

## 7 ~~Lower Density~~ Suburban Residential

### 7.1 Zone Purpose

The ~~Lower Density~~ Suburban Residential Zone is the largest residential zone in the District. The District Plan includes such zoning that ~~is~~ within the urban growth boundaries, and includes land that has already been developed - as well as areas that will continue to be developed over time.

Fundamentally the zone provides for both traditional and modern suburban densities and housing forms. Houses will typically be one to two storeys in height, ~~detached and set on sites between 450 and 1000 square metres in area. In addition, and t~~To help meet the needs of the community, the zone also enables ~~increased density by allowing sites down to an average of 300 square metres in area and larger comprehensively designed developments to enable~~ a range of house sizes and typologies. In addition, non-subdividable residential flats that can be occupied by an independent household are enabled. ~~The overall range of net household densities (including residential flats) could be as high as 1 unit per 150 square metres or as low as 1 unit per 1,000 square metres (or even less).~~ The zone will help to provide a more diverse and affordable housing stock within the District through two pathways: one for permitted activities (including vacant fee simple lots) based on minimum allotment standards, and another enabling suburban-compatible higher density via restricted discretionary activity consent, which also enables appropriately-scaled attached houses.

Community activities are anticipated in the zone provided adverse effects can be suitably addressed, as these activities are often best located within the residential communities they serve. Home occupations are also provided for.

Commercial activities are generally not anticipated other than those that are residential-compatible and small-scale, however may be accommodated where necessary to address a demonstrated local need provided residential amenity is not compromised

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. 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 is restricted.

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

### 7.2 Objectives and Policies

**7.2.1 Objective - Development within the zone provides for a mix of compatible suburban densities and a high amenity ~~low density~~ residential living environment for residents as well as users of public spaces within the zone.**

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### Policies

- 7.2.1.1 Ensure the zone and any development within it is located in areas that are well serviced by public infrastructure, and is designed in a manner consistent with the capacity of infrastructure networks.
- 7.2.1.2 Encourage an intensity of development that maximises the efficient use of the land in a way that is compatible with the scale and character of existing suburban residential development (~~excluding existing residential densities~~), and maintains suburban residential amenity values ~~including predominantly detached building forms, and~~ predominantly one to two storey building heights.
- 7.2.1.3 Ensure that the height, bulk and location of development ~~maintains the~~ achieves a suburban-intensity character of the zone, and maintains ~~reasonable~~ the amenity values ~~for enjoyed by~~ users of neighbouring properties, in particular, privacy and access to sunlight.
- 7.2.1.4 Require, as necessary, all new buildings, relocated buildings and additions and alterations to existing buildings that contain an Activity Sensitive to Road Noise located adjacent to a State Highway to be designed to maintain internal residential amenity values and, in particular provide protection to sleeping occupants from road noise.
- 7.2.1.5 ~~Require consideration of the relevant design elements identified in the Residential Zone Design Guide 2023-2021.~~
- 7.2.1.6 Require buildings and development within Kawarau Heights to be:
- located in accordance with the Structure Plan contained in Section 27.13.15; and
  - consistent with the design outcomes sought by the Kawarau Heights Design Guidelines 2020 ~~except where the guidelines would conflict with the densities of development enabled by the zone rules.~~
- 7.2.1.7 Require all bedrooms within new or relocated buildings located within 250m of the Riverbank Road frost fan (as identified on the Riverbank Road Structure Plan contained in Section 27.13.18) to be designed to maintain internal residential amenity values and protection to sleeping occupants from frost fan noise.

**7.2.2 Objective - Development of Activities Sensitive to Aircraft Noise is limited within the Queenstown Airport Air Noise Boundary and Outer Control Boundary in recognition of the amenity (noise) constraints now and also likely in the foreseeable future as a result of its increasing intensity of operation and use.**

### Policies

- 7.2.2.1 Discourage the creation of any new sites or infill development for Activities Sensitive to Aircraft Noise within the Air Noise Boundary and between the Air Noise Boundary and the Outer Control Boundary on land around Queenstown Airport.
- 7.2.2.2 Require, as necessary, mechanical ventilation of any Critical Listening Environment within new buildings, relocated buildings, and any alterations and additions to existing buildings that contain an Activity Sensitive to Aircraft Noise within the Queenstown Airport Outer Control Boundary.

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7.2.2.3 Require, as necessary, sound insulation and mechanical ventilation of any Critical Listening Environment within new buildings, relocated buildings, and any alterations and additions to existing buildings that contain an Activity Sensitive to Aircraft Noise within the Queenstown Airport Air Noise Boundary.

**7.2.3 Objective - Encourage higher density development where it responds sensitively to the context and character of the locality and is designed to maintain local amenity values.**

### Policies

7.2.3.1 Encourage densities higher than 1:450 square metres per residential unit where this is designed to fit well with the immediate context, with particular significance attached to the way the development:

- a. complies with the standards of the zone; or otherwise
- b. manages dominance effects on neighbours through measures such as deeper setbacks, sensitive building orientation and design, use of building articulation and landscaping; ~~and~~
- c. achieves a reasonable level of privacy between neighbours through measures such as deeper boundary setbacks, offsetting habitable room windows that face each other, or the use of screening devices or landscaping; and
- d. provides activation of streets through the placement of doors, windows and openings that face the street.

~~7.2.3.2 Limit building height on sites smaller than 900 square metres that are proposed to be developed for two or more principal units (i.e. excluding residential flats) so as to mitigate a reduction in spaciousness around and between buildings that otherwise forms part of suburban residential amenity values.~~

7.2.3.2 Encourage landscaped areas to be well-designed and integrated into the development layout and design, providing high amenity spaces for recreation and enjoyment, having particular regard to the visual amenity of streets and street frontages.

~~7.2.3.3 Provide for higher density development within Kawarau Heights that is consistent with the design outcomes sought by the Kawarau Heights Design Guidelines 2020.~~

**7.2.4 Objective - Residential development in Arrowsmith compatible with the town's existing character**

### Policies

7.2.4.1 Ensure development that requires a resource consent, including infill housing, community activities and commercial development is of a form that is compatible with the existing character of Arrowsmith, ~~guided by the Arrowsmith Design Guidelines 2021~~ 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); and

- d. [encouraging a mix of dwelling sizes and densities, particularly small houses.](#)

7.2.4.2 Avoid flat roofed dwellings in Arrowtown.

**7.2.5 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**

7.2.5.1 Enable the establishment of community activities where adverse effects on residential amenity values including noise, traffic, lighting, glare and visual impact can be avoided, remedied or mitigated.

