

**BEFORE THE HEARINGS PANEL
FOR THE QUEENSTOWN LAKES PROPOSED DISTRICT PLAN**

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of Hearing Stream 08
– Business Zones

**REPLY OF AMY BOWBYES
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

14 ARROWTOWN TOWN CENTRE CHAPTER

13 December 2016

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Appendix 1 – Revised Chapter 14 Arrowtown Town Centre Zone

1. INTRODUCTION

- 1.1 My name is Amy Bowbyes. I prepared the section 42A report for the Arrowtown Town Centre Zone (**ATCZ**) chapter 14 of the Proposed District Plan (**PDP**). My qualifications and experience are listed in that s42A report dated 2 November 2016.
- 1.2 I attended the hearing on 29 November 2016, where I presented my Summary of Evidence and responded to questions from the Hearing Panel (**Panel**). No submitters or Counsel appeared at the hearing in respect of the ATCZ Chapter.
- 1.3 This reply evidence covers the following issues raised by the Panel on 29 November:
- (a) rephrasing of Objectives 14.2.2 and 14.2.3 as an outcome, rather than a statement;
 - (b) consideration of Rule 14.4.5 (final bullet point) having regard to the evidence provided by Ms Sian Swinney on the equivalent rule (notified Rule 12.4.4) for the Queenstown Town Centre Chapter;
 - (c) further consideration of Rule 14.5.9.1 to delete the phrase "*and so as to limit the effects on the night sky*" as I understand it is *ultra vires*;
 - (d) consideration of the default permitted activity Rule 14.4.1; and
 - (e) non-substantive changes to improve the consistency of drafting across the chapters heard in Business Zones Hearing Stream 08.
- 1.4 Where I am recommending changes to the provisions as a consequence of the hearing, I have included these in the recommended chapter in **Appendix 1 (Revised Chapter)**. As no substantive changes are recommended I have not completed a s32AA evaluation, and I otherwise refer to the notified section 32 report and the section 32AA analysis provided in my s42A report.

2. REPHRASING OF OBJECTIVES 14.2.2 AND 14.2.3

2.1 The Panel has requested that I further consider the phrasing of Objectives 14.2.2 and 14.2.3 to articulate the objectives as goals, rather than statements. I accept that these objectives require rephrasing, and recommend the minor amendments shown in **Appendix 1**.

3. RULE 14.4.5 – LICENSED PREMISES

3.1 The Panel noted the evidence provided by Ms Sian Swinney in respect of the Queenstown Town Centre Zone, including Rule 12.4.4 of that chapter, which concerns itself with licensed premises. Ms Swinney¹ supports removal of the final bullet point of the rule which lists as a matter of discretion *consideration of any relevant Council alcohol policy or bylaw*. The reason stated by Ms Swinney is that there is currently no alcohol policy in place and breach of any bylaw could result in enforcement action being required.

3.2 The Panel have asked that I consider whether ATCZ Rule 14.4.5, which includes the same matter of discretion, should also be amended.

3.3 I accept Ms Swinney's view and consider that, on the face of it, it would be appropriate to amend Rule 14.4.5. However as no submission was received on this rule it is my view that there is no scope to make the amendment. I therefore do not recommend any changes to this rule, but have noted in the revised chapter that I do not support the inclusion of the matter of discretion.

4. RULE 14.5.9.1 – NIGHT SKY

4.1 The Panel has asked that I reconsider my position on Rule 14.5.9.1 having regard to submissions received that specifically consider the effects of lighting on the night sky. I have subsequently considered the submissions of Grant Bisset (**Bisset**) (568) and Ros and Dennis Hughes (**Hughes**) (340).

