

"C"

## 7.7 Resource Consents - Assessment Matters Residential Zones

### 7.7.1 General

- (i) The following Assessment Matters are methods included in the District Plan, in order to enable the Council to implement the Plan's policies and fulfil its functions and duties under the Act.
- (ii) In considering resource consents for land use activities, in addition to the applicable provisions of the Act, the Council shall apply the relevant *Assessment Matters* set out in Clause 7.7.2 below.
- (iii) In the case of *Controlled and Discretionary Activities*, where the exercise of the Council's discretion is restricted to the matter(s) specified in a particular standard(s) only, the assessment matters taken into account shall only be those relevant to that/these standard(s).
- (iv) In the case of *Controlled Activities*, the assessment matters shall only apply in respect to conditions that may be imposed on a consent.
- (v) Where an activity is a *Discretionary Activity* because it does not comply with one or more relevant Site Standards, but is also specified as a *Controlled Activity* in respect of other matter(s), the Council shall also apply the relevant assessment matters for the Controlled Activity when considering the imposition of conditions on any consent to the discretionary activity.
- (vi) When considering a development as it relates to amenity values and urban design, reference may be made to the Urban Design Bibliography, which consists of:
  - (a) North Shore City: Good Solutions Guide for Intensive Residential Developments; August 2001.

- (b) City of Auckland: The Residential Design Guide for developments in Residential Zones in Strategic Growth Management Areas; September 2001.  
"Design Elements", Part 3, pp 25-76 with particular reference to "Good Design Suggestions" on pp 29,35-36, 42-43, 55, 59, 70, and 76.
- (c) City of Auckland: Appendix 10 - The Residential Design Guide for Developments in Residential Zones in Specified Growth Areas; August 2004.
- (d) Wellington District Plan: Multi Unit Developments Design Guide; 25 June 2004  
"Design Elements", Chapter 3, pp 4-19
- (e) Ministry for the Environment: Urban Design Case Studies; March 2005.
- (f) Ministry for the Environment: NZ Urban Design Protocol; March 2005.  
"Key Urban Design Qualities", Chapter 3, pp 18-24
- (g) Ministry for the Environment: People, Places and Spaces: A Design Guide for Urban New Zealand; March 2002.

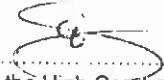
### 7.7.2 Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- i **Controlled Activity - Garages within road setback provisions**  
 Conditions may be imposed to ensure that:
  - (a) The garage is sited and designed to mitigate against any adverse effects on the visual values of the streetscape and views.
  - (b) The location and design of vehicle access is such to protect the safe and efficient movement of vehicles.
- ii **Controlled Activity - Visitor Accommodation**  
 Conditions may be imposed to ensure that:

This is the exhibit marked with the letter " C " referred to in the Affidavit of  
**SCOTT FIGENSHOW**

AFFIRMED at Queenstown this 19<sup>th</sup> day of  
January 2011 before



**K. A. Fitzgerald**  
Deputy Registrar  
Queenstown District Court

.....  
A Solicitor of the High Court of New Zealand

- (a) Compatibility with amenity values of the surrounding environment considering the visual amenity of the street, neighbouring properties or views of the lake; and
  - (i) The character, scale and intensity of the proposed use and its compatibility in relation to surrounding and/or adjoining residential neighbourhoods
  - (ii) The nature of the development in the context of the permitted future uses on nearby sites
  - (iii) Loss of privacy
  - (iv) The proximity of outdoor facilities to residential neighbours
  - (v) Hours of operation
  - (vi) The ability to landscape/plant to mitigate visual effects
  - (vii) Whether the external appearance of the buildings complements the surrounding landscape and urban character, including when viewed from the lake.
- (b) Any adverse effects from the activity are avoided, remedied or mitigated in terms of:
  - (i) The adequacy and location of car parking for the site
  - (ii) Noise, vibration and lighting from vehicles entering and leaving the site
  - (iii) Pedestrian safety within the vicinity of the activity
  - (iv) Provision for coaches to be parked off-site
- (c) Mitigation of noise emissions beyond the property boundary considering:

- (i) The adequacy of mitigation measures, including the layout of outdoor activities (for example barbecues, spa pools), and the ability to screen those activities by vegetation, fencing or building.
- (ii) Measures that can be incorporated into the premises to provide for acoustic insulation and /or attenuation of noise emissions.

**iii Controlled Activity - Buildings for Non-Residential Activities**

Conditions may be imposed in respect of:

- (a) The location, height, external appearance and methods of construction to avoid or mitigate adverse effects on:
  - (I) the street scene;
  - (ii) adjoining or surrounding buildings;
  - (iii) public open space, amenity linkages and view corridors;
  - (iv) the visual amenity of open spaces, streets and the surrounding landscape.
- (b) The relationship of the building to its neighbours in terms of its built form, and to other built elements in the Zone, including public open spaces.
- (c) The relationship of parking, access and manoeuvring areas in respect of access point options for joint use of car parking and the safety of pedestrians.
- (d) The extent and quality of any landscaping proposed and the effectiveness of proposed planting in enhancing the general character of the area, screening car parking areas, and the impact on residential uses.

