

**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 Stage 3 of the
Proposed District Plan

**REBUTTAL EVIDENCE OF NICHOLAS ROBERTS
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

**PLANNING: CHAPTER 19A THREE PARKS AND VARIATIONS – TEXT AND
MAPPING**

12 June 2020

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1. INTRODUCTION

1.1 My full name is Nicholas Roberts. My qualifications and experience are set out in my section 42A report dated 18 March 2020 (**s42A**).

1.2 I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014 and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise except where I state that I am relying on the evidence of another person.

2. SCOPE

2.1 My rebuttal evidence is provided in response to the following evidence filed on behalf of various submitters:

Chapter 19A - Text

- (a) Ms Dowd for Aurora Energy Limited (**3153**);
- (b) Mr Horne for Spark New Zealand Trading Limited and Vodafone New Zealand Limited (**3032**);

Requested rezonings

- (c) Ms Costello for Willowridge Developments Limited (**3220**); Mr Patterson for Ballantyne Properties Limited (**3056**);
- (d) Mr Devlin for Tussock Rise Limited (**3128**), Bright Sky Land Limited (**3130**) and Alpine Estates Limited (**3161**);
- (e) Mr Edgar for Southern Ventures/Cadence Holdings Limited (**3231**);

2.2 I also confirm that I have read the following statements of evidence. With evidence I have not commented on, I consider that no response is needed:

- (a) Ms Alison Devlin for Willowridge Developments Limited (**3220**);
- (b) Mr Facey for Willowridge Developments Limited (**3220**);

- (c) Mr Colegrave for Willowridge Developments Limited (**3220**);
- (d) Mr Ballingall for Tussock Rise Limited (**3128**);
- (e) Mr Carr for Tussock Rise Limited (**3128**);
- (f) Mr Trevathan for Tussock Rise Limited (**3128**);
- (g) Mr Miller Tussock Rise Limited (**3128**);
- (h) Mr Bray for Spark New Zealand Trading Limited and Vodafone New Zealand Limited (**3032**);
- (i) Mr McCarrison for Spark New Zealand Trading Limited and Mr Clune for Vodafone New Zealand Limited (**3032**);
- (j) Mr Curley for Susan Robertson (**3143**) and Roger Moseby and (**3110**);
- (k) Mr Frenz for the Ministry of Education (**3152**).

2.3 My evidence has the following attachments:

- (a) **Appendix A:** Recommended changes to Three Parks Commercial Chapter and variations; and
- (b) **Appendix B:** Recommended Draft Three Parks Business Zone – Chapter 19B.
- (c) **Appendix C:** Annotated zone map excerpt showing zoning changes recommended in this rebuttal.

SUBMITTER EVIDENCE ON TEXT OF CHAPTER 19A – THREE PARKS COMMERCIAL ZONE

3. JOANNE DOWD FOR AURORA ENERGY LIMITED (3153)

3.1 Ms Dowd has filed evidence in relation to the inclusion of an advice note in Chapter 19A relating to the New Zealand Electrical Code of Practice for Electrical Safe Distances. Ms Dowd states at paragraph 37 that the advice note is inconsistent with what has been agreed in consent memorandum for Topic 17.

3.2 The wording for the advice note I have recommended is consistent with that for various other *zone* chapters as set out in the consent memorandum for Topic 17 and with pages 43-49 of the version attached to Ms Dowd's evidence. This is different to the preferred wording set out in Ms Dowd's evidence but provides consistency with

other PDP chapters and therefore remains my preference for consistency reasons.

3.3 Ms Dowd has also noted that the reference to 30.3.3.2.c in the advice note should be to 30.3.2c. I agree that 30.3.2c. is the correct reference to the New Zealand Electrical Code of Practice for Electrical Safe Distances and I have made this amendment in **Appendix A**.

3.4 Ms Dowd has also proposed an alternative/refined relief for the requested building setback area around the Wanaka substation (paragraphs 66 and 67). Ms Dowd has suggested a 20m setback from the cadastral boundary of the substation be imposed, to address effects such as noise, health and safety, amenity and reverse sensitivity. Ms Dowd has suggested a new standard requiring written approval from Aurora to erect a building or structure within the setback area, with a non-compliance status of non-complying.

3.5 Given the further explanation provided by Ms Dowd regarding the effects to be mitigated through the building restriction area, and the information provided on earlier considerations of a buffer, I consider the proposed building restriction area and accompanying standard to be an appropriate approach to mitigating potential adverse health, safety and amenity effects. I have largely accepted the wording suggested by Ms Dowd, with some minor amendments for clarity and reference to s95A of the Resource Management Act 1991 (**RMA**). I have included a new standard in the chapter provided at **Appendix A**. I have also suggested a consequential amendment to the non-notification clause for buildings, to provide for an exception if this standard is not met.

4. CHRIS HORNE FOR SPARK NEW ZEALAND TRADING LIMITED AND VODAFONE NEW ZEALAND LIMITED (3032);

4.1 Mr Horne has filed evidence in relation to telecommunication pole heights for the Three Parks Commercial Zone (**TPCZ**) and Standard 30.5.6.6. Mr Horne at his paragraphs 35-41 relies on the evidence of Mr Bray with regard to the requested 18m and 21m pole heights being appropriate for the TPCZ from a visual and landscape perspective. Mr

Horne has also relied on the advice of Mr Holding for the submitters regarding sufficient clearance required above buildings.

- 4.2** Ms Mellsop has reviewed the evidence of Mr Bray and has raised some concerns regarding the ability of the specific zones to absorb telecommunications infrastructure (her rebuttal, at paragraphs 4.3-4.7).
- 4.3** Relying on Ms Mellsop's comments regarding the validity of Mr Bray's evidence, and in the absence of any other additional controls (such as height to boundary) being offered by the submitter, my preference remains a 16m height limit for telecommunication poles in the TPCZ. Should a higher pole be required for operational reasons, this can be assessed on a case by case basis via the resource consent process which will allow the visual effects of the structure to be balanced against operational requirements based on its specific location with Three Parks. I consider this approach better achieves Objective 30.2.7 that adverse effects of utilities on the surrounding environment are avoided or minimised, and associated Policy 30.2.7.1 which requires the management of adverse effects and integration of utilities with the surrounding environment and existing built form.

SUBMITTER EVIDENCE ON REQUESTED REZONINGS

5. PAULA COSTELLO FOR WILLOWRIDGE DEVELOPMENTS LIMITED (3220) – NEW 'THREE PARKS BUSINESS ZONE' – CHAPTER 19B

- 5.1** Ms Costello has filed evidence in support of a new Three Parks Business Zone (**TPBZ**) which the submitter proposes to be structured within Chapter 19 as 19B.
- 5.2** My original assessment of the appropriateness of this proposed new zone was based on the relatively brief primary submission (so a lack of information in support) and the desire not to introduce another bespoke zone into the Proposed District Plan (**PDP**) if possible. Having read the detailed evidence of Ms Costello on the proposed TPBZ, I have reconsidered my position as to the most appropriate zone for this part of Three Parks.