7.2.5.2 Ensure any community activities occur in areas which are capable of accommodating traffic, parking and servicing to a level which maintains residential amenity values.

7.2.5.3 Ensure any community activities are of a design, scale and appearance compatible with a residential context.

**7.2.6 Objective - Development efficiently utilises existing [and planned](#) infrastructure and minimises impacts on infrastructure networks.**

**Policies**

7.2.6.1 Ensure access and vehicle parking [for each residential unit, including reasonable day-to-day loading and servicing needs,](#) is located and designed to optimise safety and efficiency of the road network and minimises impacts on on-street vehicle parking.

7.2.6.2 Ensure development is designed consistent with the capacity of existing [and/or planned](#) infrastructure networks [\(including any upgrades\),](#) and, where practicable, incorporates low impact approaches to stormwater management and efficient use of potable water.

7.2.6.3 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).

**7.2.7 Objective - Commercial development in the zone is small scale and generates minimal amenity value impact**

**Policies**

7.2.7.1 Provide 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 centre.

7.2.7.2 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.

7.2.7.3 Ensure that the noise effects from commercial activities are compatible with the surrounding environment and residential amenity values.

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

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

#### Policies

7.2.8.1 Provide for visitor accommodation and residential visitor accommodation in the Visitor Accommodation Sub-Zones that are appropriate for the low density suburban residential environment, ensuring that adverse effects on residential amenity values are avoided, remedied or mitigated.

7.2.8.2 Restrict the establishment of visitor accommodation in locations outside the Visitor Accommodation Sub-Zones to ensure that the zone maintains a residential character.

7.2.8.3 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.

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

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

## **7.3 Other Provisions and Rules**

### **7.3.1 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 & 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 & Relocated Buildings	36. Noise
37. Designations	District Plan web mapping application	

### **7.3.2 Interpreting and Applying the Rules**

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- 7.3.2.1 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.
- 7.3.2.2 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.
- 7.3.2.3 Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.
- 7.3.2.4 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, ~~or where land use consent for an average density is sought under Rule 7.4.9, demonstrate compliance with the average density sought.~~
- 7.3.2.5 Each residential unit may include a single residential flat and any other accessory buildings.
- 7.3.2.6 References to the Visitor Accommodation Sub-Zones in this Chapter only apply to the sub-zones within the **Lower Density** Suburban Residential Zone.
- 7.3.2.7 The status of any Plantation Forestry will be determined by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.
- ~~7.3.2.8 For sites in Kawarau Heights (as identified in the Structure Plan in Section 27.13.15), the Kawarau Heights Design Guidelines 2020 apply, instead of the Residential Zone Design Guide 2019.~~
- 7.3.2.9 The following abbreviations are used within this Chapter.

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

- 7.3.2.9A 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.
- ~~7.3.2.10 For sites in Arrowtown, the Arrowtown Design Guidelines 2023<sup>16</sup> 2016 apply, instead of the Residential Zone Design Guide 2023<sup>1</sup> 2021.~~

### 7.4 Rules - Activities

	Activities located in the <b>Lower Density</b> Suburban Residential Zone	Activity status
7.4.1	Home occupations	P
7.4.2	Informal airports for emergency landings, rescues and fire fighting	P

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	Activities located in the <del>Lower Density</del> Suburban Residential Zone	Activity status
7.4.3	Residential units, where the density of development does not exceed one residential unit per 450 <u>square metres</u> <sup>m<sup>2</sup></sup> net area; <del>or</del>  (i) <del>one residential unit per 800m<sup>2</sup> net area at Lake Hāwea South within Area B as identified in the Structure Plan in 27.7.19.</del>	P

<p><u>7.4.4</u></p>	<p><u>Residential units, with less than 450 square metres net area per residential unit and that comply with the following:</u></p> <ul style="list-style-type: none"> <li>(i) <u>the rules in section 7.5 of this Chapter;</u></li> <li>(ii) <u>each residential unit must provide legal access from a public road to the net area of that residential unit, in compliance with any relevant access standards within Chapter 29 (this access may be shared with that of other residential units); and</u></li> <li>(iii) <u>each residential unit must have at least one off-street small-vehicle loading space compliant with relevant Chapter 29 standards for a private car parking space (including access and manoeuvring) legally attached to the residential unit and within or within 30m of the unit’s net area.</u></li> </ul> <p><u>Note (1) – The purpose of the small-vehicle loading space is to provide for the reasonably foreseeable day-to-day loading and servicing needs of residential units over their lifetime including for construction / maintenance where a work vehicle with tools or equipment must be close-by; deliveries or drop-offs, emergency services; or home-occupation customers.</u></p> <p><u>Note (2) – Clause 3.38 of the NPSUD (May 2022) does not allow District Plans to contain any requirements relating to the provision of minimum car parking for development. The small-vehicle loading bay is expressly not a car park and is for the reasonably foreseeable loading and service needs of residential units. However, in line with Clause 3.38 of the NPSUD, where the small-vehicle loading space is not needed for loading or service use, it is permitted for it to be used as an interim parking space.</u></p> <p><u>Note (3) – For the avoidance of doubt, the small vehicle loading space may be positioned in front of other car parks that may be provided in a development – such as an area of driveway or manoeuvring area in front of a residential garage.</u></p> <p><u>Note (4) – For the avoidance of doubt, there is nothing about the requirement for a small-vehicle loading space that affects or removes the ability for additional car parking to be separately provided on a site.</u></p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"> <li>a. <u>parking and access layout, safety and efficiency;</u></li> <li>b. <u>privacy for occupants of the subject site and neighbouring sites;</u></li> <li>c. <u>in Arrowtown, consistency with Arrowtown’s existing character;</u></li> <li>d. <u>capacity of existing or planned infrastructure for potable water, stormwater, and wastewater services;</u></li> <li>e. <u>waste and recycling and collection;</u></li> </ul>	<p><u>PRD</u></p>
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	Activities located in the <del>Lower Density</del> Suburban Residential Zone	Activity status
	<p>f. <u>where a site is subject to any natural hazard and the proposal results in an increase of floor area:</u></p> <p>i. <u>the nature and degree of the risk the hazard(s) pose to people and property;</u></p> <p>ii. <u>whether the proposal will alter the risk to any site; and</u></p> <p>iii. <u>the extent to which such risk can be avoided or sufficiently mitigated.</u></p> <p>g. <u>Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is shown within the adjacent road, any adverse effects on that infrastructure.</u></p> <p>h. <u>For all of the above, discretion is not restricted to the resultant density of development proposed, which is of itself not limited.</u></p>	
7.4.4 <del>5</del>	Hospital at the 'Lakes District Hospital Site' shown on the District Plan web mapping application	P
7.4.5 <del>6</del>	Homestays	P
7.4.6 <del>7</del>	Residential Visitor Accommodation	P
7.4.6 <del>7</del> A	<p>Visitor Accommodation in the Visitor Accommodation Sub-Zone</p> <p>Discretion is restricted to:</p> <p>a. The location, nature and scale of activities;</p> <p>b. Parking and access;</p> <p>c. Landscaping;</p> <p>d. Noise generation and methods of mitigation;</p> <p>e. Hours of operation, including in respect of ancillary activities; and</p> <p>f. The external appearance of buildings.</p>	RD