**iv Multi-Unit Developments – Restricted Discretionary Activity**

When considering applications to exceed the number of units specified for multi-unit developments Council shall have regard to the following:

1. When considering the location, external appearance and design of the building(s) the following matters shall be taken into account:

- (a) The standard of architectural qualities of the development;
- (b) The development contains an integrated design theme and seeks to create visual character and variety through articulation, materials and colour;
- (c) Creative use of design is used to create a building(s) so that the perceived bulk of the building(s) is not increased in the sense that space and openness as viewed from public and private places is not diminished;
- (d) Views to and from public spaces and from neighbouring sites are preserved;
- (e) The development does not dominate surrounding sites through excessive bulk or result in more than minor shading of neighbouring private and public properties;
- (f) Repetitive and continuous building forms and large, flat or blank walls are avoided;
- (g) Roof lines and pitches are varied but harmonious throughout the development;
- (h) The development and building design mitigates reverse sensitivity effects from existing activities in the vicinity; and
- (j) Crime prevention measures, such as lighting, are an integral part of the development.

2. When considering the location of the development the following matters shall be taken into account:

- (i) The location of existing or proposed shopping areas;
- (j) The location of existing or proposed public transport links;
- (k) The location of existing or proposed reserves and parks;
- (l) The provision and availability of essential public services;
- (m) Increased traffic flows of nearby roads;
- (n) The size of the site is such that it is able to enable the development to relate to nearby properties and enable units to relate well to public streets
- (o) The proximity to nearby community facilities; and

(p) The proximity to nearby road frontage or areas of sufficient size to allow parking for visitors.

3. When considering the location, nature and scale of landscaping on site the following matters shall be taken into account:

- (a) Existing vegetation on the site is retained, and existing trees and native vegetation are incorporated into the site and landscape design;
- (b) Additional landscaping is integrated and complementary to existing vegetation;
- (c) On site landscaping enhances the appearance of the building and the streetscape;
- (d) Trees and other plantings are in proportion to the size of the building;
- (e) The incorporation of areas of native bush and any natural water courses into the development;
- (f) Landscaping mitigates effects of car parking and manoeuvring areas and assists with stormwater management;

4. When considering parking and site access the following matters shall be taken into account:

- (e) Traffic, parking, manoeuvring areas and access to the site are effectively catered for;
- (f) Separation of pedestrian and vehicular manoeuvring areas;
- (g) The layout of the development facilitates the safe movement of pedestrians and vehicles onto and off the road network; and
- (h) Access to the site is situated so that it minimises impacts of noise and other effects of neighbouring sites;

5. When considering the relationship of the building to the street, other public areas and the neighbourhood the following matters shall be taken into account:

- (a) The development draws on the surrounding built form and natural environment in its design and appearance;
- (b) The development is sensitive to the residential character and amenity of the locality;

- (c) The development integrates well with the immediate locality and contributes positively to the wider street scene;
- (d) Building elevations are broken up by the use of articulation, the use of landscaping and the use of architectural features;
- (e) Continuous building forms, including flat facades are avoided;
- (f) Units are orientated so that they relate to the street; and
- (g) Car parking and manoeuvring areas does not dominate the appearance of the development as viewed from neighbouring sites and public areas.

**v Building Size – Restricted Discretionary Activity**

When considering applications to exceed the Building Size maximums Council shall have regard to the following:

2. When considering the location, external appearance and design of the building the following matters shall be taken into account:
  - (a) The standard of architectural qualities of the development;
  - (b) The building seeks to create visual character and variety through articulation, materials and colour and avoids repetitive building forms;
  - (c) Design is used to create a building so that the perceived bulk of the building is not increased in the sense that space and openness as viewed from public and private places is not diminished;
  - (d) Views to and from public spaces and from neighbouring sites are preserved;
  - (e) The building does not dominate surrounding sites through excessive bulk or result in more than minor shading of neighbouring private and public properties; and
  - (f) Large, flat and blank walls are avoided.
  - (g) The avoidance of the appearance of building bulk through the efficient use of the site, e.g. underground car parking and basements.

2. When considering the location, nature and scale of landscaping on site the following matters shall be taken into account:

- (a) The retention of existing vegetation on the site, and the incorporation of existing trees and native vegetation into the site and landscape design;
- (b) Additional landscaping is integrated and complementary to existing vegetation;
- (c) On site landscaping enhances the appearance of the building and the streetscape; and
- (d) Trees and other plantings are in proportion to the size of the building;

3. When considering the relationship of the building to the street, other public areas and the neighbourhood the following matters shall be taken into account:

- (a) The building draws on the surrounding built form and natural environment in its design and appearance;
- (b) The building is sensitive to the residential character and amenity of the locality;
- (c) The building integrates well with the immediate locality and contributes positively to the wider street scene;
- (d) Building elevations should be broken up by the use of articulation, the use of landscaping and the use of architectural features; and
- (e) The avoidance of continuous building forms, including flat facades.

