

**BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL**

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**IN THE MATTER OF** the Resource Management Act 1991

**AND**

**IN THE MATTER OF** the Queenstown Lakes Proposed  
District Plan

Chapter 3 (Strategic Direction),  
Chapter 4 (Urban Development) and  
Chapter 6 (Landscape)

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**STATEMENT OF EVIDENCE JOHN CLIFFORD KYLE**

**(29 FEBRUARY 2016)**

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## 1. INTRODUCTION

### Qualifications and Experience

- 1.1 I hold an honours degree in Regional Planning from Massey University, obtained in 1987. I am a Partner with the firm Mitchell Partnerships, which practices as a planning and environmental consultancy throughout New Zealand, with offices in Auckland, Tauranga and Dunedin.
- 1.2 I have been engaged in the field of town and country planning and resource and environmental management for 28 years. My experience includes a mix of local authority and consultancy resource management work. For the past 22 years, this experience has retained a particular emphasis on providing consultancy advice with respect to regional and district plans, designations, resource consents, environmental management and environmental effects assessment. This includes extensive experience with large-scale projects involving inputs from a multidisciplinary team.
- 1.3 An outline of the projects in which I have been called upon to provide environmental planning advice in recent times is included as **Appendix A**.
- 1.4 I am familiar with and have made numerous visits to Queenstown Airport and the areas surrounding the Airport. I have assisted the Queenstown Airport Corporation with planning matters for more than a decade. I am generally familiar with planning issues in the Queenstown Lakes District, having actively practiced there since 1994.
- 1.5 I advise that I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2014. In particular, unless I state otherwise, this evidence is within my scope of expertise and I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.
- 1.6 My firm, Mitchell Partnerships Limited (**MPL**) has been commissioned by Queenstown Airport Corporation (**QAC**) to provide resource management planning advice with respect to the Proposed Queenstown Lakes District Plan (**Proposed Plan**). My firm prepared the submissions and further submissions on behalf of QAC.

## Scope of Evidence

1.7 In this brief of evidence, I will:

- Set out the planning context for Queenstown and Wanaka Airports;
- Provide an overview of the strategic significance of Queenstown and Wanaka Airports and why they warrant recognition in the Proposed Plan;
- Provide the contextual background and genesis behind Plan Change 35 and the associated Notice of Requirement initiated by QAC in 2008;
- Set out why the provisions that were settled via the Environment Court process as part of Plan Change 35 (**PC35**) remain the most suitable means of managing the effects of aircraft noise at and around Queenstown Airport;
- Explain how the higher order objectives and policies of PC35 should be carried forward and incorporated into the Proposed Plan; and,

## 2. QUEENSTOWN AIRPORT – PLANNING CONTEXT

2.1 QAC operates the regionally and nationally significant Queenstown Airport, and the regionally significant Wanaka Airport. Mr Edghill has provided some context about QAC and the role of Queenstown and Wanaka Airports in facilitating the transportation of people and goods to the region. I do not intend to repeat that here.

2.2 Queenstown Airport is managed by QAC. QAC is a network utility operator and a requiring authority under section 166 of the Resource Management Act 1991 (the **RMA** or the **Act**).

2.3 Queenstown Airport is the subject of three designations in the operative Queenstown Lakes District Plan (**Operative Plan**), namely:

- **Designation 2 – Aerodrome Purposes:** The purpose of this designation is to protect the operational capability of the Airport, while at the same time minimising adverse environmental effects from aircraft noise on the community at least to year 2037;

- **Designation 3 – Air Noise Boundary:** This designation defines the location of the Airport’s Air Noise Boundary (**ANB**). The location of the ANB shown in the designation is outdated however, and was updated, to provide for airport operations until 2037, via noise boundaries promulgated as part of Plan Change 35; and,
- **Designation 4 – The Approach and Land Use Control (transitional slopes and surfaces):** The purpose of this designation is to provide obstacle limitation surfaces around the Airport to ensure the safe operation of aircraft approaching and departing the Airport.

2.4 Excepting Designation 3, these designations are proposed to be “rolled over” (with modifications), in the Proposed Plan. Designation 3 has been subsumed by Plan Change 35 which provides for an updated ANB to be included in the District Plan (Planning Map 31a) (refer to paragraph 5.31 of my evidence for further background). QAC has therefore given notice of its intent to withdraw Designation 3.

2.5 Maps depicting the extent of Designation 2 (Aerodrome Purposes) and two figures showing the extent of Designation 4 (Approach and Land Use Controls) are attached in **Appendix B**. The extent of QAC’s landholdings (designated and undesignated) is attached as **Appendix C**.

### 3. WANAKA AIRPORT – PLANNING CONTEXT

3.1 The Queenstown Lakes District Council (**QLDC**) is the requiring authority for Wanaka Airport, with QAC managing the operations of the Airport on QLDC’s behalf.

3.2 Wanaka Airport is designated for “Aerodrome Purposes” (Designation 64) and a designation exists for “Approach and Land Use Control” purposes (Designation 65) in the Operative Plan. The purpose of these designations is to:

- Protect the operational capability of the Airport, while at the same time minimising adverse effects from aircraft noise (Designation 64); and,
- Define essential airport protection measures, transitional slopes and surfaces, aircraft take off climb and approach slopes and airport height and obstacle clearances (Designation 65).

3.3 These designations are also proposed to be “rolled over” (with modifications), in the Proposed Plan.

3.4 A map depicting the extent of these designations is attached as **Appendix D**.

#### **4. THE NATIONAL AND REGIONAL SIGNIFICANCE OF INFRASTRUCTURE**

4.1 Queenstown and Wanaka Airports comprise significant infrastructure that plays a critical role in providing for the economic and social wellbeing of the Queenstown Lakes District.

##### **Queenstown Airport as a facilitator of economic growth and wellbeing**

4.2 Research undertaken by QLDC in 2013<sup>1</sup> estimated that more than a third of the local economy is based on tourism and around half of all employment is related to the tourism sector<sup>2</sup>.

4.3 Queenstown Airport serves an important role in facilitating the movement of people and goods, which in turn feeds the District’s tourism industry and commerce more generally. Queenstown Airport is the primary arrival and departure port for many visitors to the District.

4.4 As explained by Mr Edghill, over the previous 12 month period, Queenstown Airport accommodated in excess of 1.5 million passengers. Recent growth projections have indicated that passenger growth is set to continue, with 2.5 million passengers projected by 2025.

4.5 Based on the Ministry of Business, Innovation and Employment tourism forecasts and passenger number growth rates, total tourism spending is projected to increase by between 3.4 per cent and 3.9 per cent per annum. A 2014 economic assessment<sup>3</sup> indicated this is expected to take the total tourism spending facilitated by Queenstown Airport to between \$1.1bn and \$1.4bn by 2037. However, that amount will likely now be significantly greater, given the Airport’s most recent growth predictions.

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<sup>1</sup> Market Economics Limited “*Queenstown Airport Mixed Use Zone, Economic Assessment*” November 2014.

<sup>2</sup> Note, these figures did not the wider tourism activities inputs (supply chains).

<sup>3</sup> Market Economics Limited “*Queenstown Airport Mixed Use Zone, Economic Assessment*” November 2014.

- 4.6 Quite clearly the economic impact of the Airport both now and in the future is significant. Moreover, as indicated in the evidence of Mr Edghill, Queenstown Airport comprises an important tourist gateway into the Queenstown Lakes District. In recent times, the growth in passenger numbers has been pronounced, with greatest percentage growth occurring in international passengers. Queenstown is a nationally significant tourist destination. Tourism is a crucially important industry to the New Zealand economy as a whole. It is evident that the on-going ability of Queenstown Airport to function is essential to the tourism industry, both regionally and nationally.
- 4.7 The on-going ability of Queenstown Airport to function and grow without undue constraint is therefore of significant importance to the tourism industry, both regionally and nationally.
- 4.8 Because the tourism industry is such a significant contributor to the District's economy, the ongoing operation and development of the Airport is also of significant importance to the social and economic wellbeing of the community.

#### **QAC as a Lifeline Utility Entity**

- 4.9 Queenstown Airport is a lifeline utility under the Civil Defence Emergency Management Act 2002 (**CDEM**) in respect of its operation of Queenstown Airport. Accordingly, QAC has duties under that Act which are aimed at ensuring the wellbeing of people and the community is maintained during and after an emergency.
- 4.10 While not an identified lifeline utility under the CDEM, Wanaka Airport is likely to provide important air access to the Queenstown Lakes District in the event that road access is compromised during an emergency event<sup>4</sup>.

#### **Regional Policy Statements (RPS)**

- 4.11 The Operative and Proposed Regional Policy Statements for Otago provide specific policy recognition of infrastructure and acknowledge its importance in providing for the social, economic and cultural wellbeing of people and communities. Of note are the following provisions:

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<sup>4</sup> In the Queenstown Lakes District Council Emergency Management Plan 2013-2016.

*Operative Regional Policy Statement for Otago*

- Queenstown Airport is recognised in the explanation to issue 9.3.3<sup>5</sup> of the RPS as one of the region's major airports.
- Objective 9.4.2<sup>6</sup> seeks to promote the sustainable management of Otago's infrastructure to meet the present and reasonably foreseeable needs of Otago's communities.
- Policy 9.5.2<sup>7</sup> seeks to promote and encourage efficiency in the development and use of Otago's infrastructure through:
  - Encouraging development that maximises the use of existing infrastructure while recognising the need for more appropriate technology;
  - Promoting co-ordination amongst network utility operators in the provision and maintenance of infrastructure;
  - Encouraging a reduction in the use of non-renewable resources while promoting the use of renewable resources in the construction, development and use of infrastructure; and
  - Avoiding or mitigating the adverse effects of subdivision, use and development of land on the safety and efficiency of regional infrastructure.
- Policy 9.5.3<sup>8</sup> aims to promote and encourage the sustainable management of Otago's transport network through:
  - Promoting the use of fuel efficient modes of transport; and
  - Encouraging a reduction in the use of fuels which produce emissions harmful to the environment; and
  - Promoting a safer transport system; and
  - Promoting the protection of transport infrastructure from the adverse effects of land use activities and natural hazards.

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<sup>5</sup> Issue 9.3.3, page 123 of the Operative Regional Policy Statement for Otago 1998.

<sup>6</sup> Objective 9.4.2, page 125 of the Operative Regional Policy Statement for Otago 1998.

<sup>7</sup> Policy 9.5.2, page 126 of the Operative Regional Policy Statement for Otago 1998.

<sup>8</sup> Policy 9.5.3, page 127 of the Operative Regional Policy Statement for Otago 1998.

*Proposed Regional Policy Statement*

- Objective 3.5<sup>9</sup> aims to ensure that infrastructure of national and regional significance is managed in a sustainable way.
- Policy 3.5.1<sup>10</sup> seeks to recognise the national and regional significance of infrastructure, including airports (as noted in subparagraph (e)).
- Policy 3.5.3<sup>11</sup> seeks to protect infrastructure of national or regional significance, by:
  - Restricting the establishment of activities that may result in reverse sensitivity effects;
  - Avoiding significant adverse effects on the functional needs of infrastructure;
  - Avoiding, remedying or mitigating other adverse effects on the functional needs of the such infrastructure;
  - Assessing the significance of the adverse effects on those needs, as detailed in the “Significance threshold” schedule (Schedule 3) of the Proposed Regional Policy Statement);
  - Protecting infrastructure corridors for infrastructure needs, now and for the future.

4.12 The Proposed Plan is required to give effect to the Operative and have regard to the Proposed Regional Policy Statements.

**Summary**

4.13 It is clear from the above that Queenstown and Wanaka Airports comprise significant infrastructure that contributes to the social and economic wellbeing of the community. In my opinion, it is therefore imperative that such infrastructure is properly recognised and provided for in the Proposed Plan. Put simply, the wider benefits that accrue from the airport should attract significant weight in preparing and confirming the provisions of the Proposed Plan.

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<sup>9</sup> Objective 3.5, page 59 of the Proposed Regional Policy Statement for Otago 2015.

<sup>10</sup> Policy 3.5.1, page 59 of the Proposed Regional Policy Statement for Otago 2015.

<sup>11</sup> Policy 3.5.3, page 60 of the Proposed Regional Policy Statement for Otago 2015.



4.14 Given the role of the Strategic Directions chapter of the Proposed Plan in setting the policy framework for the management of growth, land use and development, it is important in my view that the significance of infrastructure is recognised and provided for within this chapter. It is also required in order to give effect/have regard to the Operative and Proposed Regional Policy Statements. My colleague, Ms Kirsty O'Sullivan, will provide evidence with respect to the form that such policy recognition should take. I have reviewed her evidence and endorse what she has to say in this respect.

## **5. PLAN CHANGE 35 - THE GENESIS AND BACKGROUND TO THE PLAN CHANGE**

5.1 In 2008 QAC initiated Plan Change 35 (**PC35**) and an associated Notice of Requirement (**NOR**) to alter Designation 2. The purpose of PC35 was to put in place an appropriate management regime for managing land use around Queenstown Airport while providing for the predicted ongoing growth of the aircraft operations to 2037. Accordingly, the Plan Change updated the Airport's noise boundaries<sup>12</sup> (Air Noise Boundary (**ANB**) and Outer Control Boundary (**OCB**)) to provide for predicted growth in aircraft operations to 2037, and amended various zone provisions relating to the use of land within those updated boundaries likely to be affected by increased aircraft noise.

5.2 Specifically, PC35 sought changes to the following chapters of the Operative District Plan:

Chapter 4 District Wide Issues;

Chapter 5 Rural Areas

Chapter 6 Queenstown Airport Mixed Use

Chapter 7 Residential Areas

Chapter 11 Business and Industrial Areas;

Chapter 12 Special Zones

Chapter 14 Transport

Appendix 1 Designations

Appendix 13 (relating to Sound Insulation and Ventilation Requirements);  
Definitions;

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<sup>12</sup> Prior to which the OCB being contained in the Operative District Plan and the ANB in Designation 3.

- 5.3 In conjunction with the land use management regime proposed by PC35, the associated NOR proposed to introduce obligations for QAC (via its Aerodrome Purposes Designation) to undertake and fund noise mitigation works for those existing houses within the updated noise boundaries likely to be exposed to increased levels of aircraft noise.
- 5.4 PC35 was adopted by QLDC and following the hearing of submissions, was confirmed on 1<sup>st</sup> November 2010.<sup>13</sup>
- 5.5 PC35 was the subject of a number of appeals to the Environment Court. The appeals were largely resolved by agreement in early 2012, which was jointly presented to the Court during the course of two hearings and the filing of subsequent memoranda.
- 5.6 During the course of the Court proceedings the provisions were, at the Court's direction, redrafted by the parties to correct errors, ambiguities and inconsistencies contained in QLDC's decision on the Plan Change. A final set of provisions, giving effect to the Court's directions, was filed jointly by the parties in May 2013.
- 5.7 To provide some context for the Panel, I attach as **Appendix E** of my evidence, the full suite of provisions confirmed by the Environment Court on 8<sup>th</sup> May 2013. The three interim Environment Court decisions that relate to PC35 and together confirm its provisions and those of the associated NOR are attached as **Appendix F** to my evidence. I note the Noise Management Plan included in the Appendix contains a summary of QAC's noise mitigation obligations under the Designation. This may be of some assistance to the Panel in understanding the more technical aspects of PC35.
- 5.8 I note that the Environment Court confirmed PC35 provisions affect the following chapters of the Proposed Plan:
- Chapter 3 Strategic Direction;
  - Chapter 4 Urban Development
  - Chapter 7 Low Density Residential

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<sup>13</sup> Excepting provision for a limited number of scheduled flights after 10pm, which decision was accepted by QAC (i.e. not appealed).

- Chapter 15 Local Shopping Centre
- Chapter 17 Airport Mixed Use
- Chapter 21 Rural
- Chapter 36 Noise
- Chapter 37 Designations

5.9 It is therefore appropriate in my view to provide an overview of PC35 and the associated NOR in this phase of the hearing of submissions on the Proposed Plan in order to ensure the Panel has the contextual background necessary to consider QAC's submissions on the chapters which are the subject of this hearing and on later chapters.

5.10 In order to understand why, in my opinion, the Environment Court confirmed provisions remain the most current and appropriate means of managing the effects of aircraft noise on activities sensitive to aircraft noise (ASAN), and why similar provisions should be incorporated in the Proposed Plan, I will provide some background around the promulgation of PC35, and how the provisions were developed.

**New Zealand Standard on Airport Noise Management and Land Use Planning (NZS6805:1992)**

5.11 The foundation of the approach adopted by PC35 is the New Zealand Standard for Airport Noise Management and Land Use Planning, NZS6805:1992 (the **New Zealand Standard** or the **Standard**). This Standard is recognised as the key guiding document for managing aircraft noise at New Zealand airports.

5.12 As noted, PC35 seeks to provide for growth in aircraft operations at the Airport until 2037, that being 25 years from when the Plan Change was first promulgated. The initial part of the PC35 process involved undertaking aircraft noise monitoring, and modelling how this would change over time, out to the year 2037<sup>14</sup>. The modelling determined that the noise boundaries contained in the Operative District Plan were quickly becoming out of date and that QAC needed to investigate how best to provide for its future operational requirements.

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<sup>14</sup> This work was carried out by Marshall Day Acoustics. The modelled aircraft noise predictions utilised flight growth projections which were forecast by Airbiz Limited.

5.13 In approaching the task of how best to provide appropriate aircraft noise management provisions in the District Plan, the decision was taken to respect the structure of the Operative District Plan, as far as could be achieved. Reliance on a designation approach (addressing QAC's obligations), in tandem with the imposition of new or amended objectives, policies and methods within the zones that relate to land around the Airport (addressing the community's obligations) was determined to be the best approach to managing the effects of aircraft noise at Queenstown Airport. This approach has since been endorsed by the Environment Court<sup>15</sup>.

5.14 I maintain of the view that this approach remains the most appropriate and should be carefully considered in formulating the Proposed Plan.

#### **Air Noise Boundary (ANB)**

5.15 The New Zealand Standard recommends the *implementation of practical land use planning controls and airport management techniques to promote and conserve the health of people living and working near airports, without unduly restricting the operation of airports*.<sup>16</sup>

5.16 The New Zealand Standard sets out that a balance needs to be achieved between accommodating the needs of the Airport on an on-going basis and providing for the health and the amenity values enjoyed by those occupying and using land surrounding the Airport.

5.17 One of the techniques advocated in the New Zealand Standard for achieving this outcome is the imposition of an ANB. An ANB is a "*mechanism for local authorities to establish compatible land use planning and to set limits for the management of aircraft noise at airports where noise control measures are needed to protect community health and amenity values*"<sup>17</sup>.

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<sup>15</sup> Refer to the three interim decisions attached as Appendix F of my evidence.

<sup>16</sup> New Zealand Standard 6805:1992: Airport Noise Management and Land Use Planning (NZS 6805:1992); Section 1.1.3, page 5.

<sup>17</sup> NZS 6805:1992, Section 1.1.2, page 5.

- 5.18 The ANB comprises a noise boundary inside of which noise exposure is expected to exceed 65dB L<sub>dn</sub>. The New Zealand Standard recommends that new residential activities, schools, hospitals or other noise sensitive uses should be prohibited inside the ANB<sup>18</sup>. The approach adopted within PC35 in respect of the ANB was therefore guided by the New Zealand Standard, with amendments as necessary to reflect the current nature and scale of established activities occurring around the airport.
- 5.19 The ANB at Queenstown Airport, as amended by PC35<sup>19</sup>, includes land which accommodates a number of existing residential dwellings in Frankton, particularly to the west of the main runway. Where such circumstances apply, the New Zealand Standard advocates that steps should be taken to provide existing residential dwellings with appropriate acoustic insulation to ensure a satisfactory internal noise environment. QAC therefore offered, as part of PC35 and the associated NOR package, to fund mitigation measures, including acoustic insulation and mechanical ventilation for existing dwellings within the proposed ANB to the extent necessary to achieve an internal noise environment of 40dB L<sub>dn</sub>. QAC is obliged to provide this mitigation treatment through conditions of Designation 2.
- 5.20 It is important to understand that the ANB (as amended by PC35) reflects the position of the 65dB L<sub>dn</sub> boundary in the year 2037. In reality, the growth in flight numbers at Queenstown Airport, and thus the aircraft generated noise increase, will be gradual over time. QAC is therefore obligated to complete acoustic insulation mitigation of these existing residential properties within the ANB ahead of the full noise exposure limit being reached at that particular property.
- 5.21 As set out by Mr Edghill<sup>20</sup>, QAC has recently commenced with this work, offering acoustic mitigation packages to 13 houses within the 2037 ANB.
- 5.22 The New Zealand Standard recommends that no new<sup>21</sup> ASANs should be provided for in the ANB, however during the promulgation of PC35 QAC recognised that historical development and associated zoning for residential purposes has occurred in close proximity to the Airport runway. QAC therefore

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<sup>18</sup> NZS 6805: 1992, Table 1, page 15.

<sup>19</sup> And attached to the legal submission of R Wolt dated 29 February 2016.

<sup>20</sup> Paragraph 3.29 of the Evidence in Chief of Mr Mark Edghill, dated 26 February 2016.

<sup>21</sup> "New" includes alterations and additions to existing ASAN.

adopted a more moderated approach to that recommended by the Standard whereby new residential dwellings and alterations and additions to existing dwellings are able to be built inside the ANB, provided they occupy an already zoned site and where the dwelling incorporates appropriate sound insulation and mechanical ventilation measures, at the property owner's cost.

5.23 While the 2037 ANB extends over the Residential, Remarkables Park, Rural and Airport Mixed Use zones of the District Plan, existing residential dwellings are only provided for by zoning and exist within the Residential Zone.

5.24 At the time PC35 was promulgated, residential dwellings were a permitted activity in the Residential Zone<sup>22</sup>. These existing development rights were therefore "grandfathered" in the new PC35 provisions. I understand that QAC intends to support the grandfathering approach for properties in the Proposed Plan subject to retention of the Operative Plan standards regarding density and lot size. Despite being a more moderate approach than the New Zealand Standard, I agree that the continuation of this approach is appropriate.

5.25 As indicated earlier, PC35 also introduced proposed new acoustic insulation and mechanical ventilation requirements for any new or alterations or additions to existing buildings containing ASAN located within the new ANB, to be provided at the property owner's cost, at the time of development. This approach was considered appropriate because the provisions of PC35 provide a definitive flag to property owners within the ANB that their property will experience high levels of aircraft noise should they choose to construct new dwellings within this area.

#### **Outer Control Boundary**

5.26 The New Zealand Standard identifies that the Outer Control Boundary (OCB) is based on a noise contour at or beyond which aircraft noise should not exceed 55dB L<sub>dn</sub>.

5.27 The New Zealand Standard recommends that any new residential dwellings, schools, hospitals or other noise sensitive uses (ASANs) should be prohibited within the OCB, unless the District Plan permits such uses. Then they should

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<sup>22</sup> Subject to compliance with Site and Zone Standards. These include Zone Standards 7.5.5.3vi and 7.5.6.3viii require residential properties and other ASANs to meet an internal design sound level of 40dB L<sub>dn</sub>.

be subject to a requirement to incorporate appropriate acoustic insulation to ensure a satisfactory internal noise environment. The New Zealand Standard also recommends that alterations or additions to existing residences or other ASANs inside the OCB should be appropriately insulated from aircraft noise to achieve an acceptable internal design sound level.

5.28 Generally in line with the New Zealand Standard, PC35 sought to prohibit any new ASAN inside the OCB in the Rural, Industrial and Frankton Flats zones and to require mechanical ventilation for new dwellings, or for alterations or additions to existing dwellings inside the Rural, Residential, Frankton Flats and Remarkables Park zones. The cost associated with such works is met by the developer, at the time the development work is undertaken. This approach is consistent with the approach advocated within the New Zealand Standard.

5.29 In practical terms, what has been found from sound insulation studies around other New Zealand airports is that the level of mitigation required within the OCB can be readily grouped as follows:

- Modern houses located between 55.0 to 58.0dB Ldn – will generally achieve 40dB Ldn inside with windows slightly ajar.
- Modern houses located between 58.0 to 65.0dB Ldn – will generally achieve 40dB Ldn inside with windows closed and thus mechanical ventilation is required to provide an alternative form of ventilation

5.30 PC35 also promoted strong policy based dissuasion against the promulgation of further plan changes that would result in land within the OCB being rezoned for noise sensitive (ASAN) development. Whilst it is accepted that some land around the Airport has been allowed to develop in a way which incorporates ASANs or where ASANs have been previously consented<sup>23</sup>, in my view it is important to now recognise that any future opportunity to similarly develop currently undeveloped land should be dissuaded.

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<sup>23</sup> Frankton Flats Zone for example.

5.31 A good deal of land has historically been dedicated to urban development (including provision for ASANs) on land at Frankton, sometimes in very close proximity to the Airport runway. Moreover, more recent initiatives (such as PC19 for example) have reflected an on-going desire to continue to consolidate development (including ASANs) at Frankton. A cautious approach to the location of further ASANs on land around the Airport was adopted via PC35 and in my opinion, should be transferred through to the Proposed Plan. Having said that, the PC35 approach pays a good deal of respect to the pattern of urban development that already exists on land around the airport, as evidenced by the grandfathering of existing development rights (refer to paragraph 5.24).

### **Notice of Requirement**

5.32 To complement the land use management regime established under PC35, QAC gave notice of requirement to alter Designation 2 to introduce obligations on QAC for the management and mitigation of noise generating activities at the airport. In summary, this NOR:

- Obliges QAC to offer 100% funding of noise mitigation for Critical Listening Environments of buildings located within the ANB (65dB Noise Contour) that existed at the time the NOR was confirmed. This mitigation is required to achieve an indoor design sound level of 40dB Ldn or less based on the 2037 Noise Contours;
- Obliges QAC to offer to part fund retrofitting, over time, of mechanical ventilation of any Critical Listening Environment within existing buildings containing ASAN between the ANB and the 2037 60dB Noise Contour. Specifically, QAC is required to provide 75% funding;
- Sets out QAC's monitoring requirements for aircraft noise at Queenstown Airport to ensure compliance with noise limits at the defined noise boundaries;
- Requires QAC to prepare and implement a Noise Management Plan; and,
- Establishes and sets out the purpose of the Queenstown Airport Liaison Committee.



The confirmed Environment Court NOR conditions have been included in the notified Aerodrome Designation (Designation 2), and as explained by Mr Edghill, QAC has commenced giving effect to them. These matters will be addressed in detail in the relevant hearing for the Designation.

### **Zone Specific Rules**

5.33 I do not intend to address the zone specific rule structure established during PC35 in any detail today, nor how the proposed zone rules should be integrated into the relevant zone chapters, as these will be addressed at later hearings in due course. For context however, the Proposed Plan should ensure that Queenstown Airport is protected from reverse sensitivity effects arising from ASAN as follows:

- Recognise, within the higher order provisions of the Proposed Plan, the need to manage existing and limit the establishment of further noise sensitive activities in proximity to Queenstown Airport to ensure that the operational capacity and integrity of the Airport is not significantly compromised now or in the future.
- Within the Low Density Residential zone (or areas of land proposed to be rezoned from Low Density Residential zone in the Operative Plan to an alternative zoning in the Proposed Plan), require any new and alterations or additions to existing buildings containing ASAN to provide mechanical ventilation for Critical Listening Environments on sites located within the PC35 OCB, and mechanical ventilation and sound insulation for sites located within the PC35 ANB, to achieve an Indoor Sound Level of 40dB Ldn, based on 2037 Noise Contours<sup>24</sup>. Failure to achieve this standard should result in a non-complying activity status.
- Within the Rural and Industrial zone, prohibit any new ASAN within the PC35 OCB. For alterations or additions to existing buildings containing ASAN, require mechanical ventilation of Critical Listening Environments for sites located within the OCB, to achieve an Indoor Sound Level of 40dB Ldn, based on 2037 Noise Contours.
- Within the Remarkables Park zone, prohibit all residential, visitor accommodation and community activities within the 2037 60dB Noise Contour. For all new and alterations or additions to existing buildings

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<sup>24</sup> The 2037 noise contours are the predicted airport noise contours for Queenstown Airport for the year 2037 in 1dB increments from 70dB Ldn to 55dB Ldn inclusive.

containing residential, educational facilities or visitor accommodation, within the specified area shown as Figure 2 (refer to the full suite of Environment Court endorsed provisions attached as **Appendix E** for Figure 2) require Critical Listening Environments to achieve an Indoor Sound Level of 40dB Ldn, based on 2037 Noise Contours<sup>25</sup>.

- Within the Frankton Flats A Zone, specify a maximum threshold for visitor accommodation units, health care facilities and educational facilities and Critical Listening Environments these activities to achieve an Indoor Sound Level of 40dB Ldn, based on 2037 Noise Contours. All other ASAN within the zone are prohibited.
- Ensure that the number of ASAN occurring within the PC35 ANB and OCB is maintained as far as can be achieved at the levels currently anticipated by the Operative District Plan, avoiding an increase in the number of sensitive receivers being exposed to aircraft noise within the ANB and OCB.
- Ensure that appropriate noise boundaries are in place to enable operations at Queenstown Airport to continue and expand to meet foreseeable future demand until 2037.

## **6. HIGHER ORDER PC35 PROVISIONS**

6.1 PC35 introduced two new objectives into the operative District Plan. The proposed new objectives were deliberately specific to Queenstown Airport on the basis that the Airport is the pre-eminent commercial airport in the district and it has increasingly become so since the operative District Plan was first notified in 1995. The objectives were included in the District Wide Issues section of the District Plan to reflect this significance.

6.2 District Wide Objective 7 seeks to:

*Maintain and promote the efficient operation of Queenstown Airport and set appropriate noise limits in order to protect airport operations and to manage the adverse effects of aircraft noise on any Activity Sensitive to Aircraft Noise.*

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<sup>25</sup> The 2037 noise contours are the predicted airport noise contours for Queenstown Airport for the year 2037 in 1dB increments from 70dB Ldn to 55dB Ldn inclusive.

- 6.3 This objective is primarily directed at achieving the balance sought by the New Zealand Standard. It clearly acknowledges the need to set noise limits for the management of aircraft noise at the Airport. It recognises that land use planning methods can be an effective way to manage exposure to aircraft noise around airports. It is a recognised fact that despite best endeavours in adapting aircraft technology and flight management, it is not possible to avoid aircraft noise on land around airports. Whilst changes in aircraft design have progressively yielded reductions in the noise signature of most aircraft, modelling can only be based on the quietest technology currently available and not some unknown future technology.
- 6.4 Uncontrolled use of airport infrastructure can unnecessarily expose people to high levels of noise, and in turn reverse sensitivity concerns in response to this noise can constrain the operation of airports. The objective is intended to address the need to place suitable limitations on aircraft noise, consistent with the approach advocated within the New Zealand Standard.
- 6.5 As indicated earlier, Queenstown Airport is a key strategic asset to the District and it is important to plan now for its future. PC35 Objective 7 reflects this importance and should be incorporated in Chapter 4 of the Proposed Plan without further amendment.
- 6.6 District Wide Objective 8 seeks to:
- Manage urban growth issues on land in proximity to Queenstown Airport to ensure that the operational capacity and integrity of the Airport is not significantly compromised now or in the future.*
- 6.7 This objective is directed at managing urban growth on land around the Airport. It also endeavours to ensure that land use planning decisions encourage compatible uses rather than those that will conflict directly with Airport operations. In my opinion this objective is still relevant in the context of the Proposed Plan and will assist to sustain the potential of the Airport to meet the reasonably foreseeable needs of future generations, through ensuring only appropriate development takes place in the immediate vicinity of the Airport, and reducing the potential for reverse sensitivity effects that could compromise Airport operations.

- 6.8 This objective recognises that Frankton is one of the Council's preferred locations for accommodating urban growth. As expressed earlier, it is essential that this growth is managed in a way that ensures that the potential for incompatibility is mitigated as far as can be possible.
- 6.9 I consider that adequate balance has been achieved within the PC35 objectives between the interests of the Airport, and those of the surrounding community, noting again the PC35 provisions have been endorsed by the Environment Court. The existing investment in Airport infrastructure at Frankton is significant. This infrastructure is well developed and can be enhanced to accommodate projected growth in flight numbers. If the operation of the Airport is unduly curtailed and projected growth is not accommodated, then this will compromise the attractiveness of Queenstown as a destination for airlines, which could result in the curtailment of regular passenger services over time. This would likely have a significant effect on the essential underpinnings of the Queenstown economy.
- 6.10 Limiting the ability for new ASANs to establish on land not yet developed around the Airport is in my opinion appropriately precautionary, and is a method supported by the New Zealand Standard. Any relaxation of that approach has the potential to lead to reverse sensitivity effects on the Airport and poor land use planning outcomes in the future. In my opinion, any decision that brings additional people to the impact of aircraft noise would not appropriately provide for the needs of future generations.
- 6.11 I understand that the section 42A report has recommended rejecting QAC's submission with respect to carrying forward PC35 Objectives 7 and 8 and their associated policies into Chapter 4 of the Proposed Plan. Whilst the Council Officer notes that it is important to translate the substantive objectives, policies and rules from PC35 into the Proposed Plan, he considers that QAC's amendments would create a lengthy Chapter 4 with an unbalanced focus on the Airport's interests ahead of more general urban development considerations. The Council Officer considers that QAC's key objectives are provided for in lower order chapters<sup>26</sup>.

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<sup>26</sup> Paragraph 12.72, page 28 of the section 42A Hearing Report for Chapters 3 and 4 of the Proposed Plan.

- 6.12 I disagree with the recommended approach of the Council Officer, for the reasons set out above. The two objectives discussed in this section and their attendant policies have been extracted directly from the Urban Development chapter of the Operative District Plan, as amended by PC35. These policies provide the fundamental objective and policy framework that underpins the lower order chapters referred to by the Council Officer. Without them there may be insufficient foundation for the related provisions in the lower chapters. In my opinion, the approach proposed by the Council Officer is therefore not the most appropriate in terms of section 32.
- 6.13 I note that Objectives 7 and 8 and associated policies proposed by QAC have been endorsed by the Environment Court. During this process, the provisions were closely scrutinised

## **7. CONCLUSIONS**

- 7.1 All too often the experience in New Zealand (and off shore) is that insufficient foresight has been applied to the protection of significant assets such as airports, meaning unwise land use decisions are taken to allow sensitive uses to encroach on the footprint of impact created by such facilities. Already ports, airports and other industries in New Zealand have had their operations curtailed due to reverse sensitivity concerns. Whilst I accept that compromise is often necessary, early recognition that facilities such as airports inevitably grow and development is important in informing land use planning decisions. The best form of protection available to avoid reverse sensitivity concerns is to avoid development “coming to the effect” in the first place.
- 7.2 The provisions developed via PC35 enable Queenstown Airport to continue to host growth in commercial airlines and other aviation use of its facilities in line with growth projections to 2037, whilst recognising and safeguarding the Airport as an existing strategic asset, the growth enabled by PC35 will yield a substantial benefit to the regional and national economies. The provisions of PC35 therefore assist in safeguarding Queenstown Airport as an existing strategic asset.

7.3 Given this, the currency of the PC35 provisions, and the recent and extensive Court proceedings involving QAC, QLDC and other affected parties to achieve them, it is imperative in my opinion that the Proposed Plan adopts and incorporates the land use management regime established under PC35, without substantive amendment.

**John Kyle**

**29 February 2016**

# **APPENDIX A**

## Summary of Recent Experience

## SUMMARY OF RECENT EXPERIENCE

- Queenstown Lakes District Council – preparation of a Plan Change to expand Queenstown town centre, including to accommodate a convention centre.
- Environmental Protection Authority – advisor to the Minister appointed Board of Inquiry regarding a Plan Change by Tainui Group Holdings and Chedworth Properties for the Ruakura Inland Port Development, Hamilton.
- Wellington International Airport Limited – strategic and resource management advice with respect to revised Airport Master Plan and Runway Extension – Wellington City.
- Environmental Protection Authority – advisor to the Minister appointed Board of Inquiry regarding a Notice of Requirement and resource consent applications by the New Zealand Transport Agency with respect to the Expressway between Peka Peka and Otaki on the Kapiti Coast.
- Environmental Protection Authority – advisor to the Minister appointed Board of Inquiry regarding a Notice of Requirement and resource consent applications by the New Zealand Transport Agency with respect to the Expressway between MacKays Crossing and Peka Peka on the Kapiti Coast.
- Environmental Protection Authority – advisor to the Minister appointed Board of Inquiry regarding resource consent applications and designations by the New Zealand Transport Agency with respect to the proposed Transmission Gully Project – Wellington Region.
- Environmental Protection Authority – advisor to the Minister appointed Board of Inquiry regarding resource consents by the New Zealand Transport Agency and a Plan Change proposal by the New Zealand Transport Agency to change the Wellington Regional Water Plan associated with proposed Transmission Gully Road of National Significance – Wellington Region.
- Wellington International Airport Limited – Scoping of designations and resource consents for improving degree of CAA compliance – Wellington City.
- Wellington International Airport Limited – Runway Extension Project – Lyall Bay – Wellington City.
- Alliance Group – advisor regarding various regional and district plans – nationwide.
- Alliance Group Limited – Consents – Lorneville and Pukeuri Meat Processing Works - Otago and Southland Regions.
- TrustPower Limited – Proposed alteration to the Rakaia Water Conservation Order – Lake Coleridge Hydro Electric Power Scheme – Canterbury Region.



- Meridian Energy Limited – Proposed Mokihinui Hydro Electric Power Scheme, damming, water and land use related consents, Buller District and West Coast Region.
- TrustPower Limited – Wairau Hydro Electric Power Scheme, water and land use related consents, Marlborough District.
- Sanford Limited, various marine farm proposals Marlborough Sounds, Marlborough District.
- Genesis Power Limited – due diligence Slopedown Wind Farm, Southland District and Southland Region.
- Port Marlborough Limited – Plan Change proposal to alter the marina zone within the Marlborough Sounds Resource Management Plan to provide for consolidation of marina development in Waikawa Bay, Marlborough District.
- Irmo Properties Limited – Resource consent application for retail complex, Green Island – Dunedin City.
- Port Marlborough Limited – Resource consent application for occupation of coastal space – Shakespeare Bay port facilities – Marlborough District.
- Meridian Energy Limited – Proposed Wind Farm, Lammermoor Range, Central Otago District and Otago Region.
- Riverstone Holdings Limited – Proposed Monorail Link – Lake Wakatipu to Fiordland, Department of Conservation Concession Application – Southland Conservancy.
- Otago Regional Council – Consents required for controlling the Shotover River to mitigate flood risk – Queenstown Lakes District and Otago Region.
- Queenstown Airport Corporation – Runway End Safety Area, designation and construction related consents, Queenstown Lakes District and Otago Region.
- Queenstown Airport Corporation – aircraft noise controls – Plan Change and Designation, Queenstown Lakes District.
- Queenstown Airport Corporation – aircraft flight fan controls – Designation, Queenstown Lakes District.
- Queenstown Airport Corporation – Notice of Requirement for land adjacent to QAC in order provide for the future expansion of airport operations, Queenstown Lakes District.
- Ryman Healthcare Ltd – consenting of proposed retirement villages – Auckland, Waikato, Manawatu, Wellington, Canterbury and Otago.
- Infinity Investment Group – Pegasus Town, North Canterbury – Waimakariri District, Canterbury Region.
- TrustPower Limited – Proposed Kaiwera Downs Wind Farm, Gore District and Southland Region.

- Willowridge Developments – 3 Parks Plan Change to create new commercial, large format retail, service, tourist and residential land use zones, Wanaka, Queenstown Lakes District.

# **APPENDIX B**

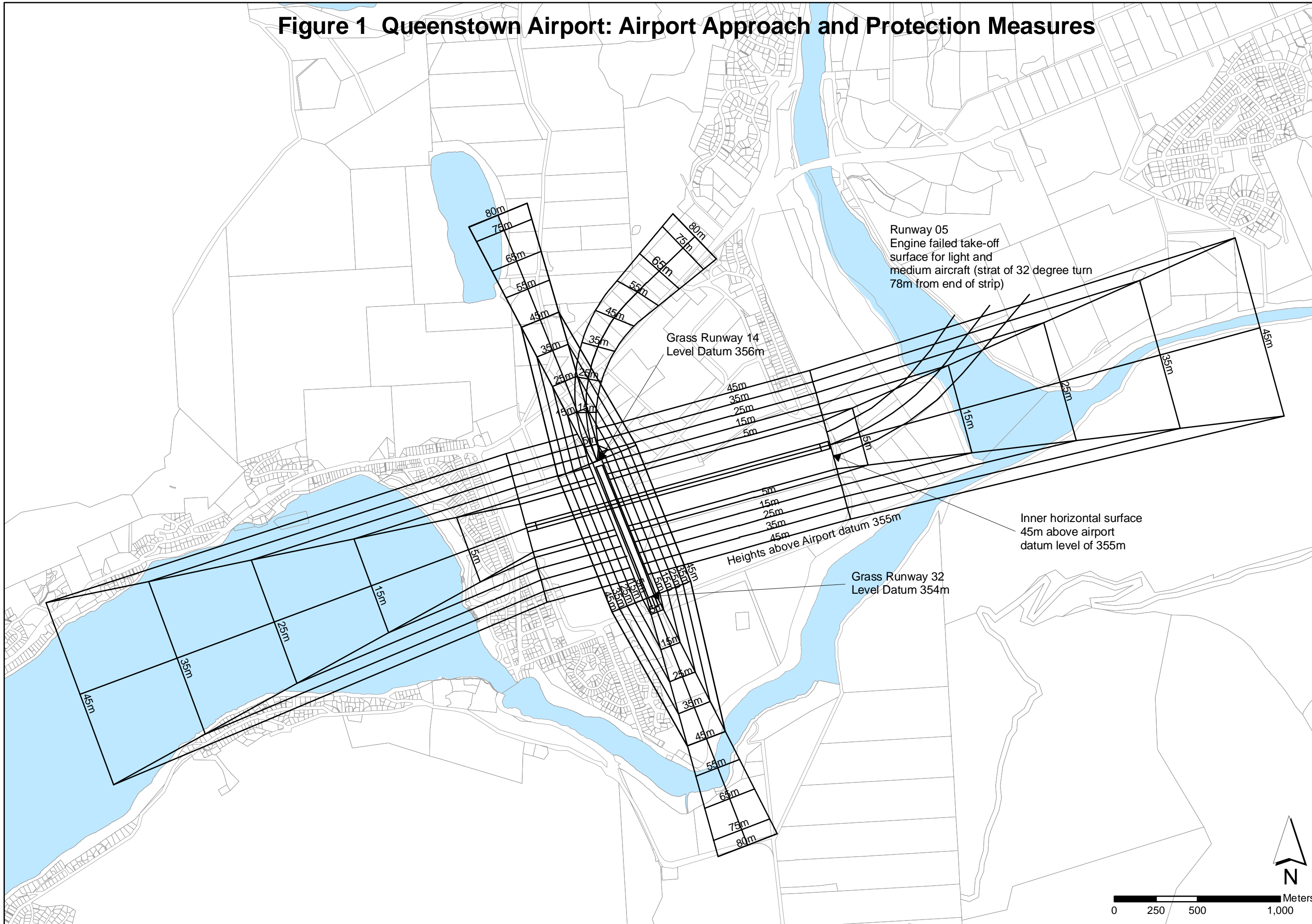
Queenstown Airport Designation Maps

# Designation 2: Aerodrome Purposes

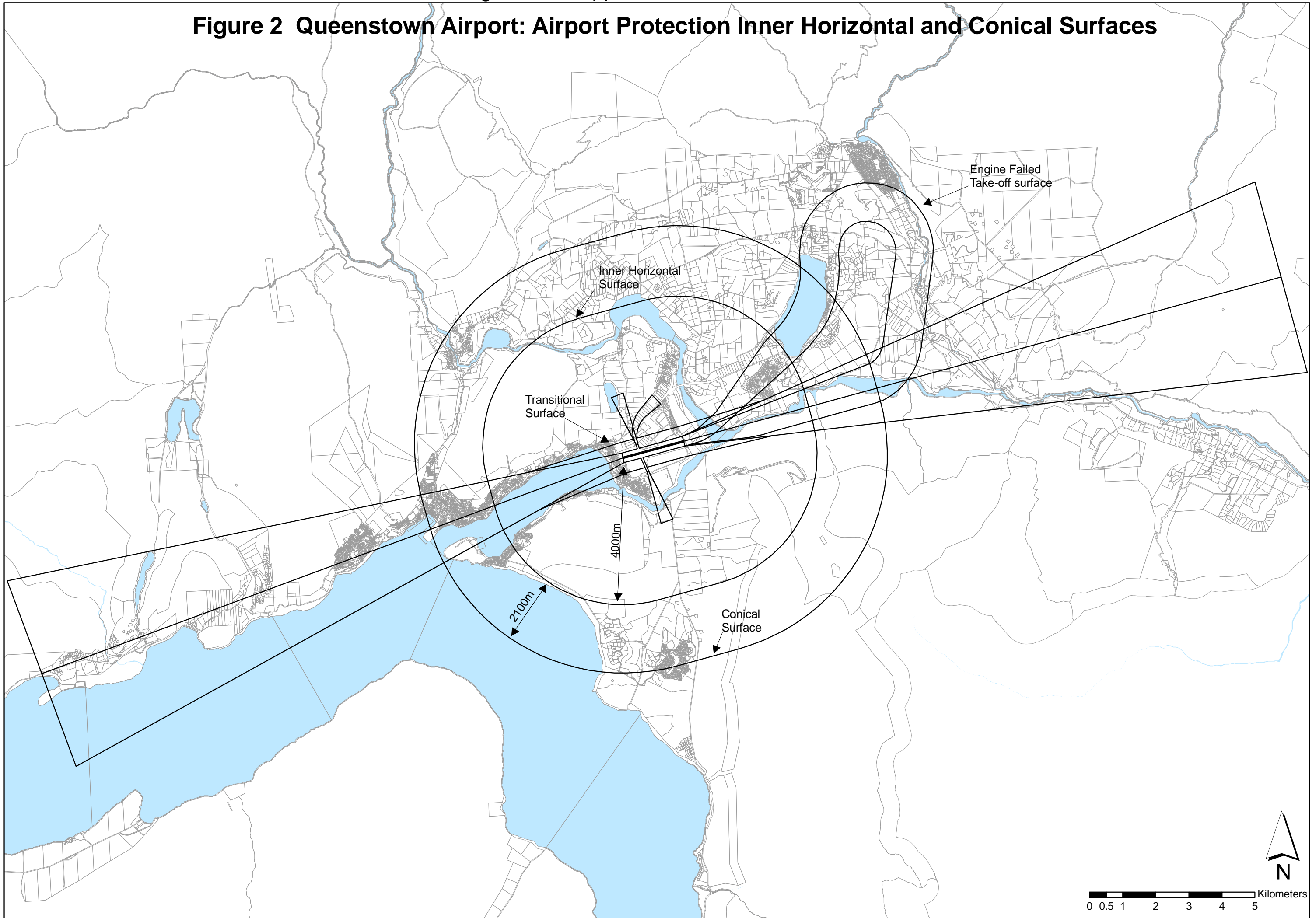


LEGEND	
Current Legal Boundaries	—
Queenstown Airport – Aerodrome Designation Boundary	Blue cross-hatch pattern
Additional land to be included within the Aerodrome Designation	Solid blue

**Figure 1 Queenstown Airport: Airport Approach and Protection Measures**



**Figure 2 Queenstown Airport: Airport Protection Inner Horizontal and Conical Surfaces**



# **APPENDIX C**

Queenstown Airport Landholdings

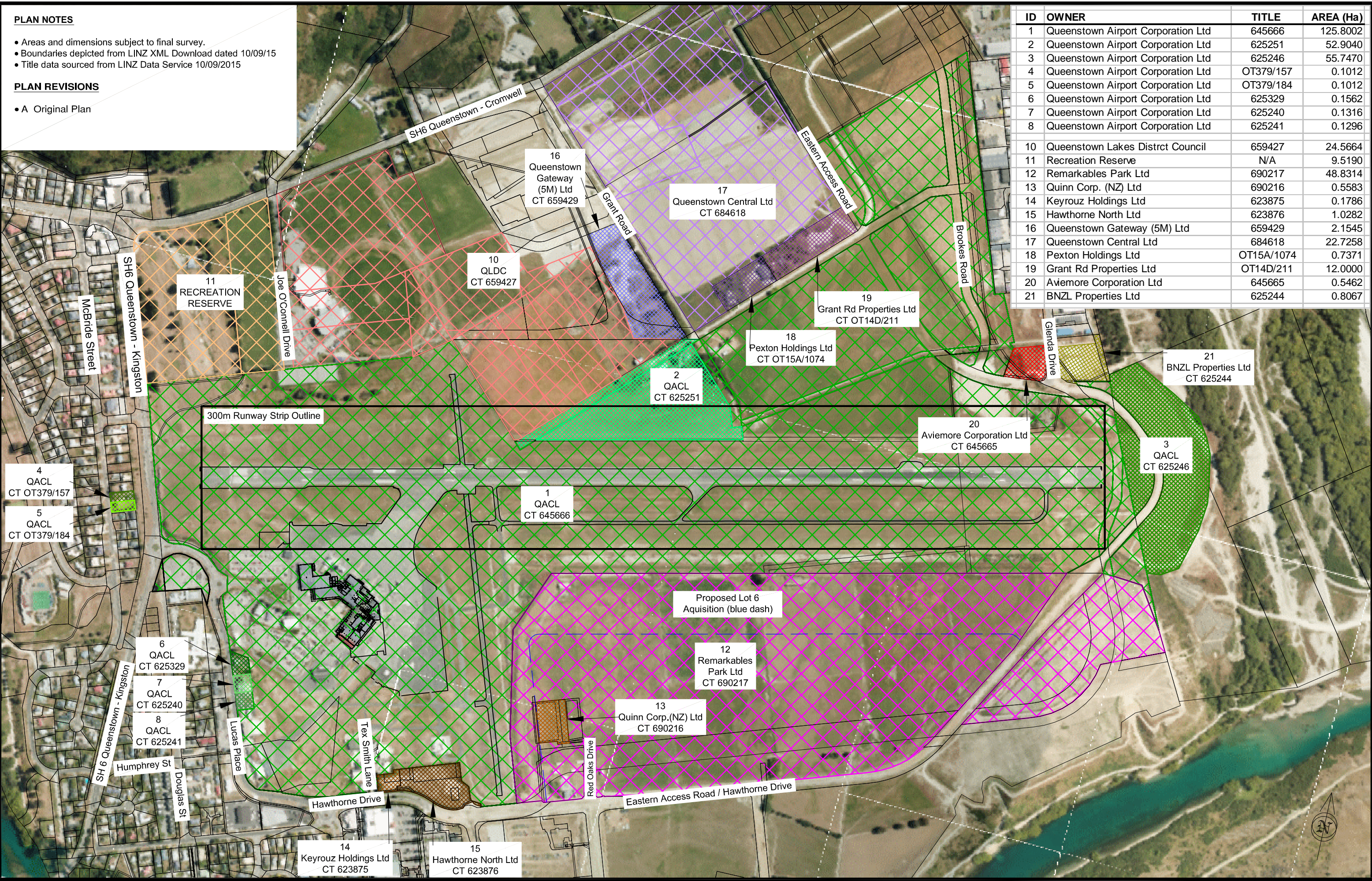
**PLAN NOTES**

- Areas and dimensions subject to final survey.
- Boundaries depicted from LINZ XML Download dated 10/09/15
- Title data sourced from LINZ Data Service 10/09/2015

**PLAN REVISIONS**

- A Original Plan

ID	OWNER	TITLE	AREA (Ha)
1	Queenstown Airport Corporation Ltd	645666	125.8002
2	Queenstown Airport Corporation Ltd	625251	52.9040
3	Queenstown Airport Corporation Ltd	625246	55.7470
4	Queenstown Airport Corporation Ltd	OT379/157	0.1012
5	Queenstown Airport Corporation Ltd	OT379/184	0.1012
6	Queenstown Airport Corporation Ltd	625329	0.1562
7	Queenstown Airport Corporation Ltd	625240	0.1316
8	Queenstown Airport Corporation Ltd	625241	0.1296
10	Queenstown Lakes District Council	659427	24.5664
11	Recreation Reserve	N/A	9.5190
12	Remarkables Park Ltd	690217	48.8314
13	Quinn Corp. (NZ) Ltd	690216	0.5583
14	Keyrouz Holdings Ltd	623875	0.1786
15	Hawthorne North Ltd	623876	1.0282
16	Queenstown Gateway (5M) Ltd	659429	2.1545
17	Queenstown Central Ltd	684618	22.7258
18	Pexton Holdings Ltd	OT15A/1074	0.7371
19	Grant Rd Properties Ltd	OT14D/211	12.0000
20	Aviemoire Corporation Ltd	645665	0.5462
21	BNZL Properties Ltd	625244	0.8067



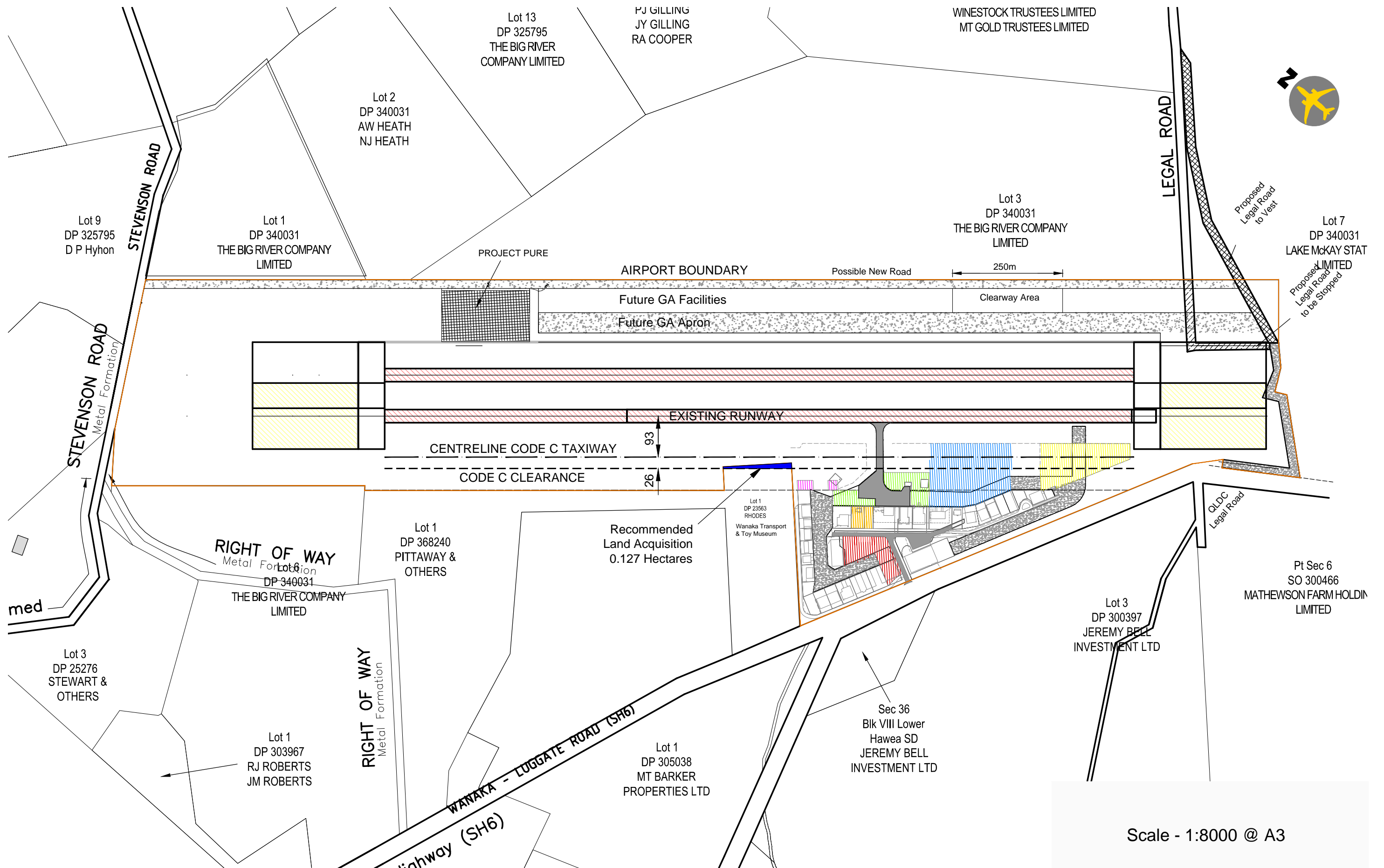
SURVEYED	G.H. LESTER	DATE: 10-Sep-15
DESIGNED	---	SCALE 1: 7000
DRAWN	G.H. LESTER	ORIGINAL PLAN A3
CHECKED	---	DRAWING & ISSUE NO.
APPROVED	---	4020.SHEET01.REV A



# **APPENDIX D**

Wanaka Airport Designation Maps

# Designation 64: Aerodrome Purposes



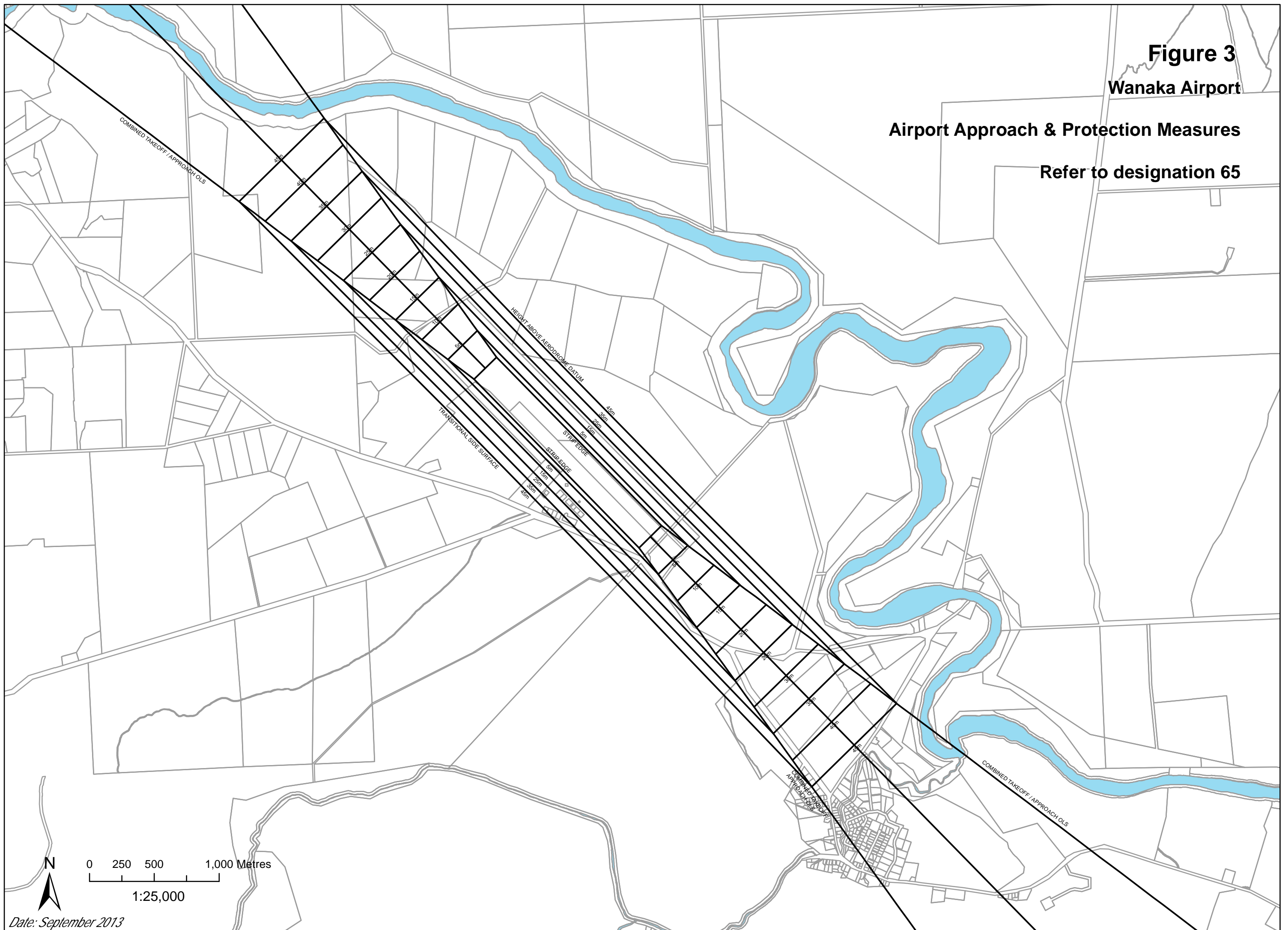
Scale - 1:8000 @ A3

# Designation 65: Approach and Land Use Control Purposes

**Figure 3**  
**Wanaka Airport**

**Airport Approach & Protection Measures**

**Refer to designation 65**



**N**  
0 250 500 1,000 Metres  
1:25,000  
Date: September 2013

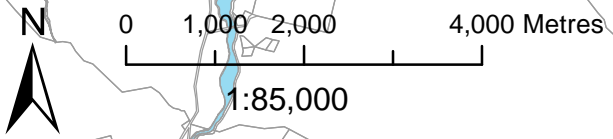
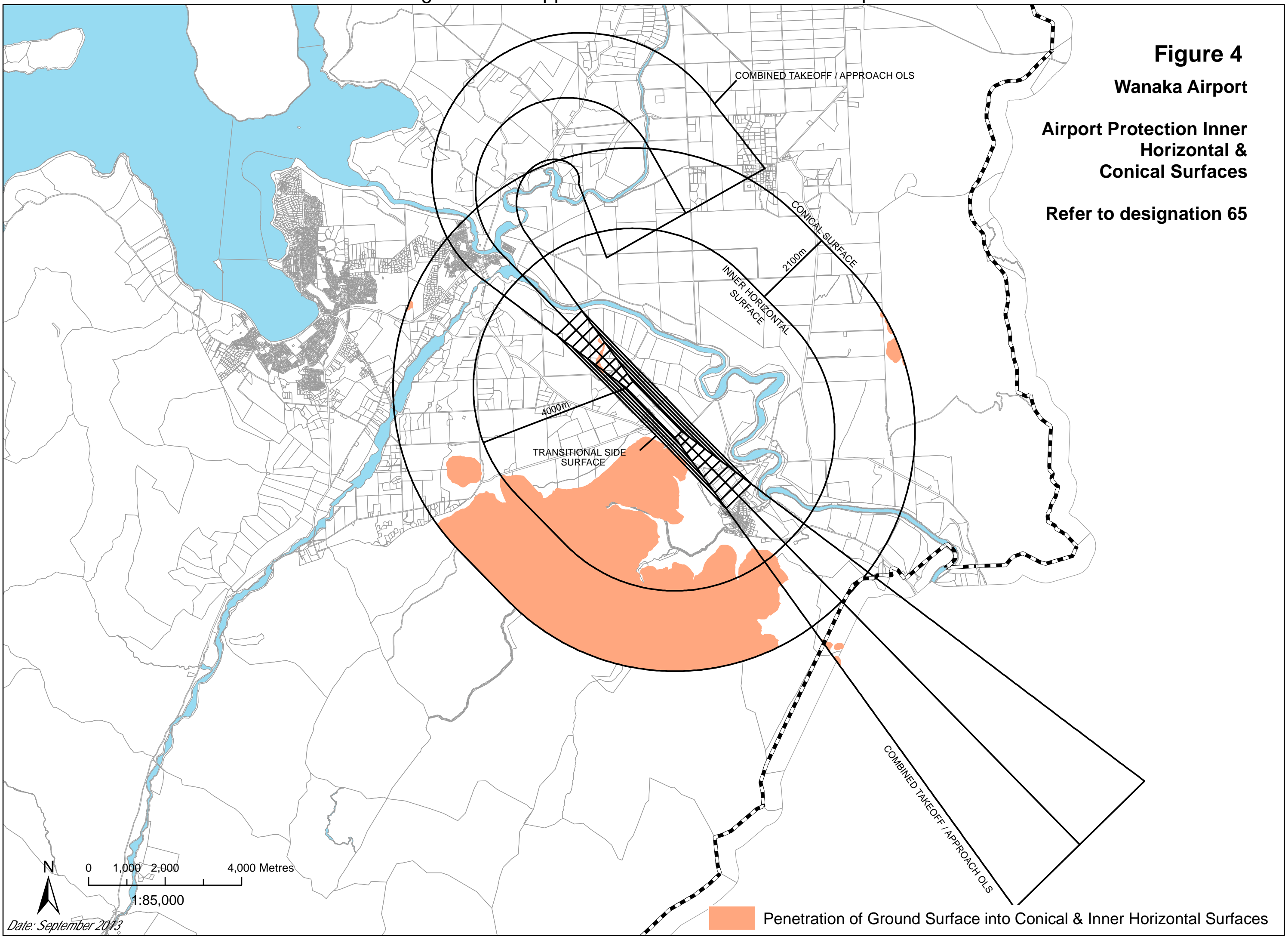
# Designation 65: Approach and Land Use Control Purposes

## Figure 4


### Wanaka Airport

**Airport Protection Inner  
Horizontal &  
Conical Surfaces**

**Refer to designation 65**



Date: September 2013

 Penetration of Ground Surface into Conical & Inner Horizontal Surfaces

# **APPENDIX E**

Environment Court Confirmed Provisions of Pc35

## 4. District Wide Issues

### 4.1 Natural Environment

#### 4.1.1 Introduction

The natural environment of the District consists of a variety of systems including rivers, lakes, downland basins, wetlands, bush remnants, uplands, mountains and shorelines. This combination plays a significant role in the quality of life in the District by providing recreation, economic, residential, conservation and servicing opportunities.

Over recent years there has been increasing recognition of the value of the natural environment with respect to its values and qualities. In particular there has been a strong recognition of the value of the District's visual resource and landscapes and indigenous character and the importance of these to the community's well being, living environments and as a foundation for the visitor industry.

Where development is undertaken regard needs to be given to the District's indigenous biodiversity, the life supporting capacity of air, water and soil and the visual resource.

#### 4.1.2 Resources, Activities and Values

The resources and values of the natural environment of the District and the activities that interact with those resources and values are described in various parts of this District Plan, namely:

- **Part 4** Section 2 **Landscape and Visual Amenity**
- **Part 4** Section 3 **Takata Whenua**
- **Part 4** Section 4 **Open Space and Recreation**
- **Part 4** Section 6 **Surface of Lakes and Rivers**
- **Part 4** Section 8 **Natural Hazards**
- **Part 4** Section 10 **Earthworks**
- **Part 5** **Rural Issues, Objectives and Policies**

#### 4.1.3 Issues

Additional relevant issues are found in the following Parts of the District Plan:

Landscape and Visual Amenity	-	<b>Part 4.2</b>
Takata Whenua	-	<b>Part 4.3</b>
Surface of Lakes and Rivers	-	<b>Part 4.6</b>
Natural Hazards	-	<b>Part 4.8</b>
Earthworks	-	<b>Part 4.10</b>
Rural Areas	-	<b>Part 5.3</b>

#### i **Nature Conservation Values**

The nature conservation values within the District, namely the indigenous flora and fauna and the natural character of the lakes and rivers and other natural features are continuing to be modified.

The District is subject to pressures from growth, development and everyday living.

The quality of life in the District cannot be sustained unless the protection of the natural resources from which that quality derives are protected.

Despite continuing modification since the arrival of humans, the District has a diverse range of habitats - forests, shrubland, alpine herbfields, tussock grasslands, lakes and rivers - supporting an array of indigenous plants and animals.

The upland areas to the west still contain many areas dominated by indigenous vegetation. Near the main divide beech forest predominates with snow tussocks on the upper slopes above the bush line, and alpine plants on the tops. Many of these upland areas to the west of the District form part of Mount Aspiring National Park. Other mountainous areas such as the lower McKerrow Range and the Dingle Burn area adjacent to Lake Hawea are also in Department of Conservation stewardship. There are no major threats to the beech forest or alpine ecosystems in these areas although adverse influences are exerted on individual species by introduced pests such as deer, possums, and rodents.

To the east, the downland lake basins have undergone more extensive modification. Maori settlement did occur around the inland lake basin areas and also during this time much of the original podocarp and beech forests in the basins were destroyed by fire. The arrival of European settlers and the introduction of sheep in the 1860's led to major burning of native vegetation and scrub to enable stock to graze. Settlers began planting a wide variety of exotic trees such as firs, larch, pines, poplar, willow, hawthorn, gorse and broom. However, there are some significant remaining pockets of indigenous vegetation, particularly dominated with Kanuka.

Generally areas above 1070m are among the least modified environments in the District. Due to thin and infertile soils and severe climatic factors, establishment and growth rates in plant life are slow, and these areas are sensitive to modification. In addition, these areas have high natural character and are frequently visually vulnerable.

The braided riverbeds of the District are important as habitat to fish, including trout and salmon, and birdlife, such as the rare banded dotterels, wrybill plover and black fronted terns. All these birds nest on the riverbeds. The National Water Conservation (Kawarau) Order (which includes Lake Wakatipu and its tributaries) recognises the outstanding ecological, scenic, and recreational characteristics of these lakes and rivers.

Lake Hawea has no Council reserve land as the raising of the lake for electricity purposes has submerged the previous Crown land strips. Nevertheless, provision exists for walking between the low and high water marks when lake levels permit. The margins of the rivers, streams, lakes and wetlands are recognised as being critical areas, not only in providing habitat, but also acting as a buffer to the lakes and rivers from land use activities.

The Council has a responsibility under the Act to recognise and provide for the protection of significant indigenous vegetation and significant habitats of indigenous animals. The Council wishes to protect and maintain these areas as having significant nature conservation value so that they may be enjoyed by future generations.

## ii Air Resources

The use of land and the management of land use activities can and does adversely affect air quality within the District.

The Regional Council has the principal role in the control and management of emissions of contaminants to air. However, the District Council is responsible for achieving integrated management of the effects of the use of land, including the effects of land use on air resources. The Council also has powers under the Local Government and Health Acts to promulgate bylaws in relation to air quality.

The nature of the basins and valleys and the occurrence of still air conditions in winter can result in smoke accumulating with associated concerns relating to visual amenity and health risks. Air emissions from vehicles can also accumulate in and around the settlements. Reduced use of vehicles through consolidation of urban development can assist in reducing such emissions.

### 4.1.4 Objectives and Policies

Additional relevant objectives and policies are found in the following Parts of the District Plan:

Landscape and Visual Amenity	-	<b>Part 4.2</b>
Takata Whenua	-	<b>Part 4.3</b>
Surface of Lakes and Rivers	-	<b>Part 4.6</b>
Natural Hazards	-	<b>Part 4.8</b>
Rural Areas	-	<b>Part 5.4</b>

#### Objective 1 - Nature Conservation Values

***The protection and enhancement of indigenous ecosystem functioning and sufficient viable habitats to maintain the communities and the diversity of indigenous flora and fauna within the District.***

***Improved opportunity for linkages between the habitat communities.***

***The preservation of the remaining natural character of the District's lakes, rivers, wetlands and their margins.***

***The protection of outstanding natural features and natural landscapes.***

***The management of the land resources of the District in such a way as to maintain and, where possible, enhance the quality and quantity of water in the lakes, rivers and wetlands.***

***The protection of the habitat of trout and salmon.***

## **Policies:**

- 1.1 *To encourage the long-term protection of indigenous ecosystems and geological features.*
- 1.2 *To promote the long term protection of sites and areas with significant nature conservation values.*
- 1.3 *To manage the sensitive alpine environments from the adverse effects of development.*
- 1.4 *To encourage the protection of sites having indigenous plants or animals or geological or geomorphological features of significant value.*
- 1.5 *To avoid the establishment of, or ensure the appropriate location, design and management of, introduced vegetation with the potential to spread and naturalise; and to encourage the removal or management of existing vegetation with this potential and prevent its further spread.*
- 1.6 *To allow development which maintains or enhances the quality of the environment in areas identified as having rare, endangered, or vulnerable species of plants or animals of national significance, or indigenous plant or animal communities that are of outstanding significance to the nation.*
- 1.7 *To avoid any adverse effects of activities on the natural character of the District's environment and on indigenous ecosystems; by ensuring that*

*opportunities are taken to promote the protection of indigenous ecosystems, including at the time of resource consents.*

- 1.8 *To avoid unnecessary duplication of resource consent procedures between the Council and the Otago Regional Council.*
- 1.9 *To encourage the provision of information about the District's indigenous ecosystems, in order to increase the appreciation and understanding of the District's indigenous ecosystems by both residents and visitors.*
- 1.10 *To maintain and, if possible, enhance the survival chances of rare, vulnerable or endangered species in the District.*
- 1.11 *Encouraging the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.*
- 1.12 *To maintain the site-specific, geological and geomorphological features that are of scientific importance.*
- 1.13 *To maintain or enhance the natural character and nature conservation values of the beds and margins of the lakes, rivers and wetlands.*
- 1.14 *To consider taking appropriate esplanade reserves of adequate width to protect the natural character and nature conservation values around the margins of any of the District's rivers, lakes, wetlands and streams should any subdivision occur of small lots or any development for residential, recreational or commercial purposes.*
- 1.15 *To identify areas, in co-operation with land occupiers and owners, the Regional Council, conservation and recreation organisations, for the setting aside of esplanade reserves or strips.*
- 1.16 *To encourage and promote the regeneration and reinstatement of indigenous ecosystems on the margins of lakes, rivers and wetlands.*
- 1.17 *To encourage the retention and planting of trees, and their appropriate maintenance.*



1.18 To manage and protect the sensitive alpine environments by avoiding, remedying or mitigating any adverse effects of development.

1.19 To identify for inclusion in Appendix 5, areas of significant indigenous vegetation and significant habitats of indigenous fauna.

1.20 That following the completion of a schedule of areas of significant indigenous vegetation and significant habitats of indigenous fauna, and its formal inclusion within the Plan, there will be a review of site standards (a) (i), (ii) and (iii) of Rule 5.3.5.1(x) to determine whether or not these standards within the Rule are required in all the circumstances.

## Implementation Methods

- (i) The provision of rules to manage activities which include earthworks, tree planting, clearance of vegetation, or the establishment of buildings or structures in areas of significant indigenous vegetation and significant habitats of indigenous fauna and the alpine environment above 1070m.
- (ii) In relation to rare, vulnerable or endangered species:
  - (a) to work with other agencies to determine the correct management strategies to protect the species or their habitats;
  - (b) to assess, in conjunction with other agencies, the need to protect any species that are further identified;
  - (c) to require, through the resource consent process, land management activities to locate away from identified sites, where there is a potential to adversely affect these species and/or their habitats.
- (iii) In relation to significant indigenous plants/or animals within the District, Region, or nationally:
  - (a) to encourage the retention of corridors and links between areas of habitat and along streams and road verges;
  - (b) to work with other agencies to determine the implications of land management practices and their effects on wetlands;

- (c) to control, by way of the resource consent process, earthworks, vegetation clearance, tree plantings and buildings that have the potential to adversely affect significant natural communities and sensitive alpine environments and permitted activities subject to defined criteria.
- (iv) The taking of esplanade reserves or strips on subdivision, where appropriate.
- (v) To consider amending the reserve contribution requirements, where physical protection of indigenous plants and animals, or geological features, is undertaken as part of the conditions of a consent application.
- (vi) To consider conditions on resource consents to remedy or mitigate adverse effects of an activity, such as allowing development in some areas of diminished nature conservation value in return for contributions or enhancement of other more significant nature conservation areas.
- (vii) The use of resource consent procedures to control activities that may have adverse effects on the natural character of the District's environment and on remaining indigenous vegetation and habitat.
- (viii) To encourage relevant agencies to:
  - (a) remove or manage plant species that spread in an uncontrolled way.
  - (b) pursue the implementation of the Protected Natural Areas programme through direct negotiations with the land occupiers and owners concerned.
  - (c) appropriate land management techniques to assist the protection of indigenous ecosystems, geological features, and to safeguard water quality.
  - (d) development of cost-effective monitoring techniques to assess status of indigenous plants or animals identified in areas of significant value.
  - (e) the use of Heritage Orders as necessary.

- (ix) To encourage the dissemination of information about the indigenous ecosystems of the District.
- (x) The provision of rules to manage the adverse effects of structures in, on, under, or over the beds and margins of lakes, rivers and wetlands in terms of section 13(1)(a) of the Act.
- (xi) Educate the public about the value of trees and their appropriate maintenance, through the provision of information about what are appropriate trees in certain urban locations and how to maintain trees.
- (xii) Adopt criteria (Part II Appendix 5) to enable the identification of areas of significant indigenous vegetation and significant habitats of indigenous fauna in the District.
- (xiii) Conduct an ecological assessment of the District to update existing databases and information (including verification of ecological values and boundaries of areas listed in existing databases) and to identify significant areas in parts of the District for which little or no information and data exists.

### **Explanation and Principal Reasons for Adoption**

The District is fortunate to have many areas which are of particular nature conservation value, some of which harbour nationally significant species.

The Council recognises the need to include rules to control activities which may have adverse effects on areas or sites that contain indigenous ecosystems, or geological features, of significant value to the District. Activities involving vegetation clearance, land disturbance through earthworks, and the planting of trees can destroy indigenous plants and animals directly, or indirectly through the modification of habitat.

The Council also considers that rules are necessary to control activities which occur on the District's riverbeds and margins, so the habitats of birds, trout, salmon and indigenous fish species occupying these areas and their natural character are protected. In addition, the process of setting aside marginal strips, and esplanade reserves or strips is likely to continue with subdivision.

The Council recognises that, in some instances, activities will require resource consents from both the District and Regional Councils. In order to avoid duplication of processes and inconvenience to land occupiers and owners, it may in some instances be practical to transfer the power to administer the consents to the one authority.

Identification of appropriate trees for different urban environments would help promote retention of indigenous ecosystems and ensure that potential tree planters make an informed and educated decision when planting trees. Further, information of appropriate maintenance would avoid situations requiring removal of trees that have grown too large.

### **Objective 2: Air Quality**

*Maintenance and improvement of air quality.*

### **Policies:**

- 2.1 *To ensure that land uses in both rural and urban areas are undertaken in a way which does not cause noxious, dangerous, offensive or objectionable emissions to air.*

### **Implementation Methods**

- (i) The assessment of resource consents for land uses in terms of their potential to generate air emissions.
- (ii) The implementation of bylaws, as necessary, to reduce nuisance from air emissions.

### **Explanation and Principal Reasons for Adoption**

The protection of air through controls on air emissions is primarily a role for the Otago Regional Council. However, the District Council has the opportunity to control land uses in both rural and urban areas in a way which ensures they do not cause noxious, dangerous, offensive or objectionable emissions to air by means of resource consent procedures and regulatory bylaws under the Local Government Act and the Health Act.

## 4.1.5 Environmental Results Anticipated

- (i) No increase in areas of erosion or contamination.
- (ii) The management of the location of land use activities to ensure the maintenance and protection of water availability and quality.
- (iii) Enhancement of lakes and rivers and their margins as ecological and amenity assets.
- (iv) Limitations on the effects of emission to air as a result of the control of land use activities which are generators of pollutants.
- (v) Protection and enhancement of the range and quality of natural ecosystems and the environment supporting them.
- (vi) The survival of indigenous plants and animals in their natural habitats.
- (vii) Maintenance of the natural character and landscape amenity of the rural area.
- (viii) Retention of geological features of value.
- (ix) Reduced exposure to risk of safety and property damage from natural hazards and a density of development consistent with the degree of risk from hazards prevailing in areas where development can take place.
- (x) Enhanced quality of the lakes and river margins and the recreational experience and public access opportunities this brings.
- (xi) Improved public awareness of the unique and valuable natural areas and assets of the District.
- (xii) Retention and enhancement of the life-supporting capacity of soils, including a robust, diverse and intact vegetation cover.

## 4.2 Landscape and Visual Amenity

### 4.2.1 Introduction

The District relies, in large part for its social and economic well being on the quality of the landscape image and environment and has included provisions in the District Plan to avoid development which would detract from the general landscape image and values. The District is a series of landscapes distinctive in their formation. Buildings, tree planting and roading can all change the character of an area and provides for social, recreation and economic activity.

Whilst the built environment is significant, important elements are those related more to the non-urban environment and the open space areas. These are generally:

- the rural hinterland;
- the semi-enclosed rural valleys and basins;
- the hill and mountain slopes;
- the ridgelines; and
- the lakes and rivers.

### 4.2.2 Resources and Values

The District covers a vast, predominantly mountainous region. The mountains are rugged in appearance and form a dramatic backdrop to the valley floors and terraces. Remnant beech forest covers much of the higher reaches, while in the lower area the valley floors and terraces have been converted to pastoral land use and settlement. Most major settlements i.e. Queenstown, Kingston, Frankton, Glenorchy, Wanaka and Hawea, are situated on the lakeshores.

The District has three main water bodies, being Lakes Wakatipu, Wanaka and Hawea. The Kawarau River drains Lake Wakatipu, and the Clutha River drains Lakes Wanaka and Hawea. Fast flowing mountain streams are characteristic of the headwaters of these lakes. Elsewhere in the District steep gorges have been created, most notably the Shotover and Kawarau Gorges.

The landscape of the District consists of a variety of landforms including mountain slopes, ice-sculptured rock, rocky islands, moraine, tailings, river delta, river flats, lake beaches, fans, scree slopes, terraces, river gorges, valley floors and lake basins.

All these landforms have distinctive visual characteristics which can be described in terms of:

- the underlying geology;
- landform type;
- water and drainage patterns;
- vegetation cover; and
- human activities and patterns.

The main components of the landscape are:

- **The Mountain Slopes** - The dominant characteristic of the mountain slopes are their pyramidal forms and angular lines. The ice-sculptured landforms, moraines and rocky islands are distinctive because of their sharply raised conical form. This characteristic is particularly well exemplified in the Cardrona Low Hills.
- **The Terraces** - The middle or outwash terraces and the Cardrona Terraces are characterised by sloping flat surfaces, broken by regular drainage channels with a prominent vertical riser. The low terraces are generally variable in appearance because of farming influences. The predominant features of the low terraces are the gently raised sloping forms and straight lines.
- **The Flats, Fans and Deltas** - The dominant characteristic of fans, river flats, lake beaches and river delta is their flat or gently sloping form. In situations where the vegetation is consistent, texture is also important. River terraces generally have a flat form and are often characterised by their medium to coarse texture, which results from agricultural activities or the presence of settlement.
- **Vegetation Cover, Texture and Pattern** - The texture and pattern of the landscape is for the most part, determined by the vegetation cover. The

mountain slopes which have retained their beech forest cover tend to have a consistent pattern and medium texture. Where the forest and native scrub remains in pockets, the pattern is more irregular and the texture is coarser. Mountains which are bare of most vegetation cover and have scree slopes, rock outcrops and tussock, are coarse in texture.

The low terraces, river terraces and river flats have more varied vegetation cover, resulting from variation in land uses. The texture tends to be medium to coarse. Some terraces and fans which have relatively unmodified tussock grassland cover have a fine texture. River gorges generally have pockets of remnant bush and rock outcrops, giving a coarse texture.

### 4.2.3 Activities

The District covers a large geographical area and contains a wide range of activities. These may alter the landscape and affect the visual quality of the environment. If the characteristics of the activity and the landscape are similar then there will be visual harmony. If the characteristics of the activity and the landscape are different, then visual conflicts or adverse impacts can occur. In the context of the District a number of activities have the potential to impact adversely on the landscape and visual amenity.

- Settlement** - Structures may be visible in the landscape due to their form and colour. As the presence of structures increases, the apparent level of modification in a landscape and its overall quality may change. The popularity of the District means that there is a demand for new settlement areas and there are pressures for growth at most of the existing settlements. Uncontrolled expansion of settlements may change the existing landscape. The location and impact of new development must be managed to ensure that the changes that occur do so in a manner which respects the character of the landscape and avoids any adverse effects on the visual qualities of the landscape.
- Rural Structures** - The visual impact of structures is increased when their form and colour contrast with the surroundings and when they are located in visually sensitive areas such as on skylines, ridges, hills, prominent slopes, or shorelines.

- iii **Signs** - Signs and advertising are visual aspects of development and can represent modification of the landscape. They are necessary as information providers, associated with tourism and recreation, but can interfere with the very landscape qualities they promote.
- iv **Roads and Tracks** - The need for access to and within the District is paramount for agriculture, viticulture, tourism and local convenience. Roads are a significant part of the visitor experience, such as in Skippers Canyon and along the shorelines of lakes and rivers. Roads, particularly on prominent slopes may adversely affect landscape values.
- v **Utilities** - Additional settlement, whether scattered or consolidated, creates increased demands for electricity, communications, and other utilities. Utilities are seen as lines and forms in the landscape. Their location relative to existing patterns and visually sensitive areas and details of design are important in determining their effect on the landscape and control to prevent or mitigate adverse effects is required.
- vi **Mining/Extraction** - Quarries and the disposal of waste may be directly associated with increases in development and settlement. Contrast in colour and form with the surrounding landscape makes these activities highly visible, and their presence can have an adverse effect on the quality of the landscape. Location, shape of the working area, and progressive restoration are important in reducing the visual impact of these activities.
- vii **Tree Planting** - Diversification of farming practices, soil conservation, conversion of arable land into forestry production and amenity planting may alter the landscape.
- viii **Farming** - Pastoral and arable production are significant land uses in the District, and the variety of enterprises is increasing. Diversification has meant horticulture and particularly viticulture has become a significant element of the visual landscape.
- ix **Recreation and Visitor Activity** - The visual landscape has made this District a "special experience" for thousands of visitors and the permanent residents. Tourism and recreation have become central to

the prosperity of the District, and this is likely to continue bringing increased pressure and demands on the landscape.

## 4.2.4 Issues

The District's landscapes are of significant value to the people who live, work or visit the District, and need to be protected from inappropriate subdivision, development and use. Increasing development and activity makes the District's landscape particularly vulnerable to change.

The landscapes of the district broadly fall into three separate categories - outstanding natural landscapes and features, visual amenity landscapes and other landscapes. The following significant resource management issues in respect of landscape generally, and by category, have been identified:

### (1) General Landscape Issues

The landscape provides both a backdrop to development as well as the economic base for much activity. Because of the quality of the landscape and the important role it plays in the District's economy it is necessary to ensure that subdivision, development and associated activities are managed to avoid, remedy or mitigate any adverse effects resulting from the pattern of development and the location, siting and appearance of buildings.

The visual effect of subdivision, development and associated activities may be increased when the form and colour of structures contrast with the surroundings and when they are located in visually sensitive areas. The demand for housing and other developments in the rural area is growing and poor location, siting and appearance of these developments threaten to increase the level of inappropriate modification of the rural landscape. The hill and mountain slopes surrounding the lakes assume greater importance because of their role in providing a setting for the lakes. Likewise the views from roads within the District assume increasing importance as they give visual access to the mountains, lakes and landscape that, in turn, are integral to the economic wellbeing of the District, and provide a sense of place to both visitors and residents.

## (2) Protection of Outstanding Natural Landscapes and Features

The outstanding natural landscapes are the romantic landscapes - the mountains and the lakes - landscapes to which Section 6 of the Act applies. The key resource management issues within outstanding natural landscapes are their protection from inappropriate subdivision, use and development, particularly where activity may threaten the landscapes openness and naturalness.

## (3) Maintenance and Enhancement of Visual Amenity Landscapes

The visual amenity landscapes are the landscapes to which particular regard is to be had under Section 7 of the Act. They are landscapes which wear a cloak of human activity much more obviously - pastoral (in the poetic and picturesque sense rather than the functional sense) or Arcadian landscapes with more houses and trees, greener (introduced) grasses and tend to be on the District's downlands, flats and terraces. The extra quality that these landscapes possess which bring them into the category of 'visual amenity landscape' is their prominence because they are:

- adjacent to outstanding natural features or landscapes; or
- landscapes which include ridges, hills, downlands or terraces; or
- a combination of the above

The key resource management issues for the visual amenity landscapes are managing adverse effects of subdivision and development (particularly from public places including public roads) to enhance natural character and enable alternative forms of development where there are direct environmental benefits.

## (4) Other Rural Landscapes

The other rural landscapes are those landscapes with lesser landscape values (but not necessarily insignificant ones) which do not qualify as outstanding natural landscapes or visual amenity landscapes.

### Objective:

***Subdivision, use and development being undertaken in the District in a manner which avoids, remedies or mitigates adverse effects on landscape and visual amenity values.***

### Policies:

#### 1 Future Development

- (a) To avoid, remedy or mitigate the adverse effects of development and/or subdivision in those areas of the District where the landscape and visual amenity values are vulnerable to degradation.
- (b) To encourage development and/or subdivision to occur in those areas of the District with greater potential to absorb change without detracting from landscape and visual amenity values.
- (c) To ensure subdivision and/or development harmonises with local topography and ecological systems and other nature conservation values as far as possible.

#### 2 Outstanding Natural Landscapes (District-Wide/Greater Wakatipu)

- (a) To maintain the openness of those outstanding natural landscapes and features which have an open character at present.
- (b) To avoid subdivision and development in those parts of the outstanding natural landscapes with little or no capacity to absorb change.
- (c) To allow limited subdivision and development in those areas with higher potential to absorb change.
- (d) To recognise and provide for the importance of protecting the naturalness and enhancing amenity values of views from public roads.

## 4.2.5 Objective and Policies

### 3. Outstanding Natural Landscapes (Wakatipu Basin)

- (a) To avoid subdivision and development on the outstanding natural landscapes and features of the Wakatipu Basin unless the subdivision and/or development will not result in adverse effects which will be more than minor on:
  - (i) Landscape values and natural character; and
  - (ii) Visual amenity values- recognising and providing for:
  - (iii) The desirability of ensuring that buildings and structures and associated roading plans and boundary developments have a visual impact which will be no more than minor, which in the context of the landscapes of the Wakatipu basin means reasonably difficult to see;
  - (iv) The need to avoid further cumulative deterioration of the Wakatipu basin's outstanding natural landscapes;
  - (v) The importance of protecting the naturalness and enhancing the amenity values of views from public places and public roads.
  - (vi) The essential importance in this area of protecting and enhancing the naturalness of the landscape.
- (b) To maintain the openness of those outstanding natural landscapes and features which have an open character at present.
- (c) To remedy or mitigate the continuing effects of past inappropriate subdivision and/or development.

### 4. Visual Amenity Landscapes

- (a) To avoid, remedy or mitigate the adverse effects of subdivision and development on the visual amenity landscapes which are:

- highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in this Plan); and

- visible from public roads.

- (b) To mitigate loss of or enhance natural character by appropriate planting and landscaping.
- (c) To discourage linear tree planting along roads as a method of achieving (a) or (b) above.

### 5. Outstanding Natural Features

To avoid subdivision and/or development on and in the vicinity of distinctive landforms and landscape features, including:

- (a) in Wakatipu; the Kawarau, Arrow and Shotover Gorges; Peninsula, Queenstown, Ferry, Morven and Slope hills; Lake Hayes; Hillocks; Camp Hill; Mt Alfred; Pig, Pigeon and Tree Islands;

- unless the subdivision and/or development will not result in adverse effects which will be more than minor on:

- (i) Landscape values and natural character; and

- (ii) Visual amenity values

- recognising and providing for:

- (iii) The desirability of ensuring that buildings and structures and associated roading plans and boundary developments have a visual impact which will be no more than minor in the context of the outstanding natural feature, that is, the building etc is reasonably difficult to see;

- (iv) The need to avoid further cumulative deterioration of the outstanding natural features;

- (v) The importance of protecting the naturalness and enhancing the amenity values of views from public places and public roads;
- (vi) The essential importance in this area of protecting and enhancing the naturalness of the landscape.

## 6. Urban Development

- (a) To avoid new urban development in the outstanding natural landscapes of Wakatipu basin.
- (b) To discourage urban subdivision and development in the other outstanding natural landscapes (and features) and in the visual amenity landscapes of the district.
- (c) To avoid remedy and mitigate the adverse effects of urban subdivision and development where it does occur in the other outstanding natural landscapes of the district by:
  - maintaining the open character of those outstanding natural landscapes which are open at the date this plan becomes operative;
  - ensuring that the subdivision and development does not sprawl along roads.
- (d) To avoid remedy and mitigate the adverse effects of urban subdivision and development in visual amenity landscapes by avoiding sprawling subdivision and development along roads.

## 7. Urban Edges

To identify clearly the edges of:

- (a) Existing urban areas;
- (b) Any extensions to them; and
- (c) Any new urban areas

- by design solutions and to avoid sprawling development along the roads of the district.

## 8. Avoiding Cumulative Degradation

In applying the policies above the Council's policy is:

- (a) to ensure that the density of subdivision and development does not increase to a point where the benefits of further planting and building are outweighed by the adverse effect on landscape values of over domestication of the landscape.
- (b) to encourage comprehensive and sympathetic development of rural areas.

## 9. Structures

To preserve the visual coherence of:

- (a) outstanding natural landscapes and features and visual amenity landscapes by:
  - encouraging structures which are in harmony with the line and form of the landscape;
  - avoiding, remedying or mitigating any adverse effects of structures on the skyline, ridges and prominent slopes and hilltops;
  - encouraging the colour of buildings and structures to complement the dominant colours in the landscape;
  - encouraging placement of structures in locations where they are in harmony with the landscape;
  - promoting the use of local, natural materials in construction.
- (b) visual amenity landscapes



- by screening structures from roads and other public places by vegetation whenever possible to maintain and enhance the naturalness of the environment; and
- (c) All rural landscapes by
- limiting the size of signs, corporate images and logos
  - providing for greater development setbacks from public roads to maintain and enhance amenity values associated with the views from public roads.

## 10. Utilities

To avoid, remedy or mitigate the adverse effects of utilities on the landscapes of the district by:

- avoiding siting utilities in outstanding natural landscapes or features in the Wakatipu Basin (except on Slope Hill in the vicinity of the current utilities)
- encouraging utilities to be sited away from skylines, ridgelines, prominent locations, and landscape features
- encouraging utilities to be co-located wherever possible
- encouraging utilities to be located along the edges of landforms and vegetation patterns
- encouraging or requiring the alignment and/or location of utilities to be based on the dominant lines in the landscape
- requiring that structures be as unobtrusive as is practicable with forms appropriate for the landscape and finished in low reflective colours derived from the background landscape
- requiring that transmission lines (where technically and economically feasible) be placed underground.

## 11. Forestry and Amenity Planting

Subject to policy 16, to maintain the existing character of openness in the relevant outstanding natural landscapes and features of the district by:

- (a) encouraging forestry and amenity planting to be consistent with patterns, topography and ecology of the immediate landscape.
- (b) encouraging planting to be located so that vegetation will not obstruct views from public roads and discouraging linear planting near boundaries of public roads.

## 12. Transport Infrastructure

To preserve the open nature of the rural landscape by:

- encouraging the location of roads, car parks and tracks along the edges of existing landforms and vegetation patterns.
- encouraging shoreline structures, such as jetties, to be located only where they are visually contained by the topography, e.g. coves or bays.
- by encouraging imaginative roading designs including a range of carriageway widths, different surface materials, grass berms and protection of existing mature trees where these can enhance the quality of design and the visual experience.
- discouraging roads and tracks on highly visible slopes.
- requiring that all construction be with minimum cut and fill batters and that all batters be shaped in sympathy with, existing landforms.
- requiring that all disturbed areas be revegetated at the end of construction.
- encouraging where appropriate car parks to be screened from view.
- requiring the adverse effects of large expanses of hard surface car parks be avoided by planting and earthworks.

## 13. Mining

To maintain the rural or natural qualities of the landscape by:

- placing a limit on the size of the open area of any quarry, landfill site, refuse dump, or extraction site.
- encouraging the activity in suitable areas away from any visually sensitive locations.
- requiring that the area be progressively restored during the life of the operation.
- controlling the form of the open area and of any waste heaps or long term stockpiles to ensure that they are compatible with the forms in the landscape.
- requiring restoration to be finished to a contour sympathetic to the surrounding topography and revegetated with a cover appropriate for the site and setting.

## 14. Soil Conservation Planting

To minimise any adverse effects on the visual amenity by:

- encouraging the use of a limited range of species for soil conservation and planting.
- encouraging the use of existing native species for soil conservation and planting.