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	Activities located in the <del>Lower Density</del> Suburban Residential Zone	Activity status
7.4.7 <u>8</u>	<p>Commercial activities – 100m<sup>2</sup> or less gross floor area Discretion is restricted to:</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. in Arrowtown, consistency with Arrowtown’s <u>existing</u> character, <del>as described within the Arrowtown Design Guidelines 202316</del> <u>2016</u>; and</li> <li>g. 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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	Activities located in the <del>Lower Density</del> Suburban Residential Zone	Activity status
7.4.8 <u>9</u>	<p><del>Residential Units that do not comply with Rule 7.4.4., unless provided for by rule 7.4.4, where the density of development exceeds one residential unit per 450m<sup>2</sup> net area but does not exceed one residential unit per 300m<sup>2</sup> average net area., excluding</del></p> <p><del>This rule does not apply to sites located within the Air Noise Boundary; or located between the Air Noise Boundary and Outer Control Boundary of Queenstown Airport; or at the Lake Hāwea South within Area B as identified in the Structure Plan in 27.7.19.</del></p> <p><del>Discretion is restricted to:</del></p> <ul style="list-style-type: none"> <li><del>a. — how the design advances housing diversity, including through providing a range of unit sizes and typologies;</del></li> <li><del>b. — and how the design promotes sustainability either through construction methods, design or function;</del></li> <li><del>c. — privacy for occupants of the subject site and neighbouring sites;</del></li> <li><del>d. — in Arrowtown, consistency with Arrowtown’s character, as described within the Arrowtown Design Guidelines 2023<del>16</del> 2016;</del></li> <li><del>e. — street activation;</del></li> <li><del>f. — building dominance;</del></li> <li><del>g. — capacity of existing or planned infrastructure/servicing for potable water, stormwater and wastewater services;</del></li> <li><del>h. — low impact stormwater design;</del></li> <li><del>i. — parking and access layout: safety, efficiency and impacts on on-street parking and neighbours;</del></li> <li><del>j. — design and integration of landscaping;</del></li> <li><del>k. — where a site is subject to any natural hazard and the proposal results in an increase in gross floor area:</del> <ul style="list-style-type: none"> <li><del>l. — the nature and degree of risk the hazard(s) pose to people and property:</del> <ul style="list-style-type: none"> <li><del>i. the nature and degree of risk the hazard(s) pose to people and property;</del></li> <li><del>ii. whether the proposal will alter the risk to any site; and</del></li> <li><del>iii. the extent to which such risk can be avoided or sufficiently mitigated.</del></li> </ul> </li> </ul> </li> <li><del>m) — In Kawarau Heights, consistency with the Kawarau Heights Design Guidelines 2020 and Structure Plan contained in Section 27.13.15.</del></li> <li><del>nm) — 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.</del></li> </ul>	RDD
7.4.9 <u>10</u>	Commercial recreation	D

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	Activities located in the <del>Lower Density</del> Suburban Residential Zone	Activity status
7.4.110	Community activities, other than the hospital provided for by Rule 7.4.45	D
7.4.121	Retirement villages	D
7.4.132	Activities which are not listed in this table	NC
7.4.143	Commercial activities – greater than 100m <sup>2</sup> gross floor area	NC
7.4.154	Visitor Accommodation not otherwise identified	NC
7.4.165	Airports not otherwise listed in this table	PR
7.4.176	Bulk material storage	PR
7.4.187	Factory Farming	PR
7.4.198	Fish or meat processing	PR
7.4.2019	Forestry activities, except for Plantation Forestry where the Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017 prevails.	PR
7.4.210	Manufacturing and/or product assembling activities	PR
7.4.221	Mining	PR
7.4.232	Panel beating, spray painting, motor vehicle repair or dismantling, fibre glassing, sheet metal work, bottle or scrap storage, motor body building	PR
7.4.243	Any activity requiring an Offensive Trade Licence under the Health Act 1956	PR

**~~7.5A — Rules — Standards for Restricted Discretionary and Discretionary Activities under Rules 7.4 and 7.5~~**

	Standards for activities in the <del>Lower Density Residential Zone</del>	Non-compliance status
7.5A.1	<del>For all restricted discretionary and discretionary activities under Rules 7.4 and 7.5, applications for resource consent shall include a statement confirming that the relevant design elements from the Residential Zone Design Guide 2023/2021 have been considered, including a summary of any particular aspects of the proposal that have resulted from that consideration.</del>	NC