**ivj Discretionary Activity - Comprehensive Residential Development**

(a) Any adverse effects of the activity in terms of:

- (i) Noise, vibration and lighting from vehicles entering and leaving the site or adjoining road, which is incompatible with the levels acceptable in a low-density residential environment.
- (ii) Loss of privacy
- (iii) Level of traffic congestion or reduction in levels of traffic safety which are inconsistent with the classification of the adjoining road.

- (iv) Pedestrian safety in the vicinity of the activity.
- (v) Any cumulative effect of traffic generation from the activity in conjunction with traffic generation from other activities in the vicinity.
- (b) The ability to mitigate any adverse effects of the additional traffic generation such as through the location and design of vehicle crossings, parking and loading areas or through the provision of screening and other factors which may reduce the effect of the additional traffic generation, such as infrequency of the activity, or limited total time over which the traffic movements occur.
- (c) Any adverse effects of the proximity or bulk of the buildings, in terms of visual dominance by buildings of the outlook from adjoining sites and buildings, which is out of character with the local environment.
- (d) Any adverse effects of the proximity or bulk of the buildings, in terms of loss of access to daylight on adjoining sites.
- (e) The ability to provide adequate opportunities for garden and tree plantings around buildings.
- (f) The extent to which any proposed buildings will be compatible with the scale of other buildings in the surrounding area and will not result in visual domination as a result of building coverage which is out of character with the local environment.
- (g) The ability to provide adequate vehicle parking and manoeuvring space on site.
- (h) The extent to which the increased building coverage would have any adverse effects on adjoining properties in terms of dominance by buildings, loss of privacy, access to sunlight and daylight and loss of opportunities for views.

- (i) The ability to provide adequate outdoor space on the site for all outdoor activities associated with residential and other activities permitted on the site.
- (j) The ability to mitigate any adverse effects of increased coverage

#### **vii Discretionary Activity - Visitor Accommodation**

- (a) Compatibility with amenity values of the surrounding environment considering the visual amenity of the street, neighbouring properties or views of the lake; and
  - (i) The character, scale and intensity of the proposed use and its compatibility in relation to surrounding and/or adjoining residential neighbourhoods
  - (ii) The nature of the development in the context of the permitted future uses on nearby sites
  - (iii) Loss of privacy
  - (iv) The proximity of outdoor facilities to residential neighbours
  - (v) Hours of operation
  - (vi) The ability to landscape/plant to mitigate visual effects
  - (vii) Whether the external appearance of the buildings complements the surrounding landscape and urban character, including when viewed from the lake.
- (b) Any adverse effects in terms of:
  - (i) The adequacy and location of car parking for the site
  - (ii) Noise, vibration and lighting from vehicles entering and leaving the site or adjoining road, which is incompatible with the levels acceptable in a low-density residential environment.

- (iii) Loss of privacy.
  - (iv) Levels of traffic congestion or reduction in levels of traffic safety which are inconsistent with the classification of the adjoining road.
  - (v) Pedestrian safety in the vicinity of the activity.
  - (vi) Any cumulative effect of traffic generation from the activity in conjunction with traffic generation from other activities in the vicinity.
  - (vii) Provision for coaches to be parked off-site
  - (viii) The ability to mitigate any adverse effects of the additional traffic generation such as through the location and design of vehicle crossings, parking and loading areas or through the provision of screening and other factors which may reduce the effect of the additional traffic generation, such as infrequency of the activity, or limited total time over which the traffic movements occur.
- (c) Mitigation of noise emissions beyond the property boundary considering:
- (i) The adequacy of mitigation measures, including the layout of outdoor activities (for example barbecues, spa pools), and the ability to screen those activities by vegetation, fencing or building.
  - (ii) Measures that can be incorporated into the premises to provide for acoustic insulation and /or attenuation of noise emissions.
- (d) The ability to supply water, and dispose of sewage, stormwater and other wastes consistent with Regional Council requirements.

- (e) The ability to provide adequate, potable water supply, adequate firefighting provisions, and to dispose of sewage, stormwater and other wastes so as to avoid potential adverse effects.

**viii Discretionary activity- Sale of liquor from visitor accommodation activities**

- (a) Compatibility with amenity values of the surrounding environment considering:
- (i) The character, scale and intensity of the proposed use and its compatibility in relation to surrounding and/or adjoining residential neighbourhoods
  - (ii) The nature of the development in the context of the permitted future uses on nearby sites
  - (iii) The relative impact of adverse effects caused by activities associated with the sale of liquor, including its availability to persons other than those residing on the premises and the maximum number of persons that may be present in any licensed area
  - (iv) Loss of privacy
  - (v) The proximity of outdoor facilities to residential neighbours
  - (vi) Hours of operation
- (b) Avoidance of noise emissions beyond the property boundary considering:
- (i) The adequacy of mitigation measures, including the layout of outdoor activities (for example barbecues, spa pools), and the ability to screen those activities by vegetation, fencing or building.
  - (ii) Measures that can be incorporated into the premises to provide for acoustic insulation and /or attenuation of noise emissions.

