p> <p>8.5.4.1 A maximum of 45%.</p> <p>8.5.4.2 For the zone at Frankton North located adjacent to Quail Rise, a maximum of 50%.</p>	<p>RD</p> <p>Discretion is restricted to the following:</p> <ol style="list-style-type: none"> <li>a. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties;</li> <li>b. external amenity values for future occupants of buildings on the site;</li> <li>c. effects on views, sunlight and shading on adjacent properties;</li> <li>d. parking and access layout: safety, efficiency and impacts on on-street parking and neighbours;</li> <li>e. in Arrowtown, consistency with Arrowtown’s character, as described within the Arrowtown Design Guidelines 2016.</li> </ol>						
<b>8.5.5</b>	<p><b>Density</b></p> <p>The maximum site density shall be one residential unit per 250m<sup>2</sup> net site area.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>a. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties;</li> </ol>						

# MEDIUM DENSITY RESIDENTIAL 8

	Standards for activities located in the Medium Density Residential Zone	Non-compliance status
		<ul style="list-style-type: none"> <li>b. internal and external amenity values for future occupants of buildings on the site;</li> <li>c. privacy for occupants of the subject site and neighbouring sites, including cumulative privacy effects resulting from several household units enabling overlooking of another unit or units;</li> <li>d. parking and access layout: safety, efficiency and impacts on on-street parking and neighbours;</li> <li>e. noise;</li> <li>f. servicing including waste storage and collection;</li> <li>g. in Arrowtown, consistency with Arrowtown’s character, as described within the Arrowtown Design Guidelines 2016.</li> </ul>
<p><b>8.5.6</b></p>	<p>Recession plane</p> <ul style="list-style-type: none"> <li>a. On flat sites applicable to all buildings;</li> <li>b. On sloping sites only applicable to accessory buildings.</li> </ul> <ul style="list-style-type: none"> <li>8.5.6.1 Northern Boundary: 2.5m and 55 degrees.</li> <li>8.5.6.2 Western and Eastern Boundaries: 2.5m and 45 degrees.</li> <li>8.5.6.3 Southern Boundaries: 2.5m and 35 degrees.</li> <li>8.5.6.4 Gable end roofs may penetrate the building recession plane by no more than one third of the gable height.</li> <li>8.5.6.5 Recession planes do not apply to site boundaries adjoining a town centre zone, fronting the road, or a park or reserve.</li> </ul>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. any sunlight, shading or privacy effects created by the proposal on adjacent sites and/or their occupants;</li> <li>b. effects on any significant public views (based on an assessment of public views undertaken at the time of the proposal, in addition to any specified significant public views identified within the District Plan);</li> <li>c. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties;</li> <li>d. in Arrowtown, consistency with Arrowtown’s character, as described within the Arrowtown Design Guidelines 2016.</li> </ul>

# MEDIUM DENSITY RESIDENTIAL 8

	Standards for activities located in the Medium Density Residential Zone	Non-compliance status
		<p>e. Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is located within the adjacent road, any adverse effects on that infrastructure.</p>
<p><b>8.5.7</b></p>	<p>Landscaped permeable surface</p> <p>At least 25% of site area shall comprise landscaped permeable surface.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. stormwater related effects including flooding and water nuisance;</p> <p>b. visual amenity and the mitigation of the visual effects of buildings and any vehicle parking areas, particularly in relation to any streets or public spaces;</p> <p>c. in Arrowtown, consistency with Arrowtown’s character, as described within the Arrowtown Design Guidelines 2016.</p>
<p><b>8.5.8</b></p>	<p>Minimum Boundary Setback</p> <p>a. road boundary setback: 3m minimum, except for:</p> <p style="padding-left: 40px;">i. State Highway boundaries, where the setback shall be 4.5m minimum;</p> <p style="padding-left: 40px;">ii. garages, where the setback shall be 4.5m minimum;</p> <p>b. all other boundaries: 1.5m.</p> <p>Exceptions to setback requirements other than any road boundary setback.</p> <p>Accessory buildings for residential activities may be located within the setback distances, where they do not exceed 7.5m in length, there are no windows or openings (other than for carports) along any walls within 1.5m of an internal boundary, and they comply with rules for Building Height and Recession Plane.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties;</p> <p>b. streetscape character and amenity;</p> <p>c. any sunlight, shading or privacy effects created by the proposal on adjacent sites and/or their occupants;</p> <p>d. effects on any significant public views (based on an assessment of public views undertaken at the time of the proposal, in addition to any specified significant public views identified within the District Plan);</p> <p>e. parking and access layout: safety, efficiency and impacts on on-street parking and neighbours;</p>