## 15. Retention of Existing Vegetation

To maintain the visual coherence of the landscape and to protect the existing levels of natural character by:

- (a) Encouraging the retention of existing indigenous vegetation in gullies and along watercourses;

- (b) Encouraging maintenance of tussock grass-lands and other nature ecosystems<sup>3</sup> in outstanding natural landscapes.

<sup>3</sup> to Section 4.1 on nature conservation values.

## 16. Wilding Trees

To minimise the adverse effect of wilding trees on the landscape by:

- supporting and encouraging co-ordinated action to control existing wilding trees and prevent further spread.

## 17. Land Use

To encourage land use in a manner which minimises adverse effects on the open character and visual coherence of the landscape.

### Implementation Methods

The Objective and associated Policies will be implemented through a number of methods including:

#### i District Plan

- (a) Provision of rules to control the height, external appearance and general location of all buildings in the rural areas.
- (b) Provision of standards to manage new roads and tracks in the rural areas.
- (c) To control by way of resource consents, activities that involve earthworks, vegetation clearance and plantings and which have the potential to adversely affect landscape values.
- (d) To take into consideration the potential adverse effects of land use on landscape values at the time of subdivision.

## ii Other Methods

- (a) Provide and publish guidelines to encourage development and activities to take place in a manner complementary to, and in harmony with, the landscape.
- (b) Bylaws to regulate signs.
- (c) Landscape criteria interpretation will be aided by three small companion publications to this Plan:
  - Examples of Landscape Concepts
  - Examples of Mitigation and Enhancement of Ecological Systems
  - Do's and don'ts of Forestry (Landscape and Wilding Spread).
- (d) The Council will compile a bibliography, to be updated annually, ensuring public access to the publications cited, of reports and publications relevant to the district landscape issues:
  - All landscape reports on landscapes of the District;
  - Ecological matters within the District;
  - All community workshop reports which reflect the aspirations of small local communities in terms of landscape;
  - Strategic reports reflecting the wider community aspirations in terms of landscape.
- (e) To provide guidelines on the prevention and control of wilding species within the District.

### **Explanation and Principal Reasons for Adoption**

The landscape is outstanding and is vital to the wellbeing and economy of the District, the region and the nation. Sustainable management must be

undertaken in a manner which gives priority to ensuring the protection of the landscape and visual amenity.

The landscape policy provisions are carried through in other sections of the Plan relating to subdivision, use and development. It is the purpose of these policies to ensure that all development has an overriding regard to those wider visual and landscape considerations which are fundamental to the sustainable management of the District's natural and physical resources and the way in which the community provides for its social, cultural and economic well being.

In a District of the size and topographical diversity of Queenstown-Lakes there are always pressures on the physical environment due to growth, development and everyday living. However, the quality of this development and activity will not be sustained unless the protection of the District's natural resources and in particular the visual and landscape values of those resources can be assured. This is because the quality of life and development in the District is in large part dependent upon the quality of the visual and landscape character within which it operates and from which it benefits.

### **4.2.6 Environmental Results Anticipated**

Implementation of the policies and methods relating to Landscape and Visual Amenity will result in:

- (i) The protection of outstanding natural landscapes and features from inappropriate subdivision, use and development.
- (ii) Maintenance and enhancement of openness and naturalness of outstanding natural landscapes and features.
- (iii) Strong management of the visual effects of subdivision and development within the visual amenity landscapes of the District.
- (iv) Enhancement of natural character of the visual amenity landscapes.

- (v) A variety in the form of settlement pattern within visual amenity landscapes based upon on the absorption capacity of the environment.
- (vi) Protection of the visual and landscape resources and values of the rivers and lakes.
- (vii) Improved public awareness and acceptance of the fundamental importance and value of the landscape to the well being of the District.

## 4.3 Takata Whenua

### 4.3.1 The Lakes Region

Traditionally the Lakes region of Otago has been important to Kai Tahu whanui. Hapu would travel to predetermined sites throughout the region to mahika kai to gather resources for their own use, as well as for trade. The hunting of moa, weka, eels, ducks, the digging of fern root and ti root, gathering of taramea, and precious stone resources such as pounamu, silcrete, were a main focus of activity. Such seasonal paths were of great distance and duration, the parties generally arriving back out on the coastal region prior to winter.

Traditions point to some permanent residence in the interior near lakes Wakatipu, Wanaka and Hawea, for example:

- i **Queenstown** - A kaika was located near Queenstown called Tahuna, where a Kati Mamoe chief Tu Wiri Roa was born and grew to manhood. Tu Wiri Roa had a daughter Haki Te Kura, whom is immortalised by swimming across Lake Wakatipu a distance of some five kilometres or more. Another settlement, Te Kirikiri pa, once occupied the site where the Queenstown Gardens is now. The Kati Mamoe had a kiaka near the Kawarau Falls called O Te Roto, and another kaika, Takerehaka, was sited near Kingston.
- ii **Wanaka** - At Wanaka, a kaika called Parakarehu, was sited near present day Penrith. Takikarara kaika was situated on the peninsula between

Roy and Dublin Bays. Settlements and campsites existed at Makarora and Matukituki.

- iii **Hawea** - Hawea had a number of sites where small settlements and campsites were utilised seasonally. Manuhaea was an important eeling kaika at the neck of the lake. As occurred with a number of other sites around the edge of Lake Hawea, the old kaika of Manuhaea was flooded when the Hawea dam was constructed.

A number of Maori trails traversed the inland area of Otago. A major route into the interior from the coast was by way of the river Matau (Clutha) from the coast to Wanaka, or diverting at the junction of the Kawarau and the Matau and following the Kawarau river to the Wakatipu. The Murihiku Maori used a trail that took them to the southern arm of Wakatipu. Linking trails to the West Coast, Milford Sound and also between the Lakes were numerous.

Canoes and mokihi provided an important means of transport on the major lakes of Wakatipu, Wanaka and Hawea, particularly important in the transport of pounamu from the heads of the lakes Wakatipu and Hawea.

The naming of the land and linking the tribal whakapapa to the land and resources is the essence of the tino rangatiratanga Kai Tahu enjoy over the whenua.

### 4.3.2 The Treaty of Waitangi

Sections 6, 7 and 8 of the Act contain specific obligations in relation to the Treaty of Waitangi and Maori interests. The Act identifies, as a matter of national importance which the Council must recognise and provide for, the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taoka. The Act also states that the principles of the Treaty of Waitangi must be taken into account when managing the use, development and protection of natural and physical resources.

The Treaty of Waitangi is the founding document forming the basis of New Zealand society. Kai Tahu rangatira participated in the signings that took place in Te Waipounamu (South Island). The Otago chiefs Karetai and Korako signed at Pukekura (Taiaroa Head) on 13 June 1840.

The tino rangitiranga of Kai Tahu extends over all that area in a line south of Kahurangi on the West Coast and Te Parinui O Whiti (White Cliffs, Marlborough) on the East Coast of Te Waipounamu (South Island), and includes the Queenstown-Lakes District.

In relation to the District Plan, all principles of the Treaty of Waitangi are important. However, two strong themes have emerged in the expression of the Treaty principle; partnership and active protection of resources of importance to Maori in accord with Maori cultural and spiritual values. In order to obtain the information necessary for these principles to be fulfilled, consultation is required.

The settlement of the Kai Tahu Claim to the Waitangi Tribunal is presently under negotiation with the Crown. The outcome of negotiations is likely to see a return of assets and resources that will provide Kai Tahu with a base from which their economic and cultural future will be developed. Kai Tahu as a result of settlement may acquire a range of resources in the Queenstown-Lakes District in which case the iwi would develop potential use options for such resources.

### 4.3.3 Resource Management Issues

Many of the issues identified in relation to takata whenua overlap with general concerns regarding the quality of the environment, especially in relation to water quality and public access to lakes and rivers. These concerns show that there is much common ground shared between Maori and many non-Maori in the District.

#### i **Kaitiakitanga (Guardianship)**

The cultural ethos of Kai Tahu is closely linked and supported by the kaitiakitanga concept. The ability to provide guardianship to resources, both physical and spiritual, is natural to the Maori value system. In Kai Tahu cultural concepts the iwi are bound to earth and sky through their whakapapa and traditions. All things have a common bond. To deny or to neglect the responsibility of providing kaitiakitanga to the natural world of land, air and water is to deny takata whenua/iwi their identity.

#### ii **Cultural Proprietary Rights**

The ownership and management of takata whenua cultural history and knowledge resides with the iwi, Kai Tahu.

#### iii **Waahi Tapu and Waahi Taoka (Sacred Places, Treasured Resources)**

Places and resources of cultural significance to Kai Tahu, such as waahi tapu and waahi taoka require recognition and protection through the District's Plan, policies and decision-making.

To Kai Tahu burial places of tupuna (ancestors) are sacred places, to be protected from disturbance. Traditional knowledge of and the location of waahi tapu in the Queenstown-Lakes District is held by few individuals. The locations of the pounamu (greenstone) collection sites are also considered by Kai Tahu to be waahi tapu. Some of the finest finished pounamu taoka are sourced to the inaka deposits of the upper Wakatipu catchments.

Waahi taoka are all things that have importance to iwi. Taoka signifies the whakapapa tree of the world. Waahi taoka are the many parts that form the branches of the natural world. It is the interconnectedness and commonality with the environment and the maintenance of that relationship through customary practices that is treasured. Taoka are a source of personal, collective, emotional and spiritual strength to iwi.

A number of waahi taoka exist in the District such as:

#### **Archaeological Sites**

Old settlements and camp sites

Earth ovens

Middens

Stone gathering sites (pounamu, silcrete, chert, and porcellinite)

#### **Resources**

Native vegetation

Water resources

Weaving materials (flax, raupo, cabbage trees)

## Places/Values

Placenames  
Canoe landing sites  
Mountains and landscape  
Tracks and trails  
Traditions

### iv Mahika Kai (Places of Food Production or Procurement)

The loss and degradation of traditional sources and habitat of mahika kai through drainage, pollution and loss of access is of concern to Kai Tahu.

Mahika kai is the custom of procuring or producing food resources. Kai Tahu had well established seasonal activity of gathering the abundant resources available in the District. Such resources as the long and short finned eels, giant kokopu, wai koura (freshwater lobsters), birds such as weka, kereru, parera and other birds, were caught and preserved in their own fat. The moa was a prized food resource that was hunted in the interior of Otago.

Ti (cabbage tree) root was another source of food that was gathered. The ti root was cooked in earth ovens, while the leaves of the ti tree while being edible were also utilised for making sandals. Ti were traditionally established near kaika nohoaka (settlements).

While traditional practice of mahika kai gathering in the Lakes region is much reduced in the present day, this nonetheless does not reduce the traditional role that Kai Tahu have to ensure that mahika kai resources are retained or regenerated so that future generations may practice the gathering of mahika kai as and when their tupuna (ancestors) did, or develop a commercial use based on traditional mahika kai resources.

### v Wai (Water)

To Kai Tahu, water is a taoka. In the creation traditions, a form of water was the source from which all life began. The water sources that fed the District's lakes were of pristine quality. The lakes themselves were noted for their purity. The discharge of effluent and contaminants into streams, lakes, rivers and underground waters is of concern to Kai Tahu.

### vi Repo Raupo (Wetlands)

Wetlands serve a number of functions important to iwi, by assisting in the maintenance of water quality and wildlife habitat. The drainage and loss of wetlands is of concern to Kai Tahu.

### vii Ingoa Rarangi (Place Names)

The naming of the land was an important way in which Kai Tahu tupuna recorded the history. Traditions, places of resources, settlements, events and ancestors were recorded in the names, an oral map of the history.

### viii Rakau (Trees)

A tree or trees may be of such stature due to its venerable age or large size that it has much mana (prestige) and is worthy of protection. Some trees may have a name because of traditions and events associated with a particular area. The use of native trees, in particular the titri, is known in some Kai Tahu customs and this is also likely to have occurred in the District.

### ix Tauraka Waka (Canoe Landing Sites)

The retention of traditional tauraka waka sites is of cultural importance to Kai Tahu. The sites could be kept alive through the placing of a traditional waka on the District's lakes.

### x Cultural Facilities

At some point in the future Kai Tahu may wish to support the establishment of a cultural centre in the District. Such a facility would be a focal point for cultural activities. In Maori protocol it is the manawhenua, Kai Tahu, who have authority on all matters pertaining to cultural development and interpretation of customs. Kai Tahu retain the prerogative to advise on the integrity of any proposal that relates to the use and interpretation of traditional takata whenua values in the District.

### xi Mining

The natural bed and banks of many rivers in the District have been significantly modified through mining activity. Such activity has the potential to destroy archaeological sites known and unknown.

## xii Protection of Water Resources

The discharge of effluent into lakes and rivers is culturally offensive to Kai Tahu. Manawhenua values also do not condone the siting of landfills or the dumping of rubbish into or near lakes and rivers, including wetlands and groundwater.

### 4.3.4 Objectives and Policies

#### Objective 1 - Kaitiakitanga (Guardianship)

**Recognition and provision for the role of Kai Tahu as customary Kaitiaki in the District.**

##### **Policies:**

- 1.1 *To ensure the kaitiaki role of iwi, via the appropriate Runanga, is achieved through on-going consultation on policy development relating to the natural and physical resources of the District.*
- 1.2 *To incorporate communication protocols for ensuring appropriate kaitiaki runanga are consulted on all relevant cultural matters in the District in accordance with Section 93 of the Act.*
- 1.3 *To recognise the “Kai Tahu Ki Otago: Natural Resource Management Plan” as a resource which can form the basis for consultation between Kai Tahu Runanga and Council (Section 74 of the Act).*

#### **Explanation and Principal Reasons for Adoption**

Consultation procedures can be developed between the Council and the appropriate runanga to ensure that iwi values are recognised and provided for appropriately as policies are being developed relating to natural and physical resources. Through the use of continuing dialogue between iwi and the Council, a system of consultation will be achieved that meets the needs of both partners. The “Kai Tahu Ki Otago; Natural Resource Management Plan” provides greater detail and clarity to the issues, values and resources important to iwi.

#### Objective 2 - Cultural Proprietary Rights

**The use and interpretation of Tribal history remaining under the kaitiakitanga of iwi, Kai Tahu.**

##### **Policy:**

- 2.1 *To undertake consultation with the appropriate Kai Tahu authority or Runanga, when matters of interpretation of Kai Tahu histories for either commercial or public use are being considered.*

#### **Explanation and Principal Reasons for Adoption**

It is the responsibility of Kai Tahu runanga and kaumatua to manage and protect the integrity of tribal history and custom, for current and future generations. History to Kai Tahu is alive and vibrant. The relationship of Kai Tahu with tradition and history remains as it did to generations before, a source of tribal identity, pride and mana.

Kai Tahu recognises the interest the wider community has in Kai Tahu history and traditions, as is evident by the range of community groups and individuals who consult the iwi on cultural matters.

The perceived lack of a Kai Tahu presence in the District has contributed to weak ties between Manawhenua and the wider community of the District, and as a result there is a greater likelihood of cultural misinterpretation.

#### Objective 3 - Waahi Tapu and Waahi Taoka

**Recognition and protection of places of burial, other waahi tapu, and all waahi taoka, as places of cultural and traditional importance to Kai Tahu.**

##### **Policies:**

- 3.1 *To recognise waahi tapu and waahi taoka, and protect them from disturbance and interference from modification through earthworks, mining, and other development.*
- 3.2 *Should any koiwi takata (Maori bone remains) be unearthed, to implement procedures for the management of such finds and unearthings consistent with the Kai Tahu policy for the management of koiwi takata.*
- 3.3 *To establish appropriate communication contact points between the Council and the kaitiaki runanga for the District to ensure information and consultation occurs.*

- 3.4 *To recognise cultural sites where traditional stone resources, such as pounamu, were collected as waahi tapu.*
- 3.5 *To make provision for the use of the site location tables in the Kai Tahu ki Otago: Natural Resource Management Plan in the management and protection of waahi tapu.*
- 3.6 *To develop a listing of waahi taoka known to iwi in consultation with relevant Kai Tahu runanga.*

### **Explanation and Principal Reasons for Adoption**

The Kai Tahu Ki Otago: Natural Resource Management Plan contains site location tables for waahi tapu.

Kai Tahu Ki Otago: Natural Resource Management Plan contains site location tables though the use of the site location tables in the Kai Tahu ki Otago: Natural Resource Management Plan the approximate site of a waahi tapu would be registered in the District Plan. This could be an early warning system to the Council and landowners. Information on the exact location would be retained by iwi/runanga, but such information would be available to Council on application, if it is established that a waahi tapu exists near a proposed development.

In addition to known waahi tapu some as yet unidentified areas will exist, and have fallen from the tribal memory due to the breakdown of traditional mahika kai gathering practices of the past. Such sites come under the provisions of the Historic Places Act 1993, and are also covered by the Resource Management Act 1991.

Kai Tahu have developed a policy for the management of koiwi takata, the policy procedures to be followed when discoveries of koiwi takata are made. It is important to be aware of the procedures so that early and prompt action can be arranged in the event of unearthings or discovery of koiwi takata.

Through information in the District Plan, the use the site location tables in the Kai Tahu ki Otago: Natural Resource Management Plan and consultation procedures, the protection of waahi tapu and waahi taoka can be achieved.

### **Objective(s) 4 - Mahika Kai**

- 1 *The retention of the high quality of the mountain waters, and the retention and improvement of the water quality of the tributaries and water bodies of the District through appropriate land management and use.***
- 2 *The limitation of the spread of weeds, such as wilding trees.***

### **Policies:**

- 4.1 *To recognise, by Council policy and decision-making, the importance of mahika kai to the culture and relationship Kai Tahu share with the indigenous resources traditionally gathered in the District.*
- 4.2 *To adopt performance standards for land use activities, including mining, which minimise their adverse effects on the landscape.*
- 4.3 *To encourage the protection of indigenous ecosystems, by assisting in the provision of information to the community, recreationalists, land managers and local landholder groups concerning the location of significant areas of indigenous vegetation and habitat and the appropriateness of land management practices.*
- 4.4 *To encourage land uses and management practices which ensure the vegetation cover is maintained in order to assist in sustaining the life supporting capacity of the soil.*
- 4.5 *To encourage control of noxious plants.*
- 4.6 *To encourage fish enhancement programmes that lead to the restocking of indigenous fish species in the lakes and rivers of the District.*
- 4.7 *To promote the monitoring and development of measures that control the spread of harmful organisms through the waters of the District.*
- 4.8 *To maintain and enhance public access to the District's public forests and lakes and rivers and wetlands, having regard to their traditional importance as mahika kai.*



## Explanation and Principal Reasons for Adoption

Mahika kai was an essential element of survival for the early Maori, who survived on resources that were entirely indigenous. The significant loss of this resource is an indication of the degree of modification and introduction of exotic flora and fauna that has occurred. The range of stocks of native biota that exist can measure the health of the environment.

## Objective 5 - Wai (Water)

***The management of the land resource and associated waste discharges in such a way as to protect the quality and quantity of water in the District to a standard consistent with the human consumption of fish, swimming and protects the mauri (life force) of the lakes and rivers.***

### Policies:

- 5.1 *To recognise the importance of the concept of mauri (life force) as it applies to lakes and rivers.*
- 5.2 *In the development and upgrading of public sewage treatment and disposal systems and in the development of new and extended settlements.*
- 5.3 *To adopt performance standards or require resource consents for land use activities, including mining, in order to minimise the adverse effects on the quality of the District's water resources and associated habitat.*
- 5.4 *To encourage, where appropriate, the creation and enhancement of wetlands.*

## Explanation and Principal Reasons for Adoption

The use and management of the land resource has a direct influence on the quantity and quality of the lakes and rivers in the District. The management of the riparian margins and catchments will require the maintenance and enhancement of undisturbed vegetation to act as purifiers of the water resource. The avoidance of direct discharges of effluent into lakes and rivers is central to the culture of Kai Tahu. The management of land activities such

as mining, urban expansion and subdivision to mitigate any adverse effects is essential.

## Objective 6 - Repo Raupo (Wetlands)

***The maintenance and enhancement of existing wetlands and their re-establishment, where practicable.***

### Policies:

- 6.1 *To recognise the important part wetlands play in maintaining the health of lakes and rivers and habitat for plant and fish life.*
- 6.2 *To encourage the re-establishment of wetlands where practicable.*

## Explanation and Principal Reasons for Adoption

The Council has the ability to make provision for and promote the retention and expansion of wetlands in the District Plan. Wetlands serve a number of important functions important to iwi by assisting in the maintenance of water quality and wildlife habitat.

## Objective 7 - Ingoa Rarangi (Place Names)

***The continued and enhanced use of traditional Kai Tahu place names as an educational resource to explain the cultural and historical relationship of Kai Tahu to the environment.***

### Policies:

- 7.1 *When the use of the Maori language is being considered for streets or places, to consult and involve Kai Tahu in the process.*
- 7.2 *To broaden the interpretation of "heritage" values to include traditional Maori place names.*
- 7.3 *To give consideration to the recognition of traditional place names.*

## Explanation and Principal Reasons for Adoption

The recognition and retention of traditional Kai Tahu place names is an ongoing recognition of the District's heritage and the relationship of Kai Tahu with the resources, lands and places of the District. Inappropriate use of

Maori place names can be offensive to the values and importance of places recorded through Kai Tahu names.

## **Objective 8 - Rakau (Trees)**

***The protection of specific native trees that are of cultural importance to Kai Tahu.***

### **Policy:**

*8.1 To recognise that some specific native tree or trees may be of cultural significance to Kai Tahu.*

### **Explanation and Principal Reasons for Adoption**

The Kai Tahu Ki Otago: Natural Resource Management Plan contains information regarding trees or groups of trees that have historical and cultural significance to Kai Tahu.

## **Objective(s) 9 - Protection of Water Resources**

***1 The collection, treatment, storage and disposal of wastes in a way that minimises the adverse effects on the natural resources of the District.***

***2 Minimising the quantities of waste requiring disposal within the District.***

***3 To continue to implement programmes to reduce the discharge of untreated or partially treated waste to lakes and rivers.***

***4 To avoid, remedy or mitigate the adverse effects of eutrophication.***

### **Policies:**

*9.1 To consult with the appropriate Kai Tahu Runanga when developing waste management strategies for the District.*

*9.2 To ensure all waste is treated to a high standard.*

*9.3 To recognise and promote land use regimes that do not contribute to the eutrophication of the District's lakes and rivers.*

### **Explanation and Principal Reasons for Adoption**

Manawhenua values do not condone the siting of landfills, the dumping of rubbish or the disposal of untreated human wastes into or near lakes and rivers, including wetlands and groundwater. The management of land within the catchments of lakes and rivers is the principal source of discharges that contribute to the eutrophication of lakes and rivers.

### **Implementation Methods**

- (i) To continue the process of consultation with Kai Tahu, via the appropriate runanga, in relation to:
  - policy development;
  - interpretation of Kai Tahu history;
  - protection of waahi tapu and waahi taoka;
  - protection of mahika kai;
  - the use of Maori place names;
  - the establishment of cultural facilities;
  - waste management strategies.
- (ii) To use the Kai Tahu Ki Otago: Natural Resource Management Plan as a resource forming the basis for consultation between the runanga and the Council.
- (iii) To establish and implement procedures for the management of any unearthed koiwi tangata.
- (iv) To recognise, through the assessment of resource consents, sites, areas or other taoka of value to Kai Tahu.
- (v) To include the protection of sites of cultural value in the District Plan, when and as advised by the takata whenua.
- (vi) Improvements to the extent of, and operation of, public and community sewage treatment and disposal systems, and landfill systems.

- (vii) The provision of information at boat ramps to contain the spread of lagarosiphon.

## 4.3.5 Environmental Results Anticipated

- (i) Activity and development which takes into the account the principles of the Treaty of Waitangi in terms of the protection of waahi tapu, waahi taoka and mahika kai, and use of natural and cultural resources.

## 4.4 Open Space and Recreation

### 4.4.1 Resources, Activities and Values

#### i Recreational Activities within the District

The District provides a wide range of recreational opportunities. Its outstanding natural environment of lakes, rivers, mountains and basins provide an ideal setting for a variety of outdoor recreational activities. These are internationally recognised as the basis for the District's importance as a visitor destination, as well as encouraging residents to settle in the District. The climate is conducive to outdoor recreation and its proximity to Mt Aspiring and Fiordland National Parks provides further opportunities for outdoor recreation.

Within the townships, there are opportunities for indoor recreational and community activities, such as libraries, swimming pools, community halls, as well as outdoor venues for more formal sporting activities.

Open space is an important recreational and community resource. It can provide visual relief and amenity amongst the developed residential and commercial environments; opportunities for education regarding the natural environment; as well as active use (e.g. walking and cycling) and passive use (e.g. children's play, picnicking, sitting and contemplation) for both residents and visitors.

The District's abundant lakes and rivers provide the basis for both private and commercial recreational activities.

#### ii Functions of Open Space and Recreation Areas

Most areas of reserve and public land can be divided into the following categories:

- (a) visual amenity (such as gardens and tree plantings, areas of indigenous vegetation and views).
- (b) children's play (such as play equipment and neighbourhood parks).
- (c) active sports (such as team sports, running, skiing, tramping, golf and water sports).
- (d) passive use of open space (such as sitting, picnicking, enjoying a view).
- (e) waterfront access (such as lakeside and riverside walkways and beaches, access to lakes and rivers for fishing, picnicking and water-based sports).
- (f) linkages (such as walking tracks and cycle ways).
- (g) built facilities (such as halls, clubrooms, swimming pools and libraries).
- (h) heritage sites and features.
- (i) nature conservation (such as water margins, wetlands and indigenous vegetation).
- (j) commercial opportunities (such as heliskiing, bungy jumping and guided nature walks).

#### iii Significance of Open Space and Recreation Areas

Open space and recreation areas will also vary in their significance to residents and visitors to the District. Some areas will be of importance to the whole District or even of regional or national importance. These include the National Park, scenic and recreation reserves, the lakes, rivers and mountains, which attract people to the District.

Other areas will be of importance to the local community. These include the sportsfields and playgrounds, community halls and areas of open space and planting. Within the larger townships of the District there are also neighbourhood areas such as children's playgrounds and walkways.

## 4.4.2 Issues

### i Public Access to and Along the Lakes and Rivers

Opportunities for public access to and along lakes and rivers is not adequate in all localities to provide for the current and foreseeable needs of residents of and visitors to the District.

The maintenance and enhancement of public access to and along the lakes and rivers is a matter of national importance under the Act. The setting aside of public reserve along the banks of lakes and rivers has the functions of providing for public access and waterfront activities, protecting nature conservation values of the margins, and maintenance of water quality and aquatic habitats. Means available under the Act include designations, provision at the time of subdivision for esplanade reserves or strips, or access strips or the establishment of esplanade or access strips by agreement with landowners. These may be sufficient to provide for public access along and to lakes and rivers, but may be less effective in protecting the natural values of such areas. The District Plan can also be used to implement rules to control the effects of activities, which are likely to adversely affect the natural values of the margins of lakes and rivers.

Although the maintenance and enhancement of public access to and along lakes and rivers is a matter of national importance under the Act, public access to lakes and rivers in some exceptional circumstances may not always be possible.

### ii Environmental Effects of Recreation Activities

Recreational activities may have positive and adverse effects on the amenities of their surrounding environment and on the enjoyment of people partaking of other recreational activities in the vicinity.

These may include effects:

- on adjoining residential areas;
- on wildlife;
- on waahi tapu, waahi taoka and mahika kai values;
- on motorised vehicles and parking areas;
- on indigenous vegetation;
- on people wishing to use reserves and other open space areas;
- on public health, water quality and the pleasantness of an area.

### iii Effects on the Range and Quality of Recreational Opportunities

Residents of and visitors to the District currently have the opportunity for a wide range of recreational experiences. However, conflicts do occur between such activities with a loss or degradation of the quality and range of recreational opportunities available, particularly those involving remote experiences or peace and tranquillity.

Residents in the District and visitors require a range of recreation opportunities to meet their needs. Individuals who come to the District principally for adventure recreation, may also seek opportunities to pursue more passive types of recreation in tranquil surroundings. Equally some visitors come to the District mainly to enjoy the scenery and natural environment. Peace and a feeling of remoteness are often qualities sought by these people.

### iv Contributions Towards Public Open Space from Subdivision and Development

The subdivision and development of land creates the opportunity for various activities to be established, the more common one being residential and visitor accommodation. If communities continue to grow in size and population through subdivision and building development, without providing for the recreation and open space needs of the community, adverse environmental effects will become apparent. These include:

- A lack of neighbourhood parks in new subdivisions;
- An inadequacy of neighbourhood parks in areas with growing numbers of units/town houses, where infill housing and redevelopment is taking place;

- Overcrowding of existing active recreation and sporting areas and facilities throughout the District, as a result of increased resident and visitor population, including waterfront areas, walkways and cycle ways;
- Lack of visual relief in the form of green open space and plantings among the built environment either residential or business;
- Lack of open space for the leisure needs of workers in, and visitors to, the District's town centres and business areas.

## v Litter and Waste

Wherever people gather for outdoor recreational activity, there is the potential for litter and human effluent to be disposed of in a way which adversely affects public health, water quality and the pleasantness of an area. Where recreational sites are frequently used and in public ownership, the Council or other community groups have usually provided toilet and rubbish disposal facilities. This is the case around the District's popular lakeshore areas, for example. More isolated sites can pose difficulties with the disposal of litter and effluent and, where use is repeated or frequent, the above adverse effects can arise.

### 4.4.3 Objectives and Policies

#### Objective 1 – Provision of Reserves

***Avoid, remedy or mitigate the adverse effects on public open spaces and recreational areas from residential growth and expansion, and from the development of visitor facilities.***

#### Policies:

1.1 *To require provision of public open space and recreation reserves through subdivision and development by the imposition of development contributions via the Council's Long Term Community Plan Development Contributions Policy.*

*(i) additional neighbourhood parks, District sportsfields and active recreation areas (including waterfront areas, walkways and cycle*

*ways) needed as a result of additional household, visitor accommodation and business growth across the District,*

*(ii) additional open space needed for visual relief and plantings among the built environment and for the leisure requirements of people to the District's town centres and business areas.*

1.2 *To ensure that, where a subdivision or development creates a site on either side of Oban Street south of Mull Street a 5 metre wide strip of land shall be taken adjacent to the road (allowing for an accessway) as Local Purpose Reserve, except that:*

*Where a Local Purpose Reserve has already been taken as part of a previous subdivision, no further land shall be taken from those sites as a part of any further subdivision or development*

*And*

*Where a beautification strip is provided within the Glenorchy Township Zone at the time of subdivision or development, the Council shall offset the value of this land against the development contribution payable under the Local Government Act 2002.*

#### Implementation Methods

- (i) Designation of Council reserves under the Plan, where considered necessary, to enable the continued recognition and function of the sites for recreational and open space purposes.
- (ii) Resource consent procedures to enable the consideration of the effects of activities on the range of recreation opportunities available.
- (iii) **Other Methods:**
  - (a) to continue to maintain and develop a wide range of public open space, recreational areas and amenities within the District, in consultation with other agencies, as appropriate.

- (b) to continue to improve the visual amenity of public lands throughout the District through planting, street improvements and the appropriate siting and external appearance of buildings and amenities.
- (c) to involve the community in decisions regarding the siting, use and design of open space and recreation areas.
- (d) to use development contributions received for public recreation and open space to acquire and develop land and facilities for such purposes.

### Explanation and Principal Reasons for Adoption

The subdivision and development process will assist the Council in acquiring further reserves. It will allow the Council to improve and maintain the quality and amenities of existing recreation and open space areas. These new or improved recreation areas and amenities will serve the growing population.

### Objective 2 - Environmental Effects

***Recreational activities and facilities undertaken in a way which avoids, remedies or mitigates significant adverse effects on the environment or on the recreation opportunities available within the District.***

#### Policies:

- 2.1 *To avoid, remedy or mitigate the adverse effects of commercial recreational activities on the natural character, peace and tranquillity of the District.*
- 2.2 *To ensure the scale and location of buildings, noise and lighting associated with recreational activities are consistent with the level of amenity anticipated in the surrounding environment.*
- 2.3 *To ensure the adverse effects of the development of buildings and other structures, earthworks and plantings in areas of open space or recreation on the District's outstanding natural features and landscapes or significant natural conservation values are avoided, remedied or mitigated.*

- 2.4 *To avoid, remedy or mitigate any adverse effects commercial recreation may have on the range of recreational activities available in the District and the quality of the experience of people partaking of these opportunities.*
- 2.5 *To ensure the development and use of open space and recreational facilities does not detract from a safe and efficient system for the movement of people and goods or the amenity of adjoining roads.*
- 2.6 *To maintain and enhance open space and recreational areas so as to avoid, remedy or mitigate any adverse effects on the visual amenity of the surrounding environment, including its natural, scenic and heritage values.*
- 2.7 *To avoid, remedy or mitigate the adverse effects of commercial recreation activities on the District's indigenous vegetation.*

### Implementation Methods

- (i) Designation of Council reserves under the Plan, subject to prescribed standards for activities on the reserves.
- (ii) Rules in the Plan ensuring that the adverse effects of commercial recreational activities are avoided, remedied or mitigated.
- (iii) **Other Methods:**
  - (a) To improve the visual amenity of public lands throughout the District, through planting, street improvements, and the appropriate siting and external appearance of buildings and facilities.
  - (b) To complement the use of District Plan procedures by the use of procedures and management plans under the Reserves Act and by encouraging other agencies to use procedures under their empowering legislation, to manage the layout, design and allocation of activities on publicly-owned open space and recreation areas.

## Explanation and Principal Reasons for Adoption

These policies acknowledge the likely adverse effects of recreational activities and will form the basis for rules to set performance standards, or, require resource consents for activities which may compromise public opportunity to use and enjoy recreation areas and public open space or adjoining land. The Council has designated all the major public reserves, other than small neighbourhood reserves within the residential areas, which will ensure that all activities in these areas will be available for the future use of residents and visitors.

The designations contain conditions which are intended to limit the adverse effects on neighbours of use of these reserves. General recreation activity is also provided for in residential areas and some outdoor recreation is provided for in the rural areas.

The Council also recognises that most public recreation and open space areas are controlled by other legislation and wishes to avoid unnecessary duplication of procedures.

## Objective 3 - Effective Use

***Effective use and functioning of open space and recreational areas in meeting the needs of the District's residents and visitors.***

### Policies:

- 3.1 *To recognise and avoid, remedy or mitigate conflicts between different types of recreational activities, whilst at the same time encouraging multiple use of public open space and recreational area wherever possible and practicable.*
- 3.2 *To ascertain and incorporate the needs of communities by encouraging effective public participation in the design, development and management of public open space and recreational areas.*
- 3.3 *To encourage and support increased use of private open space and recreational facilities in order to help meet the recreational needs of the District's residents and visitors, subject to meeting policies relating to the environmental effects of recreational activities and facilities.*

## Implementation Methods

- (i) Designation of Council reserves under the Plan, subject to prescribed standards for activities on the reserves.
- (ii) Rules in the Plan controlling the establishment of various recreational activities throughout the District, subject to compliance with prescribed standards or resource consent conditions.
- (iii) To use development contributions on subdivision where appropriate to facilitate the increased use of open space areas and recreation facilities.
- (iv) **Other Methods:**  
To complement the use of District Plan procedures by the use of procedures and management plans under the Reserves Act, by encouraging other agencies to use procedures under their empowering legislation, to manage the layout, design and allocation of activities on publicly-owned open space and recreation areas.

## Explanation and Reasons

The Resource Management Act requires the efficient and effective use of land resources, including public open space and recreation areas. The potential for multiple use of such land and facilities is restrained by the compatibility of various uses. However, the Council does not favour monopoly use of public areas by particular recreational interests. The Council will encourage a high level of public consultation in all matters relating to the use and management of land held as reserve. Private recreation facilities and open space are seen as complementary to reserves and facilities owned and managed by the Council or other public interests.

## Objective 4 - Esplanade Access

***A level of public access to and along the District's rivers, lakes and wetlands, adequate to provide for the current and foreseeable recreational and leisure needs of residents and visitors to the District.***

### Policies:

- 4.1 *To negotiate access strips to lakes and rivers.*

- 4.2 *To acquire, where practicable, at the time of subdivision or other appropriate opportunity, esplanade reserves of adequate width to provide for public access and the protection of water quality and nature conservation values.*
- 4.3 *To take, where practicable, esplanade reserves of adequate width to provide for public access and the protection of conservation values along the margins of any of the District's lakes, wetlands, rivers and streams should any subdivision occur of lots of less than 4 hectares in area or any development for residential, recreational or commercial purposes.*
- 4.4 *To consider, where practicable, the setting aside of esplanade strips, for the purpose of public access, where practicable, whenever subdivision occurs of lots of more than 4 hectares in area, along the margins of lakes and rivers.*
- 4.5 *To have regard to any adverse effects along the margins of the District's lakes, rivers and wetlands when considering resource consents.*
- 4.6 *To recognise that public access to lakes and rivers in some exceptional circumstances may not always be possible, including access to areas of waahi tapu or areas of mahika kai value or access to defence areas during temporary military training activities.*
- 4.7 *To consider the need for vehicle parking at public access points along esplanade reserves, esplanade strips, marginal strips and access strips when the purpose of those reserves and strips is for public access or recreation and are adjacent to arterial roads.*

## Implementation Methods

- (i) Rules requiring the setting aside of esplanade reserves for small lot subdivisions within the District and requiring Council consideration of the need for esplanade strips or access strips whenever subdivisions occur.
- (ii) The use of resource consent procedures to consider activities that may have adverse effects on public access to and along the margins of lakes, rivers and wetlands.

## (iii) Other Methods:

- (a) To identify, through consultation with appropriate parties of interest, priorities for public access to and along lakes and rivers, and to use any available opportunities to negotiate and promote such access.
- (b) To encourage the Crown to ensure that secure provisions are made for public access to and along lakes and rivers whenever opportunities are available to other agencies.
- (c) To consult with other agencies prior to the negotiation of access strips.
- (d) To continue to liaise with the Crown regarding the ownership of the land around the shores of Lake Hawea.

## Explanation and Principal Reasons for Adoption

The Council wishes to ensure public access to lakes and rivers with important recreational and conservation values. However, the Council does not consider the setting aside of esplanade reserves and strips along the margins of rivers and lakes is always the best method of achieving this. In some areas access to the major rivers and lakes is difficult and the Council will seek to negotiate access strips for public access whenever subdivision occurs.

The Council considers it is important that the margins of the tributaries to Lake Hayes are eventually brought into public ownership. The use and management of these margins can then be more effectively controlled to reduce sediment and nutrient inflows to the lake.

Given the large number, length and nature of lakes and rivers within the District and the likelihood the majority of subdivisions adjoining these lakes and rivers will be for lots greater than 4ha in area, the Council does not consider it to be cost-efficient to acquire esplanade reserves or strips for public access on all lakes and rivers. The Council will assess the requirements on a case by case basis.



## 4.4.4 Environmental Results Anticipated

- (i) A diversity in the type and size of open spaces and recreational facilities, equitably distributed throughout the District, to produce the following outcomes:
  - (a) A small increase in the amount of public open space and improved distribution and quality.
  - (b) Provision of a wide range of recreational opportunities in recognition of the diversity of community recreational needs.
  - (c) The provision and development of additional public open spaces and recreation areas where there is growth and development.
  - (d) Enhancement of open space areas within the town centres.
  - (e) Open spaces and recreational facilities that are convenient and accessible to users.
- (ii) Gradual enhancement of public access to the District's major rivers and lakes, where there are significant conservation or recreational values.
- (iii) Recreational activities which do not adversely affect the environment.

## 4.5 Energy

### 4.5.1 Resources, Activities and Values

Queenstown-Lakes District, like the rest of the country, is largely reliant on non-renewable energy resources, for undertaking a wide range of activities throughout the District. This is particularly so in the areas of transportation, industry and agriculture.

The consumption of energy is increasing nationally, mainly due to the increased use of natural gas. Much of this is used in the production of electricity and synfuel, with substantial accompanying energy losses. Hydro-

electricity is New Zealand's main source of electricity supply, however other energy demands met by fossil fuels, oil and gas.

#### i Wind and Solar Energy

There will be some sites where wind and solar resources can be utilised for the supply of local energy requirements and the Council strongly supports individual solar units.

#### ii Hydro-Electricity

The District encompasses some of the country's larger lakes and rivers which combine to form a significant resource in terms of existing and potential hydro-electric power generation capabilities.

#### iii Possible Future Hydro-Electricity Development

Investigations are ongoing into the potential for development of additional hydro-electricity within the District.

Detailed investigations have been made of several hydro-electricity generation projects on the Upper Clutha River, but no decisions have yet been made to proceed with the construction of any of these.

In addition, the existing Lake Hawea control facility could be modified to allow the generation of electricity.

### 4.5.2 Issue

- **The conservation and efficient use of finite energy resources is necessary to ensure the needs of future generations can be met.**

The Act requires the Council to sustain the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations and to avoid the adverse effects of activities on the environment. The Council must also have regard to the efficient use and development of natural and physical resources, including energy, and their probable finite characteristics.

Efficient use of energy resources now will assist in extending their life, improve their availability for future generations, and allow time for the development of more sustainable, renewable energy sources.

As existing energy resources in New Zealand reach their capacity and the limits of their reserves, there will be pressure for the exploration of new energy sources, such as the construction of new hydro-electricity stations. This can result in adverse effects on the environment such as loss of habitats, heritage values, land and recreational resources.

The management of the country's energy resources is principally directed through government policy and may be the subject of national policy statements under the Act. However, the Council has a responsibility to address local energy issues and to adopt methods which will encourage increased efficiency in energy use, energy conservation and the use of renewable energy sources.

### 4.5.3 Objectives and Policies

#### Objective 1 - Efficiency

*The conservation and efficient use of energy and the use of renewable energy sources.*

#### Policies:

- 1.1 *To promote compact urban forms, which reduce the length of and need for vehicle trips and increase the use of public or shared transport.*
- 1.2 *To promote the compact location of community, commercial, service and industrial activities within urban areas, which reduce the length of and need for vehicle trips.*
- 1.3 *To encourage residential sites to be large enough to enable buildings to be constructed to take the greatest advantage of solar energy for heating, both active and passive.*
- 1.4 *To control the location of buildings and outdoor living areas to reduce impediments to access to sunlight.*
- 1.5 *To encourage and support investigations into alternative and further public transport options both within the urban areas and throughout the District.*

- 1.6 *To promote increased awareness of the need for energy conservation and efficient use of energy resources, particularly solar energy, active and passive.*
- 1.7 *To encourage the use of energy efficient and non-air polluting heat sources in existing and new dwellings and workplaces (e.g. solar energy, effluent enclosed fireboxes).*
- 1.8 *To promote "carbon sinks" by encouraging the retention of remaining areas of indigenous forest vegetation and minimising the restrictions on the plantings of exotic trees to those necessary to avoid any significant adverse visual effects on the environment.*

#### Implementation Methods

Objective 1 and associated Policies will be implemented through a number of methods including:

##### i District Plan

- (a) Provision of rules to control site sizes for residential units, shading of adjoining properties and orientation of outdoor living areas.
- (b) Use of zoning and the delineation of defined zone boundaries to ensure compact urban and peri-urban forms and the compact location of community, commercial, service and industrial activities.
- (c) Through the rules to permit exotic forestry as-of-right except where controls are necessary to avoid any adverse effect on the environment.
- (d) By providing for and encouraging convenient, safe and attractive walkways and cycle ways throughout the townships and suitable locations within the rural area, e.g. Wakatipu Basin.

##### ii Other Methods

- (a) promote the dissemination of information regarding energy conservation, the efficient use of energy and waste reduction, in a form that can be understood and be useful to the community.

- (b) investigate and undertake improvements that can be made to the energy efficiency of the operation of the Council's vehicle fleet, building and service facilities.
- (c) promote and implement roading designs which assist in reducing fuel consumption.

### Explanation and Principal Reasons for Adoption

The Council's main area of influence with respect to energy conservation relates to the location and design of land-use activities, subdivisions and buildings. The location of land-use activities relative to one another can be a significant determinant in the length and number of vehicle trips undertaken. Trips between home and work, school, community and commercial activities, for example, can be reduced if these activities are in close proximity to each other or at least grouped together. In a rural area, such as Queenstown-Lakes District, it is physically possible for activities to be spread over a large area of the District. The Council's policies seek to keep the District's urban areas compact. This relates to both existing and new urban areas. The policies also seek to ensure that the benefits of compact and convenient activities apply in the community and business centres. Similarly, the Council's control over roading location, design, gradients and construction can assist in reduction in fuel consumption.

The location and design of sites and buildings can also assist in minimising the impediments to the use of solar energy. The size of sections created on subdivision can ensure that there is ample space available on the site for the construction of buildings that can take the greatest advantage of solar energy. Difficulties with the variable size and shape of existing sections and areas of land available for subdivision make it impracticable to require the design of subdivisions and buildings to achieve a prescribed orientation to the sun. However, guidelines will be used to provide information about the opportunities available.

Forests are important "sinks" which trap and breakdown greenhouse gases. Districts with a large rural hinterland are the most likely location for future carbon "sinks". Woodlots for firewood are temporary "sinks" but are a renewable non-fossil source of domestic heat. Any adverse consequence in terms of air pollution is overcome by high temperature insulated fireboxes, which combust the greater part of the wood and are virtually smokeless.

### Objective 2 - Hydro-Electricity

***Recognise existing hydro-electricity facilities and enable future hydro-electricity facilities to be considered while ensuring protection for the environmental quality and amenity values of the surrounding land resources, visual amenity, rivers and riverbeds.***

#### **Policies:**

- 2.1 *To recognise and protect the water and recreation resource of the major lakes and rivers in the District.*
- 2.2 *Subject to 1 above, and having regard to the important visual and recreational values of the major lakes and rivers, to recognise the strategic location of the District for the generation of hydro-electricity and to plan in a positive manner for existing and future activities related to electricity generation.*
- 2.3 *To make specific provision in the District Plan for the power stations and control structures at Lake Hawea, Roaring Meg (Kawarau River), Glenorchy and Wye Creek.*
- 2.4 *To enable the establishment of hydro-electricity developments, subject to plan change and or resource consent procedures and taking into account:*
  - *effects relating to the amenity, character and value of the water resource for other activities;*
  - *effects relating to the natural and physical environment;*
  - *the social and economic effects of energy development;*
  - *the provision of infrastructure to support energy developments;*
  - *the values of the takata whenua.*

#### **Implementation Methods**

Objective 2 and associated Policies will be implemented through a number of methods including:

#### **(i) District Plan**

- (a) Rules to assess any new hydro-electricity projects.

- (b) Special zone for hydrogeneration activities.

### **Explanation and Principal Reasons for Adoption**

The District contains significant resources which can be utilised for the generation of hydro-electricity. Clear provision needs to be made in the District Plan for the sustainable use and development of the existing and approved activities. New activities would need to take account of the significant effects that such development may have on the natural and physical environment, and in particular the passive and active recreation values of the District's lakes and rivers.

### **4.5.4 Environmental Results Anticipated**

Implementation of the policies and methods relating to Energy will result in:

- (i) More efficient use of energy for development and transportation.
- (ii) Increased public awareness of the need for and methods of energy conservation.
- (iii) Increased use of and encouragement for non-pollutant energy forms in both transport and urban development.
- (iv) Encouragement of the use of renewable energy resources for new development.
- (v) Increased use of solar energy.
- (vi) Reduction in the need for and impact of hydro-development on the major "white-water" and lake resources of the District.
- (vii) Reduction in air pollution.
- (viii) Reduction in carbon dioxide emissions.
- (ix) Minimising the need for, and distance of vehicle trips.
- (x) Sustainable management of existing hydro generation facilities and an effects based approach to any new development

## 4.6 Surface of Lakes and Rivers

### 4.6.1 Resources, Activities and Values

The very name of the District - Queenstown-Lakes - indicates the central role played by the lakes and rivers in the existence of the District. The lakes and rivers provided sources of food and natural resources and pathways across the island for the takata whenua of the area. They also formed pathways for early European explorers and settlers. The rivers brought with them the gold that swelled population numbers in the District. The lakes and rivers have long been the focus of recreation and enjoyment for New Zealanders and overseas visitors.

The outstanding natural environment of the District is dominated by mountains, lakes and rivers. The abundant and varied lakes and rivers provide the basis for a wide range of recreational opportunities, both private and commercial, from jet-boating and rafting to angling, picnicking and swimming. The changing moods and aspects of the lakes and rivers, particularly combined with the District's other magnificent scenery, provide ceaseless opportunities for viewing, contemplation and enjoyment. These lakes and rivers are nationally and internationally recognised as one of the principal bases for the District's importance as a visitor destination, as well as one of the reasons for residents to settle and stay in the area.

The lakes and rivers of Queenstown-Lakes District all flow into the Clutha River. The three major lake catchments of Wakatipu, Wanaka and Hawea feed the Clutha River, joined by the Cardrona River and other smaller streams before the Clutha leaves the District. With the District's excellent climate, the lakes and rivers are very popular for a wide range of recreational activities. The rivers and lakes are also outstanding natural features, with high natural and scenic values, providing habitats for a range of indigenous and acclimatised bird and fish species.

i **The Kawarau River** is a major tributary of the Clutha River, draining Lake Wakatipu from the head of the Frankton Arm. The river flows through almost continuous gorges, with long sections of white water at the Nevis Bluff Rapids. Hydro-electric development was proposed, but in its 1991 submission on the Proposed Water Conservation Order,

Electricorp confirmed that there are no longer any intentions to build dams on the main stem of the Kawarau.

The large volume and steep fall of the Kawarau, two characteristics that made it a candidate for hydro-electric development, also make it a valued recreational and scenic resource. This river is one of the few remaining unmodified whitewater rivers in New Zealand. The main recreational uses are rafting, bungee jumping, jetboating, kayaking and more recently body-surfing. The river is used intensively for commercial recreation but because of its width and the different requirements of the various boating activities there are little conflicts between the activities. Jetboats operate from the Frankton Arm down to the confluence with the Arrow River. Below that point the rapids are too rough for commercial jetboating but suitable for rafting, surfing and kayaking. Fishing is important from the outlet from Lake Wakatipu to the confluence with the Shotover River.

ii **Lake Wakatipu** lies to the west of the Remarkable Ranges and is a long, narrow "S"-shaped lake with a barren and windswept appearance. The main rivers flowing into the lake are the Dart, the Rees, and the Greenstone, while there is only one outflow, the Kawarau River leaving the lake from Frankton Arm.

Lake Wakatipu is a popular holiday and visitor destination, adjoining the towns of Queenstown, Glenorchy and Kingston. All forms of recreational boating are undertaken on the lake. The shores of the lake are popular for lakeside picnicking, swimming and passive recreation. The lake is extensively used for recreational fishing both from the lakeshores and by boat. Commercial use of the lake has increased enormously over the last 20 years, with jetboat operations, small boats for hire, lake cruising and fishing guiding and paragliding.

iii **The Dart and Rees Rivers** enter the head of Lake Wakatipu from the north. The Dart River originates near Mt Aspiring. It is a glacial river flowing through a number of short gorges before entering Lake Wakatipu over braided river flats. The Rees River lies between the Forbes and Richardson Mountains, joining the lakeshore near Glenorchy. The Rees is a popular fishing venue for local and overseas anglers. The Dart main stem with its highly braided nature and discoloured water, due to glacial

melt, is not a highly regarded fishery. The Dart is used by commercial jetboat, rafting and kayaking operators and along much of its upper reaches it runs alongside the Dart-Rees track, a popular tramping route. Both rivers are scenically attractive.

- iv **The Von, Lochy, Greenstone and Caples Rivers** are all tributaries to Lake Wakatipu, flowing into the lake from the west and south. The Greenstone flows from the Livingstone Mountains. In its lower reaches it joins the Caples River, a small shallow flowing waterbody in a grassy river valley. These rivers flow into the lake just west of Pigeon Island. The Von and Lochy Rivers are situated further to the south-east, the Von entering Lake Wakatipu near Mt Nicholas Station, and the Lochy at Halfway Bay.

These rivers are all remote and at present provide a wilderness experience and very good fly fishing. The rivers are not used for commercial boating operations at present. Inaccessibility and their limited size is likely to continue to be a deterrent to motorised and even non-motorised use of these rivers. Their scenic quality has been described as at least impressive, and in the case of the Greenstone River, exceptional.

- v **The Shotover River** is divided into a number of sections, each of which have different resource characteristics and activities.
  - (a) **The Upper Shotover** is that section of the river above the Edith Cavell Bridge. The Shotover flows south from the Harris and Richardson Mountains, through the rapids of Skippers Canyon.
  - (b) **Shotover Canyon** is defined as that stretch between the Edith Cavell Bridge and Tucker Beach. In two sections, the river is deeply incised into spectacular, narrow, rock gorges separated by a more open river section.

A commercial jetboating business started on this stretch of the river in 1965. In 1986 the Shotover Jet Company obtained the rights to the sole use of this section of the river until 2004 through the provisions of the Lakes District Waterbodies Authority (Shotover River) Empowering Act 1985. After the Earnslaw, the Shotover Jet

carries the most passengers of any of the commercial operators using waterbodies in the District. Trips are made everyday weather permitting, with boats departing every 15 minutes. There is only one section on the river where the boats can pass in safety. Up to four boats, 2 in tandem, operate on this stretch of the river at the same time using a strict protocol controlling passing to avoid collisions.

A sole concession was issued for the Shotover Canyon section of the river on the grounds that it is unsafe to have more than one operator. Commercial and private jetboaters, rafters and canoeists are excluded unless they have the company's permission. Jetboaters are the most affected as the river in this section is generally not sufficiently exciting for rafting or kayaking. Private jetboaters are provided for insofar as the company allows private boats to follow one of the Shotover jetboats up from Tucker Beach. Although the Shotover Canyon does not have very exciting kayaking water, it still provides a pleasant recreational experience for novice and intermediate canoeists. Canoeists cannot venture onto the water until the commercial jetboating has finished for the day. By that time there is often insufficient daylight for the canoe/kayak trip.

- (c) **The Lower Shotover** is defined as that section below Tucker Beach to the confluence with the Kawarau - a few kilometres below the Lake Wakatipu outlet. It is highly braided and very shallow except during high flows. Because it does not contain any white water it is not attractive for rafting or kayaking but it is suitable for jetboating.

Several rafting operators conduct raft trips from Deep Creek in summer, and from the Boulders in winter, to a point just above the Edith Cavell Bridge. At present only one commercial jetboater operates from Deep Creek up to the Skippers Bridge. Above this there are regular commercial rafting, kayaking and river bug trips. While there is 17km of boating in Skippers Canyon, difficult rapids make jetboat passage difficult at either end. Bungy jumping from the Skippers Bridge and the pipeline bridge are recent attractions,

with the need for a boating operator to recover people after the jumps.

- vi **Lake Hayes** lies in a shallow depression created by glacial action, which also formed the surrounding landscape. The main inflow to the lake is Mill Creek draining the Wakatipu Basin to the north of Lake Hayes. Hayes Creek drains the lake to the south into the Kawarau River.

Lake Hayes is a regionally important wildlife habitat for native and introduced birds. It is also an important fishery, particularly for brown trout and perch. Mill Creek provides spawning beds for brown trout and is also a valuable food source. Fly fishing is the predominant type of fishing on the lake, although trolling for fish is permitted provided no mechanical device is used. Motorised boats are permitted on Lake Hayes, which is popular for swimming, picnicking, yachting, rowing, wind-surfing and canoeing.

- vii **The Clutha River** flows east from Lake Wanaka outlet to the junction with the Hawea and Cardrona Rivers at Albert Town, then through large bends to the District boundary below the Luggate bridge. The river is wide and deep, flowing swiftly from bank to bank, with easy rapids. It is one of the few uncontrolled river outlets in the country from a large lake. It provides a scenic natural environment with a sense of remoteness, yet is readily accessible from Wanaka.

The Clutha is a nationally important trout fishery, with the Deans Bank area between the Wanaka outlet and Albert Town being recognised internationally for trout angling (both brown and rainbow trout). The river is a recreational fishery of high use, valued for its above average catch rate and fish size, as well as for its scenic qualities. It is also a nationally important trout spawning area.

Two commercial jetboat operations use the river from Lake Wanaka to below Albert Town. The Clutha is also popular for private, recreational jetboating. Although it is not exciting for experienced jetboaters, the Clutha River is easily navigable by the average boater. Rafting, kayaking, canoeing, drift diving and bodysurfing are popular with private recreationalists and school groups, with limited, but growing commercial kayaking, rafting and bodysurfing. These commercial operations rely on

the grandeur of the river and the peaceful scenic surroundings for the experience offered to their clients. Swimming is mostly limited to an area between an island and the true right bank at Albert Town above the bridge. The riverbank walkway between Outlet and Albert Town is a popular route for walking, picnicking and mountain biking. For Albert Town residents, the Clutha is part of the scenic view from many riverside properties and the camping area.

- viii **Lake Wanaka** is a large, deep, glacial lake with a surface area of 180km<sup>2</sup>, running generally northwards from the township of Wanaka at Roys Bay. The main inflows to the lake are the Makarora River at the north end and the Matukituki River at the south-west side. Generally steep-sided and narrow, the lake opens out into a series of large bays and inlets containing shallower water in the southern reaches of the lake.

Lake Wanaka is an extremely popular holiday area and is of growing popularity for permanent residence and retirement. All forms of recreational boating are undertaken on the lake. A marina in Roys Bay adjoins the boat launching ramps. The area is popular for lakeside picnicking, camping, swimming and passive recreation. Walking tracks are maintained around the lakeside from beyond Waterfall Creek to the Lake Outlet. Commercial use of the lake includes jetboat operations; launches for lake cruises and guided fishing; hire of jet-skis and small boats; and paragliding; mostly concentrated on and near the main jetty in Roys Bay. Recreational fishing is primarily for brown and rainbow trout and quinnet salmon, by trolling, spin and fly fishing.

- ix **Lake Hawea** is a medium-sized, deep, glacial lake with a surface area of 138km<sup>2</sup>, running generally northwards from the township of Lake Hawea. It is separated from Lake Wanaka by a narrow 1.6km wide ridge known as "The Neck". Main inflows to the lake are the Hunter River at the north end and the Dingle Burn and Timaru Creek at the eastern side. The lake has been dammed at its outflow to the Hawea River and is used as a storage lake for the Roxburgh hydro-electric station. The lake level has been raised significantly above its natural level, although lake levels have varied markedly over recent years, with severe dust problems at times.

Lake Hawea is a popular holiday area and is growing in popularity for permanent residence and retirement. It provides a scenic setting for the township of Lake Hawea, lakeside rural properties and camping areas.

A variety of recreational boating activities take place on the lake. Lake Hawea is particularly popular for experienced wind-surfers in high winds. Lakeside picnicking, swimming and passive recreation is principally undertaken on the main beach at Lake Hawea township and around the motor camp. Fishing for brown and rainbow trout and quinnnet salmon is largely of a recreational nature.

- x **The Hawea River** - Flow in the Hawea River is controlled by the dam at the outlet from Lake Hawea. The normal summer flow is now low and the river is braided in places, particularly near its confluence with the Clutha River. When water is being released from the dam, white water rapids and pressure waves are created.

The Hawea River is a popular and important trout fishery, despite the alterations to river flows as a result of the dam. The river provides spawning grounds for brown and rainbow trout. At normal low flow the river is predominantly used for fly-fishing. Being a shallower and gentler river than the Clutha River, the Hawea is well used by family groups for picnicking, camping, swimming and floating. Rafting, kayaking, canoeing, drifting and bodysurfing are popular with private recreationalists and school groups, with limited commercial bodysurfing and kayaking. A jet sprint course was recently established adjacent to the main river in the river bed towards the Clutha River confluence.

- xi **The Makarora, Young and Wilkin Rivers** - The Makarora River flows from the Main Divide into the head of Lake Wanaka. Thick bush encloses the river in its upper reaches within Mt Aspiring National Park. The river opens out into river flats and becomes shallow and braided in its lower reaches before the lake. The Makarora's two main tributaries, the Young and Wilkin Rivers flow east from the National Park. The Wilkin River leaves the Park at Kerrin Forks, from where it flows more placidly over a shingle bed through grassy flats to the Makarora.

The Wilkin and Young Rivers support nationally significant trout fisheries of sufficient quality to attract anglers seeking a scenic, wilderness fishing

experience. Both are important trout spawning rivers. Commercially guided angling occurs on the Young and Wilkin Rivers. Commercial jetboat operations are limited to the lower Makarora River and the lower Wilkin River to Kerrin Forks.

Commercial jetboats are also used by trampers and anglers for access. Private, recreational jetboating is typical on the lower Makarora, and lower Wilkin Rivers to Kerrin Forks. The upper Makarora River is used for limited commercial kayaking. The Makarora and Wilkin Rivers have occasionally been rafted.

- xii **The Hunter River, Dingle Burn and Timaru Creek** - The Hunter River flows from the Main Divide to the head of Lake Hawea. Most of the river flows over shingle river flats, becoming braided and very shallow in its lower section before entering the lake.

The Hunter River is regarded as a nationally important fishery. It is valued for its remoteness, scenic beauty and solitude. Only the river mouth can be reached without a boat. The Hunter River is an important spawning area for Lake Hawea. It may be jetboated up to Fergusson Creek. The river is potentially available for rafting and kayaking, but access is difficult to the upper reaches.

The Dingle Burn and Timaru Creek also feed Lake Hawea on the eastern side of the lake. These are both small streams. The Dingle Burn flows through extensive areas of indigenous forest and is a significant angling river, and valued for its remoteness.

- xiii **The Matukituki and Motatapu Rivers** - The Matukituki River flows from Mt Aspiring to the south-western shore of Lake Wanaka. The West Branch contains exciting white water with steep bouldery rapids. From about the confluence of the East and West Branches the river becomes very braided and shallow to the lake. The entire valley has impressive scenic values. The Motatapu River is the main tributary of the Matukituki. The lower reaches are easy and shallow.

The Matukituki River is an interesting jetboating river close to Wanaka township and is often used by boaters over the summer period. It offers scenic boating and is exciting, but without major rapids. The Matukituki



River is a significant trout fishery, including important spawning areas. The braided nature of the river allows, but does not ensure, separation of anglers and boats. There is excellent white water kayaking immediately above the limit for jetboating on the Matukituki River at the branch of the east-west confluence to Raspberry Hut (and has been recorded as far as the end of the road). Below this point the river is a popular scenic kayaking trip for less experienced canoeists. Similarly, the Motatapu River is popular for easy kayaking in its lower reaches. Rafting and drifting are undertaken on the easier sections of both rivers. A growing commercial kayaking operation is established on the Matukituki River.

**xiv The Cardrona River** flows from the Crown Range to join the Clutha River at Albert Town opposite the Hawea River confluence. The River's flow is often low, with water extracted from the lower reaches for irrigation. The flow sometimes ceases in its lowest reaches in the summer. The river valley and its small tributaries were subject to extensive gold mining in the early 1860's, with some mining still continuing at times. The Cardrona is popular with family groups for picnicking, camping, swimming and floating, particularly in the lower reaches.

**xv Water Conservation (Kawarau) Order 1993**

A Water Conservation Order has been drafted for the Kawarau catchment, which includes the Kawarau main stem, and catchments such as the Nevis, Shotover, Lochy, Von, Dart and Rees rivers, and Lake Wakatipu. It provides for the preservation of waters in their natural state and for the protection of outstanding characteristics of other waters not in their natural state. There is a high proportion of conservation land within the sub-region including Mount Aspiring National Park and numerous reserves. The headwaters of the Nevis catchment include areas of wetland and water bodies with a low degree of modification at high altitudes, and a scenic white water gorge in the lower end.

## 4.6.2 Issues

Activities on the surface of lakes and rivers can and do have adverse effects on the amenity of their surrounding environment, the quality and enjoyment of recreational activities, natural and wildlife conservation values, and public health and safety.

The continued pleasantness, integrity, diversity and safety of the lakes and rivers are essential to the economic welfare of the District and to the enjoyment of the District's natural resources by residents and visitors both now and in the future. Overcrowding and over-use of the lakes and rivers can result in adverse effects, which could undermine the characteristics valued in the District's lakes and rivers. The District Plan must seek to promote the sustainable management of the District's lakes and rivers, in a way which enables their use and enjoyment, but also protects their functioning for future generations and avoids or mitigates any adverse effects of their use.

The District Council has responsibility under Section 31(e) of the Resource Management Act 1991, to control any actual or potential effects of activities in relation to the surface of water on the District's rivers and lakes, for the purpose of giving effect to the Act.

The Council must also recognise and provide for those matters of national importance under Section 6 of the Act, relative to the District's rivers and lakes. This entails not only the preservation of the natural character of the lakes and rivers, but also the protection of areas of significant indigenous vegetation, significant habitats of indigenous fauna, and the recognition of the relationship between Maori culture and traditions with the District's lakes and rivers. Section 7 of the Act also requires the Council to have particular regard to the maintenance and enhancement of amenity values and the quality of the environment, and the protection of the habitat of trout and salmon.

Historically safety and navigation on inland lakes and rivers have been controlled under the Harbours Act 1950 and the Water Recreation Regulations 1979. In 1983, by Order in Council, the Lakes District Waterways Authority was established to administer lakes and rivers in the District. The Order in Council gave the authority power to make by-laws under the Harbours Act 1950 for the safety of navigation.

Recreational activities on the District's lakes and rivers are varied and intensive. The following potential adverse effects of water based recreational activities, have been identified:

- degradation of natural conservation and wildlife values;
- conflict with other recreational activities;
- noise;
- reduction in navigational safety;
- litter and other wastes generated in the area;
- alienation of areas of the shoreline with recreational facilities and structures.

Where it is intended to occupy the beds of lakes or rivers vested in the Crown, it is necessary to obtain the approval of the appropriate agency, being the government department responsible for the management of the beds of lakes and rivers.

## i **Natural Conservation and Wildlife Values**

The potential for conflict between natural conservation and wildlife values and recreational activities is considerable on several of the District's lakes and rivers. Most of the District's rivers are important fish spawning and/or nursery rearing areas for the river and lake fisheries. The noise, vibration and wash from jetboats and the wash from rafts may disturb fish and spawning areas and affect angling success and the fisheries generally. The extent to which boating disturbance affects the fishery as a whole has not been fully investigated by research. Jetboating is already limited on the Rees River between April and July inclusive in order to protect fish spawning areas.

The braided riverbeds of the Dart and Rees Rivers provide outstanding habitat for at least 20 species of bird. The District's lakes and rivers also provide a diverse habitat for many species of birds, which live near and depend upon the lakes and rivers for survival. They may be disturbed by noise, vibration and wash from regular and increasing recreational activities. In particular the wrybill plover and the black-fronted tern, which use the shingle banks of the riverbed for nesting and rearing young. There is concern that jetboating, particularly major jetboat events during October to December, can endanger nesting birds and fledglings by swamping the nests and immature birds. However, the evidence regarding this at present is still inconclusive, with surveyed changes to riverbed bird populations being generally what would be expected for a dynamic braided river environment.

Lake Hayes suffers from eutrophication (nutrient enrichment). The poor water quality is as a result of the physical characteristics of the land and soil resource and the effects of land-use practices over a long period of time. The recreational and wildlife values of the lake and its surroundings are dependent on the maintenance of good water quality.

## ***Refer also Policies Part 5.1***

## ii **Conflicts between Different Recreational Activities**

Because of the intensity of use and the popularity of the District's lakes and rivers, the potential for conflict between the various users of the lakes and rivers is significant. Overall, the specific requirements of the different activities mean that potentially incompatible activities are often naturally separated. However, there is potential for conflict between the expectations of the various water users and some forms of control are needed to ensure that the different users are able to satisfy their needs. It is also recognised that recreational users, e.g. trampers and fishers, sometimes use jetboats to access recreation areas.

There are three broad categories of lakes and rivers which provide complementary recreational opportunities throughout the District:

- wilderness resources, with outstanding natural characteristics in terms of wild and scenic beauty; aesthetic coherence; biological diversity; ecosystem form, function and integrity; sense of isolation; and recreational amenity;
- multiple use resources which offer a semi-wilderness experience; and
- resources which are close to population centres and which provide for active recreation in a non-wilderness context.

There are numerous examples of the conflicts that can occur between the different water-based recreational activities. Primarily the conflicts involve the noise and disturbance from motorised craft adversely affecting the recreational experiences of more passive users of the lakes and rivers, such as anglers, walkers, picnickers, swimmers and kayakers. Noise and wash from jetboats on the rivers, for example, may

cause disturbance to other recreational users at all river levels. Although it passes quickly, the noise from jetboats can be a significant detraction. This is particularly so where the noise detracts from an otherwise peaceful and scenic atmosphere of the river valleys and from a sense of remoteness.

Where the Dart River adjoins the Rees/Dart tramping track, jetboating use of these upper stretches of the river has resulted in conflicts with the remote recreational experience of trampers on the track. In the Von, Lochy, Greenstone and Caples Valleys, increased use of helicopters to transport anglers and trampers is likely to detract from the wilderness values sought by other users of these more distant lakes and rivers. On the Clutha River, multiple use of the river by various users has been tried in the past with speed and time limits for motorised craft. However, there may be no potential for multiple use of this river in a way that is acceptable to all parties. Jetboating, even with speed and time restrictions, may inevitably adversely affect such a nationally regarded fishery or the experience sought by users of that significant waterbody. The complex speed and time limits also create uncertainty for river users and enforcement difficulties for the Council.

Where different water users become concentrated, such as in the more accessible bays and arms of the lakes, the potential for conflict between the various users increases. The main bodies of the three large lakes are exposed and not heavily used. However, activities are concentrated in and around Frankton Arm, Queenstown Bay and adjoining bays on Lake Wakatipu; the southern bays of Lake Wanaka, particularly Roys Bay; and the southern end of Lake Hawea. As a relatively small and enclosed area, the Frankton Arm faces conflicts between the different boating users. These problems are not always present as the lake is only used intensively over the summer holiday period. Roys Bay is an area of intensive recreational activity, with a concentration of commercial boating activities as well as a mix of private active and passive recreation. This has resulted in concerns about congestion, loss of enjoyment particularly for more passive lake users, and the adequacy of existing rules separating the different activities. The adequacy of the existing controls separating boating and other activities is also a matter of concern at Lake Hawea, where lakeshore and water activities are

concentrated at the main beach at Lake Hawea township and the Hawea camping ground.

### iii Noise

Special events such as races, having consent of the Council, which are limited in duration and frequency, are exempt from all noise limits.

Noise from motorised craft on the water affects all people on the water or near the margins. Due again to the intensity of use and the popularity of the District's lakes and rivers, there are several areas where concerns have arisen regarding the adverse effects of lake and river noise. Where the rivers or lakes are large; there is separation between boating and other users on the boatable waters; and there is little or no development alongside the water margins, there are few concerns regarding noise. This is generally the case with the main bodies of the large lakes and the main stems of the wider rivers, such as the lower Shotover, the Matukituki and the Makarora.

Frankton Arm, which is surrounded by residential development and is used for both commercial and private recreational boating, is subject to noise from some motorised craft. The main area of concern for residents is not the temporary peak in noise levels over the brief summer holiday period, but the continual exposure to the noise of the commercial jetboats en route to the Kawarau River. Their noise is also a concern in the upper reaches of that river, where it is close to a growing area of residential development.

Lakes Wanaka (in Roys Bay) and, to a lesser extent, the southern end of Lake Hawea are also areas of intensive boating activity in close proximity to residential areas and other activities. Noise from motorised boats and personal watercraft in Roys Bay is causing some disturbance to other water and lakeside users and Wanaka township generally. Similarly, the main water-ski lane at the Lake Hawea main beach is in front of residential properties, with some noise disturbance. In these cases, the noise effects generally occur only during the busy summer period. However, that is also the time when many of the residential properties are also occupied and other lakeside activities are occurring.

Where the rivers are more narrow or confined, noise from motorised boats is the main cause of disturbance to other recreational users of the lake and river and its margins, as discussed above. In addition, residents at Albert Town are affected by the noise of motorised boats, including personal watercraft, passing through Albert Town.

It is possible to establish permitted noise levels for motorised craft and the Council has been requiring commercial and private operators to comply with noise limits based on standardised testing of each boat.

**Refer also to Appendix 3**

#### **iv Navigational Safety**

The relationship between navigational safety and resource management matters is close. These measures need to read in conjunction with the relevant legislation, e.g. Harbours Act, Maritime Safety Act and Council By-laws. Clearly matters affecting the environment and the management of the lakes and rivers resources where this impinges on the adverse effects of activities need to be covered in the District Plan.

Although there are safety concerns as a result of the congestion of water users on the lakes at peak periods, the existing regime of speed limits, launching ramps and water-ski lanes as managed through bylaws seems to be sufficient, provided that it is adequately enforced. Most of the rivers can also accommodate existing and likely foreseeable levels and types of activity within the existing framework of safety controls.

The District does contain some difficult stretches of river, which are under pressure for intensive use, especially from commercial operations. At some point, the level of use of those stretches of the rivers could be such as to give rise to adverse environmental effects and safety. The point at which this occurs, however, will depend on the physical characteristics of the river and the nature of the activities. This matter is most appropriately controlled through the District Plan.

#### **v Litter and Waste**

Wherever people gather for outdoor recreational activity, there is the potential for litter and human effluent to be disposed of in a way which adversely affects public health, water quality and the pleasantness of an area. Where recreational sites are frequently used and in public

ownership, the Council or other community groups have usually provided toilet and rubbish disposal facilities. This is the case around the District's popular lakeshore areas, for example. More isolated sites can pose difficulties with the disposal of litter and effluent and, where use is repeated or frequent, the above adverse effects can arise. Congestion at the put-in and take-out points for the rafting operations on the Shotover and Kawarau Rivers can reduce the pleasantness of the areas and the recreational experience, particularly with lack of adequate toilet facilities, lack of privacy for changing and an accumulation of litter and debris.

#### **vi Structures and Facilities**

The use of lakes and rivers inevitably involves demand for the construction of structures and facilities alongside or in the margins of the lakes and rivers. These can involve jetties, launching ramps, toilet and changing facilities and administrative facilities for commercial operations. Such facilities and structures may result in adverse environmental effects relating, for example, to their visual impact; the concentration of pedestrian, vehicle and boating activity; oil and fuel spillages; noise; and the alienation of the foreshore from general public use. The construction of structures and facilities can also have an adverse effect on the natural character and amenity of the margins of lakes and rivers. Most of the margins of the District's lakes and rivers are in public ownership, either administered by the Council or the Crown. Public processes are, therefore, involved with the preparation of management plans, which might allocate land for facilities, or for the leasing of land for facilities.

Frankton Arm, Queenstown Bay and Roys Bay, in particular, are under pressure for space for jetties, marinas, launching ramps, sites for various commercial operations and, more recently, houseboats. The Foreshore Management Plan for Sunshine Bay, Queenstown Bay, Frankton and Kelvin Peninsula addresses many related issues, including the use of the foreshore although it should be noted that this District Plan supersedes the Foreshore Management Plan in so far as it applies to water areas. The Wanaka Lakeside Reserves and Lakeshore Management Plan also establishes a framework for the distribution of facilities, structures and commercial activities around the lakeshore of Roys Bay and its environs. The need for, and location of, further marina berths, both in Frankton Arm and in Roys Bay, are matters of concern to local residents, in terms

of their visual impact, associated congestion and loss of public access to the foreshore. Both of these Management Plans are continually being reassessed and detailed design studies being undertaken for specific areas of the foreshore in terms of the Management Plans.

## vii Differentiation between Private and Commercial Users

The waterbodies of the Queenstown-Lakes District are extensively used for both commercial and private recreational activities. In some cases there is uncertainty as to whether a boating activity is commercial or private. The current Bylaw differentiates between private and commercial water users. The rationale behind this differentiation is entirely safety-orientated, and is likely to be continued to be enforced through a local navigational safety bylaw, rather than the District Plan.

All motorised boats, for example, make noise, cause wash and travel at high speeds affecting the environment in the same way. Similarly, all rafts and kayaks require putting in and out of the water and intrude to some degree into the wilderness qualities of remote areas.

At some times of the year, particularly in summer, the commercial operators can be outnumbered by the private boats, with the commercial operators being predictable, known elements and the private boaters being more of a concern with respect to safety and consideration of others. However, at other times of the year and on many waterbodies, the numbers of commercial operators completely outnumber the private users, such that the effect of private boating is insignificant by comparison.

There appear to be two reasons for distinguishing between private and commercial operators in terms of their environmental effects. These reasons, however, will not apply to all activities or to all waterbodies:

- (a) Firstly, on some waterbodies, such as the Shotover, Kawarau and Dart Rivers, the number of boating trips undertaken by the commercial operators totally outnumbers any private recreational use. The adverse effects from surface of water activities on these waterbodies is substantially as a result of the numbers of commercial trips and the continuation of these trips throughout the

year. Private recreational use alone would be minor and seasonal with little potential for adverse effects on the surrounding environment.

- (b) Secondly, some of the commercial boats, such as jetboats, hovercraft, steamship, are quite different from recreational boats with greater potential for adverse effects on the surrounding environment. The commercial jetboats, for example, are mostly significantly larger boats with more powerful engines. Their noise has the potential to have effects upon the environment.

Enforcing controls through the District Plan on private recreational water users would also be difficult unless such controls clearly permit or prohibit activities with simple, enforceable performance standards. It would not be practical to require private boat owners to obtain resource consents before going out fishing or cruising on the waterbodies. Controls over private water users need to specify clearly what activities can and cannot take place on each waterbody without resource consents being involved, and what performance standards must be met.

## 4.6.3 Objectives and Policies

### Objectives

***Recreational activities undertaken in a manner which avoids, remedies or mitigates, their potential adverse effects on:***

- ***natural conservation values and wildlife habitats,***
- ***other recreational values,***
- ***public health and safety,***
- ***takata whenua values, and***
- ***general amenity values.***

### Policies:

- 1 *To identify the different types of lakes and rivers in the District and the different recreational experiences offered by these lakes and rivers, in terms of:*

- (a) *outstanding natural characteristics, wild and scenic beauty, aesthetic coherence, biological diversity, ecosystem form, function and integrity, sense of isolation and recreational amenity;*
- (b) *multiple use and proximity to population centres.*
- 2 *To enable people to have access to a wide range of recreation experiences on the lakes and rivers, based on the identified characteristics and environmental limits of the various parts of each lake and river.*
- 3 *On each lake and river, to provide for the range of recreational experiences and activities which are most suited to and benefit from the particular natural characteristics.*
- 4 *To avoid or mitigate the adverse effects of frequent, large-scale or intrusive activities such as those with high levels of noise, vibration, speed and wash.*
- 5 *To avoid the adverse effects of motorised craft in areas of high passive recreational use, significant nature conservation values and wildlife habitat.*
- 6 *To ensure that any controls that are imposed on recreational activities through the District Plan are certain, understandable and enforceable, given the transient nature of many of the people undertaking activities on the District's lakes and rivers and the brief, peak period of private recreational activity.*
- 7 *To avoid and protect the environment from the adverse noise effects of motorised watercraft.*
- 8 *To avoid the adverse effects of activities by discouraging their development on:*
- *Von, Lochy, Greenstone and Caples Rivers*
  - *Timaru Creek and Dingle Burn*
  - *Hunter River*
  - *Young River*
- 9 *To recognise the whitewater values of the District's lakes and rivers and, in particular, the values of the Kawarau River as one of the few remaining major unmodified whitewater rivers in New Zealand, and to support any measures to protect this characteristic of rivers.*
- 10 *To protect the special qualities of the Clutha River upstream of Albert Town bridge and those recreational activities which benefit from those characteristics.*
- 11 *To reduce the adverse effects of noise and intrusion on the remote characteristics of the Dart/Rees tramping track and to retain safe operating conditions between river users on the upper reaches of the Dart River.*
- 12 *To avoid adverse effects on the public availability and enjoyment of the margins of the lakes and rivers.*
- 13 *To ensure that the location, design and use of structures and facilities which pass across or through the surface of any lake and river or are attached to the bank of any lake and river, are such that any adverse effects on visual qualities, safety and conflicts with recreational and other activities on the lakes and rivers are avoided or mitigated.*
- 14 *To ensure the availability of the Shotover River for private craft with regard to commercial operations and safety issues.*
- 15 *To avoid unnecessary duplication of resource consent procedures between the District and Regional Councils.*
- 16 *To encourage the use and development of marinas and marina activities in a way which avoids and, where necessary, remedies and mitigates adverse effects resulting from marina activities on the environment.*
- 17 *To ensure that the number of commercial boating operators and/or boats on waterbodies does not exceed levels where the safety of passengers cannot be assured.*

**Refer to Policy 9 and 10 of Part 4.3 Takata Whenua**

## Implementation Methods

### (i) District Plan

- (a) The provision of rules, including performance standards to control the use of the surface of the lakes and rivers.
- (b) To specify limits on the scale of commercial boating activities, beyond which the Council's consent will be required, in order that consideration may be given to potential adverse effects and the need to impose conditions on their operation. The limits will vary depending on the identified characteristics of the lake and river and the nature and effects of the activity.
- (c) To specify rules limiting or prohibiting motorised boating craft in areas of high passive recreation use, significant nature conservation values and wildlife habitat.
- (d) To require all motorised craft operating on the District's lakes and rivers to meet specified noise emission standards.
- (e) To restrict motorised boating on the Clutha River upstream of the Albert Town bridge to six race days per year.
- (f) To limit the total number of motorised boating trips and hours on the upper reaches of the Dart River.
- (g) To prevent the use of boats for accommodation, except for overnight recreational accommodation.
- (h) To indicate the locations where such structures and facilities are or are not considered to be suitable.
- (i) To limit number of commercial boating operators and/or boats on waterbodies where the safety of passengers cannot be assured if unlimited commercial use was available.

## Other Methods

- (a) To retain and continue to administer and control navigational safety and speed matters principally through local Bylaws, Regulations or equivalent mechanisms under the Harbours Act and its successor, including the licensing of commercial operators of boats and other craft using the lakes and rivers, except where the safety of passengers cannot be assured if unlimited use was available.
- (b) To support the use of the Foreshore Management Plans and associated design studies, as the principal means of controlling the distribution and allocation of areas for the on-shore bases, structures and facilities for activities on the surface of lakes and rivers.
- (c) To review the Foreshore Management Plan for Sunshine Bay, Queenstown Bay, Frankton and Kelvin Heights and the Wanaka Lakeside Reserves and Lakeshore Management Plan; and to use the Wanaka Management Plan to limit the number of commercial water-related concessions operating from the lakeshore in the Dunganon Street vicinity to 4.
- (d) To continue to seek the transfer of the foreshore land surrounding Lake Hawea from the Crown to the Council; and upon transfer of the land to prepare a comprehensive Foreshore Management Plan, integrating the management of the foreshore and the adjoining lakes and rivers.
- (e) To co-ordinate with adjoining territorial authorities where activities on the lakes and rivers cross territorial boundaries, including the co-ordination of resource consent procedures.
- (f) Where resource consents are required for the same activities to both the District and Regional Councils, such as for structures on the shores and beds of the lakes and rivers, to consider the transfer of the power to hear and determine applications for resource consents and to administer such consents to one of the Councils.
- (g) To provide information and education material to the public on Councils Waterways Bylaws.

## Explanation and Principal Reasons for Adoption

To ensure that the potential adverse effects of activities on the District's lakes and rivers are kept at a minor level with respect to wildlife, natural, recreational, visual, amenity and safety values, some controls over water-based activities are considered to be necessary. In many instances the specific demands of different activities means that potentially incompatible activities have different requirements. However, particularly in the case of motorised craft or regular commercial activities, the potential for conflicts with other values has meant that some form of controls is necessary.

There are different types of lakes and rivers within the District, which provide different and complementary recreational experiences and which require different types of controls. The Council considers that it is important to protect the range of different water-based opportunities available in the District. The District Plan establishes different sets of management strategies depending on the identified characteristics of each lake and river and the range of experiences and activities that are most suited to and benefit from the identified natural characteristics.

Motorised craft, in particular, with their greater speeds and noise levels, generally larger wake and ability for more frequent trips, have the greatest potential to conflict with other users or values of the lake and river or the adjoining land. The effects will vary depending on the characteristics of the lake and river. However, the effects will be most acute in areas of high passive recreational use; significant natural conservation values and wildlife habitat; and/or wilderness characteristics, where the noise and wake particularly are seen to intrude into or adversely affect these activities or values. Even frequent or larger-scale use of some lakes and rivers by non-motorised craft can intrude into the experience sought by other users or potentially affect wildlife values and natural characteristics. For these reasons, resource consents are required by the Plan for frequent, larger-scale or more intrusive water-based activities, in order that consideration can be given to their potential adverse effects and conditions imposed on the scale and nature of the activities as necessary. In some instances where motorised craft will in most circumstances be incompatible with the values defined for the lake and river, motorised craft will be excluded from these lakes and rivers.

Controls in the Plan have differentiated between private and commercial operations in terms of their environmental effects. This has been based on the following:

- Firstly, on some waterbodies such as the Shotover, Kawarau and Dart Rivers, the number of boating trips undertaken by the commercial operators totally outnumbers any private recreational use. The effects of activities on these waterbodies is substantially as a result of the numbers of commercial trips and the continuation of these trips throughout the year. Private recreational use alone would be minor and seasonal with little potential for adverse effects on the surrounding environment.
- Secondly, some of the commercial boats, such as the jetboats, hovercraft, steamship, are quite different from recreational boats with greater potential for adverse effects on the surrounding environment. The commercial jet boats, for example, are mostly significantly larger boats with more powerful engines. Their noise has the potential to have effects on the environment. The imposition of noise emission limits on commercial motorised craft will assist in reducing the impact of individual craft, but may not ameliorate the effect of the continuous noise from regular trips on the same waterbody throughout a day.

Enforcing controls through the District Plan on private recreational water users is also difficult unless such controls clearly permit or prohibit activities with simple enforceable performance standards. It is not considered practical or sensible to require private boat owners to obtain resource consents before they go out fishing or cruising on the waterbodies. Control over private water users need to specify clearly what activities can and cannot take place on each waterbody without resource consents being involved, and what performance standards must be met. For these reasons, where controls are considered necessary over private boat operations, prohibited activity controls have been used or clearly specified hours, seasons or areas of operation.

Several of the District's rivers are predominantly wilderness environments with access possible only by foot or helicopter. The river flows are insufficient for jetboating most of the time. These include the Von, Lochy, Greenstone and Caples Rivers and Timaru Creek and the Dingle Burn. The Makarora, Young, Wilkin and Hunter Rivers are predominantly wilderness rivers with difficult



access, particularly in their upper reaches. The rivers are particularly suitable for remote recreational experiences. They complement the opportunities provided by rivers closer to Queenstown and Wanaka, which are more heavily used and which can accommodate such use without detracting from a wilderness experience. Even where the rivers flow through grazing lands, they retain qualities particularly suited to remote recreational experiences – majestic scenery, adjoining native forest, clear waters and nationally – significant trout fishing. Noise and disturbance from power-boats could adversely affect these qualities. Commercial rafting and kayaking could adversely affect wilderness or fishery values if high levels of use were ever reached. Although the Makarora, Wilkin and Hunter Rivers are used for jetboating, a significantly increased scale of jetboating activity would be incompatible with the wilderness characteristics of the area. For these reasons, commercial use of these rivers will be strictly controlled and only irregular and occasional use permitted of the wilderness waterbodies.

The number of boats operating on specified stretch of waterbody can affect people's enjoyment of the water resource and their ability to provide for their own safety. On some waterbodies, the confined nature of the waterbody or visibility limitations mean that close communication between all operators is essential for safety to be assured. This is not always practical or possible to achieve with an unlimited number of competing operators. Where the safety of passengers cannot be assured if unlimited use was available, controls regarding the number of commercial operators on a waterbody have been included in the District Plan.

The Kawarau River provides for a range of recreational opportunities. The different natural characteristics of the sections of the river - above and below the Arrow River confluence - prevent much of the potential conflict between different activities by naturally dividing activities on the river. Below this point the river is particularly suitable for rafting and kayaking, being one of the few remaining major unmodified whitewater rivers in New Zealand, and the Council seeks to support the retention of this characteristic and the activities and values which benefit from it.

The major issue regarding boat users on Lake Wakatipu is the noise of motorised craft on Frankton Arm and in Queenstown Bay, en route to the Kawarau and Shotover Rivers.

The special qualities of the Clutha River - its large volume, uncontrolled outlet, clear water, outstanding fishery, natural peaceful surrounds and accessibility - make it particularly suited to those recreational activities requiring and benefiting most from these qualities. Angling, non-powered boating, riverside walking and picnicking are the most suited activities to this river. In addition, the environment of Albert Town is most protected by such activities. The Council considers there is an incompatibility between motorised craft and passive activities on the upstream stretch of the river. Downstream of Albert Town, the Clutha River is large enough and the pressures for use less intense, so that a wider variety of uses can be accommodated. For these reasons, motorised boating on the upper reaches of the Clutha River has been restricted.

The Dart and Rees Rivers provide a semi-wilderness environment, with a mix of forest, farming areas and riverbed. The council considers that multiple use of these rivers is possible. The issues on the Dart revolve around the safety of commercial jetboating above the Beansburn and the effects of the noise and intrusion of jetboating on the remote tramping experience on the Dart/Rees tramping track. A limit of 26 boat trips a day and on the hours of operation of commercial jetboats has been accepted by the Council as necessary to protect the recreational experience and tranquillity of the area for other users, particularly trampers.

Use of moored boats on the lakes for permanent or long-term residence is of concern to other lake and lakeshore users. While the environmental effect of one houseboat may be small, the cumulative effects can be adverse in respect of the visual impact, effluent disposal and the use of a "public" lake for private residential purposes. For these reasons, the use of boats as permanent residences has been excluded.

The Foreshore Management Plans provide good guidelines for future development of foreshores for structures, facilities and commercial activities. The Council does not have any reason to depart from these guidelines. The District Plan will be used as the means of controlling the effects of such structures and facilities.

Marinas are considered important bases providing landing, storage and loading facilities for residents as well as providing convenient access points for visitors. In effect they are a transitional area between land and water -

thus having effects on land such as car parking and the surface of water such as the structures themselves. Marinas have the advantage of concentrating resources which mitigate the effects of many such structures spread over lakes and rivers. It is equally important that the adverse effects of marina use and development, such as visual insensitivity and congestion in inappropriate areas is avoided, remedied or mitigated.

## 4.6.4 Environmental Results Anticipated

- (i) Use of the District's rivers and lakes for a wide range of recreational and commercial activities, consistent with the particular natural characteristics of each lake and river and its environmental limits.
- (ii) Retention of opportunities for remote experiences, peace and tranquillity on and adjoining lakes and rivers within the District, including some lakes and rivers reasonably close to settlements.
- (iii) Opportunities for adventurous, active recreation on lakes and rivers close to settlements.
- (iv) Minimal adverse effects of activities on the significant natural conservation values of lakes and rivers.
- (v) Reduction in noise nuisance from motorised boating on the lakes and rivers.
- (vi) The avoidance or mitigation of adverse effects on safety.
- (vii) Retention of the remaining whitewater values of the District's lakes and rivers.
- (viii) Continued public availability and enjoyment of the margins of lakes and rivers, their natural characteristics and visual amenity.

## 4.7 Solid and Hazardous Waste Management

### 4.7.1 Introduction

The production of solid and hazardous wastes is an unavoidable by-product of human activities, and therefore provisions need to be made for the collection, storage, treatment or disposal of these wastes within the District. The amounts of waste produced in the District may be minimised by implementing the methods discussed below. However, wastes will still be produced and require disposal in a manner which minimises the potential for adverse environmental effects.

### 4.7.2 Issues

Under the Act, both regional and territorial authorities have waste management responsibilities. The respective roles are unclear, and with respect to some waste issues, uncertain. The Otago Regional Council has, however, clarified these roles and responsibilities through its Regional Policy Statement and Regional Plan: Waste. The Regional Council is able to provide an integrated regional overview of the management of the waste stream. It is responsible for the control and management of the effects from the discharge or disposal of waste. The Regional Council also intends to continue monitoring the effects of waste treatment and disposal within Otago Region, provide advice and information and co-ordinate the clean up of pollution spills.

The primary role of the District Council, in terms of the Regional Policy Statement and the Regional Plan: Waste, is the provision of facilities for the collection, recycling and disposal of wastes. The Council must determine appropriate land use controls under its District Plan relating to the effects of the disposal of wastes, including the long-term storage and/or disposal of hazardous substances. The Council is also involved in undertaking the operational aspects of waste spill clean up.

The Council has a role through the District Plan of achieving integrated management of the effects of the use of land and associated natural and

physical resources. The Council must consider ways to avoid, remedy or mitigate the potential adverse effects of the collection, treatment or disposal of wastes in the District. This applies equally to existing and past landfills or other waste disposal facilities, and also requires that consideration is given to ensuring high environmental quality, and the health and safety of present and future generations.

Existing waste management problems in the District relate to past and present waste management practices, including: discharges of contaminants from existing and past disposal and storage sites, limitations on the facilities available at existing disposal sites, off-site environmental effects of waste management practices, and the production of increasing amounts of solid and hazardous wastes requiring collection, treatment, storage or disposal.

The overriding issues for waste management within the District are set out below:

### **Minimisation of waste quantities produced in the District and requiring subsequent disposal**

The Regional Policy Statement and Regional Plan: Waste advocates a co-ordinated approach to waste management between all responsible authorities. Waste minimisation is a key strategy in the management of Otago's wastes.

The "Waste Analysis Protocol" is the recommended system for the common identification and quantification of wastes within the region. The waste analysis protocol is a standard system for the acquisition of information about the types and quantities of waste produced in an area. It has been developed by the Ministry for the Environment to provide a nationally consistent basis for analysing wastes. This information is important to ensure that appropriate waste management facilities are provided for the types of waste produced in the District, and in the identification of opportunities for recycling, re-use or waste reduction.

Attitudes to waste have moved from concerns relating to disposal methods alone, to a wider focus on waste management as a process whereby waste is treated as a residual resource, rather than an undesirable problem. The guiding principles of good waste management

are summarised in the following integrated approach to waste management, which comprises:

- Reduction - reducing the amount of waste generated;
- Reuse - the reuse of otherwise waste resources;
- Recycling - reprocessing of waste materials to form useful resources;
- Recovery - recovery of resources such as energy from waste materials;
- Safe storage, management and disposal of residual wastes.

Application of an integrated waste management approach in the District would be beneficial in terms of reducing the amount of waste generated and needing to be disposed of in the District. While reducing the quantity of wastes produced in the District is an important step, there will always be a certain amount of waste produced which will require disposal. A landfill is the usual end point of those wastes which have no potential for recovery.

### **Ensuring the location and operation of appropriate facilities for the collection, storage and disposal of waste generated in the District**

The Council has prepared a District "waste management strategy" to co-ordinate waste management within the District. This strategy is primarily concerned with the provision of waste collection and disposal facilities, recognising the need to identify the types and quantities of wastes produced in the District, and to implement practical minimisation of waste within the District, as discussed below.

The District waste management strategy is reviewing the existing network of waste collection and disposal facilities within the District. The aim of the strategy is to ensure that the people of the District have easy access to a waste collection or disposal facility appropriate to their needs, and that the potential for any adverse effects from these facilities is minimised.

The appropriate location and good management of landfill sites is important to assist in the avoidance of the potential adverse effects of solid and hazardous waste disposal. The Council has designated a

District wide sanitary landfill at Victoria Flats off State Highway No. 6 in the Wakatipu Basin.

To facilitate the disposal of domestic refuse, the Council is establishing satellite transfer stations. Waste will be collected from the transfer stations and then transported, where practicable, to a sanitary landfill site.

### **The environmental effects of waste management practices in the District and their avoidance, remedy or mitigation**

Waste by itself, and as it breaks down, gives rise to discharges to land, water and air. These can all adversely affect the environment and cause nuisance to people. Territorial authorities may assume responsibility for the collection, recycling and disposal of wastes under the Local Government Act 1974. In the management of waste the Council needs to ensure the adverse effects are avoided, remedied or mitigated.