**vix Building Height - Lift Towers - Site Standard**

- (a) The extent to which protrusion through the height plane is necessary to enable more efficient and/or appropriate use of the site within the height plane.
- (b) Whether alternative lift technology is available and/or appropriate which would enable efficient use of the site.
- (c) Any adverse effects of the height, bulk or location of the lift tower in terms of visual dominance of the outlook from adjoining or nearby sites and buildings.
- (d) Any adverse effects of the height, bulk or location of the lift tower in terms of loss of access to daylight on adjoining sites.
- (e) Any adverse effects of the location of the lift tower in terms of noise on adjoining sites.
- (f) Any increased adverse effects of the visitor accommodation development on the residential character of the neighbourhood due to the height, bulk or location of the lift tower.
- (g) Whether any earthworks have been carried out on the site prior to the date of notification (10 October 1995) that have lowered the level of the site.
- (h) Whether there are rules requiring the site to be built up.

**xviii Building Height - Site Standard (Lot 141 Block XX Shotover Survey District).**

- (a) Whether the architectural style is sympathetic to the mountain setting and local context.
- (b) Whether the height of the building is appropriate to the scale of the natural landforms and vegetation of the area.
- (c) Whether the building is likely to create adverse effects of shading on Fernhill Road and neighbouring properties.

**ixi Discretionary Activity and Zone Standard - Retail Sales**

- (a) The extent to which the activity will result in levels of traffic generation or pedestrian activity which are incompatible with the character of the surrounding residential area.
- (b) Any adverse effect of the likely traffic generation from the proposed activity in terms of:
  - (i) Noise and vibration from vehicles entering and leaving the site or adjoining road, which is incompatible with the noise levels acceptable in a low-density residential environment.
  - (ii) Glare from headlights of vehicles entering and leaving the site or adjoining road which is intrusive for residents or occupants of adjoining residential sites.
  - (iii) Levels of traffic congestion or reduction in levels of traffic safety which are inconsistent with the classification of the adjoining road.
  - (iv) Reduction in the availability of on-street parking which is such as to cause a nuisance for residents, occupants or visitors to adjoining residential sites.
  - (v) Fumes from vehicles entering or leaving the site, which are objectionable to residents or occupiers of adjoining residential sites.
  - (vi) Any cumulative effect of traffic generation from the activity in conjunction with traffic generation from other activities in the vicinity.
- (c) The extent to which the proposed traffic generation will be compatible with or not result in adverse effects upon activities in the surrounding neighbourhood.
- (d) The ability to mitigate any adverse effects of the additional traffic generation such as through the location and design of vehicle crossings, parking and loading areas or through the provision of screening and other factors which may reduce the effect of the additional traffic generation, such as infrequency of the activity, or limited total time over which the traffic movements occur.



- (e) Any adverse effects of increased levels of pedestrian activity as a result of the retail sales in terms of noise, disturbance and loss of privacy which is inconsistent with the low-density suburban living environment.
- (f) The extent to which retail sales from the site are an integral and necessary part of other activities being undertaken on the site and assist in providing alternative home-based employment and income-generating opportunities for residents or occupiers of the site.
- (g) The proximity of the site of the retail sales to the sites of scheduled commercial or community activities, or to arterial roads.

**xii Building Height - Zone Standard**

- (a) Whether any earthworks have been carried out on the site prior to the date of notification (10 October 1995) that have lowered the level of the site.
- b) Whether there are rules requiring the site to be built up.

**xiii Coverage**

- (a) The extent to which there will remain on the site opportunities for landscaping in addition to buildings.
- (b) The ability to provide adequate opportunity for landscaping around buildings.
- (c) The extent to which there is a need for increased building coverage in order to undertake the proposed activities on site.
- (d) The extent to which any proposed buildings will be compatible with the scale of other buildings in the surrounding area and will not result in visual domination as a result of building coverage which is out of character with the local environment.

- (e) The ability to provide adequate on-site vehicle parking and manoeuvring space.
- (f) The extent to which increased building coverage would have any adverse effects on adjoining properties in terms of dominance by buildings, loss of privacy, sunlight and day light and loss of opportunities for views.
- (g) The ability to provide adequate outdoor space on the site for all outdoor activities associated with residential and other activities permitted on the site.
- (h) The ability to mitigate any adverse effects of increased coverage.
- (i) The extent to which increased building coverage or hardsurface coverage would have any adverse effects on the historic character of Arrowtown.