**7.5 Rules - Standards**

	Standards for activities in the <b>Lower Density Suburban Residential Zone</b>	Non-compliance status
7.5.1	<p>Building Height (for flat sites)</p> <p>7.5.1.1 <del>A Wānaka and Hāwea: M-maximum height of 78 metres except where specified in Rule 7.5.1.2.</del></p> <p>7.5.1.2 <del>Arrowtown: Maximum of 6.5 metres.</del></p> <p>7.5.1.2a3 Kawarau Heights: Maximum of 4.5m and 6m as identified on the Structure Plan in 27.13.15.</p> <p><u>7.5.1.2b Arrowtown: Up to 6.5m permitted, and the restricted discretionary building height shall be building heights exceeding 6.5m to a maximum of 8m.</u></p> <p><u>7.5.1.2c Arrowtown: Maximum building height shall not exceed 8m.</u></p> <p>7.5.1.4 <del>All other locations: Maximum of 8 metres.</del></p>	<p><del>NC</del></p> <p><b>RD</b></p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"> <li>a. <u>consistency with Arrowtown’s existing character, as described within the Arrowtown Design Guidelines 2016;</u></li> <li>b. <u>any sunlight, shading or privacy effects created by the proposal on adjacent sites and/or their occupants; and</u></li> <li>c. <u>external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties.</u></li> </ul> <p><b>NC</b></p>
7.5.2	<p>Building Height (for sloping sites)</p> <p>7.5.2.1 <del>Arrowtown: Maximum of 6 metres.</del></p> <p>7.5.2.2 <del>Lake Avenue Height Restriction Area on the District Plan web mapping application: No building or any part of a building shall protrude through 343.50 MASL.</del></p>	<p><b>NC</b></p>

	Standards for activities in the <del>Lower Density</del> Suburban Residential Zone	Non-compliance status
	7.5.2.3 — In all other locations: Maximum of 7 metres.	
7.5.3	<p>In addition to Rules 7.5.1 and 7.5.2, where a site is less than 900m<sup>2</sup> net area and more than 1 residential unit will result per site, the following height provisions apply:</p> <ul style="list-style-type: none"> <li>a. where residential units are proposed in addition to an existing residential unit, then the additional residential unit(s) shall not exceed 5.5m in height;</li> <li>b. where no residential units exist on the site, or where an existing residential unit is being demolished to provide for 2 or more new residential units on the site, then all proposed residential units shall not exceed 5.5m in height;</li> <li>c. items (a) and (b) above do not apply where a second residential unit is being created within an existing residential unit that is taller than 5.5m.</li> </ul>	D
7.5.24	<p>Airport Noise – Queenstown Airport (excluding any non-critical listening environments)</p> <p>7.5.2.1 Buildings within the Outer Control Boundary and Air Noise Boundary</p> <p>Buildings and alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise (ASAN) shall be designed to achieve an Indoor Design Sound Level of 40 dB Ldn within any Critical Listening Environment, based on the 2037 Noise Contours.</p> <p>7.5.2.2 Compliance within the Air Noise Boundary (ANB)</p> <p>Compliance shall be demonstrated by either adhering to the sound insulation requirements in Rule 36.6.1 and installation of mechanical ventilation to achieve the requirements in Rule 36.6.2, or by submitting a certificate to the Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open.</p>	NC

	Standards for activities in the <del>Lower Density</del> Suburban Residential Zone	Non-compliance status
	<p>7.5.2.3 Compliance between the Outer Control Boundary (OCB) and the Air Noise Boundary (ANB)</p> <p>Compliance shall be demonstrated by either installation of mechanical ventilation to achieve the requirements in Rule 36.6.2 or by submitting a certificate to the Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open.</p>	
7.5.35	<p>Building Coverage</p> <p>A maximum of 40%.</p>	D
7.5.46	<p>Landscaped permeable surface coverage</p> <p>At least 30% of the site area shall comprise landscaped (permeable) surface.</p>	NC
7.5.57	<p>Recession plane:</p> <p><del>a. on flat sites applicable to all buildings;</del></p> <p><del>b. on sloping sites only applicable to accessory buildings.</del></p> <p>7.5.57.1 Northern boundary: 2.5m and 55 degrees.</p> <p>7.5.57.2 Western and eastern boundaries: 2.5m and 45 degrees.</p> <p>7.5.57.3 Southern boundary: 2.5m and 35 degrees.</p> <p>Exemptions:</p> <p>a. gable end roofs may penetrate the building recession plane by no more than one third of the gable height;</p> <p>b. recession planes do not apply to site boundaries adjoining a Town Centre Zone, Business Mixed Use Zone, Local Shopping Centre Zone or fronting a road, or a park or reserve.</p>	<p><del>NC-RD</del></p> <p><u>Discretion is restricted to:</u></p> <p>a. <u>sunlight, shading or privacy effects created by the proposal on adjacent sites and/or their occupants;</u></p> <p>b. <u>external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties;</u></p> <p>c. <u>in Arrowtown, consistency with Arrowtown’s existing character, as described within the Arrowtown Design Guidelines 2023 2016;</u></p> <p>d. <u>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</u></p>

	Standards for activities in the <del>Lower Density</del> Suburban Residential Zone	Non-compliance status
		<u>adverse effects on that infrastructure.</u>
7.5.68	<p>Minimum Boundary Setbacks</p> <p>7.5.68.1 Road boundary: 4.5m</p> <p>7.5.68.2 All other boundaries: 2m</p> <p>Exceptions to boundary setbacks:</p> <ul style="list-style-type: none"> <li>a. accessory buildings for residential activities may be located within the boundary setback distances (other than from road boundaries), 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;</li> <li>b. any building may locate within a boundary setback distance by up to 1m for an area no greater than 6m<sup>2</sup> provided the building within the boundary setback area has no windows or openings;</li> <li>c. eaves may be located up to 600mm into any boundary setback distance along eastern, western and southern boundaries;</li> <li>d. eaves may be located up to 1m into any boundary setback distance along northern boundaries.</li> </ul>	D
7.5.79	<p>Building Separation within Sites</p> <p>For detached residential units on the same site, a minimum separation distance of 4m between the residential units within the development site applies <u>except where the proposal is being made under Rule 7.4.4, in which case the minimum separation distance between residential units shall be 2m.</u></p> <p>Note: This rule does not apply to attached dwellings.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. whether site constraints justify an alternative separation distance;</li> <li>b. whether an overall better amenity values outcome is being achieved, including for off-site neighbours;</li> <li>c. design of the units, with particular regard to the location of windows and doors, so as to limit the potential for adverse effects on privacy between units;</li> </ul>