- 5.3** In forming this revised opinion I have taken into account the economic evidence of Ms Hampson for the Council and Mr Colegrave for Willowridge, who both support the proposed TPBZ. I have also further considered the relatively restrictive approach of the proposed General Industrial Zone (**GIZ**) with respect to some of the more commercial/business activities existing and/or consented at Three Parks, such as trade suppliers and showrooms. I acknowledge that the existing environment has been informed by the unique Three Parks business sub-zone, which doesn't occur anywhere else in the District. I agree with Ms Costello's paragraph 17 that the new zone will enable an outcome that is unable to be met by the GIZ and that it can provide a middle ground between GIZ and other PDP commercial zones. I also agree with Ms Costello that there are activities that the proposed TPBZ seeks to provide for that are not actively facilitated by the suite of existing PDP zones (ie. the GIZ, the TPCZ, and BMUZ).
- 5.4** I consider a modified version of the TPBZ as proposed by the submitter to be appropriate. I consider there are a number of amendments that need to be made to the proposed TPBZ chapter 19B, as advanced by Ms Costello. I discuss each of these in turn. I have also corrected a number of typographical errors and used numbering consistent with the style and format of other PDP chapters. My amended (draft) version of Chapter 19B is attached to this rebuttal at **Appendix B**. To be clear, while I now no longer recommend rejecting this rezoning, there is further work to be done on the detail of the TPBZ provisions set out in **Appendix B**. Given the time constraints for filing this evidence, I have not been able to undertake a comprehensive review of the draft chapter and ensure full integration with the balance of the PDP, and therefore consider the version of the chapter attached to this evidence should be treated as draft at this point. I will continue to work on this prior to the hearing and intend to table a revised version of the chapter that I support at the hearing. I note my invite below to the submitter to consider the district wide provisions in particular, prior to me putting forward this version at the hearing.
- 5.5** Similar to Chapter 19A, Chapter 19B will be a standalone zone chapter in the PDP, but continues to rely on the Structure Plan for Three Parks located in Chapter 28. The inclusion of this new zone does not in my

view require any change to the Structure Plan in Chapter 27 (contained in **Appendix B**), and my s42A recommendations on the Structure Plan remain. I point out Mr Smith's opposition to the change in intersection location as sought by Willowridge, in this structure plan.

Draft Chapter 19B - Zone purpose, objective and policies

- 5.6** I have amended the zone purpose to better reflect the intention of the zone. I have also amended the objective so it reads as an objective, and is clear about the activities anticipated in the zone.
- 5.7** I have made a number of changes to the policies, to ensure they read as policies, and are aligned with the activity status set for activities in the zone.

Interpreting and Applying the Rules

- 5.8** I have included the Aurora advice note for consistency with other PDP chapters.

Other provisions and rules

- 5.9** At this stage the applicable district wide chapters remain as per the submission version of Chapter 19B. I note that these will require consequential amendments to ensure that this new zone is appropriately provided for in the various district wide chapters (and that the list in Chapter 19B is correct). Willowridge has not provided this work yet, but I invite them to do that and an agreed position may be able to be put to the Panel when I present my evidence in the week of 29 June. I have included some recommended amendments to Chapters 25, 27 and 31 in the variations included at **Appendix B**.

Draft Rules – Activities

- 5.10** I am generally comfortable with the types of activities enabled by the submission version. I have reordered the list of the activities so they

flow from permitted through to prohibited consistent with other PDP chapters.

- 5.11** I have added to and refined the matters of discretion for buildings, to align with a comparable standard in the GIZ and BMUZ chapters. I have also included the additional matter of discretion and corresponding advice note sought by Aurora for other Stage 3 zones.
- 5.12** I have deleted 19B.4.17 as I consider the list of activities falls under 'industrial activities', and consolidated some of the other activities.
- 5.13** I have compared the new zone provisions to the GIZ provisions, and recommend a new standard be included that restricts *Any activity requiring an Offensive Trade Licence under the Health Act 1956*. This will restrict offensive industrial activities from the zone. I do not think it necessary to exclude "collection and storage of used bottles for sale" and "refuse collection and disposal" from this standard. I consider this approach appropriate in the context of the Three Parks environment which enables a mix of activities and is adjacent to both the BMUZ and LDSRZ.
- 5.14** With regard to provision for offices in standards 19B.4.6 and 19B.4.7, my preference is that these are limited in the same way as retail, with regard to the requirement to be ancillary to the principal use of the site and not greater than 100m² GFA. Offices are provided for in the main street BMUZ, as well as the Wanaka Town Centre zone and therefore I do not consider that they need to be explicitly provided for in this zone. The limit of 100m² GFA will also provide an opportunity for those industrial based activities that require a larger office or retail component to establish at Three Parks, as the GIZ limits ancillary office and retail to 50m².

Draft Rules – Standards

- 5.15** I note that standards in the Willowridge version of the chapter (provided with the submission) appear to have been duplicated from the notified

TPCZ chapter. I consider some amendments to those standards are required, as well as the inclusion of some additional standards.

- 5.16** With regard to setbacks, as the zone is enabling of industrial and service activities, I consider setbacks for these activities should be aligned with the comparable GIZ setback standard, and have therefore adjusted the setback standards. This also better achieves the policy direction for avoiding reverse sensitivity effects.
- 5.17** The glare standard has been amended to be consistent with the comparative glare standard in Chapter 19A, including the amendments sought by the New Zealand Transport Agency (**3229**) in Chapter 19A.
- 5.18** The building coverage standard has been amended from the submitted 90% to 75%, to align with the comparable standard in the GIZ and BMUZ. I note that this differs from the 90% building coverage enabled in the TPCZ, however I consider that the lower building coverage standard in this zone is appropriate for the range of activities anticipated in the new zone.
- 5.19** I have also recommended a fencing standard that requires screening from the adjoining LDSRZ, similar to the GIZ and BMUZ zone standards.

Zone boundaries

- 5.20** With regard to the extent of the new TPBZ over the land sought by Willowridge, I generally accept the evidence of Ms Costello regarding the proposed expansion beyond the notified GIZ zone. This is with the exception of the land on the western side of Sir Tim Wallis Drive where it is proposed to extend to the boundary with the primary school. I consider this adjoining land is more appropriate to be retained as LDSRZ, and not TPBZ, given the mix of activities enabled by the TPBZ, and potential for reverse sensitivity effects on the school site. I consider the TPBZ should apply over the area shown as (1) in the annotated zone plan attached at **Appendix C**. I had previously not supported any rezoning of the residential land each side of Sir Tim Wallis Drive on the basis that I did not support the proposed TPBZ.