1 Statement of Evidence of Sian Swinney dated 2 November 2016 at paragraph 5.32.

- 4.2 The Bisset submission² seeks that the effects of light pollution are appropriately controlled in order to limit the effects on the night sky.
- 4.3 The Hughes' submission relates specifically to Chapter 3 (Strategic Directions) and Chapter 6 (Landscapes) (both district wide chapters). However, the submission³ generally highlights the importance of the night sky as a natural feature and seeks that it is a consideration in the design of lighting infrastructure.
- 4.4 The matter of scope is addressed in the Council's Reply legal submissions. Based on those submissions, there isn't scope to delete the phrase, but there is scope to make the zone provisions (ie, the phrase) more measurable and specific, as "a greater level of direction" is sought in submission 568.
- 4.5 In any event, I understand that the phrase "*and so as to limit the effects on the night sky*" is *ultra vires* for uncertainty as also discussed in the Council's Reply Legal Submissions. I therefore consider that the the phrase "*and so as to limit the effects on the night sky*" should be deleted in Rule 14.5.9.1, as shown in **Appendix 1** to this report.

5. **RULE 14.4.1 – DEFAULT PERMITTED ACTIVITY RULE**

- 5.1 The Panel has asked that consideration be given to whether Rule 14.4.1 is necessary. This rule provides the 'default' permitted activity status for activities which comply with all standards and are not otherwise listed in Activity Table 14.1.
- 5.2 This matter is discussed in the Right of Reply provided by Ms Vicki Jones for the Queenstown⁴ Town Centre Chapter. I concur with Ms Jones' view and the reasons outlined in her Reply.
- 5.3 I therefore do not recommend any changes to this rule.

2 Submission 568, paragraphs 4.14 and 4.15.

3 Submission 340, paragraph 4, bullet 2.

4 Ms Jones' Right of Reply for the Queenstown Town Centre Chapter at paragraph 3.1 to 3.4.

6. NON-SUBSTANTIVE CHANGES FOR CONSISTENCY

6.1 The Panel has pointed to a number of minor drafting inconsistencies between the PDP chapters heard in Business Zones Hearing Stream 08. I have consulted with Ms Vicki Jones and Ms Rebecca Holden (who are the other authors of the s42A Reports for this Hearing) and I recommend minor changes to the following provisions to increase consistency between the chapters:⁵

- (a) Rules 14.4.2 and 14.4.3: remove the words "*in respect of*" and replace with "*Control is reserved to the following*";
- (b) Rules 14.4.4, 14.4.5, 14.5.1, 14.5.2, 14.5.3, 14.5.4 and 14.5.5: amend so that the text in each rule consistently says: "*Discretion is restricted to consideration of the following...*";
- (c) Rule 14.4.11: amend to make the layout consistent across the chapters heard in Business Zones Hearing Stream 08 that contain this rule; and
- (d) Rule 14.5.8: to clarify which parts of the rule are exemptions and which are explanatory notes, and to clarify that the exemption for outdoor public events applies to *permitted* events pursuant to Rule 35.4.7. I note that Rule 35.4.7 also includes a note exempting such events from the noise standards of the Zone, which is consistent with the approach in Rule 14.5.8.

6.2 These recommended changes are all included in **Appendix 1**.

⁵ These changes increase consistency between the following PDP chapters: 12 Queenstown Town Centre Zone, 13 Wanaka Town Centre Zone, 14 Arrowtown Town Centre Zone, 15 Local Shopping Centre Zone, 16 Business Mixed Use Zone, and 17 Airport Mixed Use Zone.

7. CONCLUSION

7.1 Overall, with the incorporation of the minor changes discussed in this reply, I consider that the recommended revised chapter as set out in **Appendix 1** is the most appropriate way to meet the purpose of the RMA.

A handwritten signature in black ink, appearing to read 'Amy', with a stylized flourish extending to the right.

Amy Bowbyes
Senior Policy Planner
13 December 2016

APPENDIX 1
REVISED CHAPTER 14 ARROWTOWN TOWN CENTRE ZONE

ARROWTOWN TOWN CENTRE 14

Key:

Recommended changes to notified chapter are shown in red underlined text for additions and ~~red strike through~~ text for deletions, Appendix 1 to Right of Reply, dated 13 December 2016.