### **Regard for the values of the takata whenua in respect of waste management practices**

The takata whenua have particular concerns relating to waste management in the District. These relate to the Council's responsibility under Part II of the Act, and are general principles which may be summarised as follows: undertake consultation with the takata whenua on waste management issues, ensuring that waste management initiatives are consistent with the Treaty of Waitangi, and respecting the Maori cultural values of:

- traditional mahika kai (food gathering areas);
- waahi taoka (places of special significance to Maori);
- kaitiakitanga;
- Maori values and interests in wai (water) and water resources.

### **4.7.3 Objectives and Policies**

#### **Objective 1**

***The collection, treatment, storage and disposal of solid and hazardous wastes in a manner which meets the needs of current***

***and future generations of residents and visitors to the District, and avoids, remedies or mitigates adverse effects on the environment.***

#### **Policies:**

- 1.1 *To ensure that the effects on the environment and other adverse effects on soil, groundwater and water contamination and other adverse effects on the health, safety and amenity values of residents, visitors and environment from the disposal wastes are avoided, remedied or mitigated.*
- 1.2 *To minimise the quantities of waste requiring collection, treatment, storage or disposal within the District and to maximise opportunities for reuse, recycling and recovery of materials from the waste stream.*
- 1.3 *To ensure the safe and efficient collection, treatment, storage and disposal of all solid and hazardous wastes within the District.*

#### **Implementation Methods**

The Objectives and associated Policies will be implemented through a number of methods including the following:

#### **(i) District Plan**

- (a) Rules in the Plan requiring consent to be obtained for:
  - (i) new landfills or other waste management facilities.
  - (ii) the treatment and disposal of liquid wastes on the surface of land, and for the composting or processing of any other wastes, other than the wastes produced from a single dwelling.

#### **(ii) Other Methods**

- (a) Allocate Council resources through the annual planning process in order to:

- (i) To apply for the necessary consents for a landfill site and transfer station.
  - (ii) Investigate the potential, and where possible reduce the adverse effects of inefficient disposal.
  - (iii) Close and take appropriate after-care management of tips and dumps to reduce the adverse effects of waste disposal.
- (b) Identify, in consultation with the Otago Regional Council, closed and existing landfills within the District.
- (i) Investigate suitable locations for the development of new landfill sites and other waste management facilities, to meet the solid waste disposal needs of the District.
  - (ii) Utilise the Waste Analysis Protocol, in conjunction with the Regional Council, to undertake a comprehensive survey of the types and quantities of wastes produced in the District.
  - (iii) Determine appropriate methods to apply an integrated waste management approach, to minimise the quantities of waste requiring disposal in the District.
- (c) Co-operate with the Regional Council in order to:
- (i) Effectively monitor the quantities and types of waste produced in the District, including monitoring the transport, use, storage or disposal of hazardous substances and hazardous wastes.
  - (ii) Investigate and implement the most appropriate option for the storage and subsequent disposal of the District's hazardous wastes able to be handled by the Council.
  - (iii) Provide information on the safe storage and disposal of hazardous wastes in the District.

- (iv) Undertake waste management education programmes when and where appropriate.
- (d) Undertake consultation with the takata whenua and Treaty partners in the District, on appropriate and culturally acceptable waste management initiatives in the District.
- (e) To give consideration to transferring the power to administer resource consents for landfills required by both the District and Regional Councils, to one of the Councils.

### Explanation and Principal Reasons for Adoption

Apart from the need to designate for waste collection, treatment, storage or disposal facilities, including new sanitary landfills in the District Plan, all the other objectives may be met by alternative methods. When assessing a site for a future landfill site regard must be had to the compliance of any proposed facilities with the Regional Policy Statement, the Regional Plan: Waste and the MFE "Landfill Guidelines" (1992).

The Regional Council has considerable expertise and overall responsibility for the integration of waste management within the region, the Council will therefore continue to co-operate with the Regional Council to address hazardous waste management issues and overall waste management responsibilities.

Finally it is vital that the Council fully addresses its Treaty obligations and therefore undertaking consultation with the takata whenua on waste management issues is essential.

### 4.7.4 Environmental Results Anticipated

Implementation of the policies and methods relating to solid waste management will result in:

- (i) Waste management in the District is carried out in a way that most effectively minimises the potential adverse effects to the people and the environment of the District.

- (ii) Ensuring the location and operation of appropriate waste disposal facilities for the collection and storage or disposal of all liquid, solid and hazardous wastes generated in the District.
- (iii) Minimisation of waste quantities produced in the District and requiring subsequent disposal as liquid, solid or hazardous wastes.
- (iv) Waste management strategies which respect the values of the takata whenua in the District.

## 4.8 Natural Hazards

### 4.8.1 Resources, Activities and Values

The communities in the District are at potential risk from the following natural hazards:

- Flooding and inundation
- Erosion and Deposition, including landslip and rock fall
- Land Instability
- Earthquakes
- Severe Climatic Extremes - Drought, Snowfall, Wind
- Alluvion, avulsion or subsidence

### 4.8.2 Issue

**Property and people within the District have the potential to be threatened and adversely affected from damage or loss as a result of natural hazards, particularly flooding.**

Under the Act, responsibility for controlling the use, development or protection of land for the purposes of avoiding or mitigating natural hazards is shared partly by the Regional Council and the District Council. They also both have responsibilities under civil defence legislation. The Otago Regional Council has, however, stated the respective roles and responsibilities in its Regional Policy Statement.

Flooding, erosion, deposition, landslides and rockslides are natural hazards in the District that can be avoided or mitigated by providing “protection” (e.g. stopbanks, retaining walls), or by guiding communities away from areas exposed to these hazards. Drought is more difficult to avoid because the impact of drought is closely related to the availability and use of water.

Flooding with the District has been widespread, but frequent flooding has generally been confined to the braided riverbeds or low terraces adjacent to the high country rivers of Matukituki, Makarora, Shotover, Rees, Dart and Cardrona. The levels of Lakes Wakatipu and Wanaka have also risen in the past to inundate low-lying parts of the towns. Development in the District is therefore constrained to some extent by flooding, particularly at Makarora.

The steep mountain slopes in the District are prone to instability. Large deep-seated landslides are widespread, particularly on the mountain slopes near Queenstown. Some of the steeper mountain sides and rock bluffs may give rise to rock falls, while the majority of the mountain slopes will be subject to shallow landslides or gully erosion which can cause problems with foundation excavations. Landslides, rockslides and gully erosion is caused by high rainfall saturating the steep slopes.

### 4.8.3 Objective and Policies

#### Objective 1

***Avoid or mitigate loss of life, damage to assets or infrastructure, or disruption to the community of the District, from natural hazards.***

#### ***Policies:***

- 1.1 *To increase community awareness of the potential risk of natural hazards, and the necessary emergency responses to natural hazard events.*
- 1.2 *To continually develop and refine a hazards register in conjunction with the Otago Regional Council, as a basis for Council decisions regarding subdivision and building development.*

- 1.3 *In conjunction with the Otago Regional Council to continually assess the need for additional protection measures either through the District Plan or as protection works.*
- 1.4 *To ensure buildings and developments are constructed and located so as to avoid or mitigate the potential risk of damage to human life, property or other aspects of the environment.*
- 1.5 *To ensure that within the consent process any proposed developments have an adequate assessment completed to identify any natural hazards and the methods used to avoid or mitigate a hazard risk.*
- 1.6 *To discourage subdivision in areas where there is a high probability that a natural hazard may destroy or damage human life, property or other aspects of the environment.*
- 1.7 *To avoid or mitigate the likelihood of destruction or damage to residential units and other buildings constructed or relocated into flood risk areas.*

## Implementation Methods

Objective 1 and associated Policies will be implemented through a number of methods including the following:

### (i) District Plan

- (a) The provision of rules to control development in areas identified as being at risk of flooding.
- (b) The provision of rules to ensure all new buildings for residential, recreation or visitor accommodation activities are assessed in terms of damage or danger from natural hazards, particularly slope stability and earthquake.

### (ii) Other Methods

- (a) To prepare and maintain a District Civil Defence Plan in terms of the Civil Defence Act 1983.

- (b) To advise and inform the community of potential natural hazards and how to be prepared for civil defence emergencies.
- (c) To include information collected during the resource or building consent process, and any other information obtained through research, on the Council's hazards register.
- (d) To ensure liaison with the Otago Regional Council continues so a co-ordinated monitoring approach can measure the degree to which the long term trends in land use practices and patterns may increase the vulnerability to natural hazards such as flooding, drought, fire, and earthquakes.
- (e) In conjunction with the Otago Regional Council, to ensure that emergency response procedures are in place to mitigate the effects of a natural hazard.
- (f) In conjunction with the Otago Regional Council, to investigate hazard protection works where this is considered to be a preferred option.
- (g) To ensure Council staff take adequate consideration of appropriate earthquake and fire hazard standards and proximity to active faultlines during the building consent process.
- (h) To encourage adequate maintenance of drains and culverts to prevent flooding.

## Explanation and Principal Reasons for Adoption

To minimise loss of life, damage to assets and disruption to the community, on-going research will be required to identify the extent and frequency of natural hazards and methods to mitigate risks to the community. The District Council is not involved in primary research of this nature but it is in a position continually to collate information and advise and inform the community of new findings. A hazards register is being continually updated which informs the community of the known hazard potentials of a given area. This is used both

in the consent processes under the Resource Management Act 1991 and the Building Act 1991. The Council also considers that a co-ordinated approach between agencies is needed to monitor how the long term trends in land use practises and patterns may increase the vulnerability of communities to natural hazards. Emergency response plans are being continually refined to help the community in times of a disaster.

Education about the consequences of earthquakes, drought, and fire is considered the most practical means to mitigate these hazards. In addition, education about water use is also required. With respect to earthquakes and fire, the Building Code under the Building Act 1991, which the Council administers, sets standards so buildings will take into account the risk of buildings to earthquakes and fire. However, the Council will also ensure buildings and other structures are located away from or mitigate the effects of active faults that may rupture in the future.

### **River Flooding**

The large deltas of the Rees/Dart, Makarora, Hunter and Matukituki Rivers are locations which could be attractive for developments, but which are susceptible to flooding. In addition, the District's lake edges are also at risk from flooding, if the water entering the lakes from the surrounding rivers can not be carried away by the outlet. The floodplains of the Shotover River and Cardrona River are well defined, and because of this, development has been controlled in these areas.

The Council recognises that controls on the building or relocation of residential units are required to limit or control the nature of development in floodable areas. However, there may be situations where a number of assets may be reliant on protection works such as stopbanks or groynes. Where removal of these assets is unacceptable due to practical difficulties then establishment and maintenance of protection works, which would be financed either by the people concerned, or the Council, or the Otago Regional Council, depending on the circumstances.

### **Land Instability**

Large areas of the District are subject to problems in respect of land stability including landslides, rockslides, gully erosion and other land instability problems.

Past experience indicates that despite the construction of protective retaining walls, if a major storm or an earthquake occurs buildings will still be vulnerable to slope movement. The greater the value of the asset the greater the costs will be if damage occurs. Therefore limiting development or establishing the appropriate mitigation measures in these areas will limit the potential loss and damage to property.

Geological information shows a number of active faults in the District. In considering an application for a building the Council will require a site assessment showing how the building would mitigate or avoid the risk of being directly damaged due to a fault rupture.

## **4.8.4 Environmental Results Anticipated**

Implementation of the policies and methods relating to natural hazards will result in:

- (i) The collation and provision of clear information outlining the natural hazards risks to all sites with potential to be adversely affected by natural hazard occurrences in the District.
- (ii) The implementation of emergency response procedures, in conjunction with the Regional Council, whenever there is a significant risk to people and property from natural hazards in the District.
- (iii) The location of new subdivision and development away from areas at high risk from natural hazards.
- (iv) Reduce incidence and severity of localised flooding and land slip.

## **4.9 Urban Growth**

### **4.9.1 Introduction**

The manner and rate in which urban growth occurs has a major bearing on resource use, social and economic well being and environmental quality. The District has faced major changes in the past as a result of cyclical urban growth pressures.



The District is a desirable place to live and work in, as witnessed by continued population growth. The people and communities who make up the District are facing new and different challenges. The fundamental consideration is to ensure continued growth is managed in a way which sustains the District's resources, character and amenities.

## 4.9.2 Issues

The Council can play an important role in the sustainable management of growth as it relates to other important District wide issues, including protection and enhancement of the landscape and avoiding the adverse effects of development on the natural and physical resources of the District. It is not possible to be precise about the level of growth to be planned for, but increased growth is anticipated in:

- i tourism and visitor numbers
- ii hotels and visitor accommodation
- iii housing demand
- iv increased range and scale of retail activity
- v increased demand for educational and recreational facilities such as schools.

The District Plan anticipates that most of the growth will occur within the existing and proposed residential zoned areas. This growth will comprise both residential and visitor accommodation units. Urban growth will result in changes to the natural and built environment and has the potential to affect the character of the District in terms of its impact on landscape amenity, provision of infrastructure, and the social and economic well being of the community.

The principal issues identified are:

- (a) the management of urban growth in order to protect water resources and ground water recharge, safeguard the life supporting capacity of soils, wetlands and air, avoid natural hazards including sheer slopes and flood plains and protect and enhance landscape values and visual amenity.

- (b) the lifestyle preferences of the District's present and future population.
- (c) the effects of urban growth on the identity, cohesion, and economic and social well being of the existing residential, farming and settlement communities.
- (d) the effects of expanding visitor accommodation development on the retention of residential housing and neighbourhoods.
- (e) the provision of efficient public transport services for the benefit of both residents and visitors.
- (f) how best to accommodate urban growth.
- (g) the effect on energy use.
- (h) the effect on access to facilities and services, i.e. health, education and shops.
- (i) the effect on the major infrastructure resources such as the airports, sewerage, treatment works, landfills, recreation facilities.
- (j) the needs of the takata whenua. (*Refer to Section 4.3*)

## 4.9.3 Objectives and Policies

### Objective 1 - Natural Environment and Landscape Values

***Growth and development consistent with the maintenance of the quality of the natural environment and landscape values.***

### ***Policies***

- 1.1 *To ensure new growth occurs in a form which protects the visual amenity, avoids urbanisation of land which is of outstanding landscape quality, ecologically significant, or which does not detract from the values of margins of rivers and lakes.*
- 1.2 *To ensure growth does not adversely affect the life supporting capacity of soils unless the need for this protection is clearly outweighed by the*

*protection of other natural or physical resources or important amenity values.*

## Implementation Methods

Objective 1 and associated policies will be implemented through a number of methods:

### i District Plan

- (a) Comprehensive policy and rules to ensure protection and enhancement of the District's important natural resources and amenities.
- (b) Identification of a pattern of land uses through zoning and policy supporting a strategy of urban consolidation.
- (c) Subdivision and development policies which safeguard the life supporting capacity of the District's soils and outstanding landscape areas.
- (d) Residential and urban zones which protect the existing urban areas.
- (e) To provide strong policy direction to ensure opportunities exist for new urban growth.

## Explanation and Principal Reasons for Adoption

The Council recognises the need for opportunities to be provided for urban growth, in a location and form which preserves the significant natural resource and amenity values of the District.

The various communities in the District have indicated they wish the Council to protect the environment. This is seen to include rivers and lakes, the sustainable management of land, and scenic and visual amenities.

The pattern of urban growth is important to sustainable management of the District's natural resources in terms of protecting or enhancing matters such as water and air quality, the life supporting capacity of soils and ecological values.

## Objective 2 - Existing Urban Areas and Communities

***Urban growth which has regard for the built character and amenity values of the existing urban areas and enables people and communities to provide for their social, cultural and economic well being.***

### Policies:

- 2.1 *To ensure new growth and development in existing urban areas takes place in a manner, form and location which protects or enhances the built character and amenity of the existing residential areas and small townships.*
- 2.2 *To cluster growth of visitor accommodation in certain locations so as to preserve other areas for residential development.*
- 2.3 *To protect the living environments of existing low-density residential areas by limiting higher density development opportunities within these areas.*

## Implementation Methods

Objective 2 and associated policies will be implemented through a number of methods including:

### i District Plan

- (a) Identification of a rural-urban interface for larger towns and small settlements in order to enhance the character of urban areas.
- (b) Residential zones and visitor accommodation zones that protect the character and functioning of urban areas to include identification and protection of appropriate lower-density residential areas.
- (c) Zoning provision to provide for new urban growth so as to achieve a sustainable balance between residential and visitor accommodation activities.

## Explanation and Principal Reasons for Adoption

The character of urban areas is dependent on the relationship of those areas to the landscape and compact nature of settlement within the landscape. Proposals for new urban growth and development should seek to enhance that relationship. Much of the mountain, hill and lakeshore areas have outstanding landscape value and are the key to the District's identity and its social and economic well being.

The policies focus on the social well being of the communities and in particular residential or "community cohesion". Within a management regime which focuses more on the physical effects of activities it is easy to overlook the importance of community well being and social effects. There are many factors which contribute to community well being including, commonality of aspirations, outlook, purpose and interests. Each of these interacts with the others to give rise to a sense of community at both a general level, or at a residential neighbourhood level.

One of the major issues to have impacted on the character and form and functioning of future urban growth is the protection of the current low-density and high-density residential living environs from displacement by visitor accommodation activities. It would seem feasible to accommodate a significant part of future urban growth within the current High Density Residential Zones, provided that a clear separation of residential neighbourhoods from visitor accommodation activities can be achieved in parts of those zones.

The vitality of town centres depends upon the presence of sufficient numbers of residents interacting with each other and with visitors. High density residential areas, close to town centres yet free of visitor accommodation activities, offer perhaps the best means to retaining our urban vitality.

The residential areas of the District in both large and small towns have developed a sense of well being through the cohesion of residential activity and the character of the living environments, particularly as they relate to the topography, residential density and outlook. The Council has determined that influencing the form and location of urban growth is a part of managing the effects of growth.

## Objective 3 - Residential Growth

*Provision for residential growth sufficient to meet the District's needs.*

### Policies

3.1 *To enable urban consolidation to occur where appropriate.*

3.2 *To encourage new urban development, particularly residential and commercial development, in a form, character and scale which provides for higher density living environments and is imaginative in terms of urban design and provides for an integration of different activities, e.g. residential, schools, shopping.*

3.3 *To provide for high density residential development in appropriate areas.*

3.4 *To provide for lower density residential development in appropriate areas and to ensure that controls generally maintain and enhance existing residential character in those areas.*

### Implementation Methods

Objective 3 and associated policies will be implemented through a number of methods:

#### (i) Through the District Plan:

- (a) The identification of a pattern of land uses supporting a strategy of urban consolidation and a compact urban form for the existing settlements with greater opportunities for a variety of living environments (e.g. residential densities) in existing and new settlement areas.
- (b) Ensuring opportunities for urban growth consistent with identified environmental outcomes for the District and individual communities.
- (c) Providing for a variety of residential densities within the urban areas.

- (d) Management of the location of new urban growth and residential development.

### Explanation and Principal Reasons for Adoption

It is important to the social and economic well being of the District that new growth is undertaken in a manner which sustains and enhances the natural resources, water, soil, air, amenity values, landscape, and aspirations of the community. The Council recognises the need for additional residential activity and has chosen to accommodate urban growth through policies of consolidation, because this is considered to be more cost effective and efficient in terms of infrastructure.

Consolidation can occur by peripheral expansion of the existing residential areas, increased density within the existing residential areas, or opportunities for new settlement. Consolidation is considered by the Council to be the most sustainable urban growth option as it enables the protection of landscape values, soil and water resources, low density living environments, the cohesion and character of existing towns and urban areas, the efficient use of energy and infrastructure and regard for major infrastructure such as airports and state highways.

### Objective 4 - Business Activity and Growth

***A pattern of land use which promotes a close relationship and good access between living, working and leisure environments.***

#### **Policies:**

- 4.1 *To promote town centres, existing and proposed, as the principal foci for commercial, visitor and cultural activities.*
- 4.2 *To promote and enhance a network of compact commercial centres which are easily accessible to, and meet the regular needs of, the surrounding residential environments.*
- 4.3 *To recognise and promote the established commercial character of the Commercial Precinct which contributes to its ability to undertake commercial, health care and community activities without adversely affecting the character and amenity of the surrounding environment.*

### Implementation Methods

Objective 4 and associated policies will be implemented through a number of methods:

#### (i) District Plan

- (a) Identification of a land use pattern, existing and future, supporting a pattern of urban consolidation.
- (b) The location of town centres convenient to living environments.
- (c) Encouraging and providing opportunities for activities that are able to co-exist.
- (c) Zoning for new consolidated urban areas.
- (d) Zoning to distinguish high density residential from visitor accommodation development adjacent to town centres or to existing or probable public transport routes.

#### (ii) Other Methods

- (a) Provision of works and services in the existing town centre areas, e.g. roading improvements.
- (b) Protection and enhancement of existing urban heritage features and areas to retain the amenity and attractiveness of the existing town centre.

### Explanation and Principal Reasons for Adoption

One of the important factors in managing urban growth is the interrelationship between the work place, living environments and leisure activities. While the Council does not expect all people to use the facilities nearest to their residence, there are valid resource management reasons why the opportunities should be available. These include ease of access between home and facilities (shopping) for those who have limited access to transport, providing for a range of transport options.

The District contains a range of compact commercial centres, which are the focus for much economic activity, and their well being is an essential part of the consolidation strategy. These centres must remain accessible and vibrant.

In addition to the above, the Council recognises the longer term retail needs of the community as well as the need to protect and enhance the amenity values the Queenstown Town Centre.

## **Objective 5 - Visitor Accommodation Activities**

*To enable visitor accommodation activities to occur while ensuring any adverse effects are avoided, remedied or mitigated.*

### **Policy:**

- 5.1 *To manage visitor accommodation to avoid any adverse effects on the environment.*
- 5.2 *To avoid, remedy or mitigate adverse effects of letting of residential units for short-term accommodation on residential coherence and amenity through a registration process and standards.*
- 5.3 *To ensure that the costs and regulatory obligations of visitor accommodation activities are appropriately borne and complied with by visitor accommodation providers.*

### **Implementation Methods**

Objective 5 and the associated policies will be implemented through a number of methods:

#### **(i) District Plan**

- (a) Provision for visitor accommodation sub-zones.
- (b) Provisions controlling visitor accommodation activity.
- (c) Provision for a registration process for the letting of residential units for limited short-term accommodation.

## **Explanation and Principal Reasons for Adoption**

The value of the visitor industry to the District is recognised and is a major factor in generating urban growth in terms of the demand it places on infrastructure, the need for housing and the extent of retail expenditure.

The Act requires the Council to ensure that the adverse effects of any such increase in visitor accommodation are avoided, remedied or mitigated.

## **Objective 6 – Frankton**

*Integrated and attractive development of the Frankton Flats locality providing for airport operations, in association with residential, recreation, retail and industrial activity while retaining and enhancing the natural landscape approach to Frankton along State Highway No. 6.*

### **Policies:**

- 6.1 *To provide for the efficient operation of the Queenstown airport and related activities in the Airport Mixed Use Zone.*
- 6.2 *To provide for expansion of the Industrial Zone at Frankton, away from State Highway No. 6 so protecting and enhancing the open space and rural landscape approach to Frankton and Queenstown.*

## **Implementation Methods**

Objective 6 and associated policies will be implemented through a number of methods:

#### **(i) District Plan**

- (a) Provision for the airport designation and related activities.
- (b) Retention of open space and rural zoning along the greater part of the State Highway 6 approach to Frankton and Queenstown.

## **Explanation and Principal Reasons for Adoption**

The Frankton Flats is an important area in terms of providing for the growth necessary to ensure the social and economic well being of present and future generations.

Extensive research into alternative options for the airport operation has been completed and these demonstrate unequivocally that the airport should remain on its current site.

Frankton is a preferred location for new school facilities. Reviews by the Ministry of Education conclude that a new primary school is needed in the area. A secondary school is also anticipated for the area.

Expansion of industrial activity at Frankton is possible in a manner which does not detract from the amenities of other uses or the surrounding natural and physical resources.

It is recognised that Frankton is located at a central point in terms of the arterial road network and as such development can take place in a manner which can be efficiently accessed.

### **Objective 7 – Queenstown Airport - Noise Management**

Maintain and promote the efficient operation of Queenstown Airport and set appropriate noise limits in order to protect airport operations and to manage the adverse effects of aircraft noise on any Activity Sensitive to Aircraft Noise.

### **Policies**

7.1 To ensure appropriate noise boundaries are established and maintained to enable operations at Queenstown Airport to continue and to expand over time.

7.2 To manage the adverse effects of noise from aircraft on any Activity Sensitive to Aircraft Noise within the airport noise boundaries whilst at the same time providing for the efficient operation of Queenstown Airport.

7.3 To manage the adverse effects of noise from Queenstown Airport by conditions in Designation 2 including a requirement for a Noise Management Plan and a Queenstown Airport Liaison Committee.

### **Implementation Methods**

#### i District Plan

The identification of airport noise boundaries within the District Plan Maps

The inclusion of rules to manage any Activity Sensitive to Aircraft Noise around the Airport.

Regular monitoring of airport noise in accordance with the conditions attached to Designation 2 to ensure compliance with the airport noise boundaries.

Queenstown Airport Corporation Limited shall offer to fund retrofitting over time of sound insulation and mechanical ventilation of any Critical Listening Environments within existing buildings containing an Activity Sensitive to Aircraft Noise in the Air Noise Boundary to achieve an Indoor Design Sound Level of 40 dB Ldn. Retrofitting shall be based on the 2037 Noise Contours and shall be offered at the time the Projected 65 dB AANC reaches the property.

Queenstown Airport Corporation Limited shall offer to part fund retrofitting over time of mechanical ventilation of any Critical Listening Environments within existing buildings containing an Activity Sensitive to Aircraft Noise located between the Air Noise Boundary and the 2037 60 dB AANC Noise Contour. This ventilation is to enable windows and doors to remain closed to achieve the Indoor Design Sound Level if required. Retrofitting shall be based on the 2037 Noise Contours and shall be offered at the time the Projected 60 dB AANC reaches the property.

All retrofitting shall be conducted in accordance with the conditions attached to Designation 2.

#### ii Other Methods

Consultation with residents and dissemination of information on the current levels of airport noise and future intentions.

### **Explanation and Principal Reasons for Adoption**

Queenstown Airport is a significant asset to the region. It provides a transportation hub for residents, visitors and business travellers and offers both domestic and international scheduled flights. The Airport also facilitates and supports a number of local tourist and aviation related businesses.

The Airport has been established at its current location in Queenstown since 1936. Since then the Airport has faced pressure from urban development. It is essential that such development is managed in a way that protects the current and future ability of the Airport to operate efficiently. It is also reasonable that noise boundaries are established for aircraft operations at the Airport in order to appropriately mitigate adverse effects on any Activity Sensitive to Aircraft Noise in the surrounding environment.

Being within the township of Frankton, Queenstown Airport has some existing residential neighbours. It is recognised that the anticipated growth in operations at Queenstown Airport will necessitate sound insulation and mechanical ventilation works to Critical Listening Environments within some existing, new or altered buildings in order to mitigate the effects of aircraft noise.

Queenstown Airport Corporation Limited will undertake regular monitoring to ensure that the owners or occupiers of existing buildings containing an Activity Sensitive to Aircraft Noise within the Projected 65 and 60 dB AANCs are offered appropriate noise mitigation in accordance with Designation 2.

The noise boundaries are also necessary to ensure new noise sensitive development does not occur in inappropriate locations, and new and alterations and additions to existing buildings are designed to achieve the Indoor Design Sound Level.

### **Objective 8 – Queenstown Airport – Urban Growth Management**

Manage urban growth issues on land in proximity to Queenstown Airport to ensure that the operational capacity and integrity of the Airport is not significantly compromised now or in the future.

### **Policies**

- 8.1 To protect the airport from reverse sensitivity effects of Activities Sensitive to Aircraft Noise.
- 8.2 To prohibit all new Activity Sensitive to Aircraft Noise within the Rural, and Industrial Zones located within the Outer Control Boundary at Queenstown Airport and to limit such uses in the Frankton Flats (A) Zone.

8.3 To prohibit all Residential, Visitor Accommodation and Community Activities within that part of the Remarkables Park Zone within the 2037 60dB Noise Contour at Queenstown Airport.

8.4 To ensure that Critical Listening Environments of all new and alterations and additions to existing buildings containing Residential, Educational Facilities and Visitor Accommodation in the Remarkables Park Zone in the areas identified in Figure 2 – Airport Measures in the District Planning Maps achieve an Indoor Design Sound Level of 40 dB Ldn, based on the 2037 Noise Contours.

8.5 To ensure that any Critical Listening Environments of all new and alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise located in the existing Residential zones, and the Frankton Flats (A) Zone within the Queenstown Airport Outer Control Boundary are designed and built to achieve an Indoor Design Sound Level of 40 dB Ldn, based on the 2037 Noise Contours.

### **Implementation Methods**

#### i District Plan

The provision of rules to prohibit or otherwise control any Activity Sensitive to Aircraft Noise in the Rural, Residential, Industrial, Frankton Flats, Airport Mixed-Use and Remarkables Park zones.

Where appropriate the provisions of specific zone based rules, standards and sound insulation and ventilation construction tables in Appendix 13 to ensure that any Critical Listening Environments of new and alterations and additions to existing buildings containing any Activity Sensitive to Aircraft Noise are designed to achieve an Indoor Design Sound Level of 40 dB Ldn, based on the 2037 Noise Contours.

#### ii Other Methods

Consultation with Queenstown Airport Corporation on any Plan Change or other land use proposal affecting land within the Outer Control Boundary.

### **Explanation and Principal Reasons for Adoption**

Some types of activity on land adjacent to the Airport may give rise to issues of reverse sensitivity. It is essential for the current and future operation of Queenstown Airport that appropriate measures are taken in regard to noise sensitive activity in the vicinity of the Airport to ensure reverse sensitivity issues are avoided. The Airport is a key strategic asset for the district and makes a significant contribution to the district's economic, social and cultural well-being. Appropriate management of land use activities on land around the Airport in order to protect its ongoing function and operation is imperative. Such land use management will also manage the adverse effects on residential amenity, in particular indoor amenity, and community well-being by avoiding unnecessary exposure to higher than desirable levels of aircraft noise.

### **4.9.4 Environmental Results Anticipated**

Implementation of the policies and methods for management relating to urban growth will result in:

- (i) Urban growth and residential growth provided in a form which recognises the social and economic well being of the residential community.
- (ii) Avoidance of development in locations that will adversely affect the landscape values of the District.
- (iii) A primary emphasis on urban consolidation.
- (iv) Avoidance of costly extensions to, or the duplication of public services or infrastructure.
- (v) Improved and sustainable use of urban facilities including shops, recreation and community facilities.
- (vi) Safeguarding the life-supporting capacity of the soils.
- (vii) Protection of the amenity of the residential areas.

- (viii) Commercial and community development which reflects and takes advantage of the outstanding natural setting.

## **4.10 Earthworks**

### **4.10.1 Resources, Activities and Values**

The topography of the Queenstown Lakes District often means that land modification, through earthworks, generally precedes the development of land. Some modification of the natural landscape is inevitable in order to provide safe and stable building platforms and roads with a suitable gradient. For example, in Queenstown, extensive excavation is often required to enable the further development of steep land. This has the potential to cause problems in terms of stability of adjacent properties, run-off and de-watering. Filling may also be used to increase the height of building platforms. This has the potential to alter the natural form of the landscapes, and has the potential to adversely affect the amenity values of neighbouring properties, and can alter drainage patterns.

Earthworks have the potential to alter landforms, landscapes and natural features to such an extent that the identity, amenity values and character of an area can be changed permanently. Therefore, while earthworks are temporary, their effects are often both significant and long term.

### **4.10.2 Issues**

**Sediment and soil run-off associated with earthworks have the potential to adversely affect water quality and the amenity values of neighbouring properties.**

The direct results of sediment run-off include damage to neighbouring properties, the blocking of drains and the sedimentation of waterways.

The factors that affect the amount of sediment run-off are rainfall, soil erodability, slope length and slope gradient. The closer the earthworks operation locates to a waterway, the more immediate the potential impact.



**Earthworks, either through excavation or filling, have the potential to permanently alter the natural shape and form of the landscape, particularly in areas of Outstanding Natural Features and Outstanding Natural Landscapes.**

Potential adverse effects from earthworks on landforms and landscapes range from the widespread practice of remodelling the land for subdivisions, cut and fill operations, to more minor earthworks such as ground contouring for building platforms or driveways. Cut and fill operations can adversely affect privacy, cause physical domination and over-shadowing if located too close to neighbouring property boundaries, and have the potential to permanently alter the form and shape of Outstanding Natural Features and Outstanding Natural Landscapes.

**Earthworks, including filling and excavation, have the potential to affect land instability and the potential for flooding.**

Earthworks activities have the potential to weaken soil structure and exacerbate soil instability, subsidence, and soil erosion. This may be caused by incorrectly placed excavated fill, unsupported excavations, inherent weak rock strata combined with steep slopes, or steep slopes stripped of vegetation. Excavations close to the boundary also have the potential to reduce the overall stability of the soil of the adjacent property. Particularly in Queenstown, the excavation of sites to develop building platforms has the potential to undermine neighbouring properties.

Earthworks may also cause or exacerbate flooding by altering the natural profile of landforms, including the modification of stormwater run-off channels and catchment topography. The effects of modifying the landscape, if carried out inappropriately may cause downstream flooding and inundation. Further, by placing impervious structures beneath ground level, the potential for flooding is increased through the process of 'de-watering'.

**Earthworks have the potential to adversely affect amenity values by creating noise and dust emissions.**

Earthworks activities can emit high levels of noise, vibrations and dust. Dust emissions can cause irritation to people living nearby, and in some cases can cause adverse health effects such as asthma.

Earthworks operations cause noise emissions through the use of large machinery, vehicle movements and in some cases blasting. These are particularly disturbing to amenity values if they occur early in the morning or late at night.

**Earthworks can disturb cultural heritage sites, including Waahi Tapu and Waahi Taoka, and archaeological sites.**

Waahi Tapu and Waahi Taoka and archaeological sites in the District can be destroyed through the excavation and filling of land. A process of identifying these sites needs to be established so that the adverse effects of earthworks can be avoided.

**Earthworks associated with tracking on highly visible slopes have the potential to adversely affect amenity values and permanently alter the landform.**

Earthworks associated with the formation of tracks on highly visible slopes have the potential to have an adverse effect on the landscape and/or feature, particularly in areas of Outstanding Natural Landscapes and Outstanding Natural Features.

**Earthworks have the potential to affect groundwater.**

Earthworks have the potential to adversely affect the groundwater resource by either exposing the groundwater or by reducing the depth of the protective mantle that overlies the aquifer, which reduces the filtering capacity of the protective mantle. In the Wakatipu Basin the risk of aquifer contamination the filtering capacity of the protective mantle. In the Wakatipu Basin the risk of aquifer contamination due to excavation is particularly high, because in parts the protective soil mantle is very thin.

## 4.10.3 Objectives and Policies

### Objectives

**To avoid, remedy or mitigate the adverse effects from earthworks on:**

- (a) **Water bodies**
- (b) **The nature and form of existing landscapes and landforms, particularly in areas of Outstanding Natural Landscapes and Outstanding Natural Features.**
- (c) **Land stability and flood potential of the site and neighbouring properties**
- (d) **The amenity values of neighbourhoods**
- (e) **Cultural heritage sites, including waahi tapu and waahi taoka and archaeological sites**
- (f) **The water quality of the aquifers.**

**Policies:**

1. *To minimise sediment run-off into water bodies from earthworks activities through the adoption of sediment control techniques.*
2. *To avoid the location of earthworks in close proximity to water bodies. Where this can not be avoided, to ensure that sediment control measures are put in place to minimise sediment run-off.*
3. *To minimise the area of bare soil exposed and the length of time it remains exposed.*
4. *To avoid or mitigate adverse visual effects of earthworks on outstanding natural landscapes and outstanding natural features.*
5. *To avoid earthworks including tracking on steeply sloping sites and land prone to erosion or instability. Where this can not be avoided, to ensure techniques are adopted that minimise the potential to decrease land stability.*
6. *To protect the existing form and amenity values of residential areas by restricting the magnitude of filling and excavation.*

7. *To ensure techniques are adopted to minimise dust and noise effects from earthworks activities.*
8. *As far as practicable, to protect Waahi Tapu, Waahi Taoka, and other archaeological sites from potential disturbance resulting from earthworks.*
9. *To notify Kai Tahu ki Otago where earthworks are proposed in areas identified in either the District Plan or the Natural Resource Management Plan as significant to iwi.*
10. *To notify the NZ Historic Places Trust where proposed earthworks may affect archaeological sites.*
11. *To ensure that work is suspended and Kai Tahu ki Otago and the NZ Historic Places Trust are notified when archaeological remains are observed or unearthed during earthworks activities.*
12. *To avoid contaminating the water aquifers of the Queenstown Lakes District.*

**Implementation methods**

**(i) District Plan**

- (a) The inclusion of rules controlling the effects of earthworks activities in the Residential, Rural Living Areas, Townships, Town Centre, Business and Industrial, and Special Zones.

**(ii) Other methods**

- (a) The provision of sediment control guidelines, which provide information on sediment control techniques, and best management practices for earthworks activities.
- (b) Advise and provide information to local community groups, landholders and organisations
- (c) Coordination with Te Runanga O Ngai Tahu, Kai Tahu ki Otago and the NZ Historic Places Trust in the identification and protection of sites of cultural heritage value.

- (d) Advise and provide information to all those proposing to undertake earthworks with detailed information of the Wakatipu aquifers and mantle as provided by the Otago Regional Council.

### Explanation and Principal Reasons for Adoption

The Council recognises that most development requires some modification of the natural environment through earthworks, and that such operations have the potential to cause adverse environmental effects. Consequently, the Council has adopted an approach that enables development, while ensuring adverse environmental effects are minimised. This is achieved through placing controls on earthworks activities that are of a large magnitude, are on a steep site, close to neighbouring property, or within close proximity to a water body or within an Outstanding Natural Feature or Outstanding Natural Landscape.

Earthworks that comply with the site standards are a permitted activity. While the effects from such earthworks may be minor, the cumulative effects may be significant. It is therefore considered important that landowners are made aware of techniques they can adopt to minimise adverse effects.

Section 35 of the Act requires the Council to undertake such research or gathering of information necessary to effectively carry out its functions: Monitoring is an important mechanism for feedback inherent to the Council fulfilling its responsibilities for review or refinement of the District Plan. It is, in effect, the process of information collection and recording. This includes gathering information and maintaining records in respect of resource management matters and the state of the environment, and the compliance with resource consents granted by the Council. A crucial element for effective monitoring is to set objectives, policies or some other mechanism through which it is possible to evaluate both the extent to which resource management objectives and policies contained in the District Plan are being met and also whether the monitoring system is delivering sufficient information to enable this assessment to be undertaken effectively.

Section 75 of the Act sets out the matters to be included in the District Plan. This includes a requirement to state the procedures to be used to:

- (a) review the provisions of the District Plan; and

## 4.11 Monitoring, Review and Enforcement

### 4.11.1 Issues

#### i Monitoring and Review

The processes of monitoring and review are integral to the Council's responsibilities under the Act.

The review was carried out in relation to all resource management issues of the District prior to the preparation of this District Plan, and will be carried out again, in full, prior to the review of the Plan required by the Act. In addition throughout the life of this District Plan various resource management matters need to be subject to ongoing review to assess the extent to which the integrated management of effects of land and resource use is being achieved. At times this may require focusing on particular issues or environmental effects while at other times certain areas of the District may form the focus.

- (b) monitor the effectiveness of the Plan as a means of achieving its objectives and policies

The Council has a statutory obligation to undertake a complete Review of its District Plan at least every ten years (Section 79). However, monitoring procedures may indicate a necessity to refine the provisions of the District Plan prior to the next Review. Should the Council decide to take action on the basis of monitoring and review of the District Plan it may do so by way of a Plan Change, undertaken in accordance with the First Schedule of the Act.

#### ii Enforcement

No person may use or subdivide land in the District in a manner that contravenes a rule in the District Plan, unless having existing use rights or expressly allowed by a resource consent granted by the Council.

Under Section 38 of the Act the Council may authorise persons to carry out the functions and powers of an enforcement officer. Such officers may serve abatement notices against persons who are breaching the

Act, a rule in the District Plan or a resource consent, or operating in a manner which is having an adverse effect on the environment. In relation to noise contravening Section 16 of the Act, an abatement notice may require the adoption of the best practicable option of ensuring that the emission of noise from land or water does not exceed a reasonable level. If abatement notices are not acted on, the Environment Court may issue an enforcement order requiring compliance.

There are a number of environmental effects arising from activities which it is not practicable to control by performance standards at this stage. In particular, dust and vibration are all matters which are sufficiently complex in their effect, components and measurement to make the establishment of meaningful and effective performance standards impossible. However because these effects can be of considerable annoyance and affect health it would be quite inappropriate for the Council to take no part in controlling these effects. The Council does have available to it enforcement procedures which enable it to consider each situation and determine whether there is an effect of such intensity or character that it is likely to be objectionable, noxious, offensive or dangerous to the extent that it is likely to have an adverse effect on the environment.

## 4.11.2 Objectives and Policies

### Objective 1

***A District Plan which addresses relevant issues and concerns consistent with the purpose and principles of sustainable resource management.***

#### ***Policies:***

- 1.1 *To monitor the state of the environment against the anticipated environmental outcomes stated in the Plan, as a means of determining whether the District Plan is achieving what it is intended to.*
- 1.2 *To use a range of monitoring procedures to monitor and review the achievement of the Plan's objectives and policies.*

- 1.3 *To monitor the compliance of activities or developments with their conditions of consent.*
- 1.4 *To monitor the consistency of the District Plan with regional and national policy statements, and its effectiveness in implementing the objectives and policies of these policy statements.*
- 1.5 *To respond to new resource management issues and difficulties with the District Plan by way of review and possible changes to the District Plan.*
- 1.6 *To co-operate with the Regional Council, other agencies, territorial authorities and scientific organisations to achieve co-ordinated and mutually beneficial monitoring information.*
- 1.7 *To encourage larger organisations to prepare, and make available to the Council, environmental management strategies which may form the basis for monitoring programmes.*
- 1.8 *To undertake public consultation in monitoring and review procedures, as a means to better understanding of resource management concerns.*

### **Explanation and Principal Reasons for Adoption**

These policies have been developed to meet the requirements of Sections 31, 35 and 75(1)(i) of the Act. The Council will initiate and/or accept requests for Plan changes where the need for such are demonstrated through monitoring and review procedures. Co-operation between larger organisations and the Council is seen as a means to more efficient monitoring programmes. The Council will otherwise encourage public input into monitoring and review procedures.

### **Objective 2**

***Land and water surface uses that are consistent with the provisions of the District Plan and the principles of sustainable resource management.***

#### ***Policies:***

- 2.1 *To use available powers under Part XII of the Act to ensure that activities comply with the Act (in particular the requirement to avoid, remedy or*

mitigate adverse environmental effects), the District Plan and any resource consents granted.

2.2 To use enforcement powers, where appropriate, in response to problems brought to the attention of the Council by both the general public and the Council's own monitoring programmes.

### Explanation and Principal Reasons for Adoption

The Council has prepared the District Plan as a means to achieving the sustainable management of natural and physical resources. It is anticipated that the monitoring programme undertaken by the Council will highlight situations in which abatement notices or enforcement orders may be required.

### 4.11.3 Monitoring Procedures

For each Section of the District Plan setting out the District's issues, objectives and policies, a set of environmental results anticipated has been specified. These form the basis for the monitoring specified below for each topic area, targeted according to the above priorities.

The annual monitoring programme will be determined each year through the Annual Plan. Changes in funding available, work priorities and particular circumstances will influence the specific nature of the monitoring programme each year. On-going analysis of monitoring data collected will also enable an assessment of the nature of the monitoring being undertaken to determine whether it is providing appropriate information to assess the achievement of the Plan's objectives and policies.

Monitoring will be undertaken through the following different procedures:

**i Council Records:** The Council is required under the Act to keep and monitor information collected through its regulatory and other responsibilities, such as resource and building consents and a register of complaints received. Analysis of these will provide information regarding development within the District and attitudes to any adverse effects of that development. Monitoring of compliance with resource consent conditions will assist in assessing the adequacy and appropriateness of Plan policies and rules.

- ii Department of Statistics and Quotable New Zealand:** The Council will continue to obtain updated data from these and other important sources of demographic, building, agricultural and business information.
- iii Surveys:** Every 3-5 years the Council will survey the District's community regarding its attitudes towards particular resource management issues. The Council will also continue to undertake traffic, parking and noise level surveys and recreational user surveys.
- iv Annual Planning Process:** The District's Annual Planning Process provides the opportunity for the public to comment on the draft annual plan each year. Comments from this process are sometimes relevant to resource management issues, which can be included within the District Plan. The Council will also establish a separate programme to monitor the state of the environment generally (Section 35). The annual details of this programme will be included in the Annual Plan. Information for this programme will help identify new or changing issues of relevance to the District Plan, and trends between the state and health of the environment and land use activities.
- v Regional Council Monitoring Programme:** The Regional Council undertakes a comprehensive monitoring programme in relation to its own areas of responsibility. Many of these are of relevance to the Council's District Plan, such as ground and surface water quality and availability, soil erosion and soil health, vegetation cover and flooding risks. The Regional Council's Annual Monitoring Report provides an important source of information. The Council will continue to liaise with the Regional Council regarding the mutual benefits of monitoring information.
- vi Liaison with Other Councils:** Other Councils, particularly those which include rural areas share many of the same resource management issues. The Council may seek to encourage liaison and co-operation between these Councils and a pooling of resources to undertake particular jointly funded monitoring and research.
- vii Scientific Organisations:** The Council may maintain liaison with scientific organisations, particularly those undertaking research relating to resource management issues in the rural areas. The Council may consider opportunities that become available to support and provide assistance to research organisations undertaking relevant monitoring

and research investigations, and may continue to monitor the outcomes of such research.

**viii Land occupiers and owners:** In many instances, the most effective monitoring can be undertaken by land occupiers and owners themselves, such as the monitoring of vegetation and soil condition in the rural areas. The Council may take an active role in providing support and assistance to landholder groups undertaking their own monitoring and in facilitating the provision of information regarding monitoring techniques to such groups. The larger organisations owning land and/or facilities within the District already undertake their own environmental monitoring programmes. The Council will seek a co-operative approach with these organisations where their information can be usefully integrated into the Council's own monitoring programme.

#### 4.11.4 Monitoring of Key Environmental Results

Using the range of monitoring procedures specified under 4.10.3 above, the following will be components of the Council's long term programme to monitor and review the achievement of the Plan's objectives and policies. These components will be reassessed, amended and added to, on an on-going basis to ensure that they are providing appropriate information to assess the achievement of the Plan's objectives and policies.

##### i Natural Environment

- Changes to indigenous ecosystems and natural habitats of indigenous plants and animals.
- Changes in the level of protection afforded to sites of nature conservation value through land acquisition, the use of covenants or agreements, or resource consent provisions.
- Changes to the quality of the natural character of lake and river margins.

- Distribution and change of distribution of exotic species with potential to spread and naturalise.
- Community views regarding the importance of protecting nature conservation values and the nature of those community values.

##### ii Landscape Values

- Changes in the level of permanent protection afforded to areas of landscape value.
- Community attitudes regarding the importance of retaining or enhancing landscape values.
- The extent to which the policies of urban consolidation have been achieved.
- The extent to which new utilities have been located and designed to be sympathetic to the landscape.
- Distribution and change of distribution of new forestry projects and soil conservation planting.
- Costs of compliance and implementation of the Plan's provisions.

##### iii Takata Whenua

- Level of takata whenua involvement with resource management decision making.
- As for natural environment above.
- As for heritage values below.

##### iv Heritage Values

- Changes to number and condition of remaining heritage buildings.

- Residents' views regarding level of involvement of the Council with heritage protection.
  - Degree of implementation of protection measures - resource consents, use of incentives, conservation covenants, etc.
  - Effects on and changes to archaeological sites as a result of building development and land use changes.
  - Satisfaction of takata whenua with procedures instituted regarding archaeological sites.
- v Natural Hazards**
- Physical damage from any hazard events.
  - Effectiveness of response procedures.
  - Changes in levels of risks from hazards due to improved protection works or property development in areas at risk.
  - Changes in knowledge and understanding about the likelihood of the occurrence of natural hazards.
  - Effectiveness of building floor heights and locational controls in avoiding damage.
- vi Transport**
- Traffic volumes and routes.
  - Pedestrian/cycle/public transport usage.
  - Accident records - number and severity.
  - Residents' views regarding amenity and safety of streets, accessibility of commercial and community facilities.

- Residents' views regarding local traffic management schemes - both before and after implementation.
  - Complaints regarding traffic issues.
- vii Subdivision**
- Rate and extent of new subdivisions.
  - Ability to service new subdivision and development adequately and efficiently.
  - Capacity of public services to accommodate additional development.
  - Efficiency of use of existing public services.
  - Need for extensions to new public services.
  - Nature of conditions being imposed on subdivision consents, compared with the provisions of the District Plan.
  - Residents' views regarding the character, extent and effects of new subdivisions.
  - Degree of protection of trees, natural features, margins of lakes and rivers achieved through subdivision.
  - Extent of subdivision in hazard-prone areas.
- viii Recreation and Open Space**
- Increase in the number and location of esplanade reserves and strips and access strips held by the Council.
  - Change in the number of hectares of reserves held by the Council, their location, distribution and proximity to the District's population.
  - Proportion of population in settlements who do not live within 400m of a neighbourhood recreation reserve.

- Improvements to reserve development and facilities.
- Use of recreation facilities.
- Complaints regarding adverse effects of recreational activities.
- Residents' views regarding availability of recreational opportunities and open space; and environmental effects of recreational activities.
- Surveyed noise levels.
- Surveyed traffic volumes.
- Residents' views regarding environmental effects of activities on the surface of lakes and rivers.
- Use of lakes and rivers for recreational and commercial activities.
- Reported adverse effects on natural values of activities on the surface of lakes and rivers.
- Accident records involving recreational activities.

## **ix Energy**

- Changes in the area of tree plantings.
- Changes in the area of indigenous tree cover retained.
- Changes to the extent of settlements.
- Changes to the density and distribution of residential activities within and adjoining settlements.
- Changes to the distances regularly travelled by residents and visitors and per capita fuel consumption.
- Costs of compliance and implementation of the Plan's provisions.

## **x Utilities**

- Increase in areas served by reticulated sewer, stormwater and water supplies.
- Ease and efficiency of servicing new subdivisions and developments.
- Proportion of settlements with utility wires and cables underground.
- Complaints regarding adverse effects of utilities.
- Residents' views regarding the effect of utilities on local amenity values.
- Costs of compliance and implementation of the Plan's provisions.

## **xi Waste Management**

- Operational and environmental standards of landfills.
- Using the waste analysis protocol, survey of changes in the types and quantities of wastes disposed of annually.
- Changes in the types and quantities of waste recycled.
- Reduction in the life of existing landfills.
- Changes in groundwater quality in the vicinity of landfills.
- In conjunction with the Regional Council, survey of the use and disposal of hazardous substances.

## **xii Hazardous Substances**

- In conjunction with the Regional Council, the preparation and updating of an inventory of the use and manufacture of hazardous substances.
- Recording of any spillages, pollution and other incidents.



- Effectiveness of responses to spillages, pollution and other incidents.
- xiii Signs**
- Complaints received regarding adverse effects of signs.
  - Changes in amenity levels in areas containing signs.
  - Records of traffic accidents in rural areas and their relationship to signs.
- xiv Residential, Rural Living and Urban Areas**
- Changes in the density and distribution of buildings, including residential activities.
  - Changes in the extent of settlements and the contrast between settlements and their surrounding rural areas.
  - Changes in population size and density.
  - Changes in number of residential units.
  - Changes in the amount of vacant land available in each zone.
  - Improvements and development of public open space.
  - Complaints regarding adverse effects of non-residential activities.
  - Residents' views regarding the environmental effects of non-residential activities and their perception of residential areas.
  - Surveyed noise levels.
  - Surveyed traffic volumes.
  - Changes in the availability of services and facilities within the townships.
- Number and type of non-complying activities approved by the Council.
- xv Town Centre, Business and Industrial Areas**
- Frequency of use of, and noise levels from, the Queenstown Airport.
  - Changes in business floorspace quantity, distribution and type.
  - Changes in the location of different types of business activity.
  - Changes in the amount of vacant land available in each zone.
  - Availability of public parking in business areas.
  - Surveyed traffic volumes.
  - Surveyed noise levels in and adjoining business areas.
  - Changes in the number and location of residential units in business areas.
  - Complaints regarding adverse effects of business activities on properties in neighbouring zones.
  - Residents' views regarding the environmental effects of business activities and the availability, convenience and accessibility of business activities.
  - Views regarding the quality of design and amenity of the town centre areas.
- xvi Rural Areas**
- Changes in the extent and degree of subdivision of land containing versatile soils.
  - Changes in the extent of building and curtilage development on land of versatile soils.
  - Changes in general subdivision patterns.

- Changes in the nature and extent of non-land-based activity in the rural areas.
- Surveyed noise levels.
- Surveyed traffic volumes.
- Residents' views regarding the nature of rural amenity values.
- Changes in the extent of settlements and the contrast between settlements and their surrounding rural areas.
- Change in the nature, scale and location of farming, forestry and other land-based rural activities.
- Number and type of non-complying activities approved by the Council.
- Changes in vegetation cover and condition and soil condition. (Further research is needed to develop cost effective techniques for such monitoring.)
- Trends evident between land use practices and the state of vegetation and soil condition.
- Costs of compliance and implementation of the Plan's provisions.

## 4.11.5 Review Procedures

Section 73 of the Resource Management Act 1991 requires that the Queenstown Lakes District Council have at all times a District Plan. The Council is obliged to commence a full review of its District Plan not later than 10 years after this Plan becomes operative. It is, therefore envisaged this document will be in force for at least the next decade.

However, as changes occur to the environment it may be desirable to make amendments to this Plan in order to respond to the new issues and condition. This can be done either in part by introducing a Plan Change or in full by way

of a total review. Any person may apply for a change to this Plan, or the Queenstown Lakes District Council may itself initiate a change. In considering the need to review or change this Plan, the Queenstown Lakes District Council will have regard to:

- Changes in legislation dealing with resource management;
- Improved knowledge and understanding of the environment;
- Changes in technology and market conditions;
- The development of National Policy Statements, Regional Policy Statements and Plans, and review of these documents;
- The development and review of other resource management plans including Kai Tahu Ki Otago: Natural Resource Management Plan, the Conservation Management Strategy for Otago, and reserve management plans;
- Changes to the Historic Places Register.

Any review or change to this Plan will be carried out in accordance with the provision of the First Schedule to the Resource Management Act 1991.

## 5 Rural Areas

### Rural General, Ski Area Sub-Zones

#### 5.1 Resource Management Issues

Discussion of additional relevant issues is found in the following Parts of the District Plan:

Natural Environment	- Part 4.1
Landscape and Visual Amenity	- Part 4.2
Open Space and Recreation	- Part 4.4
Surface of Lakes and Rivers	- Part 4.6
Waste Management	- Part 4.7
Natural Hazards	- Part 4.8
Heritage	- Part 13.1
Hazardous Substances	- Part 16.1

##### i The Management of the Effects of Rural Activities on the Environment

By their nature, rural activities may have both beneficial and adverse effects. It is desirable to create conditions where beneficial effects (such as productive effects, employment, enhancement of the amenity/visual values, development of pleasant built form and soil retention) are maintained, developed and enhanced. It is also necessary to balance any adverse effects of these activities (such as noise from bird scaring or frost fighting devices) in order to maintain development and productive potential, while also supporting the life-supporting capacity of the air, water, soil, ecosystems and minerals.

##### ii Sustaining the Life-Supporting Capacity of Soils and Vegetation

The life-supporting capacity of soils in the rural area can be lost or reduced as a result of intensive subdivision and building development or inappropriate land uses that significantly deplete, degrade or cover over the soil.

##### iii Protecting the Rural Amenity Values

All Rural Zones have particular amenity and environmental values, which are important to rural people. These include privacy, rural outlook, spaciousness, ease of access, clean air and, at times, quietness. However, because of the range of activities that necessarily occur in a rural area, there are levels of noise, dust, traffic generation and smell that are an integral part of rural amenity values. Provided that these effects do not constitute a genuine nuisance or a health risk, they must be accepted as anticipated components of rural amenity values.

Reverse sensitivity effects on Queenstown Airport may arise where Activity Sensitive to Aircraft Noise is established within rural areas where those areas are located in the Queenstown Airport's Outer Control Boundary or Air Noise Boundary.

Where activities in a Rural Zone do cause a genuine nuisance or a health risk it is the role of Council to assist in mitigating any adverse effect that these activities may potentially create.

##### iv Safeguarding Water Resources

The quality and quantity of water and irrigation scheme infrastructure are essential for the cultural, social and economic well being of the District. However water resources are vulnerable to change because of the diversity of activities occurring in rural areas. Whilst the management of the quality and quantity of water resources is principally the responsibility of the Otago Regional Council, the Council considers it has a role in the integrated management of the effects of land-use activities to ensure the life-supporting capacity of water is safeguarded. The supply of irrigation water to users in the district is carried out by private companies, for example the Arrow Irrigation Company. The Council has a role in the integrated management of effects of land use activities to ensure that the supply of water resources and the irrigation infrastructure is not adversely affected by land use activities.

##### v Mineral Resources

The mineral resources of the District are important commercially. These resources include gold and other minerals, aggregates, shingle and coal. Minerals are also important historically with a number of mining sites and

settlements having historic value. Mineral extraction, including gravel extraction and earthworks, has the potential to cause significant adverse effects on the environment.

## vi The Management of Surface of Waterbodies

Surface of water rules are generally aimed at the protection of the natural, recreational and amenity characteristics of the different waterbodies of the District and the surrounding environment.

Controls over water-based activities are considered to be necessary to ensure that any adverse effects on the wildlife, natural, recreational, visual, amenity values and safety values of the District's lakes and rivers are kept at a minor level.

Commercial boating activities are to be subject to assessment through the resource consent process. Controls have differentiated between private and commercial operations in terms of their environmental effects, because commercial activities have the potential to be more regular, concentrated, numerous and continuous throughout much of the year, compared with private recreation; and because many of the craft used in commercial operations are larger and more capable of greater impacts upon the environment. Frequent and regular use of waterbodies by commercial activities have the potential to conflict with other users or values of the waterbody or adjoining land – intruding into the experience sought by other users of affecting wildlife, amenity or natural conservation values. Public safety may also be compromised by a number of boating operators and/or boats using the same waterbody, where it is confined or has visibility limitations. Fishing guiding has been exempt from this requirement for resource consents for commercial boating activities because it has no more than a minor effect on its environment, it is dispersed across the waterbodies of the District, and does not result in concentrated effects in any one locality.

All structures or moorings on waterbodies are considered to require resource consent assessment, because of their ability to impact upon landscape, recreational safety and conservation values associated with a shoreline or shore waters. Use of all moored boats for permanent or long-term residence is of concern in relation to other lake and lakeshore

users. Such concerns relate to visual impacts, effluent disposal and loss of public enjoyment of the adjoining lakeshore and waters, to the extent it is considered that such uses should be excluded.

Refer also to Section 4.6 Surface of Waterbodies for reasons for policies and implementation methods.

## 5.2 Rural General and Ski Area Sub-Zone - Objectives and Policies

Additional relevant objectives and policies relating to the following matters are found in the corresponding Parts of the District Plan:

Natural Environment	- Part 4.1
Landscape and Visual Amenity	- Part 4.2
Open Space and Recreation	- Part 4.4
Surface of Lakes and Rivers	- Part 4.6
Waste Management	- Part 4.7
Natural Hazards	- Part 4.8
Heritage	- Part 13
Hazardous Substances	- Part 16

### Objective 1 - Character and Landscape Value

***To protect the character and landscape value of the rural area by promoting sustainable management of natural and physical resources and the control of adverse effects caused through inappropriate activities.***

#### ***Policies:***

- 1.1 *Consider fully the district wide landscape objectives and policies when considering subdivision, use and development in the Rural General Zone.*
- 1.2 *Allow for the establishment of a range of activities, which utilise the soil resource of the rural area in a sustainable manner.*

- 1.3 *Ensure land with potential value for rural productive activities is not compromised by the inappropriate location of other developments and buildings.*

- 1.4 *Ensure activities not based on the rural resources of the area occur only where the character of the rural area will not be adversely impacted.*
- 1.5 *Provide for a range of buildings allied to rural productive activity and worker accommodation.*
- 1.6 *Avoid, remedy or mitigate adverse effects of development on the landscape values of the District.*
- 1.7 *Preserve the visual coherence of the landscape by ensuring all structures are to be located in areas with the potential to absorb change.*
- 1.8 *Avoid remedy or mitigate the adverse effects of the location of structures and water tanks on skylines, ridges, hills and prominent slopes.*
- 1.9 *Ensure adverse effects of new commercial Ski Area activities on the landscape and amenity values are avoided or mitigated.*

## Implementation Methods

The objective and associated policies will be implemented through a number of methods including:

### (i) District Plan

- (a) The identification of Rural General, Rural Lifestyle, Rural Residential, Ski Area Sub-Zones objectives, policies and methods in the District Plan.
- (b) The provision of rules relating to subdivision, activities and the erection of buildings in the Rural General Zone.
- (c) To encourage the Regional Council in the preparation of Regional Plans and guidelines.
- (d) Provision of rules to control subdivision and the provision of controls and performance standards to protect the amenity and environmental quality of rural areas.

- (e) Advise and give information to local community groups, landholders and organisations.

### (ii) Other Methods

To encourage appropriate organisations and people to:

- (a) Monitor intensive farming and factory farming operations and disseminate information and guidelines regarding acceptable management practice.
- (b) Do further research into identifying trends between the state of the environment and changes in land use patterns or practices.

## Explanation and Principal Reasons for Adoption

There is a need to promote the integrated management of the diversity of resources in the rural area, including existing and potential land use activities. A wide range of activities are anticipated and allowed for in the rural areas. Standards are included and may be monitored, to ensure the management regimes undertaken are sustainable.

New commercial Ski Area activities have the potential to adversely affect amenity and landscape values of the District and can represent an inefficient use of infrastructure.

## Objective 2 - Life Supporting Capacity of Soils

***Retention of the life supporting capacity of soils and/or vegetation in the rural area so that they are safeguarded to meet the reasonably foreseeable needs of future generations.***

### Policies:

- 2.1 *Avoid, remedy or mitigate adverse effects of subdivision and development on the life-supporting capacity of the soils.*

- 2.2 *Enable a range of activities to utilise the range of soil types and microclimates.*
- 2.3 *Encourage the long-term retention of the capabilities of the District's soils through research and dissemination of relevant information to the community.*
- 2.4 *Encourage land management practices and activities, which avoid, remedy or mitigate adverse effects on soil and vegetation cover.*
- 2.5 *Encourage land users to monitor the condition of vegetation on their land by providing information and assistance, where practicable.*

## **Implementation Methods**

- (i) The identification of Rural General, Rural Lifestyle, Rural Residential, Skifield Sub-Zones and Gibbston Character Zones, objectives, policies and methods in the District Plan-.
- (ii) The provision of rules relating to subdivision, activities and the erection of buildings in the Rural General Zone.
- (iii) To encourage the Regional Council in the preparation of Regional Plans and guidelines.
- (iv) Provision of rules to control subdivision and the provision of controls and performance standards to protect the amenity and environmental quality of rural areas.
- (v) Encourage, co-ordinate and support local community groups, land holder groups and organisations through the provision of advice, assistance and information.

## **Other Methods:**

- (a) To encourage appropriate organisations and people to:

- (i) monitor intensive farming and factory farming operations and disseminate information and guidelines regarding acceptable management practices.
- (ii) do further research into identifying trends between state of the environment (e.g. water use, water quality, soil health) and changes in land use patterns or practices.

## **Explanation and Principal Reasons for Adoption**

Life supporting capacity of soils can be lost or reduced as a result of intensive subdivision and building development or inappropriate land uses that significantly deplete or cover over the soil. To protect the life supporting capacity of soils within the District, the Council has limited the size of lots created in the rural areas.

Council considers the best means to maintain vegetation cover is by providing support to local land holder groups, which are undertaking monitoring and assessing land management practices. This may be through supplying information and advice (including monitoring techniques) from professionals, which will facilitate changes to land-based activities or practices to sustain soil resources.

## **Objective 3 - Rural Amenity**

***Avoiding, remedying or mitigating adverse effects of activities on rural amenity.***

### ***Policies:***

- 3.1 *Recognise permitted activities in rural areas may result in effects such as noise, dust and traffic generation, which will be noticeable to residents in the rural areas.*
- 3.2 *Ensure a wide range of rural land uses and land management practices can be undertaken in the rural areas without increased potential for the loss of rural amenity values.*

- 3.3 To avoid, remedy or mitigate adverse effects of activities located in rural areas.
- 3.4 To encourage intensive and factory farming away from Rural Residential, Rural Lifestyle, Urban, Residential, or Business Zones, in order to minimise the potential for conflict between these zones.
- 3.5 Ensure residential dwellings are setback from property boundaries, so as to avoid or mitigate adverse effects of activities on neighbouring properties.
- 3.6 To require acoustic insulation of buildings located within the airport Outer Control Boundary, that contain critical listening environments
- 3.7 To prohibit all new Activity Sensitive to Aircraft Noise on rural zoned land within the Outer Control Boundary at Queenstown Airport to avoid adverse effects arising from aircraft operations on future Activity Sensitive to Aircraft Noise.
- 3.8 To require as necessary mechanical ventilation for any alterations or additions to Critical Listening Environment within any existing buildings containing an Activity Sensitive to Aircraft Noise within the Queenstown Airport Outer Control Boundary and require sound insulation and mechanical ventilation for any alterations or additions to Critical Listening Environment within any existing buildings containing an Activity Sensitive to Aircraft Noise within the Queenstown Airport Air Noise Boundary.

## Implementation Method

- (i) Provision of rules to control subdivision and the provision of controls and performance standards to protect the amenity and environmental quality of the Rural Zones.
- (ii) ~~The provision of rRules to prohibit any new Activity Sensitive to Aircraft Noise on sites land within the Outer Control Boundary of Queenstown Airport.~~
- (iii) ~~The provision of rRules including to require sound insulation and mechanical ventilation of construction tables to ensure appropriate sound~~

~~insulation and ventilation is designed into any alterations or additions to any Critical Listening Environments within alterations and additions to existing-of buildings containing that contain an Activity Sensitive to Aircraft Noise on sites land within the Outer Control Boundary and Air Noise Boundary of Queenstown Airport to achieve an Indoor Design Sound Level of 40 dB Ldn, based on the 2037 Noise Contours.~~

- (iv) Queenstown Airport Corporation Limited shall offer to fund retrofitting over time of sound insulation and mechanical ventilation of any Critical Listening Environment within existing buildings containing an Activity Sensitive to Aircraft Noise located within the Air Noise Boundary to achieve an Indoor Design Sound Level of 40 dB Ldn. Retrofitting shall be based on the 2037 Noise Contours and shall be offered at the time the Projected 65 dB Ldn AANC reaches the property.
- (v) Queenstown Airport Corporation Limited shall offer to part fund retrofitting over time of mechanical ventilation of any Critical Listening Environment within existing buildings containing an Activity Sensitive to Aircraft Noise located between the Air Noise Boundary and the 2037 60 dB Noise Contour. This ventilation is to enable windows and doors to remain closed to achieve the Indoor Design Sound Level if required. Retrofitting shall be based on the 2037 Noise Contours and shall be offered at the time the Projected 60 dB AANC reaches the property.

## Other Methods:

- (i) To encourage appropriate organisations and people to:
  - (a) monitor intensive farming and factory farming operations and disseminate information and guidelines regarding acceptable management practices.
  - (b) do further research into identifying trends between the state of the environment (e.g. water use, water quality, soil health) and changes in land use patterns or practices.

## Explanation and Principal Reasons for Adoption



The rural environment has particular amenity and environmental values, which are important to rural people. These include privacy, rural outlook, spaciousness, ease of access, clean air, and at times, quietness. However, a wide range of activities occur in the rural areas, including traditional livestock farming and the growing of supplementary crops, as well as more intensive new pastoral and horticultural enterprises. These result in levels of noise, dust, traffic generation and smell that are an integral part of rural amenity values, and which will be noticeable to residents in rural areas. Queenstown Airport is also located such that the effects of aircraft operations are experienced within some parts of the rural environment. Provided that these effects do not constitute a genuine nuisance or health risk, the Council considers they should be accepted as anticipated components of rural amenity values; however the potential for conflicts between such amenity values and the expectations of rural residents should be avoided, as far as possible.

## Objective 4 - Life Supporting Capacity of Water

***To safeguard the life supporting capacity of water through the integrated management of the effects of activities***

### Policies

4.1 *In conjunction with the Otago Regional Council:*

- *To encourage activities, which use water efficiently, thereby conserving water quality and quantity.*
- *To discourage activities, which adversely affect the life supporting capacity of water and associated ecosystems.*

4.2 *To encourage buildings, earthworks and landscaping to be located or carried out a sufficient distance from irrigation infrastructure.*

4.3 *To encourage the piping and filling of existing open channel irrigation races where there is potential for buildings, earthworks or landscaping to interfere with the irrigation infrastructure.*

### Implementation Methods

- (i) *To have regard to the effects of activities on water quality, quantity and irrigation infrastructure in assessing resource consents.*
- (ii) *To encourage the Regional Council in the preparation of information, guidelines and planning documents.*

## Explanation and Principal Reasons for Adoption

The quality and quantity of the water resources and that of irrigation infrastructure are essential to the prosperity and pleasantness of the District in terms of their life supporting capacity, availability for productive and domestic use, and their integral part in the recreation and tourism values.

## Objective 5 - Mineral Extraction

***Mineral extraction, including prospecting and exploration, carried out in a manner which avoids, remedies or mitigates adverse effects on the environment.***

### Policies:

5.1 *To ensure potential adverse effects of large-scale recreational extractive activities (including mineral exploration) on the rural environment are avoided, remedied or mitigated.*

5.2 *To ensure that during and after mining, sites are progressively rehabilitated in a planned and co-ordinated manner, to enable the establishment of a land use appropriate to the area.*

5.3 *To recognise prospecting and small-scale recreational gold mining as activities with limited environmental impact.*

5.4 *To recognise the importance of high quality gravel for roading within the District.*

### Implementation Methods

- (i) Provision of rules to control extractive operations, mineral exploration and larger-scale recreational mining and the provision of assessment matters to protect the environment and amenity of rural areas.
- (ii) Liaison with the Otago Regional Council regarding mineral extraction in and adjoining the beds of lakes and rivers.

## Explanation and Principal Reasons for Adoption

The Council considers that controls are necessary with respect to the extractive activities, including larger-scale recreational mining, because the scale of the operations, the sensitivity of the area, and the management of the operations may vary considerably. Consequently the effects on amenity values such as privacy, rural outlook, spaciousness and quietness or the effects on remoteness, recreational or conservation values may vary considerably. For these issues to be adequately addressed Council considers individual proposals need to be assessed on their merits. This will also enable the Council to set conditions on the management of the operation that are appropriate to the scale of the operation and sensitivity of the area.

With regard to prospecting, the Council considers the scale and nature of this low impact activity are adequately limited by the definition of this activity in the District Plan, which will limit any significant adverse effects to the environment. With respect to small-scale recreational mining by way of hand-held, non-motorised equipment and suction dredging, the Council considers that sufficient performance standards can be specified for these activities by way of rules in the Plan, which will limit any significant adverse effects to the environment.

The Council anticipates valuable mineral resources of the District will be able to be utilised providing the scale of any operation and its effects are appropriate to an area. The Council also expects land will be progressively rehabilitated in a way that is appropriate to the surrounding environment.

## Objective 6 -Ski Area Sub-Zone

***To encourage the future growth, development and consolidation of existing Ski Areas, in a manner which mitigates adverse effects on the environment.***

## Policies:

- 6.1 *To identify specialist sub-zoning for Ski Area activities.*
- 6.2 *To anticipate growth, development and consolidation of skifields within Ski Area Sub-Zones.*

## Implementation Methods

- (i) Identification of Ski Area Sub-Zones within the Rural General Zone.
- (ii) Provision of rules relating to Ski Area activities within and outside of Ski Area Sub-Zones.

## Explanation and Principal Reasons for Adoption

The Council believes it is prudent to consolidate the effects of existing Ski Area activities within Ski Area Sub-Zones.

## Objective 7 - Buffer Land for Airports

***Retention of a greenfields area or at Queenstown Airport an area for Airport related activities or where appropriate an area for activities not sensitive to aircraft noise within an airport's Outer Control Boundary to act as a buffer between airports and other land use activities.***

## Policies

- 7.1 *To retain a greenfields area within the Outer Control Boundary of airports in order to provide a buffer, particularly for safety and noise measures, between the airport and other activities.*
- 7.2 *To prohibit the location of any new Activity Sensitive to Aircraft Noise on land within the Outer Control Boundary for Queenstown Airport.*
- 7.3 *To require as necessary mechanical ventilation for any alterations or additions to Critical Listening Environment within any existing buildings*

containing an Activity Sensitive to Aircraft Noise within the Queenstown Airport Outer Control Boundary and require sound insulation and mechanical ventilation for any alterations or additions to Critical Listening Environments within any existing buildings containing an Activity Sensitive to Aircraft Noise within the Queenstown Airport Air Noise Boundary.

## Implementation Methods

Objective 7 and associated policies will be implemented through a number of methods including:

### i District Plan

- (a) Zoning undeveloped areas within the Outer Control Boundary of airports as Rural where this is practicable.
- (b) Provision of zone rules ~~restricting~~ prohibiting any new Activity Sensitive to Aircraft Noise within the Outer Control Boundary of Queenstown Airport in the Rural Zone.
- (c) Provision of zone rules to ensure that the airport and neighbouring land use activities do not adversely affect each other.
- (d) Identification of an Outer Control Boundary.
- (e) Identification of an Air Noise Boundary on the District Plan Maps for Queenstown Airport.
- (f) Rules to require mechanical ventilation of any Critical Listening Environments within alterations and additions to existing buildings that contain any Activity Sensitive to Aircraft Noise on sites land within the Outer Control Boundary to achieve an Indoor Design Sound Level of 40 dB Ldn, based on the 2037 Noise Contours.
- (g) Rules to require sound insulation and mechanical ventilation of any Critical Listening Environment within alterations and additions to existing buildings that contain any Activity Sensitive to Aircraft Noise on sites land within the Air Noise Boundary to achieve an

Indoor Design Sound Level of 40dB Ldn, based on the 2037 Noise Contours.

- (h) Queenstown Airport Corporation Limited shall offer to fund retrofitting over time of sound insulation and mechanical ventilation of any Critical Listening Environment within in existing buildings containing an Activity Sensitive to Aircraft Noise located within the Air Noise Boundary to achieve an Indoor Design Sound Level of 40 dB Ldn. Retrofitting shall be based on the 2037 Noise Contours and retrofitting shall be offered at the time the Projected 65 dB Ldn AANC reaches the property.

- (i) Queenstown Airport Corporation Limited shall offer to part fund retrofitting over time of mechanical ventilation of any Critical Listening Environment within existing buildings containing an Activity Sensitive to Aircraft Noise located between the Air Noise Boundary and the 2037 60 dB Noise Contour. This ventilation is to enable windows and doors to remain closed to achieve the Indoor Design Sound Level if required. Retrofitting ~~shall be based on the 2037 Noise Contours and~~ retrofitting shall be offered at the time the Projected 60 dB AANC reaches the property.

All retrofitting shall be conducted in accordance with the conditions attached to Designation 2.

### ii Other Methods:

- (a) Notification through Land Information Memoranda of the prohibition of new Activities Sensitive to Aircraft Noise and the requirement to provide sound insulation and/or mechanical ventilation (where necessary to meet an Indoor Sound Design level of 40 dB Ldn) for additions or alterations to existing buildings containing an Activity Sensitive to Aircraft Noise within the Air Noise Boundary or the Outer Control Boundary.

### Explanation and Principal Reasons for Adoption

The Council recognises that airports servicing the District are necessary but measures are required to ensure that an airport and surrounding land uses are compatible. Safety measures and the mitigation of noise are particularly relevant. Where there are no current residential or other noise sensitive developments neighbouring an airport, it is advantageous to protect any existing Rural Zones surrounding airports as this can act as a buffer between an airport and neighbouring activities. Where this cannot be done, for example areas where there is already residential development adjacent to the airport, the Council has adopted a policy of either requiring acoustic insulation for additions or alterations to existing activities to mitigate against noise, or to prohibit new noise sensitive activities in order to mitigate noise and ensure safety from airport operations.

### Objective 8 – Building Line Restriction Area

***To prevent development of the sensitive upper area of the Kirimoko Block (Building Line Restriction area) in Wanaka.***

#### Policies

- 8.1 *To protect the elevated, more visually sensitive upper area of the Kirimoko Block by limiting development to lower areas within the natural amphitheatre zoned Low Density Residential.*
- 8.2 *To maintain the open character of the building restriction area by promoting the planting of small native plants and shrubs.*
- 8.3 *To ensure the protection of the prominent ridgeline from development by restricting development to the Low Density Residential zoned area.*

### Objective 9 – Building Line Restriction Area – Bible Face

***To protect the heritage value of the Bible Face landform by preventing building and development upon the Bible Face in Glenorchy.***

#### Policies

- 9.1 To protect the visually sensitive Bible Face from development
- 9.2 To maintain the rural backdrop that the Bible Face provides to the Glenorchy township

### 5.2.1 Environmental Results Anticipated

The following environmental results are anticipated in the Rural General zones:

- (i) The protection of outstanding natural landscapes and features from inappropriate subdivision, use and development.
- (ii) Maintenance and enhancement of openness and naturalness of outstanding natural landscapes and features.
- (iii) Strong management of the visual effects of subdivision and development within the visual amenity landscapes of the district.
- (iv) Enhancement of natural character of the visual amenity landscapes.
- (v) A variety in the form of settlement pattern within visual amenity landscapes based upon on the absorption capacity of the environment.
- (vi) Retention and enhancement of the life-supporting capacity of the soil and vegetation.
- (vii) The continued development and use of land in the rural area.
- (viii) Avoid potential land uses and land management practices, which create unacceptable or significant conflict with neighbouring land based activities, including adjoining urban areas.
- (ix) Maintenance of a level of rural amenity, including privacy, rural outlook, spaciousness, ease of access and quietness, consistent with the range of permitted rural activities in the zone.

- (x) Retention of the amenities, quality and character of the different rural environments within the District, and development and structures which are sympathetic to the rural environment by way of location and appearance.
- (xi) Retention of a range of recreation opportunities.
- (xii) Utilisation of mineral resources within the District, providing that the scale of each operation and its effects, both short and long-term, are appropriate to its environment.

## 5.3 Rural General and Ski Area Sub-Zone - Rules

### 5.3.1 Zone Purposes

#### 5.3.1.1 Rural General Zone

The purpose of the Rural General Zone is to manage activities so they can be carried out in a way that:

- protects and enhances nature conservation and landscape values;
- sustains the life supporting capacity of the soil and vegetation;
- maintains acceptable living and working conditions and amenity for residents of and visitors to the Zone; and
- ensures a wide range of outdoor recreational opportunities remain viable within the Zone.
- protects the on-going operations of Queenstown Airport

The zone is characterised by farming activities and a diversification to activities such as horticulture and viticulture. The zone includes the majority of rural lands including alpine areas and national parks.

#### 5.3.1.2 Ski Area Sub-Zones

Ski Area Sub-Zones are located within the Rural General Zone. The purpose of these Sub-Zones is to enable the continued development of skifield activities within the identified boundaries, where the effects of those activities are anticipated to be cumulatively minor.

For the avoidance of doubt, Ski-Area Sub-Zones are excluded from the landscape classifications used in the Plan (ie: Outstanding Natural Landscapes (Wakatipu Basin), Outstanding Natural Landscapes (District Wide) or Visual Amenity Landscapes).

Being only a sub-zone, all rules applicable to the Rural General Zone in the District Plan are applicable to the Ski Area Sub-Zones except where stated to the contrary.

### 5.3.2 District Rules

Attention is drawn to the following District Wide Rules, which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- |  |                 |
|--|-----------------|
| (i) Heritage Protection                                    | - Refer Part 13 |
| (ii) Transport   | - Refer Part 14 |
| (iii) Subdivision, Development and Financial Contributions | - Refer Part 15 |
| (iv) Hazardous Substances                                  | - Refer Part 16 |
| (v) Utilities  | - Refer Part 17 |
| (vi) Signs   | - Refer Part 18 |
| (vii) Relocated Buildings and Temporary Activities         | - Refer Part 19 |

Attention is also drawn to the need to obtain relevant consents from the Otago Regional Council relating to matters such as water use, discharge of contaminants to water, land or air, use of the beds of rivers and lakes, damming or diverting lakes and rivers, earthworks and vegetation clearance.

### 5.3.3 Activities

#### 5.3.3.1 Permitted Activities

Any activity, which is not listed as a **Prohibited, Non-Complying, Discretionary** or **Controlled Activity** and which complies with all the relevant **Site and Zone** Standards, shall be a **Permitted Activity**.

#### 5.3.3.2 Controlled Activities

The following shall be **Controlled Activities**, provided that they are not listed as a **Prohibited, Non-Complying** or **Discretionary Activity**; and they comply with all of the relevant **Site and Zone** Standards; and they have been evaluated under the assessment criteria in rule 5.4.

The matters in respect of which the Council has reserved control are listed with each Controlled Activity.

## **i Buildings**

- (a) The addition to or alteration of an existing building provided:
- (i) the addition or alteration does not increase the coverage of the building (calculated at the operative date of this District Plan) by more than 50 percent; and
  - (ii) the addition or alteration is contained within a residential building platform approved by resource consent;
  - (iii) sub-clause (ii) above does not apply to additions or alterations to existing buildings within lots 1 to 6, 8 to 21 DP 26634 located at Closeburn Station.

### **in respect of:**

- (a) external appearance;
  - (b) associated earthworks, access and landscaping;
  - (c) provision of water supply, sewage treatment and disposal, electricity and telecommunication services.
- (b) The construction of any new building contained within a residential building platform approved by resource consent;
- ### **in respect of:**
- (i) external appearance;
  - (ii) associated earthworks, access and landscaping;
  - (iii) provision of water supply, sewage treatment and disposal, electricity and telecommunication services.

- (c) Addition or alteration to any existing building or the construction of any new buildings associated with Ski Area Activities within Ski Area Sub-Zones

### **in respect of:**

- (i) location, external appearance and size;
  - (ii) associated earthworks, access and landscaping;
  - (iii) provision of water supply, sewage treatment and disposal electricity and communication services (where necessary).
- (d) Farm Buildings
- The replacement or extension of an existing farm building or construction of a new farm building in respect of:
- (i) location anywhere within the property;
  - (ii) external appearance;
  - (iii) provision of water supply, sewage treatment and disposal, electricity and communication services (where necessary).
- (e) The construction of a single residential unit and any accessory building(s) within lots 1 to 6, 8 to 21 DP 26634 located at Closeburn Station.

### **in respect of:**

- (i) external appearances and landscaping, with regard to conditions 2.2(a), (b), (e) and (f) of resource consent RM950829;
- (ii) associated earthworks, access and landscaping;
- (iii) provisions of water supply, sewage treatment and disposal, electricity and telecommunications services.

## ii Commercial Activities, limited to Retail Sales

All retail sales including:

- (a) farm and garden produce, reared or produced on-site;
- (b) handicrafts produced on the site; and
- (c) commercial activities associated with ski area activities within Ski Area Sub-Zones.

### in respect of:

- (a) the layout of the site and location of buildings;
- (b) vehicle access; and
- (c) car parking.

## iii Commercial Recreation Activities

- (a) Ski tows and lifts within the Ski Area Sub-Zones as shown on the District Plan Maps, in respect of their location, external appearance, alignment and methods of construction; and
- (b) Night lighting in Ski Area Sub-Zones in respect of times, duration and intensity.

## iv Mining

Limited to mineral exploration, which does not involve more than 20m<sup>3</sup> in volume in any one hectare

### in respect of:

- (a) Terrain disturbance including vegetation clearance and volumes of material to be removed;
- (d) Rehabilitation of a site;

(e) Siting of roads or any buildings; and

(f) Dust and noise.

## v Jetboat Race Events

Jetboat Race Events on the Clutha River, between the Lake Outlet boat ramp and the Albert Town road bridge, in respect of the date, time and duration of the event, public notification of the holding of the event, and any measures to avoid adverse effects on residential and recreational activities in the vicinity of the river.

**Note:** Any more than six jetboat race days per year are Prohibited Activities in terms of Rule 5.3.3.5.

## ~~vi Additions and Alterations to Buildings within the Outer Control Boundary - Queenstown Airport~~

~~Any alteration or addition to a building or part of a building to be used for residential activities, visitor accommodation or community activities on any site located within the Outer Control Boundary as indicated on the District Plan Maps, in respect of the design, construction, orientation and location of the building to achieve adequate indoor sound insulation from aircraft noise.~~

## vii Buildings within the Outer Control Boundary - Wanaka Airport

Buildings or part of a building to be used for residential activities, visitor accommodation or community activities on any land within the Outer Control Boundary as indicated on the District Plan Maps, in respect of the design, construction, orientation and location of the building to achieve adequate indoor sound insulation from aircraft noise.

## viii Residential Flat

## ix Earthworks

The following rules apply to all earthworks except:

- within the Ski Area Sub-Zone (as defined in this Plan);



- for earthworks approved as part of a subdivision where that subdivision has resource consent;
  - for routine repair and maintenance of operational tracks; and
  - for utility activities (as defined in this Plan, and as permitted or approved as per part 17, and excluding the development of access ways to the site containing the utility service).
  - for earthworks approved as part of a resource consent for a residential building platform or a building.
  - for earthworks approved as part of a resource consent for a farming building except for earthworks associated with access.
- (a) Earthworks where the maximum area of bare soil exposed is between 1000m<sup>2</sup> and 2500m<sup>2</sup> per site within any one consecutive 12 month period.
- (b) Earthworks where the maximum volume of earth moved is between 300m<sup>3</sup> and 1000m<sup>3</sup> per site within any one consecutive 12 month period.

## x Vehicle Testing

In the Waiorau Snow Farm Ski Area Sub zone the construction of access ways and tracks associated with the testing of vehicles, their parts and accessories.

In respect of measures taken to:

- avoid future gravel and silt run off;
- avoid fretting (ie stress fractures) of access ways and tracks;
- avoid incisions on access ways and tracks resulting from poor drainage; and
- stabilise over-steepened embankments.

## 5.3.3.3 Discretionary Activities

The following shall be **Discretionary Activities**, provided that they are not listed as a **Prohibited** or **Non-Complying** Activity and they comply with all of the relevant **Zone** Standards; and they have been evaluated under the assessment criteria in rule 5.4.

### i Buildings or Building Platforms

(a) The addition, alteration or construction of:

- (i) any building; and
- (ii) any physical activity associated with any building such as roading, landscaping and earthworks:

**Except** any buildings authorised pursuant to Rule 5.3.3.2(i).

(b) The identification of a building platform of not less than 70m<sup>2</sup> in area and not greater than 1000m<sup>2</sup> in area.

### ii Commercial Activities

(a) Commercial activities ancillary to and located on the same site as recreational activities, except commercial activities associated with ski area activities within Ski Area Sub-Zones.

(b) Cafes and restaurants located in a winery complex within a vineyard.

### iii Visitor Accommodation

### iv Surface of Lakes and Rivers

(a) Any structure or mooring which passes across or through the surface of any lake and river or is attached to the bank of any lake and river, other than where fences cross lakes and rivers, except in those locations where such structures or moorings are shown on the District Plan Maps as being non-complying.

(b) Commercial boating activities.

Any person wishing to apply for a resource consent to commence commercial boating activities on the Shotover River between Edith Cavell Bridge and Tucker Beach should be aware that they also require a concession under the Lakes District Waterways Control Bylaw 1987 (or any replacement legislation). There is an exclusive concession currently granted to a commercial boating operator on the Shotover River between Edith Cavell Bridge and Tucker Beach until 1 April 2009 with four rights of renewal of five years each.

**v Airports**

Airports **other than** the use of land and water for:

- (a) emergency landings, rescues and fire fighting;
- (b) activities ancillary to farming activities.

**vi Forestry Activities**

**vii Factory Farming**

(a) Factory farming of pigs where:

- (i) the number of housed pigs exceeds 50 sows or 500 pigs of mixed ages; and/or
- (ii) any housed pigs are closer than 500m to a property boundary; and/or
- (iii) the number of outdoor pigs exceeds 100 pigs and their progeny up to weaner stage; and/or
- (iv) outdoor sows are not ringed at all times; and/or
- (v) the stocking rate of outdoor pigs exceeds 15 pigs per hectare, excluding progeny up to weaner stage.

(b) Factory farming of poultry where:

(i) the number of birds exceeds 10,000 birds; and/or

(ii) birds are housed closer than 100m to a site boundary.

(c) Any factory farming activity other than factory farming of pigs or poultry.

**viii Mining Activities**

Mining **except for**:

- (a) Mineral prospecting;
- (b) Mineral exploration which does not involve bulk sampling exceeding 20m<sup>3</sup> in volume in any one hectare;
- (c) Mining by means of hand-held, non-motorised equipment and suction dredging, where the total motive power of any dredge does not exceed 10 horsepower (7.5 kilowatt); and
- (d) The mining of aggregate for farming activities provided the total volume does not exceed 1000m<sup>3</sup> in any one year.

**ix Ski Area Activities not located within a Ski Area Sub-Zone.**

**x Industrial Activities, limited to wineries and underground cellars within a vineyard.**

**xi Any activity, which is not listed as a Prohibited or Non-Complying Activity** and which complies with all the relevant Zone Standards, but does not comply with one or more of the Site Standards, shall be a Discretionary Activity with the exercise of the Council's discretion being confined to the matter(s) specified in the standard(s) not complied with.

**xii Structures**

Any structure erected within 10 metres of a road boundary, which is greater or equal to 5 metres in length, and greater than or equal to 1 metre in height and less than 2 metres in height, except for:

- post and rail, post and wire and post and mesh fences, including deer fences;
- any structure associated with farming activities as defined in this plan;
- any structure that is erected in accordance with a landscaping plan associated with a subdivision consent or resource consent for a building, where that landscaping plan is approved as a condition on the resource consent.

The Council's discretion is restricted to the consideration of effects on views and amenity from public roads.

### 5.3.3.4 Non-Complying Activities

- (a) The following shall be Non-Complying Activities, provided that they are not listed as a Prohibited Activity:

#### i Commercial Activities

Commercial activities, **except for:**

- (a) retail sales of farm and garden produce and wine grown, reared or produced on-site; or
- (b) retail sales of handcrafts produced on the site; or
- (c) commercial activities ancillary to and located on the same site as recreational activities; or
- (d) commercial activities associated with ski area activities within Ski Area Sub-Zones; or
- (e) cafes and restaurants located in a winery complex within a vineyard.

#### ii Surface of Lakes and Rivers

- (a) Boating craft on the surface of the lakes and rivers if used for accommodation, unless:

- (i) the craft is only used for overnight recreational accommodation; and
- (ii) the craft is not used as part of any commercial activity; and
- (iii) all effluent is contained on board the craft.

- (b) Structures or moorings passing across or through the surface of any lake or river or attached to the bank or any lake or river in those locations on the District Plan Maps where such structures or moorings are shown as being non-complying.

#### iii Factory Farming (excluding the boarding of animals)

Factory farming within 2 kilometres of a Residential, Rural Residential, Rural Lifestyle, Township, Rural Visitor, Town Centre, Corner Shopping Centre or Resort Zone.

#### iv Power Generation Facilities

Power generation facilities outside the areas scheduled under Rule 20.2, other than small hydro (1.5 to 2 k) inverter based systems for residential and non-residential activities.

#### v Building Platforms

- (a) The identification of any building platform less than 70m<sup>2</sup> or greater than 1,000m<sup>2</sup> in area.

- vi Any activity, which is not listed as a **Prohibited Activity** and which does not comply with one or more of the relevant **Zone** Standards, shall be a **Non-Complying Activity**.

- vii Any planting within the Landscape Protection area (within Lots 3, 4 and 5) must be species which at maturity do not grow over 3m in height (Kirimoko Block, Wanaka).

#### viii Building Line Restriction Area – Bible Face – Glenorchy

No building shall be erected upon the Bible Face shown as the Building Restriction Area as shown on Map 25.

This rule excludes the following:

- (a) Structures such as gates, fencing and stiles necessary to facilitate public access or necessary for farming purposes; and
- (b) Works to enable community assets such as water tanks consented through the designation process.

### 5.3.3.5 Prohibited Activities

The following shall be Prohibited Activities:

#### i Surface of Lakes and Rivers

The use of the following lakes and rivers for the following specified activities shall be Prohibited Activities, except where the activities are for emergency search and rescues, hydrological survey, public scientific research, resource management monitoring and water weed control, and for access to adjoining land for farming activities

(a) **Hawea River** - Motorised craft, except:

- (1) on the one lawfully established jet-sprint course; as shown on the District Plan Maps
- (2) on six days in each year (including at least four (4) days in the months January to April, November and December) provided the following conditions are met:
  - (i) The Jet Boat Association of New Zealand (“JBANZ”) (JBANZ or one of the Otago and Southland Branches as its delegate) administers the activity on each day;
  - (ii) The prior written approval of Central Otago Whitewater Inc is obtained if that organisation is satisfied that none of its member user groups are organising activities on the relevant days; and

- (iii) JBANZ gives two (2) calendar months written notice to the Council’s Harbour-Master of both the proposed dates and the proposed operating schedule;
- (iv) The Council’s Harbour-Master satisfies himself that none of the regular kayaking, rafting or other whitewater (non-motorised) river user groups or institutions (not members of Central Otago Whitewater Inc) were intending to use the Hawea River on that day, and issues an approved operating schedule;
- (v) JBANZ carries out, as its expense, public notification on two occasions 14 and 7 days before the proposed jet boating;
- (vi) Public notification for the purposes of (v) means a public notice with double-size font heading in both the Otago Daily Times and the Southland Times, and written notices posted at the regular entry points to the Hawea River.

- (b) **Lake Hayes** - Commercial boating activities.
- (c) **Dart and Rees Rivers** - Motorised craft on any tributary of the rivers (except the Rockburn tributary of the Dart River) or upstream of Muddy Creek on the Rees River; and
- (d) Motorised craft on the Rees River during the months of May to October inclusive.
- (e) **Makarora, Young and Wilkin Rivers** - Motorised craft on the Young River or any tributary of the Young or Wilkin Rivers and any other tributaries of the Makarora River.
- (f) **Dingle Burn, Timaru Creek** and the tributaries of the Hunter River - Motorised craft on the Dingle Burn, Timaru Creek or any tributary of the Hunter River; and
  - Motorised craft on the Hunter River during the months of May to October inclusive.

(g) **Motatapu and Matukituki Rivers** - Motorised craft on the Motatapu River or any tributary of the Matukituki River.

(h) **Clutha River** - More than six jet boat race days per year.

## ii Activities within the Air Noise Boundary - Wanaka Airport

On any site located within the Air Noise Boundary, as indicated on the District Plan Maps, any new residential activities, visitor accommodation or community activities shall be Prohibited Activities.

## iii Activities within the Outer Control Boundary - Queenstown Airport

On any site located within the Outer Control Boundary, which includes the Air Noise Boundary, as indicated on the District Plan Maps, any new residential activities, visitor accommodation or community Activity Sensitive to Aircraft Noise shall be a Prohibited Activity.

## iv Activities within the Kirimoko Block, Wanaka

Any building or development within the area of Landscape Protection that is protected by the building line restriction (as shown on the structure plan) other than development required for the creation of pedestrian or cycle access-ways.

### 5.3.4 Non-Notification of Applications

Any application for a resource consent for the following matters may be considered without the need to obtain a written approval of affected persons and need not be notified in accordance with Section 93 of the Act, unless the Council considers special circumstances exist in relation to any such application:

- (i) All applications for **Controlled Activities**.
- (ii) Application for the exercise of the Council's discretion in respect of the following Site Standards:

(a) Access;

(b) Retail Sales;

(c) Tree Plantings; and

(d) Natural Hazards.

(e) Clearance of indigenous vegetation under site standard 5.3.5.1 (x) which is not of ecological significance in accordance with assessment criteria detailed in stage 3 (headed 'assessment') of Appendix 5.