Now that I am more comfortable with the TPBZ, I consider the extension appropriate, and note that this is supported by Ms Hampson (paragraph 3.11 and Section 18 of her evidence in chief).

- 5.21** I note that in my s42A I recommend that the submission of Gems Educational Childcare (**3218.1**) to rezone the land between the school and Sir Tim Wallis Drive from Low Density Suburban Residential Zone (**LDSRZ**) to Business Mixed Use Zone (**BMUZ**) be accepted (paragraphs 12.19-12.2 of my Section 42A on pages 30 and 31). I have not changed my recommendation on this submission.
- 5.22** Ms Costello has filed evidence on the request to extend the BMUZ to the south along Sir Tim Wallis Drive at her paragraphs 47-68. I agree with Ms Costello that the land Willowridge seeks to be rezoned at this location does not contain industrial uses and I consider they are more commercial in nature. These existing and consented activities are better aligned with the outcomes sought by the BMUZ, rather than the GIZ.
- 5.23** In my s42A report I was concerned about residential and visitor accommodation activities being enabled by the BMUZ and whether this was appropriate with regard to reverse sensitivity and the adjoining GIZ. I accept Ms Costello's evidence (paragraph 60-63) that the BMUZ and GIZ both contain provisions to address reverse sensitivity which will address this issue. I consider that the extension of the BMUZ south will provide for consistent built form and activities along the entirety of Sir Tim Wallis Drive and therefore recommend that this rezoning request is accepted. This is shown as (2) in the plan at **Appendix C**.
- 5.24** In addition to the above Ms Costello has also filed evidence on the extent of the TPCZ at her paragraphs 69-83. With regard to the Willowridge preference to extend the TPCZ to the west (area 3 in Figure 10, paragraph 81 of Ms Costello's evidence), I accept that this extension is logical given that the previous boundary was based on cadastral boundaries as the land was in different ownership. Given that the land is in the same ownership, I agree that the extension to the west is logical regard to achieving integrated urban form and efficient provision of infrastructure. I note that this adjustment in zone

boundaries will not impact on delivery of both business and residential land capacity as set out in Ms Hampson's evidence in chief. I therefore support the extension of the TPCZ to the west as sought by the Willowridge submission.

- 5.25** At paragraphs 84-99 Ms Costello discusses the submission of Willowridge to extend the High Density Residential Zone (**HDRZ**) to the east towards the golf course (area 4 shown in **Appendix C**). I note that this expansion will be to the west rather than the east. I note Ms Costello's conclusion at paragraph 94 that the area is unique in the Wanaka context and appropriate to be zoned HDRZ. I do not consider this to be a valid reason for zoning HDRZ in this location when considering the zone purpose, which is to provide for efficient use of land within close proximity to town centres, or Objective 9.2.1 that high density housing occurs in urban areas closer to town centres. The submitter's proposal will result in an even larger area of land zoned HDRZ which is not in close proximity to the Wanaka town centre. Although not an absolute reason to reject the rezoning, additional capacity is not required for residential purposes as outlined in the evidence in chief of Ms Hampson for the Council.
- 5.26** At paragraphs 106-108 Ms Costello discusses adjusting the shape of the Building Restriction Area (**BRA**) adjacent to SH84 to make the BRA smaller (refer to area (5) in **Appendix C**). The submitter's preferred BRA has not been overlaid with the notified BRA, and it is difficult to establish exactly where the differences are. Without this direct comparison and in the absence of any visual / landscape evidence on the appropriate extent I am unable to support a reduction at this stage.
- 5.27** With regard to the alignment of the 'western fixed road' (paragraphs 109-112), Ms Costello relies on the evidence of Mr Facey for Willowridge to support the realignment and new intersection location, particularly with regard to technical and safety aspects, including that it can achieve appropriate sight distances.
- 5.28** Mr Smith has reviewed Mr Facey's evidence for the Council. In section 3 of his evidence Mr Smith raises a number of concerns with Mr Facey's evidence, and concludes that '*there is insufficient information*

*to demonstrate that a compliant roundabout option could be formed at the proposed junction*¹. I accept Mr Smith's concerns and remain of the view that the location of the new intersection is not supported by the current evidence, and the Three Parks Structure Plan should not be amended. This does not affect my change in recommendation to now accept the rezoning request (to the extent described above).

6. ROBIN PATTERSON FOR BALLANTYNE PROPERTIES LIMITED (3056)

6.1 Mr Patterson has provided surveying evidence in relation to the rezoning of land owned by the submitter, and located south west of the Aurora substation. At the end of paragraph 3.3, Mr Patterson notes that as a consequence of my original s42A recommendation to reject the Aurora submission point (3153.13), I had accepted the further submission of Ballantyne Properties Limited (FS3410.6). This was the general approach for further submissions, with recommendations for accepting or rejecting further submissions standing or falling with the primary submission. In this instance, FS3140.6 should also have been rejected, as it requested a different outcome to my recommendation on submission point 3153.13. I correct this and recommend that further submission point 3140.6 be rejected.

6.2 I note that as a consequence of recommending the TPBZ, this new zone will now apply over the south east part of the submitter's land (currently proposed to be zoned GIZ). Refer to area (1) in **Appendix C**.

7. BLAIR DEVLIN FOR TUSSOCK RISE LIMITED (3128), BRIGHT SKY LAND LIMITED (3130) AND ALPLINE ESTATES LIMITED (3161)

7.1 Mr Devlin filed evidence for Tussock Rise Limited (3128), Bright Sky Land Limited (3130) and Alpine Estates Limited (3161) seeking the southern end of Three Parks, notified as GIZ, to be rezoned to BMUZ.

7.2 As I have accepted the evidence of Ms Costello in relation to the Willowridge submission seeking the extension of the BMUZ to the south along Sir Tim Wallis Drive, I note that this results in the Tussock

1 Mike Smith Rebuttal Evidence dated 12 June 2020, at [3.20].

Rise Limited submission being accepted in part, in so far as it relates to the six properties to be rezoned (refer area (2) in **Appendix C**). I also note that as I now largely support the proposal to rezone this end of Three Parks to TPBZ, the provisions of this zone go some way towards addressing Mr Devlin's concerns with applying the 'pure industrial' approach in this area of Wanaka, as the TPBZ is more enabling of some business activities.

8. SCOTT EDGAR FOR CADENCE HOLDINGS LIMITED (3231)

8.1 Mr Edgar has provided evidence for Cadence Holdings Limited (**3231**) in support of the submission to rezone the southern end of Three Parks (notified as GIZ) to BMUZ (see area (6) at **Appendix C**).

