9 High 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 and 2 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**
~~Policy 9.2.3.2~~	~~Fred van Brandenburg~~ ~~ENV-2018-CHC-071~~ (relief withdrawn)	
Objective 9.2.6	Transpower New Zealand Limited ENV-2018-CHC-114 (further particulars received)	
Policy 9.2.6.1	Transpower New Zealand Limited ENV-2018-CHC-114	
Policy 9.2.6.2	Transpower New Zealand Limited ENV-2018-CHC-114	
Policy 9.2.6.3	Transpower New Zealand Limited ENV-2018-CHC-114	
Policy 9.2.6.4	Transpower New Zealand Limited ENV-2018-CHC-114	
Policy 9.2.6.5	Transpower New Zealand Limited ENV-2018-CHC-114	
~~Rule 9.5.1.3~~	~~Fred van Brandenburg~~ ~~ENV-2018-CHC-071~~ (relief withdrawn)	
~~Rule 9.5.3.3~~	~~Fred van Brandenburg~~ ~~ENV-2018-CHC-071~~ (relief withdrawn)	
Rule 9.6.1	Transpower New Zealand Limited ENV-2018-CHC-114	
Rule 9.6.2	Transpower New Zealand Limited ENV-2018-CHC-114	

This table identifies new provisions sought to be added:

Appellant Court Number	**Provision/s Sought to be Added into Chapter 9**
~~Fred van Brandenburg~~ ~~ENV-2018-CHC-071~~ (relief withdrawn)	~~Insert a new non-notification rule to section 9.6:~~ ~~Development in respect of Rules 9.5.1.3 and 9.5.3.3 shall not be publicly notified. In forming an opinion as to whether any adjoining properties are adversely affected, any adverse effects permitted by the development consented under RM040624 and RM081099 may be disregarded, whether or not these consents have lapsed.~~
~~Universal Developments Limited~~ ~~ENV-2018-CHC-101~~ (consent order issued)	Amend Chapter 9 to provide for the Frankton North Structure Plan (included in the submission) and site specific suite of objectives, policies, and rules relevant to the Frankton North land, including but not limited to matters currently contained in Chapter 16.
Airbnb Australia Pty Ltd ENV-2019-CHC-061	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: Must comply with the noise limits for the relevant zone in Rules 36.5.1 to 36.5.4 in Chapter 36 Noise. Delete the following two standards: ~~• Must comply with minimum parking requirements of standard 29.8.9 in Chapter 29 Transport.~~ ~~• Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.~~
Airbnb Australia Pty Ltd ENV-2019-CHC-061	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. 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: Control is reserved to: a. The potential impact of the number of paying guests on site per night on the amenity values of the neighbourhood; b. The keeping of records of Homestay use, and availability of records for Council inspection; and c. Monitoring requirements, including imposition of an annual monitoring charge. 3. Amend Rules 21.9.6 and 24.5.22 as follows (in the 'non-compliance status' column): Control is reserved to: ~~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;~~ a. The potential impact of the number of paying guests on site per night on the amenity values of the neighbourhood; and re-number (b) and (c) to (c) and (d). 4. Amend the 'non-compliance status' columns of rules 16.5.13, 42.5.10 and 43.5.15 as follows: Control is reserved to: a. The potential impact of the number of paying guests on site per night on the amenity values of the neighbourhood; ~~a. The location, nature and scale of activities;~~ ~~b. The location, and provision, and screening of parking and access;~~