# MEDIUM DENSITY RESIDENTIAL 8

	Standards for activities located in the Medium Density Residential Zone	Non-compliance status
		<p>f. in Arrowtown, consistency with Arrowtown’s character, as described within the Arrowtown Design Guidelines 2016.</p> <p>g. Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is located within the adjacent road, any adverse effects on that infrastructure.</p>
<p><b>8.5.9</b></p>	<p><b>Building Length</b></p> <p>The length of any building facade above the ground floor level shall not exceed 24m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties;</li> <li>b. in Arrowtown, consistency with Arrowtown’s character, as described</li> </ul>
<p><b>8.5.10</b></p>	<p><b>Waste and Recycling Storage Space</b></p> <p>8.5.10.1 Residential activities shall provide, a minimum of, 2m<sup>2</sup> space for waste and recycling storage per residential unit or flat.</p> <p>8.5.10.2 Waste and recycling bins shall be:</p> <ul style="list-style-type: none"> <li>a. Located where it is easy to manoeuvre for kerbside collections and avoiding impeding vehicle movements within and through the site; and</li> <li>b. Not directly visible from adjacent sites, roads and public spaces; or</li> <li>c. Screened with materials that are in keeping with the design of the building</li> </ul>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. Effects on amenity values;</li> <li>b. Size, location and access of waste and recycling storage space; and</li> <li>c. Consistency with the Residential Zone Design Guide 2021.</li> </ul>
<p><b>8.5.11</b></p>	<p><b>Lighting and Glare</b></p> <p>8.5.11.1 All exterior lighting shall be directed downward and away from the adjacent sites and roads.</p>	<p>RD</p> <p>Discretion is restricted to the effects of lighting and glare on:</p> <ul style="list-style-type: none"> <li>a. amenity values of adjoining sites;</li> </ul>

# MEDIUM DENSITY RESIDENTIAL 8

	Standards for activities located in the Medium Density Residential Zone	Non-compliance status						
	<p><b>8.5.11.2</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.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Rule 8.5.11 and relief sought</th> <th style="width: 50%;">Appellant Court Number</th> </tr> </thead> <tbody> <tr> <td>Amend Rule 8.5.11 as follows:  Lighting and Glare Discretion is restricted to the effects of lighting and glare on: <u>e. aircraft operations</u></td> <td>Queenstown Airport Corporation Limited ENV-2021-CHC-048</td> </tr> </tbody> </table>	Rule 8.5.11 and relief sought	Appellant Court Number	Amend Rule 8.5.11 as follows:  Lighting and Glare Discretion is restricted to the effects of lighting and glare on: <u>e. aircraft operations</u>	Queenstown Airport Corporation Limited ENV-2021-CHC-048	<p>b. the safety of the Transport Network;</p> <p>c. the night sky; and</p> <p>d. the navigational safety of passenger carrying vessels operating at night.</p>		
Rule 8.5.11 and relief sought	Appellant Court Number							
Amend Rule 8.5.11 as follows:  Lighting and Glare Discretion is restricted to the effects of lighting and glare on: <u>e. aircraft operations</u>	Queenstown Airport Corporation Limited ENV-2021-CHC-048							
<b>8.5.12</b>	<p><b>Setback of buildings from water bodies</b></p> <p>The minimum setback of any building from the bed of a river, lake or wetland shall be 7m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. indigenous biodiversity values;</li> <li>b. visual amenity values;</li> <li>c. landscape character;</li> <li>d. open space and the interaction of the development with the water body;</li> <li>e. environmental protection measures (including landscaping and stormwater management);</li> <li>f. whether the waterbody is subject to flooding or natural hazards and any mitigation to manage the location of the building.</li> </ul>						
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">Rule 8.5.13 and relief sought</th> <th style="width: 30%;">Appellant Court Number</th> <th style="width: 45%;">Consequentially Affected Provisions</th> </tr> </thead> <tbody> <tr> <td>Delete Rule 8.5.13</td> <td>Transpower New Zealand Limited ENV-2018-CHC-114 (consent order issued)</td> <td></td> </tr> </tbody> </table>	Rule 8.5.13 and relief sought	Appellant Court Number	Consequentially Affected Provisions	Delete Rule 8.5.13	Transpower New Zealand Limited ENV-2018-CHC-114 (consent order issued)		
Rule 8.5.13 and relief sought	Appellant Court Number	Consequentially Affected Provisions						
Delete Rule 8.5.13	Transpower New Zealand Limited ENV-2018-CHC-114 (consent order issued)							
<b>8.5.13</b>	<p><b>Garages</b></p> <p>Garage doors and their supporting structures (measured parallel to the road) shall not exceed 50% of the width of the front elevation of the building which is visible from the street.</p>	D						