Recommended changes to notified chapter are shown in underlined text for additions and ~~strike through text~~ for deletions. Appendix 1 to s42A report, dated 2 November 2016.

14 Arrowtown Town Centre

14.1 Zone Purpose

Town centres provide a focus for community life, retail, entertainment, business and services. They provide a vital function for serving the needs of residents, and as key destinations for visitors to our District, they provide a diverse range of visitor accommodation and visitor-related businesses. High visitor flows significantly contribute to the vibrancy and economic viability of the centres.

Arrowtown's special heritage character attracts those visiting the District, and the town centre provides business and retailing for local residents at a boutique scale. The centre will serve a growing resident population and visitor numbers, and will continue to be a focal point for community activities and amenities. Its compact form enables people to access the town centre on foot. Links and pathways facilitate the movement of pedestrians, adding interest for visitors exploring the centre, and complementing the town's character.

14.2 Objectives and Policies

14.2.1 Objective – New development celebrates the town's historic character and is sympathetic to its environmental setting.

Policies

14.2.1.1 Control the height, scale, appearance and location of buildings in order to achieve a built form that complements the existing patterns of development and reflects the essential historic character of the town centre and its unique environmental setting.

14.2.1.2 Ensure that any additions or alterations to buildings are undertaken in a manner that complements and respects the historic character and is consistent with the outcomes sought by the Arrowtown Design Guidelines 2016.

14.2.1.3 Acknowledge that new buildings do not necessarily need to replicate historic building styles, but must blend in with and contribute to the established character of the town centre.

14.2.1.4 Encourage building design that integrates with public spaces and facilitates the flow of pedestrians through the town centre.

14.2.1.5 Control the design and appearance of verandas so they integrate well with the buildings they are attached to and complement the overall streetscape and do not interfere with kerbside movements of high-sided vehicles, while providing appropriate cover for pedestrians.

14.2.2 Objective – Arrowtown is continues to be a compact, convenient and attractive town centre that has a low scale built form, with limited opportunities for expansion.

Comment [AB1]: Change from 2006 to 2016 made by Variation 1.

Comment [AB2]: Subs 798. 42 and 798.43

Comment [AB3]: Non-substantive drafting improvement to state the objective as a goal rather than a statement, as per the Panel's Fourth Procedural Minute.

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Policies

- 14.2.2.1 Provide for the controlled expansion of town centre activities through the Town Centre Transition Overlay, which enables appropriate town centre activities to establish in a discrete area of residential-zoned land adjoining the town centre.
- 14.2.2.2 Discourage outward expansion of town centre activities in areas other than the Town Centre Transition Overlay in order to ensure that the town centre maintains a compact form.
- 14.2.2.3 Ensure that development generally comprises a low scale to maintain consistency with the scale and character of existing town centre buildings.
- 14.2.2.4 Provide for consideration of minor height infringements where they help achieve higher quality design outcomes and do not significantly adversely affect amenity values.
- 14.2.2.5 Acknowledge and celebrate our cultural heritage, including incorporating reference to tangata whenua values, in the design of public spaces, where appropriate.
- 14.2.2.6 Ensure that outdoor storage areas are appropriately located and screened to limit adverse visual effects and to be consistent with the amenity values of the town centre.
- 14.2.3 Objective – Arrowtown town centre ~~is~~ continues to be a focus for commercial, cultural, entertainment and visitor activities.**

Comment [AB4]: Non-substantive drafting improvement to state the objective as a goal rather than a statement, as per the Panel's Fourth Procedural Minute.