8.2 For the reasons discussed above with regard to the evidence of Ms Costello for Willowridge Developments Limited, I have accepted that a modified form of the requested TPBZ is the most appropriate zone for this end of Three Parks. While I maintain my opposition for BMUZ over the entirety of the notified GIZ area, the modified TPBZ addresses some of the concerns raised by Mr Edgar regarding issues with the GIZ, and provides for the consented activity outlined at paragraph 10 of Mr Edgar's evidence.



Nicholas Roberts

12 June 2020

Appendix A

Recommended changes to Three Parks Commercial Chapter 19A and variations.

Key:

Chapter 19A was notified as new in Stage 3. Black underline and ~~strike through~~ text reflects variations to PDP provisions made at notification in Stage 3.

Red underline and strike through text are recommended amendments made in section 42A report, 18/03/20.

Green underlined text for additions and ~~green strike through text~~ for deletions are recommended amendments made in rebuttal evidence 12/06/20.

19A Three Parks Commercial

19A.1 Purpose

The primary purpose of the Three Parks Commercial Zone is to provide an urban centre which enables large format retail activities. Limited smaller scale retail activities are also provided for, which recognises the function these activities play in Wānaka Town Centre which is Wānaka's key retail and business centre.

The large format retail in the Zone is to be provided in a way that still positively contributes to good urban design, including the interface with the adjoining Business Mixed Use Zone that is intended to provide a higher quality urban design outcome and main street focus for Three Parks.

Commented [B&A1]: Cl 16 correction of typographical error.

The Zone is to be easily accessible by public transport, cycling or walking and connected to the wider Three Parks area which comprises the Wānaka Recreation Centre, schools, business and industrial land and extensive areas of low and medium density residential neighbourhoods.

19A.2 Objectives and Policies

19A.2.1 Objective - Large format retail and a limited amount of smaller scale retail activities meet the needs of the community in a way that complements the function of the Wānaka Town Centre.

Policies

- 19A.2.1.1 Provide for large format retail that supports and complements the role and function of the Wānaka Town Centre as Wānaka's key commercial, civic and cultural centre.
- 19A.2.1.2 Restrict the establishment of individual retail activities which occupy less than 500m² of GFA, recognising that these activities are provided for in the Wānaka Town Centre Zone and the Business Mixed Use Zone.
- 19A.2.1.3 Restrict residential and visitor accommodation developments that could undermine the local service function of the Three Parks Commercial centre.
- 19A.2.1.4 Avoid activities that cause noxious effects or that would limit opportunities to realise or maintain large format retail activities.
- 19A.2.1.5 Ensure individual retail activities which occupy less than 500m² of GFA do not compromise the viability of the Zone, and support its key function, which is to provide for large format retail activities.

PART 3

THREE PARKS COMMERCIAL 19A

19A.2.2 Objective – A high quality urban centre with a strong sense of place.

Policies

- 19A.2.2.1 Encourage high quality well-designed buildings that individually and collectively contribute to a high quality urban area.
- 19A.2.2.2 Ensure that development is people-orientated through the creation of shared spaces.
- 19A.2.2.3 Ensure that building designs contribute positively to the visual quality, vitality, safety and interest of streets and public spaces by providing active and articulated building frontages, avoid expanses of blank wall fronting public spaces and reduce adverse visual effects of large format retail buildings.
- 19A.2.2.4 Incorporate design treatments to the form, colour or texture of buildings to add variety, moderate their scale and provide visual interest from a range of distances.
- 19A.2.2.5 Recognise the important contribution that sunny open spaces, footpaths and pedestrian spaces make to the vibrancy and prosperity of the Zone.
- 19A.2.2.6 Avoid parking forecourts that dominate street frontages and encourage site layout that supports pedestrian safety and enables buildings to address the street.
- 19A.2.2.7 Minimise opportunities for anti-social behaviour through incorporating Crime Prevention Through Environmental Design (CPTED) principles as appropriate in the design of streetscapes, car parking areas, public and semi-public spaces, accessways/pedestrian links/lanes, and landscaping.
- 19A.2.2.8 Ensure the location and direction of lighting does not cause significant glare to other properties, roads and public places and promote lighting design that mitigates adverse effects on views of the night sky and provides a safe and well-lit environment for pedestrians.
- 19A.2.2.9 Ensure that outdoor storage areas are appropriately located and screened to limit any adverse effects on public places and adjoining zones.

19A.3 Other Provisions and Rules

19A.3.1 District Wide

Attention is drawn to the following District Wide chapters.

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
25 Earthworks	26 Historic Heritage	27 Subdivision and Development
28 Natural Hazards	29 Transport	30 Energy and Utilities
31 Signs	32 Protected Trees	33 Indigenous Vegetation and Biodiversity

PART 3

THREE PARKS COMMERCIAL 19A

34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings	36 Noise
37 Designations	38 Open Space and Recreation Zones	39 Wāhi Tūpuna
Planning Maps		

19A.3.2 Interpreting and Applying the Rules

- 19A.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.
- 19A.3.2.2 Where an activity does not comply with a Standard listed in the Standards table, the activity status identified by the 'Non-Compliance Status' column shall apply. .
- 19A.3.2.3 Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.
- 19A.3.2.4 For controlled and restricted discretionary activities, the Council shall restrict the exercise of its control or discretion to the matters listed in the rule.
- 19A.3.2.5 The following abbreviations are used within this Chapter.

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

19A.3.2.6 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 NZECP34:2201.

Commented [B&A2]: 3153.4 Aurora Energy Limited – amended to refer to the correct clause in the consent memorandum version of the chapter.

Commented [B&A3]: 3153.4 Aurora Energy Limited

19A.4 Rules – Activities

	Table 19A.4 – Activities located in the Three Parks Commercial Zone	Activity Status
19A.4.1	Large Format Retail	P
19A.4.2	Commercial activities not otherwise provided for in this Table	P
19A.4.3	Trade Supplier activities	P
19A.4.4	<p>Buildings</p> <p>Discretion is restricted to:</p> <p>a. building materials;</p>	RD

	Table 19A.4 – Activities located in the Three Parks Commercial Zone	Activity Status
	<ul style="list-style-type: none"> b. glazing treatment; c. design treatment; d. signage platform; e. lighting; f. the ability to service the building(s), in terms of roading, water supply, stormwater and wastewater; g. location of storage; h. landscaping; <u>and</u> i. <u>Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the Plan maps is located within the adjacent road or the subject site any adverse effects on that infrastructure.</u> 	
19A.4.5	<p>Licensed Premises</p> <p>Premises licensed for the consumption of alcohol on the premises between the hours of 11pm and 7am, provided that this rule shall not apply to the sale of liquor;</p> <p>This rule shall not apply to the sale and supply of alcohol:</p> <ul style="list-style-type: none"> a. to any person who is residing (permanently or temporarily) on the premises; and/or b. to any person who is present on the premises for the purpose of dining up until 12am. <p>Discretion is restricted to consideration of the following:</p> <ul style="list-style-type: none"> a. the scale of the activity; b. car parking and traffic generation; c. effects on amenity (including that of adjoining zones and public reserves); d. the configuration of activities within the building and site (e.g. outdoor seating, entrances); e. noise issues; and f. hours of operation. 	RD
19A.4.6	Individual retail activities which occupy less than 500m ² of GFA	D