	~~c. The management of noise, rubbish and outdoor activities;~~ and re-number (d) and (e) to (b) and (c).
Airbnb Australia Pty Ltd ENV-2019-CHC-061	Amend the permitted activity standards for RVAs in the High Density Residential (9.5.14), and Business Mixed Use (16.5.12) zones as follows: • Must not exceed a cumulative total of 120 ~~90~~ nights occupation by paying guests on a site per 12 month period. ~~• Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site.~~ • Must comply with the noise limits for the relevant zone in Rules 36.5.1 to 36.5.4 in Chapter 36 Noise. • Where the RVA involves construction of a new residential dwelling, the RVA m~~M~~ust comply with the minimum parking requirements for a residential unit and/or residential flat (whichever is used for the residential visitor accommodation activity) in Chapter 29 Transport. ... ~~• Smoke alarms must be provided in accordance with clause 5 of the Residential Tenancies (Smoke Alarms and Insulation) Regulations 2016.~~
Airbnb Australia Pty Ltd ENV-2019-CHC-061	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): *"The keeping of records of RVA use, and availability of records for Council inspection; and* *Monitoring requirements, including imposition of an annual monitoring charge."* b. Insert into the 'non-compliance status' column, above the two remaining matters - 'C' (to indicate controlled activity status). - the statement "Control is reserved to:" - the following new matter of control: "The location and provision of parking and access for the construction of new residential dwellings to be used for RVA" 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): "The keeping of records of RVA use, and availability of records for Council inspection; and Monitoring requirements, including imposition of an annual monitoring charge." b. add the following new matter of control: "The location and provision of parking and access for the construction of new residential dwellings to be used for RVA" 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: "Control is reserved to:" c. Add the following matters of control: a. The location and provision of parking and access for the construction of new residential dwellings to be used for RVA; b. The keeping of records of RVA use, and availability of records for Council inspection; and c. Monitoring requirements, including imposition of an annual monitoring charge.
Well Smart Investments Group ENV-2019-CHC-062	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.

Well Smart Investments Group ENV-2019-CHC-062	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.

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

9.1 Zone Purpose

The High Density Residential Zone provides for efficient use of land within close proximity to town centres and Arthurs Point that is easily accessible by public transport, cycle and walk ways. In conjunction with the Medium Density Residential Zone, the zone plays a key planning role in minimising urban sprawl and consolidating growth in existing urban areas.

In Queenstown, the High Density Residential zone enables taller buildings than in the other residential zones, subject to high design quality. In Wānaka, lower building heights are anticipated, accounting for its distinctive urban character, however relatively high densities are still achievable. Such development will result in a greater diversity of housing supply, help support the function and vibrancy of town centres, and reduce reliance on private transport. Over time, low-rise apartments and terraced housing are envisaged to become commonplace within the zone.

The High Density Residential Zone at Three Parks Wānaka provides for a distinctive urban character at the entranceway to Wānaka through taller buildings and landscaped areas adjacent to State Highway 84.

Development in the zone will facilitate effective non-vehicular connections and access to high quality public open space.

Development controls provide minimum protections for existing amenity values, and are otherwise prioritised towards enabling the community's wellbeing by promoting growth and development. given the focus on intensification, moderate to substantial change is anticipated including to both public and private views as the character of land within the zone develops into one that is characteristically urban.

Small scale commercial activities are enabled, either to support larger residential developments, or to provide low impact local services.

Small scale community facilities are anticipated, given the need for community activities within residential areas. However, large scale community facilities are not anticipated as this will reduce the effectiveness of the zone at its primary purpose of accommodating housing.

Visitor accommodation, residential visitor accommodation and homestays are anticipated and enabled in this zone, which is located near the town centres and within Arthurs Point, to respond to projected growth in visitor numbers, provided that adverse effects on the residential amenity values of nearby residents is avoided, remedied or mitigated.

9.2 Objectives and Policies

9.2.1 Objective – High density housing development occurs in urban areas close to town centres, to provide greater housing diversity and respond to expected population growth.

Policies

9.2.1.1 Provide sufficient high density zoned land that enables diverse housing supply and visitor accommodation close to town centres.

9.2.1.2 Promote high density development close to town centres to reduce private vehicle movements, maximise walking, cycling and public transport patronage and reduce the need for capital expenditure on infrastructure.

9.2.2 Objective - High density residential development provides a positive contribution to the environment through quality urban design.

Policies

9.2.2.1 Require that development within the zone responds to its context, with a particular emphasis on the following essential built form outcomes:

a. achieving high levels of visual interest and avoiding blank or unarticulated walls or facades;

b. achieving well-overlooked, activated streets and public open spaces, including by not visually or spatially dominating street edges with garaging, parking or access ways;

c. achieving a variation and modulation in building mass, including roof forms;

d. use landscaped areas to add to the visual amenity values of the development for on-site residents or visitors, neighbours, and the wider public.