Policies

- 14.2.3.1 Provide for a diverse range of activities that meet the needs of residents and visitors, and enables the town centre to have a broad economic base.
- 14.2.3.2 Enable residential activities and visitor accommodation activities above ground floor level whilst acknowledging that there will be a lower level of residential amenity due to the mix of activities of the town centre.
- 14.2.4 Objective – Appropriate limits are placed on town centre activities to minimise adverse environmental effects within and beyond the town centre.**

Policies

- 14.2.4.1 Provide appropriate noise limits for town centre activities to minimise adverse noise effects received within the town centre and by nearby properties.
- 14.2.4.2 Avoid the establishment of activities that cause noxious effects that are not appropriate for the town centre.
- 14.2.4.3 Ensure that the location and direction of lights in the town centre does not cause significant glare to other properties, roads, and public places and promote lighting design that mitigates adverse effects on the night sky.
- 14.2.4.4 Avoid the establishment of activities that are not consistent with the amenity values of the town centre, cause inappropriate environmental effects, and are more appropriately located in other zones.
- 14.2.5 Objective – The town centre's transport network and pedestrian linkages recognise Arrowtown's heritage values, enabling the safe and convenient movement of people and goods.**

Policies

- 14.2.5.1 Implement programmes of street and other public open space improvements in a manner that is consistent with the town's heritage values, to enhance pedestrian amenity and improve the flow of pedestrians through the town centre.

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- 14.2.5.2 Pedestrian linkages enable people to easily negotiate their way through and around the town centre, including linkages with the Arrow River recreation area.
- 14.2.5.3 Minimise opportunities for criminal activity through incorporating Crime Prevention Through Environmental Design (CPTED) principles as appropriate in the design of lot configuration, public and semi-public spaces, and landscaping.
- 14.2.5.4 Encourage vehicle loading areas to be located in streets other than Buckingham Street to avoid impacting on pedestrian and vehicle movements, and to limit any adverse effects on amenity.
- 14.2.5.5 Encourage the location of off-street parking at appropriate locations on the periphery of the town centre so as to limit the impact of vehicles on town centre amenity, particularly during peak visitor periods.
- 14.2.5.6 Manage the transport network and traffic so as to reduce its negative impacts on the town centre and to increase safety and amenity for pedestrians.

14.3 Other Provisions and Rules

14.3.1 District Wide

Attention is drawn to the following District Wide chapters. All provisions referred to are within Stage 1 of the Proposed District Plan, unless marked as Operative District Plan (ODP).

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
24 —Signs (18 <u>Operative DP</u>)	25 —Earthworks (22 <u>Operative DP</u>)	26 Historic Heritage
27 Subdivision	28 Natural Hazards	29 —Transport (14 <u>Operative DP</u>)
30 Utilities and Renewable Energy	31 —Hazardous Substances (16 <u>Operative DP</u>)	32 Protected Trees
33 Indigenous Vegetation	34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings
36 Noise	37 Designations	Planning Maps

Comment [AB5]: Minor, non-substantive changes to this table for clarification and consistency with other chapters.

14.3.2 Clarification

Advice Notes

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

14.3.2.2 The following abbreviations are used within this Chapter.

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

Comment [AB6]: Minor, non-substantive change for clarification only and consistency with other chapters.

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14.4 Rules - Activities

	Activities located in the Arrowtown Town Centre Zone	Activity status
14.4.1	Activities which are not listed in this table and comply with all standards	P
14.4.2	<p>Verandas, in respect of:</p> <p>Control is reserved to the following: design, appearance, materials, impact on and relationship to adjoining verandas (to be guided by the Arrowtown Design Guidelines 2016) to avoid, remedy or mitigate adverse effects on:</p> <ul style="list-style-type: none"> • Neighbouring buildings and verandas; • The extent to which the veranda affects the use and enjoyment of the streetscape, including enabling unobstructed kerbside movements of high-sided vehicles; and • The appearance of the building. 	C
14.4.3	<p>Visitor Accommodation, in respect of:</p> <p>Control is reserved to the following:</p> <ul style="list-style-type: none"> • The location, provision, and screening of access and parking, traffic generation, and Travel Demand Management; • Landscaping; • The location, nature and scale of visitor accommodation and ancillary activities relative to one another within the site and relative to neighbouring uses; • The location and screening of bus and car parking from public places to ensure visual amenity is adequately protected; and • Where the site adjoins a residential zone: <ul style="list-style-type: none"> a. Noise generation and methods of mitigation; and b. Hours of operation, in respect of ancillary activities. 	C