**xiv Building Coverage in the High Density Residential Zone**

- (a) The provision of adequate space for landscaping in addition to the buildings, and the preservation of existing vegetation on the site;
- (b) The compatibility of the proposed buildings with the scale of other buildings in the surrounding area;
- (c) The avoidance of visual domination as a result of building coverage which is out of character with the local environment;
- (d) The provision of adequate on-site vehicle parking and manoeuvring space;
- (e) The maintenance of privacy, sunlight and day light on adjoining properties;
- (f) The provision of adequate outdoor space on the site for all outdoor activities associated with residential and other activities permitted on the site;
- (g) The avoidance of any adverse effects of the increased coverage;
- (h) The preservation of views to and from public spaces and from neighbouring private spaces;

- ~~(l) The use of design to create a building so that the perceived bulk of the building is not increased in the sense that space and openness as viewed from public and private places is not diminished;~~
- ~~(i) Any significant (more than minor) public amenity values in terms of overall building appearance and function resulting from the increased building coverage;~~
- ~~(k) The increased building coverage is offset by a significant (more than minor) pedestrian amenity;~~
- ~~(l) The avoidance of shadowing on any adjacent property or public road; and~~
- ~~(m) The avoidance of the use of unsightly repetitious elements.~~

**xyii Setback from Roads**

- ~~(a) The extent to which the intrusion into the street scene is necessary in order to allow more efficient, practical use of the remainder of the site.~~
- ~~(b) The extent to which the proposed building will detract from the coherence, openness and attractiveness of the site as viewed from the street and adjoining sites.~~
- ~~(c) The ability to provide adequate opportunity for landscaping in the vicinity of road boundaries, which will mitigate the effects of the building intrusion into the street scene.~~
- ~~(d) The ability to provide adequate on-site parking and manoeuvring for vehicles.~~
- ~~(e) The extent to which the proposed building will be compatible with the appearance, layout and scale of other buildings and sites in the surrounding area, including the setback of existing buildings in the vicinity from road boundaries.~~

- ~~(f) The extent to which the proposed building will have size, form, proportions, roof line, style, external appearance which are similar to or in keeping with those of existing buildings on the site.~~
- ~~(g) The extent to which the location of the proposed building would adversely affect the historic character of Arrowtown.~~
- ~~(a) The provision of adequate space for landscaping in the vicinity of road boundaries, which will mitigate the effects of the building intrusion into the street scene;~~
- ~~(b) The ability to provide adequate on-site parking and manoeuvring for vehicles;~~
- ~~(c) The compatibility the proposed building has with the appearance, layout and scale of other buildings and sites in the surrounding area, including the setback of existing buildings in the vicinity from road boundaries;~~
- ~~(d) The proposed building size, form, proportions, roof line, style and external appearance that is similar to or in keeping with those of existing buildings on the site;~~
- ~~(e) The adverse effect the building will have on the historic character of Arrowtown;~~
- ~~(f) The preservation of views to and from public spaces;~~
- ~~(g) The provision of an equal or greater amount of open space on the site that contributes to the sense of space and openness as viewed from public places;~~
- ~~(h) Significant (more than minor) public and pedestrian amenity values in terms of building appearance and function resulting from the setback infringement;~~
- ~~(i) Shadowing on any adjacent property or public road is avoided; and~~
- ~~(j) Any likely future increases in the usage of the road.~~

### **xyiii Setback from Neighbours**

- ~~(a) The extent to which intrusion towards the internal boundary is necessary to enable more efficient, practical use of the remainder of the site.~~
- ~~(b) Any adverse effects of the proximity or bulk of the building, in terms of visual dominance by buildings of the outlook from adjoining sites and buildings, which is out of character with the local environment.~~
- ~~(c) Any adverse effects on adjoining sites of the proximity of the building, in terms of reduced privacy through being overlooked from or being in close proximity to neighbouring buildings, to an extent which is inconsistent with the suburban living environment.~~
- ~~(d) Any adverse effects of the proximity or bulk of the building in terms of loss of access to daylight on adjoining sites.~~
- ~~(e) The ability to provide adequate opportunities for landscaping around buildings.~~
- ~~(f) Any adverse effects of the proximity of the building in terms of difficulty of access to the building or to adjoining rear sites.~~
- ~~(g) Any adverse effects of the proximity of buildings housing animals in terms of noise, smell, or vermin on adjoining sites.~~
- ~~(h) Any adverse effects on adjoining sites of the proximity of buildings housing scheduled community or private recreation facilities in terms of noise, glare or vibration which is inconsistent with the suburban living environment.~~
- ~~(i) The ability to mitigate any adverse effects of the proposal on adjoining sites.~~
- ~~(j) Any adverse effects of the proximity or bulk of the building, in terms of the loss of the historic character of Arrowtown.~~

(a) Whether due to the proximity of the intruding building:

- (i) The loss of access to daylight on adjoining sites;
- (ii) The loss of privacy on adjoining sites;
- (iii) There is any visual dominance on the outlook from adjoining sites and buildings.

(b) The provision of adequate space for landscaping around buildings;

(c) Any difficulty of access to the building or to adjoining rear sites due to the proximity or location of the building;

(d) The adverse effects of the proximity of buildings housing animals in terms of noise, smell, or vermin on adjoining sites.