(f) Consent applications under site standard 5.3.5.1 (xiii) will not be publicly notified unless special circumstances exist.

### 5.3.5 Standards

#### 5.3.5.1 Site Standards

##### i Setback from Neighbours of Buildings Housing Animals

Minimum setback from internal boundaries for buildings housing animals shall be 30m.

##### ii Access

Each residential unit shall have legal access to a formed road.

##### iii Scale and Nature of Activities

The following limitations apply to all activities; other than farming, factory farming, forestry and residential activities, activities ancillary to ski area activities within Ski Area Sub-Zones, or those visitor accommodation activities which are Discretionary Activities:

(a) The maximum gross floor area of all buildings on the site, which may be used for the activities shall be 100m<sup>2</sup>;

- (b) No goods, materials or equipment shall be stored outside a building; and
- (c) All manufacturing, altering, repairing, dismantling or processing of any goods or articles shall be carried out within a building.

#### iv Retail Sales

Buildings in excess of 25m<sup>2</sup> gross floor area to be used for retail sales shall be setback from road boundaries by a minimum distance of 30m.

#### v Significant Indigenous Vegetation

In the areas identified on the District Plan Maps as being of significant indigenous vegetation, and included in Appendix 5 (other than within Ski Area Sub-Zones):

- (a) no earthworks shall:
  - (i) exceed 1000m<sup>3</sup> (volume) and/or 50m<sup>2</sup> (area) in any one hectare in any continuous period of 5 years; or
  - (ii) be located on slopes with an angle of greater than 20° (measured as an average slope angle over any 100m length of the slope on which the earthworks are to be carried out).
- (b) no clearance of indigenous vegetation shall exceed 100m<sup>2</sup> in area in any one hectare in any continuous period of 5 years.
- (c) there shall be no exotic tree or shrub planting.
- (d) no buildings shall be erected.

The Council shall restrict the exercise of its discretion in relation to these matters to their effect on nature conservation values and the natural character of the rural environment.

Any area or part of an area, which is protected by way of a permanent protection mechanism registered on the title to the land, in terms of the Conservation Act, Reserves Act, Land Act, Queen Elizabeth II National

Trust Act, Resource Management Act or other similar mechanism, shall be exempt from this rule.

#### vi Minimum Setback from Internal Boundaries

- (a) The minimum setback from internal boundaries for buildings shall be 15m, except as provided for in (b) and (c) below.
- (b) The minimum setback from internal boundaries for buildings within lots 1 to 6 and 8 to 21 DP 26634 at Closeburn Station shall be 2 metres.
- (c) There shall be no minimum setback from internal boundaries within lots 7 and 22 to 27 DP300573 at Closeburn Station.

#### vii Forestry and Shelterbelt Planting

- (a) No forestry activity shall be undertaken within 20m of the boundary of a neighbouring property.
- (b) No forestry activity or shelterbelt planting shall be undertaken in an alpine area with an altitude greater than 1070m.

#### viii Earthworks

The following limitations apply to all earthworks except:

- within the Ski Area Sub-Zone (as defined in this Plan);
- for earthworks approved as part of a subdivision where that subdivision has resource consent;
- for routine repair and maintenance of operational tracks;
- for utility activities (as defined in this Plan, and as permitted or approved as per part 17, and excluding the development of access ways to the site containing the utility service);
- for earthworks approved as part of a resource consent for a residential building platform or a building; and

- for earthworks approved as part of a resource consent for a farming building except for earthworks associated with access.
1. Earthworks
    - (a) Earthworks shall not exceed a maximum area of bare soil exposed of 2500m<sup>2</sup> per site, within any one consecutive 12 month period.
    - (b) Earthworks shall not exceed a maximum volume of moved earth greater than 1000m<sup>3</sup> per site, within any one consecutive 12 month period.
    - (c) Where any earthworks are undertaken within 7m of a water body the total volume shall not exceed 20m<sup>3</sup> (except for earthworks undertaken within a road designation for the purpose of establishing, upgrading and/or maintaining a State Highway network).
  2. Height of cut and fill and slope
    - (a) No road, track or access way shall (other than the Arrow Irrigation Scheme and flood protection works) have an upslope cut or batter greater than 1 metre in height, measured vertically.
    - (b) All cuts and batters shall be laid back such that their angle from the horizontal is no more than 65 degrees unless previously determined.
    - (c) The maximum height of any fill shall not exceed 2 metres.
  3. Environmental Protection Measures
    - (a) Any person carrying out earthworks shall:
      - (i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.
      - (ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.
        - (b) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.
        - (c) Cut or fill shall not expose the groundwater aquifer (water bearing gravels) causing ponding or causing artificial drainage of the aquifer.
  4. Protection of Archaeological sites and sites of cultural heritage
 

The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the District Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.

    - (a) Where any earthworks are undertaken in areas identified as Ngai Tahu Statutory Acknowledgement Areas the earthworks shall not exceed 50m<sup>2</sup> in area or 20m<sup>3</sup> in volume, in any one consecutive 12 month period.
- ix Commercial Recreation Activities (other than on the surface of lakes and rivers)**
- No commercial recreational activities shall be undertaken except where:
- (a) The recreation activity is outdoors;
  - (b) The scale of the recreation activity is limited to five people in any one group.
- Provided that this does not apply to commercial recreational activities which are within Ski Area Sub-Zones as shown on the District Plan Maps.
- x Indigenous Vegetation**
- There shall be no clearance of indigenous vegetation except for:
- (a) The clearance of indigenous vegetation that is:
    - (i) Totally surrounded by pasture and other exotic species; and

- (ii) less than 0.5 hectares in area; and more than 200 metres from any other indigenous vegetation which is greater than 0.5 hectares in area; and
  - (iii) less than 1070 metres above sea level; and
  - (iv) more than 20 metres from a water body; and
  - (v) not listed as a threatened species in Appendix 9.
- (b) The clearance of indigenous vegetation for the operation and maintenance of existing roads, tracks, drains, utilities, structures and fence lines, excluding their expansion.
- (c) The clearance of indigenous vegetation for the construction of public walkways up to 1.5 metres in width provided that it is not listed as a threatened species in Appendix 9.
- (d) The clearance of indigenous trees that have been windthrown or are dead standing as a result of natural causes and have become dangerous to life or property.

The Council shall restrict the exercise of its discretion in relation to this matter to its effect on nature conservation, landscape and visual amenity values and the natural character of the rural environment.

## xi Farm Buildings

- (a) No farm building shall be replaced, extended or constructed:
- (i) On any holdings (as defined) less than 100 hectares in area; or
  - (ii) At a density of more than one farm building per 50 hectares; or
  - (iii) On any land above 600 masl; or
  - (iv) Within the Outstanding Natural Landscape - Wakatipu Basin or an Outstanding Natural Feature within the Wakatipu Basin as identified in the appropriate schedule of the District Plan; or

- (v) On an Outstanding Natural Feature outside of the Wakatipu Basin as identified in the appropriate schedule of the District Plan, if:
- there is already a farm building within that holding (as defined) or if there is land within that holding (as defined) that is not on an Outstanding Natural Feature; or
  - the site containing all or part of the Outstanding Natural Feature was not contained in a separate certificate of title prior to 10 June 2005.
- (b) The existence of a farm building approved under Rule 5.3.3.2(i)(d) shall not be considered the permitted baseline for development within the Rural General zone.

## xii Alpine Environments

On any land with an altitude higher than 1070m above sea level:

- (a) There shall be no exotic tree or shrub planting.
- (b) There shall be no clearance of indigenous vegetation.

The Council shall restrict the exercise of its discretion to their effect on nature conservation values, the natural character of the rural environment and landscape and visual amenity values.

For the purpose of the clearance of indigenous vegetation by way of burning, the altitude limit of 1070 metres shall mean the average maximum altitude of any land to be burnt, averaged over north and south facing slopes.

## xiii Planting of tree species with wilding potential

**There shall be no planting of the following tree species:**

- Contorta or lodgepole pine (*Pinus contorta*)
- Scots pine (*Pinus sylestris*)



- Douglas fir (*Pseudotsuga menziesii*)
- European larch (*Larix decidua*)
- Corsican pine (*Pinus nigra*)
- Radiata Pine (*Pinus Radiata*)

## 5.3.5.2 Zone Standards

### i Building Height

- The maximum height for any building, other than non-residential buildings ancillary to viticultural or farming activities, shall be 8m.
- The maximum height for any non-residential building ancillary to viticultural or farming activities shall be 10m.
- The maximum height for any building, other than accessory buildings, within Lots 1 and 6 and 8 to 21 DP 26634 at Closeburn Station shall be 7m.
- The maximum height for any accessory building within Lots 1 to 6 and 8 to 21 DP 26634 at Closeburn Station shall be 5m.
- The maximum height for any building within Lot 23 DP 300573 at Closeburn Station shall be 5.5m.
- The maximum height for any building within Lot 24 DP 300573 at Closeburn Station shall be 5m.

Refer to the definitions of Height and Ground Level.

### ii Setback from Roads

The minimum setback from road boundaries for buildings shall be 20m, except that the minimum setback from State Highway 6 for buildings between Lake Hayes and Frankton shall be 50m.

### iii Retail Sales

There shall be no retail sales from sites by way of access to any State Highway, except for

- farm, wine and garden produce grown, reared or produced on the site; or
- handicrafts produced on the site.

### iv Surface of Lakes and Rivers

- Motorised craft on the surface of lakes and rivers shall be operated and conducted such that a maximum sound level of 77 dB  $L_{AFmax}$  is not exceeded, when measured and assessed in accordance with Appendix 2.
- Kawarau River, Lower Shotover River downstream of Tucker Beach and Lake Wakatipu within Frankton Arm - No commercial motorised craft shall operate outside the hours of 0800 to 2000.
- Lake Wanaka, Lake Hawea and Lake Wakatipu - No commercial jetski operations shall be undertaken outside the hours of 0800 to 2100 on lakes Wanaka and Hawea and 0800 and 2000 on Lake Wakatipu.
- Dart and Rees Rivers - No commercial motorised craft shall operate outside the hours of 0800 to 1800, except that above the confluence with the Beansburn on the Dart River no commercial motorised craft shall operate outside the hours of 1000 to 1700.
- Dart River – No commercial motorised boating activities shall result in the total number of commercial motorised boating activities exceeding 26 trips in any one day. No more than two commercial jet boat operators shall operate upstream of the confluence of the Beansburn other than for tramper and angler access only.

### v Noise

- Sound from non-residential activities measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 shall not exceed the following noise limits at any point within the notional boundary of any residential unit, other than residential units on the same site as the activity:

- (i) daytime (0800 to 2000 hrs) 50 dB LAeq(15 min)
- (ii) night-time (2000 to 0800 hrs) 40 dB LAeq(15 min)
- (iii) night-time (2000 to 0800 hrs) 70 dB LAFmax

- (b) Sound from non-residential activities which is received in another zone shall comply with the noise limits set in the zone standards for that zone.
- (c) The noise limits in (a) shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999.
- (d) The noise limits in (a) shall not apply to sound associated with airports or windfarms. Sound from these sources shall be assessed in accordance and comply with the relevant New Zealand Standard, either NZS 6805:1992, or NZS 6808:1998. For the avoidance of doubt the reference to airports in this clause does not include helipads other than helipads located within any land designated for Aerodrome Purposes in this Plan.
- (e) When associated with farming and forestry activities, the noise limits in (a) shall only apply to sound from stationary motors and stationary equipment.
- (f) The noise limits in (a) shall not apply to sound from aircraft operations at Queenstown Airport.

## vi Lighting

All fixed exterior lighting shall be directed away from adjacent sites and roads.

## vii Airport Noise - Alteration or Addition to Existing Buildings (excluding any alterations or additions to any non-critical listening environment) within the ~~Outer Control Boundary~~ – Queenstown Airport Noise Boundaries

~~(a) On any site located within the outer Control Boundary as indicated on the District Plan Maps, any alteration or addition to a building or part of a building to be used for residential activities, visitor accommodation or community activities shall be insulated from aircraft noise so as to meet an indoor design sound level of 40 dBA Ldn, except for non-critical listening environments where no special sound insulation is required.~~

~~(b) This control shall be met in either of the following two ways:~~

~~EITHER:~~

~~(i) By providing a certificate from a recognised acoustic engineer stating that the proposed construction will achieve the internal design noise level.~~

~~OR~~

~~(ii) The building shall be constructed and finished in accordance with the provisions of Table 1 in part 5.3.5.2~~

~~(a) **Within the Air Noise Boundary (ANB) - Alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise shall be designed to achieve an Indoor Design Sound Level of 40 dB Ldn, within any Critical Listening Environment, based on the 2037 Noise Contours. Compliance shall be demonstrated by either adhering to the sound insulation requirements in Table 1 of Appendix 13 and installation of mechanical ventilation to achieve the requirements in Table 2 of Appendix 13, or by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open.**~~

~~(c) **Between the Outer Control Boundary (OCB) and the ANB – Alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise shall be designed to achieve**~~

an Indoor Design Sound Level of 40 dB Ldn within any Critical Listening Environment, based on the 2037 Noise Contours. Compliance shall be demonstrated by either installation of mechanical ventilation to achieve the requirements in Table 2 of Appendix 13 or by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open.

### viii Wanaka Airport Building Line

No building shall be erected, constructed or relocated within the area defined by a line 150m on the western side of the centre line of the Wanaka Airport main runway, the Airport Purposes Designation boundary at either end of the main runway, and a line 200m on the eastern side of the centre line of the Wanaka Airport main runway.

### ix Screening

Storage areas for waste materials, outdoor display areas and parking associated with commercial activities, wineries and other productive activities shall generally be positioned and managed to minimise any adverse visual effect.

### x Airport Noise - Building with the Outer Control Boundary - Wanaka Airport

(a) On any site within the Outer Control Boundary as indicated on the District Plan Maps, any buildings or part of a building to be used for residential activities, visitor accommodation or community activities shall be insulated from aircraft noise so as to meet an indoor design sound level of 40 dBA Ldn, except for non-critical listening environments where no special insulation is required.

(b) This control shall be met in either of the following two ways:

EITHER:

(i) By providing a certificate from a recognised acoustic engineer stating that the proposed construction will achieve the internal design noise level.

OR

(ii) The building shall be constructed and finished in accordance with the provisions of Table 1 in part 5.3.5.2.

### xi Residential Density

In the Rural General area at Closeburn Station, there shall be no more than one residential unit per allotment (being lots 1-27 DP 26634); excluding the large rural lots (being lots 100 and 101 DP 26634) held in common ownership.

### xii Building Coverage

In lots 1-27 at Closeburn Station, the maximum residential building coverage of all activities on any site shall be 35%.

### xiii Building Line Restriction:

a. No residential unit shall be erected within that part of Lots 1 & 2 DP 26910 at Tucker Beach Road, as shown as "NO BUILD ZONE" on Paterson Pitts Partners Ltd Building Platform Locations Plan No Q.4700.04-3C and being adjacent to the Ferry Hill Rural Residential sub-zone shown on Planning map 31, which plan is reproduced at Page 5-43 of the District Plan.

**Table 1 – Acoustic Insulation of Buildings Containing Noise Sensitive Activities (except non-critical listening areas)**

Building Element	Required Construction
External Walls	<p><i>Exterior:</i> 20 mm timber or 6mm fibre cement</p> <p><i>Frame:</i> 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar)</p> <p>Two layers of 12.5mm gypsum plasterboard* (Or an equivalent combination of exterior and interior wall mass)</p>
Windows	Up to 40% of wall area: Minimum thickness 6mm glazing**

	Up to 60% of wall area: Minimum thickness 8mm glazing** Up to 80% of wall area: Minimum thickness 8mm laminated glass or minimum 10mm double glazing** Aluminium framing with compression seals (or equivalent)
Pitched Roof	<i>Cladding:</i> 0.5mm profiled steel or tiles or 6mm corrugated fibre cement <i>Frame:</i> Timber truss with 100mm acoustic blanket (R 2.2 Batts or similar) <i>Ceiling:</i> 12.5mm gypsum plaster board*
Skillion Roof	<i>Cladding:</i> 0.5mm profiled steel or 6mm fibre cement <i>Sarking:</i> 20mm particle board or plywood <i>Frame:</i> 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar) <i>Ceiling:</i> 2 layers of 9.5mm gypsum plasterboard*
External Door	Solid core door (min. 24kg/m <sup>2</sup> ) with weather seals

\* Where exterior walls are of brick veneer or stucco plaster the internal linings need be no thicker than 9.5mm gypsum plasterboard.

\*\* Typical acoustic glazing usually involves thick single panes or laminated glass. Where two or more layers of glass are employed with an air gap between, total thickness of window glass may be calculated as the total of all glass layers (excluding air gap) provided that at least one glass layer shall be of a different thickness to the other layer(s).

### 5.3.6 Resource Consents - Assessment Matters

The assessment matters, which apply to the consideration of resource consents in the Rural Zones, are specified in 5.4.

## 5.4 Resource Consents - Assessment Matters - Rural Zones

### 5.4.1 General

- (i) The following Assessment Matters are methods or matters 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 5.4.2 below. Except that assessment matters in 5.4.2(i)-(iv) do not apply to activities requiring resource consent in Ski Area Sub-zones.
- (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.

### 5.4.2 Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall in addition to considering any other relevant matters apply the following terms and criteria:

#### 5.4.2.1 Landscape Assessment Criteria - Process

**There are three steps in applying these assessment criteria.** First, the analysis of the site and surrounding landscape; secondly determination of the appropriate landscape category; thirdly the application of the assessment matters. For the purpose of these assessment criteria, the term "proposed development" includes any subdivision, identification of building platforms, any building and associated activities such as roading, earthworks, landscaping, planting and boundaries.

#### Step 1- Analysis of the Site and Surrounding Landscape

An analysis of the site and surrounding landscape is necessary for two reasons. Firstly it will provide the necessary information for determining a site's ability to absorb development including the basis for determining the compatibility of the proposed development with both the site and the surrounding landscape. Secondly it is an important step in the determination of a landscape category - i.e. whether the proposed site falls within an outstanding natural, visual amenity or other rural landscape.

An analysis of the site must include a description of those existing qualities and characteristics (both negative and positive), such as vegetation, topography, aspect, visibility, natural features, relevant ecological systems and land use.

An analysis of the surrounding landscape must include natural science factors (the geological, topographical, ecological and dynamic components of the landscape), aesthetic values (including memorability and naturalness), expressiveness and legibility (how obviously the landscape demonstrates the formative processes leading to it), transient values (such as the occasional presence of wildlife; or its values at certain times of the day or of the year), value of the landscape to Tangata Whenua and its historical associations.

## Step 2 - Determination of Landscape Category

This step is important as it determines which district wide objectives, policies, definitions and assessment matters are given weight in making a decision on a resource consent application.

The Council shall consider the matters referred to in Step 1 above, and any other relevant matter, in the context of the broad description of the three landscape categories in Part 4.2.4 of this Plan, and shall determine what category of landscape applies to the site subject to the application.

In making this determination the Council, shall consider:

- (a) to the extent appropriate under the circumstances, both the land subject to the consent application and the wider landscape within which that land is situated; and
- (b) the landscape maps in Appendix 8.

## Step 3 - Application of the Assessment Matters

Once the Council has determined which landscape category the proposed development falls within, each resource consent application will then be considered:

First, with respect to the prescribed assessment criteria set out in Rule 5.4.2.2 of this section;

Secondly, recognising and providing for the reasons for making the activity discretionary (see para 1.5.3(iii) of the plan [p1/3]) and a general assessment of the frequency with which appropriate sites for development will be found in the locality.

### 5.4.2.2 Assessment Matters

#### (1) Outstanding Natural Landscapes (Wakatipu Basin) and Outstanding Natural Features – District wide.

These assessment matters should be read in the light of two further guiding principles. First that they are to be stringently applied to the effect that successful applications for resource consent will be exceptional cases. Secondly, existing vegetation which:

- (a) was either
  - planted after; or
  - self seeded and less than 1 metre in height at - 28 September 2002; and
- (b) obstructs or substantially interferes with views of the landscape (in which the proposed development is set) from roads or other public places
  - shall not be considered:
    - (1) as beneficial under any of the following assessment matters unless the Council considers the vegetation (or some of it) is appropriate for the location in the context of the proposed development; and
    - (2) as part of the permitted baseline.

- nor shall removal of such vegetation be considered as a positive effect of any proposal.

## (a) Effects on openness of landscape

In considering whether the proposed development will maintain the openness of those outstanding natural landscapes and features which have an open character at present when viewed from public roads and other public places, the following matters shall be taken into account:

- (i) whether the subject land is within a broadly visible expanse of open landscape when viewed from any public road or public place;
- (ii) whether, and the extent to which, the proposed development is likely to adversely affect open space values with respect to the site and surrounding landscape;
- (iii) whether the site is defined by natural elements such as topography and/or vegetation which may contain and mitigate any adverse effects associated with the development.

## (b) Visibility of development

- (v) the proposed development is not likely to adversely affect the appreciation of landscape values of the wider landscape (not just the immediate landscape).
- (vi) the proposal does not reduce neighbours' amenities significantly.

## (c) Visual coherence and integrity of landscape

In considering whether the proposed development will adversely affect the visual coherence and integrity of the landscape and whether these effects are minor, the Council must be satisfied that:

- (i) structures will not be located where they will break the line and form of any ridges, hills and any prominent slopes;

In considering the potential visibility of the proposed development and whether the adverse visual effects are minor, the Council shall be satisfied that:

- (i) the proposed development will not be visible or will be reasonably difficult to see when viewed from public roads and other public places and in the case of proposed development in the vicinity of unformed legal roads, the Council shall also consider present use and the practicalities and likelihood of potential use of unformed legal roads for vehicular and/or pedestrian, equestrian and other means of access; and
- (ii) the proposed development will not be visually prominent such that it dominates or detracts from public or private views otherwise characterised by natural landscapes; and
- (iii) the proposal can be appropriately screened or hidden from view by any proposed form of artificial screening, being limited to earthworks and/or new planting which is appropriate in the landscape, in accordance with Policy 4.2.5.11 (b).
- (iv) any artificial screening or other mitigation will detract from those existing natural patterns and processes within the site and surrounding landscape or otherwise adversely affect the natural landscape character; and
- (ii) any proposed roads, earthworks and landscaping will not affect the naturalness of the landscape;
- (iii) any proposed new boundaries will not give rise to artificial or unnatural lines or otherwise adversely (such as planting and fence lines) affect the natural form of the landscape.

## (d) Nature Conservation Values

In considering whether the proposed development will adversely affect nature conservation values and whether these effects are minor with respect to any ecological systems and other nature conservation values, the Council must be satisfied that:

- (i) the area affected by the development proposed in the application does not contain any indigenous, ecosystems including indigenous vegetation, wildlife habitats and wetlands or geological or geomorphological feature of significant value;
- (ii) the development proposed will not have any adverse effects that are more than minor on these indigenous ecosystems and/or geological or geomorphological feature of significant value;
- (iii) the development proposed will avoid the establishment of introduced vegetation that have a high potential to spread and naturalise (such as wilding pines or other noxious species).

(e) Cumulative effects of development on the landscape

In considering the potential adverse cumulative effects of the proposed development on the natural landscape with particular regard to any adverse effects on the wider values of the outstanding natural landscape or feature will be no more than minor, taking into account:

- (i) whether and to what extent existing and potential development (ie. existing resource consent or zoning) may already have compromised the visual coherence and naturalness of the landscape;
- (ii) where development has occurred, whether further development is likely to lead to further degradation of natural values or domestication of the landscape or feature such that the existing development and/or land use represents a threshold with respect to the site's ability to absorb further change;
- (iii) whether, and to what extent the proposed development will result in the introduction of elements which are inconsistent with the natural character of the site and surrounding landscape;
- (iv) whether these elements in (iii) above will further compromise the existing natural character of the landscape either visually or ecologically by exacerbating existing and potential adverse effects;
- (v) where development has occurred or there is potential for development to occur (ie. existing resource consent or zoning),

whether further development is likely to lead to further degradation of natural values or domestication of the landscape or feature.

(f) Positive Effects

In considering whether there are any positive effects in relation to remedying or mitigating the continuing adverse effects of past inappropriate subdivision and/or development, the following matters shall be taken into account:

- (i) whether the proposed activity will protect, maintain or enhance any of the ecosystems or features identified in (f) above which has been compromised by past subdivision and/or development;
- (ii) whether the proposed activity provides for the retention and/or re-establishment of native vegetation and their appropriate management, particularly where native revegetation has been cleared or otherwise compromised as a result of past subdivision and/or development;
- (iii) whether the proposed development provides an opportunity to protect open space from further development which is inconsistent with preserving a natural open landscape, particularly where open space has been compromised by past subdivision and/or development;
- (iv) whether the proposed development provides an opportunity to remedy or mitigate existing and potential adverse effects (ie. structures or development anticipated by existing resource consents) by modifying, including mitigation, or removing existing structures or developments; and/or surrendering any existing resource consents;

(g) Other Matters

In addition to consideration of the positive effects (i) - (iv) in (f) above, the following matters shall be taken into account, but considered with respect to those matters listed in (a) to (e) above:

- (i) the ability to take esplanade reserves to protect the natural character and nature conservation values around the margins of any lake, river, wetland or stream within the subject site;

- (ii) the use of restrictive covenants, easements, consent notices or other legal instruments otherwise necessary to realise those positive effects referred to in (f) (i) - (v) above and/or to ensure that the potential for future effects, particularly cumulative effects, are avoided.

## (2) Outstanding Natural Landscapes (District Wide)

These assessment matters should be read in the light of the further guiding principle that existing vegetation which:

- (a) was either
  - planted after; or
  - self seeded and less than 1 metre in height at - 28 September 2002; and
- (b) obstructs or substantially interferes with views of the landscape (in which the proposed development is set) from roads
  - shall not be considered:
    - (1) as beneficial under any of the following assessment matters unless the Council considers the vegetation (or some of it) is appropriate for the location in the context of the proposed development; and
    - (2) as part of the permitted baseline.
  - nor shall removal of such vegetation be considered as a positive effect of any proposal.

### (a) Potential of the landscape to absorb development

In considering the potential of the landscape to absorb development both visually and ecologically, the following matters shall be taken into account consistent with retaining openness and natural character:

- (i) whether, and to what extent, the proposed development is visible from public places;
- (ii) whether the proposed development is likely to be visually prominent to the extent that it dominates or detracts from views otherwise characterised by natural landscapes;

- (iii) whether any mitigation or earthworks and/or planting associated with the proposed development will detract from existing natural patterns and processes within the site and surrounding landscape or otherwise adversely effect the natural landscape character;
- (iv) whether, with respect to subdivision, any new boundaries are likely to give rise to planting, fencing or other land use patterns which appear unrelated to the natural line and form of the landscape; wherever possible with allowance for practical considerations, boundaries should reflect underlying natural patterns such as topographical boundaries;
- (v) whether the site includes any indigenous ecosystems, wildlife habitats, wetlands, significant geological or geomorphologic features or is otherwise an integral part of the same;
- (vi) whether and to what extent the proposed activity will have an adverse effect on any of the ecosystems or features identified in (v);
- (vii) whether the proposed activity introduces exotic species with the potential to spread and naturalise.

### (b) Effects on openness of landscape.

In considering the adverse effects of the proposed development on the openness of the landscape, the following matters shall be taken into account:

- (i) whether and the extent to which the proposed development will be within a broadly visible expanse of open landscape when viewed from any public road or public place and in the case of proposed development in the vicinity of unformed legal roads, the Council shall also consider present use and the practicalities and likelihood of potential use of unformed legal roads for vehicular and/or pedestrian, equestrian and other means of access; and
- (ii) whether, and the extent to which, the proposed development is likely to adversely affect open space values with respect to the site and surrounding landscape;



- (iii) whether the proposed development is defined by natural elements such as topography and/or vegetation which may contain any adverse effects associated with the development.

## (c) Cumulative Effects on Landscape Values

In considering whether there are likely to be any adverse cumulative effects as a result of the proposed development, the following matters shall be taken into account:

- (i) whether, and to what extent, the proposed development will result in the introduction of elements which are inconsistent with the natural character of the site and surrounding landscape;
- (ii) whether the elements identified in (i) above will further compromise the existing natural character of the landscape either visually or ecologically by exacerbating existing and potential adverse effects;
- (iii) whether existing development and/or land use represents a threshold with respect to the site's ability to absorb further change;
- (iv) where development has occurred or there is potential for development to occur (ie. existing resource consent or zoning), whether further development is likely to lead to further degradation of natural values or inappropriate domestication of the landscape or feature.

## (d) Positive Effects

In considering whether there are any positive effects associated with the proposed development the following matters shall be taken into account:

- (i) whether the proposed activity will protect, maintain or enhance any of the ecosystems or features identified in (a)(v) above;
- (ii) whether the proposed activity provides for the retention and/or re-establishment of native vegetation and their appropriate management;

- (iii) whether the proposed development provides an opportunity to protect open space from further development which is inconsistent with preserving a natural open landscape;

- (iv) whether the proposed development provides an opportunity to remedy or mitigate existing and potential (ie. structures or development anticipated by existing resource consents) adverse effects by modifying, including mitigation, or removing existing structures or developments; and/or surrendering any existing resource consents;

- (v) the ability to take esplanade reserves to protect the natural character and nature conservation values around the margins of any lake, river, wetland or stream within the subject site;

- (vi) the use of restrictive covenants, easements, consent notices or other legal instruments otherwise necessary to realise those positive effects referred to in (i)- (v) above and/or to ensure that the potential for future effects, particularly cumulative effects, are avoided.

## (3) Visual Amenity Landscapes

These assessment matters should be read in the light of the further guiding principle that existing vegetation which:

- (a) was either
  - planted after; or
  - self seeded and less than 1 metre in height at - 28 September 2002; and
- (b) obstructs or substantially interferes with views of the landscape (in which the proposed development is set) from roads or other public places
  - shall not be considered:
    - (1) as beneficial under any of the following assessment matters unless the Council considers the vegetation (or some of it) is appropriate for the location in the context of the proposed development; and
    - (2) as part of the permitted baseline.

- nor shall removal of such vegetation be considered as a positive effect of any proposal.

## (a) Effects on natural and pastoral character

In considering whether the adverse effects (including potential effects of the eventual construction and use of buildings and associated spaces) on the natural and pastoral character are avoided, remedied or mitigated, the following matters shall be taken into account:

- (i) where the site is adjacent to an Outstanding Natural Landscape or Feature, whether and the extent to which the visual effects of the development proposed will compromise any open character of the adjacent Outstanding Natural Landscape or Feature;
- (ii) whether and the extent to which the scale and nature of the development will compromise the natural or arcadian pastoral character of the surrounding Visual Amenity Landscape;
- (iii) whether the development will degrade any natural or arcadian pastoral character of the landscape by causing over-domestication of the landscape;
- (iv) whether any adverse effects identified in (i) - (iii) above are or can be avoided or mitigated by appropriate subdivision design and landscaping, and/or appropriate conditions of consent (including covenants, consent notices and other restrictive instruments) having regard to the matters contained in (b) to (e) below;

## (b) Visibility of Development

Whether the development will result in a loss of the natural or arcadian pastoral character of the landscape, having regard to whether and the extent to which:

- (i) the proposed development is highly visible when viewed from any public places, or is visible from any public road and in the case of proposed development in the vicinity of unformed legal roads, the Council shall also consider present use and the practicalities and likelihood of potential use of unformed legal roads for vehicular and/or pedestrian, equestrian and other means of access; and

- (ii) the proposed development is likely to be visually prominent such that it detracts from public or private views otherwise characterised by natural or arcadian pastoral landscapes;
- (iii) there is opportunity for screening or other mitigation by any proposed method such as earthworks and/or new planting which does not detract from or obstruct views of the existing natural topography or cultural plantings such as hedge rows and avenues;
- (iv) the subject site and the wider Visual Amenity Landscape of which it forms part is enclosed by any confining elements of topography and/or vegetation;
- (v) any building platforms proposed pursuant to rule 15.2.3.3 will give rise to any structures being located where they will break the line and form of any skylines, ridges, hills or prominent slopes;
- (vi) any proposed roads, earthworks and landscaping will change the line of the landscape or affect the naturalness of the landscape particularly with respect to elements which are inconsistent with the existing natural topography;
- (vii) any proposed new boundaries and the potential for planting and fencing will give rise to any arbitrary lines and patterns on the landscape with respect to the existing character;
- (viii) boundaries follow, wherever reasonably possible and practicable, the natural lines of the landscape and/or landscape units;
- (ix) the development constitutes sprawl of built development along the roads of the District and with respect to areas of established development.

## (c) Form and Density of Development

In considering the appropriateness of the form and density of development the following matters the Council shall take into account whether and to what extent:

- (i) there is the opportunity to utilise existing natural topography to ensure that development is located where it is not highly visible when viewed from public places;
- (ii) opportunity has been taken to aggregate built development to utilise common access ways including pedestrian linkages, services and open space (ie. open space held in one title whether jointly or otherwise);
- (iii) development is concentrated in areas with a higher potential to absorb development while retaining areas which are more sensitive in their natural or arcadian pastoral state;
- (iv) the proposed development, if it is visible, does not introduce densities which reflect those characteristic of urban areas.
- (v) If a proposed residential building platform is not located inside existing development (being two or more houses each not more than 50 metres from the nearest point of the residential building platform) then on any application for resource consent and subject to all the other criteria, the existence of alternative locations or methods:
  - (a) within a 500 metre radius of the centre of the building platform, whether or not:
    - (i) subdivision and/or development is contemplated on those sites;
    - (ii) the relevant land is within the applicant's ownership; and
  - (b) within a 1,100 metre radius of the centre of the building platform if any owner or occupier of land within that area wishes alternative locations or methods to be taken into account as a significant improvement on the proposal being considered by the Council
    - must be taken into account.
- (vi) recognition that if high densities are achieved on any allotment that may in fact preclude residential development and/or subdivision on neighbouring land because the adverse cumulative effects would be unacceptably large.
- (d) Cumulative effects of development on the landscape
  - In considering whether and the extent to which the granting of the consent may give rise to adverse cumulative effects on the natural or arcadian pastoral character of the landscape with particular regard to the inappropriate domestication of the landscape, the following matters shall be taken into account:
    - (i) the assessment matters detailed in (a) to (d) above;
    - (ii) the nature and extent of existing development within the vicinity or locality;
    - (iii) whether the proposed development is likely to lead to further degradation or domestication of the landscape such that the existing development and/or land use represents a threshold with respect to the vicinity's ability to absorb further change;
    - (iv) whether further development as proposed will visually compromise the existing natural and arcadian pastoral character of the landscape by exacerbating existing and potential adverse effects;
    - (v) the ability to contain development within discrete landscape units as defined by topographical features such as ridges, terraces or basins, or other visually significant natural elements, so as to check the spread of development that might otherwise occur either adjacent to or within the vicinity as a consequence of granting consent;
    - (vi) whether the proposed development is likely to result in the need for infrastructure consistent with urban landscapes in order to accommodate increased population and traffic volumes;
    - (vii) whether the potential for the development to cause cumulative adverse effects may be avoided, remedied or mitigated by way of covenant, consent notice or other legal instrument (including covenants controlling or preventing future buildings and/or landscaping, and covenants controlling or preventing future subdivision which may be volunteered by the applicant).

**Note:** For the purposes of this assessment matter the term "vicinity" generally means an area of land containing the site subject to the application plus adjoining or surrounding land (whether or not in the same ownership) contained within the same view or vista as viewed from:

- from any other public road or public place frequented by the public and which is readily visible from that public road or public place; or
- from adjacent or nearby residences.

The "vicinity or locality" to be assessed for cumulative effect will vary in size with the scale of the landscape i.e. when viewed from the road, this "vicinity", will generally be 1.1 kilometre in either direction, but maybe halved in the finer scale landscapes of the inner parts of the Wakatipu basin, but greater in some of the sweeping landscapes of the upper Wakatipu and upper Clutha.

#### (e) Rural Amenities

In considering the potential effect of the proposed development on rural amenities, the following matters the Council shall take into account whether and to what extent:

- (i) the proposed development maintains adequate and appropriate visual access to open space and views across arcadian pastoral landscapes from public roads and other public places; and from adjacent land where views are sought to be maintained;
- (ii) the proposed development compromises the ability to undertake agricultural activities on surrounding land;
- (iii) the proposed development is likely to require infrastructure consistent with urban landscapes such as street lighting and curb and channelling, particularly in relation to public road frontages;
- (iv) landscaping, including fencing and entrance ways, are consistent with traditional rural elements, particularly where they front public roads.

- (v) buildings and building platforms are set back from property boundaries to avoid remedy or mitigate the potential effects of new activities on the existing amenities of neighbouring properties.

#### (4) Other Rural Landscapes

Where it has been determined that the proposed development is not within a ONL or VAL but otherwise within the Rural General zone consideration of the potential effects of the development shall include taking into account whether and the extent to which:

- (i) the proposed development will be complementary or sympathetic to the character of adjoining or surrounding visual amenity landscape;
- (ii) the proposed development will be visible from public roads or from neighbour's properties;
- (iii) the proposed development utilises existing topography or vegetation to integrate the development into the landscape and reduce its visibility;
- (iv) the proposed development will adversely affect the naturalness and rural quality of the landscape through inappropriate landscaping including earthworks and planting as a result of any proposed mitigation or increased domestication;
- (v) landscaping as a result of development maintains and/or enhances historic or cultural patterns although it is acknowledged that this assessment matter is not necessarily consistent with others e.g. (iii) and (iv) above or (vii) below;
- (vi) the proposed development is complementary or sympathetic to, or can be co-ordinated with, existing or proposed development on adjoining or adjacent properties in terms of landscaping, roof design, roof materials and/or colours, and other external materials and/or colours;
- (vii) the proposed development is designed and/or intended to be carried out in a comprehensive manner taking into account the topography of the site, the size and configuration of the property being

developed, the extent and nature of existing or proposed development on adjoining or adjacent properties, and the opportunities for shared access and/or shared amenities;

- (viii) the nature and extent of building setbacks and/or earthworks and/or landscaping can create buffers to avoid or mitigate the potential effects of development on adjoining properties, public roads or public places.
- (ix) the proposed subdivision is part of a co-ordinated development plan incorporating any balance land (outside the proposed subdivision) in the same ownership;
- (x) there is an opportunity to provide a communal passive or active recreational area which is accessible to residents outside the subdivision as well as within the subdivision;
- (xi) the proposed development does not introduce densities which reflect those characteristic of urban areas;
- (xii) the proposed development maintains the rural amenities of the neighbourhood.

## 5.4.2.3 Assessment Matters General

### i General - Nature Conservation Values

- (a) The extent to which activities will result in opportunities for the protection and enhancement of indigenous bio-diversity or indigenous ecosystems.
- (b) Any adverse effects of the activity on indigenous ecosystems from animal pests and domestic animals.
- (c) Any need to avoid, contain, manage and/or monitor the adverse effects of introduced plant species/forms, which have potential to spread and naturalise.
- (d) The extent to which the activity provides opportunities for making available information regarding indigenous ecosystems.

- (e) The extent to which activities will protect and enhance the survival and well being of indigenous plants and/or animals that are rare, vulnerable or endangered, or significant within the District, Region or nationally.
- (f) In the case of activities proposed in the vicinity of rock outcrops, the extent to which the activity will adversely affect, or provide opportunities to enhance, the protection of lizard populations and their habitat.
- (g) The extent to which the inherent values of the site, and its ecological context, have been recognised and provided for.

### ii Natural Hazards - General

- (a) Whether the activity will exacerbate any natural hazard, including erosion, sedimentation, subsidence and landslips.

### iii General – Consistency with the Glenorchy Community Plan

- (a) In considering whether or not to grant consent or impose conditions with respects to development within the Glenorchy area, the Council shall have regard to:
- (b) Whether and to what extent the application is consistent with the Glenorchy Head of the Lake Community Plan (and any amendments thereto). \*2

### iv Controlled and Discretionary Activity - All Buildings (except in Ski Area Sub-Zones)

- (a) The extent to which the location of buildings and associated earthworks, access and landscaping breaks the line and form of the landscape with special regard to skylines, ridges, hills and prominent slopes.
- (b) Whether the external appearance of buildings is appropriate within the rural context.

### v Controlled Activity - Retail Sales

- (a) The extent to which buildings and structures are located to mitigate against the loss of landscape values.
- (b) The location and design of vehicle access, parking and loading areas to protect the safe and efficient movement of vehicles on adjoining roads.
- (c) The extent to which the size, location and design of parking and loading areas, and their relationship to the retail sales areas, buildings, outdoor display areas and vehicle access, are such so as to encourage cars to park on-site and not on adjoining roads.
- (d) The extent to which parking and loading areas are capable of accommodating likely vehicle demand.

**vi Controlled Activity - Commercial Recreation Activities and buildings in Ski Area**

- (a) Whether the ski tow or lift or building breaks the line and form of the landscape with special regard to skylines, ridges, hills and prominent slopes.
- (b) Whether the materials and colour to be used are consistent with the rural landscape of which the tow or lift or building will form a part.
- (c) Balancing environmental considerations with operational characteristics.
- (d) Potential effect on surrounding environment.
- (e) Impact of lighting on the enjoyment of an adjoining property.

**vii Controlled Activity - Mining, Limited to Mineral Exploration**

Conditions may be imposed on mineral exploration in order that:

- (a) the amount of vegetation cleared and volumes of material removed will be minimal and the adverse effects to landscape and nature conservation values and water quality are minimised;
- (b) rehabilitation of the site is completed which ensures:

- (i) the long term stability of the site;
  - (ii) that the landforms or vegetation on finished areas are visually integrated into the landscape;
  - (iii) that the land is returned to its original productive capacity, where appropriate.
- (c) roads or buildings are located in such a way as to minimise impacts to landscape, conservation, and amenity values;
  - (d) dust is minimised where amenity values are at risk. Methods may include wetting down of tracks or heaped overburden;
  - (e) noise is minimised where amenity values are at risk. Methods may include restricted hours of operation or appropriate mufflers on machinery.

**viii Controlled Activity - Jetboat Race Events (Clutha River)**

Conditions may be imposed to ensure that:

- (a) the date, time, duration and scale of the jetboat race event, including its proximity to other such events, are such as to avoid or mitigate adverse effects on residential and recreational activities in the vicinity;
- (b) adequate public notice is given of the holding of the event; and
- (c) reasonable levels of public safety are maintained.

**ix ~~Controlled Activity - Addition or alteration to Buildings within the Outer Control Boundary - Queenstown Airport and Buildings within the Outer Control Boundary - Wanaka Airport~~**

Conditions may be imposed to ensure the design, construction, orientation and location of buildings for residential activities, visitor accommodation or community activities within Wanaka Airport's Outer Control Boundary, ~~or the alteration or addition to an existing building or part of a building used for residential activities, visitor accommodation or~~

community activities within Queenstown Airport's Outer Control Boundary is such to ensure the indoor design sound levels specified in Zone Standards 5.3.5.2(viii) and (x) is are met.

## x Discretionary Activity - Commercial

- (a) The extent to which the commercial activity may:
- (i) result in levels of traffic generation or pedestrian activity, which is incompatible with the character of the surrounding rural area, or adversely affect safety.
  - (ii) have adverse effects in terms of noise, vibration and lighting from vehicles entering and leaving the site or adjoining road.
  - (iii) result in loss of privacy.
  - (iv) result in levels of traffic congestion or reduction in levels of traffic.
- (b) The extent to which the commercial activity mitigates any adverse effects in terms of additional traffic generation.
- (c) The effect the commercial activity may have on the life supporting capacity of soils and water.

## xi Restricted Discretionary Activity - Tree Planting

In considering the effects of plantings on the views from any public road, the Council shall take into account the following matters:

- (a) The classification of the surrounding landscape, and the effects of the planting on the landscape values.
- (b) The topography of the site in relation to the road.
- (c) The location of the trees, including their orientation to the road.
- (d) In considering the species type proposed, the Council will take into account the following matters:

- the potential for wilding spread;
- the positive effects associated with the planting of indigenous species;
- the density of foliage;
- whether the species are deciduous or evergreen.

- (e) The purpose of the proposed planting; considering whether the planting is necessary for farming activities, or is for amenity purposes.
- (f) Whether and to what extent the proposed plantings will, or have the potential to at maturity, block views from the public road.

## xii Restricted Discretionary Activity - Structures

In considering the external appearance of any proposed structures, the Council shall take into account the following matters:

- (a) The materials used, including their colour and permeability;
- (b) Whether the structure will be consistent with traditional rural elements.

## xiii Controlled Activity - Vehicle Testing

In considering the potential adverse effects of access ways and tracks associated with the testing of vehicles, their parts and accessories, the Council shall take into account the following matters:

- (a) The extent to which accessways and tracks are lined with adequately sized screened sump rock;
- (b) The extent to which trenching and laying drain coil and sump rocks is used to avoid ponding on accessways and tracks;
- (c) Whether construction is limited to the more appropriate drier months of the year;

- (d) Whether battering of over-steepened embankments is proposed; and
- (e) Whether ongoing monitoring is proposed and to what extent.

#### **xiv Discretionary Activity - Visitor Accommodation**

- (a) Any adverse effects of the proposed visitor accommodation 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 rural environment.
  - (ii) loss of privacy and remoteness.
  - (iii) levels 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 potential adverse effects of the activity on the quality of ground and/or surface waters.

#### **xv Discretionary Activity - Commercial Recreational Activities (other than on the Surface of Lakes and Rivers)**

- (a) The extent to which the recreational activity will result in levels of traffic or pedestrian activity which are incompatible with the character of the surrounding rural area.

- (b) Any adverse effects of the proposed activity in terms of:
  - (i) noise, vibration and lighting, which is incompatible with the levels acceptable in a low-density rural environment.
  - (ii) loss of privacy or a sense of remoteness or isolation.
  - (iii) levels 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) litter and waste.
  - (vi) any cumulative effect from the activity in conjunction with other activities in the vicinity.
- (c) The extent to which any proposed buildings will be compatible with the character of the local environment, including the scale of other buildings in the surrounding area.
- (d) The extent to which the nature and character of the activity would be compatible with the character of the surrounding environment.
- (e) Any adverse effects of any proposed buildings for the recreational activity having regard to the matters specified in Assessment Matter ii a.
- (f) The extent to which any operation has been audited and certified in accordance with the relevant Code of Practice.
- (g) Any potential adverse effects of the activity on the quality of ground and/or surface waters.
- (h) The effect of the recreational activities on the life-supporting capacity of soils.



- (i) The extent to which the proposed activity will result in a loss of privacy, amenity values or sense of security for residents within the rural environment.
- (j) The extent to which the recreational activity will adversely affect the range of recreational opportunities available in the District or the quality of experience of the people partaking of those opportunities.
- (k) The extent to which the use of the land for the recreational activity will compromise levels of public safety, particularly where conflict between operators may make a reasonable level of public safety impossible or difficult to achieve.
- (l) Any adverse effects of the activity on nature conservation values, having regard to the matters described in Assessment Matters i and xxi.
- (m) The extent to which the activity may cause a visual distraction to drivers on arterial routes.

## **xvi Discretionary Activity - Surface of Lakes and Rivers**

- (a) The extent to which the water-based activity will adversely affect the range of recreational opportunities available in the District or the quality of experience of the people partaking of those opportunities.
- (b) The extent to which the water-based activity is suited to and benefits from the identified natural characteristics of the particular lake or river.
- (c) The extent to which the water-based activity will reduce opportunities for passive recreation, enjoyment of peace and tranquillity and, particularly, opportunities for remote experience recreation.
- (d) The extent to which the water-based activity will compromise levels of public safety, particularly where conflict between operators may make a reasonable level of public safety impossible or difficult to achieve.
- (e) Any adverse effects of the proposed activity in terms of:

- (i) noise, vibration and lighting, which is incompatible with the levels acceptable in the particular lake or river environment.
- (ii) loss of privacy or a sense of remoteness or isolation.
- (iii) levels of congestion or reduction in levels of lake or river safety, which are unacceptable for the nature of the lake or river.
- (iv) accumulation of litter and waste, and access to toilet facilities.
- (v) any cumulative effect from the activity in conjunction with other activities in the vicinity.
- (f) The extent to which the water-based activity is compatible with, and will not adversely affect nature conservation values or wildlife habitat
- (g) In the case of structures or moorings which pass across or through the surface of any lake or river or are attached to the bank of any lake or river, the extent to which the structures or moorings:
  - (i) are dominant or obtrusive elements in the shore scape or lake view, particularly when viewed from any public place.
  - (ii) cause an impediment to craft manoeuvring and using shore waters.
  - (iii) diminish the recreational experience of people using public areas around the shoreline.
  - (iv) result in congestion and clutter around the shoreline.
  - (v) are likely to result in demand for craft to be permanently moored outside of permanent marina sites.
  - (vi) can be used by a number and range of people and craft, including the general public.
  - (vii) are compatible with scenic and amenity values, particularly in Queenstown Bay, Frankton Arm and Roys Bay.
- (h) Any effect from the activity on the operation, safety and navigation of the TSS Earnslaw.

- (i) Levels of traffic congestion or reduction in levels of traffic safety, which are inconsistent with the classification of the adjoining road.

## **xvii Discretionary Activity - Airports**

- (a) The extent to which noise from aircraft is/will:
  - (i) compatible with the character of the surrounding area.
  - (ii) adversely affect the pleasant use and enjoyment of the surrounding environment by residents and visitors.
  - (iii) adversely affect the quality of the experience of people partaking in recreational and other activities.
- (b) The cumulative effect of a dispersed number of airports.
- (c) Convenience to and efficient operation of existing airports.
- (d) The visual effect of airport activities.
- (e) The frequency and type of aircraft activities.
- (f) Assessment of helicopter noise pursuant to NZS 6807: 1994, excluding the levels contained in Table 1 of Section 4.2.2 to the intent that the levels specified in Table 1 do not override the noise limits specified in Rule 5.3.5.2.v(a).

## **xviii Discretionary activity – forestry**

- (1) In considering whether the proposed forestry has the potential to cause wilding spread, the following matters shall be taken into account:
  - (a) The species of trees proposed, and their potential to naturalise and spread;
  - (b) The location of the site, having particular regard to the slope and the exposure to wind;
  - (c) The surrounding land use, having particular regard to land downwind from the site;

- (d) Whether a risk assessment has been completed by the applicant;
- (e) Whether management plans are proposed for the eradication and/or control of wilding spread.

- (2) In considering whether the forestry activity will adversely affect landscape values of the surrounding environment, the following matters shall be taken into account:

- (a) The existing character of the surrounding landscape, having particular regard to whether it has an open character at present;
- (b) The potential to block important views from roads and other public places;
- (c) The proximity to neighbouring properties, and the potential to shade and/or block views from neighbouring residences.

- (3) In considering whether the forestry activity will adversely affect the ecological values of the surrounding environment, the following matters shall be taken into account:

- (a) The existing ecological values of the subject land and the surrounding environment, having particular regard to the potential effects on existing indigenous ecosystems;
- (b) Current and future demand on water resources.

- (4) In considering the effects associated with the maintenance and harvesting of forestry activities, the following matters shall be taken into account:

- (a) Traffic Generation
- (b) Volume and disposal of hazardous waste, and hazardous substances
- (c) Production of noise and odour;

- (d) Associated earthworks, and potential effects on water quality

## **xix Discretionary Activity - Factory Farming**

- (a) The extent to which the factory farming operation will be compatible with the character of the surrounding rural area, including the density of residential units in the area.
- (b) The degree to which the proposed factory farming operation is likely to lead to odour, noise or health nuisances beyond the boundary of the site, and in particular, the technology and management systems proposed to mitigate noise or odour nuisance, including:
  - (i) the size of the proposed factory farming operation and its associated site.
  - (ii) the design of the buildings, facilities, and waste and noise management systems.
  - (iii) the management and operation of the waste and noise management systems.
  - (iv) waste treatment measures employed.
  - (v) odour and noise abatement measures employed.
- (c) The degree to which existing or proposed landscaping, including plantings, will shelter and screen the proposed site.
- (d) The extent to which the proposed buildings, will be compatible with the appearance, layout and scale of other buildings and sites in the surrounding area.
- (e) Any adverse effects of any proposed buildings for the factory farming operation.
- (f) The effect of the factory farming on the life supporting capacity of soils.

## **xx Discretionary Activity - Mining**

- (a) The extent to which mining activities will adversely affect:
  - (i) amenity values.
  - (ii) recreational values.
  - (iii) nature conservation values.
  - (iv) landscape and visual amenity values.
  - (v) historical, cultural or known archaeological artefacts or sites.
  - (vi) life supporting capacity of soils, water and air.
  - (vii) public access to and along the lake, river or waterway.
- (b) The ability of the proposal to rehabilitate the site during and after mining.
- (c) The ability of the company to:
  - (i) provide a contingency plan for early mine closure.
  - (ii) adequately monitor operations and the effects on the receiving environment.
- (d) The necessity of the company to provide a bond to Council reviewed annually, for the purpose of rehabilitating operation areas in the event of non-compliance with terms and conditions of any consent, premature closure or abandonment of the mine.

## **xxi Zone Standard - Building Height**

- (a) The extent to which the increased building height may:
  - (i) be compatible with the character of the local environment including scale of buildings in the surrounding environment.
  - (ii) impact on the landscape and visual amenity values of the area.
  - (iii) adversely affect views from properties in the vicinity.

- (iv) have an adverse effect on other sites in the surrounding area, in terms of loss of privacy.
- (v) overshadow adjoining sites and result in reduced sunlight and daylight admission.
- (b) Whether the adverse effects of increased height could be mitigated through site layout, increased separation distances between the building and adjoining sites or the provision of screening.

## **xxii Setback from Neighbours of Buildings Housing Animals**

- (a) The extent to which the use of the proposed building for the housing of animals will detract from the pleasantness or amenity of adjoining sites, in terms of such matters as noise, smell, dust, glare or vibration.

## **xxiii Access**

- (a) The extent to which alternative formed access can be assured to the residential unit in the long-term.
- (b) The extent to which the level and nature of the use of the residential unit will make it unlikely that access by way of a formed road will ever be necessary.

## **xxiv Nature and Scale of Activities**

- (a) The extent to which:
  - (i) the scale of the activity and the proposed use of buildings are compatible with the scale of other buildings and activities in the surrounding area.
  - (ii) the character of the site will remain dominant.
  - (iii) materials and equipment associated with the activity need to be stored outside of a building.

- (iv) all manufacturing, altering, repairing, dismantling or processing of any goods or articles associated with the activity need to be carried outside of a building.
- (v) noise and visual impact.
- (vi) adverse effects of likely traffic generation and the ability to mitigate such effects.

## **xxv Retail Sales**

- (a) The extent to which the size, location and design of the parking and loading areas, and their relationship to the retail sales areas, buildings, outdoor display areas and vehicle access, are such as to encourage vehicles to park on the site.
- (b) The extent to which vehicles will be discouraged from parking on the adjoining road, with associated pedestrian access to the site.
- (c) The extent to which the parking and loading areas are capable of accommodating likely vehicle demand.

## **xxvi Significant Indigenous Vegetation**

- (a) The significance of the species and their communities.
- (b) The extent to which the proposed activity may adversely affect:
  - (i) the life supporting capacity of the indigenous species, including their habitat.
  - (ii) landscape and natural values of the site and in the vicinity of the site.
  - (iii) the life supporting capacity of soil and water.
- (c) The degree to which alternative sites and methods have been considered.
- (d) The extent to which previous activities have modified the site.

## xxvii Residential Units – Discretionary and Non-Complying Activities

- (a) The extent to which the residential activity maintains and enhances:
  - (i) rural character.
  - (ii) landscape values.
  - (iii) heritage values.
  - (iv) visual amenity.
  - (v) life-supporting capacity of soils, vegetation and water.
  - (vi) infrastructure.
  - (vii) traffic safety.
  - (viii) public access to and along lakes and rivers.
- (b) The extent to which the residential activity may adversely affect adjoining land uses.
- (c) The extent to which the residential activity or residential unit may be adversely affected by natural hazards or exacerbate a natural hazard situation.
- (d) The extent to which the location of the residential unit and associated earthworks, access and landscaping, affects the line and form of the landscape with special regard to skylines, ridges, hills and prominent slopes.
- (e) Whether the bulk, design, external appearance and overall form of the residential unit is appropriate within the rural context.
- (f) The extent to which the residential unit has the ability to:
  - (i) supply potable water;
  - (ii) connect to a reticulated public or community sewage treatment and disposal system, or otherwise can be provided with a suitable system for the treatment and disposal of domestic sewage effluent, in a manner, which avoids nuisance or danger to public health, or contamination of ground or surface waters; and
  - (iii) connect to available telecommunication and electricity systems to domestic levels of service.
- (g) The extent to which the location of the residential unit and associated earthworks, access and landscaping has the potential to interfere with irrigation infrastructure.

## xxviii 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 gradient > 18.5 degrees (1 in 3), whether a geotechnical report has been supplied to assess the stability of the earthworks.
- (e) Whether measures to minimise dust emissions are proposed and to what extent these mitigation measures are effective.
- (f) Whether and to what extent any groundwater is likely to be affected, and if any mitigation measures are proposed to address likely effects.
- (g) Whether and to what extent earthworks are necessary in order to undertake flood protection works recognising the long-term benefits

- of effective flood mitigation measures on the surrounding environment.
2. Effects on landscape and visual amenity values, in particular Outstanding Natural Features and Outstanding Natural Landscapes.
    - (a) Whether and to what extent 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 and to what extent re-vegetation will mitigate any adverse effects.
    - (e) Whether and to what extent the earthworks create an area that is inconsistent with the character of the surrounding landscape.
    - (f) Whether the location and/or design of any new tracking can be modified in order to decrease the effects on the stability, visual quality and amenity values of the landscape.
  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) The extent to which the activity modifies or damages Waahi Tapu or Waahi Taoka, and whether tangata whenua have been notified.
    - (b) The extent to which the activity affects Ngai Tahu's cultural and traditional association with the Statutory Acknowledgment Area.
    - (c) Whether the subject land contains a recorded archaeological site, and whether the NZ Historic Places Trust has been notified.
  6. Activities
    - (a) Whether the proposed tracking or other earthworks is necessary or desirable for the ongoing and reasonable maintenance and use of the land.
    - (b) Whether the proposed tracking or other earthworks are necessary or desirable to achieve a reasonable or appropriate use of the land for the proposed activity.
- xxix Site Standard – clearance of indigenous vegetation**
1. Clearance of indigenous vegetation, including clearance in the alpine environment:

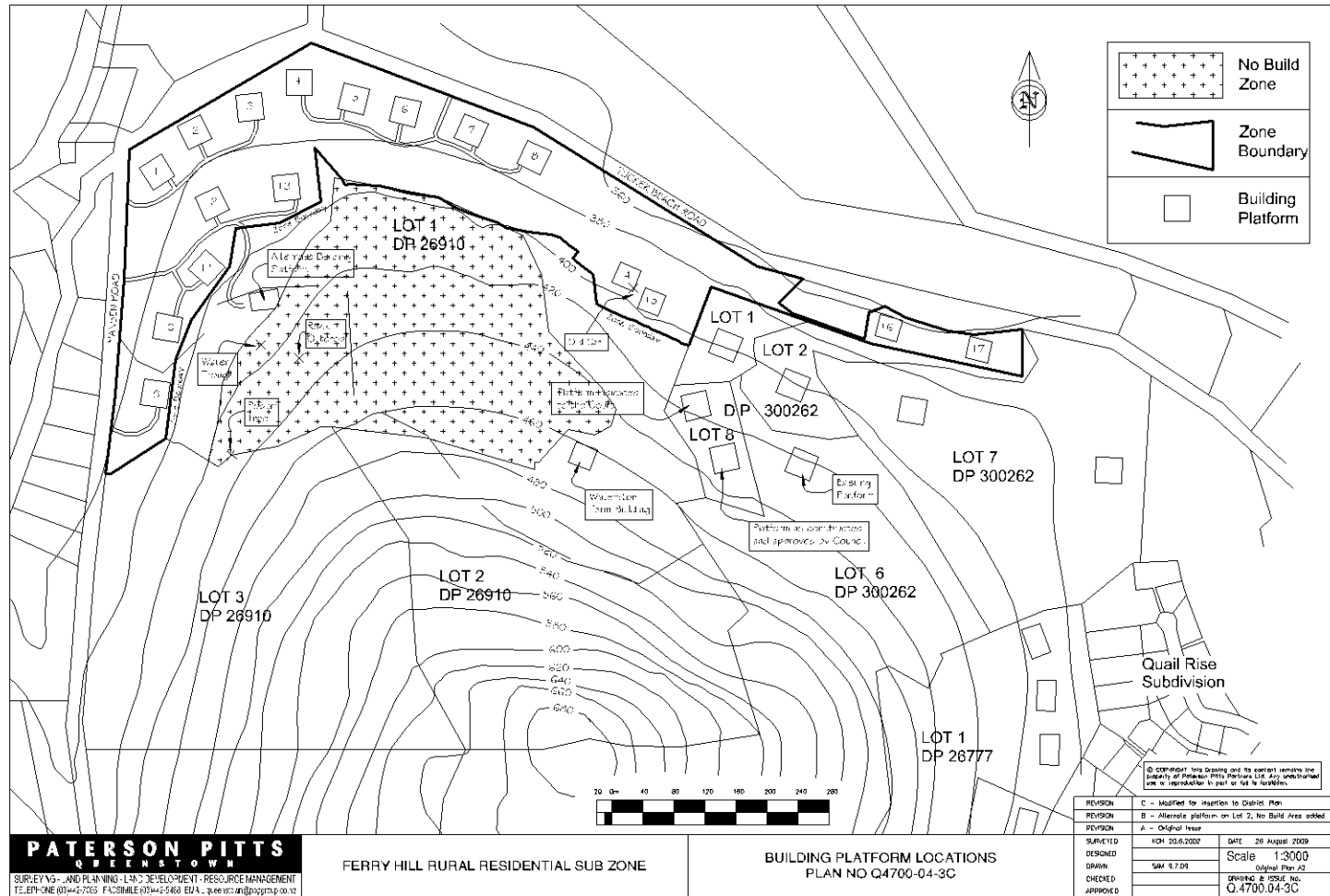
- (a) The nature of the clearance, including:
    - (i) The amount of land to be cleared.
    - (ii) The timing of clearance.
    - (iii) The time since the site was last cleared.
    - (iv) The form of clearance, whether by burning, spraying or mechanical.
    - (v) The type of vegetation to be cleared, and the purposes of such clearance.
    - (vi) Whether a favourable ecological report has been submitted.
  - (b) The effect of the activity on the ecological values of the site and surrounding environment, including:
    - (i) The degree of modification of the site and surrounding area.
    - (ii) The ecological values of the site, based on the Criteria listed in Appendix 5 of the Plan.
    - (iii) The extent to which the activity threatens the indigenous plants or animals/birds identified at the site.
    - (iv) The extent to which the site and surrounding environment is sensitive to modification.
    - (v) The potential to adversely affect the natural character of the margins of any river, stream, lake or wetland.
    - (vi) The proximity of any area protected under covenant or other protection mechanism.
  - (c) The effect of vegetation clearance on landscape and visual amenity values, including:
    - (i) The extent to which indigenous vegetation is an integral part of, or enhances, the landscape values and natural character of the area.
    - (ii) The visibility of the site from transport routes, townships, and other tourist destinations, including ski fields.
    - (iii) The landscape values of the site and surrounding environment, and its sensitivity to modification
    - (d) The degree to which the clearance will adversely affect natural features, geomorphological or geological sites.
    - (e) The degree to which any possible alternative locations or methods for undertaking the activity could occur.
    - (f) The degree to which clearance will enable the efficient use of the land for production purposes.
    - (g) The degree to which the clearance will result in a loss of natural character and/or any recreational values associated with any nearby waterbody.
    - (h) Where clearance is to be undertaken by way of burning:
      - (i) Compliance with the Otago Regional Council's Code of Practice, and the provision of a burn management plan outlining proposed future management.
      - (ii) The measures adopted to reduce the potential for the spread of fire.
      - (iii) Whether certain areas have been voluntarily set aside to be preserved by way of covenant through the resource consent.
2. Planting of exotic trees and/or shrubs in the alpine environment.
- (a) The potential for the spread of exotic plant species, including their location, and the predominant wind direction.
  - (b) The sensitivity of the site to modification, including current vegetation.

- (c) The potential effects from exotic species on the ecological functioning of the site, and its landscape values.

**xxx Site Standard – Planting of tree species with wilding potential**

1. In considering whether the proposed planting has the potential to cause wilding spread, the following matters shall be taken into account:
  - (a) The location of the site, having particular regard to slope and the exposure to wind;
  - (b) The surrounding land use, having particular regard to the intensity of land use, the existing vegetation cover, and stocking rate;
  - (c) The ecological and landscape values of surrounding land, particularly land located down-wind from the proposed site.
2. In considering whether the proposed planting will cause adverse effects on landscape values, the following matters shall be taken into account:
  - (a) The existing character of the surrounding landscape, having particular regard to whether it has an open character at present;
  - (b) The potential for the planting to block important views from roads and other public places;
  - (c) The proximity of the planting to neighbouring properties, and the potential to shade and/or block views from neighbouring residences.





## 6.2 Queenstown Airport Mixed-Use Zone Rules

### 6.2.1 Zone Purpose

The Mixed Use Zone comprises part of the underlying zone for Queenstown Airport in the vicinity of Lucas Place and Robertson Street at Frankton. It is characterised by airport related activities necessary for the transport interface role of Queenstown Airport, but which do not strictly achieve the purpose of the Aerodrome Designation - the safe and efficient operation of Queenstown Airport. The purpose of the zone is to provide for the continued viability of these activities and to maximise the efficient use of airport land. Future activities within the zone will be provided for without undue regulation, as long as amenity and building appearance standards are met.

### 6.2.2 District Rules

Attention is drawn to the following District Wide Rules which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- i Transport - Refer Part 14
- ii Subdivision, Development and Financial Contributions - Refer Part 15
- iii Hazardous Substances - Refer Part 16
- iv Utilities - Refer Part 17
- v Signs - Refer Part 18
- vi Relocation Buildings and Temporary Activities - Refer Part 19

### 6.2.3 Activities

#### 6.2.3.1 Permitted Activities

Any activity which complies with all the relevant **Site** and **Zone** Standards and is not listed as a **Controlled, Discretionary, Non-complying** or **Prohibited** Activity.

#### 6.2.3.2 Controlled Activities

- i The addition, alteration, and construction of all buildings in respect of location and external appearance.

#### 6.2.3.3 Discretionary Activities

- i Any activity not listed as a **Non-Complying** or **Prohibited Activity** and complies with all the **Zone** Standards but does not comply with one or more of the **Site** Standards shall be a **Discretionary Activity** with the exercise of the Council's discretion being confined to:
  - (a) the matter(s) specified in the standard(s) not complied with; and
  - (b) the extent to which the activity is dependent on an airport location.
- ii Industrial Activities, except the processing of natural materials.

#### 6.2.3.4 Non-Complying Activities

The following shall be **Non-Complying Activities** provided they are not listed as a **Prohibited Activity**:

- i Conference facilities.
- ii Commercial activities, other than retailing.

- iii Any activity not listed as a Prohibited Activity and does not comply with one or more of the relevant Zone Standards, shall be a **Non-Complying Activity**.

## 6.2.3.5 Prohibited Activities

The following shall be **prohibited**:

- i Forestry Activities
- ~~ii Visitor Accommodation~~
- ~~iii Residential Activities *Activity Sensitive to Aircraft Noise*~~
- ~~iiii Commercial Recreational Activity~~
- ~~v Community Activities~~
- ~~vi Farming~~
- ~~vii Factory Farming~~
- ~~viii Mining Activities~~
- ~~ixvii Any activity requiring an Offensive Trade Licence under the Health Act 1956~~
- ~~x Residential Flat~~

## 6.2.4 Non-Notification of Applications

An application for a resource consent for the following matters may be considered without the need to obtain a written approval of affected persons and need not be notified in accordance with Section 93 of the Resource Management Act 1991, unless the Council considers special circumstances exist in relation to any such application.

- (i) Applications for the exercise of the Council's discretion in respect of the following **Site Standards**:

- **Visual Amenity**
- **Landscaping**

## 6.2.5 Standards

### 6.2.5.1 Site Standards

- i **Building Coverage**  
Maximum site coverage - 75%
- ii **Building Setback**
  - (a) Setback from the Zone boundary shall be 10 m.
  - (b) Setback from any road shall be 6 m.
- iii **Landscaping**
  - (a) At least 10% of each site shall be landscaped.
  - (b) Those properties fronting Lucas Place and Hawthorne Drive shall provide and maintain a landscape strip extending the full length of the road boundary, except across entranceways. The strip shall be not less than 1 metre deep and shall have an average depth of 4 m over its entire length.
- iv **Office Accommodation**  
Office accommodation shall only be provided as part of an activity undertaken within the Zone.
- v **Land Transport Facilities**  
Land transport facilities shall be limited to the following:
  - garaging, including servicing of tour buses and facilities for tour buses

- courier sorting and distribution centre
- car valet services
- rental car facilities.

## 6.2.5.2 Zone Standards

### i Building Height

Maximum building height - 9 m

### ii Glare

- All exterior lighting installed on sites or buildings within the zone shall be directed away from adjacent sites, roads and public places.
- All roofs of buildings shall be finished or treated so they do not give rise to glare when viewed from any public place.
- No activity shall result in a greater than 10 lux spill (horizontal or vertical) of light onto any adjoining property within the zone, measured 2 m inside the boundary of any adjoining property.
- No activity shall result in a greater than 3 lux spill (horizontal or vertical) of light onto any adjoining property which is zoned for residential purposes.

### iii Retail Sales

- Retail sales and displays are restricted to areas within the airport terminal and to such goods that serve the needs of the travelling public.
- Any goods displayed for sale and/or retailing shall be limited to the sale of those goods within the airport terminal.

### iv Noise

- Sound from activities measured in accordance with NZS 6801:2008 and assessed in accordance with

NZS 6802:2008 shall not exceed the following noise limits at any point within any Residential Zone or at any point within Activity Areas 1, 3, 4, 6 and 7 of the Remarkables Park Zone:

- |       |            |                    |                                |
|-------|------------|--------------------|--------------------------------|
| (i)   | daytime    | (0800 to 2000 hrs) | 55 dB L <sub>Aeq(15 min)</sub> |
| (ii)  | night-time | (2000 to 0800 hrs) | 45 dB L <sub>Aeq(15 min)</sub> |
| (iii) | night-time | (2000 to 0800 hrs) | 70 dB L <sub>AFmax</sub>       |

(b) The noise limits in (a) shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999.

(c) The noise limits in (a) shall not apply to sound associated with airports or windfarms. Sound from these sources shall be assessed in accordance and comply with the relevant New Zealand Standard, either NZS 6805:1992, or NZS 6808:1998. For the avoidance of doubt the reference to airports in this clause does not include helipads other than helipads located within any land designated for Aerodrome Purposes in this Plan.

### v Industrial Activities

- There shall be no processing of natural materials.

## 6.2.6 Resource Consents - Assessment Matters - Airport Mixed Use Zone

### 6.2.6.1 General

- The following Assessment Matters are other methods or matters 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.
- 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 6.2.6.2 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.

## 6.2.6.2 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 Non Complying Activity – Conference Facilities

- (a) The extent to which the activity is dependent on an airport location.

### ii Building Coverage

- (a) The extent to which the proposed buildings will be compatible with the character of the local environment, including the scale of other buildings in the surrounding area.

### iii Setback from Zone Boundaries

- (a) The extent to which a limited building setback from the zone boundary is necessary in order to allow more efficient or practical use of the remainder of the site.

- (b) The extent to which alternative practical locations are available for the building or structure.
- (c) The degree to which the proposed building will detract from the pleasantness, coherence, openness and attractiveness of the site as viewed from adjoining zones.
- (d) The degree to which the proposed building will detract from the outlook and privacy of people on adjoining zones.
- (e) The degree to which proposed landscaping, including plantings, will mitigate the effects of limited building setback from a neighbour’s in adjoining zones.
- (f) The extent to which the proposed building, will be compatible with the appearance, layout and scale of other buildings and sites in the surrounding zones.
- (g) The extent to which the proposed building will have a size, form, and external appearance which are sympathetic to, and in visual harmony with, the surrounding environment.
- (h) The extent to which the use of the proposed building will detract from the pleasantness or amenity of adjoining zones, in terms of such matters as noise, smell, dust, glare or vibration.

### iv Landscaped Areas

- (a) The effect of any reduced landscaping in terms of the visual impacts of the buildings in the Zone and the scale of these buildings.
- (b) The effect of any reduction in landscaping and screening on the visual impacts of outdoor storage areas.
- (c) The extent to which the site is visible from adjoining sites, particularly those in residential zones, and the likely consequences of any reduction in landscaping standards or screening.

- (d) Any aspects of the proposal, which may compensate for reduced landscaping or screening, including the nature of planting or materials used, the location of parking manoeuvring or storage areas and office accommodation.
  - (e) The relative importance of landscaping on the particular site concerned, taking account of the visual quality of the surrounding environment, particularly where a low standard of visual quality exists and improvement is necessary.
  - (f) The nature of the business activity itself, and any particular adverse visual impacts it may have.
  - (g) The effect of any reduction in tree planting provision, particularly in respect to the visual character of car parking areas and building scale.
- v Office Accommodation, Land Transport Facilities, Industrial Activities and Retailing**
- (a) The extent to which the activity is dependent on an airport location.

## 7. Residential Areas

### 7.1 Issues, Objectives and Policies

#### 7.1.1 Issues

The District's housing stock represents one of its most important physical resources. People's well being is among other things a reflection of their quality of housing and the environment in which that is set.

Enabling people to provide for their residential needs within the District is one of the Council's functions authorised under the Act. The purpose of the Act is the sustainable management of natural and physical resources, which includes enabling people and communities to provide for their social, economic and cultural well being and for their health and safety. This can only be achieved within a framework which adequately addresses the needs of present and future generations, the life-supporting capacity of air, water, soil and ecosystems, and the adverse environmental effects of activities including the effects on the visual amenity of outstanding landscapes of the District.

Meeting the residential needs of the District's urban population cannot be accommodated within the existing towns, settlements or "rural lifestyle" areas without significantly affecting current residential amenity values ie density levels, protection of views, privacy, or detracting from the significant landscape values and natural features of the District. High Density Residential Zones can be expanded to satisfy a portion of this need. The Council recognises there is a demand for low-density residential living within rural areas by people wishing to enjoy the quietness and natural environment. However, in deciding how best to meet the residential needs of the District, the Council must have regard to several other matters of relevance under Section 7 of the Act, most importantly:

- (a) the efficient use and development of natural and physical resources;

- (b) the maintenance and enhancement of amenity values, and natural features;
- (c) the maintenance and enhancement of the quality of the environment.

#### i Growth and Availability of Land

##### (a) The provision for and location of new residential activity

In considering the provision for and location of land for residential use, the Council must balance the need for and location of residential activity against the need to promote the sustainable management of the District's resources and amenities. These include services, energy efficiency, the life supporting capacity of soils, natural hazards, landscape, rural amenity, and social well being.

[Reverse sensitivity effects on Queenstown Airport may arise where Activity Sensitive to Aircraft Noise are established within the Airport's Air Noise Boundary or Outer Control Boundary.](#)

##### (b) Natural Hazards

Parts of the towns and settlements are subject to flooding and other hazards. In other areas, residential expansion in areas at risk from flooding will, in the long-term, increase the amount and value of property vulnerable to flooding damage. The location of new development should minimise that risk.

#### **Refer also Part 4.8**

##### (c) Productive Land

The future welfare of the District is not fully reliant on primary production of these soils but subdivision and development will result in the loss of their productive capacity. Any expansion over versatile soils needs to be balanced against the sustainable management of other natural and physical resources such as energy, infrastructure, services and the effects on important amenities.

#### **Refer also Part 5**

**(d) Servicing**

Servicing infrastructure is a major physical resource and its efficient utilisation is of concern to the District. The costs of providing infrastructure to the community and future land areas is an important factor where the success of resource management can be measured in terms of efficiency. Efficient use of existing infrastructure must also be measured against other fundamental District objectives such as residential forms and protection of the visual amenities.

**ii Landscape****(a) The relationship of urban areas to the natural landscape**

The District is dominated by a landscape of outstanding quality which provides a sense of place and belonging for all communities as well as the source of economic activity and recreation. The attraction and quality of the residential environments and any extensions to those environments must be closely related to the need to protect and enhance the visual amenity of the District.

*Refer also Part 4.2*

**iii Character and Scale****(a) The character and scale of development within residential zones should achieve desired outcomes anticipated by the District Plan.**

The existing identity of any particular town or settlement is reflected in its character and scale. These are matters which influence where people choose to live. Components of character and scale include open space, density of development, building height, dominant styles in built form and topographic influences. There is undoubtedly a difference in character and scale between suburban residential and low density rural living environments. There can also be contrast in the character and scale within or between settlements. Change in the character and scale of residential areas can result from closer subdivision and construction of additional houses at higher densities,

redevelopment and replacement of existing houses, and loss of existing open space, garden and tree plantings, loss of views and diminution in the sense of community cohesion and well being.

Some changes are necessary to provide for the needs of people wanting smaller properties, newer and smaller houses, residential accommodation closer to urban centres, and visitor accommodation. Such changes need to be managed to provide appropriate higher density areas for high density residential development and visitor accommodation and to avoid or mitigate adverse effects on the character and scale of low density residential areas. The main low density residential areas have developed a low density character with general protection for views, sunlight admission and privacy. Low density residential character is even more profound in smaller settlement areas where development densities have remained low. Pressure for growth will inevitably bring pressure for infill development within these areas. Other areas have and will develop a higher density character where the need to enable higher density residential development and visitor accommodation is a priority.

**iv Residential and Visitor Accommodation Amenity****(a) Protection and enhancement of people's social wellbeing resulting in the amenity value of their living environments.**

People's perception of well being is enhanced by a coherent and pleasant living environment. The main components of this amenity are the location and scale of open space, density of residential development generally and within sites, heights of buildings and dominant building styles. Most of these components lead to a general appreciation of an area, while others relate to the development of individual sites. The way individual sites are developed and their relationship to adjoining sites are important factors in ensuring residential properties have adequate sunlight, daylight and privacy and a feeling of not being closed in or overlooked. In controlling these matters the desirability of allowing reasonable individual flexibility in siting, layout and building design must be acknowledged, including the need to maximise the benefits from good access to solar energy.



Control of these matters must also be balanced against the need to provide for higher density residential living environments and visitor accommodation.

Residential areas have always contained a range of complementary non-residential activities relating to the educational, spiritual, social, recreational, and day-to-day economic needs of the residents. Many of these require a residential location because of the service they provide to residents. Some of these activities can have a significant impact in terms of traffic and on-street parking, noise or glare. It is important to ensure a compatibility between residential and non-residential activities and areas.

Home occupations are an important aspect of non-residential activity which provides residents with a source of employment with many social and economic advantages, but which can cause problems in residential areas. The range of activities and their character and scale vary considerably and it is often the traffic-generating and noise aspects of these activities which is of concern. Limitations on the extent of retailing, the scale of activities in terms of area or floorspace and the involvement of persons not living on the site are commonly adopted to mitigate these adverse effects.

Visitor accommodation facilities deserve no less attention to amenity values. Visitors constitute the economic lifeblood of the District. While considerations of neighbourhood (along with its social and cultural implications) may not directly influence the location and design of visitor accommodations, the location, appearance and design of accommodation units should not suffer from becoming a stepchild to residential development. It is important that similar rules (insofar as applicable) control both types of activities equally within the District's High Density Residential Zones so that overall urban character retain and enhance its pleasant streetscapes, its pedestrian friendliness and its overall residential character.

**Refer also Part 4.9**

### 7.1.2 District Wide Residential Objectives and Policies

#### Objective 1 - Availability of Land

***Sufficient land to provide for a diverse range of residential opportunities for the District's present and future urban populations, subject to the constraints imposed by the natural and physical environment.***

#### **Policies:**

- 1.1 *To zone sufficient land to satisfy both anticipated residential and visitor accommodation demand.*
- 1.2 *To enable new residential and visitor accommodation areas in the District.*
- 1.3 *To promote compact residential and visitor accommodation development.*
- 1.4 *To enable residential and visitor accommodation growth in areas which have primary regard to the protection and enhancement of the landscape amenity.*
- 1.5 *To maintain a distinction between the urban and rural areas in order to assist in protecting the quality and character of the surrounding environment and visual amenity.*
- 1.6 *To promote, where reasonable, a separation of visitor accommodation development from areas better suited for the preservation, expansion or creation of residential neighbourhoods.*

#### **Implementation Methods**

Objective 1 and associated policies will be implemented through:

##### **i District Plan**

- (a) To enable a broad range of residential and visitor accommodation areas without allowing either activity to unduly harm the other.

## Explanation and Principal Reasons for Adoption

The population of the District is growing and the Council recognises and accepts the need to provide for growth.

While the residential areas of the District comprise only a small percentage of the total land area there are, in the context of the natural and physical resources, constraints on further expansion and severe limitations on the amount of land available and suitable for development. The major concerns for the Council in accommodating future residential growth are the sustainability of resident neighbourhoods and the impact on natural and physical resources and on the landscape amenity.

The Council seeks to achieve urban consolidation. As such the objectives and policies do impact on the form of development to the extent the effects on specific resources and amenities (eg landscape amenities) are anticipated and managed.

## Refer also Part 6

## Objective 2 - Residential Form

***A compact residential form readily distinguished from the rural environment which promotes the efficient use of existing services and infrastructure.***

## Policies:

- 2.1 *To contain the outward spread of residential areas and to limit peripheral residential or urban expansion.*
- 2.2 *To limit the geographical spread and extent of rural living and township areas. Where expansion occurs, it should be managed having regard to the important District-wide objectives.*
- 2.3 *To provide for rural living activity in identified localities.*
- 2.4 *In new residential areas encourage and provide for development forms which provide for increased residential density and careful use of the topography.*

- 2.5 *To encourage and provide for high density development in appropriately located areas close to the urban centres and adjacent to transport routes.*

## Implementation Methods

Objective 2 and associated policies will be implemented through:

### i District Plan:

- (a) The identification of a pattern of land uses in support of a strategy of urban consolidation.
- (b) Zoning and subzoning provisions for a range of residential and visitor accommodation environments.
- (c) Zoning areas for rural living activities.
- (d) Associated rules for subdivision (lot size) and transport.

## Explanation and Principal Reasons for Adoption

The spatial pattern of a settlement and the way in which it uses its resources determines the character and scale of the urban environment. This is a key factor influencing the magnitude of energy consumption and the efficient use of existing resources, including land and infrastructure. The policies are aimed at a compact urban form, with higher density activity related to central commercial areas and readily accessible by all modes of transport.

The Council believes this policy will be most effective in protecting the significant landscape amenities of the District, reducing the use of private motor vehicles and have a beneficial effect in terms of the efficient use of existing resources and infrastructure, while catering for the residential needs of the District's population.

In the new residential areas, Council wishes to promote new and imaginative residential developments which have regard to the surrounding landscape amenity as well as for energy efficiency, convenience and social well being.

## Refer also Parts 4, 10 and 11

**Objective 3 - Residential Amenity.**

*Pleasant living environments within which adverse effects are minimised while still providing the opportunity for community needs.*

**Policies:**

- 3.1 *To protect and enhance the cohesion of residential activity and the sense of community and well being obtained from residential neighbours.*
- 3.2 *To provide for and generally maintain the dominant low density development within the existing Queenstown, Wanaka and Arrowtown residential zones, small townships and Rural Living areas.*
- 3.3 *To provide for and encourage high density residential development within the high density residential zones.*
- 3.4 *To ensure the external appearance of buildings reflects the significant landscape values and enhance a coherent urban character and form as it relates to the landscape.*
- 3.5 *To ensure hours of operation of non-residential activity do not compromise residential amenity values, social well being, residential cohesion and privacy.*
- 3.6 *To ensure a balance between building activity and open space on sites to provide for outdoor living and planting.*
- 3.7 *To ensure residential developments are not unduly shaded by structures on surrounding properties.*
- 3.8 *To ensure noise emissions associated with non-residential activities are within limits adequate to maintain amenity values.*
- 3.9 *To encourage on-site parking in association with development and to allow shared off-site parking in close proximity to development in residential areas to ensure the amenity of neighbours and the functioning of streets is maintained.*
- 3.10 *To provide for and encourage new and imaginative residential development forms within the major new residential areas.*
- 3.11 *To require as necessary mechanical ventilation for any Critical Listening Environments within new and alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise within the Queenstown Airport Outer Control Boundary and require sound insulation and mechanical ventilation for any Critical Listening Environment within any new and alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise within the Queenstown Airport Air Noise Boundary.*
- 3.12 *To ensure the single dwelling character and accompanying amenity values of the Low Density Residential Zone are not compromised through subdivision that results in an increase in the density of the zone that is not anticipated.*
- 3.13 *To require an urban design review to ensure that new developments satisfy the principles of good design.*
- 3.14 *To distinguish areas with low density character where that character should be retained from areas of change located close to urban centres or adjacent to transport routes where higher density development should be encouraged.*

**Implementation Methods**

Objective 3 and associated policies will be implemented through a number of methods including:

**i District Plan:**

- (a) Provision of different zones for high density residential living and low density residential living.
- (b) Rules relating to building height, sunlight and outlook for neighbours, street scene, separation from neighbours and outdoor living space.

- (c) Rules for heritage and amenities, relocated buildings, protected historic buildings, places and objects and protected trees.
- (d) Rules for health and safety, eg for noise and glare.
- (e) Rules for subdivision, natural and other hazards, supply of services (water, energy, telecommunications and disposal of wastes), provision of land for open space and recreation and rules for building location.
- (f) Rules for transport, parking, access and manoeuvring.
- (g) Rules to require mechanical ventilation of any Critical Listening Environment within new and alterations and additions to existing buildings that contain any Activity Sensitive to Aircraft Noise on sites within the Outer Control Boundary to achieve an Indoor Design Sound Level of 40 dB Ldn, based on the 2037 Noise Contours.
- (h) Rules to require sound insulation and mechanical ventilation of any Critical Listening Environment within new and alterations and additions to existing buildings that contain any Activity Sensitive to Aircraft Noise on sites within the Air Noise Boundary to achieve an Indoor Design Sound Level of 40dB Ldn, based on the 2037 Noise Contours.
- (i) Queenstown Airport Corporation Limited shall offer to fund retrofitting over time of sound insulation and mechanical ventilation of any Critical Listening Environments within existing buildings containing an Activity Sensitive to Aircraft Noise in the Air Noise Boundary to achieve an Indoor Design Sound Level of 40 dB Ldn. Retrofitting shall be based on the 2037 Noise Contours and shall be offered at the time the Projected 65 dB AANC reaches the property.
- (j) Queenstown Airport Corporation Limited shall offer to part fund retrofitting over time of mechanical ventilation of any Critical Listening Environments within existing buildings containing an

Activity Sensitive to Aircraft Noise located between the Air Noise Boundary and the 2037 60 dB Noise Contour. This ventilation is to enable windows and doors to remain closed to achieve the Indoor Design Sound Level if required. Retrofitting shall be based on the 2037 Noise Contours and retrofitting shall be offered at the time the Projected 60 dB AANC reaches the property.

All retrofitting shall be conducted in accordance with the conditions attached to Designation 2.

## ii Other Methods:

- (a) Implementation of the powers prescribed in Part XII of the Resource Management Act relating to enforcement orders, abatement notices and excessive noise.
- (b) Provision of works and services, roading, road linkages and traffic management programmes, and maintenance and development of public open space.
- (c) Notification through Land Information Memoranda of the requirement to provide sound insulation and mechanical ventilation for new or alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise within the Outer Control Boundary for Queenstown Airport.

## Explanation and Principal Reasons for Adoption

The purpose of policies is to achieve the consolidation of residential activity and protection of residential amenity values. Although non-residential activities are an integral part of the residential environment they have the potential to create adverse effects relating to noise, visual detracting, traffic and loss of residential neighbours. A high standard of amenity is sought for residential areas which are sensitive to adverse effects. Although it may not be possible or desirable to prohibit all non-residential activities from residential neighbourhoods, it is necessary to ensure the establishment of such activities does not adversely affect people's social well being. The effect on community cohesion, and hence well being, arises from the removal of permanent

residents as much as from the visual disruption and loss of amenity caused by establishment of these activities.

The rising cost of land close to the town centres has the potential to encourage development of larger and fewer residential dwellings which, combined with a growing trend towards sale of property to people who do not reside within the District, leads to a danger of resident depopulation of areas adjacent to the town centres and consequential loss of vitality in the town centres. Provision of higher density residential areas close to the urban centres and accessible to transport routes will enable residential environments which may be more conducive to residents than non resident landowners.

The relationship between open spaces and built form is one of the main determinants of the character of an area. The policies reflect the importance of open space in providing opportunity for outdoor living and amenity.

Access to sunlight is an important factor in residential amenity and the policies are directed at ensuring that, with the exception of major topographical features, buildings are not unduly shaded by neighbouring buildings in a manner which diminishes the amenity of a site or a neighbourhood.

The residential areas are sensitive noise environments and this is a major factor which must be taken into account when considering the impact of other activities. Noise in a residential area is likely to result from non-residential activities and as such the plan includes provisions setting noise standards for non-residential activities in the residential zones. Noise from normal residential living, including animals and social events will be controlled through the excessive noise provisions of the Act. Noise from Queenstown Airport will be managed in line with the Aerodrome Designation (Designation 2) to contain noise levels to the noise boundaries set out in the District Plan Maps. Sound insulation and mechanical ventilation requirements will assist to maintain the indoor amenity for any buildings used for an Activity Sensitive to Aircraft Noise in the Residential Zone.

The District contains landscapes of national significance and urban development can have a significant effect on the enhancement and protection of that amenity. The Council proposes to influence building design in the residential areas by the implementation of the policies and rules contained in

this Plan. This will enhance the character and coherence of the residential built environment as it relates to the visual amenity of the natural landscape.

Traffic is an integral part of all residential environments, but also has the potential to affect the amenity of residential streets. The Plan seeks to ensure adequate provision for off-street parking in a manner which protects the amenity of local streets.

Within the major new areas of residential zoning the Council strongly encourages a more imaginative approach to subdivision and development. The Council believes the quality of the District's residential environments would be significantly enhanced by design solutions that moved away from traditional subdivision solutions. In this respect the Council will be looking to encourage a range of residential densities, variations in roading patterns, imaginative use of reserves, open space and pedestrian and roading linkages, attention to visual outlook and solar aspect, and extensive use of planting.

Subdivision of residential flats is not desirable because it can facilitate delineation between the unit and flat through separate curtilage. Consideration must also be given to the potential implications of allowing the first subdivision to take place and the fact that additional residential flats could then be developed on the site as a permitted activity, provided the other site and zones standards of the District Plan have been complied with. The result of this process would be the incremental subdivision of the low Density Residential Zone, which could result in a development pattern similar to that anticipated in High Density Residential Zone. Therefore, this policy considers the effects subdivision can have on the single dwelling character of the Low Density Residential Zone.

## Objective 4 - Non-Residential Activities

***Non-Residential Activities which meet community needs and do not undermine residential amenity located within residential areas.***

### ***Policies:***

***4.1 To enable non-residential activities in residential areas, subject to compatibility with residential amenity.***

4.2 To enable specific activities to be acknowledged in the rules so as to allow their continued operation and economic well being while protecting the surrounding residential environment.

## Implementation Methods

Objective 4 and associated policies will be implemented through a number of methods including:

### i District Plan

- (a) The identification of the living environment and associated rules, site density, building height, sunlight, street scene and landscaping.
- (b) The opportunity for a range of non-residential activities to be located in residential zones as permitted activities, subject to rules to protect residential amenity. These rules include matters relating to scale of activities, residential coherence, hours of operation, site size and traffic generation.

### ii Other Methods

- (a) Provision and operation of community facilities.

## Explanation and Principal Reasons for Adoption

Non-Residential Activities are an integral part of the residential environment in that they provide a service to local residents or enable people to work at home. However, non-residential activities do have the potential to detract from residential amenity by way of noise, traffic and scale of operation.

The Plan acknowledges the practical requirement of visitor accommodation and the historical development of that activity within the residential areas, particularly close to the main town centres and fronting main roads. It is also a recognition of the importance of the activity to the economic and social well being of the District. All the major operations are protected by zoning or scheduling.

A number of non-residential activities have developed in residential areas and currently provides either a service to the area or are not incompatible with residential amenity. These activities have been acknowledged to provide security of the activity and protection for residential amenity.

It is recognised non-residential activities have the potential to create adverse effects in respect of matters such as noise and hours of operation. A high standard of amenity will be sought for non-residential activities in residential areas.

## 7.1.3 High Density Residential Zones – District Wide

### 7.1.3.1 Issue

#### Development Pressure

Some visitor accommodation developments in the High Density Residential Zone are having a significant negative impact on the character and amenity of our neighbourhoods. Loss of the character and amenity values threaten the sustainable well being of our neighbourhoods and community.

High density neighbourhoods have a different character and generate different outcomes compared to low density neighbourhoods. Zoning different densities enables provision of rules designed to minimise conflicts between high density and low density living environments.

### 7.1.3.2 Objectives and Policies

#### Objective 1 – Amenity Values

Sustainable residential communities and neighbourhoods that have high amenity values of a quality and character anticipated in a high density living environment.

#### Policies

- 1.1 To ensure development enables high density living and achieves the character and amenity values anticipated in a high density living zone by:

- 1.1.1 Improving the aesthetic appeal of the built environment.
  - 1.1.2 Ensuring buildings integrate well with the neighbouring locality and provide visual connections with the surrounding built and natural environment.
  - 1.1.3 Providing attractive pedestrian access ways and linkages and protecting those that currently exist.
  - 1.1.4 Ensuring the maintenance of road setbacks that are free of structures.
  - 1.1.5 Ensuring development is of a high architectural quality in accordance with good urban design principles.
  - 1.1.6 Ensuring that open space is maintained between buildings on sites, and between neighbouring sites.
  - 1.1.7 Encouraging the provision of underground car parking.
- 1.2 To avoid visually dominant buildings that overshadow public places, block views and degrade the built environment.
- 1.3 To enhance the attractiveness of the zone, including the streetscape, by:
- 1.3.1 Ensuring landscaped areas are provided in scale and proportion to the size of the building.
  - 1.3.2 Encouraging the retention of existing vegetation where appropriate, especially established trees and native vegetation.
  - 1.3.3 Ensuring the effects of developments are internalised to the site and do not detract from the amenities of neighbouring sites and roads.
- 1.4 To encourage a mix of housing types and sizes with variety in the number of bedrooms, that will support a flexible and sustainable reuse in the future, while recognising that the zoning anticipates large scale buildings and multi-unit developments in some areas capable of containing a wide mix of types and sizes.
- 1.5 To discourage the encroachment of large visitor accommodation developments into residential neighbourhoods.

## Objective 2 – Multi-Unit Developments

Multi-unit developments that are designed to a high standard, integrate well with their neighbourhood and streetscape, are located where they are supported by physical and social infrastructure, and any adverse effects on amenity values are avoided or mitigated where possible.

### **Policies**

- 2.1 To ensure multi-unit developments are located within easy walking distance and promote safe pedestrian access, to all of the following:
- 2.1.1 Existing or proposed shops offering a range of convenience goods and services.
  - 2.1.2 An existing or programmed public transport service.
  - 2.1.3 A substantial public reserve (or reserves) that provide a range of recreational opportunities.
- 2.2 To ensure that multi-unit developments are located in areas served by all of the following:
- 2.2.1 Roads capable of handling increased traffic.
  - 2.2.2 Road frontage or nearby kerb-side areas having adequate visitor parking spaces.
  - 2.2.3 Community facilities.
  - 2.2.4 Essential public services such as water supply, wastewater and stormwater management, and refuse collection.
- 2.3 To ensure multi-unit developments are designed to achieve all of the following:
- 2.3.1 Effectively incorporate existing significant vegetation and landforms.
  - 2.3.2 Effectively cater for traffic, parking and servicing.
  - 2.3.3 Mitigate any reverse sensitivity effects arising from the proximity of non-residential activities in the vicinity.
  - 2.3.4 Incorporate suitable crime prevention through environmental design techniques in their layout and methods of access.
- 2.4 To ensure multi-unit developments are located on sites that:

- 2.4.1 Enable units to face or relate well to public streets.
- 2.4.2 Relate to nearby properties and public areas in ways that facilitate the integration of the development into the neighbourhood.