Commented [B&A4]: 3153.17 Aurora Energy Limited

Commented [B&A5]: Cl 16 to remove duplication
Also sought by 3220.3 Willowridge Developments Limited

PART 3

THREE PARKS COMMERCIAL 19A

	Table 19A.4 – Activities located in the Three Parks Commercial Zone	Activity Status
19A.4.X	<u>Educational facilities</u>	D
19A.4.7	Industrial activities and service activities	NC
19A.4.8	Service Stations	NC
19A.4.9	Residential activities	NC
19A.4.10	Visitor accommodation	NC
19A.4.11	Activities which are not listed within this table	NC
19A.4.12	Fish or meat processing (except if ancillary to any retail activity including restaurants)	PR
19A.4.13	Mining	PR
19A.4.14	Cemeteries and crematoria	PR
19A.4.15	Panel beating, spray painting, motor vehicle repair or dismantling, fibre glassing, sheet metal work, bottle or scrap storage, motor body building	PR

Commented [B&A6]: 3152.4 Ministry of Education

19A.5 Rules – Standards

	Table 19A.5 – Standards for activities located in the Three Parks Commercial Zone	Non-compliance status
19A.5.1	<p>Setbacks and sunlight access – sites adjoining a residential zone</p> <p>19A.5.1.1 Buildings shall not project beyond a recession line constructed at an angle of 34° inclined towards the site from points 3m above any Residential Zone boundary.</p> <p>19A.5.1.2 Where a site adjoins a Residential Zone or public place, except roads, all buildings shall be set back not less than 4.5m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. 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.</p>

PART 3

THREE PARKS COMMERCIAL 19A

	Table 19A.5 – Standards for activities located in the Three Parks Commercial Zone	Non-compliance status
19A.5.2	<p>Storage</p> <p>Outdoor storage and storage of waste and recycling shall be screened from public areas and adjoining zones.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the effects on visual amenity; b. the location relative to the public realm and adjoining zones; c. consistency with the character of the locality; and d. whether pedestrian and vehicle access is compromised.
19A.5.3	<p>Glare</p> <p>19A.5.3.1 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 <u>on the amenity of adjoining sites, the safety of the transportation network, and</u> on the night sky.</p> <p>19A.5.3.2 No activity shall result in a greater than 10 lux spill (horizontal or vertical) of light onto any adjoining property within the Zone, measured at any point inside the boundary of any adjoining property.</p> <p>19A.5.3.3 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>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. effects of lighting and glare on <u>the amenity values of adjoining sites, the safety of the transportation network and the night sky.</u>
19A.5.4	<p>Maximum building height</p> <p>19A.5.4.1 Maximum building height of 15m; and</p> <p>19A.5.4.2 No greater than 3 storeys.</p>	<p>NC</p>

Commented [B&A7]: 3229.11 New Zealand Transport Agency

Commented [B&A8]: 3229.11 New Zealand Transport Agency

PART 3

THREE PARKS COMMERCIAL 19A

	Table 19A.5 – Standards for activities located in the Three Parks Commercial Zone	Non-compliance status
19A.5.5	Building coverage The maximum building coverage for all activities within any site shall be 90%.	NC

19A.6 Non-Notification of Applications

19A.6.1 The following Restricted Discretionary activities shall not require the written approval of other persons and shall not be notified or limit-notified:

Rule 19A.4.4 Buildings.

19A.6.2 The following Restricted Discretionary activities will not be publically notified but notice will be served on those persons considered to be adversely affected if those persons have not given their written approval:

Rule 19A.5.1 Setbacks and sunlight access – sites adjoining another zone.

Commented [B&A9]: Correction of typographical error.

19A.6.3 In relation to the electricity distribution network and where Rule 19A.4.4.(i) is relevant, Council will give specific consideration to Aurora Energy Limited as an affected person for the purposes of section 95E of the Act.

Commented [B&A10]: 3153.5 Aurora Energy Limited

Consequential amendment to Chapter 7 – Lower Density Suburban Residential

	Standards for activities located in the Lower Density Suburban Residential Zone	Non-compliance status
7.5.X	<u>Where a building or structure is to be located within the Wanaka Substation Building Restriction Area the operator of the substation shall be deemed to be an affected party in accordance with section 95A of the Resource Management Act 1991.</u>	NC

Commented [B&A11]: 3153 Aurora Energy Limited

Variation to the Proposed District Plan

Underlined text for additions and ~~strike through~~ text for deletions.

[text in square brackets and italics is for information purposes only]

Variation to Chapter 9 - High Density Residential

9.1 Zone Purpose

...

[Insert at the third paragraph]

The High Density Residential Zone at Three Parks Wānaka provides for a distinctive urban character at the entranceway to Wānaka through taller buildings ~~with a low building coverage to provide for public spaces~~ and landscaped areas adjacent to State Highway 84.

Commented [B&A12]: 3220.4 Willowridge Developments Limited

[Add the following objective and two policies]

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

Policies

9.2.9.1 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.

~~9.2.9.2 Ensure buildings are dispersed across the zone to provide integrated with high quality landscaping.~~

Commented [B&A13]: 3220.4 Willowridge Developments Limited

	Standards for activities located in the High Density Residential Zone	Non-compliance status
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 <u>and 9.5.2.3.</u>	RD Discretion is restricted to: <ol style="list-style-type: none"> 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;

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	<p>...</p> <p><u>9.5.2.3 In Three Parks Wānaka the maximum building height shall be 12m.</u></p>	<p>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);</p> <p>f. the positive effects of enabling additional development intensity within close proximity to town centres.</p> <p><u>D</u></p>
9.5.4	<p>Building Coverage</p> <p><u>9.5.4.1</u> A maximum of 70% site coverage</p> <p>....</p> <p>9.5.4.2 Except that in Three Parks Wānaka the maximum site coverage shall be 25%.</p>	NC
9.5.6	<p>Landscaped permeable surface coverage</p> <p><u>9.5.6.1</u> At least 20% of site area shall comprise landscaped (permeable) surface.</p> <p>9.5.6.2 Except that in Three Parks Wānaka at least 50% site area shall comprise landscaped (permeable) surface.</p>	NC
9.5.8	<p>Minimum Boundary Setbacks</p> <p>9.5.8.3 All buildings shall be at least 5m back from Sir Tim Wallis Drive in Three Parks Wānaka.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties;</p> <p>b. streetscape character and amenity;</p> <p>c. any sunlight, shading or privacy effects created by the proposal on adjacent sites and/or their occupants;</p> <p>d. effects on any significant public views (based on an assessment of public views undertaken at the time of the proposal, in addition to any specified</p>

Commented [B&A14]: 3220.6 Willowridge Developments Limited

Commented [B&A15]: 3220.7 Willowridge Developments Limited

Commented [B&A16]: Note: Consequential amendment required to delete this provision if the recommendation to accept 3220.1 Willowridge Developments Limited's request to rezone the northern part of the HDR to BMU is accepted. Note that the remaining HDR adjoining Sir Tim Wallis Drive is subject to a Building Restriction Area

	Standards for activities located in the High Density Residential Zone	Non-compliance status
		significant public views identified within the District Plan).