9.2.2.2 Support greater building height where development is designed to achieve an exemplary standard of quality, including its environmental sustainability.

9.2.2.3 Promote a distinct streetscape for the Arthurs Point High Density Residential neighbourhood that is based upon a shared and integrated public realm.

9.2.2.4 Require consideration of the relevant design elements identified in the Residential Zone Design Guide 2021.

9.2.3 Objective – High density residential development maintains a minimum of existing amenity values for neighbouring sites as part of positively contributing to the urban amenity values sought within the zone.

Policies

9.2.3.1 Apply recession plane, building height, yard setback and site coverage controls as the primary means of ensuring a minimum level of neighbours' outlook, sunshine and light access, and privacy will be maintained, while acknowledging that through an application for land use consent an outcome superior to that likely to result from strict compliance with the controls may well be identified.

9.2.3.2 Ensure the amenity values of neighbours are adequately maintained.

Policy 9.2.3.2 and relief sought	**Appellant** Court Number	**Consequentially Affected Provisions**
~~Delete Policy 9.2.3.2~~	~~Fred van Brandenburg~~ ~~ENV-2018-CHC-071~~ (relief withdrawn)	

9.2.3.3 Ensure built form achieves privacy for occupants of the subject site and neighbouring residential sites and units, including through the use of building setbacks, offsetting habitable windows from one another, screening, or other means.

9.2.4 Objective – Small-scale community activities are provided for where they are best located in a residential environment close to residents.

Policies

9.2.4.1 Enable the establishment of small-scale community activities where adverse effects on residential amenity values such as noise, traffic and visual impact can be avoided or mitigated.

9.2.5 Objective – Commercial development is small-scale and generates minimal amenity value impacts.

Policies

9.2.5.1 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.

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

9.2.6 Objective - High-density residential development will efficiently utilise existing infrastructure and minimise impacts on infrastructure and roading networks.

Objective 9.2.6 and relief sought	**Appellant** Court Number	**Consequentially Affected Provisions**
Amend Objective 9.2.6: High density residential development will efficiently utilise existing infrastructure and minimise impacts on ~~infrastructure and~~ transport networks.	Transpower New Zealand Limited ENV-2018-CHC-114 (as per further particulars received)	

Policies

9.2.6.1 Require development to provide or enhance connections to public places and active transport networks (walkways, trails and cycleways) where appropriate.

Policy 9.2.6.1 and relief sought	**Appellant** Court Number	**Consequentially Affected Provisions**
Amend Policy 9.2.6.1 to give effect to the Policy 10 of the NPSET.	Transpower New Zealand Limited ENV-2018-CHC-114	

9.2.6.2 Require development to provide facilities to encourage walking and cycling where appropriate.

Policy 9.2.6.2 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Policy 9.2.6.2 to give effect to the Policy 10 of the NPSET.	Transpower New Zealand Limited ENV-2018-CHC-114	

9.2.6.3 Ensure access and parking is located and designed to optimise the connectivity, efficiency and safety of the district's transport networks, including the consideration of a reduction in required car parking where it can be demonstrated that this is appropriate.

Policy 9.2.6.3 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Policy 9.2.6.3 to give effect to the Policy 10 of the NPSET.	Transpower New Zealand Limited ENV-2018-CHC-114	

9.2.6.4 Require the site layout and design of development provides low impact approaches to stormwater management through providing permeable surface areas on site and the use of a variety of stormwater management measures.

Policy 9.2.6.4 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Policy 9.2.6.4 to give effect to the Policy 10 of the NPSET.	Transpower New Zealand Limited ENV-2018-CHC-114	

9.2.6.5 A reduction in parking requirements may be considered in Queenstown and Wānaka where a site is located within 800m of a bus stop or the edge of a Town Centre Zone.