PART 3 **LOWER DENSITY SUBURBAN RESIDENTIAL 7**

	Standards for activities in the <del>Lower Density</del> Suburban Residential Zone	Non-compliance status
		in Arrowtown, consistency with Arrowtown’s <u>existing</u> character, <del>as described within the Arrowtown Design Guidelines 202316 2016.</del>
7.5.810	<p>Building Length</p> <p>The length of any building facade above the ground floor level shall not exceed 16m.</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. in Arrowtown, consistency with Arrowtown’s <u>existing</u> character, <del>as described within the Arrowtown Design Guidelines 202316 2016.</del></p>
7.5.911	<p>Density</p> <p>The maximum site density shall be:</p> <p>(i) <del>one residential unit or dwelling per 300m<sup>2</sup> average net site area, calculated over the entire site, or</del></p> <p>(ii) <del>one residential unit or dwelling per 800m<sup>2</sup> net site area at Lake Hāwea South within Area B as identified in the Structure Plan in 27.7.19.</del></p> <p><del>Note: Density shall be calculated over the entire site and where a site has previously been relied upon to calculate an average density, the site shall not be relied upon again for density calculations.</del></p>	NC
7.5.102	<p>Waste and Recycling Storage Space</p> <p>7.5.102.1 Residential activities shall provide, sufficient space for waste and recycling bins per residential unit.</p> <p>7.5.102.2 Waste and Recycling bins shall be:</p> <p>a. located where it is easy to manoeuvre for kerbside collections and avoid impeding vehicle movements within and through the site; and</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. Effects on amenity values; <u>and</u></p> <p>b. Size, location and access of waste and recycling storage space; <u>and</u></p> <p><del>c. Consistency with the Residential Zone Design Guide 20231 2021</del></p>

	Standards for activities in the <del>Lower Density</del> Suburban Residential Zone	Non-compliance status
	<ul style="list-style-type: none"> <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>	
7.5.113	<p>Lighting and Glare</p> <p>7.5.113.1 All exterior lighting shall be directed downward and away from adjacent sites and roads.</p> <p>7.5.113.2 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.</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> <li>b. the safety of the Transport Network;</li> <li>c. the night sky; and</li> <li>d. the navigational safety of passenger carrying vessels operating at night.</li> </ul>
7.5.124	<p>Setback of buildings from water bodies</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>
7.5.135	Road Noise - State Highway	NC

	<b>Standards for activities in the Lower Density Suburban Residential Zone</b>	<b>Non-compliance status</b>
	<p>Any new residential buildings or buildings containing Activities Sensitive to Road Noise, located within:</p> <ul style="list-style-type: none"> <li>a. 80 metres of the boundary of a State Highway that has a speed limit of 70km/h or greater; or</li> <li>b. 40 metres of the boundary of a State Highway that has a speed limit less than 70km/h.</li> </ul> <p>shall be designed, constructed and maintained to ensure that the internal noise levels do not exceed 40dB LAeq(24h) for all habitable spaces including bedrooms.</p>	
7.5.146	<p><b>Building Restriction Area</b></p> <p>Where a building restriction area is shown on the District Plan web mapping application, no building shall be located within the restricted area.</p>	NC
7.5.157	<p><b>Home Occupation</b></p> <p>7.5.157.1 No more than 1 full time equivalent person from outside the household shall be employed in the home occupation activity.</p> <p>7.5.157.2 The maximum number of two-way vehicle trips shall be:</p> <ul style="list-style-type: none"> <li>a. heavy vehicles: none permitted;</li> <li>b. other vehicles: 10 per day.</li> </ul> <p>7.5.157.3 Maximum net floor area of 60m<sup>2</sup>.</p> <p>7.5.157.4 Activities and storage of materials shall be indoors.</p>	D
7.5.168	<p><b>Residential Visitor Accommodation where:</b></p> <p>7.5.168.1 The total nights of occupation by paying guests on a site do not exceed a cumulative total of 90 nights per annum from the date of initial registration.</p> <p>7.5.168.2 A single residential unit (inclusive of a residential flat) must be rented to a maximum of one (1) group of guests at any one time.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. The location, nature and scale of activities;</li> <li>b. Vehicle access and parking;</li> <li>c. The management of noise, rubbish, recycling and outdoor activities;</li> <li>d. Privacy and overlooking;</li> </ul>

	Standards for activities in the <del>Lower Density</del> Suburban Residential Zone	Non-compliance status
	<p>7.5.168.3 The number of guests must not exceed 2 adults per bedroom and the total number of adults and children must not exceed:</p> <ul style="list-style-type: none"> <li>• 3 in a one-bedroom residential unit</li> <li>• 6 in a two-bedroom residential unit</li> <li>• 9 in a three-bedroom or more residential unit</li> </ul> <p>7.5.168.4 No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated.</p> <p>7.5.168.5 Outdoor space is not used between the hours of 10:00pm and 7:00am and sign/s are installed and visible from the outdoor space advising the permitted hours of use.</p> <p>7.5.168.6 Rubbish and recycling is not left on/adjacent to the road, except on the day of collection.</p> <p>7.5.168.7 The activity is registered with Council prior to commencement.</p> <p>7.5.168.8 Council is provided with the following information at the time of registration:</p> <ul style="list-style-type: none"> <li>a. the contact details of the person and/or organisation responsible for managing the property and responding to any complaints; and</li> <li>b. confirmation that the immediately adjacent neighbouring properties, including any property with shared access arrangements, have been provided written notice that the property is to be used for residential visitor accommodation and the contact details of the person and/or organisation responsible for managing the property and responding to any complaints.</li> </ul> <p>7.5.168.9 The information required by Standard 8 is reviewed and resubmitted to Council on an annual basis (from the date of</p>	<ul style="list-style-type: none"> <li>e. Outdoor lighting;</li> <li>f. Guest management and complaints procedures;</li> <li>g. The keeping of records of residential visitor accommodation use, and availability of records for Council inspection; and</li> <li>h. Monitoring requirements, including imposition of an annual monitoring charge.</li> </ul>