Variation to Chapter 16 - Business Mixed Use

Policy

- 16.2.1.4 For sites adjoining Gorge Road in Queenstown and Sir Tim Wallis Drive in Three Parks Wānaka, discourage the establishment of high density residential and visitor accommodation activities at ground floor level, except where commercial and/or business activities continue to have primacy at the interface with the street.

Rule 16.5.3 Residential and visitor accommodation activities - RD

All residential activities and visitor accommodation;

16.5.3.1 on sites adjoining Gorge Road in Queenstown located within 10m of the boundary adjoining Gorge Road, or

16.5.3.2 on sites adjoining Sir Tim Wallis Drive in Three Parks Wānaka located within 10m of the boundary adjoining Sir Tim Wallis Drive;

Shall be restricted to first floor level or above, with the exception of foyer and stairway spaces at ground level to facilitate access to upper levels.

Variation to Chapter 25 - Earthworks

25.5.5	Three Parks Commercial and Three Parks Business	500m ³
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Variation to Chapter 27 - Subdivision and Development

27.3 Location – specific objectives and policies

[Add the following objective and seven policies]

Three Parks Wānaka (defined by the extent of the Three Parks Structure Plan – 27.13.9)

27.3.15 Objective –Subdivision of Three Parks Wānaka is consistent with the Three Parks Structure Plan and achieves integrated development.

Policies

27.3.15.1 Ensure the provision of open spaces through Building Restriction Areas that are suitable for the whole community and that are located in safe and accessible areas.

27.3.15.2 Protect the character and amenity of the entrance to Wānaka through a Building Restriction Area along SH84.

27.3.15.3 Require integration of the Building Restriction Areas for developments within the High Density Residential Zone in Three Parks Wānaka and require high quality landscaping as part of development.

27.3.15.4 Develop an interconnected network of streets, footpaths, walkways and open space linkages that facilitate a safe, attractive and pleasant walking, cycling and driving environment.

27.3.15.5 Require the Three Parks Commercial Zone to include a public square that is greater than 900m².

27.3.15.6 Recognise that relocation of fixed or collector roads may significantly affect the integrity of the Three Parks Structure Plan and any relocation should be restricted to:

- a. no greater than 20m for any fixed road shown on the Three Parks Structure Plan; and
- b. no more than 50m from any collector road location shown on the Three Parks Structure Plan.

27.3.15.7 Encourage subdivision design to ensure that sites front the road and restrict the creation of rear sites as follows:

- a. no rear sites within a Medium Density Residential Zone contained within the Three Parks Structure Plan; and
- b. no greater than 10% rear sites within all other zones within the Three Parks Structure Plan.

27.6 Rules – Standards for Minimum Lot Areas

Zone	Minimum Lot area
Three Parks Commercial	No minimum
Three Parks Commercial	No minimum
High Density Residential – Three Parks Wānaka	No minimum

Commented [B&A17]: Cl 16(2) – recommended non-substantive amendment to provide clarity on the extent of the Three Parks area.

Commented [B&A18]: Cl 16(2) – recommended non-substantive change to provide clarity of how open space is provided for.

Commented [B&A19]: 3220 Willowridge Developments Limited

27.7 Zone – Location Specific Rules

[Add the following four rules]

	Zone and Location Specific Rules	Activity Status
<u>27.7.17.1</u>	<p><u>Three Parks Wānaka</u></p> <p><u>In addition to those matters of control listed under Rule 27.7.1 when assessing any subdivision consistent with the principal roading layout depicted in the Three Parks Structure Plan shown in part 27.13.9, the following shall be additional matters of control:</u></p> <ul style="list-style-type: none"> a. <u>roading layout;</u> b. <u>the provision and location of walkways and the green network;</u> c. <u>the integrated approach to landscaping of the building restriction areas.</u> 	RD C
<u>27.7.17.2</u>	<u>Any subdivision within the Three Parks High Density Residential zone.</u>	<u>D</u>
<u>27.7.17.3</u>	<p><u>Any subdivision that does not comply with the Three Parks Structure Plan located in Section 27.13.9</u></p> <p><u>For the purposes of this rule:</u></p> <ul style="list-style-type: none"> a. <u>any fixed connections (road intersections) shown on the Structure Plan may be moved no more than 20 metres;</u> b. <u>any fixed roads shown on the Structure Plan may be moved no more than 50 metres in any direction;</u> c. <u>the boundaries of any fixed open spaces shown on the Structure Plan may be moved up to 5 metres.</u> 	<u>NC</u>
<u>27.7.17.4</u>	<u>At Three Parks Wānaka no more than 10% of sites created shall be rear sites; except that; in the Medium Density Residential Zone at Three Parks Wānaka no rear sites shall be created.</u>	<u>NC</u>

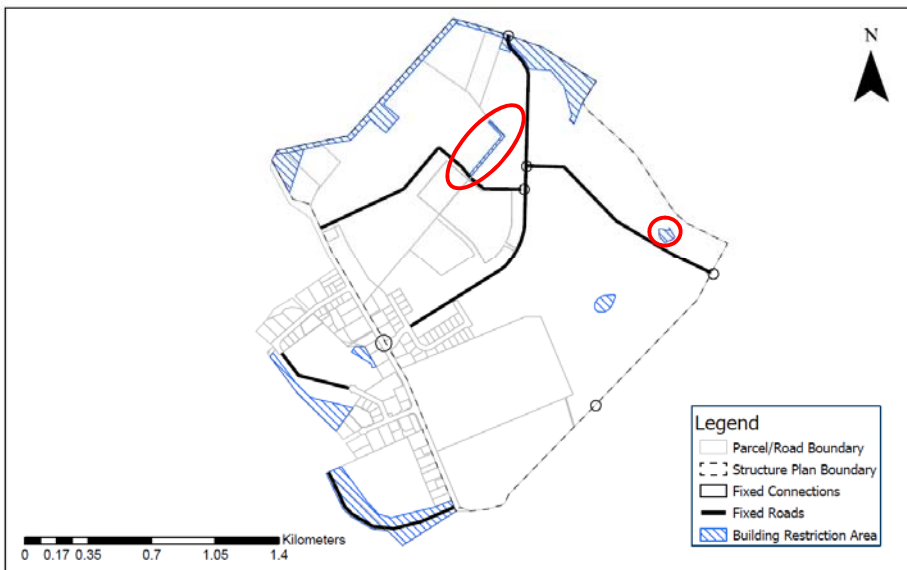
Commented [B&A20]: 3186.3 Queenstown Lakes Community Housing Trust