# MEDIUM DENSITY RESIDENTIAL 8

	Standards for activities located in the Medium Density Residential Zone	Non-compliance status				
<b>8.5.14</b>	<p>Home Occupation</p> <p>8.5.15.1 No more than 1 full time equivalent person from outside the household shall be employed in the home occupation activity.</p> <p>8.5.15.2 The maximum number of two-way vehicle trips shall be:</p> <p style="margin-left: 20px;">a. heavy vehicles: none permitted; b. other vehicles: 10 per day.</p> <p>8.5.15.3 Maximum net floor area of 60m<sup>2</sup>.</p> <p>8.5.15.4 Activities and storage of materials shall be indoors.</p>	D				
<b>8.5.15</b>	<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				
<b>8.5.16</b>	<p style="color: red;"><b>Residential Visitor Accommodation</b></p> <p>8.5.16.1 <span style="color: red;">Must not exceed a cumulative total of 90 nights occupation by paying guests on a site per 12 month period.</span></p> <p>8.5.16.2 <span style="color: red;">Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</span></p> <p style="color: red;"><b>Note: The Council may request that records are made available to the Council for inspection, at 24 hours' notice, in order to monitor compliance with rules 8.5.17.1 to 8.5.17.2.</b></p> <table border="1" style="width: 100%; margin-top: 10px;"> <thead> <tr style="background-color: #d9ead3;"> <th style="width: 70%;">Rule <b>8.5.17</b> and relief sought</th> <th style="width: 30%;">Appellant Court Number</th> </tr> </thead> <tbody> <tr> <td>Rule 8.5.17 Residential Visitor Accommodation ... 8.5.17.2 Must not generate any vehicle movements by heavy vehicles, <del>coaches or buses</del> to and from the site.</td> <td>Wayfare Group Ltd ENV-2019-CHC-076</td> </tr> </tbody> </table>	Rule <b>8.5.17</b> and relief sought	Appellant Court Number	Rule 8.5.17 Residential Visitor Accommodation ... 8.5.17.2 Must not generate any vehicle movements by heavy vehicles, <del>coaches or buses</del> to and from the site.	Wayfare Group Ltd ENV-2019-CHC-076	<p style="text-align: center;">Sites within the Visitor Accommodation Sub-Zone and/or the MDRZ in Central Wānaka as shown on the District Plan web mapping application:</p> <p style="text-align: center;">RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>a. The location, nature and scale of activities;</li> <li>b. The location, provision, use and screening of parking and access;</li> <li>c. The management of noise, outdoor lighting, use of outdoor areas, rubbish and recycling.</li> <li>d. The compliance of the residential unit with the Building Code as at the date of the consent;</li> <li>e. Health and safety provisions in relation to guests;</li> <li>f. Guest management and complaints procedures;</li> <li>g. The keeping of records of RVA</li> </ol>
Rule <b>8.5.17</b> and relief sought	Appellant Court Number					
Rule 8.5.17 Residential Visitor Accommodation ... 8.5.17.2 Must not generate any vehicle movements by heavy vehicles, <del>coaches or buses</del> to and from the site.	Wayfare Group Ltd ENV-2019-CHC-076					