Policy 9.2.6.5 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Policy 9.2.6.5 to give effect to the Policy 10 of the NPSET.	Transpower New Zealand Limited ENV-2018-CHC-114	

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

9.2.7.1 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.

9.2.8 Objective – Visitor accommodation, residential visitor accommodation and homestays are enabled in urban areas close to town centres to respond to strong projected growth

in visitor numbers, whilst ensuring that adverse effects on residential amenity values and traffic safety are avoided, remedied or mitigated.

9.2.8.1 Provide sufficient high density zoned land to enable a range of accommodation options for visitors to establish close to town centres.

9.2.8.2 Enable a range of accommodation options which positively contribute to residential amenity values by ensuring that adverse effects on residential amenity values are avoided, remedied or mitigated.

9.2.8.3 Ensure that visitor accommodation development utilises existing infrastructure and minimise impacts on infrastructure and roading networks.

9.2.8.4 Ensure that the design of buildings for visitor accommodation contributes positively to the visual quality of the environment through the use of connection to the street, interesting built forms, landscaping, and response to site context.

9.2.9 Objective – High quality residential development of the land on the northern side of State Highway 6 at Frankton, that is integrated with a primary road that connects State Highway 6 at Hawthorne Drive to Quail Rise, pedestrian and cycle access, and appropriate servicing.

9.2.9.1 Ensure subdivision and development at Frankton North 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.

9.2.9.2 Ensure safe transport connections by:

a. avoiding any new access to State Highway 6;

b. limiting new access to the land at Frankton North to: Hawthorne Drive/SH6 roundabout, Hansen Road and Ferry Hill Drive;

c. providing the primary road connection between State Highway 6 at Hawthorne Drive and Quail Rise;

d. providing access to the primary road connection from all sites within Frankton North; and

e. providing internal road. pedestrian and cycle connections that are of a form that accounts for long-term traffic demand for the area between Hansen Road and Ferry Hill Drive without the need for subsequent retrofitting or upgrade.

f. ensuring that road frontages are not dominated by vehicular access and parking; and

g. integrating with the pedestrian and cycle path and the road network and public transport routes on the southern side of State Highway 6, including pedestrian and cycle access across State Highway 6.

9.2.9.3 Encourage low impact stormwater design that utilises on-site treatment and storage I dispersal approaches.

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

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 these policies.

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 Roading Powers Act 1989.

9.2.10 Objective – The High Density Residential Zone at Three Parks Wānaka contributes to a quality environment at the entranceway to Wānaka.

9.2.10.1 Avoid buildings within the Building Restriction Area so as to:

a. minimise adverse effects of road noise on residential amenity; and

b. ensure the land adjacent to State Highway 84 be landscaped so as to provide a high amenity sense of arrival into Wānaka.

9.3 Other Provisions and Rules

9.3.1 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	

9.3.2 Interpreting and Applying the Rules

9.3.2.1 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.

9.3.2.2 Where an activity does not comply with a Standard listed in the Standards tables, the activity status identified by the 'Non- Compliance Status' column shall apply.

9.3.2.3 Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.

9.3.2.4 Each residential unit may include a single residential flat and any other accessory buildings.

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

9.3.2.6 The following abbreviations are used within this Chapter.

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

9.4 Rules - Activities

	Activities located in the High Density Residential Zone	**Activity status**
9.4.1	Commercial activities comprising no more than 100m^2 of gross floor area At 158, 164, 170 and 172 Arthurs Point Road, Commercial Activities comprising between 101m^2 and 200m^2 gross floor area. Discretion is restricted to: a. Economic impact on the Queenstown town centre; b. Effects on residential amenity; c. Hours of operation; d. Traffic generation and access; e. Location, design, scale and appearance.	P RD
9.4.2	Home Occupation	P
9.4.3	Residential Unit comprising three (3) or less per site	P
9.4.4	Residential Visitor Accommodation and Homestays	P
9.4.5	Residential Unit comprising four (4) or more per site Discretion is restricted to: 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; b. building dominance and sunlight access relative to neighbouring properties and public spaces including roads; c. how the design advances housing diversity and promotes sustainability either through construction methods, design or function;	RD