27.13 Structure Plans

[Add the following Structure Plan]

27.13.9 Three Parks Structure Plan

Three Parks Structure Plan
Layout of Roads, Connections and Building Restriction Areas



Commented [B&A21]: Delete two Building Restriction Areas circled in red.
3220.7 Willowridge Developments Limited

Variation to Chapter 31 - Signs

Table 31.6 – Activity Status of Signs in Commercial Areas

[Add to end column] - Business Mixed Use Zone, ~~and~~ Three Parks Commercial Zone and Three Parks Business Zone

Chapter 30 – Energy and Utilities

30.5 Utility Rules

30.5.6	Telecommunications, radio communication, navigation or meteorological communication activities	Activity Status
30.5.6.6	<p>Poles</p> <p>With a maximum height greater than:</p> <ol style="list-style-type: none"> 18m in the High Density Residential (Queenstown – Flat Sites), Queenstown Town Centre, Wanaka Town Centre (Wanaka Height Precinct) or Airport Zones; 25m in the Rural Zone; 15m in the Business Mixed Use Zone (Queenstown); 13m in the Local Shopping Centre, Business Mixed Use (Wanaka and Three Parks) or Jacks Point zones; 16m in the Three Parks Commercial Zone; 11m in any other zone; and 8m in any identified Outstanding Natural Landscape. <p>Where located in the Rural Zone within the Outstanding Natural Landscape or Rural Character Landscape, poles must be finished in colours with a light reflectance value of less than 16%.</p>	P

Commented [B&A22]: Cl 16(2) non-substantive amendment for clarity

Commented [B&A23]: 3032.2 Chorus New Zealand Limited, Spark New Zealand Trading Limited, Vodafone New Zealand Limited

Appendix B

Recommended Draft Three Parks Business Zone – Chapter 19B.

Key:

Rebuttal evidence 12/06/20: new chapter, DRAFT. While rezoning recommended to be accepted, further work on Chapter 19B provisions are needed.

19B Three Parks Business

19A.1 Purpose

The primary purpose of the Three Parks Business Zone is to provide for a range of industrial, service and trade related activities. The zone provides for a range of activities not necessarily suited to either the Three Parks Commercial or General Industrial zones.

Objective - A a high quality, functional business area which provides for a wide range of light industrial, service and trade related activities, limited retail and office activities, and restricts the establishment of residential and other non-compatible activities.

Policies

1. Provide a variety of activities while managing the adverse effects that may occur and potential reverse sensitivity.
2. Avoid residential and other non-compatible activities that may result in reverse sensitivity and future incompatibility issues between residential and business uses.
3. Avoid office and retail activities unless small scale and ancillary to the principal use of the site.
4. Ensure that the design of buildings and associated development is of a high quality.
5. Ensure that outdoor storage areas are appropriately located and screened to limit any adverse visual effects on public places and adjoining residential zones.
6. Encourage design treatments to the form, colour or texture of buildings to add variety, moderate their scale and provide visual interest from a range of distances.
7. Consider the operational and functional requirements of non- residential activities as part of achieving high quality building and urban design outcomes.

19.B.3 Other Provisions and Rules

District Wide

Attention is drawn to the following District Wide chapters.

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
25 Earthworks	26 Historic Heritage	27 Subdivision and Development
28 Natural Hazards	29 Transport	30 Energy and Utilities

31 Signs	32 Protected Trees	33 Indigenous Vegetation and Biodiversity
34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings	36 Noise
37 Designations	38 Open Space and Recreation Zones	39 Wāhi Tūpuna
Planning Maps		

19B Interpreting and Applying the Rules

- 19B.1.1.1 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.
- 19B.1.1.2 Where an activity does not comply with a Standard listed in the Standards table, the activity status identified by the 'Non-Compliance Status' column shall apply.
- 19B.1.1.3 Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.
- 19B.1.1.4 For controlled and restricted discretionary activities, the Council shall restrict the exercise of its control or discretion to the matters listed in the rule.
- 19B.1.1.5 The following abbreviations are used within this Chapter.

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

- 19B.1.1.6 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 30.3.2c has additional information in relation to activities and obligations under NZECP34:2201.

19B.4 Rules – Activities

	Table 19B.4 – Activities located in the Three Parks Business Zone	Activity Status
19B.4.1	Industrial activities and service activities	P
19B.4.2	Trade suppliers	P
19B.4.3	Showrooms	P
19B.4.4	Office and retail activity ancillary to the principal use of the site and not greater than 100m ² GFA.	P
19B.4.5	Service Stations	P
19B.4.6	<p>Buildings Discretion is restricted to:</p> <ul style="list-style-type: none"> a. external appearance, including colours and materials; b. glazing treatment; c. design treatment; d. signage platforms; 	RD

	<ul style="list-style-type: none"> e. lighting; f. the ability to service the building(s), in terms of roading, water supply, stormwater and wastewater; g. location and screening of storage; h. provision for and screening of waste and recycling space; i. landscaping; and j. access, maneuvering, loading and car parking; k. natural hazards; l. where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the Plan maps is located within the adjacent road any adverse effects on that infrastructure. 	
19B.4.7	Commercial sale of food and beverages including restaurants, take away food bars and Licensed Premises.	NC
19B.4.8	Large Format Retail	NC
19B.4.9	Commercial activities not otherwise provided for in this Table	NC
19B.4.10	Office and retail activities, except where ancillary to the principal use of the site and not greater than 100m ² GFA.	NC
19B.4.11	Residential activities	NC
19B.4.12	Visitor accommodation	NC
19B.4.13	Any activity requiring an Offensive Trade Licence under the Health Act 1956.	NC
19B.4.14	Activities which are not listed within this table	NC
19B.4.15	Mining	PR
19B.4.16	Cemeteries and crematoria	PR