	Standards for activities in the <del>Lower Density</del> Suburban Residential Zone	Non-compliance status
	<p>registration of the activity), including the annual provision of written notice to neighbours required by Standard 8.b.</p> <p>7.5.168.10 Up to date records of the activity are kept including:</p> <ul style="list-style-type: none"> <li>a. a record of the date and duration of guest stays and the number of guests staying per night; and</li> <li>b. a detailed record of any complaints received and remediation actions taken.</li> </ul> <p>7.5.168.11 The records required by Standard 10 are provided to Council on an annual basis from the date of registration and made available for inspection by Council with 24 hours’ notice.</p> <p>Note: The Council may request that records are made available to the Council for inspection, at 24 hours’ notice, in order to monitor compliance with rules 7.5.168.1 to 7.5.168.11.</p>	
7.5.179	<p>Homestay</p> <p>7.5.179.1 The total number of paying guests on a site does not exceed five per night.</p> <p>7.5.179.2 No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated.</p> <p>7.5.179.3 Council is notified in writing prior to the commencement of a Homestay activity.</p> <p>7.5.179.4 Up to date records of the Homestay activity are kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours’ notice.</p> <p>Note: The Council may request that records are made available to the Council for inspection, at 24 hours’ notice, in order to monitor compliance with rules 7.5.179.1 to 7.5.179.4.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> <li>a. The location, nature and scale of the activities;</li> <li>b. Privacy and overlooking;</li> <li>c. The management of noise, rubbish, recycling and outdoor activities;</li> <li>d. The keeping of records of Homestay use, and availability of records for Council inspection;</li> <li>e. Monitoring requirements, including imposition of an annual monitoring charge; and</li> <li>f. Vehicle access and parking.</li> </ul>
7.5.20	<p><del>A building or structure located within the Wānaka Substation Building Restriction Area as shown on</del></p>	<p>NC</p>

PART 3 **LOWER DENSITY SUBURBAN RESIDENTIAL 7**

	Standards for activities in the <del>Lower Density</del> Suburban Residential Zone	Non-compliance status
	<p><del>the District Plan web-mapping application and Three Parks Structure Plan (27.13.12).</del></p> <p><del>The Building Restriction Area and this standard do not apply if Designation 337 is removed from the District Plan.</del></p> <p><del>Advice note: Council will give specific consideration to Aurora Energy Limited as an affected person for the purposes of section 95E of the Act.</del></p>	
7.5.182 1	<p>Flood Risk – Hāwea only</p> <p>Buildings with a gross floor area greater than 20m2 shall have a ground floor level not less than RL 349.2 masl (449.2 Otago Datum) at Hāwea.</p>	NC
7.5.192 2	<p>Residential Units – Templeton Street (Lot 1 DP 27171, SO 2440)</p> <p>No residential unit shall be constructed on the land subject to the earthworks shown on the plan contained in Appendix 7.7 prior to:</p> <p>a. the completion of those earthworks in accordance with the fill area and minimum finished ground levels as shown in Appendix 7.7; and</p> <p>b. the top soiling and establishment of permanent vegetation cover on the outer batter (facing the Cardrona River); and</p> <p>c. the establishment of a legal mechanism to protect in perpetuity the finished fill levels and outer batter (including vegetative cover) from interference, removal or damage.</p>	NC
7.5.203	<p>Frost Fan Noise - Riverbank Road</p> <p>7.5.203.1 Any new residential or relocated building located within 250m of the frost fan as identified on the Riverbank Road Structure Plan in Section 27.13.18 shall be designed, constructed and maintained to ensure that, within the external building envelope surrounding any bedroom (when windows are closed), the internal level does not exceed 30dBLAeq(15min), however this rule shall not apply if the frost fan is decommissioned.</p>	NC

	Standards for activities in the <del>Lower Density</del> Suburban Residential Zone	Non-compliance status
	<p>7.5.203.2 Compliance within 250m of the Frost Fan</p> <p>Compliance shall be demonstrated by either adhering to the sound insulation requirements in Rule 36.8.1, or by submitting a certificate to the Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the 30dB LAeq(15min) with the windows closed</p> <p><i>For the purposes of this rule, "external building envelope" means an envelope defined by the outermost physical parts of the building, normally the cladding and roof;</i></p> <p><i>For the purposes of this rule "decommissioned" means that the frost fan is dismantled and/or removed from the site and/or permanently taken out of operation.</i></p>	

## 7.6 Rules - Non-Notification of Applications

### 7.6.1 The following Restricted Discretionary activities shall not require the written approval of affected persons and shall not be notified or limited notified:

- 7.6.1.1 Residential units pursuant to Rule 7.4.498 except where:
- a. vehicle crossing or right of way access on or off a State Highway is sought;
  - b. in relation to the electricity distribution network and where Rule 7.4.498(kmg) is relevant. the Council will give specific consideration to Aurora Energy Limited as an affected person for the purposes of section 95E of the Act.
- 7.6.1.2 Visitor Accommodation and residential visitor accommodation in the Visitor Accommodation Sub-Zones

7.7 Appendix

7.7 Templeton Street Fill Area Plan



**Before the Hearing Commissioners  
at Queenstown**

**In the Matter of**

the Resource Management Act 1991

**And**

**In the Matter of**

a proposed variation to the  
Queenstown Lakes Proposed District  
Plan – Urban Intensification Variation

**EXTRACT**

**Statement of Evidence of  
Paula Marie Costello  
for multiple Queenstown submitters**

Dated: 4 July 2025

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location to facilitate increased housing density and types, while demand is high along the length of Frankton Road due to orientation to available lake views.

32. I therefore support the spatial extent of the MDRZ along the full extent of Frankton Road as proposed within the s42A. This area of zoning is positioned between the Queenstown and Frankton Centres (with a smaller order centre provided at the Frankton Marina), and well-served by the main transportation corridor of Frankton Road, which contains existing public transport routes and stops. Access is also available from Frankton Road at selected points down to the Frankton Track off road pedestrian and cycling network.