2.5 To encourage multi-unit developments to be designed and built for occupancy by local residents and to encourage flexibility within multi-unit developments built for visitor accommodation so that they may readily be used for residential housing in the future, if so needed.

### Objective 3 : Vitality of Town Centres

To maintain and enhance the vitality and vibrancy of the town centres as places where visitors and residents intermingle.

#### Policies

- 3.1 To provide for high density residential living and visitor accommodation in the high density zone, near the town centres with good linkages to the town centres.

#### Explanation and reasons for adoption

By providing the opportunity for high density accommodation to locate near the town centres in suitable high density zones, the vibrancy of the town centres will be enhanced. It is desirable to have residents and visitors within walking distance of the town centres to offer convenience to residents and visitors and to promote the strength and vitality of the town centres.

#### Implementation Methods

##### i District Plan

- (a) By the use of Sub-Zones and Commercial Precinct overlays to identify land having particular character, location and/or topography, amenity and environmental values, within which appropriate development opportunities can be approved.

- (b) District Plan Rules

##### ii Other methods

- (a) Bylaws
- (b) Urban Design Panels
- (c) Urban design guidelines

## 7.2 Queenstown Residential And Visitor Accommodation Areas Sunshine Bay-Fernhill, Queenstown Bay, Frankton Road, Frankton and Kelvin Peninsula

### 7.2.1 Resources, Activities and Values

Queenstown comprises Sunshine Bay-Fernhill, Queenstown Bay, Frankton Road, Frankton and Kelvin Peninsula. These areas contain almost half the District's population and the greater portion of its housing. The residential areas of Queenstown are characterised by lower density development which allows outstanding views of Lake Wakatipu and the mountains. Access to these views is a result of the natural topography and the development standards that have been applied. The greater part of the residential area is suburban in scale and of a generally low density and the policies in the Plan reinforce that position. Part of the residential area is zoned for higher density development in appropriate locations to provide for and encourage visitor accommodation activities and high density residential development.

#### High Density Residential Areas



Until recently these areas were characterised by a high density of single unit dwellings, interspersed with two or three level multi-unit developments predominantly serving the visitor accommodation market. Lot sizes were historically based on the early tent settlements and underlying subdivision patterns reflect this with small lot sizes.

Redevelopments in the High Density Residential Zone are having a significant impact on the character, scale and density of the environment. These changes flow from the desirability of efficiently using the land resource to provide for visitor accommodation and high density residential development. Controls are required to ensure that the changes which are occurring will result in residential neighbourhoods and visitor accommodation clusters that protect and enhance the amenity of both. Increasingly multi-unit developments are starting to dominate with maximum density being achieved by combining lots, major earthworks and the creation of large bulky buildings on more than four levels. Although the Zone is capable of absorbing some development of this size, it is not appropriate for every lot.

The Council recognises that there is a need to provide for high density accommodation to ensure suitable housing for residents and accommodation for visitors close to Queenstown and Frankton and adjacent to transport routes. The high density zone is intended to fulfil this function. The purpose of the zone is to enable this type of high density development to occur sustainably and in a manner which does not adversely affect activities in adjacent zones.

Different areas within the High Density Residential Zone have different characteristics in relation to location, topography, and existing character and density of built form. Much of the High Density Residential Zone is a zone of change where a significant change is anticipated as development takes place. The extent and nature of anticipated change varies in accordance with those differing characteristics. Therefore those differing characteristics are a starting point in determining the anticipated extent of change.

### 7.2.2 Issues

The District wide residential issues impact on, and are relevant to, residential activity and amenity in Queenstown. In addition, a number of local issues exist:

- i Protection of the predominantly low density residential environment in the Low Density Residential zone.
- ii Provision for visitor accommodation.
- iii The loss of amenity values as experienced from public spaces and neighbouring properties as a result of large scale developments.
- iv The potential loss of public access to the lakeshore resulting from development adjacent to the lake.
- v The potential adverse effects that non-residential activities may have on residential activities through increased traffic and noise and decreased visual amenity.
- vi Opportunities for increasing the sizes and mix of units within residential and visitor accommodation to provide for a variety of living environments and for flexible future re-use.
- vii Opportunities for improved sunlight admission.
- viii Minimise the impact of the State Highway and the airport on adjoining and surrounding residential areas.
- ix Access to Frankton Road for new development.
- x The need to acknowledge that settlement is a part of the landscape.
- xi Protection of airport operations ~~from noise sensitive activities~~ from any Activity Sensitive to Aircraft Noise within the Outer Control Boundary and Air Noise Boundary.
- xii Provision for a range of densities of development reflecting the existing character, location, topography and development potential characteristics of the different areas of the High Density Residential Zone.
- xiii Protection and enhancement of amenity values appropriate to the different zones and different areas within the High Density Residential Zone.

### 7.2.3 Objectives and Policies - Queenstown Residential and Visitor Accommodation Areas

#### Objectives –

1. ***Residential and visitor accommodation development of a scale, density and character, within sub zones which are separately identifiable by such characteristics such as location, topography, geology, access, sunlight or views.***
2. ***Residential development organised around neighbourhoods separate from areas of predominately visitor accommodation development. Provision for new consolidated residential areas at identified locations.***
3. ***Consolidation of high density accommodation development in appropriate areas.***
4. ***To recognise and provide for the non residential character of the Commercial Precinct overlay which is distinct from other parts of the High Density Residential Zone.***
5. ***To protect the Airport from reverse sensitivity effects of Activities Sensitive to Aircraft Noise.***

#### Policies:

- 1 To protect the character and amenity of the residential environments by limiting the peripheral expansion of the residential areas and promoting consolidation of the residential community with the retention of easy access to the rural area and lakeshore.
- 2 To resist any peripheral extension of zoned residential areas which would undermine clear distinctions between the residential and rural areas and result in dispersed and uncoordinated residential growth patterns.
- 3 To enhance the general character of established residential environments in terms of density, height, access to sunlight, privacy and views.
- 4 To provide for higher density residential activity around the town centres and in new areas of residential development.
- 5 To encourage additional consolidated residential activity in the District.
- 6 To provide for a residential environment which allows a range of housing types, including care for the elderly and dependent relatives.
- 7 To provide for non-residential activities in residential areas providing they meet residential amenity standards and do not disrupt residential cohesion.
- 8 To ensure the scale and extent of any new Visitor Accommodation in residential areas does not compromise residential amenity values by adversely affecting or altering existing neighbourhood character.
9. To recognise and promote the particular role of health care and community activities in meeting the social needs of the local community.
10. To reinforce the character development within the Commercial Precinct Overlay through a greater emphasis on the quality and standard of non-residential building form, while recognising that this may be of a character and scale distinct from other areas of the High Density Residential Zone.
11. *To require as necessary mechanical ventilation of any Critical Listening Environments within any new and alterations and additions to existing buildings that contain an Activity Sensitive to Aircraft Noise on sites within the Outer Control Boundary and require sound insulation and mechanical ventilation for any Critical Listening Environment within any new and alterations and additions to existing buildings containing Activity Sensitive to Aircraft Noise within the Air Noise Boundary, to achieve an Indoor Design Sound Level of 40 dB Ldn, based on the 2037 Noise Contours.*

## Implementation Methods

The objectives and associated policies will be implemented through:

### i District Plan

- (a) Zone to enable a range of residential and visitor accommodation and non residential activity areas clearly delineated by zone and subzone boundaries and the commercial precinct overlay.
- (b) Rules to require mechanical ventilation of any Critical Listening Environments within new and alterations and additions to existing buildings that contain an Activity Sensitive to Aircraft Noise on land sites within the Outer Control Boundary to achieve an Indoor Design Sound Level of 40 dB Ldn, based on the 2037 Noise Contours.
- (c) Rules to require sound insulation and mechanical ventilation of any Critical Listening Environments within new and alterations and additions to existing buildings that contain an Activity Sensitive to Aircraft Noise on land sites within the Air Noise Boundary to achieve an Indoor Design Sound Level of 40 dB Ldn, based on the 2037 Noise Contours.
- (d) A requirement within the Aerodrome Designation for Queenstown Airport Corporation Limited to prepare and implement a Noise Management Plan in consultation with affected property owners for existing buildings within the 2037 60 dB Noise Contour.

### Explanation and Principal Reasons for Adoption

The policies reinforce the District wide objectives for residential activity of consolidation and enhancement of residential amenity values. In addition, the policies seek to maintain the general character of the majority of the existing residential environment which will provide a degree of certainty and security for residents by limiting changes to the scale, density and type of activity in the residential areas. This policy recognises the importance of the living environment to the social well being of the District's residents. The policies

promote and enable high density development in appropriate locations. The policy relating to sound insulation and mechanical ~~insulation ventilation~~ from the noise effects of aircraft using Queenstown Airport seeks to manage the adverse effects on the health and well-being of the residential community around the Airport as far as practicable.

The Council has made provision for an increase in residential zoning in the Queenstown-Wakatipu Basin. The areas identified have been chosen because they are well situated to ensure growth takes place in a manner and location which enhances the District's natural and physical resources and amenity values.

**Refer 7.5.4**

### 7.2.4 Environmental Results Anticipated

Implementation of the policies and methods for management relating to the established residential areas will result in:

- i Maintenance of the general character and scale of existing residential areas with sites being dominated by open space rather than buildings, providing the opportunity for tree and garden planting around buildings.
- ii Existing residential activity characterised by low building coverage and building height, but with opportunity for variety in building design and style.
- iii Maintenance of a residential environment which is pleasant with a high level of on-site amenity in terms of good access to sunlight, daylight and privacy.
- iv Maintenance of the opportunities for views consistent with the erection of low density, low height buildings.
- v The exclusion or mitigation of activities which cause adverse environmental effects, such as excessive noise, glare, odour, visual distraction, traffic and on-street parking congestion, traffic safety and other hazards.

- vi Residential coherence except in circumstances of established non-residential uses or where a local need prevails for non-residential activities ancillary to the surrounding residential environment.
- vii Maintenance of water quality and availability for residential and other activities.
- viii New residential areas providing for higher density living environments with good integration of open space, aspect, circulation and regard for energy efficiency and convenience to facilities.
- ix Protection of the major visitor accommodation activities consistent with their significant value to the social and economic well being of the district and New Zealand.
- x The provision of high density development adjacent to Queenstown Town Centre.
- xi Achieving an appropriate balance between retention of existing character and providing for new development in areas of change.

## 7.3 Wanaka Residential Areas

### 7.3.1 Resources, Activities and Values

Wanaka is the second largest residential area in the District. The town provides an attractive environment for both permanent and holiday residents generally maintaining a low density residential environment. There is some high density development provided for. There is little intrusion of non-residential activity in the main residential areas and residential development has generally occurred at a low density reflecting the preferred lifestyle of the residents and holiday home owners. The purpose of the policies in the Plan is to enhance that position.

#### High Density Residential Areas

Until recently these areas were characterised by a historical density of single unit dwellings. Lot sizes were historically based on subdivision for residential

purposes and underlying subdivision patterns reflected this with small lot sizes.

Redevelopments in the high density residential zone are having a significant impact on the character, scale and density of the environment. These changes flow from the desirability of efficiently using the land resource to provide for visitor accommodation and high density residential development. Controls are required to ensure that the changes which are occurring will result in residential neighbourhoods and visitor accommodation clusters that protect and enhance the amenity values of both.

### 7.3.2 Issues

The District wide residential issues impact on and are relevant to residential activity and amenity in Wanaka residential areas. In addition, a number of local issues exist:

- i Protection of the surrounding rural landscape from inappropriate development.
- ii The need for rural living opportunities in close proximity of or abutting the town.
- iii Retention of low density residential development.
- iv Noise control.
- v Opportunities for peripheral expansion.
- vi The potential adverse effects that inappropriate development can have on the lakeshore.
- vii Tree planting can lead to the shading of neighbouring sites.

### 7.3.3 Objectives and Policies - Wanaka Residential and Visitor Accommodation Areas

#### Objectives:

1. *Residential and visitor accommodation development of a scale, density and character within sub zones that are separately identifiable by such characteristics as location, topology, geology, access, sunlight or views.*

2. ***Low density rural living development in identified locations in close proximity to Wanaka.***
3. ***Retention of the general character of the residential environments in terms of density, building height, access to sunlight, privacy and views.***
4. ***To provide for the expansion of the Catholic School in Wanaka within the thresholds of the Low Density Residential Zone.***

## **Policies:**

- 1 *To provide for some peripheral expansion of the existing residential areas of the towns in a manner that retains the consolidated form of the towns.*
- 2 *To provide for rural living opportunities as part of the Wanaka environs.*
- 3 *To provide limited opportunity for higher density residential development close to the Wanaka town centre.*
- 4 *Residential development organised around neighbourhoods separate from areas of predominately visitor accommodation development.*
- 5 *Avoid the planting and locating of inappropriate tree species so as to reduce the impact of excessive shading and loss of vistas.*
- 6 *To provide for the expansion of the Catholic School over time as the number of pupils increase, within the framework of the Low Density Residential zone.*
- 7 *To ensure that safe road and pedestrian access is provided to the school from the Kirimoko Block and to surrounding neighbourhoods.*

## **Implementation Methods**

The objectives and associated policies will be implemented through:

## **i District Plan**

- (a) To enable a range of residential and visitor accommodation areas clearly delineated by zone and sub zone boundaries.
- (b) To limit the highest density developments to the narrow strip of land fronting Lakeside Road up to Beacon Point Road.

## **ii Other Methods**

- (a) Review of the Outline Development Plan for Peninsula Bay by the Urban Design Panel.
- (b) A public open day to review the Outline Development Plan for Peninsula Bay.

## **Explanation and Principal Reasons for Adoption**

The Wanaka residential area contains a different character to Queenstown both as a result of different development pressures and community aspirations. The objectives and policies are directed at promoting and protecting the current general form and density of development and to enhance the residential areas by way of greater care for the relationship of the residential areas to the surrounding rural and lakeshore environments. In all respects the policies seek to promote consolidation of the residential areas with some provision for peripheral expansion as well as areas of rural residential development. This will provide for a range of lifestyles while avoiding any adverse effects on the important surrounding visual amenity of the topography, lakes and rivers.

The growth opportunities identified at Wanaka are provided for in a form and location that will consolidate the urban area of town and accommodate anticipated residential growth.

## **7.3.4 Environmental Results Anticipated**

***Refer Clause 7.2.4.***

## 7.4 Arrowtown Residential Areas

### 7.4.1 Resources, Activities and Values

Arrowtown is an important residential area in the District. Over the last decade and principally through the operation of specific planning controls, the historic character of the central part of the residential area has been retained and enhanced.

The residential area of Arrowtown falls into two distinct areas:

- i the historic inner area of the town;
- ii the surrounding residential development.

The balance of surrounding residential area forms part of the District's low density residential resource and does not contain the heritage or character elements that make up the central residential area.

The central area covers that part of the residential area of Arrowtown which has a distinctive character and atmosphere which has evolved from the pattern set at the time of early gold mining in the District. This the character and atmosphere depends upon the relationship developed between generally large sites established at the time of original subdivision, the small individual residential buildings erected during the development of the town and the wide road reserves with narrow sealed carriageways. This relationship has created a situation in which wide grass verges with surface drainage and mature street trees combine with the variety of mature trees and shrubs on the private land to produce the amenity values that have become associated with Arrowtown.

Buildings in the historic area are of such importance to its character that specific controls are necessary to protect the present development and to encourage future development to reflect the historic, aesthetic and amenity characteristics and values of the existing development. In most parts of this area, these buildings combine with the avenues of street trees and proximity to the historic town centre to provide a significant physical and natural resource of considerable interest and value to residents and visitors.

### 7.4.2 Issue

**Loss of the essential character of the Arrowtown historic residential area through inappropriate development.**

The essential character of Arrowtown is important because it provides a unique natural and physical resource for its residents. It is a source of identity for the town and a physical resource which can be sustainably managed as an attraction to visitors who contribute to the general welfare of the community.

The essential character is contributed to by a roading and subdivision pattern set out at the time of the establishment of the town. The essential character is determined by lot size, scale of buildings in relation to lot size and streetscape, a building resource containing structures of historic importance and a streetscape with a remarkably consistent pattern throughout the area originally laid out for the town.

Inappropriate development would generally detract from and undermine this character and the amenity values of Arrowtown.

### 7.4.3 Objectives and Policies - Residential Arrowtown Historic Management Zone

#### Objectives:

1. ***Development undertaken in the historic residential area to retain or enhance the present character and avoid any adverse effects on the amenity values of the area.***
2. ***Residential development characterised by low density and low height.***
3. ***Consolidation of the residential area of the town.***

#### Policies:

- 1 *To establish a Residential Historic Management Zone around the historic town centre of Arrowtown in which particular controls are applied to conserve the residential heritage and building character.*
- 2 *To control the subdivision of land in such a way that the character resulting from the existing large lot sizes in the residential area is retained.*
- 3 *To control the form and location of buildings in such a way that the character resulting from the existing scale of development is retained or enhanced.*
- 4 *To identify and protect buildings or groups of buildings of particular architectural, historic or cultural value.*

**Refer also Part 13**

- 5 *To protect and retain the historic roading patterns in such a way that they will continue to serve the changing needs of the community.*
- 6 *To identify and protect those elements contributing to the character of the streetscape.*

**Refer also Part 13**

- 7 *To control the external appearance of buildings in such a way that the buildings do not detract from the character of the Residential Historic Management Zone.*
- 8 *To limit the expansion of the residential area outside of the identified zone boundaries.*

**Implementation Methods**

The Objectives and associated Policies will be implemented through a number of methods including:

**i District Plan**

- (a) District Plan rules to ensure:
  - (i) lot sizes sufficient to provide for low site coverage;
  - (ii) using existing buildings to determine street setbacks;
  - (iii) limiting multi-unit development;
  - (iv) reduced site coverage;
  - (v) strict control on building heights;
  - (vi) identification and protection of groups of buildings;
  - (vii) protection of the historic roading pattern and street trees;
  - (viii) new buildings constructed in a manner sympathetic in scale, materials and finishes to their surroundings and all existing buildings managed or altered in a manner similar in material and finishes to its original style.

**ii Other Methods**

- (a) Preparation of an information guide to explain the importance of features covered by the protection list.
- (b) Ongoing maintenance and reconditioning of the sumps and channels associated with the open swale stormwater drainage system.

**Explanation and Principal Reasons for Adoption**

Arrowtown provides a unique built heritage resource with outstanding visual amenities. The policies are directed at protecting, enhancing and sustaining that resource and those amenity values. The special amenity of Arrowtown creates a distinctive precinct which contributes to the sense of identity and historical continuity of the locality and the District. It contributes a significant number of heritage features which provide a coherence, diversity and historic value that is worthy of protection and enhancement.

Site coverage is an important factor in establishing the character of the area as a whole. With existing site coverage for the main buildings averaging 17% within a range from 7% to 31%, the site for an average building of 100m<sup>2</sup> should be in the order of 600m<sup>2</sup>, with an overall coverage including accessory buildings and sealed surfaces of 30%.

Multi-unit dwellings are not characteristic of the area and any attempt to provide for multi-unit dwellings, in a way which increases density of development without subdivision, will undermine the character of the area by creating de facto subdivisions by way of unit or cross lease title.

For existing lots with existing buildings, the main structure, not accessory buildings, will provide the dimension of the front yard. This will have the beneficial effect of allowing the existing relationship between the buildings and the street frontage to be the norm and thus retain the character created by that relationship. A standard front yard requirement would result in that yard eventually becoming the pattern, which would completely destroy the character associated with the area. The range within the front yard average of 9m is from 2.5m to 18.25m determined through detailed analysis of the existing sites. An examination of corner sites indicates that the typical setback used in past development applied to one street frontage only. Sufficient variation will result by applying front yard requirements to one frontage only. As a result, development will continue to provide the same type of random setback which is characteristic of the present development.

The height of buildings will be controlled to achieve a scale that conforms to the general character established by the historic development of the town. In the historic area the character is determined by the predominance of single storey buildings with a few buildings, both old and relatively new, of two storeys. Allowing for steeply pitched roofs buildings should be restricted to a maximum of two effective storeys.

The preparation of an information guide suitable to explain the importance of features covered by the protection list for the maintenance and conservation of these unique and special features. This is an important aspect of any conservation plan which is in part dependent upon the goodwill of the owners. Some of the rules which apply to development in this area are intended to make the conservation and continued use of these buildings and sites easier for the owner. It is important that correct advice and assistance be given to the owners in exchange for the restriction the community has suggested.

An essential element of the character of the area is provided by the streets. It is important for visitors that these present a clear and easily read pattern. Much of this can be provided by clear signage and design. The major streets

should also be distinguished from local roads and appropriate works programmes implemented to achieve this objective.

Provision for the conservation and maintenance of street trees by a qualified arborist shall be made, with a commitment to replacement planting and new planting in character with existing street planting within the town.

Both of the above matters will provide an assurance to the community that the special constraints on development in the Arrowtown Historic Management Areas (residential and town centre) will be matched by a commitment of the Council to retain and maintain the street pattern essential to the special character of the area.

The development and redevelopment of buildings must be treated with care. Superficial imitation of genuine historic features can lead to confusion between old and the new, with little advantage to either. It is important that the general character of the area be protected by all buildings being maintained or altered in a way sympathetic to their original construction and materials. This is especially important with listed buildings which should be subject to special protection and assistance in the form of guidance and advice. It is more important that new buildings reflect the scale and character of the Arrowtown Historic Management Area, rather than imitate a particular age and style of building.

## 7.4.4 Environmental Results Anticipated

Implementation of the policies and methods for management relating to the Arrowtown historic residential area will result in:

- i The conservation of an historical resource which is of special amenity value for the District and the country.
- ii A reasonable standard of privacy and amenity for residents of the zone.
- iii New development and redevelopment which enhances the character of the zone.
- iv Retention and enhancement of the characteristics of openness, small scale and low density.



- v Retention of the visual amenity of the area within the zone, particularly the relationship in terms of scale and location between buildings and vegetation.
- vi Retention of the historic roading pattern and in particular characteristics which contribute to the streetscape.
- vii The exclusion of activities which do not contribute to or promote the historic residential character of the zone.

## 7.5 Low Density and High Density Residential Zone Rules

### 7.5.1 Zone Purposes

#### 7.5.1.1 Low Density Residential Zone

The purpose of the zone is to provide for low density permanent living accommodation, maintaining a dominance of open space and low building coverage. The zone seeks to maintain and enhance the low density residential areas with ample open space, low rise development and minimal adverse effects experienced by residents. Special amenity provisions remain in respect of the form, style and appearance of development on the terrace face along McDonnell Road at Arrowtown, being the Arrowtown Scenic Protection Area identified as part of the Zone.

Other activities are permitted in the zone provided they meet environmental standards which keep the activities compatible with residential activity and amenity. A number of established activities, mainly visitor accommodation facilities, have been scheduled to ensure full protection of these activities acknowledging their contribution to the local economy.

#### 7.5.1.2 High Density Residential Zone

The purpose of the zone is to make provision for the continuation and establishment of higher density residential and visitor accommodation activities in recognition of these areas proximity to the town centres, entertainment, shopping facilities and the transport routes which provide a link to attractions elsewhere in the District.

Visitor accommodation has been acknowledged in the zone to protect those activities and the important contribution they make to the economic and social well being of the community. Residential units, intended to provide a more permanent living environment for local residents who desire a more urban setting or who cannot afford nearby low density housing, are no less important as they provide for the local work force and contribute to the life of the community.

Other non-residential activities, compatible with high density residential and visitor accommodation activities are permitted in the zone provided they meet the site and zone standards and have primary regard for residential amenities affecting the local community.

### 7.5.2 District Rules

Attention is drawn to the following District Wide Rules which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- i Heritage Protection - **Refer Part 13**
- ii Transport - **Refer Part 14**
- iii Subdivision, Development and Financial Contributions - **Refer Part 15**
- iv Hazardous Substances - **Refer Part 16**
- v Utilities - **Refer Part 17**
- vi Signs - **Refer Part 18**
- vii Relocated Buildings and Temporary Activities - **Refer Part 19**

### 7.5.3 Activities

#### 7.5.3.1 Permitted Activities

Any Activity which complies with all the relevant **Site** and **Zone** Standards and is not listed as a **Controlled, Restricted Discretionary, Discretionary, Non-Complying or Prohibited** Activity, shall be a **Permitted Activity**.

#### 7.5.3.2 Controlled Activities

The following shall be **Controlled Activities** provided that they are not listed as a **Prohibited, Non-Complying Restricted Discretionary or Discretionary Activity** and they comply with all the relevant **Site** and **Zone** Standards. The matters in respect of which the Council has reserved control are listed with each **Controlled Activity**.

**i Garages in the low density residential zone**

Garages within the minimum setback from road boundaries in the Low Density Residential Zone, in respect of the location, external appearance, height, materials, landscaping, screening and vehicle access.

**ii Visitor Accommodation in the High Density Residential Zone and the Low Density Visitor Accommodation Sub-Zone**

In respect of:

- (a) The location, external appearance and design of buildings;
- (b) The location, nature and scale of activities on site;
- (c) The location of parking and buses and access;
- (d) Noise, and
- (e) Hours of operation.

**iii Buildings for**

- (a) non-residential activities; and
- (b) Commercial Recreation Activities, Community Activities, Health Care Facilities, and Retail Sales ancillary to any Commercial Recreation Activity, Community Activity or Health Care Facility, within a Commercial Precinct;

In respect of the matters listed in Assessment Matter 7.7.2 (iii)

**iv Buildings on Lot 1 DP 15037 and Sections 10,11 and 18 BLK VIII Town of Queenstown**

In respect of external appearance and design of such buildings, generally in respect of Assessment Matter 7.7.2 xiii Urban Design Protocol

**7.5.3.3 Restricted Discretionary Activities**

The following shall be **Restricted Discretionary Activities** provided that they are not listed as a **Prohibited, Non-Complying or Discretionary Activity** and they comply with all the relevant **Zone** standards. The matters in respect of which the Council has reserved control are listed with each **Restricted Discretionary Activity**.

**i Multi-Unit Developments**

The construction of, alteration to, or addition to any building(s) on any site in the High Density Residential Sub-Zones where the result will exceed three units shall be a Restricted Discretionary Activity in respect of Assessment Matter 7.7.2 (iv).

Except that this rule shall only apply to Lot 1 DP15037 and Sections 10,11 and 18 BLK VIII Town of Queenstown and within Subzone B1 in respect of external alterations.

**ii Building Footprint**

The construction of, alteration to, or addition to any building in the High Density Residential Sub-Zones that exceeds the maximum building footprint sizes specified in Table 7.1 shall be a Restricted Discretionary Activity in respect of Assessment Matter 7.7.2 (v).

**Table 7.1**

Sub-zone	Maximum Building Footprint
High Density Residential Sub-Zone A	500m <sup>2</sup>
High Density Residential Sub-Zone B	400m <sup>2</sup>
High Density Residential Sub-Zone C	300m <sup>2</sup>

Except:

- (a) that this rule does not apply to underground structures which are not visible from the ground level;
- (b) that this rule shall not apply to Lot 1 DP15037 and Sections 10,11 and 18 BLK VIII Town of Queenstown;

- (c) That where buildings are located on land contained in, or formerly contained in, Lot 1 DP 12665 the building footprint requirements will apply only to the extent that the proposed building footprint exceeds the building footprint shown on the approved plans under RM040624 dated 13 May 2005 and RM081099 dated 29 April 2009, whether or not these consents have lapsed.
- (d) that this rule does not apply to buildings on land contained in, or formerly contained in, Lots 1 and 2 DP 306661, and Lot 2 DP27703 (being a portion of the commercial precinct overlay on Brecon St, Queenstown).

### iii Outline Development Master Plan – Peninsula Bay

Within the Low Density Residential Zone at Peninsula Bay, the Outline Development Plan of the Low Density Residential Zone and the adjacent open space zone lodged with the Council pursuant to Rule 7.5.5. 3(xiv), in respect of:

- (a) Roading pattern, including access to and car parking for the use of the adjacent open space zone;
- (b) Indicative subdivision design and configuration, including allotment size;
- (c) Proposed landscaping within any road reserve;
- (d) Pedestrian linkages through the subdivision, and their relationship to the adjacent Open Space Zone, the margin of Lake Wanaka and adjacent residential land;
- (e) Location of easements for public access purposes throughout the Open Space Zone, and their relationship to the pedestrian linkages and roading access within the Low Density Residential Zone;
- (f) The location, height and visibility of future dwellings when viewed from the lake to the north of the site, particularly within the north-western corner of the zone.

An application for a resource consent for the Outline Development Plan must be accompanied by:

- A statement from the Wanaka Urban Design Panel evaluating the application;
- A statement recording the outcomes of a public open day, including notification, attendance, comments made and ways in which these have been incorporated into the Outline Development Master Plan.

### iv Height and Elevation Restrictions along Frankton Road

The intrusion of a single building element on the south side of Frankton Road (SH6A) in the High Density Residential Sub-Zone A of no more than one story in height above the centreline of Frankton Road and limited to a length parallel to the road of not more than 10% of the length of the road frontage (to a maximum of 16 metres), used solely for access, reception and lobby uses related to the predominant use of the site shall be a Restricted Discretionary Activity in respect of Assessment Matter 7.7.2 xiii Urban Design Protocol

This rule applies to those properties from Cecil Road (Paper Road) to, and including, Lot 1 DP 12665.

### v Buildings on Lots 1 and 2 DP 306661, and Lot 2 DP27703 (being a portion of the commercial precinct overlay on Brecon St, Queenstown) for

- (a) non-residential activities; and
  - (b) Commercial Recreation Activities, Community Activities, Health Care Facilities, and Retail Sales ancillary to any Commercial Recreation Activity, Community Activity or Health Care Facility,
- in respect of Assessment Matter 7.7.2 (iii)(a),(b),(d), and (e) but not (c).

### 7.5.3.4 Discretionary Activities

The following shall be **Discretionary Activities** provided they are not listed as a **Prohibited or Non-Complying** Activity and they comply with all the relevant **Zone** Standards:

**i Visitor accommodation in the low density residential zone, excluding the visitor accommodation sub-zone, in respect of:**

- (a) The location, external appearance and design of buildings;
- (b) The location, nature and scale of activities on site;
- (c) The location of parking and buses and access;
- (d) Noise, and
- (e) Hours of operation

**ii The sale of liquor from visitor accommodation.**

Note: For the purposes of this Rule, the definitions of visitor accommodation and hotel do not include the sale of liquor.

**iii Retail Sales, except for Retail Sales ancillary to any Commercial Recreation Activity, Community Activity or Health Care Facility, within a Commercial Precinct.**

**iv Commercial Recreation Activities except within a Commercial Precinct.**

**v Comprehensive Residential Developments located in the Low Density Residential Zone.**

**vi Any Activity which is not listed as a Non-Complying Activity or Prohibited Activity and which complies with all the Zone Standards but does not comply with one or more of the Site Standards shall be a Discretionary Activity with the exercise of the Council's discretion being confined to the matter(s) specified in the standard(s) not complied with.**

### 7.5.3.5 Non-Complying Activities

The following shall be **Non-Complying Activities**, provided that they are not listed as a **Prohibited Activity**:

- i Factory Farming**
- ii Forestry Activities**
- iii Mining Activities**
- iv Airports**

Airports **other than** the use of land and water for emergency landings, rescues and fire fighting.

Any activity which is not listed as a **Prohibited Activity** and which does not comply with one or more of the relevant **Zone** standards, shall be a **Non-Complying Activity**.

### 7.5.3.6 Prohibited Activities

The following shall be **Prohibited Activities**:

**i Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building, fish or meat processing, or any activity requiring an Offensive Trade Licence under the Health Act 1956.**

**ii It is a prohibited activity in the Wanaka Residential Zone to plant the following trees:**

- (a) Pinus radiata
- (b) Pinus muricata
- (c) Pinus contorta
- (d) Pinus ponderosa
- (e) Pinus sylvstris
- (f) Pinus nigra
- (g) Douglas Fir
- (h) All Eucalyptus varieties

### 7.5.4 Non-Notification of Applications

Any application for a resource consent for the following matters may be considered without the need to obtain a written approval of affected persons and need not be notified in accordance with Section 95A and 95B of the Act, unless the Council considers special circumstances exist in relation to any such application:

- i All applications for Controlled Activities.**

- ii All applications for the exercise of the Council's discretion in respect of the following Restricted Discretionary Activities:
  - (a) Outline Development Master Plan for Peninsula Bay
  - (b) Multi-Unit Developments as per rule 7.5.3.3.
- iii Applications for the exercise of the Council's discretion in respect of the following **Site** Standards:
  - (a) Access;
  - (b) Outdoor Living Space;
  - (c) Flood Risk.
- iv Earthworks – except for earthworks involving special circumstances such as blasting, presence of substantial groundwater (including but not limited to the Wanaka Basin Cardrona Gravel Aquifer as shown in Appendix A4- Interpretative Diagrams, Diagram 11) or earthworks located within any required building setback from an internal or road boundary.
- v Applications made pursuant to rules 7.5.3.3(i) (Multi-Unit Developments) and 7.5.5.2(xvi) (Landscape Coverage) in relation to Lot 1 DP15037 and Sections 10,11 and 18 BLK VIII Town of Queenstown.
- vi Applications made pursuant to rule 7.5.5.2(iii) (Setback from Roads) in relation to Lot 1 DP15037 and Sections 10,11 and 18 BLK VIII Town of Queenstown except that the Council as owner of Beach Street, Shotover Street and Hay Street may be notified as an affected party.
- vii Applications in relation to land contained in, or formerly contained in, Section 6-9 Block XLI Town of Queenstown and Lot 2 DP15118 (commonly known as 53-65 Frankton Road) made pursuant to rules 7.5.3.3 ii Building Footprint; 7.5.5.2 i Building Coverage; 7.5.5.2 iii Setback from Roads; 7.5.5.2 iv(d) Setback from Internal Boundaries; 7.5.5.2 vii Continuous Building Length, and 7.5.5.2 xvii Landscape Coverage, provided that the application is accompanied by a report from the Council's Urban Design Panel supporting the application in respect to breaches of these rules.
- viii Applications in relation to land contained in, or formerly contained in Lot 1 DP12665 (commonly known as 595 Frankton Road) made pursuant to rules 7.5.3.3 ii Building Footprint; 7.5.3.3 (iv) Height and Elevation Restrictions along Frankton Road (intrusion of a single building element); 7.5.5.2 iv(d) Setback from Internal Boundaries; 7.5.5.2 vii Continuous Building Length, and 7.5.5.2 xvii Landscape Coverage, provided that the application is accompanied by a report from the Council's Urban Design Panel supporting the application in respect to breaches of the relevant rule, except that the owners of any adjoining properties may be serviced with a copy of any resource consent application pursuant to Section 94(1) of the Act. When forming an opinion as to whether an adjoining residential property owner may be adversely affected by the activity for the purpose of Section 94(1) the consent authority may disregard adverse effects of the activity if those effects are permitted by the development consented under RM040624 dated 13 May 2005 and RM081099 dated 29 April 2009 whether or not these consents have lapsed.
- ix Applications for land contained in Lot 3 DP 25998 and Section 2 Block XLII Town of Wanaka made pursuant to rules 7.5.3.3 ii Building Footprint and 7.5.5.2.iv(d) Setback from Internal Boundaries except that the owners of Lot 3 DP 347224 may be served with a copy of any such application pursuant to Section 94(1) of the Act.
- x Applications made pursuant to rules 7.5.3.3(ii): Building Footprint; 7.5.5.2(iv)(d): Setback from Internal Boundaries; 7.5.5.2(vii): Continuous Building Length; 7.5.5.2(xvii): Landscape Coverage in relation to:
  - (a) land contained in, or formerly contained in, Lots 29 - 33 DP 7671 provided that the application is accompanied by a report from the Council's Urban Design Panel supporting the application in respect to breaches of these rules, except that the Council as owner of Section 129 Block XX Shotover Survey District and Section 110 Shotover Survey District may be notified as an affected party pursuant to Section 94(1) of the Act.
  - (b) land contained in, or formerly contained in, Lot 34 DP 7671 provided that the application is accompanied by a report from the Council's Urban Design Panel supporting the application in respect to breaches of these rules, except that the Council as owner of Section 129 Block XX Shotover Survey District or the owner of Lot

27 DP 7671 may be notified as an affected party pursuant to section 94(1) of the Act.

- (c) land contained in, or formerly contained in, Lots 2 - 4 DP 7671 and Lot 1 DP 20122 provided that the application is accompanied by a report from the Council's Urban Design Panel supporting the application in respect to breaches of these rules, except that any adjoining property owner may be notified as an affected party pursuant to section 94(1) of the Act. For the avoidance of doubt an adjoining property owner does not include property owners separated by a road.
- xi Applications in relation to land contained in or formerly contained in Lots 1 and 2 DP 306661, and Lot 2 DP27703 (being a portion of the commercial precinct overlay on Brecon St, Queenstown) made pursuant to rules 7.5.3.3 (v) Buildings et al.

## 7.5.5 Standards - Residential and Visitor Accommodation Activities

### 7.5.5.1 Application of Rules to Consented Development at Time of Subdivision

The Site and Zone Standards for Building Coverage, Setback from Roads, Setback from Internal Boundaries, Continuous Building Length and Landscape Coverage shall not apply to developments where the following criteria are fulfilled:

- i land use consent for a development has been granted for a site; and
- ii subdivision consent is subsequently applied for to create separate titles for the units, building and/or buildings being part of that consented development; and
- iii the development did not require consent in respect of the issue addressed by this rule when the land use consent was considered and granted, and
- iv the granting of subdivision consent would trigger non compliance with rules enacted after the grant of the land use consent.

### 7.5.5.2 Site Standards - Residential Activities and Visitor Accommodation

#### i Building Coverage

In the High Density Residential Sub-Zones, the maximum building footprint coverage for buildings at ground level or above ground level on any site shall be in accordance with Table 7.2.

**Table 7.2**

Sub- Zone	Building Coverage
High Density Residential Sub-Zone A	65%
High Density Residential Sub-Zone B1	55% when taken as a percentage of the B1 subzone as a whole.
High Density Residential Sub-Zone B	55%
High Density Residential Sub-Zone C	45%

Except that in respect of Sub-Zone B1, Building Coverage does not include any veranda over public open space. For the purposes of this exception:

- a. "veranda" means a structure or part of a structure extending over public open space for weather protection purposes only and not for any other building or activity purpose;
- b. "public open space" means land subject to an easement or other legal instrument providing for access across and use of that land by the general public.

The exercise of Council's discretion shall be confined to those matters set out in assessment matter 7.7.2 xiii Urban Design Protocol.

This rule does not apply to underground structures which are not visible from the ground level.

Except for land contained in, or formerly contained in Lot 3 DP25998 and Section 2 Block XLII Town of Wanaka, where the maximum building coverage shall be 50%.

This rule does not apply to land contained in, or formerly contained in, Lots 1 and 2 DP 306661, and Lot 2 DP27703 (being a portion of the commercial precinct overlay on Brecon St, Queenstown).

## ii Scale and Nature of Activities

The following limitations apply to all activities; **other than** residential, farming, viticulture and wine making activities and those visitor accommodation activities which are Controlled or Discretionary Activities:

- (a) The maximum gross floor area of all buildings on the site used for any activity, other than discretionary retail, restaurant and cafe activities, and those activities listed above shall be 100m<sup>2</sup> ;
- (b) No goods, materials or equipment shall be stored outside a building; and
- (c) All manufacturing, altering, repairing, dismantling or processing of any goods or articles shall be carried out within a building.

## iii Setback from Roads

- (a) In the Low Density Residential Zone The minimum setback from road boundaries of any building, other than garages, shall be 4.5m.
- (b) In the High Density Residential Zone the minimum setback from road boundaries of any building and/or outdoor storage, shall be 4.5m as measured to buildings at ground level and/or above ground level but not to underground structures which are not visible from the ground level.
- (c) In the High Density Residential Zone, any parking located in the setback shall be screened from view from public roads.

## iv Setback from Internal Boundaries/Neighbours

- (a) **Except** as provided for below, the minimum setback from internal boundaries/neighbours for any building shall be:

### Front Site

One setback of 4.5m and all other setbacks 2m.

### Rear Sites

Two setbacks of 4.5m and all remaining setbacks to be 2m.

- (b) Exceptions to (a) minimum setbacks:

- (i) Accessory buildings for residential activities other than those used for the housing of animals may be located within the setback distances from internal boundaries, where the total length of the walls of accessory buildings within the setback does not exceed 7.5m in length and there are no windows or openings, other than for carports, along any walls within 2m of an internal boundary.

- (ii) Eaves, porches, balconies, bay or box windows, steps, chimneys and similar parts of buildings may be located within the minimum building setback as follows:

- a. eaves up to 0.6m into the setback; and
- b. balconies and bay or box windows of less than 3m in length may project into the setback by up to 0.6m. Only one such balcony or bay or box window, intrusion is permitted on each setback of each building; and
- c. porches and steps up to 0.6m into a setback; provided they measure no more than 2m parallel to the nearest internal boundary and provided that the floor level of any such porch or the top of any steps shall be no higher than 1m above ground level. Only one such porch or set of steps is permitted on each setback of each building; and
- d. chimneys may project into the setback by up to 0.6m provided that the chimney measures no more than 1.2m parallel to the nearest internal boundary. Only one chimney is permitted on each setback of each building; and
- e. no part of any balcony or window which is located within a setback shall be higher than 3m above ground level.



- (c) In the Low Density Residential Zone no setback is required from an internal boundary where buildings share a common wall on that internal boundary.
  - (d) Where two or more buildings are located on a single lot within the High Density Residential Sub Zones A, B and C, the mutual setback requirements will apply as if an internal boundary exists to separate the buildings.
    - (i) This rule shall be applied with regard to the following:
      - (a) The setback distance between buildings shall be measured at ground level and/or above ground level but shall not include underground structures which are not visible from the ground level.
      - (b) The exercise of Council's discretion shall be confined to those matters set out in assessment matter 7.7.2 (xiii) Urban Design Protocol and 7.7.2 (xviii) Setback from Internal Boundaries/ Neighbours.
    - (ii) Except:
      - (a) Where two or more buildings are located on a single lot with the High Density Residential Sub Zone B1 the mutual setback requirements will apply as if an internal boundary exists to separate the buildings but only to the extent that any two or more buildings on a lot are located other than in accordance with the master planned development consented under RM050908 and dated 28/7/2006.
      - (b) This rule shall not apply to Lot 1 DP15037 and Sections 10,11 and 18 BLK VIII Town of Queenstown.
- (c) This rule shall not apply to land contained in, or formerly contained in, Lots 1 and 2 DP 306661, and Lot 2 DP27703 (being a portion of the commercial precinct overlay on Brecon St, Queenstown).
- v Access**

Each residential and/or visitor accommodation unit shall have legal access to a formed road.
  - vi Continuous Building Length in the Low Density Residential Zone**

Where the aggregate length along one elevation of buildings measured parallel to any internal boundary or internal boundaries exceeds 16m; either:

    - (a) The entire building(s) shall be set back an additional 0.5m for every 6m of additional length or part thereof from the minimum yard setback (continuous façades) at the same distances from the boundary;

or

    - (b) That part of the building(s) which exceeds the maximum building length shall be progressively set back 0.5m for every 6m of additional length or part thereof from the minimum yard setback (varied façade(s) with stepped setbacks from the boundary).  
**Refer Appendix 4**
  - vii Continuous Building Length in the High Density Residential Zone**
    - (a) No unbroken building length shall exceed 16m. Breaks in building length shall be a minimum of 2m in depth and 4m in width for the full height of the wall and shall include a discontinuous eave line and roofline at the break.
    - (b) The aggregate length along any true elevation of a building, including breaks, shall not exceed 30m.

- (c) This rule does not apply to underground structures which are not visible from the ground level.
- (d) Provided that paragraphs (a) and (b) shall apply to a building in Subzone B1 only to the extent that the aggregate length along one elevation of buildings parallel to any internal boundary and the setbacks of all or part of any building along that internal boundary is other than in accordance with the master planned development consented under RM050908 and dated 28/7/2006.
- (e) Provided that paragraphs (a) and (b) shall apply to buildings on land contained in, or formally contained in Lot 1 DP 12665 only to the extent that the aggregate length along one elevation of buildings parallel to any internal boundary and the setbacks of all or part of any building along that internal boundary is other than in accordance with the development consented under RM040624 dated 13 May 2005 and RM081099 dated 29 April 2009, whether or not these consents have lapsed.
- (f) Except that this rule shall not apply to Lot 1 DP15037 and Sections 10,11 and 18 BLK VIII Town of Queenstown.
- (g) Provided that paragraph (b) shall not apply to any building on land contained in, or formerly contained in, Lots 1 and 2 DP 306661, and Lot 2 DP27703 (being a portion of the commercial precinct overlay on Brecon St, Queenstown).

## ***Refer Appendix 4***

### **viii Outdoor Living Space**

- (a) The minimum provision of outdoor living space for each residential unit and residential flat contained within the net area of the site within the Low Density Residential Zone shall be:  
  
36m<sup>2</sup> contained in one area with a minimum dimension of 4.5m at the ground floor level and 8m<sup>2</sup> contained in one area with a minimum dimension of 2m at any above ground floor level.

- (b) The minimum provision of outdoor living space for each residential unit and residential flat contained within the net area of the site within the High Density Residential Zone, shall be:  
  
20m<sup>2</sup> contained in one area with a minimum dimension of 3m at the ground floor level and 8m<sup>2</sup> contained in one area with a minimum dimension of 2m at any above ground floor level.
- (c) The outdoor living space shall be readily accessible from a living area.
- (d) No outdoor living space shall be occupied by any building, other than an outdoor swimming pool, or accessory building of less than 8m<sup>2</sup> gross floor area, driveway or parking space.

### **ix Non-Reflective Buildings**

All metal cladding, roofing or fences shall be painted or otherwise coated with a non-reflective finish.

### **x Arrowtown Scenic Protection Area**

In addition to any of the above requirements, residential activities located in the area of the Residential Low Density Zone at Arrowtown identified as the Arrowtown Scenic Protection Area on the District Plan Maps, shall be subject to the following additional **Site** Standards:

- (a) The angle of the roof of any building shall not exceed 40° from the horizontal.
- (b) Any external paintwork is to be completed within 2 years of the building being first used for the intended purpose.
- (c) If an excavation involves a cut of more than 1.5m in vertical height in order to provide a building platform or foundations for any dwelling, then in addition to any other requirements contained in this plan or in any other legislation:

- (i) the building platform or foundations must be designed by a registered engineer; and
- (ii) the registered engineer who designed the foundations must certify that the design is suitable for the purpose of supporting the proposed dwelling; and
- (iii) the plans, specifications and engineers certificate must be approved by the Council before any excavation is commenced; and
- (iv) all works must be carried out under the supervision of a registered engineer who shall, within seven days of the works being completed, lodge with the Council a certificate the works have been carried out in accordance with plans and specifications approved by the Court.

## **xi Flood Risk**

No building, greater than 20m<sup>2</sup> gross floor area, shall be constructed or relocated, with a ground floor level less than:

- (a) RL 312.0m above sea level (412.0m Otago Datum) at Queenstown and Frankton.
- (b) RL 281.9m above sea level (381.9m Otago Datum) at Wanaka.

## **xii Building Height (Lot 141 Block XX Shotover Survey District)**

On Lot 141 Block XX Shotover Survey District the maximum height for building shall not exceed 10 metres above ground level.

***Refer Appendix and Definition of Height and Ground Level***

## **xiii Boundary Planting (Wanaka)**

- (a) No tree or hedgerow boundary planting shall exceed 1.9 metres in height within 2 metres of the boundary, at any point of its length.

## **xiv Building Height - Lift Towers**

No lift tower within a visitor accommodation development in the High Density Residential Zone shall exceed the maximum height for buildings in this zone.

## **xv Low Density Residential Zone - Frankton Corner / Hansen Road**

The following standards shall apply to any development on Pt Sec 5 Block XXI Shotover SD, or any subdivided lot thereof, (on the northern side of State Highway 6 between Hansen Road and Frankton Cemetery - as shown on Planning Map 33):

- (a) No landscaping (including the removal of any of the existing trees as well as new planting) shall be carried out within 4 metres of the historic stone wall on the boundary of the Frankton Cemetery.
- (b) All vehicle access shall be via Hansen Road to the State Highway. There shall be no vehicle access directly onto the State Highway.
- (c) The landscaping shall:
  - (i) consist of trees and underplanting to a depth of at least 5 metres; and
  - (ii) contain trees planted at a maximum of 5 metre intervals, be specimens of at least 1.5 metres in height at the time of planting and shall be a species capable of reaching at least 3 metres in height at maturity; and
  - (iii) be irrigated, maintained and any plants or trees that die or become, diseased or damaged replaced.

## **xvi Earthworks**

The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.

- (a) Earthworks
- (i) The total volume of earthworks does not exceed **100m<sup>3</sup>** per site (within a 12 month period). For clarification of “volume”, see interpretative diagram 5.
  - (ii) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed **200m<sup>2</sup>** in area within that site (within a 12 month period).
  - (iii) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed **20m<sup>3</sup>** (notwithstanding provision 17.2.2).
  - (iv) No earthworks shall:
    - a. expose any groundwater aquifer;
    - b. cause artificial drainage of any groundwater aquifer;
    - c. cause temporary ponding of any surface water.
- (b) Height of cut and fill and slope
- (i) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.
  - (ii) The maximum height of any cut shall not exceed 2.4 metres.
  - (iii) The maximum height of any fill shall not exceed 2 metres.
- (c) Environmental Protection Measures
- (i) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.
- (ii) Any person carrying out earthworks shall:
- a. Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.
  - b. Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.
  - c. Implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.
- (d) Protection of archaeological sites and sites of cultural heritage
- (i) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.
  - (ii) The activity shall not affect Ngai Tahu’s cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.
- xvii Landscape Coverage**
- The minimum coverage for landscaped area on any site in the High Density Residential Sub-Zones shall be in accordance with Table 7.3:

**Table 7.3**

Sub- Zone	Landscape Coverage
High Density Residential Sub-Zone A	20%
High Density Residential Subzone B1	20% (This is to be taken as a percentage of the B1 subzone as a whole)
High Density Residential Sub-Zone B	30%
High Density Residential Sub-Zone C	40%

- (a) The landscaped area shall not be utilised for car parking or vehicle manoeuvring.
- (b) At least half of this landscaped area must consist of permeable surfaces and is to be planted.
- (c) Except that paragraph (b) shall only apply in respect of land contained in, or formally contained in Lot 1 DP 12665 to the extent that that area of permeable surface is other than in accordance with the development consented under RM040624 dated 13 May 2005 and RM081099 dated 29 April 2009, whether or not these consents have lapsed.

**xviii Fence Heights in the High Density Residential Zone**

No Visually Opaque Fence constructed within the Road Setback shall exceed 1.2m in height above ground level.

**xix Height and Elevation Restrictions along Frankton Road and Frankton Track**

- (a) No building or building element on the south side of Frankton Road (SH6A) shall rise above the nearest point of the roadway centreline, except for the intrusion of a single building element of no more than one story in height above the nearest point of the roadway centreline and limited to a cumulative length

parallel to the road of not more than 10% of the length of the road frontage (to a maximum of 16 metres), used solely for access, reception and lobby uses related to the predominant use of the site.

This Rule applies to those properties from Cecil Road (Paper Road) to, and including, Lot 1 DP 12665.

- (b) The lowest level of any floor constructed to the north side of the Frankton Track shall not be less than two metres above the centreline of the Track.

**Refer to Appendix 4**

**7.5.5.3 Zone Standards - Residential Activities and Visitor Accommodation**

**i Building Line Restriction**

Where a building line restriction is shown on the District Plan Maps, no building shall be located within the restricted area as identified on the Planning Map.

**ii Building Coverage**

The maximum building coverage for all activities on any site shall be:

- (a) 40% in the Low Density Residential Zone
- (b) 70% in the High Density Residential Zone (provided that in Sub-Zone B1 this is to be taken as a percentage of Sub-Zone B1 as a whole).

This rule does not apply to underground structures which are not visible from the ground level.

**iii Site Density**

In the Low Density Residential Zone, the minimum net area for any site shall be 450m<sup>2</sup> for each residential unit contained within the site, **except** that where:

- (a) (i) a site is shown as being located in the Medium Density Residential Sub-Zone; and
- (ii) the site was contained in a separate Certificate of Title as at 10 October 1995; and
- (iii) no residential unit has been built on the site; and
- (iv) the site has an area between 625m<sup>2</sup> and 900m<sup>2</sup>

then two residential units may be erected on the site.

- (b) the minimum net area for any site for each residential unit established as part of a comprehensive residential development shall be 200m<sup>2</sup> except within the Wanaka Low Density Residential zones shown on Planning Maps 18, 20, 21, 22 and 23 where the minimum net area shall be 350m<sup>2</sup>.

#### iv Site Density in the High Density Residential Sub- Zone C

In the High Density Residential Sub-Zone C, the maximum density of residential units to the site area shall not exceed one unit per 250m<sup>2</sup> of site area.

#### v Building Height

Ground slope in relation to building height shall be determined by measurement over the extremities of each building elevation.

Where any elevation indicates a ground slope of greater than 6 degrees (approximately 1:9.5) then rule 7.5.5.3(v)(b) Sloping sites where the ground slope is greater than 6 degrees (i.e. greater than 1 in 9.5), shall apply.

Where all elevations indicate a ground slope of less than 6 degrees (approximately 1:9.5), then rule 7.5.5.3(v)(a), Flat sites where the ground slope is equal to or less than 6 degrees (i.e. equal to or less than 1 in 9.5), shall apply.

#### (a) Flat sites where the ground slope is equal to or less than 6 degrees (i.e. equal to or less than 1 in 9.5).

The maximum height for buildings shall be 8.0m, and in addition no part of any building shall protrude through a recession line inclined towards the site at an angle of 25° and commencing at 2.5m above ground level at any given point on the site boundary:

**except:**

- (i) Gable, hip, dormer and other similar projections may encroach beyond the recession lines provided they are contained within a calculated area(s) no greater than 6m<sup>2</sup> with the apex no higher than a point 1m below the maximum height for the zone and the base of the area(s) at the level of recession line protrusion.
- (ii) This rule shall not apply to Lot 141 Block XX Shotover Survey District (refer Rule 7.5.5.2xii).
- (iii) The maximum height for buildings in the Residential Low and High Density Zones at Wanaka shall be 7m.
- (iv) The maximum height for building in that part of the Residential Low Density Zone at Arrowtown shall be 6m, except that within the Arrowtown Scenic Protection Area of the zone the maximum height shall be 5m.
- (v) The maximum height for buildings in the High Density Residential Zone located immediately west of the Kawarau Falls Bridge shall be 10 metres and in addition no building shall protrude through a horizontal line drawn due north commencing at 7 metres above any given point along the required boundary setbacks at the southern zone boundary.
- (vi) This rule shall not apply to any lift tower within a visitor accommodation development in the High Density Residential Zone, which exceeds the

maximum height permitted for buildings in the relevant zone by no more than 3 metres.

- (vii) For the purposes of calculating the height of buildings on part Section 1 Block V and part Section I Block IV, Town of Frankton, notwithstanding the definition of “Ground Level” in this plan, “ground level” at any point within that land shall be the level of a straight line drawn parallel to Douglas Street between the following two lines:
- a. A straight line running along the Robertson Street southern boundary between datum level 343.50RL at the southeast corner and datum level 341.50RL at the southwest corner.
  - b. A straight line running along the Humphrey Street northern boundary between datum level 344.40RL at the northeast corner and datum level 340.30RL at the northwest corner.

**(b) Sloping sites where the ground slope is greater than 6 degrees (i.e greater than 1 in 9.5)**

The maximum height for buildings shall be 7.0m:

**except:**

- (i) No part of any accessory building located within the setback distances from internal boundaries shall protrude through recession lines inclined towards the site at an angle of 25° and commencing at 2.5m above ground level at any given point along each internal boundary.
- (ii) This rule shall not apply to Lot 141 Block XX Shotover Survey District (refer Rule 7.5.5.2xii)
- (iii) The maximum height for building in that part of the Residential Low Density Zone at Arrowtown shall be 6m, except that within the Arrowtown Scenic Protection Area of the zone the maximum height shall be 5m.

- (iv) The maximum height for buildings in the High Density Residential Zone located immediately west of Kawarau Falls Bridge shall be 10 metres and in addition no building shall protrude through a horizontal line drawn due north commencing at 7 metres above any given point along the required boundary setbacks at the southern zone boundary.

Refer to the definitions of Height and Ground Level.

- (v) This rule shall not apply to any lift tower within a visitor accommodation development in the High Density Residential Zone, which exceeds the maximum height permitted for buildings in the relevant zone by no more than 3 metres.
- (vi) The maximum height for buildings on Lot 1 DP15307 shall be defined by the measurements and images held with the electronic file described as Lot 1 DP 15307 – Building Height. **Refer Appendix 4 – Interpretative Diagrams, Diagram 8.**
- (vii) The height of any lift or plant tower on Lot 1 DP 15307 shall be permitted to exceed the height limit described in rule 7.5.5.3(v)(b)(vi) by up to an additional 3 metres, provided that the area of that additional over-run shall have a total area of no more than 40m<sup>2</sup> and shall be located at least 10 metres from a road boundary.

**vi Airport Noise - Queenstown Airport (excluding any non-critical listening environments)**

- ~~(a) On any site located within the Outer Control Boundary as indicated on the District Plan Maps, any building or part of a building used for residential activities or visitor accommodation shall be insulated from aircraft noise so as to meet an indoor design level of 40 dBA Ldn, except for non-critical listening environments where no special sound insulation is required.~~
- ~~(b) This control shall be met in either of the following two ways:~~

~~EITHER:~~

- (i) By providing a certificate from a recognised acoustic engineer stating that the proposed construction will achieve the internal design noise level.  
 OR:
- (ii) The building shall be constructed and finished in accordance with the provisions of Table 7.4 in part 7.5.5.3.

\* Where exterior walls are of brick veneer or stucco plaster the internal linings need to be no thicker than 9.5mm gypsum plasterboard

\*\* Typical acoustic glazing usually involves thick single panes or laminated glass. Where two or more layers of glass are employed with an air gap between, total thickness of window glass may be calculated as the total of all glass layers (excluding air gap) provided that at least one glass layer shall be of a different thickness to the other layer(s)

**Table 7.4 – Acoustic Insulation of Buildings Containing Noise Sensitive Activities (except non-critical listening areas)**

BUILDING ELEMENT	REQUIRED CONSTRUCTION
External Walls	Exterior: 20mm timber or 6mm fibre cement Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar two layers of 12.5mm gypsum plasterboard* (Or an equivalent combination of exterior and interior wall mass))
Windows	Up to 40% of wall area: Minimum thickness 6mm glazing** Up to 60% of wall area: Minimum thickness 8mm glazing** Up to 80% of wall area: Minimum thickness 8mm laminated glass or minimum 10mm double glazing** Aluminium framing with compression seals (or equivalent)
Pitched Roof	Cladding: 0.5mm profiled steel or tiles or 6mm corrugated fibre cement Frame: Timber truss with 100mm acoustic blanket (R2.2 Batts or similar) Ceiling: 12.5 gypsum plaster board*
Skillion Roof	Cladding: 0.5mm profiled steel or 6mm fibre cement Sarking: 20mm particle board or plywood Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar) Ceiling: 2 layers of 9.55mm gypsum plasterboard*
External Door	Solid core door (min 24kg/m <sup>2</sup> ) with weather seals

- (a) **Within the Air Noise Boundary (ANB) – New buildings and alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise shall be designed to achieve an Indoor Design Sound Level of 40 dB Ldn within any Critical Listening Environment, based on the 2037 Noise Contours. Compliance shall be demonstrated by either adhering to the sound insulation requirements in Table 1 of Appendix 13 and installation of mechanical ventilation to achieve the requirements in Table 2 of Appendix 13, or by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open.**
- (b) **Between the Outer Control Boundary (OCB) and the ANB - New buildings and alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise shall be designed to achieve an Indoor Design Sound Level of 40 dB Ldn within any Critical Listening Environment, based on the 2037 Noise Contours. Compliance shall be demonstrated by either installation of mechanical ventilation to achieve the requirements in Table 2 of Appendix 13 or by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open.**

## vii Glare

- (a) All fixed exterior lighting shall be directed away from the adjacent sites and roads; and



- (b) No activity on any site shall result in greater than a 3.0 lux spill (horizontal and vertical) of light onto any other site measured at any point inside the boundary of the other site.

## viii Building Platforms

Where a building platform is indicated for a site on the subdivision plan, all building shall be located entirely within the building platform.

## ix Heavy Vehicle Storage

**Except** for visitor accommodation, no more than one heavy vehicle shall be stored or parked overnight on any site for any activity. This standard applies to residential and non-residential activities cumulatively and only one heavy vehicle in total shall be stored or parked overnight on any site.

## x Keeping of Animals

There shall be no keeping of pigs.

## xi Roof Colours

The colour of any roof on any dwelling or accessory building situated on any part of the land situated south of State Highway 6 ("Ladies Mile") and southwest of Lake Hayes which is zoned Low Density Residential as shown on Planning Map 30, shall be within the range of browns, greens, greys and blue greys.

## xii Noise

- (a) Sound from visitor accommodation activities measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 shall not exceed the following noise limits at any point within any other site in this zone:
  - (i) daytime (0800 to 2000 hrs) 50 dB LAeq(15 min)
  - (ii) night-time (2000 to 0800 hrs) 40 dB LAeq(15 min)

- (iii) night-time (2000 to 0800 hrs) 70 dB LAFmax

- (b) Sound from visitor accommodation activities which is received in another zone shall comply with the noise limits set in the zone standards for that zone.
- (c) The noise limits in (a) shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999.
- (d) The noise limits in (a) shall not apply to sound associated with airports or windfarms. Sound from these sources shall be assessed in accordance and comply with the relevant New Zealand Standard, either NZS 6805:1992, or NZS 6808:1998. For the avoidance of doubt the reference to airports in this clause does not include helipads other than helipads located within any land designated for Aerodrome Purposes in this Plan.

## xiii Low density residential zone – Frankton Corner / Hansen Road

The following standards shall apply to any development on Part Sections 5 and 120 Block I Shotover SD and Lot 1 DP 26426, or any subdivided lot thereof, (on the northern side of State Highway 6 and Hansen Road near the Frankton Corner – as shown on Planning Map 33):

- (a) Prior to the erection of any buildings, a 1.5 metre wide compacted gravel footpath shall be constructed on the State Highway along the frontage between Hansen Road and the Frankton Cemetery. The final design and location of that footpath shall be as approved by Transit New Zealand.
- (b) All vehicle access shall be via Hansen Road to the State Highway. There shall be no vehicle access directly onto the State Highway.

## xiv Outline Development Master Plan – Peninsula Bay

No subdivision or development shall take place within the Low Density Residential Zone at Peninsula Bay unless it is consistent with an Outline

Development Master Plan that has been lodged with and approved by the Council pursuant to Rule 7.5.3.3(iii).

## 7.5.6 Standards - Non-Residential Activities (other than Visitor Accommodation in the High Density Residential Zone)

### 7.5.6.1 Restricted Discretionary Activities

The following shall be **Restricted Discretionary Activities** provided that they are not listed as a **Prohibited, Non-Complying or Discretionary Activity** and they comply with all the relevant **Zone** standards. The matters in respect of which the Council has reserved control are listed with each **Restricted Discretionary Activity**.

#### i Building Footprint

The construction of, alteration to, or addition to any building in the High Density Residential Sub-Zones that exceeds the maximum building footprint sizes specified in Table 7.5 shall be a Restricted Discretionary Activity in respect of Assessment Matter 7.7.2 (v).

**Table 7.5**

Sub-zone	Maximum Building Footprint
High Density Residential Sub-Zone A	500m <sup>2</sup>
High Density Residential Sub-Zone B	400m <sup>2</sup>
High Density Residential Sub-Zone C	300m <sup>2</sup>

Except that this rule does not apply to underground structures which are not visible from the ground level.

Except that this rule does not apply to land contained in, or formerly contained in, Lots 1 and 2 DP 306661, and Lot 2 DP27703 (being a portion of the commercial precinct overlay on Brecon St, Queenstown).

### 7.5.6.2 Site Standards - Non-Residential Activities (other than Visitor Accommodation in the High Density Residential Zone).

#### i Nature and Scale of Activities except for community facilities within the Community Facility Subzone.

- (a) No more than one full-time equivalent person who permanently resides elsewhere than on the site may be employed in a non-residential activity on the site.
- (b) No more than 40m<sup>2</sup> of the gross floor area of all the buildings on a site shall be used for activities, other than residential activities. Nothing in this Site Standard applies within a Commercial Precinct to any Commercial Recreation Activity, Community Activity, Health Care Facility, or Retail Sales ancillary to any Commercial Recreation Activity, Community Activity or Health Care Facility.
- (c) Paragraphs (a) and (b) of this rule shall not apply to any visitor accommodation activity.

#### ii Setback from Roads

- (a) The minimum setback from road boundaries of any building shall be 4.5m except community facilities within the Community Facility Sub-Zone where the minimum setback from road boundaries shall be 5.0 metres; and
- (b) Parking areas shall be screened from adjoining road(s) to at least 1.8m in height, except where adjoining vehicle crossings. Where such screening is by way of planting it shall be for a minimum depth of 1.5m along the road frontage(s).
- (c) In the High Density Residential Zone the minimum setback from road boundaries of any building, and/or outdoor storage, shall be 4.5 m as measured to buildings at ground level and/or above

ground level but not to underground structures which are not visible from the ground level.

### iii Setback from Internal Boundaries/Neighbours

- (a) **Except** as provided for below, the minimum setback from internal boundaries for any building shall be:

#### Front Sites

One setback of 4.5m and all other setbacks 2m.

#### Rear Sites

Two setbacks of 4.5m and all remaining setbacks to be 2.0m. At least one of the 4.5m setbacks must be adjoining an internal boundary of at least 15m in length.

- (b) Exceptions to (a) minimum setbacks:

- (i) Eaves, porches, balconies, bay and box windows, steps, chimneys and similar parts of buildings may be located within the minimum building setback as follows:
- a. eaves up to 0.6m into setback; and
  - b. balconies and bay or box windows of less than 3m in length may project into the setback by up to 0.6m. Only one such balcony or bay or box window, intrusion is permitted on each setback of each building; and
  - c. porches and steps up to 0.6m into a setback; provided they measure no more than 2m parallel to the nearest internal boundary and provided that the floor level of any such porch or the top of any steps shall be no higher than 1m above ground level. Only one such porch or set of steps is permitted on each setback of each building; and
  - d. chimneys may project into the setback by up to 0.6m provided that the chimney measures no more than 1.2m parallel to the nearest internal boundary. Only

one chimney is permitted on each setback of each building; and

- e. no part of any balcony or window which is located within a setback shall be higher than 3m above ground level.
- (c) In the Low Residential Zone no setback is required from an internal boundary where buildings share a common wall on that internal boundary.
- (d) No part of any building, designed and/or used for the housing of animals shall be permitted to locate within 2m of any internal boundary.
- (e) Community Facilities in a Community Facility Sub-Zone shall be set back a minimum of 5 metres from internal boundaries.
- (f) No part of any building which is to be used for visitor accommodation shall be permitted to locate within 4 metres of an internal boundary, where the site(s) adjoining that internal boundary is zoned residential.
- (g) Parking and outdoor storage areas associated with visitor accommodation activities shall be adequately screened from adjoining properties.
- (h) Where two or more buildings are located on a single lot within the High Density Residential Sub Zones A, B and C, the mutual setback requirements will apply as if an internal boundary exists to separate the buildings.
- (i) This rule shall be applied with regard to the following:
- a. The setback distance between buildings shall be measured at ground level and/or above ground level but shall not include underground structures which are not visible from the ground level.

- b. The exercise of Council's discretion shall be confined to those matters set out in assessment matter 7.7.2 xiii Urban Design Protocol and 7.7.2 xvii Setback from Internal Boundaries/Neighbours.

(ii) Except:

- a. Where two or more buildings are located on a single lot with the High Density Residential Sub Zone B1 the mutual setback requirements will apply as if an internal boundary exists to separate the buildings but only to the extent that any two or more buildings on a lot are located other than in accordance with the master planned development consented under RM050908 and dated 28/7/2006.
- b. This rule shall not apply to Lot 1 DP15037 and Sections 10,11 and 18 BLK VIII Town of Queenstown.
- c. This rule shall not apply to land contained in, or formerly contained in, Lots 1 and 2 DP 306661, and Lot 2 DP27703 (being a portion of the commercial precinct overlay on Brecon St, Queenstown).

**iv Continuous Building Length in the Low Density Residential Zone**

Where the aggregate length along one elevation of buildings measured parallel to any internal boundary or internal boundaries exceeds 16 m; either

- (a) the entire building(s) shall be set back an additional 0.5 m for every 6 m of additional length or part thereof from the minimum yard setback (continuous façade(s) at the same distances from the boundary)
- or
- (b) that part of the building(s) which exceeds the maximum building length shall be progressively set back 0.5 m for every 6 m of

additional length or part thereof from the minimum yard setback (varied façade(s) with stepped setbacks from the boundary).

**Refer Appendix 4**

**v Continuous Building Length in the High Density Residential Zone**

- (a) No unbroken building length shall exceed 16m. Breaks in building length shall be a minimum of 2m in depth and 4m in width for the full height of the wall and shall include a discontinuous eave line and roofline at the break.
- (b) The aggregate length along any true elevation of a building including breaks, shall not exceed 30m.
- (c) This rule does not apply to underground structures which are not visible from the ground level.
- (d) Provided that paragraph (b) shall not apply to any building on land contained in, or formerly contained in, Lots 1 and 2 DP 306661, and Lot 2 DP27703 (being a portion of the commercial precinct overlay on Brecon St, Queenstown).

**Refer Appendix 4**

**vi Arrowtown Scenic Protection Area**

The **Site** standards set out for Residential Activities in the Arrowtown Scenic Protection Area also apply to Non-Residential Activities in the Arrowtown Scenic Protection Area.

**vii Flood Risk**

No building, greater than 20m<sup>2</sup> gross floor area, shall be constructed or relocated, with a ground floor level less than:

- (a) RL 312.0 m above sea level (412.0m Otago Datum) at Queenstown and Frankton.
- (b) RL 281.9 m above sea level (381.9m Otago Datum) at Wanaka.

## viii Landscaping and Screening - Community Facility Sub-Zone

- (a) All community facilities shall landscape an area with a minimum width of 5 metres along all road and internal boundaries.
- (b) All outdoor storage shall be situated behind buildings and/or screened from roads, reserves and adjoining sites by either a solid fence of at least 2 metres minimum height, or dense planting of the same height.

## ix Landscape Coverage

The minimum coverage for landscaped area on any site in the High Density Residential Sub-Zones shall be in accordance with Table 7.6:

**Table 7.6**

Sub- Zone	Landscape Coverage
High Density Residential Sub-Zone A	20%
High Density Residential Sub-Zone B1	20% taken as a percentage of Sub-Zone B1 as a whole
High Density Residential Sub-Zone B	30%
High Density Residential Sub-Zone C	40%

- (a) The landscaped area shall not be utilised for car parking or vehicle manoeuvring areas.
- (b) At least half of this landscaped area must consist of permeable surfaces and planted.

## x Building Height - Lift Towers

No lift tower within a visitor accommodation development in the Visitor Accommodation Sub-Zone shall exceed the maximum height for buildings in this zone.

## xi Earthworks

The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.

### (a) Earthworks

- (i) The total volume of earthworks does not exceed **100m<sup>3</sup>** per site (within a 12 month period). For clarification of "volume", see interpretative diagram 5.
- (ii) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed **200m<sup>2</sup>** in area within that site (within a 12 month period).
- (iii) Where any earthworks are undertaken within 7m of a water body the total volume shall not exceed **20m<sup>3</sup>** (notwithstanding provision 17.2.2).
- (iv) No earthworks shall:
  - a. expose any groundwater aquifer;
  - b. cause artificial drainage of any groundwater aquifer;
  - c. cause temporary ponding of any surface water.

### (b) Height of cut and fill and slope

- (i) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.
- (ii) The maximum height of any cut shall not exceed 2.4 metres.
- (iii) The maximum height of any fill shall not exceed 2 metres.

### (c) Environmental Protection Measures

- (i) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be

revegetated within 12 months of the completion of the operations.

- (ii) Any person carrying out earthworks shall:
  - a. Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.
  - b. Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.
  - c. Implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.

(d) Protection of Archaeological sites and sites of cultural heritage

- (i) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.
- (ii) The activity shall not affect Ngai Tahu’s cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.

**xii Building Coverage**

In the High Density Residential Sub-Zones, the maximum building coverage for all activities on any site shall be in accordance with Table 7.7. This standard shall only apply to buildings at ground level and/or above ground level which are visible from the ground level.

**Table 7.7**

Sub- Zone	Building Coverage
High Density Residential Sub Zone C	45%

This rule does not apply to underground structures which are not visible from the ground level.

The Council’s discretion is restricted to Assessment Matter 7.7.2 xiii Urban Design Protocol.

**xiii Fence Heights in the High Density Residential Zone**

No Visually Opaque Fence constructed within the Road Setback shall exceed 1.2m in height above ground level.

**xiv Height and Elevation Restrictions along Frankton Road and Frankton Track**

- (a) No building or building element on the south side of Frankton Road (SH6A) shall rise above the nearest point of the roadway centreline, except for the intrusion of a single building element of no more than one story in height above the nearest point of the roadway centreline and limited to a cumulative length parallel to the road of not more than 10% of the length of the road frontage (to a maximum of 16 metres), used solely for access, reception and lobby uses related to the predominant use of the site.  
This Rule applies to those properties from Cecil Road (Paper Road) to, and including, Lot 1 DP 12665.
- (b) The lowest level of any floor constructed to the north side of the Frankton Track shall not be less than two metres above the centreline of the Track.

**Refer to Appendix 4**

## 7.5.6.3 Zone Standards - Non-Residential Activities (other than Visitor Accommodation in the High Density Residential Zone)

### i Building Line Restriction

Where a building line restriction is shown on the District Plan Maps, no building shall be located within the restricted area as identified on the Planning Map.

### ii Building Coverage

The maximum building coverage for all non-residential activities on any site shall be 40% in the Low Density Residential Zone and 55% in the High Density Residential Zone, except within a Commercial Precinct where the maximum building coverage shall be 70%.

- (a) The maximum building coverage for community facilities within a Community Facility Sub-Zone in a Low Density Residential Zone shall be 50%.
- (b) In the High Density Residential Zone this rule does not apply to underground structures which are not visible from the ground level.
- (c) Except that in respect of Sub-Zone B1, Building Coverage is taken as a percentage of Sub-Zone B1 as a whole and does not include any veranda over public open space. For the purposes of this exception:
  - i. "veranda" means a structure or part of a structure extending over public open space for weather protection purposes only and not for any other building or activity purpose;
  - ii. "public open space" means land subject to an easement or other legal instrument providing for access across and use of that land by the general public.

The exercise of Council's discretion shall be confined to those matters set out in assessment matter 7.7.2 xiii Urban Design Protocol.

This rule does not apply to underground structures which are not visible from the ground level.

### iii Building Height

Ground slope in relation to building height shall be determined by measurement over the extremities of each building elevation.

Where any elevation indicates a ground slope of greater than 6 degrees (approximately 1:9.5) then rule 7.5.6.3(iii)(b) Sloping sites where the ground slope is greater than 6 degrees (i.e. greater than 1 in 9.5), shall apply.

Where all elevations indicate a ground slope of less than 6 degrees (approximately 1:9.5), then rule 7.5.6.3(iii)(a), Flat sites where the ground slope is equal to or less than 6 degrees (i.e. equal to or less than 1 in 9.5), shall apply.

#### (a) Flat sites where the ground slope is equal to or less than 6 degrees (i.e. equal to or less than 1 in 9.5)

The maximum height for buildings shall be 8.0m, and in addition no part of any building shall protrude through a recession line inclined towards the site at an angle of 25° and commencing at 2.5m above ground level at any given point on the site boundary.

Except:

- (i) Gable, hip, dormer and other similar projections may encroach beyond the recession lines provided they are contained within a calculated area(s) no greater than 6m<sup>2</sup> with the apex no higher than a point 1m below the maximum height for the zone and the base of the area(s) at the level of recession line protrusion.
- (ii) The maximum height for buildings in that part of the Residential High Density Zone located on the eastern side of Fernhill Road shall be 10m.
- (iii) The maximum height for buildings in the Residential Low and High Density Zones at Wanaka shall be 7m.

- (iv) The maximum height for building in that part of the Residential Low Density Zone at Arrowtown shall be 6m, except that within the Arrowtown Scenic Protection Area of the zone the maximum height shall be 5m. The maximum height for buildings in the High Density Residential Zone located immediately west of the Kawarau Falls Bridge shall be 10 metres and in addition no building shall protrude through a horizontal line drawn due north commencing at 7 metres above any given point along the required boundary setbacks at the southern zone boundary.
  - (v) The maximum height for a community facility building in the Community Facility Sub-Zone shall be 10 metres other than for the facilities at 20 Park Street, Queenstown and 32 McBride Street, Frankton where the maximum height shall be 7 metres.
  - (vi) This rule shall not apply to any lift tower within a visitor accommodation development in the Visitor Accommodation Sub-Zone, which exceeds the maximum height permitted for buildings in the relevant zone by no more than 3 metres.
  - (vii) The maximum height for buildings located within the Visitor Accommodation Sub-Zone located on Lake Avenue, Frankton shall be 7 metres and in addition no building or part of any building shall protrude through a horizontal plane drawn at RL 343.50 masl (being 443.50m, Otago Datum)
  - (viii) For the purposes of calculating the height of buildings on part Section 1 Block V and part Section 1 Block IV, Town of Frankton, notwithstanding the definition of "Ground Level" in this plan, "ground level" at any point within that land shall be the level of a straight line drawn parallel to Douglas Street between the following two lines:
    - a. A straight line running along the Robertson Street southern boundary between datum level 343.50RL at the southeast corner and datum level 341.50RL at the southwest corner.
    - b. A straight line running along the Humphrey Street northern boundary between datum level 344.40RL at the northeast corner and datum level 340.30RL at the northwest corner.
- Refer Planning Map 33**
- (b) Sloping sites where the ground slope is greater than 6 degrees (i.e greater than 1 in 9.5)**
- The maximum height for buildings shall be 7.0m:
- Except:**
- (i) No part of any accessory building located within the setback distances from internal boundaries shall protrude through recession lines inclined towards the site at an angle of 25° and commencing at 2.5m above ground level at any given point along each internal boundary.
  - (ii) The maximum height for buildings in that part of the Residential High Density Zone located on the eastern side of Fernhill Road shall be 10m.
  - (iii) The maximum height for building in that part of the Residential Low Density Zone at Arrowtown shall be 6m, except that within the Arrowtown Scenic Protection Area for the zone the maximum height shall be 5m.
  - (iv) The maximum height for buildings in the High Density Residential Zone located immediately west of the Kawarau Falls Bridge shall be 10 metres and in addition no building shall protrude through a horizontal line drawn due north commencing at 7metres above any given point along the required boundary setbacks at the southern zone boundary.
  - (v) This rule shall not apply to any lift tower within a visitor accommodation development in the Visitor Accommodation Sub-Zone, which exceeds the maximum height permitted for buildings in the relevant zone by no more than 3 metres.



- (vi) The maximum height for buildings located within the Visitor Accommodation Sub-Zone located on Lake Avenue, Frankton shall be 7 metres and in addition no building or part of any building shall protrude through a horizontal plane drawn at RL 343.50 masl (being 443.50m, Otago Datum)

**Refer Planning Map 33**

Refer to Appendix 4 and the definitions of Height and Ground Level.

**iv Hours of Operation**

**Except for**

- (a) Residential care facilities and visitor accommodation or community facilities located in the Community Facility Sub-Zone;
- (b) Commercial Recreation Activities, Community Activities, Health Care Facilities and Retail Sales ancillary to any Commercial Recreation Activities, Community Activities and Health.

Care Facilities, within a Commercial Precinct.

Hours of operation shall be limited to between the hours:

0730 - 2000

**except that where:**

- (a) the entire activity is located within a building and occupies not more than 40m<sup>2</sup> of floor space; and
- (b) each person engaged in the activity outside the above hours resides permanently on the site; and
- (c) there are no visitors, clients or deliveries to or from the site outside the above hours; and
- (d) all other relevant zone standards are met

the activity may be carried out outside the above hours.

**v Nature and Scale of Activities**

**Except for** community facilities within the Community Facility Sub-Zone: No goods shall be displayed, sold or offered for sale from a site other than handicrafts, goods grown, reared or produced on the site.

- (a) At least one person engaged in the activity must reside on the site.
  - (b) No more than three full-time equivalent persons who permanently reside elsewhere than on the site shall be employed in undertaking a non-residential activity on the site.
  - (c) No goods, materials or equipment shall be stored outside a building, except for vehicles associated with the activity parked on the site overnight and the storage of outdoor items ancillary to a visitor accommodation activity located on the site, such as outdoor furniture.
  - (d) All manufacturing, altering, repairing, dismantling or processing of any materials, goods or articles shall be carried out within a building.
- Subclauses (a) and (b) of this Zone Standard do not apply within a Commercial Precinct to any Commercial Activity, Community Activity, Health Care Facility, or Retail Sales ancillary to any Commercial Recreation Activity, Community Activity or Health Care Facility.
- (e) Paragraphs (a) and (b) of this rule shall not apply to any visitor accommodation activity.

**vi Retail Sales**

Retail Sales, except for Retail Sales ancillary to any Commercial Recreation Activity, Community Activity or Health Care Facility within a Commercial Precinct.

- (a) No goods shall be displayed, sold or offered for sale from a site other than:
  - (i) handicrafts;
  - (ii) goods grown, reared or produced on the site; or
  - (iii) retail sales which are ancillary to visitor accommodation located on the site.

**vii Noise**

- (a) Sound from non-residential activities measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 shall not exceed the following noise limits at any point within any other site in this zone:
  - (i) daytime (0800 to 2000 hrs) 50 dB LAeq(15 min)
  - (ii) night-time (2000 to 0800 hrs) 40 dB LAeq(15 min)
  - (iii) night-time (2000 to 0800 hrs) 70 dB LAFmax
- (b) Sound from non-residential activities which is received in another zone shall comply with the noise limits set in the zone standards for that zone.
- (c) The noise limits in (a) shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999.
- (d) The noise limits in (a) shall not apply to sound associated with airports or windfarms. Sound from these sources shall be assessed in accordance and comply with the relevant New Zealand Standard, either NZS 6805:1992, or NZS 6808:1998. For the avoidance of doubt the reference to airports in this clause does not include helipads other than helipads located within any land designated for Aerodrome Purposes in this Plan.
- (e) The noise limits in (a) shall not apply to sound from aircraft operations at Queenstown Airport.

**viii Airport Noise - Queenstown Airport (excluding any non-critical listening environments)**

~~(a) On any site located within the Outer Control Boundary as indicated on the District Plan Maps, any building or part of a building used for community activities shall be insulated from aircraft noise so as to meet an indoor design level of 40 dBA Ldn, except for non-critical listening environments where no special sound insulation is required.~~

~~(b) This control shall be met in either of the following two ways:~~

~~EITHER:~~

~~(i) By providing a certificate from a recognised acoustic engineer stating that the proposed construction will achieve the internal design noise level.~~

~~OR:~~

~~(ii) The building shall be constructed and finished in accordance with the provisions of Table 7.8 in part 7.5.6.3~~

**Table 7.8 – Acoustic Insulation Of Buildings Containing Noise Sensitive Activities (except non-critical listening areas)**

<b>BUILDING ELEMENT</b>	<b>REQUIRED CONSTRUCTION</b>
External Walls	<del>Exterior: 20mm timber or 6mm fibre cement                      Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar)                      Two layers of 12.5 mm gypsum plasterboard*                      (Or an equivalent combination of exterior and interior wall mass)</del>
	<del>Up to 40% of wall area: Minimum thickness 6mm glazing**</del>

Windows	Up to 60% of wall area: Minimum thickness 8mm glazing** Up to 80% of wall area: Minimum thickness 8mm laminated glass or minimum 10mm double glazing** Aluminium framing with compression seals (or equivalent)
Pitched Roof	Cladding: 0.5mm profiled steel or tiles or 6mm corrugated cement Frame: Timber truss with 100mm acoustic blanket (R2.2 Batts or similar) Ceiling: 12.5 gypsum plasterboard*
Skillion Roof	Cladding: 0.5 mm profiled steel or 6mm fibre cement Sarking: 20 mm particle board or plywood Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar) Ceiling: 2 layers of 9.5mm gypsum plasterboard*
External Door	Solid core door (min 24kg/m <sup>2</sup> ) with weather seals

\* Where exterior walls are of brick veneer or stucco plaster the internal linings need to be no thicker than 9.5mm gypsum plasterboard

\*\* Typical acoustic glazing usually involves thick single panes or laminated glass. Where two or more layers of glass are employed with an air gap between, total thickness of window glass may be calculated as the total of all glass layers (excluding air gap) provided that at least one glass layer shall be of a different thickness to the other layer(s)

(a) **Within the Air Noise Boundary (ANB) – New buildings and alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise shall be designed to achieve an Indoor Design Sound Level of 40 dB Ldn within any Critical Listening Environment, based on the 2037 Noise Contours. Compliance shall be demonstrated by either adhering to the sound insulation requirements in Table 1 of Appendix 13 and installation of mechanical ventilation to achieve the requirements in Table 2 of Appendix 13, or by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open.**

(b) **Between the Outer Control Boundary (OCB) and the ANB - New buildings and alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise shall be designed to achieve an Indoor Design Sound Level of 40 dB Ldn within any Critical Listening Environment, based on the 2037 Noise Contours. Compliance shall be demonstrated by either installation of mechanical ventilation to achieve the requirements in Table 2 of Appendix 13 or by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with windows open.**

**ix Glare**

- (a) All fixed exterior lighting shall be directed away from adjacent sites and roads; and
- (b) No activity on any site shall result in greater than a 3.0 lux spill (horizontal and vertical) of light onto any other site, measured at any point inside the boundary of the other site.

**x Boarding and Keeping of Animals**

No animals shall stay overnight on a site, except for a maximum of 4 animals in the care of a registered veterinarian for medical or surgical purposes. There shall be no keeping of pigs or commercial livestock.

**xi Heavy Vehicle Storage**

Except where a site is to be used for visitor accommodation no more than one heavy vehicle shall be stored or parked overnight on any site for any activity. This standard applies to residential and non-residential activities cumulatively and only one heavy vehicle in total may be stored or parked overnight on any site.

**xii External Appearance of Buildings**

All metal cladding, roofing or fences shall be painted or otherwise coated with a non-reflective finish.

### xiii Building Platforms

Where a building platform is indicated for a site on the subdivision plan, all building shall be located entirely within the building platform.

### xiv Roof Colours

The colour of any roof on any dwelling or accessory building situated on any part of the land situated south of State Highway 6 ("Ladies Mile") and southwest of Lake Hayes which is zoned Low Density Residential as shown on Planning Map 30 shall be within the range of browns, greens, greys and blue greys.

### xv Outline Development Master Plan – Peninsula Bay

No subdivision or development shall take place within the Low Density Residential Zone at Peninsula Bay unless it is consistent with an Outline Development Master Plan that has been lodged with and approved by the Council pursuant to Rule 7.5.3.3 (iii).

## 7.5.7 Resource Consent - Assessment Matters

The Assessment Matters which apply to the consideration of resource consents in the Low Density and High Density Residential Zones are specified in Rule 7.7

## 7.6 Residential Arrowtown Historic Management Zone Rules

### 7.6.1 Zone Purpose

This Zone covers the older part of the residential settlement of Arrowtown. It is generally located north of Kent and Boundary Streets and surrounds the town centre. The area has a distinctive character and atmosphere which has

evolved from the development pattern set at the time of early gold mining in the District.

The purpose of this zone is to allow for the continued development of the historic area of residential Arrowtown in a way that will enhance and protect those characteristics which make it a valuable part of the town for local residents and for visitors attracted to the town by its historic associations, unique character and outstanding individual buildings. In particular the management area seeks to retain the early subdivision pattern and streetscape, ensure future development is at a scale sympathetic to the present character, and to encourage the protection and conservation of the trees and shrubs.

### 7.6.2 District Rules

Attention is drawn to the following District Wide Rules which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- |     |  |                 |
|-----|--|-----------------|
| i   | Heritage Protection                                  | - Refer Part 13 |
| ii  | Transport  | - Refer Part 14 |
| iii | Subdivision, Development and Financial Contributions | - Refer Part 15 |
| iv  | Hazardous Substances                                 | - Refer Part 16 |
| v   | Utilities  | - Refer Part 17 |
| vi  | Signs  | - Refer Part 18 |
| vii | Relocated Buildings and Temporary Activities         | - Refer Part 19 |

### 7.6.3 Activities

#### 7.6.3.1 Permitted Activities

- i Any Residential Activity which complies with all the **Site and Zone Standards for Residential Activities** and is not listed as a **Controlled, Discretionary, Non-Complying or Prohibited Activity**.

- ii Any Non-Residential Activity which complies with all the **Site** and **Zone** Standards for Non-Residential Activities and is not listed as a **Controlled, Discretionary, Non-Complying** or **Prohibited Activity**.

## 7.6.3.2 Controlled Activities

- i Visitor Accommodation within the Visitor Accommodation Sub Zone

## 7.6.3.3 Discretionary Activities

The following shall be **Discretionary Activities** provided that they are not listed as a **Prohibited** or **Non-Complying Activity** and they comply with all of the relevant **Zone** Standards.

- i **Trees**  
The removal of any tree greater than 2.5m high and the pruning, trimming or topping of any tree greater than 4m high.
- ii **Buildings**  
Buildings with the exercise of the Council's discretion being limited to the external appearance and finish of the building.
- iii **Visitor Accommodation**
- iv **Retail Sales**
- v Any Activity which is not listed as a **Non-Complying** or **Prohibited Activity** and complies with all the **Zone** Standards but does not comply with one or more of the **Site** Standards shall be a **Discretionary Activity** with the exercise of the Council's discretion being restricted to the matter(s) specified in the standard(s) not complied with.

## 7.6.3.4 Non-Complying Activities

The following shall be **Non-Complying Activities** provided that they are not listed as a **Prohibited Activity**.

- i **Factory Farming**

- ii **Forestry Activities**

- iii **Mining Activities**

- iv **Airport**

The take-off or landing of aircraft other than for emergency rescues or fire-fighting.

- v Any Activity which is not listed as a **Prohibited Activity** and does not comply with one or more of the **Zone** Standards.

## 7.6.3.5 Prohibited Activities

The following shall be **Prohibited Activities**:

- (i) Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building, fish or meat processing or Any Activity requiring an Offensive Trade Licence under the Health Act 1956.

## 7.6.4 Non-Notification of Applications

Any application for a resource consent for the following matters may be considered without the need to obtain a written approval of affected persons and need not be notified in accordance with Section 93 Resource Management Act 1991, unless the Council considers special circumstances exist in relation to any such application:

- i All applications for **Controlled** Activities.
- ii Applications for the exercise of the Council's discretion in respect of the following **Site** Standards:
  - (a) Access
  - (b) Outdoor Living Space
  - (c) Flood Risk.

## 7.6.5 Standards – Residential Activities

### 7.6.5.1 Site Standards - Residential Activities

#### i Setback from Roads

The minimum setback from road boundaries of any building shall be:

- (a) Where existing buildings (other than accessory buildings) are already located on the site - the shortest distance from the road boundary to the building (other than an accessory building) measured at right angles to the front boundary; or
- (b) Where no existing buildings (other than accessory buildings) are located on the site the mean of the setback of any buildings (other than accessory buildings) located on the immediately adjoining lots or 6.0m, whichever is the greater.

#### ii Setback from Internal Boundaries

The minimum setback from internal boundaries of any building shall be 3m except as follows.

- (a) Accessory buildings for residential activities may be located within the setback distances from internal boundaries, where the total length of the walls of accessory buildings within the setback does not exceed 7.5m in length and there are no windows or openings along any walls within 2m of an internal boundary.
- (b) Eaves, porches, balconies, bay or box windows, steps, chimneys and similar parts of buildings may be located within the minimum building setback as follows:
  - (i) eaves up to 0.6m into the setback; and
  - (ii) balconies and bay or box windows of less than 3m in length may project into the setback by up to 0.6m. Only one such

balcony or bay or box window intrusion is permitted on each setback of each building; and

- (iii) porches and steps up to 0.6m into a setback; provided they measure no more than 2m parallel to the nearest internal boundary and provided that the floor level of any such porch or the top of any steps shall be no higher than 1m above ground level. Only one such porch or set of steps is permitted on each setback of each building; and
  - (iv) chimneys may project into the setback by up to 0.6m provided that the chimney measures no more than 1.2m parallel to the nearest internal boundary. Only one chimney is permitted on each setback of each building; and
  - (v) no part of any balcony or window which is located within a setback shall be higher than 3m above ground level.
- (c) No part of any building designed and/or used for the housing of animals shall be permitted to locate within 2m of any internal boundary.
  - (d) No setback is required where buildings on adjoining sites have a common wall on an internal boundary provided that only one common wall is permitted per residential unit.

#### iii Access

Each residential unit shall have legal access to a formed road.

#### iv Continuous Building Length

Where the aggregate length of buildings measured parallel to any internal boundary exceeds 16m; either

- (a) the entire building(s) shall be set back an additional 0.5 m for every 6 m of additional length or part thereof from the minimum yard setback (continuous façade(s) at the same distances from the boundary)

or

- (b) that part of the building(s) which exceeds the maximum building length shall be progressively set back 0.5 m for every 6 m of additional length or part thereof from the minimum yard setback (varied façade(s) with stepped setbacks from the boundary).

## Refer Appendix 4

### v Outdoor Living Space

- (a) The minimum provision of outdoor living space for each residential unit, contained within the net area of the site, shall be 36m<sup>2</sup> contained in one area with a minimum dimension of 4.5m.
- (b) The outdoor living space shall be readily accessible from a living area.
- (c) No outdoor living space shall be occupied by any building (other than an outdoor swimming pool, or accessory building of less than 8m<sup>2</sup> gross floor area), driveway or parking space.

### vi Earthworks

The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.

- (a) Earthworks
  - (i) The total volume of earthworks does not exceed **100m<sup>3</sup>** per site (within a 12 month period). For clarification of “volume”, see interpretative diagram 5.
  - (ii) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed **200m<sup>2</sup>** in area within that site (within a 12 month period).

- (iii) Where any earthworks are undertaken within 7m of a water body the total volume shall not exceed **20m<sup>3</sup>** (notwithstanding provision 17.2.2).

- (iv) No earthworks shall:

- a. expose any groundwater aquifer;
- b. cause artificial drainage of any groundwater aquifer;
- c. cause temporary ponding of any surface water.

- (b) Height of cut and fill and slope

- (i) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.

- (ii) The maximum height of any cut shall not exceed 2.4 metres.

- (iii) The maximum height of any fill shall not exceed 2 metres.

- (c) Environmental Protection Measures

- (i) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.

- (ii) Any person carrying out earthworks shall:

- a. Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.
- b. Ensure that any material associated with the earthworks activity is not positioned on a site within

7m of a water body or where it may dam or divert or contaminate water.

- c. Implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.

(d) Protection of Archaeological sites and site of cultural heritage

- (i) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.
- (ii) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.

## 7.6.5.2 Zone Standards - Residential Activities

### i Site Density

The minimum net area for any site for each residential unit shall be 650m<sup>2</sup>; except that:

- (a) For residential units to be erected on vacant shares of fee simple titles over which there is/are existing cross-lease(s) or on unit titles where a proposed unit development plan is already approved, as at the date of notification of the District Plan, there shall be no minimum net area for the site, provided that all other applicable Site and Zone Standards are complied with, or resource consents obtained in respect of those Site Standards not complied with.

### ii Building Height

The maximum height for buildings shall be 5m.