(e) Any adverse effects on adjoining sites of the proximity of buildings housing scheduled community or private recreation facilities in terms of noise, glare or vibration which is inconsistent with the suburban living environment.

(f) The ability to mitigate any adverse effects of the proposal on adjoining sites.

(g) Any adverse effects of the proximity or bulk of the building, in terms of the loss of the historic character of Arrowtown.

(h) Views to and from public spaces are preserved;

(i) The provision of an equal or greater amount of open space on the site that contributes to the sense of space and openness as viewed from public places;

(j) Any significant (more than minor) public and pedestrian amenity values in terms of building appearance and function resulting from the setback infringement;

(k) Shadowing on any adjacent property is avoided.

### **xivij Access**

- (a) The extent to which alternative formed access can be assured to the activity in the long-term.
- (b) The extent to which the level and nature of the use will make it unlikely that access by way of a formed road will ever be necessary.
- (c) The level of financial contribution required to be made to the Council towards the formation of the road to a standard suitable for access, taking into account the levels of traffic likely to be generated by the use of the residential unit in relation to the existing use of the road, as referred to in Rule 15.2.5.
- (d) The extent to which access to any State Highway will adversely affect the safe and efficient movement of vehicles.

#### **xviii Continuous Building Length**

- ~~(a) Any adverse effects of the continuous building length in terms of visual dominance by building(s) of the outlook from the street and adjoining sites, which is out of character with the local area.~~
- ~~(b) The extent to which the continuous building length detracts from the pleasantness and openness of the site, as viewed from the street and adjoining site.~~
  - ~~(i) The ability to mitigate any adverse effects of continuous building length through increased separation distances, screening or use of other materials.~~
- (a) The visual dominance caused by the building(s) length detracting from the outlook from the street and adjoining sites, which is out of character with the local area;
- (b) The continuous building length detracting from the pleasantness and openness of the site, as viewed from the street and adjoining site;
- (c) The mitigation of adverse effects of continuous building length through increased separation distances, screening or use of other materials;

- (d) The preservation of views to and from public spaces and from neighbouring sites;
- (e) The use of design to create a building so that the perceived bulk of the building is not increased in the sense that space and openness as viewed from public and private places is not diminished;
- (f) The avoidance of shadowing on adjacent properties and public roads;
- (g) The avoidance of the use of unsightly repetitious elements; and
- (h) The avoidance of facades with a large flat appearance.

#### **xixvi Landscaping**

- (a) The extent to which landscaping should be undertaken to protect and enhance a desirable level of residential amenity, including the need to provide open space, mature trees, and the screening of parking and outdoor storage associated with visitor accommodation activities from adjoining sites.
- (b) The landscaping of the remaining open space on the site in such a manner as to add a significant (more than minor) amenity to the public;
- (c) The resultant landscaping creates a significant pedestrian amenity; and
- (d) The contribution of the land not landscaped has to the amenity of the site and neighbourhood;

#### **xxvii Outdoor Living Space**

- (a) The extent to which the reduction in outdoor living space and/or its location will adversely affect the ability of the site to provide for the outdoor living needs of likely future residents of the site.
- (b) Any alternative provision on, or in close proximity to, the site for outdoor living space to meet the needs of likely future residents.

- (c) The extent to which the reduction in outdoor living space or the lack of access to sunlight is compensated for by alternative space within buildings with access to ample sunlight and fresh air.
- (d) Whether the residential units are to be used for elderly persons housing and the extent to which a reduced area of outdoor living space will adequately provide for the outdoor living needs of the likely residents of the site.

**xxviii Landscaping – Low density residential zone Frankton Corner/  
Hansen Road**

- (a) With respect to landscaping (removal of existing trees as well as new planting) adjacent to the historic stone wall on the boundary of the Frankton Cemetery, whether:
  - (i) removal of existing trees will damage the stone wall;
  - (ii) new landscaping will maintain the integrity and enhance the views of the historic stone wall;
  - (iii) consultation with local community groups and historical society has been undertaken.
- (b) With respect to landscaping within the building line restriction area adjoining State Highway 6, whether:
  - (i) the landscaping will enhance the entrance to Queenstown
  - (ii) the landscaping design will complement and harmonise with other landscaping adjacent to State Highway 6 on the Frankton Flats;
  - (iii) the landscaping will mitigate the visual effects of development;
  - (iv) the design incorporates alternatives such as mounding to compensate for reduction in tree planting.

- (v) how the issue of ongoing maintenance has been addressed.