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	<p>Add a new permitted activity standard: Must comply with the noise limits for the relevant zone in Rules 36.5.1 to 36.5.4 in Chapter 36 Noise. Delete standards for parking and heavy vehicles.</p>	<p>use, and availability of records for Council inspection; and</p> <p>h. Monitoring requirements, including imposition of an annual monitoring charge.</p> <p style="text-align: center;">All other sites:</p> <p style="text-align: center;">Standard 8.5.17.1: 91-180 nights...RD &gt;180 nights...NC</p> <p style="text-align: center;">All other Standards: NC</p> <p>For RD non-compliance with Standard 8.5.17.1 discretion is restricted to:</p> <ul style="list-style-type: none"> <li>i. The nature of the surrounding residential context, including its residential amenity values and character, and the effects of the activity on the neighbourhood;</li> <li>j. The cumulative effect of the activity, when added to the effects of other activities occurring in the neighbourhood;</li> <li>k. The scale and frequency of the activity, including the number of nights per year;</li> <li>l. The management of noise, use of outdoor areas, rubbish and recycling;</li> <li>m. The location, provision, use and screening of parking and access;</li> <li>n. The compliance of the residential unit with the Building Code as at the date of the consent;</li> <li>o. Health and safety provisions in relation to guests;</li> <li>p. Guest management and complaints procedures;</li> <li>q. The keeping of records of RVA use, and availability of records for Council inspection; and</li> </ul>
	<p>Airbnb Australia Pty Ltd ENV-2019-CHC-061</p>	

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	Standards for activities located in the Medium Density Residential Zone	Non-compliance status						
		r. Monitoring requirements, including imposition of an annual monitoring charge.						
<b>8.5.17</b>	<p><b>Homestay</b></p> <p>8.5.17.1 Must not exceed 5 paying guests on a site per night.</p> <p>8.5.17.2 Must comply with minimum parking requirements of standard 29.8.9 in Chapter 29 Transport.</p> <p>8.5.17.3 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.</p> <p>8.5.17.4 The Council must be notified in writing prior to the commencement of a Homestay activity.</p> <p>8.5.17.5 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><b>Note:</b> The Council may request that records are made available to the Council for inspection, at 24 hours' notice, in order to monitor compliance with rules 8.5.18.1 to 8.5.18.5.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr style="background-color: #d3d3d3;"> <th style="width: 70%;">Rule 8.5.18 and relief sought</th> <th style="width: 30%;">Appellant Court Number</th> </tr> </thead> <tbody> <tr> <td>Rule 8.5.18 Homestay ... 8.5.18.3 Must not generate any vehicle movements by heavy vehicles, <del>coaches or buses</del> to and from the site.</td> <td>Wayfare Group Ltd ENV-2019-CHC-076</td> </tr> <tr> <td>Non-compliance with any of the permitted activity standards for Homestays should default to a controlled activity in all zones.</td> <td>Airbnb Australia Pty Ltd ENV-2019-CHC-061</td> </tr> </tbody> </table>	Rule 8.5.18 and relief sought	Appellant Court Number	Rule 8.5.18 Homestay ... 8.5.18.3 Must not generate any vehicle movements by heavy vehicles, <del>coaches or buses</del> to and from the site.	Wayfare Group Ltd ENV-2019-CHC-076	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	<p>Standards 8.5.18.1 and 8.5.18.2: RD</p> <p>All other Standards: NC</p> <p>For non-compliance with Standards 8.5.18.1 and 8.5.18.2 discretion is restricted to</p> <p>a. The nature of the surrounding residential context, including its residential amenity values and character, and the effects of the activity on the neighbourhood;</p> <p>b. The cumulative effect of the activity, when added to the effects of other activities occurring in the neighbourhood;</p> <p>c. The scale and frequency of the activity, including the number of nights per year;</p> <p>d. The management of noise, use of outdoor areas, rubbish and recycling;</p> <p>e. The location, provision, use and screening of parking and access;</p> <p>f. The keeping of records of Homestay use, and availability of records for Council inspection; and</p> <p>g. Monitoring requirements, including imposition of an annual monitoring charge.</p>
Rule 8.5.18 and relief sought	Appellant Court Number							
Rule 8.5.18 Homestay ... 8.5.18.3 Must not generate any vehicle movements by heavy vehicles, <del>coaches or buses</del> to and from the site.	Wayfare Group Ltd ENV-2019-CHC-076							
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							
<b>8.5.18</b>	No fencing shall be constructed in a building restriction area adjoining Hayes Creek and the	RD Discretion is restricted to:						

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	<b>Standards for activities located in the Medium Density Residential Zone</b>	<b>Non-compliance status</b>
	Outstanding Natural Landscape at Bridesdale.	a. Visual amenity values; b. Landscape character.

## 8.6 Rules - Non-Notification of Applications

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

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

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