### iii Building Coverage

The total area covered by hard surfacing and buildings on any site shall not exceed 30% of the net site area.

### iv Glare

- (a) All fixed exterior lighting shall be directed away from the adjacent sites and roads; and
- (b) No activity on any site shall result in greater than a 3.0 lux spill (horizontal and vertical) of light onto any other site measured at any point inside the boundary of the other site.

### v Heavy Vehicle Storage

No more than one heavy vehicle shall be stored or parked overnight on any site for any activity. This standard applies to residential and non-residential activities cumulatively and only one heavy vehicle in total shall be stored or parked overnight on any site.

### vi Keeping of Animals

There shall be no keeping of pigs.

## 7.6.6 Standards - Non-Residential Activities

### 7.6.6.1 Site Standards - Non-Residential Activities

#### i Nature and Scale of Activities

- (a) No more than one full-time equivalent person who permanently resides elsewhere than on the site may be employed in a non-residential activity on the site.
- (b) No more than 40m<sup>2</sup> of the gross floor area of the buildings on a site shall be used for activities, other than residential activities.



Provided that this standard does not apply to visitor accommodation which is a Permitted Activity.

## ii Setback from Roads

The minimum setback from road boundaries of any building for a non-residential activity shall be:

- (a) Where existing buildings (other than accessory buildings) are already located on the site - the shortest distance from the road boundary to the building (other than an accessory building) measured at right angles to the front boundary; or
- (b) Where no existing buildings (other than accessory buildings) are located on the site - the mean of the setback of any buildings (other than accessory buildings) located on the immediately adjoining lots or 6.0m, whichever is the greater.

## iii Setback from Internal Boundaries

- (a) Minimum setback from internal boundaries of any building for any non-residential activity shall be 3m.
- (b) Eaves, porches, balconies, bay and box windows, steps, chimneys and similar parts of buildings may be located within the minimum building setback as follows:
  - (i) eaves up to 0.6m into setback; and
  - (ii) balconies and bay or box windows of less than 3m in length may project into the setback by up to 0.6m. Only one such balcony or bay or box window intrusion is permitted on each setback of each building; and
  - (iii) porches and steps up to 0.6m into a setback; provided they measure no more than 2m parallel to the nearest internal boundary and provided that the floor level of any such porch or the top of any steps shall be no higher than

1m above ground level. Only one such porch or set of steps is permitted on each setback of each building; and

- (iv) chimneys may project into the setback by up to 0.6m provided that the chimney measures no more than 1.2m parallel to the nearest internal boundary. Only one chimney is permitted on each setback of each building; and
- (v) no part of any balcony or window which is located within a setback shall be higher than 3m above ground level.
- (c) No part of any building designed and/or used for the housing of animals shall be permitted to locate within 2m of any internal boundary.

## iv Continuous Building Length

Where the aggregate length of buildings measured parallel to any internal boundary exceeds 16 m; either

- (a) the entire building(s) shall be set back an additional 0.5 m for every 6 m of additional length or part thereof from the minimum yard setback (continuous façade(s) at the same distances from the boundary)
- or
- (b) that part of the building(s) which exceeds the maximum building length shall be progressively set back 0.5 m for every 6 m of additional length or part thereof from the minimum yard setback (varied façade(s) with stepped setbacks from the boundary).

### *Refer Appendix 4*

## v Earthworks

The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.

- (a) Volume of earthworks
  - (i) The total volume of earthworks does not exceed 100m<sup>3</sup> per site.
  - (ii) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed 200m<sup>3</sup> in the area within that site.
- (b) Height of cut and fill
  - (i) The height of any cut or fill shall not be greater than the distance of the cut or fill from the site boundary. Except where the cut and fill is retained, in which case it may be located up to the boundary, if less than or equal to 0.5m in height.
  - (ii) The maximum height of any cut shall not exceed 2.4 metres.
  - (iii) The maximum height of any fill shall not exceed 2 metres.
- (c) Measures to control sediment
  - (i) No contamination, including siltation, of any water body shall occur.
  - (ii) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.
  - (iii) No vegetation, soil, earth, rock or any other debris shall be allowed to enter or shall be positioned where it may dam or divert any river or stream or adversely affect instream habitats.
  - (iv) Measures to minimise dust emissions shall be adopted.

- (d) Protection of sites of cultural heritage value
  - (i) The activity shall not interfere with or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.
  - (ii) The activity shall not effect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within a Statutory Acknowledgement Area.

## 7.6.6.2 Zone Standards - Non-Residential Activities

### i Building Coverage

The total area covered by hard surfacing and buildings on any site shall not exceed 30% of the net site area.

### ii Building Height

The maximum height for buildings shall be 5m.

### iii Hours of Operation

Hours of operation shall be limited to between the hours:

0730 - 2000

**except** that where:

- (a) the entire activity is located within a building and occupies not more than 40m<sup>2</sup> of floor space; and
- (b) each person engaged in the activity outside the above hours resides permanently on the site; and
- (c) there are no visitors, clients or deliveries to or from the site outside the above hours; and

- (d) all other relevant zone standards are met;
- (e) the activity may be carried out outside the above hours.

#### iv Nature and Scale of Activities

- (a) At least one person engaged in the activity must reside on the site.
- (b) No more than three full-time equivalent persons who permanently reside elsewhere than on the site shall be employed in undertaking a non-residential activity on the site.
- (c) No more than 60m<sup>2</sup> of the gross floor area of the buildings on a site shall be used for activities other than residential activities.
- (d) No goods, materials or equipment shall be stored outside a building, except for vehicles associated with the activity parked on the site overnight.
- (e) All manufacturing, altering, repairing, dismantling or processing of any materials, goods or articles shall be carried out within a building.

#### v Retail Sales

No goods shall be displayed, sold or offered for sale from a site other than handicrafts, goods grown, reared or produced on the site.

#### vi Noise

- (a) Sound from non-residential activities measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 shall not exceed the following noise limits at any point within any other site in this zone:
  - (i) daytime (0800 to 2000 hrs) 50 dB L<sub>Aeq(15 min)</sub>
  - (ii) night-time (2000 to 0800 hrs) 40 dB L<sub>Aeq(15 min)</sub>
  - (iii) night-time (2000 to 0800 hrs) 70 dB L<sub>AFmax</sub>

- (b) Sound from non-residential activities which is received in another zone shall comply with the noise limits set in the zone standards for that zone.
- (c) The noise limits in (a) shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999.
- (d) The noise limits in (a) shall not apply to sound associated with airports or windfarms. Sound from these sources shall be assessed in accordance and comply with the relevant New Zealand Standard, either NZS 6805:1992, or NZS 6808:1998. For the avoidance of doubt the reference to airports in this clause does not include helipads other than helipads located within any land designated for Aerodrome Purposes in this Plan.

#### vii Glare

- (a) All fixed exterior lighting shall be directed away from adjacent sites and roads; and
- (b) No activity on any site shall result in greater than a 3.0 lux spill (horizontal and vertical) of light onto any other site, measured at any point inside the boundary of the other site.

#### viii Boarding and Keeping of Animals

No animals shall stay overnight on a site, except for a maximum of 4 animals in the care of a registered veterinarian for medical or surgical purposes. There shall be no keeping of pigs or commercial livestock.

#### ix Heavy Vehicle Storage

No more than one heavy vehicle shall be stored or parked overnight on any site for any activity. This standard applies to residential and non-

residential activities cumulatively and only one heavy vehicle in total shall be stored or parked overnight on any site.

## 7.6.7 Resource Consent – Assessment Matters

The Assessment Matters which apply to the consideration of resource consents in the Residential Arrowtown Historic Management Zone are specified in Rule 7.7.

## 7.7 Resource Consents - Assessment Matters Residential and Visitor Accommodation 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.

### 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 within the low density residential zone**

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:

- (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
  - (viii) Compatibility with the New Zealand Urban Design Protocol having regard to those assessment matters under 7.7.2 xiii Urban Design Protocol.
- (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.
- (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.
- (e) Compatibility with the New Zealand Urban Design Protocol, having regard to those assessment matters under 7.7.2 xiii Urban Design Protocol.
- iv Restricted Discretionary Activity – Multi-Unit Developments in the High Density Residential Zone**
- When considering applications to exceed three units the Council shall have regard to the New Zealand Urban Design Protocol as per Assessment Matter 7.7.2 xiii Urban Design Protocol.
- v Restricted Discretionary Activity – Building Footprint in the High Density Residential Zone**

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

Conditions may be imposed in respect of:

When considering applications to exceed the maximum footprint size, the Council shall have regard to the compatibility of the proposal with the New

Zealand Urban Design Protocol, having regard to those assessment matters under 7.7.2 xiii Urban Design Protocol.

When considering applications for land contained in, or formally contained in, Lot 1 DP 12665 regard shall be had to the nature and extent of the landscaping and built form consented to under RM040624 and RM081099, whether or not these consents have lapsed.

## vi 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.

## **ix 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.

## **x 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.

## **xi 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 New Zealand Urban Design Protocol**

- (a) Context
  - (i) The nature of the relationship with and integration into the surrounding streets and neighbourhood such that the development fits well within the existing urban fabric and makes a positive contribution to the residential amenity of public spaces, walkways and views;
  - (ii) Presents itself as a “good neighbour” in terms of its relationship to adjacent and nearby properties in terms of access to sunlight and views, readily accessible and safe temporary parking, stopping and loading/unloading areas that respect neighbouring properties, passing traffic and pedestrians; and
  - (iii) The avoidance of unsightly elements such as prominent carpark entrances, garish signs, cluttered rooftops (to include parking) and intrusive utility connections, stormwater facilities and trashbin placements that diminish public amenity.
- (b) Character
  - (i) The use of materials and other architectural elements that do not clash with adjacent and nearby buildings and that contribute positively to the wider street scene;
  - (ii) The uses of architectural elements that reflect the unique history and cultural values of the surrounding area;
  - (iii) Attention to human scale in façade design, fenestration details and street level experience, to include entries, gardens and hardscape elements;
  - (iv) Varying rooflines and/or roof pitches to provide architectural interest and avoid a commercial appearance; and
  - (v) Landscaping that softens the building impact on the streetfront and provides amenity for passersby.
- (c) Choice

- (i) Adaptable designs that provide a mixture of unit sizes and numbers of bedrooms to create flexibility in terms of future reuses over the longer term so as to ensure a sustainable community.
  - (d) Connections
    - (i) Ready access to public transportation, footpaths and tracks, cycle ways and other means of transportation that do not require private vehicles;
    - (ii) Efficient and considerate of public amenity means of delivering goods and collecting waste;
    - (iii) Utility and safety of public parking, drop-off and stopping areas;
    - (iv) Supporting and enhancing public views and access to the surrounding built and natural environment;
    - (v) Facilitating contact among people both within the site and within the surrounding neighbourhood area; and
    - (vi) Providing lively and safe public spaces and places.
  - (e) Creativity
    - (i) Artistic vision that enhances neighbourhood amenity values while not competing for individual attention;
    - (ii) Articulated façades that utilise architectural elements to create an overall composition that enriches the eye in terms of scale, rhythm and detailing of the building while avoiding inappropriate or unattractive repetitive façades, “cookie cutter” design solutions and flat, blank or uninteresting walls; and
    - (iii) Attractive use of landscaping materials to enhance building appearance and use.
  - (f) Custodianship
    - (i) Environmentally sustainable and responsive design solutions that include attention to energy efficiency, waste disposal, transportation access, sunlight, and outdoor spaces;
    - (ii) Enjoyable, safe public spaces; and
    - (iii) A quality environment that infuses a sense of ownership and responsibility in residents and visitors such that they care for and protect the places and spaces.
  - (g) Collaboration
    - (i) Where appropriate, use of a multi-disciplinary design approach involving architects, landscape architects and urban planners early in the design process, to include reference to current and planned public projects, if relevant; and
    - (ii) Where appropriate, involvement of neighbours and public in decision making process that may have a substantial impact on their amenity values.
  - (h) Notes
    - (i) When applying paragraphs (a) to (g) to Sub-Zone B1 regard shall be had to the master planned development consented under RM050908 dated 28/7/2006.
    - (ii) When applying paragraphs (a) to (g) to land contained in or formerly contained in Lot 1 DP12665, regard shall be had to development consented under RM040624 and RM081099 dated 13/11/2008.
- xiv 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.
- xv Site Density in the High Density Residential Sub- Zone C**
- (a) When considering applications to exceed the maximum allowable density, the Council shall have regard to the compatibility of the proposal with the New Zealand Urban Design Protocol, having regard to those assessment matters under 7.7.2 xiii Urban Design Protocol, and
  - (b) Any significant (more than minor) public amenity values in terms of overall building appearance, function and neighbourhood impact resulting from the increased building density.
- xvi Building Coverage in the High Density Residential Zone**
- (a) When considering applications to exceed the maximum building coverage, the Council shall have regard to the compatibility of the proposal with the New Zealand Urban Design Protocol, having regard to those assessment matters under 7.7.2 xiii Urban Design Protocol, and
  - (b) Any significant (more than minor) public amenity values in terms of overall building appearance, function and neighbourhood impact resulting from the increased building coverage.
- xvii(1) Setback from Roads in the High Density Residential Zone**
- (a) When considering applications to reduce the setback from roads, the Council shall have regard to the compatibility of the proposal with the New Zealand Urban Design Protocol, having regard to those assessment matters under 7.7.2 (xiii) Urban Design Protocol
  - (b) 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;
  - (c) The ability to provide adequate on-site parking and manoeuvring for vehicles;
  - (d) The compatibility of proposed building 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;
  - (e) 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;
  - (f) The adverse effect the building will have on the historic character of Arrowtown;
  - (g) The preservation of views to and from public spaces;
  - (h) 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;
  - (i) Significant (more than minor) public and pedestrian amenity values in terms of building appearance and function resulting from the setback infringement;

- (j) The extent and effect of shadowing on any adjacent property or public road and
  - (k) Any likely future increases in the usage of the road.
  - (l) Whether and the extent to which land has been required for roading improvements adjacent to land contained in, or formerly contained in, Sections 6-9 Block XLI Town of Queenstown and Lot 2 DP15118, and whether a reduction to a 2.0 metre front yard is appropriate.
- xvii(2) Setback from Roads in the Low Density Residential Zone and Residential Arrowtown Historic Management Zone**
- (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 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 of 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 existing buildings on the site.
  - (g) The extent to which the location of the proposed building would adversely affect the historic character of Arrowtown.
- xviii(1) Setback from Internal Boundaries/Neighbours in the High Density Residential Zone**
- When considering applications to reduce setbacks, the Council shall have regard to:
- (a) the compatibility of the proposal with the New Zealand Urban Design Protocol, having regard to those assessment matters under 7.7.2 xiii Urban Design Protocol, and
  - (b) The extent to which a lower building coverage may offset or reduce the need to infringe upon the setback.
- xviii(2) Setback from Internal Boundaries/Neighbours in the Low Density Residential Zone and Residential Arrowtown Historic Management Zone**
- (a) The extent to which the 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 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 building, in terms of reduced privacy through being overlooked from or being in close proximity to neighbouring buildings, to and 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 the 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 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.

## **xix 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 extent to which access to any State Highway will adversely affect the safe and efficient movement of vehicles.

## **xx(1) Continuous Building Length in the High Density Residential Zone**

- (a) When considering applications to exceed the maximum continuous building length, the Council shall have regard to the compatibility of the proposal with the New Zealand Urban Design Protocol, having regard to those assessment matters under 7.7.2 xiii Urban Design Protocol.

- (b) The extent to which a smaller building may offset or reduce the need to exceed the building length rule.
- (c) When considering applications for land contained in, or formally contained in, Lot 1 DP 12665 regard shall be had to the nature and extent of the landscaping and built form consented to under RM040624 and RM081099, whether or not these consents have lapsed.

## **xx(2) Continuous Building Length in the Low Density Residential Zone and Residential Arrowtown Historic Management Zone**

- (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.
- (c) The ability to mitigate any adverse effects of the continuous building length through increased separation distances, screening or use of other materials.

## **xxi(1) Landscape Coverage in the High Density Residential Zone**

- (a) When considering applications to reduce the landscape coverage requirement, the Council shall have regard to the compatibility of the proposal with the New Zealand Urban Design Protocol, having regard to those assessment matters under 7.7.2 xiii Urban Design Protocol, and
- (b) The extent to which a lower building coverage and the provision of other public amenities may offset or reduce the need to reduce the landscape requirement.
- (c) When considering applications for land contained in, or formally contained in, Lot 1 DP 12665 regard shall be had to the nature and extent of the landscaping and built form consented to under RM040624 and RM081099, whether or not these consents have lapsed.

## **xxi(2) Landscape Coverage in the Low Density Residential Zone**

- (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.

## **xxii 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.

## **xxiii 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.

## **xxiv 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.
- xxv Fence Heights in the High Density Residential Zone**
- (a) When considering applications for relief from the rule limiting fence heights, the Council shall have regard to the compatibility of the proposal with the New Zealand Urban Design Protocol, having regard to those assessment matters under 7.7.2 (xiii) Urban Design Protocol.
  - (b) The creation of a significant (more than minor) pedestrian amenity;
  - (c) The degree to which a higher fence undercuts the visual relationship between the public and private realms, and
  - (d) The necessity of the increased fence in terms of public safety.
- xxvi Frankton Road and Track**
- (a) Frankton Road**
- (i) When considering applications to exceed the permitted height of structures along Frankton Road in the High Density Residential Zone, the Council shall have regard to the compatibility of the proposal with the New Zealand Urban Design Protocol, having regard to those assessment matters under 7.7.2 (iv) Multi-Unit Developments,
  - (ii) The extent to which a lower building coverage and the provision of landscaping and/or other public amenities may offset or reduce the need to comply with the height restriction,
  - (iii) The effect on views from any vehicle travelling along Frankton Road to the lake and mountains;
  - (iv) The extent to which the intrusion is necessary to provide for signage for the purpose of identification of the site or directions for the purposes of access to the site,
  - (v) The extent to which the proposed intrusion will provide architectural interest in relation to the design treatment of a rooftop.
- (b) Frankton Track**
- (i) When considering applications to drop below the minimum floor plane elevation of structures along the Frankton Track in the High Density Residential Zone, the Council shall have regard to the compatibility of the proposal with the New Zealand Urban Design Protocol, having regard to those assessment matters under 7.7.2 (iv) Multi-Unit Developments;
  - (ii) Shadowing onto the Frankton Track.

- (iii) Any adverse effects on the amenity of pedestrians along the Track;
- (iv) The avoidance of landscaping as a mitigation method of views into private spaces;
- (v) The addition to public and pedestrian amenity from a lowered floor plane; and
- (vi) The negative impact of the resultant development on the privacy and isolation one experiences in using the Track.

## **xxvii 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 tree's 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.

## **xxviii 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.

## **xxix 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:

- (i) 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;
- (ii) painted timber rusticated or shiplap weatherboards for walls;
- (iii) painted corrugated steel or uncoated timber shingles for roofs;
- (iv) painted timber for roof and wall coverboards, baseboards, and cornerboards;
- (v) painted timber windows, glazing bars, sills, and frames;
- (vi) painted timber door panels, stiles, mullions, rails, glazing bars, sills, and frames;
- (vii) natural or limewashed bricks for chimneys;
- (viii) painted timber architraves to doors and windows for timber clad houses;
- (ix) lime-sand rendered architraves may be applied to schist buildings;
- (x) painted corrugated steel for walls;
- (xi) 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.

## xxx 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. a higher quality of planting over a smaller area.
  - b. a higher standard of architectural design which is not visually obtrusive.
  - c. The type of building materials used.
  - d. 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.

**xxxi Earthworks**

In the High Density Residential Zone notification may be required in situations involving special circumstances with regard to any aspect of earthworks to

include, but not limited to, work schedules, blasting or extensive drilling, unstable or suspect geological conditions, substantial subsurface water, safety and traffic management.

In all zones covered by this section of the District Plan,

**(a) Environmental Protection Measures**

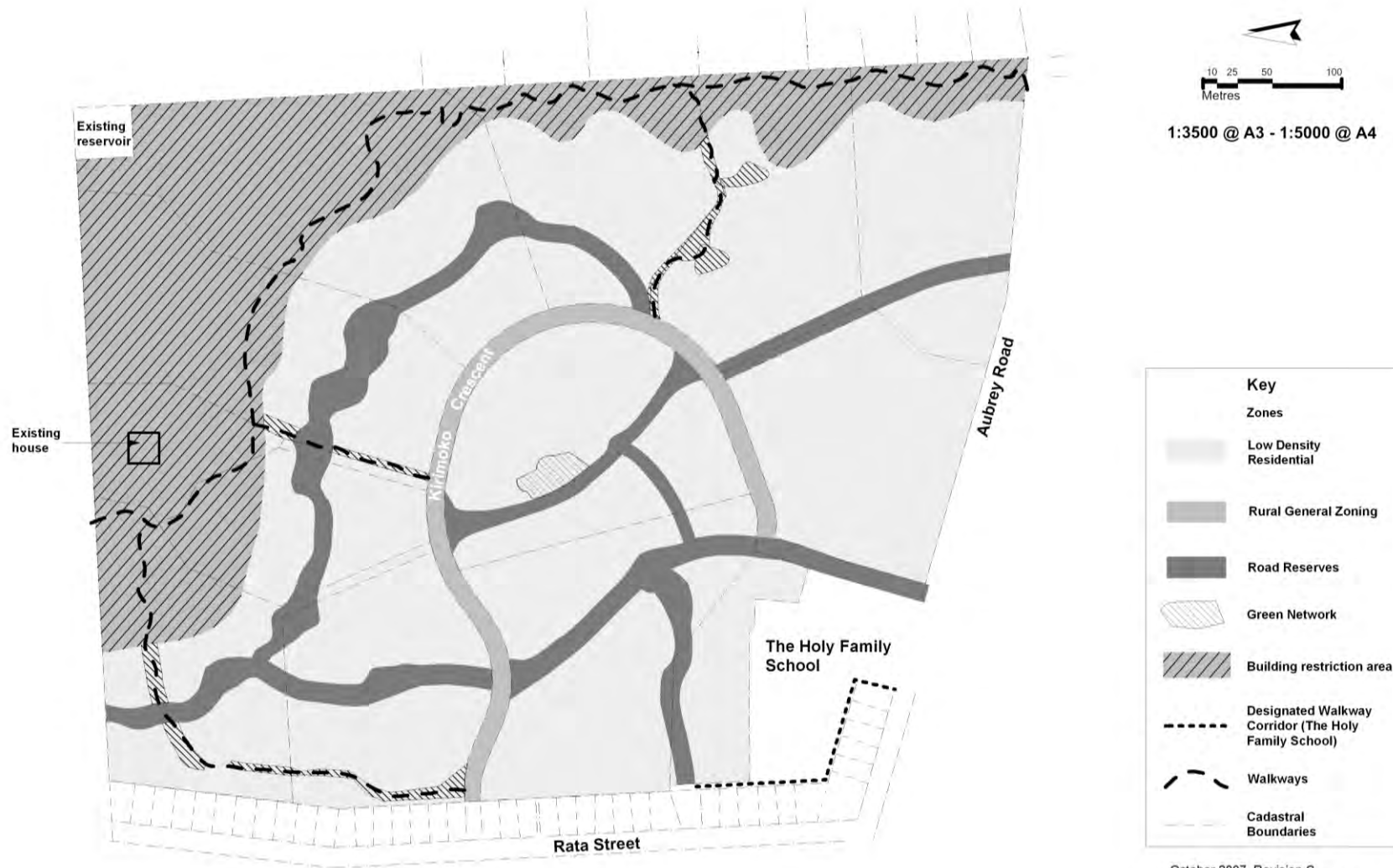
- (i) Whether and to what extent proposed sediment/erosion control techniques are adequate to ensure that sediment remains on-site.
- (ii) Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.
- (iii) Whether earthworks will be completed within a short period, reducing the duration of any adverse effects.
- (iv) 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.
- (vi) Whether appropriate measures to control dust emissions are proposed.
- (vii) 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.

**(b) Effects on landscape and visual amenity values**

- (i) Whether the scale and location of any cut and fill will adversely affect:
  - a. the visual quality and amenity values of the landscape;
  - b. the natural landform of any ridgeline or visually prominent areas;
  - c. the visual amenity values of surrounding sites
- (ii) Whether the earthworks will take into account the sensitivity of the landscape.

- (iii) The potential for cumulative effects on the natural form of existing landscapes.
- (iv) The proposed rehabilitation of the site.
- (c) Effects on adjacent sites:**
  - (i) Whether the earthworks will adversely affect the stability of neighbouring sites.
  - (ii) 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.
  - (iii) Whether cut, fill and retaining are done in accordance with engineering standards.
- (d) General amenity values**
  - (i) 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.
  - (ii) Whether the activity will generate noise, vibration and dust effects, which could detract from the amenity values of the surrounding area.
  - (iii) Whether natural ground levels will be altered.
  - (iv) The extent to which the transportation of soil to or from the site will generate any negative effects on the safety or efficiency of the road network.
- (e) Impacts on sites of cultural heritage value:**
  - (i) 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.
- (ii) Whether the subject land contains a recorded archaeological site, and whether the NZ Historic Places Trust has been notified.

## Kirimoko Block – Wanaka – Structure Plan



October 2007 Revision C  
(Following submissions to QLDC)

## 11. Business and Industrial Areas

### Queenstown, Frankton, Arrowtown and Wanaka

#### 11.1 Issues, Objectives and Policies

##### 11.1.1 Resources, Activities and Values

Business activities occur throughout the commercial, service and administration centre within the District, however they tend to be concentrated in or near urban areas. Queenstown is the dominant containing the widest range of business activities.

Over recent years there has been a greater mixture of activities on individual sites.

This trend has been most evident in Queenstown although it is discernible in other urban areas.

It can typically be seen in the following outcomes:

- home occupations and small business offices established in residential areas
- retailing activities in more traditional industrial or service activity neighbourhoods

Business activities are an important socio-economic resource and occupy a significant portion (in terms of dollar value) of the land resource. Past planning regimes have provided adequate opportunities for expansion of business activities through the zoning of land although there is now a need for increased zoning.

At present the main activities are concentrated in and around the town centres and the commercial core areas of the townships. This distribution is a direct result of historical factors which have been reinforced by past zoning provisions.

A further trend which has emerged in recent years is a shift towards home occupations. There are many reasons for this. In urban areas home occupations are generally small scale and cover a wide range of activities. In rural areas home occupations tend to be craft based and often have a retail component.

The Council acknowledges this development.

The business and industrial base of the District is founded in three sectors:

- primary produce
- visitor services
- development and construction

Traditionally the industrial activities have serviced the rural sector or have been based on primary production. A number of the smaller settlements of the District still rely on businesses servicing the rural sector for a substantial part of their economic well being.

The significant growth in tourism, and the range of activities in which visitors may now participate, has resulted in development of a number of industries specialising in servicing tourist activities. Also resulting from the expansion in tourism and associated increase in resident population, there is an emerging local construction and development industry.

##### 11.1.2 Issues

###### i Land and Location

- **Unavailability of land and poor location can result in loss of opportunity and vitality of the business sector, as well as inefficient**

## **use of infrastructure, inconvenience and adverse effects on surrounding areas.**

In Queenstown the growth in visitor and resident population has resulted in demand for land exceeding supply. This has given rise to increases in land values, decentralisation of some business activities, dislocation of other land use activities, redevelopment of existing premises and a need for expansion of business activity areas.

### **ii Development Opportunities**

- **The difficulty to change or redevelop the use of buildings and sites can lead to inefficient use of buildings and infrastructure and loss of business vitality.**

The Council must have regard to efficient use and development of physical resources and to the effects of activities. Activities appropriate in the zones are determined not just through the nature of the surrounding environment but also in terms of District wide implications. In particular, some of the areas which have traditionally provided for light industrial activities have the ability to accommodate a wide range of business activities and in particular, elements of retailing.

### **iii Environmental Effects**

- **The establishment and operation of business and industrial activities may result in adverse effects on business areas and their surroundings.**

In addition to making business areas physically accessible to the public it is also necessary to enhance their amenities to make them pleasant places to visit and work. The level of amenity may differ in particular business and industrial areas. Therefore there are a number of amenity issues as follows:

- **Industrial** activity and traffic noise.
- **Noise** is of concern in proximity to residential areas, and therefore needs to be strictly controlled at the residential interface.

- **Glare** is created from lighting, buildings and car parking.
- **Visually** the industrial and business areas are characterised by buildings built up to boundaries with minimum setback. Accepting the functional needs of business, the Council sees a need to improve amenity in all of the business and industrial areas.
- **Traffic** within industrial and business areas creates more heavy traffic than occurs elsewhere.
- **Industrial Air Pollution** and industrial activities may produce air emissions which have the potential to pollute the environment.
- *Reverse sensitivity effects on Queenstown Airport may arise where activities sensitive to aircraft noise are established within business and industrial areas where those areas are located in the Queenstown Airport's Outer Control Boundary or Air Noise Boundary.*

### **iv Retailing**

- **Location of retail activities in the business and industrial areas could adversely effect the town centres and result in adverse effects on traffic safety and vehicle/pedestrian conflict.**

The types of activities undertaken from industrial areas have changed in recent years. Industrial areas are no longer primarily areas of processing and manufacturing. Services and retailing are becoming increasingly significant. In the past there has been limited provision for retail activity from industrial areas. It is important retailing does not result in compromised traffic safety, pedestrian conflict with traffic flows, degradation of the amenity values of the town centres, and loss of efficiency of main arterial roads.

## **11.1.3 Objectives and Policies**

### **Objective 1 - Business and Industrial Activity**

*A range of industrial locations which accommodate a variety of appropriate activities, including the maintenance and consolidation of existing business areas.*

## **Policies**

- 1.1 *To enable a wide range of activities to establish throughout the business and industrial areas.*

- 1.2 *To encourage redevelopment within existing business areas by consolidating these areas.*
- 1.3 *To provide for additional industrial and business zoned land in areas which will not adversely affect existing business activities and is consistent with maintaining the standard of amenities in the area.*
- 1.4 *To recognise existing large-scale business activities in rural areas and townships.*
- 1.5 *To consider the effects of retail uses in the Business Zones on the Town Centre Zones and the people and community*

## **Implementation Methods**

Objective 1 and associated policies will be implemented through a number of methods including:

### **(i) District Plan**

- (a) Provide rules for distinctive business and industrial areas.
- (b) Zone rules to provide for specific retailing opportunities.
- (c) Identification of zone areas for expansion of industrial and business opportunities

### **(ii) Other Methods**

- (a) Provision of works and services.

## **Explanation and Principal Reasons for Adoption**

Many of the existing industries have been established for a long time, particularly those which traditionally serviced rural activities such as transport businesses and sawmills. Others have established to service the needs of a growing resident population and tourism activities.

There are some areas where industrial activities have established and which are subject to servicing constraints. In other areas constraints arising from

adjacent land use activities give rise to limitations on development; for example, the Shotover Industrial Area and the limitations imposed on that by the Queenstown Airport. Over time servicing constraints may be overcome by extended or upgraded infrastructure.

Unrestricted retail activities are considered unsuitable for business and industrial areas because of the need to ensure retailing does not result in compromised traffic safety, pedestrian conflict with traffic flows, degradation of the amenity values of the town centres, and loss of efficiency of main arterial roads. Town Centres are pedestrian orientated and it is necessary to ensure these attractive environments are not degraded by retail activities that are incompatible with their amenities.

## **Objective 2 - Amenity within the Business and Industrial Areas**

***Areas of industrial and business activity which have a standard of amenity pleasant to visit and work within while recognising their function.***

### **Policies**

- 2.1 *To enhance the business and industrial areas by minimising the adverse effects created by activities as a result of street appearance, noise, glare, traffic and dust.*
- 2.2 *By ensuring sites for business and industrial activities provide an attractive frontage to streets, public places and neighbours.*
- 2.3 *To ensure provision is made for adequate and properly designed car parking areas.*
- 2.4 *To exclude business activities which generate levels of pedestrian activity which are incompatible with the location.*
- 2.5 *To recognise heavy and noxious activities may not be able to operate under the higher amenity standards and to impose less stringent standards in the industrial zones.*



## Implementation Methods

Objective 2 and associated policies will be implemented through a number of methods including:

### (i) District Plan

- (a) Provision of rules to put in place performance standards for matters such as landscaping, building and street appearance, noise, glare and separation from neighbours.

## Explanation and Principal Reasons for Adoption

Amenity and environmental quality are important in business and industrial areas. Environmental effects of concern are traffic generation, pedestrian generation, visual impact, and emissions of all types.

For this reason the Council has determined the locations in which industrial activities may establish and acceptable levels of effects that may arise from activities within those areas.

Concerns regarding the effects of traffic and pedestrians are addressed through location. It is important industrial areas are situated where they have direct access to main traffic routes because of the nature and volumes of traffic generated by these activities. It is important pedestrian levels are not so high as to cause concerns for the safety of the pedestrians. Other areas may be more suited to pedestrian usage.

Visual amenity is addressed through five main elements: landscaping, building setback, outdoor storage, development density and building appearance. Ensuring adequate performance in respect of each of these is important to retaining or enhancing the amenity within the industrial areas as well as to minimise the effects of these areas on the wider environment.

Noise standards are also included while the matter of air emission is controlled by the Otago Regional Council.

## Objective 3 - Effect on Amenities

***Minimisation of the effects of business and industrial activities on neighbours, other land use activities and on visual amenities.***

### Policies:

- 3.1 *To impose performance standards at the interface between the business and industrial areas and residential areas to protect living environments from unacceptable noise, smell, shading, traffic and glare.*
- 3.2 *To control the location of business activities so impacts of vehicle movements are restricted to main traffic routes.*
- 3.3 *To promote design and layout of new business and industrial areas sensitive to the amenity of neighbouring activities.*
- 3.4 *To have regard to visual amenity of the business and industrial sites which are located at the Gorge Road entrance to Queenstown and the Shotover entrance to Frankton.*
- 3.5 *To ensure provision is made for employee car parking in the Business and Industrial Zones at the time of development.*
- 3.6 *To ensure that public/visitor car parking is provided on ground level adjacent to the street frontage of the site.*

## Implementation Methods

Objective 3 and associated policies will be implemented through a number of methods including:

### (i) District Plan

- (a) Include rules relating to environmental standards for noise, glare, landscaping, setback, height and external appearance of buildings.
- (b) Include the use of rules to set down performance standards for activities adjacent to residential areas.

## Explanation and Principal Reasons for Adoption

There is a desire to protect the environment which has resulted in policies directed at containment of urban areas.

To reduce the adverse impacts of business activities on residential and other environments, it is necessary to establish performance measures. Those promoted through these policies will avoid, remedy or mitigate adverse effects.

In new business activity areas the opportunity exists for development to be designed in a way which avoids many of these effects. This can be achieved through the placement of infrastructure and roading, establishment of buffer zones and separation using topographical features. The use of these techniques will be encouraged at the time of subdivision and development.

Certain areas require greater amenity control because of their impact on surrounding activities. In particular, greater amenity requirements are needed in specific areas of the Gorge Road business area and in the Shotover Industrial Zone.

## **Objective 4- Effect on Queenstown Airport of Activities Sensitive to Aircraft Noise**

*Manage business and industrial areas in proximity to Queenstown Airport to ensure that the operational capacity and integrity of the Airport is are not adversely affected significantly compromised now or in the future by Activities Sensitive to Aircraft Noise.*

## **Policies**

*4.1 To prohibit the location of any new Activity Sensitive to Aircraft Noise on business or industrial land within the Outer Control Boundary for Queenstown Airport.*

*4.2 To require as necessary mechanical ventilation for any alterations or additions to Critical Listening Environments within any existing buildings containing an Activity Sensitive to Aircraft Noise within the Queenstown Airport Outer Control Boundary.*

## Implementation Methods

Objective 4 and associated policies will be implemented through a number of methods including:

### i District Plan

- (a) *~~Provision of zone r Rules to prohibiting~~ any new Activity Sensitive to Aircraft Noise ~~locating~~ within the Outer Control Boundary of Queenstown Airport in the Business and Industrial Zones.*
- (b) *Rules to require mechanical ventilation of any Critical Listening Environment within alterations and additions to existing buildings that contain any Activity Sensitive to Aircraft Noise on sites within the Outer Control Boundary to achieve an Indoor Design Sound Level of 40 dB Ldn, based on the 2037 Noise Contours.*
- (c) *Queenstown Airport Corporation shall offer to part fund retrofitting over time of mechanical ventilation of any Critical Listening Environments within existing buildings containing an Activity Sensitive to Aircraft Noise located between the Air Noise Boundary and the 2037 60 dB Noise Contour. This ventilation is to enable windows and doors to remain closed to achieve the Indoor Design Sound Level if required. Retrofitting shall be based on the 2037 Noise Contours and retrofitting shall be offered at the time the Projected 60 dB AANC reaches the property.*

*All retrofitting shall be conducted in accordance with the conditions attached to Designation 2.*

### ii Other Methods:

*Notification through Land Information Memoranda of the prohibition of new Activities Sensitive to Aircraft Noise and the requirement to provide sound insulation and / or mechanical ventilation (where necessary to meet an indoor sound design level of 40 dB Ldn) for additions or alterations to existing buildings containing an Activity Sensitive to Aircraft Noise within the Air Noise Boundary or the Outer Control Boundary.*

## 11.1.4 Environmental Results Anticipated

Implementation of the policies and methods relating to Business and Industrial activities will result in:

- (i) A diverse range of industrial and service activities.
- (ii) Provision for a wide range of industrial and service uses to be located at accessible and convenient locations throughout the District.
- (iii) Higher levels of noise in contrast to other zones.
- (iv) A distinctly industrial visual environment in terms of building style and outdoor storage.
- (v) Provisions to gradually improve and enhance the street appearance and character through the use of more detailed frontage landscaping and controls on external appearance.
- (vi) Relatively high levels of vehicle generation including heavy vehicles.
- (vii) Retailing activity primarily limited to bulky items, service uses, goods produced on site and retailing uses which will not undermine the viability, amenity values and coherence of the town centres.
- (viii) Retention of an attractive landscaped gateway area on the Gorge Road approach and departure point to Queenstown and protection of the visual amenity and approach to Queenstown along State Highway No. 6 in the vicinity of the Shotover industrial area.

## 11.2 Business Zone Rules

### 11.2.1 Zone Purpose

The purpose of the zone is to provide for the continued viability of light industrial, processing, storage and retailing of bulky or larger goods plus the opportunity for vehicle orientated service and retail uses.

### 11.2.2 District Rules

Attention is drawn to the following District Wide Rules which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- |  |                 |
|--|-----------------|
| (i) Heritage Protection                                    | - Refer Part 13 |
| (ii) Transport   | - Refer Part 14 |
| (iii) Subdivision, Development and Financial Contributions | - Refer Part 15 |
| (iv) Hazardous Substances                                  | - Refer Part 16 |
| (v) Utilities  | - Refer Part 17 |
| (vi) Signs   | - Refer Part 18 |
| (vii) Relocated Buildings and Temporary Activities         | - Refer Part 19 |

### 11.2.3 Activities

#### 11.2.3.1 Permitted Activities

Any Activity which complies with all the relevant **Site** and **Zone** Standards and is not listed as a **Controlled**, **Discretionary**, **Non-Complying** or **Prohibited Activity**.

#### 11.2.3.2 Controlled Activities

The following shall be **Controlled Activities** provided that they are not listed as a **Prohibited**, **Non-Complying** or **Discretionary Activity** and they comply with all the relevant **Site** and **Zone** Standards. The matters in respect of

which the Council has reserved control are listed with each **Controlled Activity**.

- i **Buildings**  
Buildings in respect of landscaping, external appearance, and visual impact on the streetscape.
- ii **Outdoor Storage Areas**  
Outdoor storage areas located within any street scene setback in respect of landscaping, screening, appearance and visual impact.
- iii **Supermarket Retailing**  
Supermarket retailing on Lots 13-17 DP 19259

#### 11.2.3.3 Discretionary Activities

The following shall be **Discretionary Activities** provided they are not listed as a **Prohibited** or **Non-Complying** Activity and they comply with all the relevant **Zone** Standards.

- i **Retail Sales**  
Any goods displayed for sale and retailing undertaken from a site containing in excess of 500m<sup>2</sup> net floor area, except:
  - (a) Goods manufactured on site, and ancillary products up to 20% of the gross floor area; or
  - (b) Goods stored permanently outdoors.
- ii Any Activity which is not listed as a **Non-Complying** or **Prohibited Activity** and which complies with all the **Zone** Standards but does not comply with one or more of the **Site** Standards shall be a **Discretionary Activity** with the exercise of the Council's discretion being confined to the matter(s) specified in the standard(s) not complied with.

#### 11.2.3.4 Non-Complying Activities

The following shall be **Non-Complying Activities** provided that they are not listed as a **Prohibited Activity**.

- i **Retail Sales**  
Any goods displayed for sale and retailing undertaken from a site less than 500m<sup>2</sup> net floor area including restaurants.
- ii **Airports**  
Airports **other than** the use of land and water for emergency landings, rescues and fire fighting or for activities ancillary to farming activities.
- iii **Any Activity which requires an Offensive Trade Licence under the Health Act 1956.**
- iv **Residential Flat**
- v **Any Activity** which is not listed as a **Prohibited Activity** and does not comply with one or more of the **Zone Standards**.

## 11.2.4 Non-Notification of Applications

An application for a resource consent for the following matters may be considered without the need to obtain a written approval of affected persons and need not be notified in accordance with Section 93 of the Resource Management Act 1991, unless the Council considers special circumstances exist in relation to any such application.

- (i) All applications for **Controlled** Activities.
- (ii) Applications for the exercise of the Council's discretion in respect of the following **Site Standards**:
  - **Visual Amenity**
  - **Building Height where the site does not adjoin a High Density Residential, Low Density Residential, Township, Rural Lifestyle or Rural-Residential Zone.**

## 11.2.5 Standards - All Activities

### 11.2.5.1 Site Standards

- i **Residential Accommodation**  
One residential unit per site for the purpose of on-site custodial management.
- ii **Street Scene**  
The minimum building setback from road boundaries shall be:
  - Anderson Road - 6m
  - Gorge Road - 6m
  - Bowen Street, Sawmill Road, Hallenstein Street - 4m
  - Plantation Road - 8m
  - All Other Roads - 2m
- iii **Building Coverage**  
Maximum site coverage - 75%
- iv **Setback from Internal Boundaries**  
The minimum building setback from a Residential Low Density, Residential High Density, Township, Rural Lifestyle or Rural-Residential Zone boundary shall be 4.5m.
- v **Visual Amenity**
  - (a) **Storage of Waste**  
No outdoor waste storage area shall be located in any street scene setback area. Any outdoor type area shall be sited behind any street scene setback and screened from road frontages by either a solid fence of at least 2m minimum height, or dense planting of the same height.
  - (b) **Residential Zone Boundary Fencing**  
A solid fence of at least 1.8m height shall be erected on the boundary of any residential zone.
- vi **Building Height**  
Maximum building height - 7m.

## vii Earthworks

The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.

### 1. Earthworks

- (a) The total volume of earthworks does not exceed **100m<sup>3</sup>** per site (within a 12 month period). For clarification of “volume”, see interpretative diagram 5.
- (b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed **200m<sup>2</sup>** in area within that site (within a 12 month period).
- (c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed **20m<sup>3</sup>** (notwithstanding provision 17.2.2).
- (d) No earthworks shall:
  - (i) expose any groundwater aquifer;
  - (ii) cause artificial drainage of any groundwater aquifer;
  - (iii) cause temporary ponding of any surface water.

### 2. Height of cut and fill and slope

- (a) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.
- (b) The maximum height of any cut shall not exceed 2.4 metres.
- (c) The maximum height of any fill shall not exceed 2 metres.

### 3. Environmental Protection Measures

- (a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.
- (b) Any person carrying out earthworks shall:
  - (i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.
  - (ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.
- (c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.

### 4. Protection of Archaeological sites and sites of cultural heritage

- (a) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.
- (b) The activity shall not affect Ngai Tahu’s cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.

## 11.2.5.2 Zone Standards

### i Building Line Restriction

Where a building line restriction is shown on District Plan Maps, no building shall be located within the restricted area as identified on District Plan Maps.

### ii Noise

(a) Sound from non-residential activities measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 shall not exceed the following noise limits at any point within any site outside this zone:

- |       |            |                    |                          |
|-------|------------|--------------------|--------------------------|
| (i)   | daytime    | (0800 to 2000 hrs) | 60 dB LAeq(15 min)       |
| (ii)  | night-time | (2000 to 0800 hrs) | 50 dB LAeq(15 min)       |
| (iii) | night-time | (2000 to 0800 hrs) | 70 dB LA <sub>Fmax</sub> |

(b) Sound from non-residential activities which is received in another zone shall also comply with the noise limits set in the zone standards for that zone.

(c) The noise limits in (a) shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999.

(d) The noise limits in (a) shall not apply to sound associated with airports or windfarms. Sound from these sources shall be assessed in accordance and comply with the relevant New Zealand Standard, either NZS 6805:1992, or NZS 6808:1998. For the avoidance of doubt the reference to airports in this clause does not include helipads other than helipads located within any land designated for Aerodrome Purposes in this Plan.

### iii Glare

(a) Exterior lighting installed on sites or buildings shall be directed away from adjacent sites, roads and public places.

(b) Roofs of buildings shall be finished to avoid glare when viewed from any public place.

(c) No activity shall result in a greater than 10 lux spill, horizontal or vertical, of light onto any adjoining property within the zone, measured 2m inside the boundary of any adjoining property.

(d) No activity shall result in a greater than 3 lux spill, horizontal or vertical, of light onto any adjoining zone, measured at any point more than 2m inside the boundary of the adjoining property.

## 11.2.6 Resource Consents - Assessment Matters

The Assessment Matters, which apply to the consideration of resource consent in the Business Zone, are specified in Rule 11.4.

## 11.3 Industrial Zone Rules

### 11.3.1 Zone Purpose

The purpose of the zone is to provide for the continued viability of industrial activities and the services they provide for the social and economic well being of the community.

### 11.3.2 District Rules

Attention is drawn to the following District Wide Rules, which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter.

- |       |  |                 |
|-------|--|-----------------|
| (i)   | Heritage Protection                                  | - Refer Part 13 |
| (ii)  | Transport  | - Refer Part 14 |
| (iii) | Subdivision, Development and Financial Contributions | - Refer Part 15 |
| (iv)  | Hazardous Substances                                 | - Refer Part 16 |

- (v) Utilities - Refer Part 17
- (vi) Signs - Refer Part 18
- (vii) Relocated Buildings and Temporary Activities - Refer Part 19

## 11.3.3 Activities

### 11.3.3.1 Permitted Activities

Any Activity which complies with all the relevant **Site** and **Zone** Standards and is not listed as a **Controlled, Discretionary, Non-Complying** or **Prohibited Activity**.

### 11.3.3.2 Controlled Activities

The following Activities shall be **Controlled Activities** provided that they are not listed as a **Prohibited, Non-Complying** or **Discretionary Activity** and they comply with all the relevant **Site** and **Zone** Standards. The matter in respect of which the Council has reserved control are listed with each **Controlled Activity**.

- i Buildings**  
Buildings in respect of landscaping, external appearance, location of offices and showrooms, and visual impact.
- ii Outdoor Storage Areas**  
Outdoor storage areas located within any street scene setback in respect of landscaping, screening, appearance and visual impact.
- ~~**iii Additions and Alterations to Buildings within the Outer Control Boundary – Queenstown Airport**  
Any alteration or addition to a building or part of the building to be used for residential activities, visitor accommodation or community activities on any site located within the Outer Control Boundary as indicated on the District Plan Maps, in respect of the design, construction, orientation and location of the building to achieve adequate indoor sound insulation from aircraft noise.~~

### 11.3.3.3 Discretionary Activities

The following Activities shall be **Discretionary Activities** provided that they are not listed as a **Prohibited, Non-Complying Activity** and they comply with all the relevant **Site** and **Zone** Standards.

- i Commercial Recreation Activities in the Industrial Zone**
- ii Any Activity which is not listed as a Non-Complying or Prohibited Activity** and which complies with all the **Zone** Standards but does not comply with one or more of the **Site** Standards shall be a **Discretionary Activity** with the exercise of the Council's discretion being confined to the matter(s) specified in the standard(s) not complied with.

### 11.3.3.4 Non-Complying Activities

The following activities shall be **Non-Complying Activities** provided that they are not listed as a **Prohibited Activity**.

- i Retail Sales**  
Any goods displayed for sale and retailing undertaken from a site, except for:
  - (a) Goods manufactured on the site, and ancillary products up to 20% of the gross floor area.
- ii Airport**  
Take-off or landing of any motorised aircraft other than for emergency rescue or fire-fighting purposes.
- iii Any Activity which requires an Offensive Trade Licence under the Health Act 1956.**
- iv Visitor Accommodation**
- v Factory Farming**  
Any Activity which is not listed as a **Prohibited Activity** and does not comply with one or more of the **Zone** Standards.



## 11.3.3.5 Prohibited Activities

### i Activities within the Outer Control Boundary - Queenstown Airport

On any site located within the Outer Control Boundary as indicated on the District Plan Maps, any new ~~Residential Activities, Visitor Accommodation or Community Activities~~ Activity Sensitive to Aircraft Noise shall be a Prohibited Activity.

## 11.3.4 Non-Notification of Applications

An application for a resource consent for the following matters may be considered without the need to obtain a written approval of affected persons and need not be notified in accordance with Section 93 of the Resource Management Act 1991, unless the Council considers special circumstances exist in relation to any such application.

- (i) All applications for **Controlled** Activities.
- (ii) Applications for the exercise of the Council's discretion in respect of the following **Site** Standards:
  - Visual Amenity
  - Building Height where the site does not adjoin a High Density Residential, Low Density Residential, Township, Rural Lifestyle or Rural-Residential Zone

## 11.3.5 Standards - All Activities

### 11.3.5.1 Site Standards

#### i Residential Accommodation

One residential unit per site for the purpose of on-site custodial management.

#### ii Street Scene Setbacks

The minimum building setback from road boundaries shall be:

- sites opposite any Residential High Density or Residential Low Density Zone  
- 10m
- sites fronting a State Highway  
- 10m
- sites fronting Ballantyne Road, Wanaka or Manse Road, Arrowtown  
- 5m
- all other road boundaries  
- 2m

#### iii Building Coverage

Maximum Site Coverage - 75%

#### iv Setback from Internal Boundaries

The minimum building setback from High Density Residential, Low Density Residential, Township, Rural Lifestyle or Rural-Residential Zone boundary shall be 7m.

#### v Visual Amenity

##### (a) Storage of Waste

No outdoor waste storage shall be located in any street scene setback area. Any outdoor storage area shall be sited behind any setback and be screened by either a solid fence of at least 2m height or dense planting of the same height.

##### (b) Residential Zone Boundary Fencing

A solid fence of at least 2m height shall be erected on the boundary.

#### vi Building Height

Maximum building height - 6m.

#### vii Earthworks

The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.

## 1. Earthworks

- (a) The total volume of earthworks does not exceed **100m<sup>3</sup>** per site (within a 12 month period). For clarification of “volume”, see interpretive diagram 5.
- (b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed **200m<sup>2</sup>** in area within that site (with in a 12 month period).
- (c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed **20m<sup>3</sup>** (notwithstanding provision 17.2.2).
- (d) No earthworks shall:
  - (i) expose any groundwater;
  - (ii) cause artificial drainage of any groundwater aquifer;
  - (iii) cause temporary ponding of any surface water.

## 2. Height of cut and fill and slope

- (a) The height of any cut or fill shall not be greater than the distance of the cut or fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.
- (b) The maximum height of any cut shall not exceed 2.4 metres.
- (c) The maximum height of any fill shall not exceed 2 metres.

## 3. Environmental Protection Measures

- (a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.
- (b) Any person carrying out earthworks shall:
  - (i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.
  - (ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.
- (c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.

## 4. Protection of Archaeological sites and sites of cultural heritage

- (a) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.
- (b) The activity shall not affect Ngai Tahu’s cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.

### 11.3.5.2 Zone Standards

#### i Noise

- (a) Sound from non-residential activities measured in accordance with NZS 6801:2008 and assessed in accordance with

NZS 6802:2008 shall not exceed the following noise limits at any point within any site outside this zone:

- |       |            |                    |                    |
|-------|------------|--------------------|--------------------|
| (i)   | daytime    | (0800 to 2000 hrs) | 60 dB LAeq(15 min) |
| (ii)  | night-time | (2000 to 0800 hrs) | 50 dB LAeq(15 min) |
| (iii) | night-time | (2000 to 0800 hrs) | 70 dB LAFmax       |

- (b) Sound from non-residential activities which is received in another zone shall also comply with the noise limits set in the zone standards for that zone.
- (c) The noise limits in (a) shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999.
- (d) The noise limits in (a) shall not apply to sound associated with airports or windfarms. Sound from these sources shall be assessed in accordance and comply with the relevant New Zealand Standard, either NZS 6805:1992, or NZS 6808:1998. For the avoidance of doubt the reference to airports in this clause does not include helipads other than helipads located within any land designated for Aerodrome Purposes in this Plan.
- (e) The noise limits in (a) shall not apply to sound from aircraft operations at Queenstown Airport.

## ii Glare

- (a) Fixed exterior lighting shall be directed away from adjacent sites, roads and public places.
- (b) Roofs of buildings shall be finished to avoid glare when viewed from any public place.
- (c) No activity shall result in a greater than 10 lux spill, horizontal and vertical, of light onto any adjoining property within the zone, measured 2m inside the boundary of any adjoining property.

- (d) No activity shall result in a greater than 3 lux spill, horizontal and vertical, of light onto any adjoining zone measured at any point inside the boundary of the adjoining property.

### iii Airport Noise - Queenstown Airport (excluding any non-critical listening environment)

~~— Airport Noise — Alteration or Addition to Existing Buildings within the Outer Control Boundary~~

~~— On any site located within the Outer Control Boundary as indicated on the District Plan Maps, any alteration or addition to a building or part of a building to be used for residential activities, visitor accommodation or community activities shall be insulated from aircraft noise so as to meet an indoor design sound level of 40dBA Ldn, except for non-critical listening environments where no special sound insulation is required.~~

(a) **Between the Outer Control Boundary (OCB) and the ANB - Alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise shall be designed to achieve an Indoor Design Sound Level of 40 dB Ldn within any Critical Listening Environment, based on the 2037 Noise Contours. Compliance shall be demonstrated by either installation of mechanical ventilation to achieve the requirements in Table 2 of Appendix 13 or by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the Indoor Design Sound Level with the windows open.**

## 11.3.6 Resource Consent - Assessment Matters

The Assessment Matters, which apply to the consideration of resource consents in the Industrial Zone, are specified in Rule 11.4.

## 11.4 Resource Consents - Assessment Matters - Business and Industrial Zones

### 11.4.1 General

- (i) The following Assessment Matters are other methods or matters 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 11.4.2 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.
- street scene;
  - adjoining or surrounding buildings;
  - privacy of adjoining residential properties.
- (c) Any relevant factors in respect to the undesirability of siting offices or showrooms away from the front of buildings or facing the road.
  - (d) The relative importance of landscaping on the particular site concerned, taking account of the nature of planting or materials to be used, the location of parking manoeuvring or storage areas, and the visual quality of the surrounding environment, particularly where a low standard of visual quality exists and improvement is necessary.
  - (e) The extent to which developments detract from the visual approach to Queenstown, Arrowtown, Frankton and Wanaka.
  - (f) The extent to which the development is visible from adjoining sites, particularly those in residential zones.
- ii **Controlled Activity - Outdoor Storage Areas**

## 11.4.2 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 - Buildings**

Conditions may be imposed in respect of:

- (a) The nature of the business activity, and any particular adverse visual impacts.
- (b) The external appearance, height and location, to avoid or mitigate adverse effects on:

Conditions may be imposed in respect of:

- (a) The nature of the business activity itself, and any particular adverse visual impacts.
- (b) The type and volume of materials to be stored on the frontage of the site.
- (c) The relative importance of landscaping on the particular site concerned, taking account of the nature of planting or materials to be used, the location of parking manoeuvring or storage areas, and the visual quality of the surrounding environment, particularly where a low standard of visual quality exists and improvement is necessary.

- (d) The extent to which developments detract from the visual approach to Queenstown, Arrowtown, Frankton and Wanaka.
  - (e) The extent to which the site is visible for adjoining sites, particularly those in residential zones.
- iii Retail Sales - Discretionary and Non-Complying Activity**
- (a) The likely impact of additional retailing on town centres and amenity thereof.
  - (b) The likely effect of additional retailing on pedestrian activity, traffic congestion, access, road network and amenities of adjoining activities and properties.
- iv Residential Accommodation**
- (a) The ability of existing or future business and service activities to operate without constraint as a result of residential activity.
- v Street Scene**
- (a) The ability of office, showroom, and landscaping to mitigate adverse visual effects.
  - (b) The effect on the overall appearance of the street scene, having regard to existing landscaping, road widths, and the general amenity.
  - (c) The effect on any adjoining or adjacent residential or open space areas.
- vi Open Space**
- (a) The ability to mitigate the effects of increased coverage by additional landscaping and screening in respect of the impact of increased coverage on neighbours.
- (b) The ability to satisfy the requirements in respect of parking, manoeuvring and access.
- vii Setback from Roads and Internal Boundaries**
- (a) The extent to which a limited building setback from a road or neighbours is necessary in order to allow more efficient or practical use of the remainder of the site.
  - (b) The extent to which alternative practical locations are available for the building or structure.
  - (c) The degree to which the proposed building enhances the visual amenity of the site as viewed from the road and adjoining sites.
  - (d) The degree to which the proposed building will detract from the outlook and privacy of people on adjoining sites.
  - (e) The degree to which proposed landscaping, including plantings, will mitigate the effects of limited building setback from a road or neighbours.
  - (f) 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.
  - (g) The extent to which the proposed building will have a size, form, and external appearance which is sympathetic to, and in visual harmony with the surrounding environment.
  - (h) The extent to which the use of the proposed building will detract from the pleasantness or amenity of adjoining sites, in terms of noise, smell, dust, glare or vibration.
- viii Height of Buildings**

- (a) Whether any earthworks have been carried out on the site, prior to the date of notification, 10 October 1995, that have lowered the ground level.
  - (b) Whether there are rules requiring the site to be built up.
  - (c) The extent to which the proposed buildings will be compatible with the character of the local environment, including the scale of other buildings in the surrounding area.
  - (d) The extent to which the height of the building would impact on the street scene, including having regard to the matters specified in Assessment Matter (i).
  - (e) The degree to which the increased building height will adversely affect views from properties in the vicinity, or from roads or public open space in the surrounding area.
  - (f) The extent to which the building will have an adverse effect on other sites in the surrounding area.
  - (g) Whether the adverse effects of height could be mitigated through site layout, increased separation or by screening.
- ix Visual Amenity**
- (a) The nature of the use of the site.
  - (b) The type and volume of materials to be stored on the frontage of the site.
  - (c) The extent, appearance and type of screening or landscaping proposed.
  - (d) Any relevant factors in respect to the undesirability of storage in a non-complying position.

~~x **Controlled Activity – Addition or Alteration to Buildings within the Outer Control Boundary – Queenstown Airport**~~

~~Conditions may be imposed to ensure the design, construction, orientation and location of alterations or additions to an existing building or part of a building used for residential activities, visitor accommodation or community activities within Queenstown Airport's Outer Control Boundary is such to ensure the indoor design sound levels specified in Zone Standard 11.3.5.2(iii) are met.~~

**xi Earthworks**

**1. Environmental Protection Measures**

- (a) The 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 Acknowledgment 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.

## 12.10 Remarkables Park Zone

### 12.10.1 Resources, Activities and Values

The Remarkables Park Area comprises approximately 150 hectares of perimeter urban land in the vicinity of Frankton and occupies a strategic position adjacent to the Kawarau River near the head of the Frankton Arm of Lake Wakatipu. The zone is 1.5 kilometres from the intersection of State Highways 6 and 6A and 8 kilometres from central Queenstown.

The land was formerly zoned partly rural and partly residential. Development of the area for residential purposes began in 1992 following confirmation of Plan Change 87 providing for a traditional residential zoning with accompanying roading, utility services and landscaping for a limited area of the land.

At the same time, and with the increasing pressure on the District to accommodate a broad range of further urban development, a review of the resource management options for the land was undertaken. The proposals in this section integrate the various resource management considerations which have been identified. These considerations are Regional, District and local in nature and combine to create an outstanding opportunity for the sustainable management of the District's natural and physical resources. Development in the area is proposed in a manner which brings together the needs of the District and the local community within an environment which incorporates the existing settlement at Frankton as well as the infrastructure to provide for commercial and increased recreational facilities on the Frankton flats. Most significantly, the resources and activities have been developed having regard to the present and expected future infrastructure of Queenstown Airport.

Development of the Remarkables Park Zone acknowledges the outstanding physical resources and landscape value of the land. Within the objectives of determining an optimum strategy for integrated and sustainable resource management, every consideration has been given to developing the area in a way that maximises the key natural and physical resources and amenity values of its location. These include:

- views of The Remarkables mountains to the south-east.
- views of Coronet Peak to the north.
- views of all other local hills and mountains.
- clear terrain to the north providing for long winter sunshine hours.
- views of, access to and general proximity to the Kawarau River.
- two major natural terraces across the site providing elevated views of the river and views across the river to the foothills of The Remarkables and to the southern arm of Lake Wakatipu.
- a peninsula land-form leading from the major lower terrace across gently-falling land to a beach directly adjacent to the Kawarau River.
- extensive direct riverside access along the eastern and southern boundaries.
- flat land to the north, encompassing farmland, the Frankton Corner Shopping Centre, nine-hole golf course, the Queenstown Events Centre and the airport.
- residential subdivision to the west
- Lake Wakatipu to the west.

The combined effects of these elements is such that the area provides Queenstown with a site which is well suited to higher density development comprising a mix of urban activities including residential, visitor accommodation, recreational, community, educational, commercial and retail activities .

### 12.10.2 Issues

- **Development of the land in a way which provides for the District's economic and social needs while protecting the important natural**



**and physical resources of the Frankton area and the wider community.**

The principal resource management issue relates to the development of land in a way that protects and enhances the important natural and physical resources of the District, including the airport, while providing for appropriate development in order to meet the social and economic needs of the community.

Given the proximity to the Remarkables Park Zone of the commercial and visitor node at Queenstown, the existing residential development, proposed commercial centre at Remarkables Park and the Queenstown Airport, a pattern of development comprising residential, recreational commercial and visitor accommodation activities has been developed in a way which will complement existing and proposed land uses and accordingly produce an integrated and coherent built environment with significant economic and social benefits for the District.

The development proposed for the Remarkables Park Zone is appropriate within its environmental context with airport related controls for areas subject to airport effects and will enable the sustainable management of the landscape. The development will incorporate extensive landscaping, open areas, river-bank enhancement, accessways and pathways, high levels of local amenity and offer opportunities for residential choice and visitor accommodation facilities in a comprehensive and integrated way. The major amenities include links to the Frankton Arm pathway at the western end of the zone and the Shotover River to the east.

## 12.10.3 Objectives and Policies

**Objective 1:**

***Integrated management of the effects of residential, recreation, commercial, community, visitor accommodation, educational and Queenstown Airport activities.***

**Policies:**

- 1 *To require development to be undertaken in an integrated manner which maximises environmental and social benefits.*

- 2 *To provide for an efficient pattern of activities in a manner which is safe and convenient for vehicle and pedestrian traffic.*
- 3 *To achieve higher density residential development.*
- 4 *To ensure that development takes place in a manner complementary to the operational capability of Queenstown Airport.*
- 5 *To establish a buffer between the airport and noise sensitive activities in the Remarkables Park Zone.*
- 6 *To enable the inclusion of commercial activities appropriately integrated into the Remarkables Park Zone.*
- 7 *To enable visitor accommodation to be appropriately integrated into the Remarkables Park Zone.*

**Implementation Methods**

Objective 1 and associated policies will be implemented through a number of methods including:

**i. District Plan**

- (a) Inclusion of a specific zone
- (b) Inclusion of a structure plan incorporating Activity Areas
- ~~(c) Notification through Land Information Memorandum of the restrictions on properties between the 58 and 60 dBA Ldn noise contours~~
- ~~(d)~~ Inclusion of provisions prohibiting certain land uses within Remarkables Park Zone Table 1 and noise control and noise attenuation standards on land identified on Figure 2 – Airport Measures in the District Planning Maps.
- (d) Noise boundaries identified in the District Plan Maps

## ii. Other Methods

- (a) Notification through Land Information Memorandum of the restrictions on properties within land identified in Figure 2 – Airport Measures in the District Planning Maps.

### **Explanation and Principal Reasons for Adoption**

In all respects, the Remarkables Park Zone is a riverside development. As such, development of the Remarkables Park Zone strongly recognises and embraces the presence of the Kawarau River. The river is an important component of the local landscape and has the potential to be a significant beneficial aspect of future development. The river and its margins are presently under-utilised in terms of public access and enjoyment. Encouraged by Council's approach to the nature of reserve contributions the development of the Remarkables Park Zone will enhance riverside utilisation beyond the Remarkables Park Zone by the establishment of accessible open space, amenities and physical and functional linkages with this waterbody.

The development in the zone takes into account the contrast between the site topography (predominantly a series of terraces falling to the river) and the immensely powerful off-site background. This background comprises 360° views of dramatic mountain forms dominated by The Remarkables to the east. The scale of these off-site, vertical elements encourages and minimises the effects of a higher density development which incorporates low rise, multi-storey buildings, established in a landscaped park and setting.

A fundamental part of the strategy as applied to the Remarkables Park Zone is to ensure that the District Plan provisions provide a mix of development opportunities encompassing residential, recreational, educational, commercial and visitor accommodation activities. These will all have regard to and be complementary to the landscape qualities and amenity of the locality. To this end, such activities will be subject to appropriate controls to ensure that all development is assessed on an integrated basis and incorporates significant landscaping of a type and scale appropriate to the built and natural environment to which it is related.

The Outer Control Boundary shown on the Planning Maps does not trigger any land use restrictions within the Remarkables Park Zone except for limited

controls on residential activities and visitor accommodation within Activity Areas 6 and 7 identified in [yellow] and on any Educational Facilities within Activity Areas 4 and 6 identified in [green] on Figure 2 – Airport Measures in the District Planning Maps.

### **Activity Area 8 Strategy**

A northern perimeter area comprises Area 8 and has been created to function as a buffer zone enabling activities compatible with both the airport and other Remarkables Park Zone Activity Areas, and providing good separation between them.

### **Objective 2: Development Form**

***Urban development in a form which protects and enhances the surrounding landscape and natural resources.***

### **Policies:**

- 1 *To require development to be undertaken in accordance with a Structure Plan.*
- 2 *To control the density of residential development.*
- 3 *To enable the establishment of open space and recreation activities in any of Activity Areas 2a, 2c, 3, 4, 6, 7 and 8.*
- 4 *To provide for a number of identified Activity Areas within the Structure Plan as follows:*

#### *Activity Area 1*

- *To continue the development of low density residential activities in Activity Area 1.*

#### *Activity Area 2*

- *To develop and enhance the Riverside Public Recreation Activity Area at the location and to the extent shown on the Structure Plan and in a comprehensive and integrated manner.*

- *To continue, in general terms, the reserve provisions already in force in relation to land in the southern portion of the Remarkables Park Zone, being Activity Areas 2a, 2b and 2c.*

## Activity Areas 3, 4, 5, 6, 7 and 8

- *To require landscaping as part of any development.*
- *To require the provision of open space as part of any development.*
- *To control the bulk and location of buildings.*
- *To provide for certain community activities and educational facilities in Activity Areas 4,5 and 6.*

## Activity Area 8

- *To enable the establishment of activities of a rural/recreational nature, infrastructural utilities and parking, which are not sensitive to nearby airport operations.*

### Implementation Methods

Objective 2 and associated policies will be implemented through a number of methods including the following:

#### i. District Plan

- (a) As for Objective 1

### Explanation and Principal Reasons for Adoption

Plan Change 87 to the Transitional District Plan zoned the western part of the Zone for residential housing purposes. This was achieved by way of an Order of the Planning Tribunal, which was consented to by all parties including the Council and Queenstown Airport Corporation.

It is proposed to develop a community neighbourhood rich in those images which can combine to create a sense of community identity. There will be a balance of permanent residents and visitors housed in a mix of building styles set in a park like surrounding. All residential buildings will be designed and located to secure the widest enjoyment of the views and access to the water.

Priority in the development will be given to open spaces which help create community identity. Pathways frequently separated from roading will provide pedestrian connections throughout the development and together with a network of neighbourhood streets of varying types will encourage pedestrian activity and act to slow motor vehicles.

Accessibility within the development and the other parts of Frankton and the locality will be secured in a number of ways. The river's edge may be developed for public access. In addition, the possible future introduction of a public transport system, such as water taxis, linking the Remarkables Park Zone with Frankton and Queenstown, is anticipated.

Principal avenues may be designed and created to form key connections to the riverside peninsula and its various riverside facilities and to the proposed commercial centre and to provide special view lines from the main entrance to the Remarkables Park Zone area.

The building design within the area will capture and emphasise the views of the mountains in the background. Distinctive architecture suited to the environment will be fostered and encouraged.

The Remarkables Park Zone is made up of a number of elements which are illustrated on the Structure Plan, Figure 1 and are identified as discrete Activity Areas as follows:

#### Activity Area 1 - Traditional Residential Development

Approximately 9 hectares of land on the western side of the block and adjoining the existing Riverside Road development will continue to be developed for traditional residential development. Section sizes will range from 600m<sup>2</sup> to 1100m<sup>2</sup> and will accommodate predominantly single family residential units. This pattern of development will integrate the existing level and pattern of settlement with the further range of development proposed for the Remarkables Park Zone.

#### Activity Area 2 - Riverside Public Recreation

Activity area 2a on the river peninsula adjoining the Kawarau River, to the south covers land owned by the Council and is proposed to be developed for public open space. This element of the southern Riverside Public Recreation area is the proposed river access area. This area would be a public place

carefully located on the river's edge in order to take advantage of the opportunities of such a location for river access. It may provide a terminus for water transport between the Frankton locality, Queenstown and other parts of the District as well as focus for limited commercial uses, eg restaurants, ticketing facilities.

Activity Area 2b is a formed access strip joining two public streets. Area 2c is partly vested as a local purpose reserve and partly privately owned.

### **Activity Area 3 - Riverside Peninsula**

The riverside apartment area situated on the river peninsula and adjoining the Riverside Public Recreation Area will enable development for condominiums, visitor facilities and visitor accommodation, church, plaza, restaurants, cafes and riverside facilities.

### **Activity Area 4 - Higher Density Housing**

A significant proportion of this area is proposed to be devoted to higher density housing. Such housing will maximise views and sun and will be built at relatively high density.

### **Activity Area 5 - Commercial/Retail area**

Within an area in the northwest part of Remarkables Park, land is available for future retail and other commercial activities including office and service activities. As the first of the Activity Areas reached when arriving in the Zone by road, a true mixed-use approach is found here, including opportunities for education, visitor accommodation and carefully designed higher density residential activities.

### **Activity Area 6 - North Urban Development Area**

The building forms proposed for part of this area will secure a number of resource management outcomes including provision for higher density living and certain community activities utilising building designs which mitigate aircraft noise. This will enable close proximity for a significant number of residents to the Remarkables Park Commercial centre and other activities within the wider Frankton locality.

### **Activity Area 7 - Visitor Accommodation and Eastern Perimeter High Density Residential**

Within an area in the north-eastern portion of the Remarkables Park Zone, a sector is set aside for terrace houses, condominiums and visitor accommodation activities. This site offers spectacular views of Coronet Peak, the Crown Range, and the Shotover and Kawarau Rivers.

The area is split into two terraces; the north-eastern terrace is elevated. Consequently, extra controls over height of buildings are provided for.

### **Activity Area 8 - Northern Perimeter Area**

A significant "buffer" area of land formerly partly owned by Queenstown Airport Corporation Limited, this land is suitable for development for rural, recreational infrastructural facilities not of a noise sensitive nature. Much of it falls in close proximity to the airport and within higher noise control areas. As such residential activities, visitor accommodation and community activities are prohibited in this area within the Outer Control Boundary.

The strategy for development of the Remarkables Park Zone aims to establish a high quality of amenity which will enhance the value of and be maintained by later stages. The interdependence of buildings and streets will be recognised and facilitated with the role of streets to be appropriate to the nature of the activity they serve.

Development within the Remarkables Park Zone will be undertaken on an integrated basis. This means that the development of land and buildings will be planned together rather than separately. Such integrated planning and development of the land will ensure that the unique benefits which the location offers are developed to their best advantage and that a high standard of amenity is achieved.

### **Objective 3 – Open Space, Conservation and River Access**

***Protection of areas of important vegetation, and land form in close proximity to the river from development.***

***Sufficient areas of land to provide for local active and passive recreational needs.***

**Protection of those features of the natural environment including vegetation, landform and landscape that:**

- contribute significantly to amenity values
- assist in preventing land instability and erosion
- contribute to ecological diversity and sustainability.

**Improved and generous public access to the Kawarau River.**

**Policies:**

- 1 *To secure reserve contributions in land, cash or works or development of activities on reserves.*
- 2 *To enhance the quality of such areas by the carrying out of attractive landscaping and other works appropriate to the area.*
- 3 *To provide appropriate land for open space and recreational opportunities.*
- 4 *To ensure that reserves of appropriate quality and quantity are provided in convenient locations to meet the needs of the community.*
- 5 *To provide for development to be staged to ensure that areas of open space are set aside and recreation facilities developed as the development of the Remarkables Park Zone proceeds.*
- 6 *To ensure that the potential or actual adverse effects of development on the natural environment are avoided, remedied or mitigated so as to maintain the quality of the environment of the zone and the locality.*
- 7 *To enhance public access to and along the Kawarau River.*
- 8 *To avoid any adverse effects of development on the river environment.*

**Implementation Methods**

Objective 3 and associated policies will be implemented through a number of methods including:

**i. District Plan**

- (a) As for Objective 1.
- (b) Staging development to ensure that public recreation facilities are developed.

**Explanation and Principal Reasons for Adoption**

Reserves already set aside in the Remarkables Park area, together with intended open spaces including the riverside public recreation areas will result in a significant area of land being available as open space.

Open space areas are of great importance in developing a quality built environment. Within the Remarkables Park Zone, there is a significant opportunity to secure appropriate reserve land for public open space and to secure recreational facilities.

While future development of the Remarkables Park Zone will involve some modification to the natural environment, the retention and protection of natural features and places which have significant heritage or landscape value is of primary importance in order to retain and enhance the outstanding environmental qualities of the District.

The Kawarau River and its margins are significant components of the overall landscape within the zone. Much of the amenity of the zone is based on, and takes advantage of, the proximity of the river and the quality of its edges. At present, there are substantial stretches of the riverside which are host to inappropriate vegetation cover, including willows, which affect water flow and cause sediment build-up. The removal of inappropriate species and subsequent restorative planting using suitable species will secure the amenity to be derived from the area. Further, this amenity can be enhanced through appropriate design and location of structures and the creation of public access in order to capitalise on the potential of the site.

The establishment of activities and structures within the river access area must be undertaken in a manner which recognises the high level of ecological

amenity within this area. Landscaping in conjunction with structures of appropriate scale can serve to enhance such amenities.

## Objective 4 - Site Layout, Orientation, Building Design and Streetscape

***A coherent site layout that provides a pleasant, attractive and resource efficient environment***

***Buildings sited and designed to create and preserve a high standard of environmental amenity reflecting the surrounding streetscape and building design which enhances public views from and to the streets***

### **Policies:**

- 1 *To ensure that subdivision design and the location of buildings on the sites is undertaken to maximise views, solar aspect and enhance street frontage and amenity.*
- 2 *To ensure that the built environment reflects the qualities of a mountain village, including pitched roofs and variety in form, scale and height of buildings.*
- 3 *To enable clusters of buildings and structures to be developed.*
- 4 *To encourage the use of colours and materials which are complementary to the local environment.*
- 5 *To provide for attractive streetscapes appropriate to the primary street functions adjoining buildings or activities.*
- 6 *To ensure that, when viewed from a public street, the external design of buildings is visually compatible with the surrounding development and with the identified future character of the locality.*

### **Implementation Methods**

Objective 4 and associated policies will be implemented through a number of methods including:

#### **i. District Plan**

Provide for subdivision and building, location design and appearance to be a controlled activity.

#### **ii. Other Methods**

A Design Review Board shall be used to evaluate proposals for development exceeding the specified height limits (site standard) against the relevant assessment criteria, prior to lodgement of a resource consent application. The structure and protocol of the Review Board will be determined by the Board. Liaison with Design Review Board is encouraged early in the design process.

### **Explanation and Principal Reasons for Adoption**

The layout and size of sites for subdivision and the design and siting of buildings within the subdivision are critical matters in achieving the general objectives for integrated and sustainable development within the zone.

The character and appearance and landscaping of the streetscape and the siting and design of buildings in relation to these matters has a fundamental role to play in the creation of an interesting urban development.

### **Objective 5 - Transport Networks**

***High levels of accessibility, safety and convenience for all persons travelling to, from, or within the zone by a wide range of transport modes while ensuring acceptable levels of amenity***

### **Policies:**

- 1 *To provide a network of streets and accessways with physical distinctions between each, based on function, convenience, traffic volumes, vehicle speeds, public safety and amenity.*
- 2 *To encourage use of the river and lake as an alternative transport network, connecting Queenstown, Frankton, and the Remarkables Park Zone.*

- 3 *To provide appropriate and attractive landscaped areas and routes within the Remarkables Park Zone for cycle and pedestrian movement, and an ability to link these with accessways between Frankton and Queenstown.*
- 4 *To provide a safe and convenient pathway system for pedestrians, cyclists and in-line skaters for access to and within the zone and for recreational purposes.*
- 5 *To promote walking and cycling as ways of carrying out daily activities.*

### Implementation Methods

Objective 5 and associated policies will be implemented through a number of methods including:

#### i. District Plan

- (a) Provision for a well designed road, pedestrian and cycleway network.
- (b) Provision for a staging point for water based transport, including public and visitor transport.
- (c) An integrated high density development which is linked to the proposed commercial centre by road, footpaths and cycleways.

### Explanation and Principal Reasons for Adoption

The Frankton Road is currently the only transport link between Queenstown and the Frankton flats. It is already under pressure and this will increase with increased development of Queenstown and throughout the District. The Kawarau River and the lake provide a visually attractive and safe alternative transport link between Queenstown and the Frankton flats in a way that will enhance the areas' visitor appeal.

Within the zone, opportunities are provided for an extensive network of walkways and cycleways, both to promote mobility within the area and to important facilities adjoining the site, eg shopping, education.

### Objective 6 - Design and Implementation of Infrastructure and Utility Services

***Street design for safe and convenient movement of vehicles, cyclists and pedestrians.***

***Street construction which reinforces the function and amenity of streets.***

***Public utilities located and designed in a manner which is efficient and unobtrusive to the visual amenities of the area***

### Policies:

- 1 *To provide a safe and pleasant street environment for residents and other users of adjoining properties.*
- 2 *To minimise the carriageway's visual impact on residents while accommodating public utility services and drainage systems.*
- 3 *To minimise street construction and maintenance costs, without compromising other objectives.*
- 4 *To provide street geometry which is consistent with the needs of the streets functions and which emphasises residential and pedestrian amenity.*
- 5 *To provide street pavements and edges that reinforce the function and amenity of streets, and in particular to use pavement materials that reinforce their residential functions where appropriate.*
- 6 *To provide a pavement edge that is appropriate for the control of vehicle movements, performs any required drainage function and is structurally adequate.*
- 7 *To encourage the provision of landscaping as an integral part of street network design.*

### Implementation Methods

Objective 6 and associated policies will be implemented through a number of methods including:

## i District Plan

- (a) Controls on the design, location and form of utility services and street works.

### Explanation and Principal Reasons for Adoption

The objective and policies are provided for the need to integrate development and to seek imaginative and attractive designs which not only provide for the proper functioning of the street or utility but also have important regard to visual impact, surrounding activities and alternative functions. The design of the street network should reflect its function in order to ensure the network better relates to other activities and amenities. Landscaping is an important element to street design.

### Objective 7 - Future Retail and Related Activities

***A new integrated street-based commercial centre to provide for the future retail needs of the District in a manner which promotes convenience for residents, vehicle accessibility, choice, a distinct identity, is infrastructure efficient, and relates well to other community activities eg hospitals, schools, recreation and leisure***

### Policies:

- 1 *To zone sufficient land to provide for an integrated commercial centre accommodating a range of activities.*
- 2 *To enable a consolidated medium density commercial centre incorporating open space, shops opening onto streets and, higher density residential and visitor accommodation and a consolidated urban form which increases the potential for multi purpose trips.*
- 3 *To enable the new commercial centre to function as the focal point for a range of activities including community, education and residential.*

- 4 *To enable and enhance a distinctive outdoor street character and image for the commercial centre by way of design and appearance guidelines and reference to building character and styles.*
- 5 *To enable a built form which reflects and is sympathetic to the surrounding alpine landforms, lakes and views of both.*
- 6 *To enable the development of new education facilities and other non-residential activities in close proximity to the new commercial centre.*
- 7 *To provide a commercial centre which is integrated with the surrounding community and activities and which provides the opportunity for a variety of efficient infrastructure services including environmentally sensitive transport links and modes within the locality and to other areas of the District.*

### Implementation Methods

Objective 7 and associated policies will be implemented through a number of methods including the following:

## i District Plan

- (a) Zone provisions for a new commercial **centre** within Activity Area 5 of the Structure Plan for the Remarkables Park Zone.
- (b) To incorporate a Structure Plan to provide for the integration of development within the Zone and with surrounding land uses.
- (c) To provide for all buildings to be Controlled Activities in terms of design, appearance, materials and effect on streetscape.

### Explanation and Principal Reasons for Adoption

The purpose of the commercial centre at Remarkables Park is to provide for a new retail based commercial centre. The proposed site is preferred for a number of resource management reasons including:

- The site is close to and can be integrated with major existing and proposed residential areas, thus bringing convenience to residents and



efficiency in terms of energy use by providing the opportunity for a range of transport modes, eg pedestrian, cycling, public transport.

- The site is well located in respect of a number of existing and proposed community facilities, eg church, hospitals, educational facilities. This creates the opportunity for multi-purpose trips.
- The site is sufficiently separated from the other main retail nodes to be able to develop a catchment population to support a range of shopping activities.
- The topography and location of the site provide for ease of vehicle access and infrastructure servicing.

The design of the centre is a critical element and all development within the centre will be assessed in terms of design, appearance, relationship to existing or proposed road networks or pedestrian links, open space opportunities, the manner in which buildings are designed having regard to their relationship to street frontages, pedestrian access, car-parking areas, and the compatibility of the design with the general alpine topography of the surrounding landscape including views of the mountains and the lake. In addition, all subdivision in the zone will be assessed as a controlled activity having regard to the need to achieve an imaginative layout, higher density development and the need to mitigate the adverse effects of a range of activities.

### **Objective 8 - Amenity, Image, Character and Design**

***An integrated commercial centre where open space and pedestrian links, views of the surrounding mountain landscapes extensive planting, and high quality building and townscape design reflecting the surrounding topography, are paramount.***

#### **Policies:**

- 1 *To enable and preserve a high standard of urban and landscape design through the use of the Controlled Activities rules.*
- 2 *To encourage and promote design which reflects and acknowledges the surrounding topography.*

- 3 *To require resource consent applications so that areas of open space, pedestrian links and important views can be identified, protected, enhanced and become an essential part of the Remarkables Park Commercial Centre image and amenity.*
- 4 *To ensure that the design and appearance of buildings, structures and other elements of development are compatible with nearby residential and community uses.*
- 5 *To ensure landscaping gives a distinct village identity, and promotes the image of a consolidated commercial centre but does not destroy important views from the centre.*

#### **Implementation Methods**

Objective 8 and associated policies will be implemented through a number of methods including:

#### **i District Plan**

- (a) Provision for buildings to be controlled in terms of design and appearance
- (b) Provision for a Structure Plan to integrate activities

#### **Explanation and Principal Reasons for Adoption**

The Council believes there is a unique opportunity for the new commercial centre at Remarkables Park to promote the best principles of resource management including:

- energy efficiency and conservation through consolidation of the town centre and related activities including workplace, residential and community activities.
- convenience for residents.
- efficient use of infrastructure.
- opportunity for multi-purpose trips and the establishment of public transport links and termini.

- a design and amenity which reflects the outstanding alpine character of the District and brings that amenity into the town by way of views and backdrop.
- a commercial centre that has regard to people's needs in terms of convenience, size and amenity.
- a commercial centre that reflects the best of the District's current and heritage design.

The Council believes that the built form of the centre should promote a sense of place, local identity, convenience and enhance the existing outstanding sensory images being views of the mountains, the lake and the intrusion of good sunlight.

The purpose of the Structure Plan is to assist in achieving the essential objectives for the above, namely:

- that the retail development contributes to an active public realm.
- that retail magnets such as department stores and supermarkets are distributed throughout the retail core.
- that retail development is integrated with other uses, rather than being isolated from the community or other activities.
- that there is a strong character in the commercial centre environment which is achieved through building design and high quality public open spaces.

Landscaping, street design and opportunities to integrate local art are features deemed important by the Council. The Council is seeking through the rules and the Structure Plan to include the community in what it believes to be a unique opportunity for Queenstown, being the design and creation of a new village centre.

## 12.10.4 Environmental Results Anticipated

Implementation of the policies and methods for management relating to the Remarkables Park Zone will result in:

- The overall environmental quality of the Remarkables Park Zone and adjoining areas deriving character from the natural features of the zone and in particular the river setting.
- The development of the zone achieving a strongly urban and focused environment comprising a range of residential, visitor accommodation, commercial and community services, and open space which is interesting, convenient and attractive for community use and enjoyment.
- Essential utility services provided within the zone as development proceeds.
- Land development process managed so that adverse effects of development are avoided, remedied or mitigated.
- Water quality of the Kawarau River being maintained at the best possible quality.
- Important natural features of significance are respected and preserved.
- A range of building forms being enabled so as to promote social and cultural diversity.
- The planning and design of all built structures taking account of the natural landforms of the District to achieve high standards of built environment in terms of streetscape, housing form and quality, convenience and security.
- Proposed reserves are set aside and developed in ways which are appropriate to the wider amenities of the District and the recreational needs of the community.
- The form of the development, with its transport linkages and easily located foci of activities reinforcing the development of a sense of

community and encourages relatively high density residential development.

- The establishment and operation of non-residential activities within the Remarkables Park Zone being controlled so that the scale and appearance of buildings is in harmony with the residential character of the locality, adverse effects on residential amenity (including noise, intrusions on privacy, odours, smoke or smell) being avoided, the efficiency and safety of the local street and pathway systems maintained.
- Development incorporating early planting such that a substantial visual contribution to the landscape is achieved as quickly as possible.
- The development of new retail opportunities to meet the needs of residents and visitors.
- The development of a commercial centre which reflects the essential amenity values and character of the District, especially the views of the surrounding landscapes.
- An attractive shopping, working and recreation environment which relates well to the views and sunlight.
- A centre where the built design reflects the surrounding alpine environment, relates well to people in terms of scale and is convenient for pedestrian and vehicle access.
- A centre well located and designed to integrate with existing and proposed residential activity and providing for a high level of pedestrian convenience from the surrounding residential areas.
- A centre which is well located and designed to include a range of activities including leisure, education and living environments.
- A centre which will promote and provide for multi-purpose trips and is thereby energy efficient.

- Recognition of the Queenstown Airport operational requirements and buffering between the Airport and the development areas of the RPZ.

## 12.11 Remarkables Park Zone - Rules

### 12.11.1 Zone Purpose

The purpose of the zone is to provide for a comprehensively managed and integrated high density development containing opportunities for a range of supporting and complementary activities. These include open space, visitor accommodation, transport, educational, recreational and commercial facilities.

In order to achieve a high standard of integrated development, sustainable management, building and open space design, the zone is subject to a Structure Plan, which details activity areas, and provides for a wide range of matters to be subject to Controlled Activity consent

The zone seeks to achieve maximum flexibility within the parameters of the Structure Plan.

New commercial development for retailing and office activities is incorporated in the zone. The Commercial centre activities are to be designed around lanes and parking and be developed to minimise any adverse effects on the built environment, amenity and resources of the existing Queenstown Town Centre. The background issues, resource evaluation, objectives, policies, explanation and principal reasons for adoption and environmental results anticipated give effect to the existing and future commercial development in Activity Area 5 of the Structure Plan for the Remarkables Park Zone.

### 12.11.2 District Rules

Attention is drawn to the following District Wide Rules which may apply in addition to any relevant Zone Rules. The provisions of the District Wide Rules are to be met unless inconsistent with any particular Remarkables Park Zone rule in which case the latter shall prevail.

- |                           |                 |
|---------------------------|-----------------|
| (i) Heritage Protection   | - Refer Part 13 |
| (ii) Transport            | - Refer Part 14 |
| (iii) Subdivision         | - Refer Part 15 |
| (iv) Hazardous Substances | - Refer Part 16 |
| (v) Utilities             | - Refer Part 17 |

- |  |                 |
|--|-----------------|
| (vi) Signs   | - Refer Part 18 |
| (vii) Relocated Buildings and Temporary Activities | - Refer Part 19 |

### 12.11.3 Activities

#### 12.11.3.1 Permitted Activities

Any Activity which complies with the **Site** and **Zone** Standards and is in accordance with the **Structure Plan** (Figure 1 to this Rule) and is not listed as a **Controlled, Discretionary, Non-Complying or Prohibited Activity** (in Table 1 to this Rule) shall be a **Permitted Activity**.

#### 12.11.3.2 Controlled Activities

Activities listed as **Controlled Activities** in Table 1 to this Rule shall be controlled activities provided they are not listed as a **Discretionary, Non-Complying or Prohibited Activity** and they comply with relevant **Site** and **Zone Standards** and are in accordance with the **Structure Plan**.

The Council has reserved control over the following matters:

#### i All Buildings in respect of

- The external appearance of buildings;
- Relation to roads;
- Relation to internal boundaries;
- Height between 12 and 15 metres maximum height in Activity Area 7 north of the 345 metre contour line as shown on Figure 1;
- Effect on landscape and visual amenity values and view corridors;
- Vehicle access;
- Outdoor living space for residential activities;

- Street scene including landscaping;
  - Provision for pedestrian and access linkages;
  - The location, layout and landscaping of, and access to, off-street car-parks;
  - Solar orientation and prevailing winds;
  - Design and construction of *residential* buildings located within the ~~grey shaded or grey hatched~~ yellow areas on *Remarkables Park Zone* Figure 2 – *Airport Measures in the District Planning Maps, having regard to Queenstown Airport and* to achieve insulation from aircraft noise.
  - The scale and nature of the earthworks and the disposal of excess material.
- ii Residential Activities, Commercial Recreational Activities, Commercial Activities, Educational Facilities, Retirement Villages, Hospitals, Health and Day Care Facilities & Visitor Accommodation in respect of:**
- Compatibility with surrounding landuse, character and amenity
  - Noise, vibration, lighting and loss of privacy
  - Traffic generation and vehicle access
  - Safety
  - Litter and waste and cumulative effects in conjunction with other activities in the vicinity
  - Nature and scale of activities
  - Hours of operation

- The scale and nature of the earthworks and the disposal of excess material.
- *For residential areas activities only, design and construction of residential dwellings located within the [yellow] area on Remarkables Park Zone Figure 2 – Airport Measures in the District Planning Maps, having regard to Queenstown Airport and to achieve insulation from aircraft noise.*

### iii Premises licensed for the sale of liquor

Premises licensed for the sale of liquor in respect of the scale of activity, car parking, retention of amenity, noise and hours of operation

### 12.11.3.3 Discretionary Activities

- i Activities listed as Discretionary **Activities** in Table 1 to this Rule shall be Discretionary Activities provided they are not listed as a **Non-Complying or Prohibited Activity** and they comply with all the relevant **Zone Standards** and are in accordance with the **Structure Plan**.
- ii Any building that does not comply with Site Standard 12.11.5.1(iv) but complies with Zone Standard 12.11.5.2(ii) shall be a restricted discretionary activity and:
  - (a) In assessing the effects of any building, the Council shall have regard to the assessment matters in rule 12.11.6 (a) – (o); and
  - (b) The Council's discretion to grant or not grant consent is restricted to the effect of the building exceeding the specified height, by having regard to the following matters:
    - The location of the building within the neighbourhood.
    - The variation of the height of the building.
    - The external appearance of the building including roof form, façade, materials and colours.
  - (c) For the purpose of imposing conditions on any consent the Council shall have regard to the matters in (a) and (b) above and those in rule 12.11.3.2(i).

- iii Any earthworks (as defined in this plan) except for earthworks approved as part of:
1. a subdivision that has resource consent; or
  2. any building granted a resource consent pursuant to Rule 12.11.3.2(i); or
  3. any activities which are listed as controlled activities and have been granted resource consent –

shall be restricted discretionary activities with the Council's discretion restricted to:

- (a) The measures proposed to avoid, remedy or mitigate any effects of earthworks on:
- Land stability and erosion;
  - Runoff of water or sediment;
  - Groundwater quality;
  - Dust generation;
  - Any significant stands of indigenous vegetation.
- (b) The measures proposed to mitigate the effects of exposed cut and fill.
- (c) The measures proposed to appropriately integrate the proposed earthworks to avoid, remedy or mitigate effects on any rural landscapes adjoining the Remarkables Park Zone.

Provided that no earthworks shall:

- i. expose any groundwater aquifer;
- ii. cause artificial drainage of any groundwater aquifer;

- iii. cause temporary ponding of any surface water

Refer to the Queenstown Lakes District earthworks guideline to assist in achievement of this rule.

- iii Any activity which is not listed as a **Non-Complying** or **Prohibited Activity** and complies with all the **Zone Standards** but does not comply with one or more of the **Site Standards** shall be a **Discretionary Activity**.

### 12.11.3.4 Non-Complying Activities

- i Activities listed as **Non-Complying Activities** in Table 1 to this Rule, shall be Non-Complying Activities provided that they are not listed as a **Prohibited Activity**.
- ii Any Activity which is not listed as a **Prohibited Activity** and which does not comply with one or more of the relevant **Zone Standards**, shall be a **Non-Complying Activity**.