	Activities located in the High Density Residential Zone	Activity status
	d. privacy for occupants of the subject site and neighbouring sites; e. street activation; f. parking and access layout: safety, efficiency and impacts on on-street parking and neighbours; g. design and integration of landscaping; h. where a site is subject to any natural hazard and the proposal results in an increase in gross floor area: i. the nature and degree of risk the hazard(s) pose to people and property; ii. whether the proposal will alter the risk to any site; and iii. the extent to which such risk can be avoided or sufficiently mitigated. i. The location, size, access, design and screening of waste and recycling storage space; and j. Consistency with the Residential Zone Design Guide 2021.	
9.4.6	Visitor Accommodation including licensed premises within a visitor accommodation development Discretion is restricted to: a. The location, nature and scale of activities; b. Parking and access; c. Landscaping; d. Noise; e. Hours of operation, including in respect of ancillary activities; and f. The external appearance of buildings.	RD
9.4.7	Commercial recreation	D
9.4.8	Community activities	D
9.4.9	Retirement village	D
9.4.10	Activities which are not listed in this table	NC

	Activities located in the High Density Residential Zone	Activity status
9.4.11	Commercial activities not otherwise identified	NC
9.4.12	Panel beating, spray painting, motor vehicle repair or dismantling, fibre glassing, sheet metal work, bottle or scrap storage, motor body building.	PR
9.4.13	Manufacturing and/or product assembling activities	PR
9.4.14	Mining	PR
9.4.15	Factory Farming	PR
9.4.16	Fish or meat processing	PR
9.4.17	Forestry, except for Plantation Forestry where the Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017 prevails.	PR
9.4.18	Any activity requiring an Offensive Trade License under the Health Act 1956	PR
9.4.19	Airports other than the use of land and water for emergency landings, rescues and fire fighting	PR
9.4.20	Bulk material storage	PR

9.5A Rules – Standards for Restricted Discretionary and Discretionary Activities under Rules 9.4 and 9.5

	Standards for activities in the High Density Residential Zone	Non-compliance status
9.5A.1	For all restricted discretionary and discretionary activities under Rules 9.4 and 9.5, 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

9.5 Rules - Standards

	Standards for activities located in the High Density Residential Zone	Non-compliance status
9.5.1	Building Height – Flat Sites in Queenstown 9.5.1.1 A height of 12 metres except where specified in Rules 9.5.1.2, 9.5.1.3 or 9.5.1.4.	RD Discretion is restricted to: a. building design and appearance, including roof form articulation and the avoidance of large, monolithic building forms; b. building dominance and sunlight access relative to neighbouring properties and public spaces including roads; c. how the design advances housing diversity and promotes sustainability either through construction methods, design or function; d. privacy for occupants of the subject site and neighbouring sites; e. effects on 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); f. the positive effects of enabling additional development intensity within close proximity to town centres.
	9.5.1.2 In the High Density Residential Zone immediately west of the Kawarau Falls Bridge the maximum building height shall be 10m provided that in addition no building shall protrude above a horizontal line orientated due north commencing 7m above any given point along the required boundary setbacks at the southern zone boundary.	D
	9.5.1.3 Within the area specified on the District Plan web mapping application on the south side of Frankton Road (SH6A), the highest point of any building shall not exceed the height above sea level of the nearest point of the road carriageway centreline. **Rule 9.5.1.3 and relief sought** — **Appellant** Court Number	D