Comment [AB7]: Non-substantive change for consistency with other PDP Chapters and to improve clarity for Plan users

Comment [AB8]: Change from 2006 to 2016 made by Variation 1.

Comment [AB9]: Subs 798. 42 and 798.43

Comment [AB10]: Non-substantive change for consistency with other PDP Chapters and to improve clarity for Plan users

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	Activities located in the Arrowtown Town Centre Zone	Activity status
14.4.4	<p>Buildings (including external alterations to existing buildings)</p> <p>*Discretion is restricted to consideration of all of the following:</p> <ul style="list-style-type: none"> • external appearance; • materials; • signage platform; • lighting; • impact on the street; • relationship to heritage values (to be guided by the Arrowtown Design Guidelines 2016); • compatibility with adjoining buildings; • the retention of pedestrian linkages between Arrow Lane, Buckingham Street and Ramshaw Lane, having regard to the National Guidelines for Crime Prevention Through Environmental Design (CPTED); and • <p>Where a site is subject to any natural hazards and where the proposal to results in an increase in gross floor area, an assessment by a suitably qualified person is provided that addresses including considering the nature and degree of risk the hazard(s) pose to people and property, whether the proposal will alter the risk to any site, and the extent to which such risk can be avoided or sufficiently mitigated.¹</p> <p><u>Assessment Matters relating to natural hazards:</u></p> <ul style="list-style-type: none"> • the nature and degree of risk the hazard(s) pose to people and property; • whether the proposal will alter the risk to any site; and • whether such risk can be avoided or sufficiently reduced. 	RD*

Comment [AB11]: Minor, non-substantive change to make consistent with other chapters

Comment [AB12]: Change from 2006 to 2016 made by Variation 1.

Comment [AB13]: Minor, non-substantive change to re-phrase to be a matter of discretion, with the accompanying guidance clearly listed as assessment matters. The change also implements notified Policy 28.3.2.3 of Chapter 28 (Natural Hazards), which lists the information requirements for natural hazards assessments, but does not include a requirement for all natural hazard assessments to be undertaken by a suitably qualified person.

¹ Policies that guide the assessment of proposals on land affected by natural hazards are located in Chapter 28.

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	Activities located in the Arrowtown Town Centre Zone	Activity status
14.4.5	<p>Licensed Premises Premises licensed for the consumption of alcohol on the premises between the hours of 11pm and 8am, provided that this rule shall not apply to the sale of liquor:</p> <p>14.4.5.1 to any person who is residing (permanently or temporarily) on the premises;</p> <p>14.4.5.2 to any person who is present on the premises for the purpose of dining up until 12am.</p> <p>*Discretion is restricted to consideration of all of the following:</p> <ul style="list-style-type: none"> • The scale of the activity; • Car parking and traffic generation; • Effects on amenity (including that of adjoining residential zones and public reserves); • The configuration of activities within the building and site (e.g. outdoor seating, entrances); • Noise issues; • Hours of operation; and • <u>Any relevant Council alcohol policy or bylaw.</u> 	RD*
14.4.6	Industrial Activities not otherwise provided for in this table	NC
14.4.7	Factory Farming	PR
14.4.8	Forestry Activities	PR
14.4.9	Mining Activities	PR
14.4.10	Airport	PR
14.4.11	Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building, fish or meat processing (excluding that which is ancillary to a retail premises such as a butcher, fishmonger or supermarket), or any activity requiring an Offensive Trade Licence under the Health Act 1956.	PR
<u>14.4.12</u>	<u>Fish or meat processing (excluding that which is ancillary to a retail premises such as a butcher, fishmonger or supermarket).</u>	<u>PR</u>
<u>14.1.13</u>	<u>Any activity requiring an Offensive Trade Licence under the Health Act 1956.</u>	<u>PR</u>