### 12.11.3.5 Prohibited Activities

Activities listed as **Prohibited Activities** in Table 1 to this rule shall be Prohibited Activities:

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12.11.3.6

Table 1

Activity	Activity Area									
	1	2a	2b	2c	3	4 *	5 *	6 *	7 *	8 *
Buildings except Residential Units in Activity Area 1	CON	CON	CON	CON	CON	CON	CON	CON	CON	CON
Residential Activities		N-C	N-C	N-C			CON			N-C
Commercial Activities	N-C	DIS	DIS	DIS	CON	DIS		DIS	DIS	N-C
Commercial Recreational Activities	DIS	CON	CON	CON	CON	CON	CON	CON	CON	CON
Educational Facilities	N-C	N-C	N-C	N-C	DIS	CON	CON	CON	DIS	N-C
Retirement Villages	DIS	N-C	N-C	N-C	DIS	DIS	DIS	CON	DIS	PRO
Hospitals	DIS	N-C	N-C	N-C	DIS	DIS	DIS	CON	DIS	N-C
Health/Day Care Facilities	DIS	N-C	N-C	N-C	DIS	DIS	DIS	CON	DIS	N-C
Visitor Accommodation	DIS	N-C	N-C	N-C	CON	CON	CON	CON	CON	N-C
Premises licensed for the sale of liquor	N-C	N-C	N-C	N-C	CON	DIS	CON	DIS	DIS	DIS
Factory Farming	N-C	N-C	N-C	N-C	N-C	N-C	N-C	N-C	N-C	N-C
Forestry Activities	N-C	N-C	N-C	N-C	N-C	N-C	N-C	N-C	N-C	N-C
Mining	N-C	N-C	N-C	N-C	N-C	N-C	N-C	N-C	N-C	N-C
Take-off or landing of aircraft other than for emergency landings and rescues or fire-fighting	N-C	N-C	N-C	N-C	N-C	N-C	N-C	N-C	N-C	N-C
*Buildings within the <del>blue</del> [red] hatched area indicated on <i>Remarkables Park Zone</i> Figure 2 – Airport Measures <i>in the District Planning Maps</i> and labelled “NO BUILDINGS AREA”										PRO
*Residential, Visitor Accommodation and Community Activities within the [blue] <del>semi-hatched</del> areas indicated on <i>Remarkables Park Zone</i> Figure 2 – Airport Measures <i>in the District Planning Maps</i> and labelled “NO RESIDENTIAL, VISITOR ACCOMMODATION OR COMMUNITY ACTIVITIES AREA”							PRO	<u>PRO</u>		PRO

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*All Residential Activities within the yellow area indicated on Figure 2 – Airport Measures and labelled “SHORT STAY WITH SOUND INSULATION, and any Visitor Accommodation and Community Activities where accommodation for any individual or group exceeds 90 continuous days per annum within the grey hatched yellow area indicated on Figure 2 – Airport Measures and labelled “SHORT STAY WITH SOUND INSULATION” <i>Residential Activities within the [yellow] areas of Activity Area 7 on the Remarkables Park Zone Figure 2 – Airport Measures in the District Planning Maps</i>						PRO	PRO	PRO	PRO	PRO
<i>Community Activities within the [yellow] areas of Activity Area 7 on the Remarkables Park Zone Figure 2 – Airport Measures in the District Planning Maps</i>									<u>CON</u>	
Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building, fish or meat processing, or any activity requiring an offensive trade licence under the Health Act 1956.	PRO	PRO	PRO	PRO	PRO	PRO	PRO	PRO	PRO	PRO
Industrial Activities	PRO	PRO	PRO	PRO	PRO	PRO	PRO	PRO	PRO	PRO
Service Activities	PRO	PRO	PRO	PRO	PRO	PRO	PRO	PRO	PRO	PRO





Educational Facilities occurring within the [green] areas shown on Remarkables Park Zone Figure 2 - Airport Measures in the District Planning Maps shall comply with the following site standards:

- (a) No classrooms, halls or any other buildings which are used as internal teaching areas are to be located within that area.
- (b) Outdoor areas are not to be regularly used for high quality listening or communication, such as occurs in academic teaching. This standard shall not preclude recreation and recreation related activities eg sports coaching.
- (c) All buildings (except Non Critical Listening Environments) shall be designed to achieve an Indoor Design Sound Level of 40 dB Ldn, based on the 2037 Noise Contours and if that Indoor Design Sound Level cannot be met with windows open, then those buildings shall be fitted with mechanical ventilation that meets the requirements in Table 2 of Appendix 13.

## 12.11.5.2 Zone Standards

### i Structure Plan

All activities and developments must be carried out in conformity with the Structure Plan Figure 1 to this Rule subject to any modifications made to it as allowed by (v) below.

### ii Building Height

The maximum building height within each Activity Area shall be as follows:

Activity Area	Maximum height
Activity Area 1	7m
Activity Area 2a(less than 20 metres from the Activity 2a Activity Area boundary), 2b and 2c	7m

Activity Area 2a greater than 20 metres from the Activity Area 2a boundary	10m
Activity Area 3	21m
Activity Areas 4, 5 and 6 (except within that area marked "A" on attached Figure 3).	18m
Activity Areas 4, 5 and 6 in the area marked "A" on Figure 3	12m
Activity Area 7 south of the 345m contour line	21m
Activity Area 7 north of the 345m contour line	18m
Activity Area 8	7m

### Provided that:

- (i) No part of any building greater than the specified building height as set out in 12.11.5.1(v) shall protrude through either a height of RL353m under the surface of a 1:20 upslope fan with a 5% divergence angle originating from the 14/32 southern runway threshold or a transitional side surface plane of 1:7 all as shown on Remarkables Park Zone – Figure 3 Height Restrictions Plan.
  - (ii) No part of any building in Activity Area 3, 4 or 5 shall protrude through a recession line inclined towards the site at an angle of 25 degrees and commencing at 2.5 metres above ground level at any given point on the site boundary of a residential property within Activity Area 1 unless and to the extent that the written approval of the owner of that property has been obtained.
  - (iii) Subject to proviso (i) above, this rule shall not limit any lift tower in Activity Areas 3, 4, 5, 6 and 7 which exceeds the maximum height allowed by this rule by no more than three metres.
- ### iii Noise
- (a) Sound from non-residential activities measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 shall not exceed the following noise limits at any point within any other site in this zone:

- (i) daytime (0700 to 2200 hrs) 55 dB LAeq(15 min)
  - (ii) night-time (2200 to 0700 hrs) 45 dB LAeq(15 min)
  - (iii) night-time (2200 to 0700 hrs) 70 dB LAFmax
- (b) The noise limits in (a) shall not apply to sound received within Activity Areas 3, 4, 5 and 7. Sound from non-residential activities measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 shall not exceed the following noise limits at any point within any other site in Activity Areas 3, 4, 5 and 7:
- (i) daytime (0700 to 2200 hrs) 60 dB LAeq(15 min)
  - (ii) night-time (2200 to 0700 hrs) 50 dB LAeq(15 min)
  - (iii) night-time (2200 to 0700 hrs) 70 dB LAFmax
- (c) Sound from non-residential activities which is received in another zone shall comply with the noise limits set in the zone standards for that zone.
- (d) The noise limits in (a) and (b) shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803: 1999.
- (e) The noise limits in (a) and (b) shall not apply to sound from sources outside the scope of NZS 6802:2008. Sound from these sources shall be assessed in accordance with the relevant New Zealand Standard, either NZS 6805:1992, or NZS 6808:1998. For the avoidance of doubt the reference to airports in this clause does not include helipads other than helipads located within any land designated for Aerodrome Purposes in this Plan.
- (f) The noise limits in (a) and (b) shall not apply to sound from aircraft operations at Queenstown Airport.

**iv Airport Noises Measures - Queenstown Airport (excluding any non-critical listening environment)**

~~(a) On any site located within the grey hatched area or the grey shaded area on Figure 2 – “Airport Measures”, any building or part of a building, or any alteration or addition to a building or part of a building, to be used for residential activities, visitor accommodation or community activities shall be acoustically insulated from aircraft noise so as to achieve an indoor design sound level of 40 dBA Ldn, except for non-critical listening environments where no special sound insulation is required.~~

~~(b) This control shall be met in either of the following two ways:~~

**~~EITHER:~~**

~~(i) By providing a certificate from a recognised acoustic engineer stating that the proposed construction will achieve the internal design noise level.~~

**~~OR:~~**

~~(i) The building shall be constructed and finished in accordance with the provisions of Table 2 appended to this rule.~~

**~~Table 2 – Acoustic Insulation of Buildings Containing Noise Sensitive Uses (except non-critical listening areas)~~**

<b><del>Building Element</del></b>	<b><del>Required Construction</del></b>
<del>External Walls</del>	<del>Exterior: 20 mm timber or 6mm fibre cement Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar) Two layers of 12.5mm gypsum plasterboard* (Or an equivalent combination of exterior and interior wall mass)</del>
<del>Windows</del>	<del>Up to 40% of wall area: Minimum thickness 6mm glazing** Up to 60% of wall area: Minimum thickness 8mm glazing** Up to 80% of wall area: Minimum thickness 8mm laminated glass or minimum 10mm double glazing** Aluminium framing with compression seals (or equivalent)</del>
<del>Pitched Roof</del>	<del>Cladding: 0.5mm profiled steel or tiles or 6mm corrugated fibre cement Frame: Timber truss with 100mm acoustic blanket (R 2.2 Batts or similar) Ceiling: 12.5mm gypsum plaster board*</del>
<del>Skillion Roof</del>	<del>Cladding: 0.5mm profiled steel or 6mm fibre cement Sarking : 20mm particle board or plywood</del>

	<del>Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar) Ceiling: 2 layers of 9.5mm gypsum plasterboard*</del>
External Door	Solid core door (min. 24kg/m <sup>2</sup> ) with weather seals

~~\* Where exterior walls are of brick veneer or stucco plaster the internal linings need be no thicker than 9.5mm gypsum plasterboard.~~

~~\*\* Typical acoustic glazing usually involves thick single panes or laminated glass. Where two or more layers of glass are employed with an air gap between, total thickness of window glass may be calculated as the total of all glass layers (excluding air gap) provided that at least one glass layer shall be of a different thickness to the other layer(s).~~

(a) On any site located within the [yellow] areas on the Remarkables Park Zone Figure 2 – Airport Measures in the District Planning Maps, any building or part of a building, or any alteration or addition to an existing building or part of an existing building, to be used for Residential activities or Visitor Accommodation (provided for in Table 1 of Rule 12.11.3.6) shall be acoustically insulated from aircraft noise so as to achieve an Indoor Design Sound Level of 40dB Ldn based on the 2037 Noise Contours, except for non-critical listening environments where no special sound insulation is required.

(b) Where the building is located between 58 and 60 dB 2037 Noise Contours, this control shall be met in either of the following two ways:

**EITHER:**

(i) By installation of mechanical ventilation to achieve the requirements of Table 2 at Appendix 13.

**OR:**

(ii) By submitting a certificate to Council from a suitably qualified acoustics expert stating that the Indoor Design Sound Level will be achieved by the proposed building design including certification from a suitably qualified ventilation expert that adequate ventilation will be achieved with the extent of open windows specified by the acoustics expert.

## v Modifications to Structure Plan Activity Areas

- (a) The internal boundaries of Activity Areas 1, 2a, 2b, and 2c, as shown on the Structure Plan, Figure 1 to this Rule, may be modified by a maximum of 2.5% of the land area of the Activity Area concerned. The internal boundaries of Activity Areas 3, 4, 5, 6, and 7 as shown on the Structure Plan, Figure 1 to this Rule, may be modified by a maximum of 7.5% of the land area of the Activity Area concerned.
- (b) Any person modifying the boundaries of an Activity Area shall inform the Council of the extent of that modification when applying for a resource consent or within ten working days of commencing the permitted activity to which the modification relates”

## vi Nature and Scale of Non-Residential Activities

Except for commercial recreational activities and daytime health care facilities in Activity Area 4; hospitals and health and day care facilities in Area 6; educational facilities and retirement villages in Areas 4 and 6; and commercial recreation activities in Activity Area 8, within Activity Areas 1, 2a, 2b, 2c, 4, 6, 7 and 8, the nature and scale of non-residential activities shall meet the following:

- At least one person engaged in the activity must reside on the site.
- No more than three full-time equivalent persons who permanently reside elsewhere than on the site shall be employed in undertaking a non-residential activity on the site.
- No more than 60m<sup>2</sup> of the gross floor area of the buildings on a site shall be used for activities, other than residential activities.
- No goods, materials or equipment shall be stored outside a building, except for vehicles associated with the activity parked on the site overnight.

- All manufacturing, altering, repairing, dismantling or processing of any materials, goods or articles shall be carried out within a building.

## vii Hours of Operation

Except for commercial recreational activities and daytime health care facilities in Activity Area 4; hospitals and health and day care facilities in Area 6; educational facilities and retirement villages in Areas 4 and 6; and commercial recreation activities in Activity Area 8, within Activity Areas 1, 2a, 2b, 2c, 4, 6, 7 and 8, hours of operation shall comply with the following:

- Maximum total number of hours in any one week the site shall be open to visitors, clients or deliveries shall be 70 hours.
- Hours of operation shall be limited to between the hours:

0730 – 1930

except that where:

- the entire activity is located within a building and occupies not more than 40m<sup>2</sup> of floor space, and
- each person engaged in the activity outside the above hours resides permanently on the site, and
- there are no visitors, clients or deliveries to or from the site outside the above hours, and
- all other relevant zone standards are met

the activity may be carried on outside the above hours.

## viii Glare

In Activity Areas other than 5:

- All fixed exterior lighting shall be directed away from adjacent sites and roads; and
- No activity on any site shall result in greater than a 3.0 lux spill (horizontal and vertical) of light onto any other site measured at any point inside the boundary of the other site, provided that this rule shall not apply where it can be demonstrated that the design of adjacent buildings adequately mitigates such effects.

## ix Atmospheric Emissions

There shall be no open solid fuel fires.

## x Keeping of Animals

No animals shall stay overnight on a site, except for a maximum of 4 animals in the care of a registered veterinarian for medical or surgical purposes. There shall be no breeding, rearing or keeping of pigs or commercial livestock.

## xi Heavy Vehicle Storage

No more than one heavy vehicle shall be stored or parked overnight on a site, except that heavy passenger transport vehicles may be parked overnight in Activity Areas 3, 7, and 8.

## xii Residential Activities in Activity Area 5

No residential activities shall be situated at ground floor level in those parts of any building having frontage to any area used predominantly for commercial activities.

## xiii Residential Units in Activity Area 1

Residential units in Activity Area 1 shall comply with the zone standards listed in Rule 7.5.5.3 for residential units in the Low Density Residential Zone.

## 12.11.6 Resource Consents – Assessment Matters

The resource consent Assessment Matters which apply to the consideration of resource consents in the Remarkables Park Zone are specified in this Rule.

- i For all Controlled Activities in the Remarkables Park Zone, the assessment matters shall only apply in respect of conditions that may be imposed on consent except those in (o) below.
- ii For buildings that are restricted discretionary activities under rule 12.11.3.3(iii), the Council shall have regard to the assessment matters in (a) – (o) below.
- iii For all discretionary activities in the Remarkables Park Zone, 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:
- a Site Layout, Size, Orientation and Density of Development**
- The proposed site layout connects into the neighbourhood through:
    - adequate pedestrian and vehicle access;
    - the visual links to views or features of significance;
  - The site layout takes into account on-site features, topography, views, vegetation, structures, drainage, services, access, orientation and microclimate considerations.
  - The site layout efficiently distributes utilities to and on the site, taking into account any future site development.
  - Sites have the appropriate area and dimensions to enable the siting and construction of buildings and vehicle access and parking.
  - Height of development in Activity Area 7 between 12 and 15 metres in height north of the 345 metre contour line as shown in Figure 1.
- b Private Open Space**
- Private open space is clearly defined for private use.
    - Private open space areas are of dimensions to suit the requirements having regard to building design, the likely dwelling occupancy, and the accommodation of some outdoor recreational and service needs.
- c Streetscape**
- That the streetscape is considered as an entity that relates appropriately to criteria concerning lot size, layout, and orientation, transport networks, street design, and vehicle parking.
  - That the streetscape is to reflect the functions and characteristics of the street type in the network.
  - That the streetscape incorporates a landscape approach which:
    - Satisfies maintenance and safety requirements, reinforces desired traffic speed and behaviour, and considers lines of sight for pedestrians, cyclists and vehicles.
    - Designs a theme for new streets, or complements existing streetscapes and integrates with new development.
    - Incorporates attractive and coordinated street furniture and facilities to meet user needs.
    - Accommodates utility services and minimises their visual impact.
  - Maximises the use of trees and plants as landscape features for neighbourhood identity.
- Part of the private open space is capable of serving as an extension of the function of the dwelling for relaxation, dining, entertainment and recreation and of being accessed from a main living area off the dwelling.
- Notwithstanding the above, dwelling units not having main living areas at ground level may satisfy this requirement by providing a balcony having a minimum area of 2.5m<sup>2</sup>.

- That a minimum setback of approximately 1.5m is provided from the road boundary to the foundation line of buildings. Garages and carports may have no set back from the carriageway edge.
- That the area of land covered by berms where they are in excess of 1.5m from the carriageway edge qualifies for consideration as reserve contribution upon subdivision consents being granted.
- That accessory buildings other than garages or carports are sited to the rear of the dwelling.

## **d Building Design and Appearance**

- That the architectural style shall be evocative of a mountain region, building forms shall be sympathetic to the mountain setting and local context.
- That the relationships between building forms has been considered with a village like quality, the character and scale to be achieved.
- That clusters and groupings of buildings are designed to fit the form and contour of the land.
- That orientation of buildings optimises views and sun exposure and orientation to open space.
- That buildings are an integral part of the landscape.
- Building facades shall help define and give character to open spaces, squares, streets, paths and parks.
- That building materials are appropriate to the area and have an appropriate alpine character which has local application.
- Roof colours and materials are such as to not result in an obtrusive impact when viewed from above.
- That sloping roofs are strongly encouraged to enhance snow removal and for their visual character.

- That residential buildings within the [yellow] areas on Remarkables Park Zone Figure 2 – Airport Measures in the District Planning Maps, are designed having regard to Queenstown Airport and to achieve appropriate insulation from aircraft noise.

## **e Transport Networks**

- That the design features of each type of residential street convey its primary functions and encourage appropriate driver behaviour.
- That connection between residential streets incorporate appropriate traffic management treatment to slow and control traffic.

## **f Pedestrian and Cycle Accessways**

- That any network of pedestrian and cycle ways shall be consistent with a high level of amenity and accessibility.
- That the street network is designed to accommodate pedestrian use of street pavement in access places and local streets where appropriate, demarcated by alternative paving materials.
- That the design of footpaths or shared paths shall facilitate ease of use by the disabled, aged and very young.

## **g Open Space**

- That the location and extent of open space and reserves shall be decided with regard to the relationship of the community to other reserves and open spaces, existing and proposed.

## **h Conservation and Site Development Works**

- Subject to the next criterion, that trees are retained in order to achieve the intended environmental outcomes for that part of the zone.
- The replacement of wilding or plantation trees with species better suited to enhancing the landscape.

- That earthworks, excavation and the removal of topsoil to be kept to the minimum necessary to provide for the activities for which the land is to be used.
- That landforms which contribute significantly to the amenity values or character of the locality are to be disturbed as little as possible, and so far as practicable to be used as the basis for subdivisional design, site development, and building design.
- That the character of the landscape features is enhanced.

## i River Access Area

- Whether the layout of buildings and activities will enhance the environment or amenity values or the conduct of adjoining activities.
- The extent to which structures complement and enhance public places such as pathways and access to the river.
- The extent to which the design and appearance of structures is compatible with the river environment.
- The extent to which the bulk and scale of structures will be softened and enhanced by appropriate landscaping.
- Whether the activity will avoid, remedy or mitigate potential effects on the amenity values of adjoining areas.

## j Integration of Non-residential and Residential Activities

- The extent to which activities and buildings to accommodate them are in harmony with the intended environmental outcomes for the Zone, and in residential areas are designed to ensure residential scale and appearance for that locality.
- The bulk, form, and external appearance (including quality and colour of finish) of buildings or other structures should be consistent with the intended environmental outcomes for the Zone and in residential areas should be in harmony with the intended character of the area.

## k Staging of Open Space, Reserves, and Community Facilities – Remarkables Park Zone

Conditions may be imposed to ensure that the above facilities, are provided at or about the same time as other development being undertaken in the Activity Area as identified in the Structure Plan.

## l Licensed Premises

In considering any application for the sale of liquor between the hours of 11pm and 7am, the Council shall, in deciding whether or not to grant consent or impose conditions, have regard to the following specific assessment matters:

- The character, scale and intensity of the proposed use and its compatibility in relation to surrounding and/or adjoining residential neighbourhoods.
- The effect on the existing and foreseeable future amenities of the neighbourhood, particularly in relation to noise and traffic generation.
- The topography of the site and neighbouring areas.
- The nature of existing and permitted future uses on nearby sites.
- The adequacy of car-parking for the site.
- The adequacy of screening and buffer areas between the site and other uses.
- The previous history of the site, and the relative impact of adverse effects caused by activities associated with sale of liquor.

## m Buildings or parts of buildings located within the ~~grey shaded~~ [yellow] areas on Figure 2 – Airport Measures

Conditions may be imposed to ensure the design and construction of buildings or parts of buildings or of alterations or additions to any building to be used for Residential Activities or Visitor Accommodation ~~or community activities is are~~ such as to ensure the indoor design sound level specified in zone standard 12.11.5.2(iv) is met.

## n Building Height - Lift Towers - Site Standard



- 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.
  - Whether alternative lift technology is available and/or appropriate which would enable efficient use of the site.
  - 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.
  - Any adverse effects of the height, bulk or location of the lift tower in terms of loss of access to daylight on adjoining sites.
  - Any adverse effects of the location of the lift tower in terms of noise on adjoining sites.
  - 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. 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.
  - Whether there are rules requiring the site to be built up.
  - o **Height – Restricted Discretionary Buildings Rule 12.11.3.3 (ii)**
    - That buildings have been considered as part of the surrounding urban environment in terms of how they reflect their location within the neighbourhood and the nature of the open spaces which they may face.
    - That variations of building height are used to contribute to the legibility, visual interest and character of the neighbourhood.
    - That variation of building height is used in combination with other design considerations such as streets and other open space layout, site configuration, building form, façade articulation and roof form design to contribute to the urban structure and visual character of the neighbourhood.
  - The external appearance of buildings on prominent sites has taken into account their importance in framing vistas or views.
  - The roof form provides an appropriate termination to the building that positively contributes to the variety and visual character of the neighbourhood.
  - That building facades create a varied and positive interface with the public realm and other buildings having regard to the use of:
    - Building materials and colours;
    - Glazing treatment;
    - Balconies;
    - Fenestrations;
    - Roof form variations.
- iii **Earthworks – Controlled and Restricted Discretionary activity**

## 1. Environmental Protection Measures

- (a) Whether a comprehensive site management plan has been provided showing sediment/erosion and dust control techniques that are adequate to ensure that sediment and dust remains on-site.
- (b) Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.
- (c) The duration the earthworks will be exposed.
- (d) Where earthworks are proposed on a site with a gradient >18.5 degrees (1 in 3), whether a geotechnical report has been supplied by a suitably qualified engineer 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.
- (g) The effects of the earthworks proposed for the development, the methods proposed for the disposal of excess soil or vegetation, and the need for any conditions to avoid or mitigate any adverse effects, including effects at the disposal site.

## 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 value of the landscape and urban environment.
- (b) The proposed rehabilitation of the site.
- (c) The potential for effects on the natural form of existing landscapes with particular regard to areas of interface with the rural landscape or topographical features.

## 3. Effects on adjacent sites:

- (a) Whether the earthworks will adversely affect the stability of neighbouring sites.

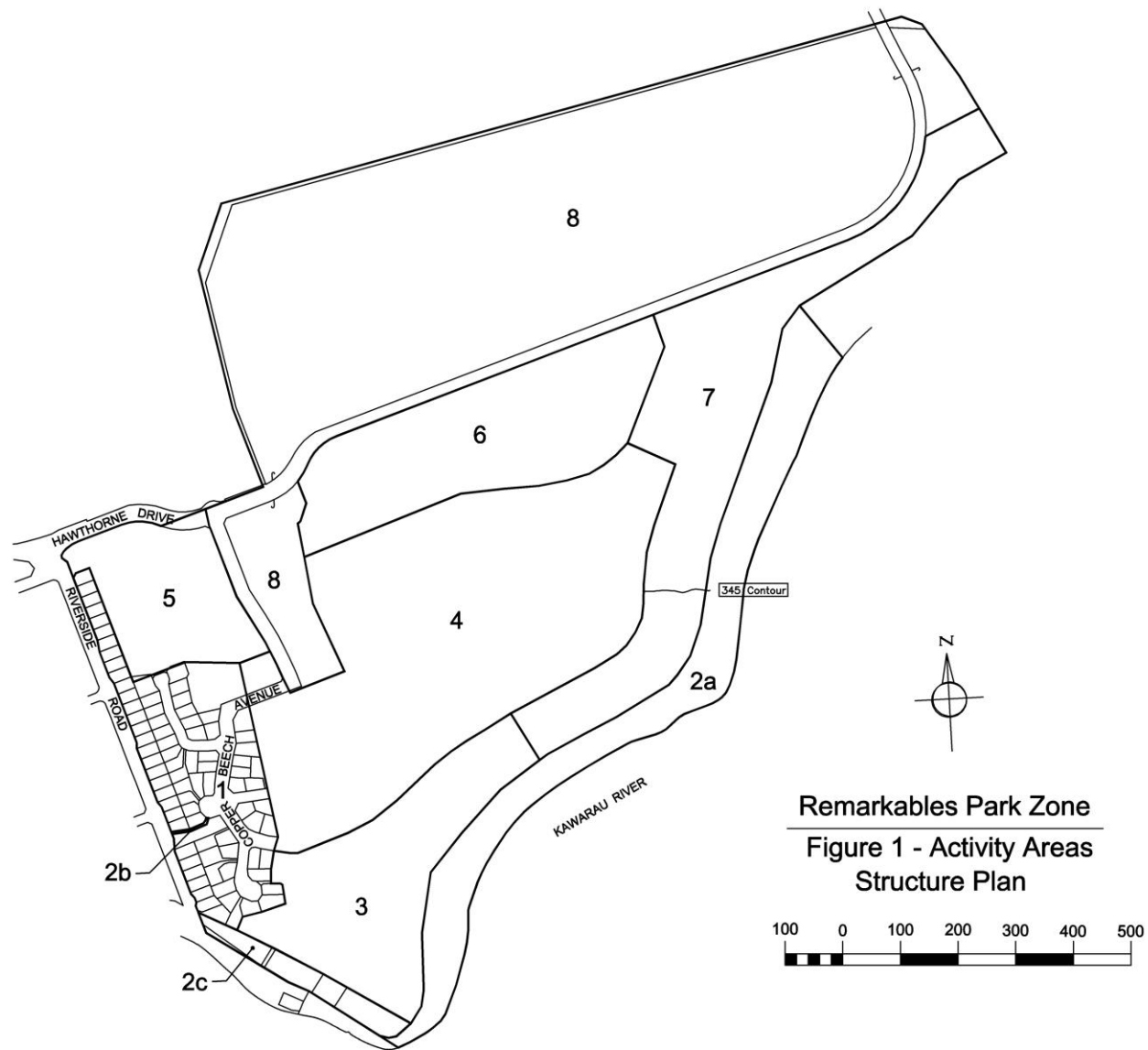
- (b) Whether the earthworks will change surface drainage, and whether the adjoining land will be at a higher risk of inundation, or a raised water table.
- (c) Whether cut, fill and retaining are done in accordance with engineering standards.

## 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.

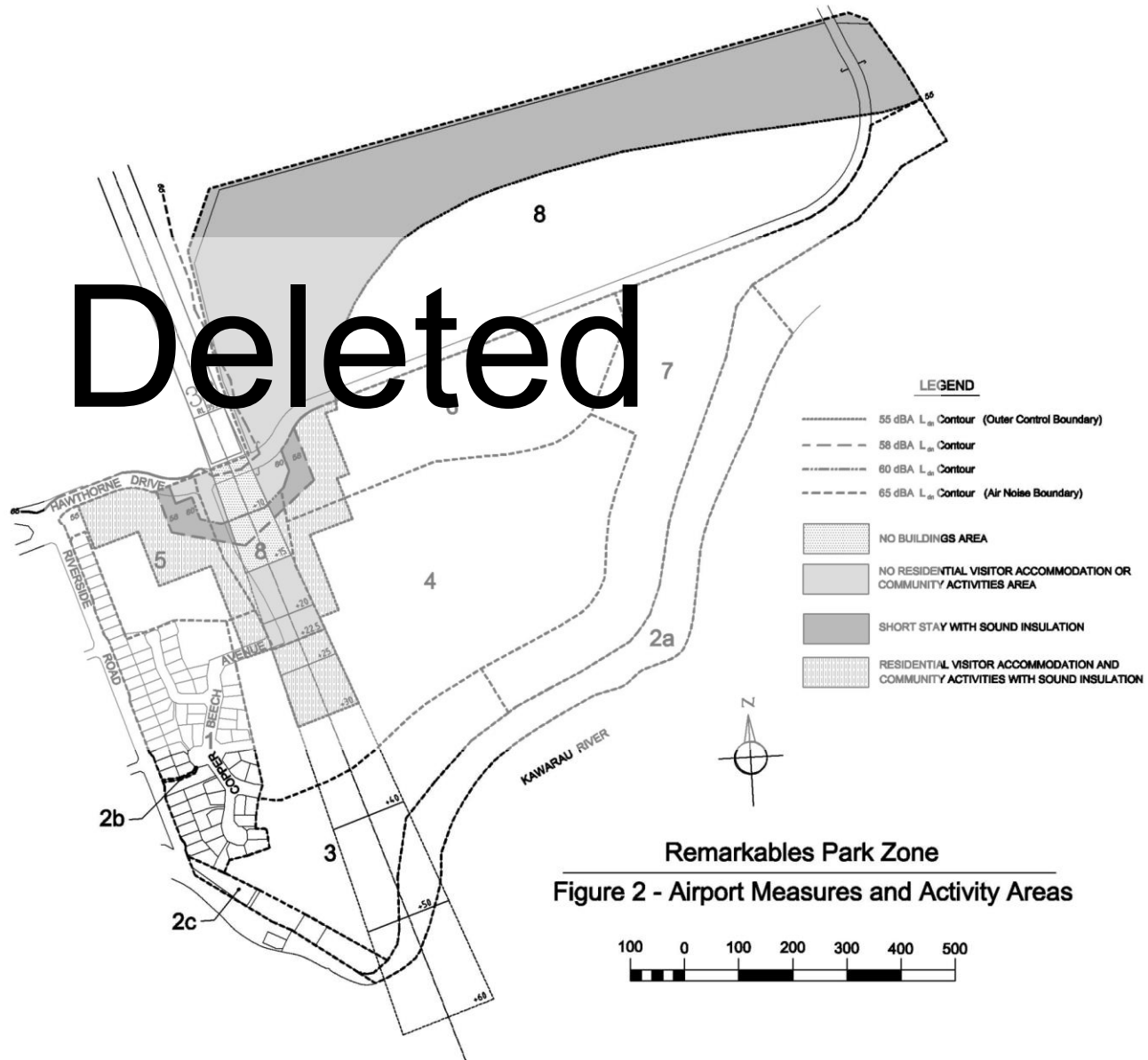
## 5. Impacts on sites of cultural heritage value:

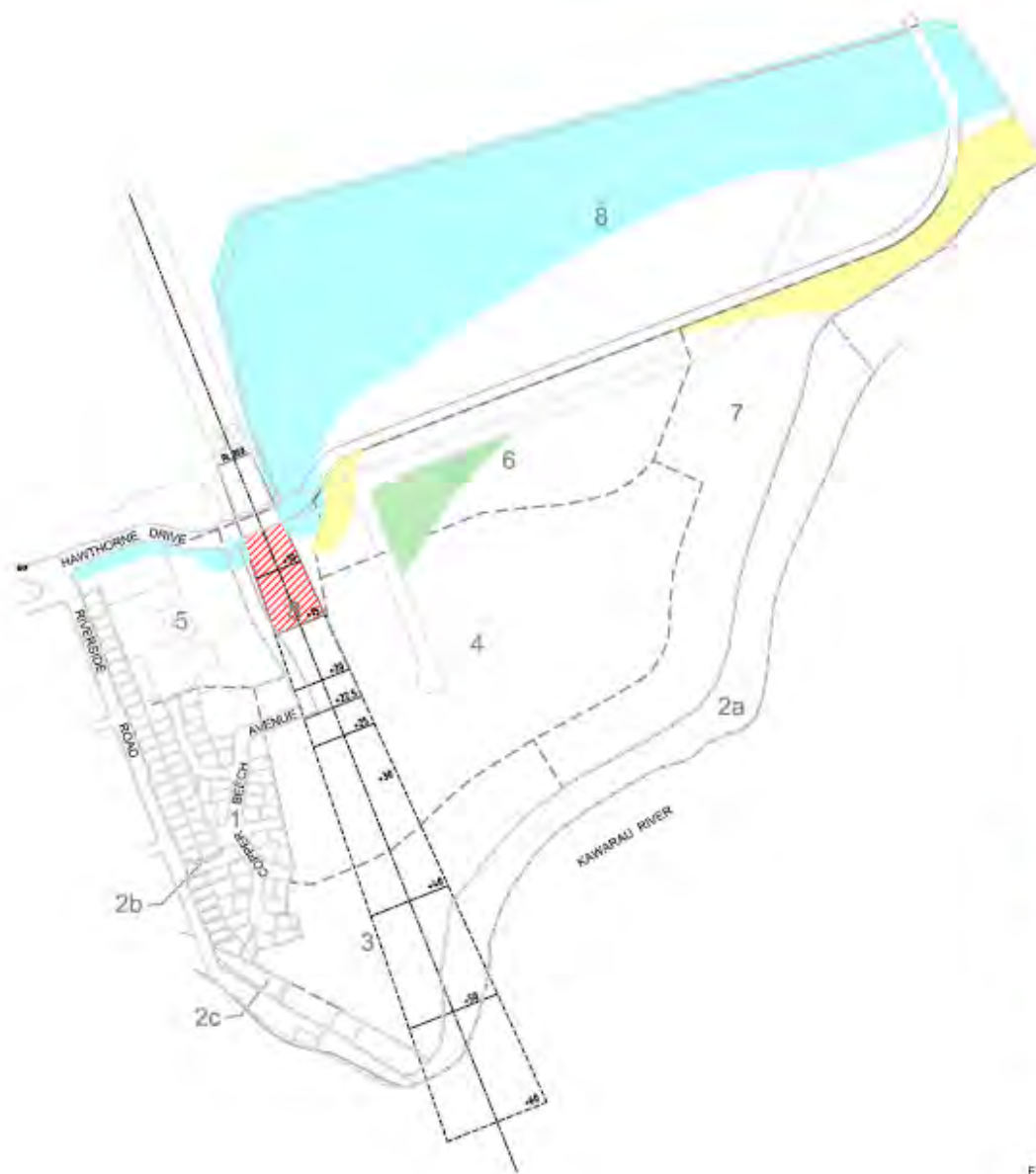
- (a) Whether the subject land contains Waahi Tapu or Waahi Taoka, or is adjacent to a Statutory Acknowledgment Area, and whether tangata whenua have been notified.
- (b) Whether the subject land contains a recorded archaeological site, and whether the NZ Historic Places Trust has been notified.



Remarkables Park Zone  
Figure 1 - Activity Areas  
Structure Plan





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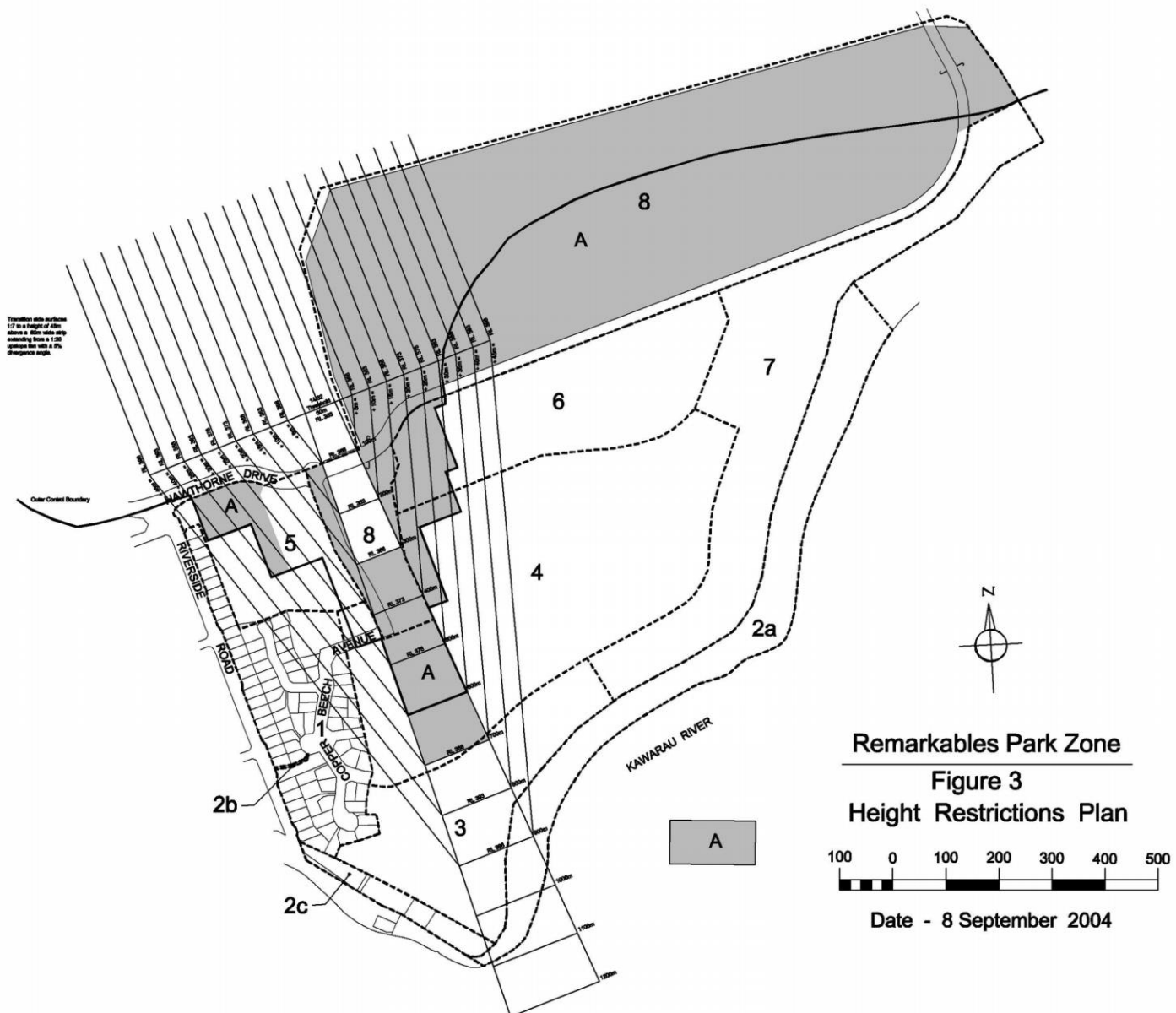
REMARKABLES PARK ZONE:  
Figure 2 - Airport Measures and Activity Areas

KEY:

-  NO BUILDINGS AREA
-  NO RESIDENTIAL, VISITOR ACCOMMODATION OR COMMUNITY ACTIVITIES AREA
-  RESIDENTIAL OR VISITOR ACCOMMODATION, WITH SOUND INSULATION
-  REFER TO SITE STANDARD 12.11.5.1 (v) "EDUCATIONAL FACILITIES"



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## 12.18 Frankton Flats Special Zone Rules

### 12.18.1 Zone Purpose

The purpose of the zone is to enable development of a new shopping centre incorporating opportunity for retailing, office, educational, visitor and residential accommodation and leisure activities, in a high amenity urban environment while maintaining and enhancing the natural values of the environment particularly as viewed from State Highway 6 as it enters the Frankton and Queenstown urban environment.

The development of the zone will be promoted in such a way as to encourage the design of the built form to have due regard to the surrounding outstanding natural landscape and views of it.

The zone seeks to achieve maximum flexibility within the limitations of those constraints necessary in setting the appropriate environmental standards.

Activities Sensitive to Aircraft Noise within the Queenstown Airport Outer Control Boundary will be limited. Where such limited activities occur inside the Outer Control Boundary they shall be developed subject to the imposition of suitable noise mitigation standards for buildings to manage reverse sensitivity issues.

### 12.18.2 District Rules

Attention is drawn to the following District Wide Rules which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter.

- |  |                 |
|--|-----------------|
| i Heritage Protection                            | - Refer Part 13 |
| ii Transport                                     | - Refer Part 14 |
| iii Subdivision                                  | - Refer Part 15 |
| iv Hazardous Substances                          | - Refer Part 16 |
| v Utilities                                      | - Refer Part 17 |
| vi Signs   | - Refer Part 18 |
| vii Relocated Buildings and Temporary Activities | - Refer Part 19 |

### 12.18.3 Activities

#### 12.18.3.1 Permitted Activities

There are no Permitted Activities within this Zone.

#### 12.18.3.2 Controlled Activities

The following Activities shall be **Controlled Activities** provided that they are not listed as a **Prohibited, Non-Complying** or **Discretionary Activity** and they comply with all the relevant **Site** and **Zone** standards. The matters in respect of which the Council has reserved control are listed with each **Controlled Activity**.

##### i Landscaping within 50m of State Highway 6 in respect of:

- Species proposed and the maturity at the time of planting;
- The maintenance of view shafts towards the Remarkables, Walter and Cecil Peaks and Peninsula Hill;
- Long term management and maintenance;
- Integration with adjoining landuses;
- Provision of public access including walkways and cycleways;
- The protection of the State Highway from shading or glare;
- The protection of vehicle sight lines and any roading authority signs in relation to the State Highway;
- The height of trees in relation to the protection of view shafts;
- Any effects such landscaping may have on the approach and take-off paths for the Queenstown Airport crosswind runway.

#### 12.18.3.3 Discretionary Activities

Any activity which is not listed as a Controlled, Prohibited Activity or Non Complying Activity and does not comply with one or more of the site standards.

##### Limited Discretionary Activities

**i Building, Activities, Site Developments, Street Layout and Open Space Network in respect of:**

- Site layout, including street layout, building location and orientation;
- The layout of the open space network;
- The external design, colour and materials of buildings;
- Relationship and connectivity to adjoining site developments;
- Effect on landscape and visual amenity values and view corridors;
- Associated earthworks and landscaping including the species proposed and long term management;
- Hours of operation;
- Location and design of vehicle access;
- Provision for pedestrian access and cycle linkages through the site;
- The access to and location, layout and landscaping of off-street car parking and loading areas;
- The location and access to surface parking;
- The location, design and access to underground parking;
- The need for the protection of any educational, residential and visitor accommodation from the effects of airnoise.

**ii Within the Outer Control Boundary as indicated on the District Plan Maps**

- Up to 70 Units associated with Visitor Accommodation;
- One Health Care facility (including but not limited to doctors and/or dentist surgery, but excluding hospitals), not exceeding a gross floor area of 900m<sup>2</sup>;
- One Educational Facility with an internal gross floor area not exceeding 450m<sup>2</sup> and associated outdoor space not exceeding 450m<sup>2</sup>.

In respect of:

The matter of reverse sensitivity effects on airport activities located at Queenstown Airport,

and

The need for the protection of any educational, residential and visitor accommodation from the effects of aircraft noise.

### 12.18.3.4 Non-Complying Activities

The following Activities shall be **Non-Complying Activities**, provided that they are not listed as a **Prohibited Activity**:

- i. Residential and education activities within the Airnoise Boundary.
- ii. Factory Farming.
- iii. Forestry Farming.
- iv. Mining Activities.
- v. Airports other than the use of land for emergency landings, rescues and fire fighting.
- vi. Any building or development not in accordance with the Structure Plan as attached to this Special Zone as Figure 1.
- vii. Residential Activities apart from those required for managerial accommodation.
- viii. Any other activity not listed as Controlled, Restricted Discretionary, Discretionary or Prohibited, or does not comply with one of more of the Zone Standards.

### 12.18.3.5 Prohibited Activities

The following activities shall be **Prohibited Activities**:

- i. *Panel beating, spray painting, motor vehicle repair or dismantling, fibre glassing, sheet metal work, bottle or scrap storage, motorbody building or fish or meat processing or any activity requiring an Offensive Trade Licence under the Health Act 1956.*



- ii Any application for development within the zone prior to an approval by the Council of any overall landscape plan for the area within 50 m of State Highway 6 pursuant to 12.18.3.2 ii.
- iii Buildings within 50m of State Highway 6.
- iv **Any Activity Sensitive to Aircraft Noise within the Outer Control Boundary – Queenstown Airport**  
Within the Outer Control Boundary, as indicated on the District Plan Maps, any Activity Sensitive to Aircraft Noise shall be a Prohibited Activity, with the exception of:
- Up to 70 Units associated with Visitor Accommodation;
  - One Health Care facility (including but not limited to doctors and/or dentists surgery but excluding hospitals) not exceeding a gross floor area of 900m<sup>2</sup>;
  - One Educational Facility not exceeding an internal gross floor area of 450m<sup>2</sup> and associated outdoor space of 450m<sup>2</sup>;  
which shall otherwise require consent under rule 12.18.3.3(ii).

(a) Rule 12.18.3.3(ii), or

(b) for an Activity Sensitive to Aircraft Noise within the Outer Control Boundary not otherwise prohibited by Rule 12.18.3.5

does not need to be publicly notified and need only be notified to Queenstown Airport Corporation Limited as the sole affected party, unless it has given its written approval to the activity.

#### 12.18.4 Non-Notification of Applications

An application for resource consent for the following matters may be considered without the need to obtain the written approval of affected persons and need not be notified in accordance with Section 93 of the Resource Management Act 1991 unless the Council considers special circumstances exist in relation to such application.

- i All applications for **Controlled** Activities
- ii Application for the exercise of the Council's discretion in respect of the following rules:
- (a) Buildings and Site Developments
- (b) Landscaping
- iii For the purpose of Section 94D(2) and (3) of the Resource Management Act 1991 an application arising from

**12.18.5 Standards****12.18.5.1 Site Standards****i Building Coverage**

Building coverage of sites within the zone shall be managed so that the maximum building coverage does not exceed 30% of the zone area.

**ii Building Setback**

- (a) Setback from internal boundary of the zone shall be 10m.
- (b) Setback from State Highway 6 shall be 50m.
- (c) Setback from Grant Road shall be 4m.

**iii Landscaping**

- (a) Setback areas from **all** roads shall be landscaped in accordance with a landscape and planting plan to be approved by the Council prior to development occurring.
- (b) At least 10% of the remainder of the zone shall be landscaped in accordance with the plan approved by the Council.
- (c) Setback areas from State Highway 6 shall be landscaped in accordance with an overall landscape and planting plan for the frontage of this zone approved by the Council with approval given prior to development occurring, and the works carried out in conjunction with the development of the zone pursuant to rule 12.18.3.3 i.

**iv Earthworks**

The following limitations apply to all earthworks (as defined in this plan), except for earthworks associated with a subdivision or development that has both resource consent and engineering approval.

**1. Earthworks**

- (a) The total volume of earthworks does not exceed **100m<sup>3</sup>** per site (within a 12 month period). For clarification of "volume", see interpretative diagram 5.
- (b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed 200m<sup>2</sup> in area within that site. (within a 12 month period).
- (c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed 20m<sup>3</sup> (notwithstanding provision 17.2.2).
- (d) No earthworks shall:
  - (i) expose any groundwater aquifer;
  - (ii) cause artificial drainage of any groundwater aquifer;
  - (iii) cause temporary ponding of any surface water.

**2. Height of cut and fill and slope**

- (a) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (See Interpretative Diagram 6), except where the cut or fill is retained, in which case it may be located up to the boundary, if less than or equal to 0.5m in height.
- (b) The maximum height of any cut shall not exceed 2.4 metres.
- (c) The maximum height of any fill shall not exceed 2 metres.

**3. Environmental Protection measures**

- (a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.
- (b) Any person carrying out earthworks shall:

- i. Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.
- ii. Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.
- (c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.

#### 4. Protection of Archaeological sites and sites of cultural heritage

- (a) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.
- (b) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgement Areas.

#### 12.18.5.2 Zone Standards

##### i Structure Plan

All activities and developments must be carried out in conformity with the Structure Plan Figure 1 attached as Figure 1 to this rule.

##### ii Noise

- (a) Sound from activities measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 shall not exceed the following noise limits at any point within any other site in this zone:

- (i) daytime (0800 to 2200 hrs) 60 dB LAeq(15 min)
- (ii) night-time (2200 to 0800 hrs) 50 dB LAeq(15 min)
- (iii) night-time (2200 to 0800 hrs) 70 dB LAFmax

- (b) Sound from activities which is received in another zone shall comply with the noise limits set in the zone standards for that zone.
- (c) The noise limits in (a) shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999.
- (d) The noise limits in (a) shall not apply to sound associated with airports or windfarms. Sound from these sources shall be assessed in accordance and comply with the relevant New Zealand Standard, either NZS 6805:1992, or NZS 6808:1998. For the avoidance of doubt the reference to airports in this clause does not include helipads other than helipads located within any land designated for Aerodrome Purposes in this Plan.
- (e) The noise limits in (a) shall not apply to sound from aircraft operations at Queenstown Airport.

##### iii Airport Noise – Queenstown Airport

- (a) ~~On any site located within the Outer Control Boundary as indicated on the District Plan Maps, any building or part of a building to be used for any activity specified below shall be insulated from aircraft noise so as to meet the indoor design noise levels specified for the particular activity:~~

Activities	Design Noise Levels	
	Lmax dBA	Ldn dBA
Visitors Accommodation	55	40
Community Activity (indoors)	55	40
Offices	65	50

<i>Commercial Activities (indoors)</i>		
— excluding offices	75	60
<i>Service Activities</i>	75	60
<i>Recreational Activities</i>	75	60
<i>Educational Activities</i>	55	40
<i>Residential</i>	55	40

(b) This control shall be met in either of the following two ways:

**Either**

- (i) By providing a certificate from a recognised acoustic engineer stating that the proposed construction will achieve the internal design noise level.  
**OR:**
- (ii) The building shall be constructed and finished in accordance with the provisions of Table 2 appended to this rule.

**Table 2 – Acoustic Insulation of Buildings Containing Noise Sensitive Uses (except non-critical listening areas)**

<b>Building Elements</b>	<b>Required Construction</b>
External Walls	Exterior: 20 mm timber or 6mm fibre cement Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar) Two layers of 12.5mm gypsum plasterboards* (Or an equivalent combination of exterior and interior wall mass)
Windows	Up to 40% of wall area: Minimum thickness 6mm glazing** Up to 60% of wall area: Minimum thickness 8mm glazing** Up to 80% of wall area: Minimum thickness 8mm laminated glass or minimum 10mm double glazing** Aluminium framing with compression seals (or equivalent)
Pitched Roof	Cladding: 0.5mm profiled steel or tiles or 6mm corrugated fibre cement Frame: Timber truss with 100mm acoustic blanket (R 2.2 Batts or similar) Ceiling: 12.5mm gypsum plaster board*
Skillion Roof	Cladding: 0.5mm profiled steel or 6mm fibre cement Sarking: 20mm particle board or plywood Frame: 100mm gap containing 100mm acoustic blanket (R 2.2 Batts or similar) Ceiling: 2 layers of 9.5mm gypsum plasterboard*
External Door	Solid core door (min. 24kg/m <sup>2</sup> ) with weather seals

\* Where exterior walls are of brick veneer or stucco plaster the internal linings need be no thicker than 9.5mm gypsum plasterboard.

\*\* Typical acoustic glazing usually involves thick single panes or laminated glass. Where two or more layers of glass are employed with an air gap between, total thickness of window glass may be calculated as the total of all glass layers (excluding air gap) provided that at least one glass layer shall be of a different thickness to the other layer(s).

(a) On any site located within the Outer Control Boundary, any building or part of a building, or any alteration or addition to a building or part of a building, to be used for Units associated with Visitor Accommodation a Health Care Facility or an Educational Facility shall be acoustically insulated from aircraft noise so as to achieve an Indoor Design Sound level of 40dB Ldn based on the 2037 Noise Contours, except for non-critical listening environments where no special sound insulation is required.

(b) Where the building is located between 58 and 60 dB 2037 Noise Contours, this control shall be met in either of the following two ways:

**EITHER:**

(i) By installation of mechanical ventilation to achieve the requirements of Table 2 at Appendix 13.

**OR:**

(ii) By submitting a certificate to Council from a suitably qualified acoustics expert stating that the above Indoor Design Sound Level will be achieved by the proposed building design including certification from a suitably qualified ventilation expert that adequate ventilation will be achieved with the extent of open windows specified by the acoustics expert.

**iv Glare and artificial illumination**

- All exterior lighting installed on sites or buildings within the zone shall be directed away from adjacent sites, roads and public places, except footpath or pedestrian link amenity lighting.
- No activity in this zone shall result in a greater than 10 lux spill (horizontal or vertical) of light onto any property adjoining the zone, measured at any point inside the boundary of any adjoining property.
- No activity shall result in a greater than 3.0 lux spill (horizontal or vertical) of light onto any adjoining property where the primary use is a residential activity measured at any point more than 2m inside the boundary of the adjoining property.
- All roofs of buildings shall be finished or treated so they do not give rise to glare when viewed from any public place or neighbouring property.

## v Height

The maximum building height shall be 9m provided that up to 5% of the area of the site permitted to be covered by buildings may be constructed to a maximum height of 12m where these elements are located more than 100m from the state Highway.

Refer to the definitions of Height and Ground Level.

## 12.18.6 Assessment Matters

The Assessment Matters which apply to the consideration of resource consents in the Frankton Shopping Centre Zone are specified in 12.18.7

## 12.18.7 Resource Consents – Assessment Matters:

## Frankton Flats Special Zone (West side of Grant Road)

### 12.18.7.1 General

- (i) The Assessment Matters are other methods or matters 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 12.18.7.2 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 standards(s)
- (iv) In the case of *Controlled Activities*, the assessment matters shall apply only in respect of *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.

### 12.18.7.2 Resource Consents Assessment Matters

- (i) For all Controlled Activities in the Frankton Flats Special Zone the assessment matters shall apply only in respect of conditions that may be imposed on a consent.
- (ii) Controlled Activity – Landscaping within 50m of SH6

The setback area from SH6 shall be comprehensively landscaped. The applicant shall obtain approval from the Council prior to development occurring within the zone. The approved plan shall be implemented prior to development of the zone. The comprehensive landscape plan will be assessed against the following criteria:

- a. Whether the landscape treatment complements and enhances the natural values of the surrounding environment.
- b. Whether the landscape treatment contributes to a sense of arrival and departure on State Highway 6.
- c. Whether views to the Remarkables, Cecil Peak, Walter Peak and Peninsula Hill are retained/promoted from State Highway 6.
- d. Whether the proposed landscape treatment complements the local landscape character.
- e. Whether alterations to the landform are necessary or appropriate to achieve adequate screening of activities from State Highway 6.
- f. Whether the landscape treatment is consistent with any plans developed by the Council for landscape treatment of the entrance to Frankton and Queenstown.
- g. Whether the proposed planting is of an appropriate scale and density at planting to allow rapid establishment to visually integrate future buildings into the surrounding environment.

- (iii) For all Discretionary Activities in the Frankton Flats Special Zone, in considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited to, the following assessment matters in relation to Rule 12.18.3.3:
- a. Whether the location and design of buildings, their external materials, colours, and methods of construction contribute to the local amenity and character, particularly in terms of:
    - adjoining or surrounding buildings, if applicable;
    - public open spaces (including streets), pedestrian and cycleway linkages and view corridors;
    - the wider surrounding landscape
  - b. The relationship of buildings to their neighbours, if any, in terms of orientation, alignment and built form, and to other built elements in the Zone, including public open spaces, if any, and the overall staging of development in the zone.
  - c. The general location of the buildings on the site with regard to public use and convenience, and the interface created with streets and open spaces.
  - d. The location and safety of parking, access and manoeuvring areas in respect of access point options for joint use of vehicles and pedestrians and streetscape amenity.
  - e. The extent and quality of any landscaping proposed and the effectiveness of proposed planting and trees enhancing the general character of the area, screening car-parking and service areas, and the impact on residential uses if any.
  - f. Visual attractiveness and appearance of the development, particularly as it relates to the surrounding natural landscape, pedestrian environment, and as it enhances pedestrian linkages;
  - g. Whether ground floor facades of any building maintains a sense of variety and/or coherence and create a positive interface with adjoining streets or other open spaces.
  - h. Whether any building which has continuous building length along a road boundary of greater than 16m provides architectural diversity and definition to create a varied and interesting frontage.
  - i. The extent to which the roof colours and materials are such that they do not result in an obtrusive impact when viewed from above.
  - j. The extent to which the architectural style is evocative of a mountain region and whether building forms are sympathetic to the mountain setting and local context.
  - k. The extent to which building materials are appropriate to the area and contribute to the local alpine character.
- iv. Building Coverage
- a) The effects of any increase or decrease of building coverage in terms of the amenity of the adjoining area, including surrounding buildings and open spaces;
  - b) The scale of any existing buildings in the area and the cumulative effects of further increases in coverage;
  - c) Potential adverse effects arising from any likely requirements for additional parking.
- vi Loading and Outdoor Storage
- a) The effect of any off street loading or outdoor storage area on the visual amenity of the adjacent area.
  - b) The effect of any off street loading or outdoor storage area on the visual coherence and character of the adjacent area.
  - c) The form, nature, type and servicing of any loading area and the effects of these on the surrounding locality.

## vii. 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 effect 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 effect:
  - 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 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:

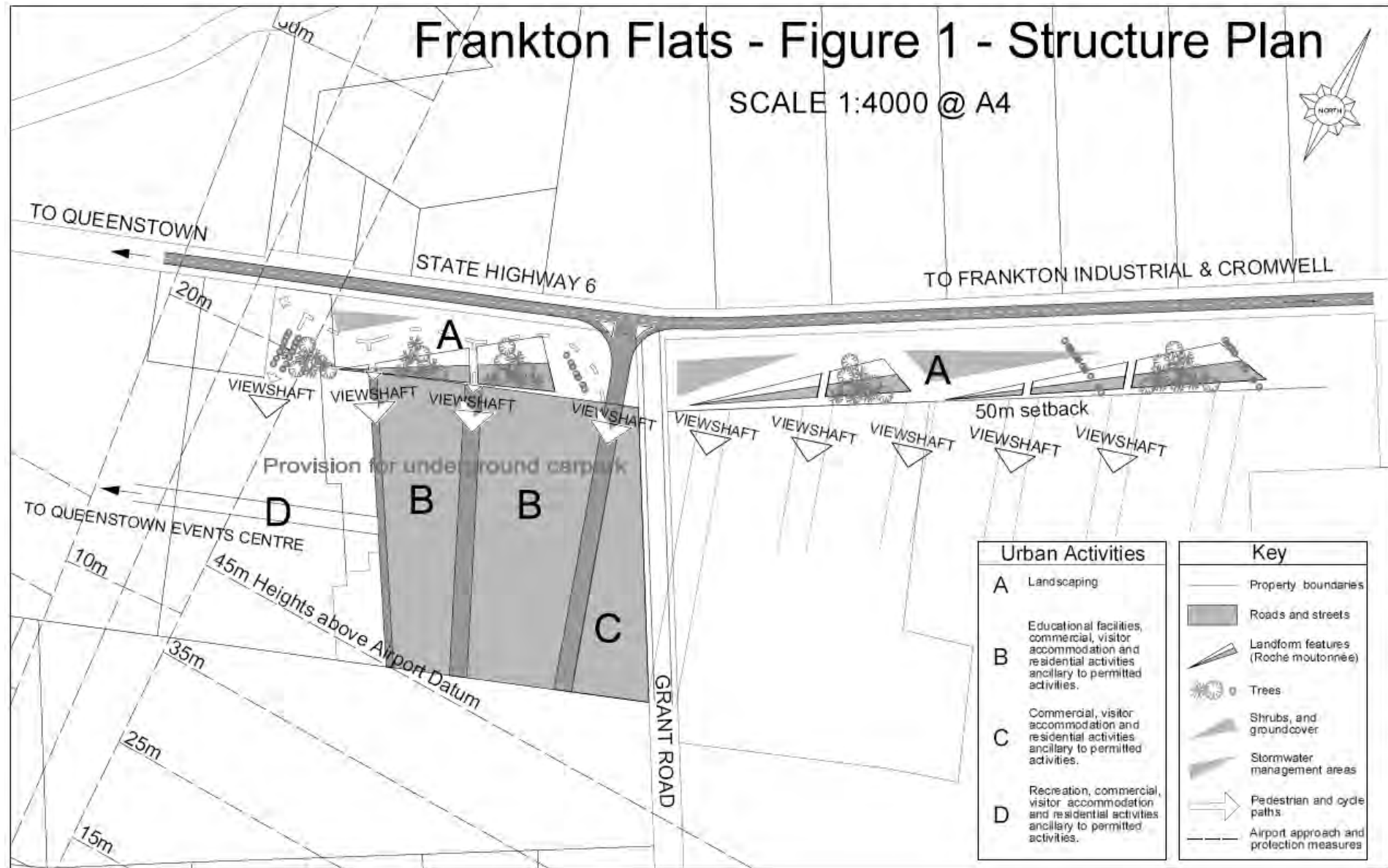
- (a) Whether the removal of soil to or from the site will affect the surrounding roads, and neighbourhood through the deposition of sediment, particularly where access to the site is gained through residential areas.
- (b) Whether the activity will generate noise, vibration and dust effects, which could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



## 14. Transport

### 14.1 Issues, Objectives and Policies

#### 14.1.1 Resources, Activities and Values

A well managed transport system needs to:

- be sustainable
- maximise safety
- cater for all modes of transport
- minimise adverse effects
- minimise energy usage
- minimise conflicts with other land uses and amenity values, especially landscape, visual, heritage and pedestrian amenities.

The principal transport resources and activities available in the District are:

- 1 The roading system provided by the Council and Transfund New Zealand in the case of state highways; and
- 2 The airports of Queenstown and Wanaka.

State Highway 6, 6A, 8, 8A and 84 provide linkages within the District.

#### 14.1.2 Issues

##### i Efficiency

**The efficient use of the District's roads and other transport infrastructure, and the efficient use of fossil fuels for transport, can be adversely affected by the inappropriate location, nature and design of land use activities, their access, parking and servicing.**

The demand for transport fuel will almost certainly continue to increase medium-term, as independent mobility remains a major component of transportation. This mobility is often necessary simply to ensure a basic level of accessibility, especially in rural areas. An increase in resource development, including the visitor industry, will result in traffic increases. The Council is strongly promoting resource management policies for growth and development based on the consolidation of urban activities and commercial centres. Such policies, in association with transport policies, are in significant part directed at improved energy efficiency and a greater variety of transport options including pedestrian links and public transport.

##### ii Safety and Accessibility

**The safety and convenience of pedestrians, horse riders, cyclists and other road users can be adversely affected by the inappropriate location, nature and design of land use activities, their access, parking and servicing.**

To enable people to carry out their existing and likely future activities it is necessary to provide a good level of accessibility throughout the District. Potential conflicts between vehicles and pedestrians exist. Activities located alongside roads have the potential to affect the safety of through traffic. Drivers can be distracted by signs, accessways and activities adjoining main roads, particularly in areas of higher vehicle speeds or vehicle numbers. This can reduce the safety of vehicles, cyclists and pedestrians.

##### iii Environmental Effects of Transport

**Motorised transport can adversely affect the amenities of the District, as a result of noise and emissions, loss of visual amenity, privacy and accessibility.**

Motorised transport has obvious advantages to the community in convenience and mobility, however there are adverse effects resulting from the operation of the transport system. Some of these effects include reduced accessibility, noise and fumes.

The efficient use and capacity of a road can be reduced by parked or manoeuvring cars particularly on the main roads where there is a predominance of through traffic. The amenity of an area can also be compromised by both on and off-street parking resulting in a loss of aural privacy and visual appearance.

Road construction can also have significant environmental effects in terms of visual amenity, increased noise and fumes for properties near roads; reduced accessibility for properties cut-off from community facilities by major roads; and loss of natural features. Cultural values have been affected by road construction in the past, with archaeological sites being disturbed by earthmoving equipment and waahi tapu or waahi taoka unearthed.

### 14.1.3 Objectives and Policies

#### Objective 1 – Efficiency

***Efficient use of the District's existing and future transportation resource and of fossil fuel usage associated with transportation.***

#### **Policies:**

- 1.1 *To encourage efficiency in the use of motor vehicles.*
- 1.2 *To promote the efficient use of all roads by adopting and applying a road hierarchy with associated access standards based on intended function.*
- 1.3 *To promote the efficient use of roads by ensuring that the nature of activities alongside roads are compatible with road capacity and function.*
- 1.4 *To protect the safety and efficiency of traffic on State Highways and arterial roads, particularly State Highway 6A, by restricting opportunities for additional access points off these roads and by ensuring access to high traffic generating activities is adequately designed and located.*

- 1.5 *To promote the efficient use of fuel for transport purposes, by providing for a District wide policy of consolidated urban areas, townships, retail centres and residential environments.*
- 1.6 *To promote and provide for the consolidation of new areas of residential development and for higher density development within identified areas.*
- 1.7 *Enabling for home occupations within residential areas to reduce travel time and costs between home and work.*
- 1.8 *To consider options for encouraging and developing greater use of public transportation facilities and in particular to continue to investigate the options for alternative transport means.*
- 1.9 *To require off-road parking and loading for most activities to limit congestion and loss of safety and efficiency of adjacent roads and to promote the maintenance and efficiency of those roads.*
- 1.10 *To require access to property to be of a size, location and type to ensure safety and efficiency of road functioning.*

#### **Implementation Methods**

Objective 1 and associated policies will be implemented through a number of methods:

#### **(i) District Plan**

- (a) Define a roading hierarchy with associated design and access standards.
- (b) Control the nature, scale, design and location of activities and associated access onto State Highways and arterial roads.
- (c) Set performance standards for property access, parking and loading.

- (d) Consolidation of existing and new urban developments through the clear definition of the extent of the existing towns and policy direction on the form and location of new urban areas.

**(ii) Other Methods**

- (a) Monitor and investigate the needs and opportunities for greater use of public transport.
- (b) Development of a transportation strategy.

**Explanation and Principal Reasons for Adoption**

Present motor vehicle transportation is based on non-renewable fossil fuels and the use of these fuels is unlikely to be sustainable in the long term. Maximising the opportunities for alternatives to the use of the private motor vehicle and increasing the use of other modes of transport will promote a reduction in the rate of traffic growth, congestion and encourage the more efficient use of motor vehicles. This policy will be augmented by policies promoting consolidated urban growth areas and increased opportunities for other transport modes.

The Council has adopted a hierarchy of roads in which each road is generally classified with respect to its planned traffic function. The hierarchy is contained within Appendix 6. The highest classified roads provide for the greatest level of through movement, with a minimum access function, that is for pedestrians, servicing and parking. Local roads provide for little through movement, but more priority is given to access. In this way the road network provides for the efficient and safe movement of people and goods and reduces the conflicts which arise between traffic requirements and the surrounding land use environments and activities. The function of the roads in the hierarchy is as follows:

**Arterial Roads**

All State Highways are (major) arterial roads. Other (minor) arterial roads have similar characteristics, being dominant elements of the network connecting the major settlements in the District with the District. Arterial roads will be managed to minimise their local access function.

**Collector Roads**

Collector roads provide for the distribution and circulation of traffic between or within local areas and to and from the arterial road network. Collector roads also provide access to private properties fronting the road, however, the main function is to provide access to local roads. In many instances they provide a direct link between two arterial roads. Through traffic makes up a high proportion of the traffic flow.

**Local Roads**

Local roads make up the balance of the District’s roads. These function almost entirely as accessways to properties and are not intended to act as through routes for vehicles. These also serve other functions in terms of pedestrian access, cycle ways and may function as pedestrian malls or parking precincts.

**Service Lanes**

Service lanes are used when there is a need to load and unload vehicles on adjoining sites and are encouraged where they can provide a multi-user function.

The efficiency and safety of the road network, particularly arterial roads, requires minimising conflicts between various road users. Important in this respect is the need to provide for adequate parking and for queuing and manoeuvring space for vehicles entering and leaving sites. Access control can take a variety of forms including well designed entrances to parking areas or by restricting access to roads which are not predominantly residential or urban in character.

The Council will continue to promote policies which increase efficiency and convenience through the greater use of public transport, urban consolidation and opportunity for people to undertake work at home.

**Objective 2 - Safety and Accessibility**

***Maintenance and improvement of access, ease and safety of pedestrian and vehicle movement throughout the District.***

## **Policies:**

- 2.1 *To maintain and improve safety and accessibility by adopting and applying a road hierarchy with associated design, parking and access standards based on the intended function.*
- 2.2 *To ensure the intensity and nature of activities along particular roads is compatible with road capacity and function, to ensure both vehicle and pedestrian safety.*
- 2.3 *To ensure access and movement throughout the District, and more particularly the urban areas, for people with disabilities is not unreasonably restricted.*
- 2.4 *To encourage the development of pedestrian and cycle accessways, within the main townships.*
- 2.5 *To maintain and upgrade, where appropriate, the existing roads and provide for new roads and related facilities where these are important for providing access. In particular, to investigate and/or make provision for:*
  - *a new road link from Man Street to the One Mile roundabout.*
  - *a new road linking Queenstown and Frankton on the northern side of SH6A above Frankton Arm.*
  - *a long term roading network for the Frankton flats area to protect the through route function of State Highways and provide access to residential, commercial and recreational activities.*
- 2.6 *To ensure intersections and accessways are designed and located so:*
  - *good visibility is provided.*
  - *they can accommodate vehicle manoeuvres.*
  - *they prevent reverse manoeuvring onto arterial roads; and*

- *are separated so as not to adversely affect the free flow of traffic on arterial roads.*

- 2.7 *To ensure vegetation plantings are sited and/or controlled so as to maintain adequate visibility and clearance at road intersections and property access and to prevent the icing of roads during winter months, except and unless that vegetation is important to the visual amenity of the District or is protected as part of the Heritage Provisions.*

## **Implementation Methods**

Objective 2 and associated policies will be implemented through a number of methods:

### **(i) District Plan**

- (a) As for Objective 1.
- (b) The inclusion of rules specifying performance standards for road construction, based on the road's intended function within the roading hierarchy.
- (c) To investigate a new road link from Man Street to the Fernhill roundabout.

### **(ii) Other Methods**

- (a) To continue to maintain and progressively upgrade the roading network to improve traffic safety, efficiency and accessibility.
- (b) Investigate the need for and, where appropriate, develop additional pedestrian areas, walkways and cycle ways within the District's main towns.
- (c) To investigate a revised roading network for the Frankton Flats.

## **Explanation and Principal Reasons for Adoption**

The safety and efficiency of the road network can be adversely affected by parking, access and pedestrian movement associated with a particular activity. The siting of appropriate activities alongside the appropriate

elements of the road hierarchy and network will result in benefits of fewer accidents and greater efficiency.

People will be encouraged to walk rather than use motorised transport if they are provided with a safe and pleasant environment. The creation of pedestrian and cycle links can be an important part of increasing safety and access. These links need to be planned in conjunction with the road network to enable the transport network to be developed in an integrated fashion.

People with impaired mobility include the elderly and people confined to wheelchairs. These people have particular requirements for ease of movement and the Council can assist in allowing easy, unrestricted access for all people to important and essential activity areas by adopting appropriate management and design solutions.

A number of activities including buildings, trees and advertising signs can impair visibility at intersections and adversely affect the safety of the road network. In order to maintain road safety it is important that the elements on sites adjoining the network do not affect driver and pedestrian safety.

The Council supports the development and construction of new roads where these can be demonstrated to have significant environmental benefits as well as improve traffic movement and safety. Extension of Man Street will significantly improve the flow of vehicles through and around the Queenstown Town Centre. This will greatly enhance the pedestrian amenity within the town and reduce congestion on Shotover Street.

The Council is committed to investigating the opportunity for new roads to serve the future development of the Frankton Flats. This will not only make the area more accessible to the wider community but will reduce the impact of development on State Highway No. 6 and improve access to the airport and other activities.

### **Objective 3 - Environmental Effects of Transportation**

*Minimal adverse effects on the surrounding environment as a result of road construction and road traffic.*

### **Policies:**

- 3.1 *To protect the amenities of specified areas, particularly residential and pedestrian orientated town centres from the adverse effects of transportation activities.*
- 3.2 *To discourage traffic in areas where it would have adverse environmental effects.*
- 3.3 *To support the development of pedestrian and similar links within and between settlements and the surrounding rural areas, in order to improve the amenity of the settlements and their rural environs.*
- 3.4 *To ensure new roads and vehicle accessways are designed to visually complement the surrounding area and to mitigate visual impact on the landscape.*
- 3.5 *To maintain and enhance the visual appearance and safety of arterial roads which are gateways to the main urban centres.*
- 3.6 *To incorporate vegetation within roading improvements, subject to the constraints of road safety and operational requirements, and the maintenance of views from the roads.*
- 3.7 *To implement appropriate procedures, in conjunction with the takata whenua and Historic Places Trust, should any waahi tapu or waahi taonga be unearthed during roading construction. (see Section 4.3 Objective 1 Policy 1 for consultation procedures with takata whenua).*
- 3.8 *To set areas aside for staff car parking in Business and Industrial Zones.*

### **Implementation Methods**

Objective 3 and associated policies will be implemented through a number of methods including:

- (i) **District Plan**
  - (a) As for Objectives 1 and 2.

- (b) The use of zoning provisions to define appropriate areas for different types of activities, in relation to their proximity to major through roads.
- (c) Provision for roading design, pedestrian links and protection of important features to be controlled through the subdivision process.

## (ii) Other Methods

- (a) Continue to improve the design and visual appearance of roads especially where they enter towns.
- (b) Monitor traffic movements and, where necessary undertake traffic management measures to discourage traffic in areas where it is having adverse environmental effects.
- (c) To restrict heavy vehicle access and to discourage unnecessary vehicle movements through sensitive urban and rural environments; Queenstown Special Character Area and Arrowtown Town Centre.
- (d) Development of a transportation strategy.

### Explanation and Principal Reasons for Adoption

Many parts of the District contain important pedestrian environments, particularly the town centres and residential areas. In these areas priority may have to be given to the needs of pedestrians and cyclists over private vehicles and goods servicing vehicles. The creation of pedestrian-friendly and safe environments in these localities enhances the living, working and leisure activities of the residents. In addition, the Council wishes to enhance the visual approach to the main urban centres through the establishment of attractively landscaped vehicle and road approaches, eg the Kawarau Gorge Road State Highway No. 6 entrance to Frankton.

The development of a transportation strategy would clarify the Council's overall policy for transportation and provide greater direction when it came to review the provisions of the District Plan.

### Objective 4 - Town Centre Accessibility and Car Parking

*Town centres which are accessible to pedestrians and vehicles, and legible to all persons wishing to access them, commensurate with other town centre objectives and policies.*

#### Policies:

- 4.1 *To achieve a general reduction in the dominance of vehicles and heavy commercial vehicles within each town centre through the on-going establishment of off-street car parks.*
- 4.2 *To manage vehicle movement within the town centres to provide for appropriate levels of accessibility, minimise congestion and promote personal safety.*
- 4.3 *To require all activities and developments to contribute towards the provision of off-street vehicle parking.*
- 4.4 *To provide an integrated and well located off-street car parking resource around the periphery of the town centres.*
- 4.5 *To provide off-street parking within particular areas of the town centres in order to limit and reduce traffic flowing into and through those areas and thereby retain the character of the centres.*
- 4.6 *To require all vehicle accesses to properties and developments to be designed in accordance with a set of specified standards, which ensure vehicle manoeuvring has minimal impact on the safety and efficiency of roads and footpaths and the amenity of any particular area.*
- 4.7 *To encourage on-site parking in association with development and to allow shared off-site parking in close proximity to development in residential areas to ensure the amenity of neighbours and the functioning of streets is maintained.*

#### Implementation Methods

Objective 4 and associated policies will be implemented through a number of methods including the following:



**(i) District Plan**

- (a) The use of rules to define areas for off-street parking and provide design controls in respect of access and frontage and limit the hours for goods vehicle servicing.
- (b) To designate areas for new public off-street car parks.

**(ii) Other**

- (a) To continue to provide adequate public car parking in close proximity to the main commercial centres.
- (b) To levy rates for the provision of car parking within the Town Centre Zones provided that it is recommended to the Council when making and levying rates that proper consideration be applied to giving due credit and allowance for parking actually established on any particular property in the Remarkables Park Zone, as at the time of making and levying rates.

**Explanation and Principal Reasons for Adoption**

The town centres will continue to be the principal focus for a range of activities and must remain accessible to pedestrians and vehicles. The road networks which bring people and vehicles to each of the town centres do not all have the capacity to cope with foreseeable increases in traffic volumes. In particular, the Frankton Road (SH 6A) is now the subject of investigation in terms of capacity and design. It is not well equipped to cater for significant increases in traffic generation resulting from further major commercial development in Queenstown. As such, alternative modes of transport and other locations are necessary for long term retail growth. There are difficulties coping with vehicle and pedestrian traffic on the street networks within the town centres of Queenstown and Arrowtown where the streets are narrow and pedestrian numbers are expected to increase significantly.

Increasing vehicle numbers will also increase ambient noise levels and air pollution and detract from the amenity values of the town centre environments. At present the worst intrusion arises from the movement of heavy commercial vehicles within the town centres. It is acknowledged

businesses must be serviced but the problem can be overcome either by restricting the hours during which such vehicles have access to the town centres or by a shift on the part of the transport operators to smaller service/delivery vehicles. The other intrusion is by passenger coaches. These vehicles tend to dominate the street scene and, because of the frequency with which they move through the town centres, particularly Queenstown, detracts from the amenity and the experience of those centres.

It is not proposed vehicles be totally removed from the town centres. This would be impracticable and could have the effect of adversely affecting the vitality of these environments. Rather, through street improvement works, the provision of convenient and readily accessible off-street parking areas and the implementation of local area traffic management schemes it is anticipated there will be a reduction in the number of vehicles entering the town centres and there will be greater compatibility between pedestrian and vehicle movements within the same street and carriageway.

The achievement of this reduction will be assisted by restricting off-street parking provision associated with developments within the core areas of the Queenstown and Arrowtown town centres.

While the overall thrust of the objective and policies is to manage the number of vehicles entering and circulating around the town centres, it is acknowledged there is a need for short term on-street car parking which is readily available for use. Such parking is essential for the mobility impaired and can be used to good effect to assist in retaining the vitality of the town centres.

The restraints on off-street parking are directed at long term parking. The provision of such parking in the core areas of the town centres is contrary to the achievement of accessibility, vitality and high standards of amenity. As such the Council is moving to establish car parks on the periphery of town centres and to limit the impact of existing public off-street car parks on town centre amenity.

**Objective 5 - Parking and Loading - General**

***Sufficient accessible parking and loading facilities to cater for the anticipated demands of activities while controlling adverse effects.***

## **Policies:**

- 5.1 *To set minimum parking requirements for each activity based on parking demand for each land use while not necessarily accommodating peak parking requirements.*
- 5.2 *To ensure business uses have provision for suitable areas for loading vehicles on-site.*
- 5.3 *To ensure car parking is available, convenient and accessible to users including people with disabilities.*
- 5.4 *To require all off-street parking areas to be designed and landscaped in a manner which will mitigate any adverse visual effect on neighbours, including outlook and privacy.*
- 5.5 *To require the design of parking areas to ensure the safety of pedestrians as well as vehicles.*
- 5.6 *To set areas aside for staff car parking in business and industrial zones.*

## **Implementation Methods**

Objective 5 and associated policies will be implemented through a number of methods:

### **(i) District Plan**

- (a) As for Objectives 1 and 2.
- (b) The inclusion of provisions for cash-in-lieu contributions.
- (c) The designation of new off-street parking areas for the town centres.
- (d) Landscape and design provisions for off-street car parks.

### **(ii) Other Methods**

- (a) To continue to improve the design, and safety, of footpaths.
- (b) To continue to provide adequate public car parking in close proximity to the main commercial centres.
- (c) To levy rates for the provision of car parking within the Town Centre Zones.

## **Explanation and Principal Reasons for Adoption**

All activities generate vehicle trips and therefore parking in close proximity of the site is required to provide accessibility for people and goods. If provision is not made by the owner or developer of a site the only alternative is to carry out manoeuvres on the street thereby adversely affecting the efficiency and safety of the road network.

The amount of parking required for each activity should be adequate for normal demands including staff parking. Some activities have high peak demands but it is not practical to provide for these.

Through setting minimum parking requirements the Council will seek to maintain the traffic function and safety of the road network and the amenity of residential streets and the town centres.

Some sites can be small and restrictive to development and in some locations pedestrian access, convenience and other amenity values would be adversely affected by on-site parking. In circumstances, where car parking cannot be provided to meet the demand, it is a more practical alternative for the Council to levy rates for the provision of car parking. Such funds will be used to develop an integrated and convenient network of car parks. This will lead to improved quality of development and amenity, especially in the town centres.

The siting of parking areas needs to be made obvious to potential users by either good siting or signage. Car parking which is both accessible and convenient minimises the amount of on-street parking which protects the traffic function of the road network and the amenity values of the town centres and residential neighbourhoods.

## Objective 6 - Pedestrian and Cycle Transport

***Recognise, encourage and provide for the safe movement of cyclists and pedestrians in a pleasant environment within the District.***

### **Policies**

- 6.1 *To develop and support the development of pedestrian and cycling links in both urban and rural areas.*
- 6.2 *To require the inclusion of safe pedestrian and cycle links where appropriate in new subdivisions and developments.*
- 6.3 *To provide convenient and safe cycle parking in public areas.*

### **Implementation Methods**

Objective 6 and associated policies will be implemented through a number of methods:

- (i) **District Plan** Assessment of pedestrian and cycle links through the subdivision consent process.
- (ii) **Other Methods**
  - (a) Development of a network of rural walkways.
  - (b) Development of pedestrian links and pedestrianised areas, Queenstown Mall, Athol Street.
  - (c) Development of walkways through public open space.
  - (d) Provision of convenient and safe cycle parking in public areas.
  - (e) Development of cycle routes and associated facilities.

### **Explanation and Principal Reasons for Adoption**

Walking and cycling are non-polluting methods of transport and should be encouraged by providing high standard facilities. Pedestrian and cycle links need to be safe for people to use by providing open well lit linkages. The

subdivision and development process provides the opportunity to extend and add to the transport network in a manner which will improve the convenience, safety and amenity of the network.

Cyclists require parking facilities located close to their destination. The facilities need to provide for the ability to secure cycles adequately to prevent theft. If sufficient, safe parking is provided in and around the town centres, it may promote the use of the bicycle as an alternative means of transport to the private motor car, thereby reducing road congestion.

## Objective 7 - Public and Visitor Transport

***Recognition of public transport needs of people and provision for meeting those needs.***

### **Policies:**

- 7.1 *To plan and encourage an efficient pattern of public transport.*
- 7.2 *To investigate opportunities for public transport as an alternative to, or in association with, changes or extensions to the major road network.*
- 7.3 *To promote and investigate opportunities for a public transport link between Queenstown and Frankton.*
- 7.4 *To support the development and operation of various types of tourist transport.*
- 7.5 *To liaise with the Otago Regional Council and public transport operators to ensure the public transport needs of the District are met.*

### **Implementation Methods**

Objective 7 and associated policies will be implemented through a number of methods:

- (i) **District Plan**

- (a) Policy support for public transport initiatives and in particular, opportunities to investigate and implement a public transport link between Frankton and Queenstown.
- (b) District Plan provisions which support the consolidation of visitor accommodation close to the main traffic routes.
- (c) District Plan provisions which support areas of consolidated urban development.

## (ii) Other Methods

- (a) Co-ordination and liaison with the Otago Regional Council and Transit NZ and Transfund NZ regarding the operation and financing of public transport systems.
- (b) Support for feasibility studies to implement public transport systems.
- (c) Investigation of public transport alternatives to new roading infrastructure.
- (d) Encourage establishment and use of public transport, particularly between Frankton and Queenstown.

## Explanation and Principal Reasons for Adoption

The Council is committed to investigating and supporting initiatives for alternative transport modes, particularly public transport where this can be developed in an environmentally sensitive form, to reduce vehicle flows, and to provide a viable alternative for people. The Council is strongly supportive of options for a viable, environmentally sensitive and efficient public transport link between Queenstown and the Frankton localities, starting generally in the vicinity of the One Mile, and linking with future growth opportunities in Frankton. Such a system is seen as having important resource management benefits in terms of energy efficiency, providing an alternative option to major road works, supporting the general urban consolidation policies and bringing significant environmental benefits in

terms of reducing the number of private cars entering Queenstown and using the road network.

## Objective 8 - Air Transport

***Effective and controlled airports for the District, which are able to be properly managed as a valuable community asset in the long term.***

### ***Policies:***

- 8.1 *To provide for appropriate growth and demand for air services for Queenstown.*
- 8.2 *To avoid or mitigate any adverse environmental effects from airports on surrounding activities.*
- 8.3 *To establish an Air Noise Boundary and Outer Control Boundary for Queenstown and Wanaka airports.*
- 8.4 *To advocate a noise management regime at Queenstown airport to help manage the environmental effects of aircraft noise through means available to the Queenstown Airport Corporation but not available through the District Plan.*
- 8.5 *To provide for appropriate recreational airport facilities at Wanaka.*
- 8.6 *To ensure buildings at both airports have regard for and are sympathetic to the surrounding activities, and landscape and amenity values by way of external appearance of buildings and setback from neighbouring boundaries.*
- 8.7 *To ensure noise monitoring regimes are established for the District's airports by the respective requiring authorities.*
- 8.8 *To manage noise sensitive activities in areas with existing urban development surrounding the airport, while ensuring future noise sensitive activities in areas currently undeveloped and adjacent to airports are restricted.*

## Implementation Methods

Objective 8 and associated policies will be implemented through a number of methods including:

### (i) District Plan

- (a) Identification of the Air Noise Boundary (65 L<sub>dn</sub>) and Outer Control Boundary (55 L<sub>dn</sub>) locations and implementation of controls relating to these in order to manage aircraft activity at the airports.
- (b) Provisions managing noise sensitive activities in areas with existing noise sensitive development.
- (c) Provisions prohibiting further intensive development, particularly noise sensitive development from areas adjacent to airports which have not been recognised for noise sensitive activities in former Plans or have not been developed for these activities.
- (d) District Plan provisions, particularly policies, to encourage the retention of existing Rural Zones within areas affected by airport noise, in order to provide a buffer for noise and safety reasons between airports and other land use activities.

### (ii) Other Methods

- (a) Provision for designations which may include designations on aerodrome activities, Air Noise Boundaries and approach/takeoff flight paths including conditions 1-25 of Queenstown Airport Designation D2 (Aerodrome Purposes).
- (b) The operation of a liaison committee between the Queenstown Airport Corporation, the Council and local residents in respect of both airports.

- (c) Liaison with Transit New Zealand regarding access to and from airports.
- (d) Implementation of a noise management plan strategy by the Queenstown Airport Corporation to ensure management of the noise environment at both Queenstown and Wanaka airports. With respect to Queenstown Airport the Noise Management Plan will be in accordance with Conditions 22 to 25 of Designation D2 setting out the required contents of such a plan.

### Explanation and Principal Reasons for Adoption

The Queenstown and Wanaka airports are important physical resources, important to the social and economic well being of the community. Queenstown Airport's main function is for domestic, and international, passenger movements and freight and tourist operations. The Queenstown Airport is an important factor in the rate of growth in the District. In comparison, Wanaka Airport's main function is providing recreational and tourist air services, including aviation museums.

The District's airports must be able to operate effectively and in a manner which provides for the District's well being. At the same time any adverse effects on the community, particularly the resident community, must be mitigated. The Council is of the view that the operation of Queenstown Airport should not preclude opportunities for further development of activities in close proximity, provided that appropriate controls are implemented.

The Council supports a noise regime which provides the opportunity for growth in airport activity, but also sets in place controls to mitigate and reduce any noise impact on the residential and other noise sensitive activities. While aircraft are likely to become less noisy in the future, more aircraft movements are expected to occur. Projections and noise investigations have determined noise contours on which to implement controls. As a result of these, residential and other noise sensitive activities will not be allowed to occur within the Air Noise Boundary (65 L<sub>dn</sub> contour) of any airport.

Within the Outer Control Boundary (55 L<sub>dn</sub> contour) the provisions relating to Queenstown and Wanaka Airports are different due to differing situations. Within the Outer Control Boundary for Queenstown Airport where the land has not been zoned for noise sensitive activities under an operative plan and has no existing development for this purpose, such development will be prohibited. Within the Outer Control Boundary where there is existing noise sensitive development, any new noise sensitive development will be controlled, subject to acoustic insulation.

In relation to Wanaka Airport, activities within the Outer Control Boundary will require a resource consent for a controlled activity. The consent will be subject to adequate acoustic insulation. The insulation requirements will be in accordance with the NZ Standards.

The Council is also of the view that rezoning land as a Residential Zone, or classifying new noise sensitive activities as permitted, controlled, discretionary or non-complying adjacent to an airport, gives a false impression that the land is suitable for noise sensitive activities.

The result of these controls will be to protect airports from future incompatible adjacent land uses, while recognising that current adjacent activities must be protected and provided for.

The controls are intended to either prohibit, or require acoustic insulation (as appropriate), for the full range of noise sensitive activities. Reference is made to “community activities” in each of the relevant rules is defined in the district plan. The rules are intended to be inclusive; and to cover all activities which fall within the broad definition of community activity, whether or not such activities are separately defined.

## Objective 9

***In the Three Parks Zone, an urban structure, well-considered building design, and other initiatives which, together, help to reduce car use and provide practical alternatives.***

## Policies (Three Parks Zone)

- 9.1 *To require that the urban structure (including road layout, cycle and walking networks, land use densities, and block sizes) is well-connected and specifically designed to:*
  - 9.1.1 *Enable public transport to efficiently service the area, now or in the future (which may, in the future, also include the provision of a significant transport hub/inter-change); and*
  - 9.1.2 *Ensure that on-street carparking is provided; and*
  - 9.1.3 *Reduce travel distances through well-connected streets; and*
  - 9.1.4 *Provide safe, attractive, and practical routes for walking and cycling, which are well-linked to existing or proposed passenger transport and local facilities and amenities within the zone, and which are well-connected to other areas beyond the zone, particularly the Wanaka Town Centre.*
- 9.2 *To require applications for Outline Development Plans, Comprehensive Development Plans, and larger scale commercial developments to show how they will help reduce private car travel and encourage realistic alternative modes of transport, including through avoiding the excessive provision of car parking*
- 9.3 *To recognise that constraining the provision of car parks may be one appropriate method of managing single occupancy car trips, particularly in later stages of development as the Commercial Core becomes more established*
- 9.4 *To encourage large scale developments (i.e. those with at least 150 employees) to prepare voluntary travel plans through the Council providing advocacy and assistance, and considering reductions in parking requirements where travel plans are proposed.*

*Refer to Council guidelines relating to Travel Plans.*



## 14.1.4 Environmental Results Anticipated

Implementation of the policies and methods in relation to Transport will result in:

- (i) Improved accessibility District wide for all modes of transport, particularly walkways and public transport.
- (ii) A safe and efficient transport system and a reduction in conflicts between land uses and road functions.
- (iii) Minimising the adverse effects of the transport system on the environment in respect of air pollution, noise and safety.
- (iv) Improved access and safety for pedestrians moving throughout the town centres and residential areas.
- (v) Improving the amenity of local streets and enhanced visual amenity along main transport routes.
- (vi) Decrease in the emission of greenhouse gases and use of fossil fuels.
- (vii) Enhanced visual and pedestrian amenity.
- (viii) A safe, efficient and a more visually attractive roading network.
- (ix) Mitigation of potential adverse effects such as icing, light overspill and conflicts between users.
- (x) The effective and efficient operation of the airports.
- (xi) The protection for the amenity of land uses surrounding major transport facilities and vehicles generating activities.
- (xii) Greater use of public transport and more rigorous assessment of public transport alternatives.
- (xiii) Ease of access for people with mobility problems.

- (xiv) Reinforcement of the landscape values of the District's natural resources.



## Appendix 13 – Queenstown Airport Sound Insulation and Ventilation Requirements

The following table sets out the construction materials required to achieve appropriate sound insulation within the airport Air Noise Boundary (ANB).

**Table 1: Sound Insulation Requirements – Acceptable Construction materials**

<b><u>Building Element</u></b>	<b><u>Minimum Construction</u></b>	
<b><u>External Walls</u></b>	<b><u>Exterior Lining:</u></b>	<u>Brick or concrete block or concrete, or 20mm timber or 6mm fibre cement</u>
	<b><u>Insulation:</u></b>	<u>Not required for acoustical purposes</u>
	<b><u>Frame:</u></b>	<u>One layer of 9mm gypsum or plasterboard (or an equivalent combination of exterior and interior wall mass)</u>
<b><u>Windows/Glazed Doors</u></b>	<u>4mm glazing with effective compression seals or for double glazing 6mm-6mm airgap-6mm</u>	
<b><u>Pitched Roof</u></b>	<b><u>Cladding:</u></b>	<u>0.5mm profiled steel or masonry tiles or 6mm corrugated fibre cement</u>
	<b><u>Insulation:</u></b>	<u>100mm thermal insulation blanket/batts</u>
	<b><u>Ceiling:</u></b>	<u>1 layer 9mm gypsum or plaster board</u>
<b><u>Skillion Roof</u></b>	<b><u>Cladding:</u></b>	<u>0.5mm profiled steel or 6mm fibre cement</u>
	<b><u>Sarking:</u></b>	<u>None Required</u>
	<b><u>Insulation:</u></b>	<u>100mm thermal insulation blanket/batts</u>
	<b><u>Ceiling:</u></b>	<u>1 layer 9mm gypsum or plasterboard</u>
<b><u>External Door</u></b>	<u>Solid core door (min 24kg/m<sup>2</sup>) with weather seals</u>	

Note: The specified construction materials in this table are the minimum required to meet the Indoor Design Sound Level. Alternatives with greater mass or larger thicknesses of insulation will be acceptable. Any additional construction requirements to meet other applicable standards not covered by this rule (eg fire, Building Code etc) would also need to be implemented.

The following table sets out the ventilation requirements within the airport Outer Control Boundary (OCB) and Air Noise Boundary (ANB).