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	~~Amend Rule 9.5.1.3 as follows:~~ ~~Within the area specified on the planning maps on the south side of Frankton Road (SH6A), the highest point of any building shall not exceed more than one story in height above the height above sea level of the nearest point of the Frankton road carriageway centreline, limited to a length of 16m parallel to the Road.~~ ~~(noncompliance status – RD)~~ ~~Fred van Brandenburg ENV-2018-CHC-071~~ (relief withdrawn) 9.5.1.4 Maximum building height of 15m. 9.5.1.5 Rules 9.5.1.1 to 9.5.1.4 do not apply to the land at Frankton North.	D
9.5.2	**Building Height – Flat Sites in Wānaka** 9.5.2.1 A height of 8m except where specified in Rule 9.5.2.2 and 9.5.2.3. 9.5.2.2 Maximum building height of 10m.	RD Discretion is restricted to: a. building design and appearance, including roof form articulation and the avoidance of large, monolithic building forms; b. building dominance and sunlight access relative to neighbouring properties and public spaces including roads; c. how the design advances housing diversity and promotes sustainability either through construction methods, design or function; d. privacy for occupants of the subject site and neighbouring sites; e. effects on significant public views, in particular from Lismore Park (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); f. the positive effects of enabling additional development intensity within close proximity to town centres. D

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	9.5.2.3 In Three Parks Wānaka the maximum building height shall be 12m.	D
9.5.3	Building Height – Sloping Sites in Queenstown and Wānaka 9.5.3.1 A height of 7m, except as specified in Rules 9.5.3.2, 9.5.3.3 and 9.5.3.4	RD Discretion is restricted to: a. building design and appearance, including roof form articulation and the avoidance of large, monolithic building forms; b. building dominance and sunlight access relative to neighbouring properties and public spaces including roads; c. how the design advances housing diversity and promotes sustainability either through construction methods, design or function; d. how the design responds to the sloping landform so as to integrate with it; e. privacy for occupants of the subject site and neighbouring sites; f. effects on significant public views, in particular from Lismore Park (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); g. the positive effects of enabling additional development intensity within close proximity to town centres.
	9.5.3.2 Immediately west of the Kawarau Falls Bridge the maximum building height shall be 10m provided that in addition no building shall protrude above a horizontal line orientated due north commencing 7m above any given point along the required boundary setbacks at the southern zone boundary.	D
	9.5.3.3 Within the area specified on the District Plan web mapping application on the south side of Frankton Road (SH6A), the highest point of any building shall not exceed the height above sea level	D

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	of the nearest point of the road carriageway centreline **Rule 9.5.3.3 and relief sought** / **Appellant** Court Number ~~Amend Rule 9.5.3.3 as follows:~~ ~~Within the area specified on the planning maps on the south side of Frankton Road (SH6A), the highest point of any building shall not exceed more than one story in height above the height above sea level of the nearest point of the Frankton road carriageway centreline, limited to a length of 16m parallel to the Road.~~ ~~(noncompliance status – RD)~~ / ~~Fred van Brandenburg ENV-2018-CHC-071~~ (relief withdrawn) 9.5.3.4 Maximum building height of 10m. 9.5.3.5 Rules 9.5.3.1 to 9.5.3.4 do not apply to the land at Frankton North.	D
9.5.4	Building Height - Frankton North 9.5.4.1 Building height of 12m.	RD Discretion is restricted to: a. building design and appearance, including roof form articulation and the avoidance of large, monolithic building forms; b. building dominance and sunlight access relative to neighbouring properties and public spaces including roads; c. how the design advances housing diversity and promotes sustainability either through construction methods, design or function; d. privacy and outlook for occupants of the subject site and neighbouring sites;

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	9.5.4.2 Maximum building height of 20m.	e. Crime Prevention Through Environmental Design considerations; f. the positive effects of enabling additional development intensity within close proximity to town centres; NC
9.5.5	Building Coverage 9.5.5.1 A maximum of 70% site coverage 9.5.5.2 Within Frankton North a maximum of 75% building coverage. Exclusions: a. building coverage does not include any veranda over public space and does not apply to underground structures, which are not visible from ground level and which are landscaped to appear as recreational or planted (including grassed) areas.	NC
9.5.6	Recession plane (applicable to all buildings, including accessory buildings) 9.5.6.1 For Flat Sites from 2.5 metres above ground level a 45 degree recession plane applies to all boundaries, other than the northern boundary of the site where a 55 degree recession plane applies. Exclusions: a. gable end roofs may penetrate the building recession plane by no more than one third of the gable height; b. recession planes do not apply to site boundaries adjoining a Town Centre Zone, fronting a road, or adjoining a park or reserve. 9.5.6.2 No recession plane for sloping sites	RD – for boundaries where the High Density Residential zone applies on each side of the boundary. Discretion is restricted to: a. any sunlight, shading or privacy effects created by the proposal on adjacent sites and/or their occupants; 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); c. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties. NC – for boundaries where there is a change of zone other than as specified in the exclusions.