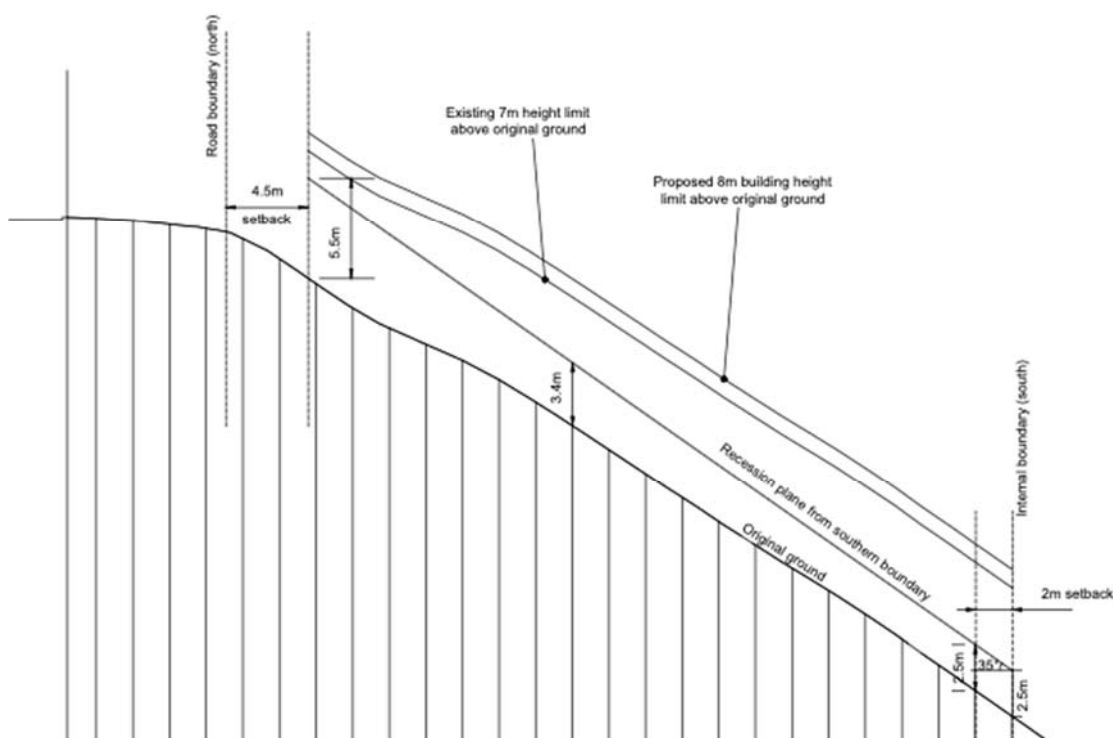
## LOWER DENSITY SUBURBAN RESIDENTIAL ZONE PROVISIONS

### Recession Planes – Sloping Sites

33. I consider that the proposed changes within the UIV in regard to the amendments to recession plane standards in the LDSRZ, specifically the newly proposed application of recession planes to *Sloping Sites*,<sup>6</sup> results in the potential for significantly reduced building envelopes on LDSRZ sites, which is counter to the stated intent of the UIV.
34. The existing PDP regime with regard to the application of recession planes (or building height in relation to boundary) excludes sloping sites from the application of recession planes.<sup>7</sup> This approach, along with the associated definition of *Sloping Site* and the parameters for application have been used for many years in the district through the Operative District Plan (ODP) and PDP.
35. An example of the impact of the application of recession planes to a south facing sloping site is replicated within Figure 1 below. **Annexure A** contains the full size diagrams illustrating the proposed recession plane application on sample sites (south facing and west facing) in Queenstown.

<sup>6</sup> By removal of the exemption found in Standard 7.5.5(b) for Sloping Sites

<sup>7</sup> With the exception of accessory buildings located within setback distances – to which recession planes are intended to apply.



**Figure 1: LDSRZ Recession Planes – Sloping Site (South Facing)**

36. In the case of south facing sloping sites, the impact of the application of recession planes is potentially acute in terms of loss of permitted building envelope. Figure 1 also illustrates the comparatively minimal increase in permitted building envelope that results from the change from a 7m to 8m permitted rolling height maximum.
37. While the limiting effect of recession planes on sloping sites reduces as the slope of a site reduces, and is less acute on sites with different orientations (e.g. west facing, or north facing given the higher recession plane angles applied to the northern boundary), I note that generally the LDSRZ in Queenstown, where infill development is encouraged to achieve intensification, is located on sloping topography (for example, Queenstown Hill, Fernhill, Kelvin Heights, Arthurs Point, Frankton Road), with many south facing sites.
38. In this Queenstown context, I consider that the change to apply recession planes to sloping sites will decrease the perceived viability of infill development and result in a reasonable loss of planned development capacity, which is at odds with the intent of the UIV and the relevant policy framework (NPS-UD).

39. The s42A report<sup>8</sup> states that the approach for height rules is to enable more efficient use of urban land and increase the viability of infill development, to assist with implementing NPS-UD Objectives 1, 2 and 4 and Policies 1 and 6. I do not consider the new proposed application of a recession plane control on sloping sites will do this.
40. Conversely, retention of the PDP framework (where sloping sites are excluded from recession planes) results in the same amenity outcome as already exists with greater intensification potential (than increasing maximum height by 1m but restricting buildable envelope via recession planes). I consider that the status quo position in regard to recession planes is preferable in terms of the NPS-UD policy framework, to reduce consenting costs and subsequently increase the viability of infill development in the LDSRZ.

## **MEDIUM DENSITY RESIDENTIAL ZONE PROVISIONS**

41. The objectives and policies of the MDRZ, as notified and as subsequently retained within the s42A recommendations, are supported. I consider these provisions which acknowledge that amenity values will change over time in this zone as a result of intensification (8.2.3.1) and seek high quality living environments (8.2.3.2) represent a suitable policy framework for the MDRZ in order to encourage a greater supply of housing options in the MDRZ locations.
42. I support in particular the following changes to the Chapter 8 MDRZ standards in order to encourage intensification:
- (a) removal of the 'interpretive note' 8.3.2.5 requiring the illustration of a net area around each residential unit;
  - (b) associated removal of the 1:250m<sup>2</sup> site density standard (8.5.5); and
  - (c) change (generally) to the maximum height standard 8.5.1 from 8m to 11m+1m.