**xixiii Nature and Scale of Non-Residential Activities**

- (a) The extent to which the scale of the activity and the proposed use of the buildings will be compatible with the scale of other buildings and activities in the surrounding area and will not result in visual dominance as a result of the area of buildings used, which is out of character with the low density suburban environment.
- (b) The extent to which the character of the site will remain dominated by landscaping rather than by buildings and areas of hard surfacing.
- (c) The extent to which the activity will result in the loss of residential activity on the site.
- (d) The extent to which the activities on the site remain dominated by residential activity, rather than by activities which are not associated with or incidental to residential activity on the site.
- (e) Any adverse effects of the activity in terms of noise, vibration, glare, loss of privacy, traffic and/or parking congestion.
- (f) The extent to which the activity provides a local function by meeting the needs of residents principally within the surrounding residential environment.
- (g) The ability to mitigate any adverse effects of the increased scale of activity.
- (h) The extent to which the activity will detract from the coherence and attractiveness of the site as viewed from adjoining roads and sites.
- (i) Any adverse effects of the activity on the outlook of people on adjoining sites, including the loss of residential character.
- (j) The extent to which the activity will be compatible with the appearance, layout and functioning of other sites in the adjoining area.

- (k) The ability to mitigate any adverse effects of the activity on adjoining roads and sites.
- (l) The extent to which additional employment will result in levels of traffic generation or pedestrian activity which are incompatible with the character of the surrounding residential area.
- (m) The extent to which additional employment is an integral and necessary part of other activities being undertaken on the site and assists in providing alternative home-based employment and income generating opportunities for residents or occupiers of the site.

**xxiv Fence Heights**

- (a) The creation of a significant (more than minor) pedestrian amenity; and
- (b) The necessity of the increased fence in terms of private and public safety.

**xxv Frankton Road and Track**

1. When considering applications to exceed the permitted height of structures along Frankton Road in the High Density Residential Zone Council shall have regard to, but not be limited to, the following:
  - (d) The effect on views from any vehicle travelling along Frankton Road to the lake and mountains;
  - (e) The addition to public and pedestrian amenity from the increased height;
  - (f) Shadowing onto the Frankton Track.
2. When considering applications to seek relief from the floor plane elevation limit of structures along the Frankton Track in the High Density Residential Zone Council shall have regard to, but not be limited by, the following:

- (a) The adverse effects has on the amenity of pedestrians along the Track;
- (b) The avoidance of landscaping as a mitigation method of views into private spaces;
- (c) The addition to public and pedestrian amenity from the lowered floor plane;
- (d) The intrusion the resultant development has on the privacy and isolation one experiences in using the Track.

**xxvi Trees**

- (a) The extent to which pruning, trimming or topping of a tree is necessary due to the health of the tree or any potential hazard that exists.
- (b) The effect of any trimming or changes on the root system of the tree or on the trees appearance or health.
- (c) Whether the tree or trees are currently causing, or likely to cause, significant damage to buildings, services or property, whether public or privately owned.
- (d) Whether the tree or trees seriously restrict any development.
- (e) Any substitute or compensating tree planting or landscaping proposed.
- (f) The effect of pruning, trimming or topping of the tree on the amenity and historic character of the Residential Arrowtown Historic Management Zone.

**xxvii Arrowtown Scenic Protection Area**

- (a) The extent to which any departure from the standards will detract from the views of Arrowtown.
- (b) The extent to which any departure would impinge on the visual outlook and open space provisions of the surrounding rural areas.

- (c) The extent to which any mitigation measures are available to maintain and enhance the purpose of the Arrowtown Scenic Protection Area.

#### **xxviii Additional Matters – Arrowtown**

The extent to which any building blends harmoniously with and contributes to the historic character of the residential area. In this regard the following matters are important:

(a) **Building Form**

The extent to which the building forms generally match the common building forms of the old town area.

The primary building form should be a gabled rectangular planned structure with a maximum street frontage of 12 m and with a maximum height to the eaves of 3.0 m. The maximum building height generally should be 4.0 m to the ridge.

A larger building can be constructed by combining additional primary building forms in parallel or at right angles. Other elements which can be added are verandahs and lean-tos.

(b) **Roofs**

The extent to which any roofs proposed reflects the following:

Main roofs should be gabled only, with pitches varying between 25 and 35 degrees. The main roof may comprise a salt-box roof pitch where the street elevation roof pitch is higher than the rear roof pitch. Lean-to and veranda roof pitches should generally be less than the main roof pitch. Subsequent lean-to's should generally be a lesser pitch again. Veranda roofs may be hipped. Dormer windows are not appropriate, but glazed skylights in the plane of the roof which project no more than 100mm are acceptable.

(c) **Location**

The extent to which the location of buildings reflects the following:

Houses should be located centrally between the side boundaries with the long wall of the main rectangular form parallel with the street. Subsequent building forms should generally be, no closer to the street boundary than the principal form and can be at right angles or parallel to the principal building form.