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	9.5.6.3 Rules 9.5.6.1 and 9.5.6.2 do not apply at Frankton North. 9.5.6.4 At Frankton North all buildings, including accessory buildings, along the northern boundary of the zone where it adjoins the Rural Zone, Open Space Zone and Quail Rise Special Zone: For flat and sloping sites from 3 metres above ground a 45 degree recession plane applies.	
9.5.7	Landscaped permeable surface coverage At least 20% of site area shall comprise landscaped (permeable) surface.	NC
9.5.8	Building Length The length of any building facade above the ground floor level shall not exceed 30m. Rule 9.5.8 does not apply at Frankton North.	RD Discretion is restricted to the following: a. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties.
9.5.9	Minimum Boundary Setbacks 9.5.9.1 All boundaries 2 metres except for State Highway road boundaries where the minimum setback shall be 4.5m. 9.5.9.2 garages shall be at least 4.5m back from a road boundary. 9.5.9.3 Rules 9.5.9.1 and 9.5.9.2 do not apply at Frankton North. Exceptions to setback requirements other than any road boundary setbacks: 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 comply with rules for Building Height and Recession Plane.	RD Discretion is restricted to: a. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties; b. streetscape character and amenity; c. any sunlight, shading or privacy effects created by the proposal on adjacent sites and/or their occupants; 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).
9.5.10	Waste and Recycling Storage Space 9.5.10.1 Residential activities of three units or less shall provide, a minimum of	RD Discretion is restricted to: a. Effects on amenity values;

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	2m² waste and recycling storage per residential unit or flat. 9.5.10.2 Waste and recycling bins shall be: a. Located where it is easy to manoeuvre for kerbside collections and avoid impeding vehicle movements within and through the site; and b. Not directly visible from adjacent sites, roads and public spaces; or c. Screened with materials that are in keeping with the design of the building.	b. Size, location and access of waste and recycling storage space; and c. Consistency with the Residential Zone Design Guide 2021.
9.5.11	Lighting and Glare 9.5.11.1 All exterior lighting shall be directed downward and away from adjacent sites and roads. 9.5.11.2 No activity on any site shall result in greater than a 3.0 lux spill (horizontal or vertical) of lights onto any other site measured at any point inside the boundary of the other site.	RD Discretion is restricted to the effects of lighting and glare on: a. amenity values of adjoining sites; b. the safety of the Transport Network; c. the night sky; and d. the navigational safety of passenger carrying vessels operating at night.
9.5.12	Sound Insulation and Mechanical Ventilation For buildings located within 80m of a State Highway. 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. 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 internal design sound level.	NC
9.5.13	Building Restriction Area No building shall be located within a building restriction area as identified on the District Plan web mapping application.	NC
9.5.14	Flood Risk	PR

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	The construction or relocation of buildings with a gross floor area greater than 20m2 and having a ground floor level less than: 9.5.14.1 RL 312.0 masl at Queenstown and Frankton. 9.5.14.2 RL 281.9 masl at Wānaka.	
9.5.15	Residential Visitor Accommodation 9.5.15.1 Must not exceed a cumulative total of 90 nights occupation by paying guests on a site per 12 month period. 9.5.15.2 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site. 9.5.15.3 Must comply with the minimum parking requirements for a residential unit and/or residential flat (whichever is used for the residential visitor accommodation activity) in Chapter 29 Transport. 9.5.15.4 The Council must be notified in writing prior to the commencement of a Residential Visitor Accommodation activity. 9.5.15.5 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. 9.5.15.6 Smoke alarms must be provided in accordance with clause 5 of the Residential Tenancies (Smoke Alarms and Insulation) Regulations 2016. 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 9.5.15.1 to 9.5.15.5. **Rule 9.5.15 and relief sought** | **Appellant**	RD Discretion is restricted to: a. The location, nature and scale of activities; b. The location, provision, and screening of parking and access; c. The management of noise, rubbish and outdoor activities; d. The compliance of the residential unit with the Building Code as at the date of the consent; e. Health and safety provisions in relation to guests; f. Guest management and complaints procedures; g. The keeping of records of RVA use, and availability of records for Council inspection; and h. Monitoring requirements, including imposition of an annual monitoring charge.