19B.5 Rules - Standards

	Table 19A.5 – Standards for activities located in the ThreeParks Business Zone	Non-compliance status
19B.5.1	<p>Setbacks and sunlight access</p> <p>19B.5.1.1 Where a site adjoins a different zone, except roads, all buildings for industrial and service activities shall be set back not less than 7m.</p> <p>19B.5.1.2 Where a site adjoins a road, all buildings for industrial and service activities shall be set back not less than 3m.</p> <p>19B.5.1.3 No minimum internal setbacks are required where a site adjoins other sites within the Three Parks Business Zone.</p> <p>19B.5.1.4 Buildings for activities that are not industrial or service activities shall not project beyond a recession line constructed at an angle of 34° inclined towards the site from points 3m above any Residential Zone boundary.</p> <p>19B.5.1.5 Where a site adjoins a different zone or public place, except roads, all buildings (other than those for industrial and service activities for which standard 19B.5.1.1 applies) shall be set back not less than 4.5m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. 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;</p> <p>b. the nature of the activity, including any noise, vibration, odour, dust, glare, traffic or any other nuisance effects;</p> <p>c. landscaping and screening; and</p> <p>d. compatibility with the appearance, layout and scale of surrounding sites.</p>

19B.5.2	<p>Storage</p> <p>Outdoor storage and storage of waste and recycling shall be screened from public areas and adjoining zones by a 2m high solid fence. .</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the effects on visual amenity; b. the location relative to the public realm and adjoining zones; c. consistency with the character of the locality; and whether pedestrian and vehicle access is compromised
19B.5.3	<p>Glare</p> <p>19B.5.3.1 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 amenity of adjoining sites, the safety of the transportation network, and on the night sky.</p> <p>19B.5.3.2 No activity shall result in a greater than 10 lux spill (horizontal or vertical) of light onto any adjoining property within the Zone, measured at any point inside the boundary of any adjoining property.</p> <p>19A.5.3.3 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>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. effects of lighting and glare on the amenity values of adjoining sites, the safety of the transportation network and the night sky.

	Table 19A.5 – Standards for activities located in the ThreeParks Business Zone	Non-compliance status
19B.5.4	<p>Fencing</p> <p>a. Any site adjoining a residential zone shall establish a solid fence at least 2m in height, or dense planting that shall achieve the same height, along the site boundary;</p> <p>b. No razor wire or barbed wire shall be used on any fencing.</p>	DA
19B.5.5	<p>Building coverage</p> <p>The maximum building coverage for all activities within any site shall be 75%.</p>	DA
19B.5.6	<p>Maximum building height</p> <p>19B.5.4.1 Maximum building height of 10m; and no greater than 3 storeys.</p>	NC

19B.6 Non-Notification of Applications

19B.6.1 The following Restricted Discretionary activities shall not require the written approval of other persons and shall not be notified or limited notified:

Rule 19B.4.6 Buildings.

19B.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:

Rule 19B5.1 Setbacks and sunlight access.

19A.6.3 In relation to the electricity distribution network and where Rule 19B.4.4.(l) is relevant, Council will give specific consideration to Aurora Energy Limited as an affected person for the purposes of section 95E of the Act.

Appendix C

Annotated zone map excerpt showing zoning changes recommended in rebuttal

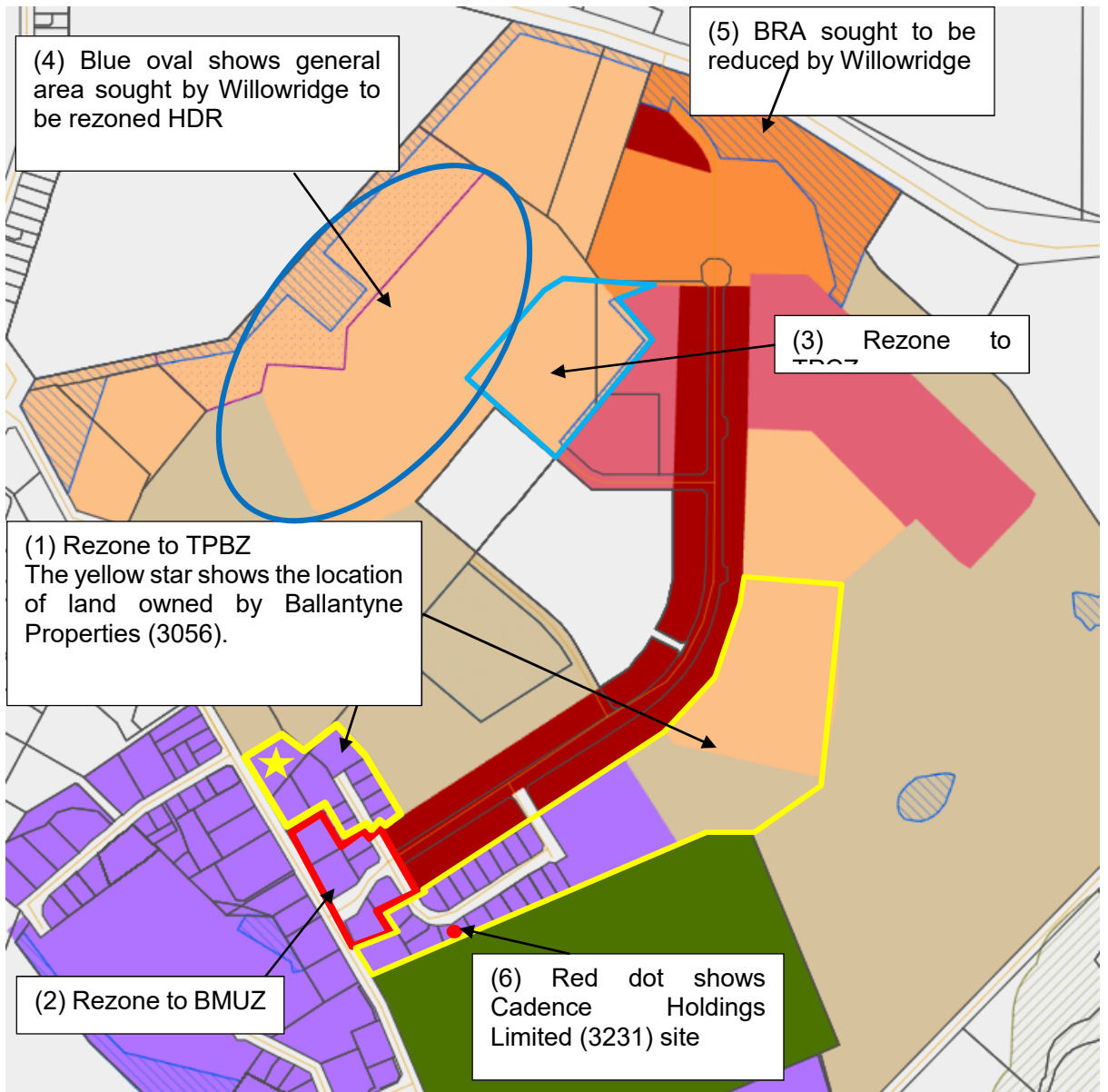


Figure 1: Additional rezonings recommended in this rebuttal (areas 1-3), plus other areas referred to in the rebuttal.