(d) **Exterior Materials and Finishes**

The extent to which the exterior materials and finishes reflects the following:

Building materials and their finishes generally shall be:

- schist with lime mortar with or without a low percentage of cement for walls and chimneys, with a natural finish or finished with a lime, sand plaster and/or a natural limewash;
- painted timber rusticated or shiplap weatherboards for walls;
- painted corrugated steel or uncoated timber shingles for roofs;
- painted timber for roof and wall coverboards, baseboards, and cornerboards;
- painted timber windows, glazing bars, sills, and frames;
- painted timber door panels, stiles, mullions, rails, glazing bars, sills, and frames;
- natural or limewashed bricks for chimneys;
- painted timber architraves to doors and windows for timber clad houses;
- lime-sand rendered architraves may be applied to schist buildings;
- painted corrugated steel for walls;
- painted timber framing to verandahs.

(e) **Details**

Gables and eaves shall generally not overhang walls by more than 300mm.

Verandahs can have broken-back roofs or roofs springing from immediately under the gutterboard of the main roof. Veranda roofs can be hipped or half gables. Veranda posts should have a positive base detail which does not decrease in dimension from the main support post.

Decoration if applied, should be simple and be limited to bargeboards and the veranda frieze or fringe. Reproduction of details shall be avoided and the use of new ornamentation designs, where used, is encouraged.

In simple rectangular house forms, chimneys shall generally be located at either end of the house, either expressed on the exterior or within the interior of the house. In 'T' plan house forms a chimney may be located at the junction of the two rectangular forms. Chimneys on the ridge shall project a minimum of 300mm above the ridge line. Chimneys can also be located at the rear of the house.

**(f) Proportions**

The range of facade should be between 1: 2.5 and 1: 4.4. Window proportions, should be approximately 1: 2.5 without a toplight and 1: 3.2 with a toplight.

The general proportion of opening to solid wall should not be more than 3: 1.

**(g) Colour**

Colours should be similar to the original colour schemes.

**h) Ancillary Buildings**

(i) Garages should be to the rear of the building and follow the general design principles as for the main building.

(ii) Fences shall generally match the design and heights of original fences.

**xxix ~~xxiii~~ Additional Matters – Community Facilities**

**(a) Screening**

(i) The type of goods or vehicles to be stored on site, their visual appearance and the extent to which the site is visible from adjoining sites, particularly from residential areas and

the effect this will have on the amenities and character of the area.

(ii) The location of the storage area in relation to buildings and options for the alternative layout of activities on site.

**(b) Landscaping**

(i) The extent of the visual impact of buildings, outdoor parking and outdoor storage areas where a reduced area of landscaping is proposed having regard to its visibility from adjoining sites, public places or the road and in particular, from sites of residential activity.

(ii) The extent to which other factors may compensate for a reduced landscape area such as:

- a higher quality of planting over a smaller area.
- a higher standard of architectural design which is not visually obtrusive.
- The type of building materials used.
- The location of different activities on site and their relationship to the boundaries of the site and their visibility from the general area.

(iii) The importance of improving the standard of landscape having regard to the visual appearance of the site, the length of boundary open to public view and the impact of buildings and activities within the site on the character and amenity of the area, particularly where a low standard of landscaping currently exists.

**~~xxxiv~~ Earthworks**

**1. Environmental Protection Measures**

(a) Whether and to what extent proposed sediment/erosion control techniques are adequate to ensure that sediment remains on-site.

(b) Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.



- (c) Whether earthworks will be completed within a short period, reducing the duration of any adverse effects.
- (d) Where earthworks are proposed on a site with a gradient >18.5 degrees (1 in 3), whether a geotechnical report has been supplied to assess the stability of the earthworks.
- (e) Whether appropriate measures to control dust emissions are proposed.
- (f) Whether any groundwater is likely to be affected, and any mitigation measures are proposed to deal with any effects. NB: Any activity affecting groundwater may require resource consent from the Otago Regional Council.

2. **Effects on landscape and visual amenity values**

- (a) Whether the scale and location of any cut and fill will adversely affect:
  - the visual quality and amenity values of the landscape;
  - the natural landform of any ridgeline or visually prominent areas;
  - the visual amenity values of surrounding sites
- (b) Whether the earthworks will take into account the sensitivity of the landscape.
- (c) The potential for cumulative effects on the natural form of existing landscapes.
- (d) The proposed rehabilitation of the site.

3. **Effects on adjacent sites:**

- (a) Whether the earthworks will adversely affect the stability of neighbouring sites.
- (b) Whether the earthworks will change surface drainage, and whether the adjoining land will be at a higher risk of inundation, or a raised water table.
- (c) Whether cut, fill and retaining are done in accordance with engineering standards.

4. **General amenity values**

- (a) Whether the removal of soil to or from the site will affect the surrounding roads, and neighbourhood through the deposition of sediment, particularly where access to the site is gained through residential areas.
- (b) Whether the activity will generate noise, vibration and dust effects, which could detract from the amenity values of the surrounding area.
- (c) Whether natural ground levels will be altered.

5. **Impacts on sites of cultural heritage value:**

- (a) Whether the subject land contains Waahi Tapu or Waahi Taoka, or is adjacent to a Statutory Acknowledgement Area, and whether tangata whenua have been notified.
- (b) Whether the subject land contains a recorded archaeological site, and whether the NZ Historic Places Trust has been notified.