Comment [AB14]: Minor, non-substantive change to make consistent with other chapters

Comment [SG15]: Recommend that this be removed from a merits perspective as the Council does not have a Council alcohol policy and breach of any bylaw could result in enforcement action, but no scope so has not been struck out

Comment [SG16]: Minor, non-substantive change to make consistent with other chapters (relates to 14.4.11, 14.4.12 and 14.4.13)

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14.5 Rules - Standards

	Standards for activities located in the Arrowtown Town Centre Zone	Non-compliance status
14.5.1	<p>Building Coverage:</p> <p>Maximum building coverage 90%</p> <p>*Discretion is restricted to consideration of consideration of all of the following:</p> <ul style="list-style-type: none"> consistency with the Arrowtown Design Guidelines 2016; effects on the streetscape; and ability to meet storage and loading requirements. 	RD*
14.5.2	<p>Setback from internal boundaries:</p> <p>There shall be a minimum setback of 3m from any rear boundary</p> <p>*Discretion is restricted to consideration of all of the following:</p> <ul style="list-style-type: none"> consistency with the Arrowtown Design Guidelines 2016; sunlight access to and outlook of neighbouring properties; and ability to meet storage and loading requirements. 	RD*
14.5.3	<p>Storage</p> <p>14.5.3.1 For all buildings with frontage to Buckingham Street storage areas shall be situated within the building or accessed from a service lane at the rear of the property.</p> <p>14.5.3.2 Where a storage area does not form part of a building the storage area shall be screened from view from all public places and adjoining zones.</p> <p>*Discretion is restricted to consideration of all of the following:</p> <ul style="list-style-type: none"> the effects on visual amenity; consistency with the character of the locality; and whether pedestrian and vehicle access is compromised. 	RD*
14.5.4	<p>Sunlight access and amenity – boundaries adjoining the Residential Arrowtown Historic Management Zone</p> <p>Buildings shall not project beyond a recession line constructed at an angle of 35° inclined towards the site from points 5m above the site boundary. Except that gable ends may project beyond the recession line where the maximum height of the gable end is no greater than 2m above the recession line.</p> <p>*Discretion is restricted to consideration of all of the following:</p> <ul style="list-style-type: none"> the visual effects of the height, scale, location and appearance of the building in terms of dominance and loss of privacy on adjoining properties, and any resultant shading effects. 	RD*

Comment [AB17]: Minor, non-substantive change to make consistent with other chapters (words "consideration of" were notified, and have been re-instated) in reply

Comment [AB18]: Change from 2006 to 2016 made by Variation 1.

Comment [AB19]: Minor, non-substantive change to make consistent with other chapters

Comment [AB20]: Change from 2006 to 2016 made by Variation 1.

Comment [AB21]: Minor, non-substantive change to make consistent with other chapters

Comment [AB22]: Minor, non-substantive change to make consistent with other chapters