## **Recession Planes – Sloping Sites**

43. I consider that the same concerns raised in respect to the application of recession planes to sloping sites in the LDSRZ discussed above are relevant to the MDRZ, noting that the existing and new areas of MDRZ in Queenstown

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<sup>8</sup> Section 42A Report of Amy Bowbyes (Chapter 7) dated 6 June 2025 at [6.167].

**Before the Hearing Commissioners  
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the Resource Management Act  
1991

**And**

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District Plan – Urban Intensification  
Variation

**EXTRACT**

**Statement of Evidence of  
Scott Anthony Freeman  
for multiple Queenstown submitters**

Dated: 4 July 2025

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- (l) The deletion of existing Rule 8.5.5 as it relates to a maximum density of one residential unit per 250m<sup>2</sup> net site area.
  - (m) S42A Report Rule 8.5.9(a)(iii) that deals with setbacks for corner sites.
102. The proposed amendments in my opinion provide certainty of increased intensification within the MDRZ (particularly in close proximity to Frankton Road in Queenstown), and as equally important, a clear acknowledgment through the policy framework that the built environment will evolve and change, and that the existing amenity values will not be maintained.
103. Ms Costello has provided an analysis of the effect of the introduction of recession planes for sloping sites within the MDRZ. As outlined in Ms Costello's evidence, the implication of the southern recession plane (35° at 4m) results in no benefit in terms of buildable envelope on such sites and stymies intensification and the viability of infill. I agree with Ms Costello in this regard, particularly with amending Rule 8.5.7 so that all recession planes are 60° at 4m up from the subject boundaries.

## **LOWER DENSITY SUBURBAN RESIDENTIAL ZONE PROVISIONS**

104. I note that no submitters on behalf of which I am preparing evidence on who are contained in the LDRSZ are appearing at the hearing. However, Ms Costello and I consider that it is prudent to present evidence on the proposed changes to the LDSRZ, especially in relation to the proposed adoption of recession planes for sloping sites.
105. I have considered the s42A report that has been compiled by Ms Bowbyes for the LDSRZ.
106. In general, I support the amendments to the LDSRZ via the notified and s42A provisions as follows:
- (a) The amendments to the Zone Purpose for the LDSRZ.
  - (b) The deletion of existing Policy 7.2.3.2 as it relates to limiting building heights for second residential units on site of less than 900m<sup>2</sup>.

- (c) Notified Policy 7.2.6.2 which acknowledges that planned infrastructure (including any upgrades) can be taken into consideration when considering development.
  - (d) Notified Provision 7.3.2.4 that states that where land use consent for an average density is sought, proposals will demonstrate compliance with the average density (as opposed to each residential unit being contained within a net site area).
  - (e) Notified Rule 7.4.4 which allows one residential unit per site on sites with an area of less than 450m<sup>2</sup>.
  - (f) Notified Rule 7.4.9(a) which includes the words '*including through providing a range of unit sizes and typologies*' as a matter of discretion for housing diversity when considering applications for a density breach.
  - (g) Notified Rule 7.5.1 which has a permitted height limit of 8 metres (and by default the deletion of the existing Rule 7.5.2).
  - (h) The deletion of PDP Rule 7.5.3 which restricts the height of secondary residential units on sites of less than 900m<sup>2</sup>.
  - (i) Notified Rule 7.5.9 (i) (and supporting advice note) which provides for a maximum density of one residential unit per 300m<sup>2</sup> calculated over the entire site.
107. The key issue with the UIV for the LDSRZ is the imposition of recession planes for sloping sites, because in certain cases, such recession planes have the potential to significantly reduce the current permitted building envelope for sloping sites. Recession planes have been used for sloping sites in the LDSRZ (and previous low density type residential zones) for decades (i.e. prior to the present ODP).
108. The scrapping of recession planes for sloping sites and a blanket 8m height limit for the LDSRZ is intended to enable the more efficient use of urban land and increase the viability of infill development, to assist with implementing NPS-UD Objectives 1, 2 and 4 and Policies 1 and 6. However, as Ms Costello has demonstrated in her evidence, in the case of south facing slopes (with no road boundary at the bottom of a site), the imposition of

recession planes are actually counterproductive in terms of enabling more efficient use of residential land, and in particular, infill development. Recessive planes on sloping sites within the LDSRZ will affect vast tracts of residentially zoned land in many south facing areas such as Fernhill, Sunshine Bay and above Frankton Road.

109. I agree with Ms Costello, that the application of recession planes for sloping sites will decrease the perceived viability of infill development and result in a reasonable loss of planned development capacity, which is at odds with the intent of the UIV and the relevant policy framework (NPS-UD). While the building height limit is proposed to increase by 1m for sloping sites in the LDSRZ, I consider that the status quo should prevail for sloping sites in the LDSRZ (i.e. 7m height limit, no recession plane), because the introduction of recession plane for sloping sites is counterproductive to intensification.

## **REZONINGS**

110. In my opinion, the Council has adopted a through methodology in terms of the upzoning residential land, from LDSRZ/MDRZ to either the MDRZ or the HDRZ. This upzoning is based on the premise of generally good connections to commercial areas, public transport, passive transportation and infrastructure.

### **Submissions 652, 653 and 654**

111. In my opinion, it is a logical outcome to upzone the land contained in Area A (Park Street to Cecil Road) from LDSRZ to the HDRZ. The upzoned land would link in with the HDRZ to the east along Frankton Road, and to the west with the land that is proposed to be upzoned from MDRZ to HDRZ. Area A has high accessibility to the QTCZ through either public transport or walkability via Frankton Road or Park Street.
112. Ms Costello has provided a sound rationale from an urban design perspective as to why the rezoning of Area A to HDRZ to LDSRZ.
113. At present, Area A is mixed urban environment with larger hotel blocks, duplex and apartment building, with a predominance of standalone residential units. The implementation of the NPS-UD (in particular Policy 5) does not seek to protect the status quo of an area, especially when such an area has key attributes of good connectivity to a commercial area and