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	<table><tr><th></th><th>Court Number</th></tr><tr><td>Rule 9.5.14 Residential Visitor Accommodation … 9.5.14.2 Must not generate any vehicle movements by heavy vehicles, ~~coaches or buses~~ to and from the site.</td><td>Wayfare Group Ltd ENV-2019-CHC-076</td></tr></table>	
9.5.16	Homestay 9.5.16.1 Must not exceed 5 paying guests on a site per night. 9.5.16.2 Must comply with minimum parking requirements of standard 29.8.9 in Chapter 29 Transport. 9.5.16.3 Must not generate any vehicle movements by heavy vehicles, coaches or buses to and from the site. 9.5.16.4 The Council must be notified in writing prior to the commencement of a Homestay activity. 9.5.16.5 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. 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 9.5.16.1 to 9.5.16.5. <table><tr><th>Rule 9.5.16 and relief sought</th><th>Appellant Court Number</th></tr><tr><td>Rule 9.5.15 Homestay … 9.5.15.3 Must not generate any vehicle movements by heavy vehicles, ~~coaches or buses~~ to and from the site.</td><td>Wayfare Group Ltd ENV-2019-CHC-076</td></tr></table>	RD Discretion is restricted to: a. The location, nature and scale of activities; b. The location, provision, and screening of parking and access; c. The management of noise, rubbish and outdoor activities; d. The keeping of records of Homestay use, and availability of records for Council inspection; and e. Monitoring requirements, including imposition of an annual monitoring charge.
9.5.17	Development on land at Frankton North shall be undertaken in accordance with the Frankton	NC

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	North Structure Plan (Schedule 27.13.9), including: a. Providing for a primary road that links State Highway 6 to Quail Rise; b. Providing for internal connections from the primary road that ensure vehicle access to all sites; c. Precluding any new vehicular access to the State Highway network; and d. Providing for a pedestrian and cycle path along the boundary with State Highway 6. This is intended to provide a minimum path width of 2.5 metres, within the existing State Highway corridor, or where there is insufficient land within the State Highway corridor, within adjacent private land.	

9.6 Rules - Non-Notification of Applications

9.6.1 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:

9.6.1.1 Residential development involving the development of 4 or more residential units where the standards in Rule 9.5 are complied with.

9.6.1.2 Building Heights between 12m and 20m at Frankton North as identified in Rule 9.5.4.1.

Rule 9.6.1 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Rule 9.6.1. This rule is opposed as it would allow resource consent applications for residential units (including National Grid Sensitive Activities within the National Grid Yard or Corridor) to be processed without notification to Transpower.	Transpower New Zealand Limited ENV-2018-CHC-114	

9.6.2 The following Restricted Discretionary activities will not be publicly notified but notice will be served on those persons considered to be adversely affected if those persons have not given their written approval:

9.6.2.1 Restricted Discretionary building height (except at Frankton North as identified in Rule 9.6.1.2) and recession plane contraventions.

9.6.2.2 Boundary setback contraventions of up to 0.6m into the required setback depth of the yard (for unlimited length of the boundary).

Rules 9.6.2 and relief sought	Appellant Court Number	Consequentially Affected Provisions
Amend Rule 9.6.2. This rule is opposed as it would allow resource consent applications for residential units (including National Grid Sensitive Activities within the National Grid Yard or Corridor) to be processed without notification to Transpower.	Transpower New Zealand Limited ENV-2018-CHC-114	

9.6.2.3 Visitor accommodation and residential visitor accommodation