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	Standards for activities located in the Arrowtown Town Centre Zone	Non-compliance status						
14.5.5	<p>Residential Activities</p> <p>All residential activities shall be restricted to first floor level, with the exception of foyer and stairway spaces at ground level to facilitate access to upper levels.</p> <p>*Discretion is restricted to consideration of <u>all of</u> the following:</p> <ul style="list-style-type: none"> • the effects on surrounding buildings and activities; and • the maintenance of an active street frontage. 	RD*						
14.5.6	<p>Loading</p> <p>Notwithstanding the requirements in the Transport Chapter concerning the provision of loading spaces, there shall be no vehicle access to any loading or storage space from Buckingham Street, except where there is no practical alternative access available from Ramshaw Lane or Arrow Lane.</p>	D						
14.5.7	<p>Building Height</p> <p>The maximum building height shall be 7m.</p>	NC						
14.5.8	<p>Noise</p> <p>14.5.8.1 Sound* from activities shall not exceed the following noise limits at any point within any other site in this zone:</p> <table style="margin-left: 40px; border-collapse: collapse;"> <tr> <td style="padding-right: 20px;">a. daytime (0800 to 2200 hrs)</td> <td style="text-align: right;">60 dB L_{Aeq(15 min)}</td> </tr> <tr> <td>b. night-time (2200 to 0800 hrs)</td> <td style="text-align: right;">50 dB L_{Aeq(15 min)}</td> </tr> <tr> <td>c. night-time (2200 to 0800 hrs)</td> <td style="text-align: right;">75 dB L_{AFmax}</td> </tr> </table> <p>*measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008</p> <p>Exemptions:</p> <ul style="list-style-type: none"> • The noise limits in rule 14.5.8.1 shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999. • The noise limits in rule 14.5.8.1 shall not apply to <u>permitted</u> outdoor public events pursuant to <u>Rule 35.4.7 Chapter 35</u> of the District Plan. <p><u>Note:</u></p> <ul style="list-style-type: none"> • Sound from activities which is received in another zone shall comply with the noise limits set in the zone standards for that zone. 	a. daytime (0800 to 2200 hrs)	60 dB L_{Aeq(15 min)}	b. night-time (2200 to 0800 hrs)	50 dB L_{Aeq(15 min)}	c. night-time (2200 to 0800 hrs)	75 dB L_{AFmax}	NC
a. daytime (0800 to 2200 hrs)	60 dB L_{Aeq(15 min)}							
b. night-time (2200 to 0800 hrs)	50 dB L_{Aeq(15 min)}							
c. night-time (2200 to 0800 hrs)	75 dB L_{AFmax}							

Comment [AB23]: Minor, non-substantive change to make consistent with other chapters

Comment [AB24]: Minor non-substantive changes for increased clarity and to further assist plan users

Comment [AB25]: Minor non-substantive changes for clarity

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	Standards for activities located in the Arrowtown Town Centre Zone	Non-compliance status
14.5.9	Glare	NC
	<p>14.5.9.1 All exterior lighting, other than footpath or pedestrian link amenity lighting, installed on sites or buildings within the zone shall be directed away from adjacent sites, roads and public places, and so as to limit the effects on the night sky.</p> <p>14.5.9.2 No activity in this zone shall result in a greater than 10 lux spill (horizontal or vertical) of light onto any property within the zone, measured at any point inside the boundary of any adjoining property.</p> <p>14.5.9.3 No activity shall result in a greater than 3 lux spill (horizontal or vertical) of light onto any adjoining property which is zoned residential measured at any point more than 2m inside the boundary of the adjoining property.</p> <p>14.5.9.4 All roofs of buildings shall be finished or treated so they do not give rise to glare when viewed from any public place or neighbouring property.</p>	

Comment [AB26]: Recommend that this be removed from a merits perspective but no scope so has not been struck out. See paragraphs 14.4 to 14.5 of the s42A report. Recommended that this be removed due to it being *ultra vires* for uncertainty

Comment [AB27]: Recommend that this be removed from a merits perspective but no scope so has not been struck out. See paragraphs 14.4 to 14.5 of the s42A report.

14.6 Rules - Non-Notification of Applications

14.6.1 Applications for Controlled activities shall not require the written consent of other persons and shall not be notified or limited-notified.

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

14.6.2.1 Buildings (Rule 14.4.4).

Comment [AB28]: Non substantive change to improve clarity

14.6.3 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:

14.6.3.1 Sunlight access – sites adjoining the Arrowtown Residential Historic Management Zone.

14.6.3.2 Setbacks from internal boundaries.