**Table 2: Ventilation Requirements**

<b>Room Type</b>	<b>Outdoor Air Ventilation Rate (Air Changes per Hour, ac/hr)</b>	
	<u>Low Setting</u>	<u>High Setting</u>
<u>Bedrooms</u>	<u>1-2 ac/hr</u>	<u>Min. 5 ac/hr</u>
<u>Other Critical Listening Environments</u>	<u>1-2 ac/hr</u>	<u>Min. 15 ac/hr</u>
<u>Noise from ventilation systems shall not exceed 35 dB <math>L_{Aeq}(1 \text{ min})</math>, on High Setting and 30 dB <math>L_{Aeq}(1 \text{ min})</math>, on Low Setting. Noise levels shall be measured at a distance of 1 m to 2 m from any diffuser.</u>		
<u>Each system must be able to be individually switched on and off and when on, be controlled across the range of ventilation rates by the occupant with a minimum of 3 stages.</u>		
<u>Each system providing the low setting flow rates is to be provided with a heating system which, at any time required by the occupant, is able to provide the incoming air with an 18 °C heat rise when the airflow is set to the low setting. Each heating system is to have a minimum of 3 equal heating stages.</u>		
<u>If air conditioning is provided to any space then the high setting ventilation requirement for that space is not required.</u>		

## Definitions

<b>ACCESS</b>	Means that area of land over which a site or lot obtains legal vehicular and/or pedestrian access to a legal road. This land may include an access leg, a private way, common land as defined on a cross-lease or company-lease, or common property as defined in section 2 of the Unit Titles Act 1972.
<b>ACCESS LEG</b>	In relation to a rear lot or rear site, means the strip of land, which is included in the ownership of that lot or site, and which provides the legal, physical access from the frontage legal road to the net area of the lot or site.
<b>ACCESS LOT</b>	Means a lot which provides the legal access or part of the legal access to one or more lots, and which is held in the same ownership or by tenancy-in-common in the same ownership as the lot(s) to which it provides legal access.
<b>ACCESSORY BUILDING</b>	In relation to any site means any detached building the use of which is incidental to the principal building, use or activity on that site, and for residential activities includes a sleep out, garage or carport, garden shed, glasshouse, swimming pool, mast, shed used solely as a storage area, or other similar structure, provided that any garage or carport which is attached to or a part of any building shall be deemed to be an accessory building.
<b>ACCESSWAY</b>	Means pedestrian access as defined in section 315 of the Local Government Act 1974.
<b>ACT</b>	Means the Resource Management Act 1991.
<b><u>ACTIVITY SENSITIVE TO AIRCRAFT NOISE (ASAN)</u></b>	<u>Means any residential activity, visitor accommodation, community activity and day care facility as defined in this District Plan including all outdoor spaces associated with any educational facility but excludes police stations, fire stations, courthouses, probation and detention centres, government and local government offices.</u>
<b>ADJOINING</b>	Land shall be deemed to be adjoining other land, notwithstanding that it is separated from the other land only by a road, railway, drain, water race, river or stream.
<b>AIRCRAFT</b>	Means any machine that can derive support in the atmosphere from the reactions of the air otherwise than by reactions of the air against the surface of the earth.
<b><u>AIRCRAFT OPERATIONS</u></b>	<u>Includes the operation of aircraft during landing, take-off and taxiing but excludes:</u> <ul style="list-style-type: none"> <li>• <u>aircraft operating in an emergency;</u></li> <li>• <u>aircraft using the Airport as an alternative to landing at a scheduled airport;</u></li> <li>• <u>military aircraft movements;</u></li> <li>• <u>engine testing.</u></li> </ul>

<b>AIR NOISE BOUNDARY</b>	Means a boundary, the location of which is based on predicted day/night sound levels of Ldn 65 dBA from future airport operations. The location of the boundary is shown in Figure 31a.
<b><u>AIR NOISE BOUNDARY QUEENSTOWN (ANB)</u></b>	<u>Means a boundary as shown in District Plan Map 31A, the location of which is based on the predicted day/night sound level of 65 dB Ldn from airport operations in 2037.</u>
<b>AIRPORT AERODROME</b>	Means any defined area of land or water intended or designed to be used whether wholly or partly for the landing, departure, movement or servicing of aircraft.
<b>ALL WEATHER STANDARD</b>	Means a pavement which has been excavated to a sound subgrade, backfilled and compacted to properly designed drainage gradients with screened and graded aggregate and is usable by motor vehicles under all weather conditions, and includes metallised and sealed surfaces.
<b>AMENITY OR AMENITY VALUES</b>	Has the same meaning as defined in section 2 of the Act for amenity values.
<b>AMENITY TREE PLANTING</b>	Means the planting of trees in the immediate vicinity of buildings.
<b>AMENITY VEGETATION</b>	Means vegetation, including trees, in the immediate vicinity of buildings.
<b>ANTENNA</b>	Means telecommunications apparatus, being metal rod, wire or other structure, by which signals are transmitted or received, including any bracket or attachment but not any support mast or similar structure.
<b>AUTOMOTIVE AND MARINE SUPPLIER (Three Parks Zone)</b>	Means a business primarily engaged in selling automotive vehicles, marine craft, accessories to and parts for such vehicles and craft, and without limiting the generality of this term, includes suppliers of: <ul style="list-style-type: none"> <li>• boats and boating accessories;</li> <li>• cars and motor cycles;</li> <li>• auto parts and accessories;</li> <li>• trailers and caravans; and</li> <li>• tyres and batteries.</li> </ul>
<b>BACK LANE SITE (Three Parks Zone)</b>	Means a site that gains vehicular access via a private back lane, as opposed to directly off the street, where the back lane is between 5m and 6m in width,
<b>BACKPACKER HOSTEL</b>	Means visitor accommodation where rooms and other facilities are shared by more than one person and beds are let as distinct from guest rooms.
<b>BALCONY</b>	Means a floor at other than ground level having at least one side completely open except for a balustrade of a maximum height of 1.2m above balcony floor level. The balcony may be roofed and shall have direct access to the residential unit it serves.
<b>BAR</b>	In relation to any hotel or tavern, means any part of the hotel or

# DEFINITIONS

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	tavern which is used principally for the sale, supply or consumption of liquor on the premises. Bar area shall exclude areas used for storage, toilets or like facilities and space.
<b>BLOCK PLANS (Three Parks Zone)</b>	A comprehensive plan covering at least one street block which shows how all the land will be developed and which includes fixed lot boundaries and building platforms, building typologies including elevations, the outdoor living spaces, and the location, design, and dimensions of carparking, driveways, and accessways
<b>BOAT</b>	Means any vessel, appliance or equipment used or designed to be used for flotation and navigation on or through the surface of water, other than a wetsuit or life-jacket, and includes any aircraft whilst such aircraft is on the surface of the water. Craft or boating craft shall have the same meaning. Boating activities shall mean activities involving the use of boats on the surface of water.
<b>BOUNDARY</b>	Means any boundary of the net area of a site and includes any road boundary or internal boundary. Site boundary shall have the same meaning as boundary.
<b>INTERNAL BOUNDARY</b>	Means any boundary of the net area of a site other than a road boundary.
<b>ROAD BOUNDARY</b>	Means any boundary of a site abutting a legal road (other than an accessway or service land) or contiguous to a boundary of a road designation. Frontage or road frontage shall have the same meaning as road boundary.
<b>BOUNDARY FENCING</b>	In the Mount Cardrona Station Special Zone means any fence that is located on or near the site boundary, and which demarcates the boundary of the private allotment from surrounding sites and public spaces.
<b>BUILDING</b>	<p>Shall have the same meaning as in the Building Act 1991, but does not include:</p> <ul style="list-style-type: none"> <li>- Fences or walls of 2m in height or less above ground level or retaining walls or 2m in height or less below ground level, not used for a sign or for any purpose other than as a fence, retaining wall or wall.</li> <li>- Structures less than 5m<sup>2</sup> in area and in addition less than 2m in height above ground level.</li> <li>- Radio and television aerials (excluding dish antennae for receiving satellite television which are greater than 1.2m in diameter), less than 2m in height above ground level.</li> <li>- Masts and poles less than 2m in height above ground level.</li> <li>- The upgrading and extension to the Arrow Irrigation Race provided that this exception only applies to upgrading and extension works that involve underground piping of the Arrow Irrigation Race.</li> </ul> <p>Building includes the construction, erection, alteration, relocation or placement on a site of a building.</p>

<b>BUILDING (Remarkables Park Zone)</b>	Includes any vertical element of a building (excluding fences) which is separately identifiable by either height or bulk or form or external architectural design or roof form ("Discrete Building Component").
<b>BUILDING COVERAGE</b>	<p>Means that portion of the net area of a site which is covered by buildings or parts of buildings, including overhanging or cantilevered parts of buildings, expressed as a percentage or area. <u>Building Coverage shall only apply to buildings at ground, or above ground level.</u> The following shall not be included in Building Coverage:</p> <ul style="list-style-type: none"> <li>- Pergolas</li> <li>- That part of eaves and/or spouting, fire aprons or bay or box windows projecting 600mm or less horizontally from any exterior wall.</li> <li>- Uncovered terraces or decks which are not more than 1m above ground level.</li> <li>- Uncovered swimming pools no higher than 1m above ground level.</li> <li>- Fences, walls and retaining walls.</li> <li>- Driveways and outdoor paved surfaces.</li> </ul>
<b>BUILDING LINE RESTRICTION</b>	Means a restriction imposed on a site to ensure when new buildings are erected or existing buildings re-erected, altered or substantially rebuilt, no part of any such building shall stand within the area between the building line and the adjacent site boundary.
<b>BUILDING SUPPLIER (Three Parks Zone)</b>	<p>Means a business primarily engaged in selling goods for consumption or use in the construction, modification, cladding, fixed decoration or outfitting of buildings and without limiting the generality of this term, includes:</p> <ul style="list-style-type: none"> <li>• glaziers;</li> <li>• locksmiths; and</li> <li>• suppliers of: <ul style="list-style-type: none"> <li>• awnings and window coverings;</li> <li>• bathroom, toilet and sauna installations;</li> <li>• electrical materials and plumbing supplies;</li> <li>• heating, cooling and ventilation installations;</li> <li>• kitchen and laundry installations, excluding standalone appliances;</li> <li>• paint, varnish and wall coverings;</li> <li>• permanent floor coverings;</li> <li>• power tools and equipment;</li> <li>• safes and security installations; and</li> <li>• timber and building materials.</li> </ul> </li> </ul>
<b>BUS SHELTERS</b>	In the Mount Cardrona Station Special Zone means buildings providing shelter for passengers using bus services.
<b>CAMPING GROUND</b>	Means camping ground as defined in the Camping Ground Regulations 1985.

<b>CARRIAGEWAY</b>	Means the portion of a road devoted particularly to the use of motor vehicles.
<b>COMMERCIAL</b>	Means involving payment, exchange or other consideration.
<b>COMMERCIAL ACTIVITY</b>	Means the use of land and buildings for the display, offering, provision, sale or hire of goods, equipment or services, and includes shops, postal services, markets, showrooms, restaurants, takeaway food bars, professional, commercial and administrative offices, service stations, motor vehicle sales, the sale of liquor and associated parking areas. Excludes recreational, community and service activities, home occupations, visitor accommodation, registered holiday homes and registered homestays.
<b>COMMERCIAL LIVESTOCK</b>	Means livestock bred, reared and/or kept on a property for the purpose of commercial gain, but excludes domestic livestock.
<b>COMMERCIAL RECREATIONAL ACTIVITIES</b>	Means the commercial guiding, training, instructing, transportation or provision of recreation facilities to clients for recreational purposes including the use of any building or land associated with the activity, excluding ski area activities.
<b>COMMUNITY ACTIVITY</b>	Means the use of land and buildings for the primary purpose of health, welfare, care, safety, education, culture and/or spiritual well being. Excludes recreational activities. A community activity includes schools, hospitals, doctors surgeries and other health professionals, churches, halls, libraries, community centres, police stations, fire stations, courthouses, probation and detention centres, government and local government offices.
<b>COMMUNITY FACILITY</b>	In relation to a community facility sub-zone means the use of land and/or buildings for Health Care services, Hospital activities, ambulance facilities, elderly person housing and carparking and residential accommodation ancillary to any of these activities.
<b>COMPREHENSIVE RESIDENTIAL DEVELOPMENT</b>	Means a comprehensively planned and designed collection of two or more Residential units where: <ul style="list-style-type: none"> <li>(a) the building and subdivision consents are submitted concurrently</li> <li>(b) the net area for a residential unit is less than 450m<sup>2</sup></li> <li>(c) the net area of the site containing all residential units is 2000m<sup>2</sup> or larger</li> </ul>
<b>CONDOMINIUMS</b>	Means residential units build in groups so as to achieve high density development of land, often on multiple levels.
<b>COUNCIL</b>	Means the Queenstown-Lakes District Council or any Committee, Sub-Committee, Community Board, Commissioner or person to whom any of the Council's powers, duties or discretions under this Plan have been lawfully delegated pursuant to the provisions of the Act. District council shall have the same meaning.
<b>CRITICAL LISTENING ENVIRONMENT</b>	<i>Means any space that is regularly used for high quality listening or communication, for example principal living areas, bedrooms and classrooms but excludes non-Critical Listening Environments.</i>

<b>DAY CARE FACILITY</b>	Means land and/or buildings used for the care during the day of elderly persons with disabilities and/or children, other than those residing on the site.
<b>DEVELOPMENT</b>	For the purpose of determining financial contributions development means development or re-development of the site and includes the construction, erection, establishment or alteration of any building, and the following: <ul style="list-style-type: none"> <li>- Any earthworks, filling or reclamation of land, or the making of any retaining walls or other works relating to that earthworks, filling or reclamation.</li> <li>- The provision for or installation of any mode of transport including any railway or tramway relating to any such construction or erection, establishment or alteration.</li> </ul> Excludes any utility, the construction or alteration of any pipeline or associated works on land that is not otherwise subject to development.
<b>DESIGN REVIEW BOARD</b>	In the Mount Cardrona Station Special Zone means a panel of at least four members who assess the design of subdivisions and buildings, who are agreed to by the Council and the developer and who are qualified in the following professions: landscape architecture, architecture, resource management planning, urban design.
<b>DISTRICT</b>	Means Queenstown – Lakes District
<b>DOMESTIC LIVESTOCK</b>	Means: <ul style="list-style-type: none"> <li>- Not more than 2 sows and their progeny up to weaner stage or not more than 5 weaned pigs; and not more than 12 adult poultry in an Urban or Residential Zone or not more than 50 adult poultry in a Rural or Rural Living Zone; bred, reared and/or kept on a property; and</li> <li>- Any number of livestock bred, reared and/or kept on a property for family consumption, or as pets, or for hobby purposes and from which little or not financial gain is derived.</li> </ul>
<b>EARTHWORKS</b>	Means the disturbance of land surfaces by the removal or depositing of material, excavation, filling or the formation of roads, banks, and tracks. Excludes the cultivation of land and the digging of holes for offal pits and the erection of posts or poles or the planting of trees.
<b>EDUCATIONAL FACILITY</b>	Means land and/or buildings used for the provisions of regular instruction or training and includes their ancillary administrative, cultural and commercial facilities.
<b>ELDERLY PERSONS HOUSING UNIT</b>	Means one of a group of residential units developed solely for the accommodation of elderly persons, and where not owned by the Crown or a local authority, is encumbered by a bond or other appropriate legal instrument which ensures that the use of the unit is limited to elderly persons.

<b>ERECTION OF A BUILDING</b>	In relation to a subdivision means the completion of all framing, firewalls, fire ceilings and fire floors, and the affixing of all roof materials.
<b>EXOTIC</b>	In relation to trees and plants means species which are not indigenous to that part of the New Zealand.
<b>EXTERNAL APPEARANCE</b>	In relation to buildings means the bulk and shape of the building including roof pitches, the materials of construction and the colour of exterior walls.
<b>FACTORY FARMING</b>	Includes: <ul style="list-style-type: none"> <li>- The use of land and/or buildings for the production of commercial livestock where the regular feed source for such livestock is substantially provided other than from grazing the site concerned;</li> <li>- Boarding of animals</li> <li>- Mushroom farming</li> </ul>
<b>FARMING ACTIVITY</b>	Means the use of land and buildings for the primary purpose of the production of vegetative matters and/or commercial livestock. Excludes residential activity, home occupations, factory farming and forestry activity. Means the use of lakes and rivers for access for farming activities.
<b>FARM BUILDING</b>	Means a building (as defined) necessary for the exercise of farming activities (as defined) and: <ol style="list-style-type: none"> <li>(a) Excludes buildings for the purposes of residential activities, home occupations, factory farming and forestry activities.</li> <li>(b) Excludes visitor accommodation and temporary accommodation.</li> </ol>
<b>FARMING AND AGRICULTURAL SUPPLIER (Three Parks Zone)</b>	Means a business primarily engaged in selling goods for consumption or use in the business operations of primary producers or in animal husbandry and without limiting the generality of this term, includes: <ul style="list-style-type: none"> <li>• equestrian and veterinary suppliers;</li> <li>• farming and horticultural equipment suppliers;</li> <li>• seed and grain merchants; and</li> <li>• stock and station outlets;</li> </ul>
<b>FARM YARD CAR PARK</b>	In the Mount Cardrona Station Special Zone means an area providing parking for adjacent residential units and secondary units, and includes all parking spaces and manoeuvre areas.
<b>FLATBOARD</b>	Means a portable sign that is not self-supporting.
<b>FLOOD PROTECTION WORK</b>	Means works, structures and plantings for the protection of property and people from flood fairways or lakes, the clearance of vegetation and debris from flood fairways, stopbanks, access tracks, rockwork, anchored trees, wire rope and other structures.
<b>FOOD AND BEVERAGE</b>	Means the use of land or buildings primarily for the sale of food and/or beverages prepared for immediate consumption on or off the

<b>OUTLET (Three Parks Zone)</b>	premises to the general public. It includes restaurants, taverns, cafes and takeaway bars, and excludes supermarkets.
<b>FORESTRY ACTIVITY</b>	Means the use of land primarily for the purpose of planting, tending, managing and harvesting of trees for timber or wood production in excess of 0.5ha in area.
<b>FORMED ROAD</b>	Means a road with a carriageway constructed to an all-weather standard with a minimum width of 3m.
<b>FREE STANDING SIGN</b>	Means a self-supporting sign not attached to a building and includes a sign on a fence and a sandwich board.
<b>FRONTAGE</b>	Means the road boundary of any site.
<b>FRONT SITE</b>	Means a site having one or more frontages to a road or private road, at least one such frontage to be not less than 6m.
<b>FULL-TIME EQUIVALENT PERSON</b>	Means the engagement of a person or persons in an activity on a site for an average of 8 hours per day worked assessed over any 14 day period.
<b>GARAGE</b>	Is included within the meaning of residential unit, and means a building or part of a building principally used for housing motor vehicles and other ancillary miscellaneous items.
<b>GARDEN AND PATIO SUPPLIER (Three Parks Zone)</b>	means a business primarily engaged in selling goods for permanent exterior installation or planting and without limiting the generality of this term, includes: <ul style="list-style-type: none"> <li>• garden centres;</li> <li>• landscape suppliers; and</li> <li>• suppliers of: <ul style="list-style-type: none"> <li>• bark and compost;</li> <li>• clothes hoists and lines;</li> <li>• conservatories, sheds and other outbuildings;</li> <li>• fencing, gates and trellises;</li> <li>• firewood;</li> <li>• garden machinery;</li> <li>• outdoor recreational fixtures and installations;</li> <li>• monumental masonry;</li> <li>• patio furniture and appliances;</li> <li>• paving and paving aggregates;</li> <li>• statuary and ornamental garden features; and</li> <li>• swimming and spa pools</li> </ul> </li> </ul>
<b>GROSS FLOOR AREA</b>	Means the sum of the gross area of the several floors of all buildings on a site, measured from the exterior faces of the exterior walls, or from the centre lines of walls separating two buildings.

<b>GROUND FLOOR AREA (FOR SIGNS)</b>	<p>Shall be measured:</p> <p>a) horizontally by the length of the building along the road, footpath, access way or service lane to which it has frontage.</p> <p>b) vertically by the height from the surface of the road, footpath, access way or service land or as the case may be to the point at which the verandah, if any, meets the wall of the building or to a height of 3m above the surface of the road, footpath, access way or service lane, whichever is less.</p>
<b>GROUND LEVEL</b>	<p>Ground Level means:</p> <p>The surface of the ground prior to any earthworks on the site, except that where the surface of the ground has been altered through earthworks carried out as part of a subdivision under the Resource Management Act 1991 or Local Government Act 1974 “ground level” means the finished surface of the ground following completion of works associated with the most recently completed subdivision.</p> <ul style="list-style-type: none"> <li>• “Earthworks” has the meaning given in the definition of that term in this Plan and includes earthworks carried out at any time in the past.</li> <li>• “Completed subdivision” means a subdivision in respect of which a certificate pursuant to section 224(c) of the Resource Management Act 1991 or a completion certificate under the Local Government Act 1974 has been issued.</li> <li>• “Earthworks carried out as part of a subdivision” does not include earthworks that are authorized under any land use consent for earthworks, separate from earthworks approved as part of a subdivision consent.</li> <li>• This definition does not apply to Rules 10.6.5.1 (xi)(a) and (b), which set out special height rules for the area bounded by Man, Hay, Brecon and Shotover Streets in the Queenstown town centre.</li> </ul> <p>Note</p> <ol style="list-style-type: none"> <li>1. Ground level interpretations are to be based on credible evidence including existing topographical information, site specific topography, adjoining topography and known site history.</li> <li>2. Changes to the surface of the ground as a result of earthworks associated with building activity do not affect the “ground level” of a site.</li> <li>3. Subdivision that does not involve earthworks has no effect on “ground level”.</li> <li>4. Special height rules apply in the area bounded by Man, Hay, Brecon and Shotover Streets, where “original ground level” is used. “Original ground level” is not affected by the definition of</li> </ol>

<b>GROUND LEVEL (Remarkables Park Zone)</b>	<p>“ground level” above, which applies elsewhere.</p> <p>This definition does not affect or supersede the definition of “Ground Level” for the Remarkables Park Zone.</p> <p>Means the actual ground level being either:</p> <p>(i) the ground level shown on the Remarkables Park Zone Survey Contour Plan dated 31<sup>st</sup> July 2004;</p> <p>or</p> <p>(ii) the ground level shown on the contour plan (certified by a Registered Surveyor) approved by the first implemented resource consent to recontour that land after 31 July 2004 Excluding any excavation carried out for basements or underground carparks for buildings.</p> <p>With respect to buildings:</p> <p>“Ground level” shall be calculated</p> <p>a) at the external walls of each discrete building component (excluding basement accessways), and</p> <p>b) as either average or rolling ground levels where:</p> <p>“Average ground level” means the horizontal average of the ground level measured at one metre intervals.</p> <p>“Rolling ground level” means the ground level at any given point on a plane extended across the coverage of buildings.</p>
<b>HABITABLE SPACE (Three Parks Zone)</b>	<p>Means any internal space within a building, other than garages, bathrooms, laundries, or storage (including wardrobes).</p>
<b>HANDICRAFTS</b>	<p>Means goods produced by the use of hand tools or the use of mechanical appliances where such appliances do not produce the goods in a repetitive manner according to a predetermined pattern for production run purpose.</p>
<b>HAPU</b>	<p>Means sub-tribe.</p>

<b>HARD SURFACING</b>	In relation to any site means any part of that site which is impermeable and includes: <ul style="list-style-type: none"> <li>- Concrete, bitumen or similar driveways, paths or other areas paved with a continuous surface or with open jointed slabs, bricks, gobi or similar blocks; or hardfill driveways that effectively put a physical barrier on the surface of any part of a site.</li> <li>- Any area used for parking, manoeuvring, access or loading of motor vehicles.</li> <li>- Any area paved either with a continuous surface or with open jointed slabs, bricks, gobi or similar blocks.</li> </ul> The following shall not be included in hard surfacing: <ul style="list-style-type: none"> <li>- Paths of less than 1m in width.</li> <li>- Shade houses, glasshouses and tunnel houses not having solid floors.</li> </ul>
<b>HAZARDOUS SUBSTANCE</b>	Means any substance with one or more of the following characteristics: <ol style="list-style-type: none"> <li>i) Explosives</li> <li>ii) Flammability</li> <li>iii) A capacity to oxidise</li> <li>iv) Corrosiveness</li> <li>v) Toxicity (both acute and chronic)</li> <li>vi) Ecotoxicity, with or without bio-accumulation; or</li> </ol> b) which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any one or more of the properties specified in paragraph a to this definition.
<b>HAZARDOUS WASTES</b>	Means wastes of any hazardous substance(s).
<b>HEALTH CARE FACILITY</b>	Means land and/or buildings used for the provision of services relating to the physical and mental health of people and animals but excludes facilities used for the promotion of physical fitness or beauty such as gymnasia, weight control clinics or beauticians.
<b>HEAVY VEHICLE</b>	Means a motor vehicle, other than a motor car that is not used, kept or available for the carriage of passengers for hire or reward, the gross laden weight of which exceeds 3500kg; but does not include a traction engine or vehicle designed solely or principally for the use of fire brigades in attendance at fires. (The Heavy Motor Vehicle Regulation 1974).

<b>HEIGHT</b>	In relation to a building means the vertical distance between ground level (as defined) at any point and the highest part of the building immediately above that point, except that this measurement is not relevant when assessing the number of storeys in the Three Parks Zone. For the purpose of calculating height in all zones, other than in relation to assessing the number of storeys in the Three Parks Zone as specified above, account shall be taken of parapets, but not of: <ul style="list-style-type: none"> <li>- aerials and/or antennas, mounting fixtures, mast caps, lightning rods or similar appendages for the purpose of telecommunications but not including dish antennae which are attached to a mast or building, provided that the maximum height normally permitted by the rules is not exceeded by more than 2.5m; and</li> <li>- chimneys or finials (not exceeding 1.1m in any direction); provided that the maximum height normally permitted by the rules is not exceeded by more than 1.5m.</li> </ul> <p>Refer to Interpretative Diagram 3. The measurement of Ground Level and Building Height (Illustrative purposes only).</p>
<b>HERITAGE LANDSCAPE</b>	Means land surfaces, (which are defined by their value and significance to a group in society) that have been modified by human activity and define significant past patterns of land use, relationships and experiences of humans with their surroundings, which may include cultural, spiritual, historic, aesthetic, ecological and scientific values. Heritage landscapes may encompass natural terrain, physical structures and processes, archaeological sites or remains, pathways, habitats, the context and setting of these areas and cultural meaning (beliefs and practices, histories and myths) with elements of these overlaying one another over time.
<b>HISTORIC EQUIPMENT</b>	In the Mount Cardrona Station Special Zone means items of an historic nature that reflect the past goldmining and pastoral activities undertaken within the Cardrona Valley.
<b>HOLDING</b>	Means an area of land in one ownership and may include a number of lots and/or titles.
<b>HOME OCCUPATION</b>	Means the use of a site for an occupation, business, trade or profession in addition to the use of that site for a residential activity and which is undertaken by person(s) living permanently on the site, but excludes homestay. This definition does not apply in the Three Parks Zone.
<b>HOME OCCUPATION (Three Parks Zone)</b>	Means the use of a site for a non-residential activity (trade, occupation, profession, or business) in addition to the use of that site for a residential activity, where the non-residential activity occupies no more than 40m <sup>2</sup> of the GFA of all buildings on the site and where at least one person engaged in the non-residential activity resides permanently on the site and no more than one full-time equivalent



# DEFINITIONS

## D

	person engaged in the activity resides permanently off-site. Home occupations exclude the operation of any visitor accommodation activity or homestay.
<b>HOMESTAY</b>	Means a residential activity where an occupied residential unit is also used by paying guests.
<b>HOSPITAL</b>	Means any building in which two or more persons are maintained for the purposes of receiving medical treatment; and where there are two or more buildings in the occupation of the same person and situated on the same piece of land they shall be deemed to constitute a single building.
<b>HOTEL</b>	Means any premises used or intended to be in the course of business principally for the provision to the public of: a) Lodging; b) Liquor, meals and refreshments for consumption on the premises.
<b>HYDRO GENERATION ACTIVITY</b>	Means activities associated with the generation of hydro electricity and includes the operation, maintenance, refurbishment, enhancement and upgrade of hydro generation facilities.
<b>INDIGENOUS VEGETATION</b>	Means a plant community in which species indigenous to that part of New Zealand are important in terms of coverage, structure and/or species diversity.
<b><u>INDOOR DESIGN SOUND LEVEL</u></b>	<i>Means 40 dB Ldn in all Critical Listening Environments.</i>
<b>INDUSTRIAL ACTIVITY</b>	Means the use of land and buildings for the primary purpose of manufacturing, fabricating, processing, packing, or associated storage of goods
<b>INTERNAL BOUNDARY</b>	Of a site means any boundary of the net area of a site other than a road boundary.
<b>IWI</b>	Means Tribe.
<b>KAIKA</b>	Means a settlement.
<b>KAI TAHU</b>	Means the extended family of Tahu, the descendant iwi of Waitaha, Kati Mamoe and Kai Tahu.
<b>KAITIAKI</b>	Means guardians.
<b>KAITIAKITANGA</b>	Means the exercise of guardianship; and, in relation to a resource, includes the ethic of stewardship based on the nature of the resource itself.
<b>KITCHEN FACILITY</b>	Means any space, facilities and surfaces for the storage, rinsing preparation and/or cooking of food, the washing of utensils and the disposal of waste water, including a food preparation bench, sink, oven, stove, hot-plate or separate hob, refrigerator, dish-washer and other kitchen appliances.

<b>KOIWI TANGATA</b>	Means unidentified human skeletal remains.
<b>LAKE</b>	Shall have the same meaning as in the Resource Management Act 1991.
<b>LANDFILL</b>	Means a site used for the deposit of solid wastes onto or into land.
<b>LANDSCAPING</b>	Means the provision of tree and/or shrub plantings and may include any ancillary lawn, water, rocks, paved areas or amenity features, the whole of such provision being so arranged as to improve visual amenity, human use and enjoyment and/or to partially or wholly screen activities or buildings, and/or to provide protection from climate.
<b>LARGE FORMAT RETAIL (Three Parks Zone)</b>	Any single retail tenancy which occupies more than 400m <sup>2</sup> of GFA. Refer definition of GFA
<b>LAUNDRY FACILITIES</b>	Means facilities for the rinsing, washing and drying of clothes and household linen, and the disposal of waste water, and includes either a washing machine, tub or clothes dryer.
<b>LICENSED PREMISES</b>	Means any premises or part of any premises, in which liquor may be sold pursuant to a licence, and includes any conveyance, or part of any conveyance on which liquor may be sold pursuant to the licence.
<b>LIFT TOWER</b>	Means a structure used for housing lift machinery and includes both the lift shaft and machinery room.
<b>LIQUOR</b>	Means any fermented, distilled, or spirituous liquor (including spirits, wine, ale, beer, port, honey mead, stout, cider the sherry) that is found on analysis to contain 1.15% or more alcohol by volume.
<b>LIVING AREA</b>	Means any room in a residential unit other than a room used principally as a bedroom, laundry or bathroom.
<b>LOADING SPACE</b>	Means a portion of a site, whether covered or not, clear of any road or service lane upon which a vehicle can stand while being loaded or unloaded.
<b>LOT</b>	For the purpose of subdivision means a lot, two or more adjoining lots to be held together in the same ownership, or any balance area, shown on a subdivision consent plan, except that in the case of land being subdivided under the cross lease or company lease systems or the Unit Titles Act 1972, lot shall have the same meaning as site.
<b>MAHIKA KAI</b>	Means a place where food resources can be produced or procured.
<b>MANAWHENUA</b>	Means customary authority exercised by an iwi or hapu in an identified area.
<b>MANOEUVRE AREA</b>	Means that part of a site used by vehicles to move from the vehicle crossing to any parking, garage or loading space and includes all driveways and aisles, and may be part of an access strip.

<b>MANUFACTURING OF HAZARDOUS SUBSTANCES</b>	Means any process that produces a substance that is hazardous under the United Nations Transportation of Dangerous Goods Code; and includes any process that includes the mixing of material or making a compound product that is hazardous under the United Nations Transportation of Dangerous Goods Code.
<b>MASL</b>	Means "metre above sea level"
<b>MAST</b>	Means any pole, tower or similar structured designed to carry antennas or dish antennas or otherwise to facilitate telecommunications.
<b>MEETING PLACE</b>	Has the same meaning as places of assembly.
<b>MINERAL</b>	Means a naturally occurring inorganic substance beneath or at the surface of the earth, whether or not under water and includes all metallic minerals, non metallic minerals, fuel minerals, precious stones, industrial rocks and building stones and a prescribed substance within the meaning of the Atomic Energy Act 1945.
<b>MINING ACTIVITY</b>	Means the use of land and buildings for the primary purpose of the extraction, winning, quarrying, excavation, taking and associated processing of minerals and includes prospecting and exploration.
<b>MOTORISED CRAFT</b>	Means any boat powered by an engine.
<b>MULTI UNIT DEVELOPMENT</b>	Relates to any residential development in the Three Parks Zone, that results in three or more residential units either on a site or across a number of sites; and  Relates to any development in Activity Area 3 of the Peninsula Bay Zone that involves three or more residential units within a single building. Does not include additions, alterations or accessory buildings.
<b>NATURE CONSERVATION VALUES</b>	Means the preservation and protection of the natural resources of the District having regard to their intrinsic values, and having special regard to indigenous flora and fauna, natural ecosystems, and landscape.
<b>NET AREA</b>	In relation to a site or lot, means the total area of the site or lot less any area subject to a designation for any purpose, and/or any area contained in the access to any site or lot, and/or any strip of land less than 6m in width.
<b>NET FLOOR AREA</b>	Shall be the sum of the floor areas, each measured to the inside of the exterior walls of the building, and shall include the net floor area of any accessory building, but it shall exclude any floor area used for: <ul style="list-style-type: none"> <li>- lift wells, including the assembly area immediately outside the lift doors for a maximum depth of 2m;</li> <li>- stairwells;</li> <li>- tank rooms, boiler and heating rooms, machine rooms, bank</li> </ul>

	<p>vaults;</p> <ul style="list-style-type: none"> <li>- those parts of any basement not used for residential, retail, office or industrial uses;</li> <li>- toilets and bathrooms, provided that in the case of any visitor accommodation the maximum area permitted to be excluded for each visitor unit or room shall be 3m<sup>2</sup></li> <li>- 50% of any pedestrian arcade, or ground floor foyer, which is available for public thoroughfare;</li> </ul> <p>parking areas required by the Plan for, or accessory to permitted uses in the building.</p>
<b>NOISE</b>	<p>Acoustic terms shall have the same meaning as in NZS 6801:2008 Acoustics – Measurement of environmental sound and NZS 6802:2008 Acoustics – Environmental noise.</p> <p><math>L_{dn}</math>: Means the day/night level, which is the A-frequency-weighted time-average sound level, in decibels (dB), over a 24-hour period obtained after the addition of 10 decibels to the sound levels measured during the night (2200 to 0700 hours).</p> <p><math>L_{Aeq(15\ min)}</math>: Means the A-frequency-weighted time-average sound level over 15 minutes, in decibels (dB).</p> <p><math>L_{AFmax}</math>: means the maximum A-frequency-weighted fast-time-weighted sound level, in decibels (dB), recorded in a given measuring period.</p> <p>Noise Limit: Means a <math>L_{Aeq(15\ min)}</math> or <math>L_{AFmax}</math> sound level in decibels that is not to be exceeded.</p> <p>In assessing noise from helicopters using NZS 6807: 1994 any individual helicopter flight movement, including continuous idling occurring between an arrival and departure, shall be measured and assessed so that the sound energy that is actually received from that movement is conveyed in the Sound Exposure Level (SEL) for the movement when calculated in accordance with NZS 6801: 2008.</p>
<b>NON CRITICAL LISTENING ENVIRONMENT</b>	Means any space that is not regularly used for high quality listening or communication including bathroom, laundry, toilet, pantry, walk-in-wardrobe, corridor, hallway, lobby, cloth-drying room, or other space of a specialised nature occupied neither frequently nor for extended periods.
<b>NOTIONAL BOUNDARY</b>	Means a line 20m from the façade of any residential unit or the legal boundary whichever is closer to the residential unit.

# DEFINITIONS

## D

<b>OFFICE</b>	Means any of the following: <ul style="list-style-type: none"> <li>- Administrative offices where the administration of any entity, whether trading or not, and whether incorporated or not, is conducted;</li> <li>- Commercial offices being place where trade, other than that involving the immediately exchange for goods or the display or production of goods, is transacted;</li> </ul> Professional offices.
<b>OFFICE FURNITURE, EQUIPMENT AND SYSTEMS SUPPLIERS (Three Parks Zone)</b>	Means a business primarily engaged in selling goods for office-type use or consumption and without limiting the generality of this term, includes suppliers of: <ul style="list-style-type: none"> <li>• computers and related equipment;</li> <li>• copiers, printers and facsimile machines;</li> <li>• integrated telephone systems and equipment; and</li> <li>• office furniture, equipment and utensils.</li> </ul>
<b>ON-SITE WORKERS (Three Parks Zone)</b>	Means the maximum number of workers that the building has been designed to accommodate at any one time. This may include consultants as well as employees.
<b>OPEN SPACE</b>	Means any land or space which is not substantially occupied by buildings and which provides benefits to the general public as an area of visual, cultural, educational, or recreational amenity values.
<b>OUTDOOR LIVING SPACE</b>	Means an area of open space to be provided for the exclusive use of the occupants of the residential unit to which the space is allocated.
<b>OUTDOOR RECREATION ACTIVITY</b>	Means a recreation activity undertaken entirely outdoors with buildings limited to use for public shelter, toilet facilities, information and ticketing.
<b>OUTDOOR STORAGE</b>	Means land used for the purpose of storing vehicles, equipment, machinery, natural and processed products and wastes, outside a fully enclosed building for periods in excess of 4 weeks in any one year.
<b>OUTER CONTROL BOUNDARY</b>	Means a boundary, the location of which is based on predicted day/night sound levels of Ldn 55 dBA from future airport operations. The location of the boundary is shown in Figure 31a.
<b><u>OUTER CONTROL BOUNDARY QUEENSTOWN (OCB)</u></b>	<u>Means a boundary as shown in District Plan Map 31A, the location of which is based on the predicted day/night sound level of 55dB Ldn from airport operations in 2037.</u>
<b>OUTLINE DEVELOPMENT PLAN</b>	Means a plan within a zone or over an area of land or a site which delineates the performance standards and/or activities in the identified areas of the zone, or on the site or area of land.
<b>PARKING AREA</b>	Means that part of a site within which vehicle parking spaces are accommodated, and includes all parking spaces, manoeuvre areas

	and required landscape areas.
<b>PARKING SPACE</b>	Means a space on a site available at any time for accommodating one stationary motor vehicle.
<b>PLACE OF ASSEMBLY</b>	Means any land or building used for public and private assembly primarily for worship, recreation, education and discussion and includes churches, church halls, sports clubrooms, pavilions, indoor sports facilities and community centres whether such building has a general ancillary licence or not. It does not include any place of entertainment or licensed premises, other than general ancillary licensed premises.
<b>PLACE OF ENTERTAINMENT</b>	Means any theatre, amusement parlour, dance hall or other place used principally for any public meeting, performance or amusements whether a charge is made for admission or not.
<b>POTABLE WATER SUPPLY</b>	Means a water supply that meets the criteria of the 'Drinking Water Standards for New Zealand 1995' – Ministry of Health or later editions or amendments of the standards.
<b>PRINCIPAL BUILDING</b>	Means a building, buildings or part of a building accommodating the activity for which the site is primarily used.
<b>PRIVATE WAY</b>	Shall have the same meaning as defined in Section 315 of the Local Government Act 1974.
<b><u>PROJECTED ANNUAL AIRCRAFT NOISE CONTOUR (AANC)</u></b>	<u>Means the Projected Annual Airport Aircraft Noise Contours calculated as specified by the Aerodrome Purposes Designation 2, Condition 14.</u>
<b>PROSPECTING</b>	Means any activity undertaken for the purpose of identifying land likely to contain exploitable mineral deposits or occurrences; and includes: <ul style="list-style-type: none"> <li>- Geological, geochemical, and geophysical surveys;</li> <li>- The taking of samples by hand or hand held methods;</li> <li>- Aerial surveys.</li> </ul>
<b>PUBLIC AREA</b>	Means any part(s) of a building open to the public, but excluding any service or access areas of the building.
<b>PUBLIC PLACE</b>	Means every public thoroughfare, park, reserve, lake, river to place to which the public has access with or without the payment of a fee, and which is under the control of the District Council, or other agencies. Excludes any trail as defined in this Plan.
<b>REAR SITE</b>	Means a site which is situated generally to the rear of another site, both sites having access to the same road or private road, and includes sites which have no frontage to a road or private road of 6m or more.
<b>RECESSION LINES</b>	Means the lines constructed from points or above a boundary surface or a road surface, the angle of inclination of which is measured from the horizontal, at right angles to a site boundary and

	in towards the site.
<b>RECREATION</b>	Means activities which give personal enjoyment, satisfaction and a sense of well being.
<b>RECREATIONAL ACTIVITY</b>	Means the use of land and/or buildings for the primary purpose of recreation and/or entertainment. Excludes any recreational activity within the meaning of residential activity.
<b>RELOCATABLE</b>	Means not constructed for permanent location on any particular site and readily capable of removal to another site.
<b>REGISTERED HOLIDAY HOME</b>	Means a stand-alone or duplex residential unit which has been registered with the Council as a Registered Holiday Home pursuant to Part 2.1.13 of the Plan. For the purpose of this definition: <ul style="list-style-type: none"> <li>(a) A stand-alone residential unit shall mean a residential unit contained wholly within a site and not connected to any other building;</li> <li>(b) A duplex residential unit shall mean a residential unit which is attached to another residential unit by way of a common or party wall, provided the total number of residential units attached in the group of buildings does not exceed two residential units;</li> <li>(c) Where the residential unit contains a residential flat, the registration as a Registered Holiday Home shall apply to either the letting of the residential unit or the residential flat but not to both.</li> </ul> <p>Advice Notes:</p> <ul style="list-style-type: none"> <li>(i) To obtain registration as a Registered Holiday Home the owner of the property must make an application for registration in accordance with Part 2.1.13 of the District Plan.</li> <li>(ii) There is no requirement to obtain registration for the non-commercial use of a residential unit by other people (for example making a home available to family and/or friends at no charge).</li> </ul>
<b>REGISTERED HOMESTAY</b>	Means a Homestay used by up to 5 paying guests which has been registered as a Registered Homestay by the Council pursuant to Part 2.1.13 of the Plan. <p>Advice Note:</p> <ul style="list-style-type: none"> <li>(i) To obtain registration as a Registered Homestay the owner of the property must make an application for registration in accordance with Part 2.1.13 of the District Plan.</li> </ul>
<b>RELOCATION</b>	In relation to a building, means the removal and resiting of any building from any site to another site.
<b>RESERVE</b>	Means a reserve in terms of the Reserves Act 1977.
<b>RESIDENTIAL ACTIVITY</b>	Means the use of land and buildings by people for the purpose of permanent living accommodation, including all associated accessory buildings, recreational activities and the keeping of domestic livestock. For the purposes of this definition, residential activity shall

	include emergency, refuge accommodation and the non-commercial use of holiday homes. Excludes visitor accommodation.
<b>RESIDENTIAL FLAT</b>	Means a residential activity that: <ul style="list-style-type: none"> <li>• Consists of no more than one flat in the same ownership as the residential unit; and</li> <li>• Is contained within the same residential unit; and</li> <li>• If attached to a detached accessory building does not cover more than 50% of the total Gross Floor Area of the building containing the flat and detached accessory building; and</li> <li>• Contains no more than one kitchen and one laundry; and</li> <li>• Does not cover more than 35% of the total Gross Floor Area of the building(s) containing the residential unit and flat (but excluding accessory buildings).</li> </ul>
<b>RESIDENTIAL UNIT</b>	Means a residential activity which consists of a single self contained household unit, whether of one or more persons, and includes accessory buildings. Where more than one kitchen and/or laundry facility is provided on the site, other than a kitchen and/or laundry facility in a residential flat, there shall be deemed to be more than one residential unit.
<b>RESTAURANT</b>	Means any land and/or buildings, or part of a building, in which meals are supplied for sale to the general public for consumption on the premises, including such premises which a licence has been granted pursuant to the Sale of Liquor Act 1989.
<b>RETAIL SALES/RETAIL/RETAILING</b>	Means the direct sale or hire to the public from any site, and/or the display or offering for sale or hire to the public on any site of goods, merchandise or equipment, but excludes recreational activities.
<b>RETIREMENT VILLAGE</b>	Means the development of residential units (either detached or attached) and associated facilities for the purpose of accommodating retired persons. This use includes as accessory to the principal use any services or amenities provided on the site such as shops, restaurants, medical facilities, swimming pools and recreational facilities and the like which are to be used exclusively by the retired persons using such accommodation.
<b>RIGHT OF WAY</b>	Means an area of land over which there is registered a legal document giving rights to pass over that land to the owners and occupiers of other land.
<b>RIVER</b>	Includes a stream, and shall have the same meaning as in the Resource Management Act 1991.
<b>ROAD</b>	Means road as defined in section 315 of the Local Government Act 1974.
<b>ROAD BOUNDARY</b>	Means any boundary of a site abutting a legal road (other than an accessway or service lane) or contiguous to a boundary of a road designation. Frontage or road frontage shall have the same meaning as road boundary.
<b>ROOPU</b>	Means guardian group.

# DEFINITIONS

## D

<b>KAITIAKI</b>	
<b>RURAL SELLING PLACE</b>	Means any land, building or part of a building located in a rural or rural living zone, on or in which farm or garden produce, wine or handicrafts are offered for sale by wholesale and/or retail.
<b>SANDWICH BOARD</b>	Means a self-supporting and portable sign.
<b>SECONDARY REAR ACCESS LANE</b>	In the Mount Cardrona Station Special Zone means any road, access lane or access lot established at the time of subdivision for the purpose of providing side or rear access for vehicular traffic to any site or sites.
<b>SECONDARY UNIT</b>	In the Mount Cardrona Station Special Zone means a residential activity that: <ul style="list-style-type: none"> <li>• Consists of no more than one unit in the same ownership as the residential unit; and</li> <li>• Has a gross floor area of between 35m2 and 60m2 (excluding accessory buildings); and</li> <li>• Contains no more than one kitchen and one laundry; and</li> <li>• Is within the same certificate of title as the residential unit.</li> </ul>
<b>SECONDHAND GOODS OUTLET (Three Parks Zone)</b>	Means a business primarily engaged in selling pre-used merchandise and without limiting the generality of this term, includes: <ul style="list-style-type: none"> <li>• antique dealers;</li> <li>• auctioneers;</li> <li>• charity shops;</li> <li>• pawnbrokers;</li> <li>• secondhand shops; and</li> <li>• suppliers of: <ul style="list-style-type: none"> <li>• demolition goods and materials; and</li> <li>• trade-in goods.</li> </ul> </li> </ul>
<b>SERVICE ACTIVITY</b>	Means the use of land and buildings for the primary purpose of the transport, storage, maintenance or repair of goods.
<b>SERVICE LANE</b>	Means service lane as defined in Section 315 of the Local Government Act 1974.
<b>SERVICE STATION</b>	Means any site where the dominant activity is the retail sale of motor vehicle fuels, including petrol, LPG, CNG, and diesel, and may also include any one or more of the following: <ul style="list-style-type: none"> <li>- The sale of kerosene, alcohol based fuels, lubricating oils, tyres, batteries, vehicle spare parts and other accessories normally associated with motor vehicles;</li> <li>- Mechanical repair and servicing of motor vehicles, including motor cycles, caravans, boat motors, trailers, except that in any Residential, Town Centre or Township Zone, the mechanical repairs of motor vehicles and domestic garden equipment shall</li> </ul>

	not include panel beating, spray painting and heavy engineering such as engine reboring and crankshaft grinding; <ul style="list-style-type: none"> <li>- Inspection and/or certification of vehicles;</li> <li>- The sale of other merchandise where this is an ancillary activity to the main use of the site.</li> </ul>
<b>SETBACK</b>	Means the distance between a building and the boundary of its site. Where any building is required to be set back from any site boundary, no part of that building shall be closer to the site boundary than the minimum distance specified. Where any road widening is required by this Plan, the setback shall be calculated from the proposed final site boundary. The setback distance shall only apply to buildings at ground, or above ground level.
<b>SHOWROOM</b>	Means any defined area of land or a building given over solely to the display of goods. No retailing is permitted unless otherwise specifically provided for in the zone in which the land or building is located.
<b>SIGN</b>	Means: <ol style="list-style-type: none"> <li>a) any name, figure, character, outline, display, delineation, announcement, design, logo, mural or other artwork, poster, handbill, banner, captive balloon, flag, flashing sign, flatboard, free-standing sign, illuminated sign, moving signs, roof sign, sandwich board, streamer, hoarding or any other thing of a similar nature which is: <ol style="list-style-type: none"> <li>i) intended to attract attention; and</li> <li>ii) visible from a road or any public place; and</li> </ol> </li> <li>b) all material and components comprising the sign, its frame, background, structure, any support and any means by which the sign is attached to any other thing.</li> </ol>
<b>SITE</b>	Means: <ol style="list-style-type: none"> <li>1. An area of land which is: <ol style="list-style-type: none"> <li>i) comprised in a single lot or other legally defined parcel of land and held in a single Certificate of Title; or</li> <li>ii) comprised in a single lot or legally defined parcel of land for which a separate certificate of title could be issued without further consent of the Council.</li> </ol> <p>Being in any case the smaller land area of i or ii, or</p> </li> <li>2. an area of land which is comprised in two or more adjoining lots or other legally defined parcels of land, held together in one certificate of title in such a way that the lots/parcels cannot be dealt with separately without the prior consent of the Council; or</li> </ol>

	<p>3. an area of land which is comprised in two or more adjoining certificates of title where such titles are:</p> <ul style="list-style-type: none"> <li>i subject to a condition imposed under section 37 of the Building Act or section 643 of the Local Government Act 1974; or</li> <li>ii held together in such a way that they cannot be dealt with separately without the prior consent of the Council; or</li> </ul> <p>4. In the case of land not subject to the Land Transfer Act, the whole parcel of land last acquired under one instrument of conveyance;</p> <p>Except:</p> <ul style="list-style-type: none"> <li>i in the case of land subdivided under the cross lease of company lease systems, other than strata titles, site shall mean an area of land containing: <ul style="list-style-type: none"> <li>a) a building or buildings for residential or business purposes with any accessory buildings(s), plus any land exclusively restricted to the users of that/those building(s), plus an equal share of common property; or</li> <li>b) a remaining share or shares in the fee simple creating a vacant part(s) of the whole for future cross lease or company lease purposes; and</li> </ul> </li> <li>ii in the case of land subdivided under Unit Titles Act 1972 (other than strata titles), site shall mean an area of land containing a principal unit or proposed unit on a unit plan together with its accessory units and an equal share of common property; and</li> <li>iii in the case of strata titles, site shall mean the underlying certificate of title of the entire land containing the strata titles, immediately prior to subdivision.</li> </ul> <p>In addition to the above.</p> <ul style="list-style-type: none"> <li>a) A site includes the airspace above the land.</li> <li>b) If any site is crossed by a zone boundary under this Plan, the site is deemed to be divided into two or more sites by that zone boundary.</li> <li>c) Where a site is situated partly within the District and partly in an adjoining District, then the part situated in the District shall be deemed to be one site.</li> </ul>
<b>SITE – FRONT</b>	Means a site having one or more frontages to a road or private road, at least one such frontage to be not less than 6m.

<b>SITE – REAR</b>	Means a site which is situated generally to the rear or another site, both sites having access to the same road or private road, and includes sites which have no frontage to a road or private road of 6m or more.
<b>SKI AREA ACTIVITIES</b>	Means the use of natural and physical resources for the purpose of providing for: <ul style="list-style-type: none"> <li>a) recreational activities either commercial or non commercial</li> <li>b) chairlifts, t-bars and rope tows to facilitate commercial recreational activities.</li> <li>c) use of snowgroomers, snowmobiles and 4WD vehicles for support or operational activities.</li> <li>d) activities ancillary to commercial recreational activities.</li> <li>e) in the Waiorau Snow Farm Ski Area Sub Zone vehicle and product testing activities, being activities designed to test the safety, efficiency and durability of vehicles, their parts and accessories.</li> </ul>
<b>SOUND</b>	Sound shall have the same meaning as in NZS 6801:2008 Acoustics – Measurement of environmental sound and NZS 6802:2008 Acoustics – Environmental Noise.
<b>SPECIALTY RETAIL (Three Parks Zone)</b>	Any single retail tenancy which occupies less than or equal to 400m <sup>2</sup> of GFA. Refer definition of GFA
<b>STEP-IN PLAN</b>	Means a break in the continuity of an exterior wall of any building or block or line of residential units, whether of one or more storeys, by stepping the wall of the building or any unit or units a minimum specified distance measured at right angles to the long axis of the building on block or line of units.
<b>STOREY (Three Parks Zone)</b>	Means a habitable floor level and includes mezzanine levels, garages, bathrooms, and semi-basements. The following are not deemed to be a separate 'storey': <ul style="list-style-type: none"> <li>• Full basements/ cellars of no more than 40% of the total floor plate of the residential unit (excluding accessory buildings) and which have no external access;</li> <li>• A change in level of up to 0.75m within a storey (as in the case of split level dwellings);</li> <li>• Wholly underground carparks in the Commercial Core Subzone where the only visible frontage when viewed from ground level is the vehicle access.</li> </ul>
<b>STRUCTURE</b>	Means any building, equipment device or other facility made by people and which is fixed to land and includes any raft.
<b>SUBDIVISION</b>	Shall have the same meaning as in the Resource Management Act 1991.
<b>TAOKA</b>	Means all things highly prized, including treasures, property a resource or even a person.
<b>TAUPARAPARA</b>	Means a saying or prose.

<b>TAVERN</b>	Means any premises used or intended to be used in the course of business principally for the provision to the public of liquor and other refreshments but does not include an airport bar.
<b>TELECOMMUNICATION FACILITY</b>	Means devices, such as aerials, dishes, antennae, wires, cables, casings, tunnels and associated equipment and support structures, and equipment shelters, such as towers, masts and poles, and equipment buildings and telephone boxes, used for the transmitting, emission or receiving of communications.
<b>TEMPORARY ACTIVITIES</b>	Means the use of land, buildings, vehicles or structure for activities of short duration that include the following, but are not limited to: <ul style="list-style-type: none"> <li>- Any temporary building, office, scaffolding storage shed, workshop, safety fences and other similar buildings and activities that are incidental to a building or construction project and located on the same site.</li> <li>- Temporary military training activities carried out pursuant to the Defence Act 1990.</li> <li>- Temporary storage or stacking of goods or materials.</li> <li>- Carnivals, fairs, galas, market days, tents and marquees, meetings, exhibitions, parades, rallies, filming, sporting and cultural events.</li> <li>- Concerts, shows, musical and theatrical festivals and entertainment.</li> <li>- Temporary sale of food and beverages, including liquor.</li> </ul>
<b>TEMPORARY WORKER HOUSEHOLD – IN THE THREE PARKS ZONE</b>	Means a household whose members are employed in the District but maintain a primary residence outside of the District.
<b>TENANCY (Three Parks Zone)</b>	Means one retail activity occupancy created by freehold, leasehold, licence, or any other arrangement to occupy.
<b>TIKANGA</b>	Means customary values and practices.
<b>TINO RANGATIRATAN -GA</b>	Means authority, chieftainship.
<b>TRADE WASTES</b>	Shall have the same meaning as in the Local Government Act 1974.
<b>TRAIL</b>	Means any public access route (excluding (a) roads and (b) public access easements created by the process of tenure review under the Crown Pastoral Land Act) legally created by way of a grant of easement registered after 11 December 2007 for the purpose of providing public access in favour of the Queenstown Lakes District Council, the Crown or any of its entities.
<b>UNDER VERANDAH SIGN</b>	Means a sign attached to the under side of a verandah.

<b>UNIT</b>	Means any residential unit, or visitor accommodation unit of any type.
<b>UTILITY</b>	Means: <ol style="list-style-type: none"> <li>a. transformers, lines and necessary and incidental structures and equipment for the transmissions and distribution of electricity.</li> <li>b. pipes and necessary incidental structures and equipment for transmitting and distributing gas;</li> <li>c. storage facilities, pipes and necessary incidental structures and equipment for the supply and drainage of water or sewage;</li> <li>d. water and irrigation races, drains, channels, pipes and necessary incidental structures and equipment (excluding water tanks);</li> <li>e. structures, facilities, plant and equipment for the treatment of water.</li> <li>f. structures, facilities, plant, equipment and associated works for receiving and transmitting telecommunications (see definition of telecommunication facilities).</li> <li>g. structures, facilities, plant, equipment and associated works for monitoring and observation of meteorological activities and natural hazards;</li> <li>h. structures, facilities, plant, equipment and associated works for the protection of the community from natural hazards.</li> <li>i. structures, facilities, plant and equipment necessary for navigation by water or air.</li> <li>j. waste management facilities.</li> </ol> <p>Utility does not include structures or facilities used for electricity generation, the manufacture and storage of gas, or the treatment of sewage.</p>
<b>VEGETATION CLEARANCE</b>	Means the felling, clearing or modification of trees or any vegetation by cutting, crushing, cultivation, spraying or burning. Clearance of vegetation shall have the same meaning.
<b>VEHICLE CROSSING</b>	Means the formed and constructed vehicle entry/exit from the carriageway of any road up to and including that portion of the road boundary of any site across which vehicle entry or exit is obtained to and from the site, and includes any culvert, bridge or kerbing.
<b>VERANDAH</b>	Means a roof of any kind which extends out from a face of a building and continues along the whole of that face of the building.
<b>VISITOR ACCOMMODATION</b>	Means the use of land or buildings for short-term, fee paying, living accommodation where the length of stay for any visitor/guest is less than 3 months; and <ol style="list-style-type: none"> <li>(i) Includes such accommodation as camping grounds, motor parks, hotels, motels, boarding houses, guest houses, backpackers' accommodation, bunkhouses, tourist houses,</li> </ol>

	<p>lodges, homestays, and the commercial letting of a residential unit; and</p> <p>(ii) May include some centralised services or facilities, such as food preparation, dining and sanitary facilities, conference, bar and recreational facilities if such facilities are associated with the visitor accommodation activity.</p> <p>For the purpose of this definition:</p> <p>(a) The commercial letting of a residential unit in (i) excludes:</p> <ul style="list-style-type: none"> <li>- A single annual let for one or two nights.</li> <li>- Homestay accommodation for up to 5 guests in a Registered Homestay.</li> <li>- Accommodation for one household of visitors (meaning a group which functions as one household) for a minimum stay of 3 consecutive nights up to a maximum (ie: single let or cumulative multiple lets) of 90 nights per calendar year as a Registered Holiday Home.</li> </ul> <p>(Refer to respective definitions).</p> <p>(b) "Commercial letting" means fee paying letting and includes the advertising for that purpose of any land or buildings.</p>
<b>VISUALLY OPAQUE FENCE</b>	Means a fence located within the front setback of a property that is composed primarily of solid materials through which little or no view or light can be gained when seen from an elevation drawn parallel to the fence line. Brick, solid panel or overlapping boards are examples of opaque materials while live landscape planting is not considered opaque.
<b>WAAHI TAOKA</b>	Means a treasured place/valued possession.
<b>WAAHI TAPU</b>	Means a sacred place.
<b>WALL SIGN</b>	Means a sign attached to a wall within the ground floor area.
<b>WASTE</b>	Means any contaminant, whether liquid solid, gaseous, or radioactive, which is discharged, emitted or deposited in the environment in such volume, constituency or manner as to cause an adverse effect on the environment, and which includes all unwanted and economically unusable by-products at any given place and time, and any other matters which may be discharged accidentally or otherwise, to the environment.

<b>WASTE MANAGEMENT FACILITY</b>	Means a site used for the deposit of solid wastes onto or into land, but excludes: <ul style="list-style-type: none"> <li>a) sites situated on production land in which the disposal of waste generated from that land takes place, not including any dead animal material or wastes generated from any industrial trade or process on that productive and;</li> <li>b) sites used for the disposal of vegetative material. The material may include soil that is attached to plant roots and shall be free of hazardous substances and wastes.</li> <li>c) Site for the disposal of clean fill.</li> </ul>
<b>WATERBODY</b>	Shall have the same meaning as in the Resource Management Act 1991.
<b>WETLAND</b>	Shall have the same meaning as in the Resource Management Act 1991 being, "includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions".
<b>WHAKAPAPA</b>	Means genealogy.
<b>WHENUA</b>	Means land.
<b>WHOLESALE (Three Parks Zone)</b>	Means a business engaged in the storage and distribution of goods to businesses (including retail activities) and institutional customers
<b>YARD BASED INDUSTRIAL ACTIVITY</b>	Means the use of land and buildings for the primary purpose of manufacturing, fabricating, processing, packing or associated storage of goods, where no more than 40% of the site is covered by built form.
<b>YARD BASED SERVICE ACTIVITY</b>	Means the use of land and buildings for the primary purpose of the transport, storage, maintenance and repair of goods, where no more than 40% of the site is covered by built form.
<b>YARD BASED SUPPLIER (Three Parks Zone)</b>	Means any retail activity selling or hiring products for construction or external use (which, for the avoidance of doubt, includes activities such as sale of vehicles and garden supplies), where more than 50% of the area devoted to sales or display is located in covered or uncovered external yard or forecourt space as distinct from within a secured and weatherproofed building. For the purpose of this definition, areas of a site providing rear access and all other areas devoted to customer, staff and service vehicle access and parking (including parking driveways) are not to be included in the extent of yard area devoted to sales or display. Drive-in or drive-through covered areas devoted to storage and display of construction materials (including covered vehicle lanes) will be deemed yardspace for the purpose of this definition.
<b>ZONE STANDARDS</b>	For an explanation of this term, refer to Part 1.4 of this Plan.
<b>2037 NOISE</b>	<i>Means the predicted airport noise contours for Queenstown Airport</i>



<b><u>CONTOURS</u></b>	<i>for the year 2037 in 1dB increments from 70dB Ldn to 55dB Ldn inclusive. Note: These contours shall be available from the Council and included in the Airport Noise Management Plan.</i>
<b><u>2037 60 dB NOISE CONTOUR</u></b>	<i>Means the predicted 60 dB Ldn <del>airport</del> noise contour for Queenstown Airport for 2037 based on the 2037 Noise Contours.</i>

# Appendix 1 - Designations

## 1 Statement

The majority of the designations incorporated in the District Plan have been rolled over under clause 4 of the First Schedule of the Act, in an unmodified form from the previous designations in the Transitional District Plan. Most of these works have already been given effect to, and accordingly do not lapse after five years in terms of section 184 of the Act.

Any new designations incorporated into this Plan will lapse after five years, unless a longer period is specifically identified in the following schedules, or the designated work is given effect to in the specified time period.

All designated land is identified on the District Plan Maps and in the schedule.

## 2 Schedule of Designations

New Ref No	Map Ref	Authority Responsible	Purpose	Site/Legal Description and Conditions
1	31	Trans Power NZ Limited	Electricity Substation	SH6 (Kawarau Gorge Road) Frankton. Section 127, Block I, Shotover SD. (2.4559ha) For conditions refer to C below.
2	31a	Queenstown Airport Corporation Limited	Aerodrome Purposes	Queenstown Airport for legal descriptions and conditions refer to D and D1 below.
3	31a	Queenstown Airport Corporation Limited	Air Noise Boundary	Queenstown Airport. For conditions refer to D2 below. (15 years).
4	Fig. 1 Fig. 2	Queenstown Airport Corporation Limited	Approach and Land Use Control (transitional slopes and surfaces)	Queenstown Airport. For conditions refer to D3 below.
5	15 39	Tranz Rail Limited	Railway Purposes	All that part of the Kingston Branch Railway as defined on the District Plan Maps. Crown land Blk I, V, XII Kingston SD; Secs 1-3 5, 7-10, 12-15, 20, 23 & 24 Blk VI Town of Kingston; Sec 2, Pt Sec 3, Sec 4, Pt Sec 5, Secs 6-8, Part Sec 9, Secs 10, 11, 25; Sec 1; SO7617; Sec 1-3 SO10898 SO 10760; Run 593.
7	36	New Zealand Police	Police Station	9-11 Camp Street, Queenstown Part Section 2 Block XXXI. Town of Queenstown (3870m <sup>2</sup> )
8	21	New Zealand Police	Police Station	Helwick Street, Wanaka. Part Section 17, Block XII, town of Wanaka (986m <sup>2</sup> ). For conditions refer to C below.
10	33	Minister of Education	Education Purposes	Proposed Frankton Primary School, Lake Avenue, Frankton. Section 5 Block XXXL, Frankton Town. (5 Years) For conditions refer to C below.
11	25	Minister of Education	Education Purposes	Glenorchy Primary School, Oban Street, Glenorchy. Block VI, Town of Glenorchy. For conditions refer to C below.
12	18	Minister of Education	Education Purposes	Hawea Flat Primary School, Camp Hill road, Hawea Flat. Part Section 11, Block V, Lower Hawea SD.
13	20	Ministers of Education	Education Purposes	Mount Aspiring College, Plantation Road, Wanaka. Part Section 8, Block XIV, Wanaka SD. For Conditions refer C below.
14	35	Minister of Education	Education Purposes	Queenstown Primary School, Robins Road. Sections 78-81. Part Sections 73 and 91 Block XX Shotover SD and Part Block LIV. Town of Queenstown. For conditions refer to C below.
15	32	Minister of Education	Education Purposes	Wakatipu High School, Sawmill road, Queenstown Lots 6 and 7 DP 8700, Lot 47 DP 8591. For conditions refer to C below.
16	21	Minister of Education	Education Purposes	Wanaka Primary School, Tenby Street, Wanaka, Sections 1-5 Block XXXIX, Sec 1 Block XI, Town of Wanaka; Section 1 SO 24579. For conditions refer to C below.
17	27	Ministry of Education	Education Purposes	Arrowtown Primary School. Part Sec 1 Blk VII Shotover SD (2.4268 ha), and Lots 5-8 DP 309418 (2628 m <sup>2</sup> ).
18	28	Telecom New Zealand Limited	Tele-communication and radio communication and ancillary purposes.	Arrowtown Exchange, Hertford Street, Arrowtown. Section 1 SO 19209 (630m <sup>2</sup> ). For conditions refer to C below.
19	25	Telecom New Zealand Limited	Tele-communication and radio communication and ancillary purposes	Glenorchy Microwave station, Crown Land & Pt Sec 2 BLK XIX (1097m <sup>2</sup> ) For conditions refer to C below.
20	36	Telecom New Zealand Limited	Tele-communication and Radio communication and ancillary purposes.	Queenstown telephone exchange and microwave station. Ballarat Street Lot 2 DP 20964 (2121m <sup>2</sup> ). For conditions refer to C below.
21	21	Telecom New Zealand Limited	Tele-communication and Radio communication and ancillary purposes.	Wanaka Exchange, 9 Brownston Street, Wanaka Section 6, Block XI, Town of Wanaka (1312m <sup>2</sup> ). For conditions refer to C below.
22	34	Queenstown-Lakes District Council	Water Storage	Wynyard Cresc, Queenstown, part 42 BLK 1, Mid Wakatipu SD.

New Ref No	Map Ref	Authority Responsible	Purpose	Site/Legal Description and Conditions
23	34	Queenstown-Lakes District Council	Water Supply pump and intake	Glenorchy – Queenstown Road, Queenstown. Part res B BLK 1 Mid Wakatipu, Sec 45 BLK 1 Mid Wakatipu Crown Land BLK XX Shotover SD. For conditions refer to C below.
24	34	Queenstown-Lakes District Council	Sewage Pump Station	Glenorchy – Queenstown Road, Sunshine Bay, Queenstown. Part Reserve B, Sec 46 BLK 1 Mid Wakatipu Block 1, Mid Wakatipu SD. For conditions refer to C below.
25	36	Queenstown-Lakes District Council	Sewage Pump Station	Marine Parade, Queenstown Legal Road Section 6 Block LI Shotover SD, Queenstown. For conditions refer to C below.
26	37	Queenstown-Lakes District Council	Sewage Pump Station	Kelvin Peninsula, Lakeside Reserve, Queenstown. Lakeside Reserve (Crown Land) BLK 1 Coneburn Survey District. For conditions refer to C below.
27	37	Queenstown-Lakes District Council	Sewage Pump Station	Peninsula Road, Frankton Arm, Section 21 BLK 1 Coneburn SD, Part Frankton Recreation Reserve. For conditions refer to C below.
28	35	Queenstown-Lakes District Council	Water Reservoir and Pump Station	Manchester Place, Queenstown. Lot 68, DP 21257. For conditions refer to C below.
29	33	Queenstown-Lakes District Council	Multi Purpose indoor and outdoor recreation, cultural and conference complex	SH No 6 Frankton. Lot 1 DP 25073, Lot 11 DP 22121, Sections 49, 50, 58, 61, 62 and 149 Part Sections 59, 60 and 63 For conditions refer to C below and RM 950236.
30	33	Queenstown-Lakes District Council	Sewage Pump Station	Lake Avenue, Frankton Arm, Sections 9 and 39 Block XXXI, Frankton. For conditions refer to C below.
31	33,37	Queenstown-Lakes District Council	Water pump station and intake	Loop Road, Frankton Arm Section 21, BLK I Coneburn SD. For conditions refer to C below.
32	33,37	Queenstown-Lakes District Council	Water Reservoir and Treatment	Peninsula Road, Kelvin Peninsula. Part Lot 1 & 2 DP 24223.
33	33	Queenstown-Lakes District Council	Sewage Pump Station	Willow Place, Kelvin Peninsula Reserve. For conditions refer to C below.
34	33	Queenstown-Lakes District Council	Sewage Pump Station	Kawarau Place, Frankton. Lot 19 DP 20484. For conditions refer to C below.
35	35	Queenstown-Lakes District Council	Leary's Gully Water Pump Station	Frankton Road, Queenstown. Part Section 5, Block XLI, Queenstown. For conditions refer to C below.
36	35	Queenstown-Lakes District Council	Sewage Pump Station	Peninsula Street, Queenstown, Part Sec 27 BLK XX Shotover SD
37	27	Queenstown-Lakes District Council	Sewage Treatment Works	Centennial Avenue, Arrowtown, Sections 12-15, Block XXX Arrowtown.
38	27	Queenstown-Lakes District Council	Sewage Pump Station	Legal Road, Norfolk Street, Arrowtown. For conditions refer to C below.
39	27	Queenstown-Lakes District Council	Sewage pump Station	Lot 38, DP 20153. McDonnell Road, Arrowtown. For conditions refer to C below.
40	27,28	Queenstown-Lakes District Council	Water Supply Reservoir	Durham Street, Arrowtown. Section 16, Block XIX, Town of Arrowtown.
41	27	Queenstown-Lakes District Council	Water Supply Pump and Intake	Bush Creek Arrowtown part Section 2 Block XXV, Crown Land, Block XXV (LIPS Ref 17551), Section 1 SO21055, section 17, Block 19, Town of Arrowtown. For conditions refer to C below.
42	39	Queenstown Lakes District Council	Water Reservoir	Arthurs Point. Lot 21 DP 22413
43	39	Queenstown Lakes District Council	Sewage Treatment works	Arthurs Point. Part 148 BLK XIX Shotover SD.
44	25	Queenstown-Lakes District Council	Water Storage Tanks	Queenstown- Glenorchy Road, Glenorchy part Section 2, Block XIX, Glenorchy Town. For conditions refer to C below.
45	25	Queenstown Lakes District Council	Water pump station and intake	Queenstown – Glenorchy Road, Crown land, Block XXI Town of Glenorchy. For conditions refer to C below.
46	31	Queenstown Lakes District Council	Sewage Treatment Works	Lower Shotover River. Lot 1 DP 15636. For conditions refer to C below and RM 970647.
47	26	Queenstown Lakes District Council	Water Supply Pump station and intake	Arrowtown – Lake Hayes Road, Lake Hayes. Pt Lot 17 DP 12678. For conditions refer to C below.

# DESIGNATIONS

A1

New Ref No	Map Ref	Authority Responsible	Purpose	Site/Legal Description and Conditions
48	26	Queenstown Lakes District Council	Water Supply Reservoir	Arrowtown – Lake Hayes Road, Lake Hayes. Lot 1 DP 23298 and Lot 2 DP 27571.
49	30	Queenstown Lakes District Council	Recreation Reserve Part Sewage pump station	Arrowtown – Lake Hayes Road, Lake Hayes. Section 87, Block IX, Shotover SD. For conditions refer to G and C below.
50	21,23	Queenstown Lakes District Council	Landfill and Transfer Facility	Riverbank Road, Wanaka. Section 37, part Section 38 BLK III, Lower Wanaka SD, Lot 1 DP 12876.
51	21	Queenstown Lakes District Council	Sewage Treatment Works	Ballantyne Road, Wanaka Area A on Part sec 14, Block III, Lower Wanaka SD. For conditions refer to C below.
52	20	Queenstown Lakes District Council	Sewage Pump Station	Lakeside Road, Beacon Point. Sections 29, 1543R, Block XIV, Lower Wanaka SD. For conditions refer to C below.
53	20	Queenstown Lakes District Council	Sewage Pump Station	Lakeside Road, Beacon Point. Legal Road. For conditions refer to C below.
54	22	Queenstown Lakes District Council	Water Supply	Sargood Drive, Central Wanaka. Lots 1 and 2, DP 21544.
55	22	Queenstown Lakes District Council	Sewage Pump Station	Morrows Mead, Central Wanaka. Lot 2 DP 19753. For conditions refer to C below.
56	21	Queenstown Lakes District Council	Local Purpose Reserve (Sewage Pump Station)	Stratford Terrace, Central Wanaka. Lot 14 DP 24260. For conditions refer to C below.
57	16	Queenstown Lakes District Council	Makarora Refuse Transfer Station	State Highway No 6; Section 14891 BLK V; McKerrow SD. For conditions refer RM 970194.
58	21	Queenstown Lakes District Council	Sewage Pump Station	Dungarvon Street, Central Wanaka. Section 1, Block I, Wanaka Town. For conditions refer to C below.
59	21	Queenstown Lakes District Council	Water Reservoir	Plantation Road, Central Wanaka, Section 90, Block IX, Wanaka Town.
60	21	Queenstown Lakes District Council	Water Supply Pump and intake	Lakeside Road, Central Wanaka. Legal Road and Section 67, block XIV, Town of Wanaka. For conditions refer to C below.
61	20	Queenstown-Lakes District Council	Water Supply Pump Station	Corner of Plantation Road and Totara Terrace, Central Wanaka. Legal Road. For conditions refer to C below.
62	21	Queenstown Lakes District Council	Water Supply Pump Station	Anderson Road Wanaka, part Sec 8, Block XIV, Lower Wanaka SD. For conditions refer to C below.
63	21	Queenstown Lakes District Council	Sewage Pump Station	Gordon Road, Wanaka Lot 1 DP 25029. For conditions refer to C below.
64	18a	Queenstown Lakes District Council	Aerodrome Purposes	Wanaka Airport. For legal description and conditions refer to E and E1 below.
65	18a	Queenstown Lakes District Council	Approach and Land Use Controls (transitional slopes and surfaces)	Wanaka Airport. For conditions refer to E2 below.
66	17	Queenstown Lakes District Council	Water Storage Reservoir	SH 6 Lake Hawea. Lot 1 DP 26200 (0.2592ha).
67	17	Queenstown Lakes District Council	Landfill Site and Transfer Station	Domain Road, Lake Hawea Lot DP 20555
68	17	Queenstown Lakes District Council	Sewage Oxidation Ponds	Domain Road, Hawea Lot 1 DP 20555 & Pt Sec 24 BLK IV. For conditions refer to C below.
69	24	Queenstown Lakes District Council	Wastewater Management Purposes	Section 4 SO Plan 24120. SD and Block VI, Town of Albert Town. For conditions refer to C below.
70	24	Queenstown Lakes District Council	Sewage Pump Station	Alison Avenue, Legal Road, Albert Town, For conditions refer to C below.
71	24	Queenstown Lakes District Council	Sewage Pump Station	Alison Avenue, Legal Road, Albert Town, Section. For conditions refer to C below.
72	24	Queenstown Lakes District Council	Sewage Pump Station	Wicklow Terrace, Legal Road, Albert Town. For conditions refer to C below.
73	17	Queenstown Lakes District Council	Sewage Pump Station	Esplanade, Lake Hawea Part Sec 7 BLK IV Lower Hawea SD. For conditions refer to C below.
74	17	Queenstown Lakes District Council	Sewage Pump Station	Esplanade, Lake Hawea Part Lot 255 DP 7086. For conditions refer to C below.
75	17	Queenstown Lakes District Council	Water intake, Treatment and Pump Station	Lake Hawea. Part Run 581 & Part Riverbank Reserve. For conditions refer to C below.
76	13	Queenstown Lakes District Council	Landfill Buffer	Victoria Bridge Terrace Site, sections 2, 3 and 4 SO 24512, SH 6, Lot 2 DP 27395t Lot 7 DP 27395, Part section 32 BLK II Kawarau SD for the purpose of a buffer zone. (See RM 970116) For conditions refer to C below.
77	29	Queenstown Lakes District Council	Landfill, Tucker Beach	Section 1, SO 23650 Crown Land, Block II Shotover SD. For conditions refer to C below.

# DESIGNATIONS

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New Ref No	Map Ref	Authority Responsible	Purpose	Site/Legal Description and Conditions
78	39	Queenstown Lakes District Council	Refuse Transfer Station	Part Run 323A. For conditions refer to C below.
79	32,37	Queenstown Lakes District Council	Larchwood Reservoir	Queenstown. Sec 1 SO 23185
80	36	Queenstown Lakes District Council	Car park	Church Street, Queenstown. Lot 1 DP 27486, part Sec 12 BLK II Town of Queenstown
81	36	Queenstown Lakes District Council	Carpark	Athol Street, Queenstown, Lot 1 DP 9331, Sections 16, 17 and 19, Block IV, Section 4-6, Block V. Town of Queenstown. For conditions refer to C below.
83	13,31,32	Queenstown Lakes District Council	Local Purpose (Drainage) Reserve	Matakauri Park, Gorge Road, Queenstown Lot 1 & Lot 2 DP 20808 Lots 1-2 DP 22790 Shotover St. For conditions refer to G below and in addition no structure or placement fill shall reduce the storage capacity of the detention dam.
84	2,3,5,8,11,13,15,16,17,18,21,24,30,31,32,33,34,35,36,37,38	Transit New Zealand	State Highway Purposes	As shown on District Plan Maps. For conditions refer to A below.
85	20	Queenstown Lakes District Council	Recreation Reserve	59 Rata Street to Mulberry Lane, Wanaka, Lot 13 DP 18868 (0.1096ha). For conditions refer to B below.
86	20	Queenstown Lakes District Council	Utility and Local Purpose (Recreation) Reserve	77 Hunter Cres to Cherry Court Wanaka. Lot 107 DP 20556 & Lot 107& 108 DP 20702, Lot 51 DP 15683 (0.2506ha)
87	20	Queenstown-Lakes District Council	Recreation Reserve	Winders Recreation Reserve 35 Winders Street, Wanaka, Lot 9 DP 7761 (0.1503ha). For conditions refer to B below.
88	20	Queenstown Lakes District Council	Recreation Reserve	Eely Point, Wanaka. Sections 29, 67, 1543R, Block XIV Lower Wanaka SD. For conditions refer to B below.
89	21	Queenstown Lakes District Council	Recreation Reserve	Lakeside Road, Wanaka Sections 6, 9, 14 Block XV, Town of Wanaka (.8245ha). For conditions refer to B below.
90	20	Queenstown Lakes District Council	Recreation Reserve	Lismore Park, Plantation Road, Lismore and He ditch Streets, Wanaka. Section 90 Block IX, Wanaka Town (18,3048ha). For conditions refer to B below.
91	21	Queenstown Lakes District Council	Local Purpose (Recreation) Reserve	Rob Roy Lane, Wanaka Lot 25 DP 19553 (0.2281ha).
92	21	Queenstown Lakes District Council	Recreation Reserve	Mt Iron Drive, Aeolus and Kuri Place, Wanaka. Lot 43 DP 20163 (0.4318ha). For conditions refer to B below.
93	20	Queenstown Lakes District Council	Recreation Reserve. Community Swimming Pool	Plantation Road Lot 1 DP 22331 Block XIV, Lower Wanaka.
94	20	Queenstown Lakes District Council	Local Purpose Reserve (Beautification)	Anderson Road near Reece Cres, Wanaka. Lots 25/26 DP 19124 (0.1301ha).
95	21	Queenstown Lakes District Council	Recreation Reserve	Wanaka Golf Course, Ballantyne Road. Lot 1 DP 11284, Legal Road & Part Sec 11, Sec 12 BLK XLIX Town of Wanaka *56.008ha) For conditions refer to F below.
96	21	Queenstown Lakes District Council	Recreation Reserve	Ballantyne Road, Wanaka. Section 103 Block IX, Wanaka Town. For conditions refer to B below (0.7740ha).
97	21	Queenstown Lakes District Council	Local Purpose Reserve (Site for a memorial)	Wanaka Memorial Reserve and Lookout. 11-15 Chalmers Street, Wanaka. Lot 1 DP 4961, (0.3027ha)
98	21	Queenstown Lakes District Council	Recreation Reserve	Pembroke Park, Ardmore Street, Wanaka. Section 1 Blk L TN of Wanaka (10.547ha). For conditions refer to B below.
99	21	Queenstown Lakes District Council	Recreation Reserve	Ardmore Street (part Roys Bay Recreation Reserve) Sections 5,11,13 and Part Sec 7, Block XV Wanaka Town. (5.7401ha). For conditions refer to B below.

# DESIGNATIONS

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New Ref No	Map Ref	Authority Responsible	Purpose	Site/Legal Description and Conditions
100	21	Queenstown Lakes District Council	Recreation Reserve	Section 12, SO 20847, block XV, Town of Wanaka (7.2966ha). For conditions refer to B below.
101	21	Queenstown Lakes District Council	Recreation Reserve (Motor Park)	Wanaka Motor Park, McDougall Street. Secs 10 & 12 Block XV, Town of Wanaka (4.3734ha) For conditions refer to F below.
102	21	Queenstown Lakes District Council	Recreation Reserve	Upton, Stone, Warren, Connor Streets. Sections 1-7 Block XXXV, Town of Wanaka (1.2917ha).
103	21,23	Queenstown Lakes District Council	Recreation Reserve	Faulks Reserve Aspiring Terrace. Section 7 Block XLIX, Wanaka Town (4.2388ha)
104	23	Queenstown Lakes District Council	Recreation Reserve	Stone Street Reserve, Lot 61 9499, (1.6961ha).
105	22	Queenstown Lakes District Council	Recreation Reserve (part of Roys Bay Recreation Reserve)	Wanaka – Mt Aspiring Road, Part Roys Bay Recreation Reserve. Sections 31, 45 Block III, Lower Wanaka SD (3.9153ha)
106	22	Queenstown Lakes District Council	Recreation Reserve	Wanaka Station Park. Lot 1 DP 16152. (2.9263ha)
107	22	Queenstown Lakes District Council	Scenic Reserve	Wanaka Mt Aspiring Road Lots 57, 58 DP 21967, Wanaka – Mount Aspiring Road, Wanaka Rural. Lots 73 and 74 DP 15833(0.2512ha), Block III, Lower Wanaka SD, Lots 2-4 DP 24535, Lot 5 DP 300273, Lot 2 DP 23625 (0.3629ha) Lots 5 - 7 DP 18590
108	22	Queenstown Lakes District Council	Recreation Reserve	Huchan Lane Walkway, Lot 26, DP 20949 (0.1134ha)
109	22	Queenstown Lakes District Council	Recreation Reserve	Mt Aspiring Road. Lot 75 Lot DP 15833 (0.1030ha). For conditions refer to B below.
111	18,22	Queenstown Lakes District Council	Recreation Reserve	Part Roys Bay Recreation Reserve, Waterfall Creek Recreation Reserve, Section 46, Block III, Section 17, Block XIII, Lower Wanaka SD (9.95ha) For conditions refer to B below.
112	18	Queenstown Lakes District Council	Recreation Reserve	Ruby Island Recreation Reserve (3.1616ha) Ruby Island, Lower Wanaka SD
113	7	Queenstown Lakes District Council	Recreation Reserve (Motor Park)	Glendhu Recreation Reserve, Lot 2 DP 15207, Sec 2 BLK XV, Lower Wanaka SD (12.5983ha) For conditions refer to F below.
114	7	Department of Conservation	Recreation Reserve	Mou Waho Island (Harwich) Recreation Reserve. Section 4 Block III, Mid Wanaka SD (120.00ha)
115	8	Department of Conservation	Scenic Reserve	Stevenson Island Scenic Reserve, Section 1 Block IX, Lower Wanaka SD (65.00ha)
116	18 & 19	Queenstown Lakes District Council	Recreation Reserve	Beacon Point/Outlet Road to Albert Town. Clutha Outlet Recreation Reserve. Section 59 Block XIV, Wanaka SD (44.1107ha) For conditions refer to B below.
117	20	Queenstown Lakes District Council	Local Purpose Reserve	End of Rimu Land To Kowhai Drive/Hunter Cres Walkway. Lots 34, 35 DP 15156 (0.1740ha) & Lot 49 DP 15683.
118	20	Queenstown Lakes District Council	Local Purpose Reserve	Kowhai to Rata Street Walkway, Lot 50 DP 156836 (0.1740ha)
119	20	Queenstown Lakes District Council	Local Purpose (Recreation Reserve)	Roto Place to lake foreshore Lot 8 DP 18825 (0.0593ha)
120	19,20	Department of Conservation	Recreation Reserve	Bremner Bay Recreation Reserve. Lot 9 DP 18825, Lots 1 and 2 DP 17422 Lot 10 DP 23717; Pt Lot 3 19057; Lot 11 DP 24532, Section 71, BLK XIV, Lower Wanaka SD. (12ha). For conditions refer to B below.
121	20	Queenstown Lakes District Council	Recreation Reserve	Kellys Flat Recreation Reserve, Aubrey Road. Section 93, BLK XIV Lower Wanaka SD (3.4067ha). For conditions refer to B below.
126	18	Queenstown Lakes District Council	Recreation Reserve	Dublin Bay Recreation Reserve, Dublin Bay Road. Part Section 28, Block V, Lower Wanaka SD. (18.2109ha) For conditions refer to B below.
127	33	Queenstown Lakes District Council	Local Purpose Reserve (Recreation)	Kawarau Falls. Lot 19 DP 20484 (0.2398ha)
128	21	Queenstown Lakes District Council	Local Purpose (Off-Street parking and ambulance).	Ardmore Street, Wanaka, Section 10, Block XI Town of Wanaka (0.3536ha)

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New Ref No	Map Ref	Authority Responsible	Purpose	Site/Legal Description and Conditions
129	21	Queenstown Lakes District Council	Local Purpose (Service Land)	Dunmore Street, Lot 2 DP 18326 Lot 6 DP 11991, Lot 2 DP 18325 Lot 4 DP 12666 (0.0557ha)
130	28	Queenstown Lakes District Council	Historic Reserve	Dudley Section, Arrowtown, Lot 4 & 5, DP 18410 (0.0690ha)
131	21	Queenstown Lakes District Council	Cemetery Reserve	Stone Street, Wanaka (4.0493ha). Part Section 1, Block XLVII, Part Section 2 Block III, Lower Wanaka SD.
132	27	Queenstown Lakes District Council	Recreation Reserve	Anderson park, Centennial Avenue and Devon Street. Lot 25 DP 16532 (0.0715ha). For conditions refer to B below.
133	27	Queenstown Lakes District Council	Recreation Reserve	De la Perelle Park, Adamson Drive, Bracken Street, Cotter and Douglas Avenues Arrowtown, Lot 32 DP 16747 (0.5498ha), and Lot 36 DP 20153 (0.0362ha), Block VII, Shotover SD. For conditions refer to B below.
134	27	Queenstown Lakes District Council	Recreation Reserve	Reed Park, Adamson Drive, Foxs Terrace, Reid Cres, Arrowtown. Lot 31 DP 16748 (0.4901ha), Lot 29 DP 23672 & Lot 82 DP 24484. For conditions refer to B below.
135	27	Queenstown Lakes District Council	Tree Planting Reserve	Adamson Drive, Preston Drive, Jenkins Place, Arrowtown. Lots 2 & 3 DP 15207. (Hamilton Way) Lot 4 DP 15208 (Edwards Way). (0.2621ha)
136	27	Queenstown Lakes District Council	Recreation Reserve (Motor Park)	Suffold Street, Arrowtown. Motor park and recreation. Section 38 Block VII Shotover SD (Motor Park, Lot 43 DP 12741 and Lot 25 DP 12525 and Lots 1-6 Block XXXVI Town of Arrowtown. (1.4289ha) For conditions refer to B below
137	27	Queenstown Lakes District Council	Recreation Reserve	O'Callaghan Park, Ford Street, Arrowtown. Section 21 Block XXXVI Town of Arrowtown. For conditions refer to G below
138	27, 28	Queenstown Lakes District Council	Recreation Reserve	Wilcox Green Part Section 11, 15 and 20 Block XXIV, Town of Arrowtown (2.2231ha). For conditions refer to B below.
139	28	Queenstown Lakes District Council	Local Purpose Reserve for a Public Library	Library and Village Green, Buckingham Street. Sections 1-4 Block I Town of Arrowtown (0.4224ha).
140	28	Queenstown Lakes District Council	Recreation Reserve	Hertford and Denbigh Streets, Arrowtown. Sections 2-4 BLK V Town of Arrowtown (0.2984ha). For conditions refer to B below. (Swimming pool and bowling green).
141	28	Queenstown Lakes District Council	Recreation Reserve	Buckingham Green, Buckingham Street, Arrowtown. Sections 14-16 Block VI Town of Arrowtown (0.0734ha). For conditions refer to B below.
142	28	Queenstown Lakes District Council and The Crown	Recreation Reserve	Rose M Douglas Park, Wiltshire Street. Secs 10, 13 & 15 Block VI, Town of Arrowtown, Anglesea Street, Arrowtown, Secs 1 – 2 SO 339000. For conditions refer to G below
143	28	Queenstown Lakes District Council	Local Purpose Reserve (Community centre Plunket and Doctors rooms). (Section 9 Proposed Reserve)	Buckingham Street (hall and town centre) Sections 7-9 Block IX, Arrowtown (0.0799ha)
144	27, 28	Queenstown Lakes District Council	Recreation Reserve	Wiltshire Street and Ramshaw Lane. Area C on SO 19052. Part Section 20, Crown Land, Block XXV Part Section 3, Block XXV, Sections 6 and 7 Block X; Town of Arrowtown. For conditions refer to G below.
145	27	Queenstown Lakes District Council	Bush Creek Recreation Reserve	Butler Park, Middlesex Street. (9.455ha). Crown Land and Part Section 2 and 3 Block XXV Area A, B, D, E, F on SO 19052 (7.0300ha). For conditions refer to B below
146	27	Queenstown Lakes District Council	Local Purpose Reserve (Arrowtown Cemetery Reserve)	Durham Street, part Sec 10 & secs 12, 13, 14 and 15 BLK XIX, Arrowtown (1.4568ha).
147	18	Queenstown Lakes District Council	Hawea Flat Hall Site	Part Section 5, Block V, Lower Hawea SD (0.2023ha)
148	18	Queenstown Lakes District Council	Local Purpose (Gravel Reserve)	Sections 6, 34, 3, 7 & 50, Block VIII, Lower Hawea SD (5.352ha)



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New Ref No	Map Ref	Authority Responsible	Purpose	Site/Legal Description and Conditions
149	27	Queenstown Lakes District Council	Recreation Reserve	McDonnell Road Reserve, Lot 32 DP 23673, Lot 34 DP 24615 (0.1017ha) For conditions refer to B below
150	27	Queenstown Lakes District Council	Recreation Reserve	Fox Terrace/Shaw Street/Cotter Ave/McDonnell Road, Lot 16 DP 18937 (0.1383ha) and Lot 33, DP 24613 (0.1793ha). For conditions refer to B below
151	24	Queenstown Lakes District Council	Recreation Reserve	Lot 31 DP 7458, (0.1012ha). For conditions refer to B below
152	33	Queenstown Lakes District Council	Recreation Reserve	Golf Club SH 6, Section 6, Block XXXIII, Town of Frankton (6.3409ha) For conditions refer to B below
153	33	Queenstown Lakes District Council	Recreation Reserve	SH 6. Section 5, Block XXXIII, Town of Frankton (3.1616ha). For conditions refer to B below
154	33	Queenstown Lakes District Council	Recreation Reserve (Motor Park)	Frankton Motor park, Stewart Street. Sections 8/9, 16/17, Block XXIV part Section 7, and Sections 8, 10, 35, Lot 14 DP 8296 Block XXXI, Lot 1 DP 22500 Frankton Town. For conditions refer to F below
155	33	Queenstown Lakes District Council	Recreation Reserve	SH No 6 Sections 12 and 14 Block XX, Frankton Town (0.6415ha). For conditions refer to B below.
156	33	Queenstown Lakes District Council	Recreation Reserve	Frankton Domain Secs 9, 11-34, 42-44 BLK XXXI; Sec 12 & 14 BLK XX; Sec 27 BLK XVII; Part Secs 46 & 47 BLK XXI Town of Frankton
157	11	Queenstown Lakes District Council	Hall Site	Luggate Hall, Part Section 2, BLK Tarras SD (0.0809ha).
158	33	Queenstown Lakes District Council	Recreation Reserve	Remarkables Cres and Alta Place Lot 88, DP 19737 (0.8449ha). For conditions refer to B below.
159	33	Queenstown Lakes District Council	Recreation Reserve	Riverside Road, Section 167 Block I, Shotover SD 90.4500ha). For conditions refer to B below
160	33	Queenstown Lakes District Council	Cemetery Reserve	SH No 6 Crown Land, BLK XXI, Shotover SD No 1, Town of Frankton (0.3237ha)
161	11	Queenstown Lakes District Council	Recreation Purposes	Hopkins Street, Luggate. Lot 12 DP 9232 (0.7712ha) For conditions refer to B below
162	11	Queenstown Lakes District Council	Recreation Reserve (Motor Park)	Luggate Domain, SH No 6. Section 23, Block VI Tarras SD (1.6617ha). For conditions refer to F below
163	30	Queenstown Lakes District Council	Recreation Reserve	Lot 1 DP 8699 Hayes Township. For conditions refer to B below.
164	33	Queenstown Lakes District Council	Local Purpose (Beautification)	McBride Street, SH 6, Frankton Sections 17 & 18 block XXI, Sec BLK VII, Sec 26 BLK I, Town of Frankton (0.2958ha)
165	33	Queenstown Lakes District Council	Frankton Marina Recreation Reserve	Adjacent to SH6 and north shore of Frankton Arm. Part Lot 1 DP 16773; Lot 1 DP 26401; Sec 1-2 SO 21582 & Sec 48-49, 52-53, 59 & 62 BLK XXI, Shotover SD. For conditions refer to B below
166	27	Queenstown Lakes District Council	Recreation Reserve	Land between Caenarvon Street and Middlesex Street. Section 17, Block XIX, Town of Arrowtown (1.3750ha) For conditions refer to B below
167	12	Queenstown Lakes District Council	Scenic Reserve	Pigeon and Pig Islands, Lake Wakatipu. Secs 2 & 3 BLK X Glenorchy SD.
168	30	Queenstown Lakes District Council	Recreation Reserve	Lake Hayes Arrow Junction Highway, Wakatipu Basin, Lake Hayes showground, hall, domain. SH 6, Sections 49, 50, 51, 52 65, 68, Block IX, Shotover SD. For conditions refer to G below
169	30	Queenstown Lakes District Council	Recreation Reserve and Tree Planting Reserve	Arrowtown-Lake Hayes Road. Lots 7 and 8 DP 16456 (0.1384ha). For conditions refer to B below
170	13	Queenstown Lakes District Council	Local Purpose Reserve (Water Reserve)	Brewery Creek, Section 3 Block VIII, Lower Wakatipu SD, Section 72, Block XX, Shotover SD (55.2396ha).
171	32,37	Queenstown Lakes District Council	Recreation Reserve	Commonage Reserve, Queenstown Hill, Part Section 104, Block XX, Shotover SD. For conditions refer to B below
172	36	Queenstown Lakes District Council	Local Purposes (Athenaeum and Library)	Cnr Ballarat and Stanley Streets, Queenstown. Section 7, Block XXXI, Town of Queenstown.
173	18	Queenstown Lakes District Council	Part of Hawea Recreation Reserve	Hawea Domain, Domain Road, Section 19, Block IV, Lower Hawea SD (43.4228ha). For conditions refer to B below
174	18	Queenstown Lakes District Council	Part of Hawea Recreation Reserve	Hawea Recreation Reserve and Pool. Camphill Road. Section 35 Block V, Lower Hawea SD. (0.7062ha) For conditions refer to B below
175	8,17	Queenstown Lakes District Council	Part of Hawea Recreation Reserve (Motor Park)	Motor Park, SH No 6 (2.8ha) part Section 2, Block II, Lower Hawea SD. For conditions refer to F below.
176	17	Queenstown Lakes District Council	Part of Hawea Recreation Reserve	Noema Terrace. Sec 32 Block IV. Lower Hawea SD. For conditions refer to B below.

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New Ref No	Map Ref	Authority Responsible	Purpose	Site/Legal Description and Conditions
177	17	Queenstown Lakes District Council	Part of Hawea Recreation Reserve	Capell Avenue, Lot 187, DP 6712, (3.1567ha). For conditions refer to B below.
178	17	Queenstown Lakes District Council	Esplanade Reserve	Flora Dora parade and Capell Avenue. Lots 255 & 256 DP 7086, Lot 122 & 123 DP9257, (5.2963ha).
179	37	Queenstown Lakes District Council	Recreation Reserve	Access to waterfront/Peninsula Road, Kelvin Peninsula. Lots 14 and 24 DP 15297 (0.0505ha). For conditions refer to B below.
180	37	Queenstown Lakes District Council	Recreation Reserve	Jardine Park, Oregon Drive, Kelvin Peninsula. Lots 69-70 DP 9249, (28.9426ha). For conditions refer to B below.
181	34	Queenstown Lakes District Council	Queenstown Recreation Reserve	Kelvin Heights Golf Course, Grove Land, Kelvin Peninsula. Part Sec 29, Sec 27 & 28 BLK I Coneburn Survey District. For conditions refer to F below.
182	37	Queenstown Lakes District Council	Kelvin Peninsula Recreation Reserve	Kelvin Grove waterfront, Earnslaw slipway. Part Sec 25 SO 17906 & Sec 26 SO 21769 Block I Coneburn Survey District.
183	37	Queenstown Lakes District Council	Recreation Reserve (Yacht Club)	Wakatipu Yacht Club, Grove Lane. Part Section 3 SO 3766, Block I, Coneburn SD (1.3810ha). For conditions refer to B below.
184	33,37	Queenstown Lakes District Council	Recreation Reserve and Esplanade Reserve	Lakeshore, Willow Place, Peninsula Road, Kelvin Peninsula. Section 22 Block I, Coneburn SD, Lots 3 and 4 DP 300002. For conditions refer to G below.
185	35,36	Queenstown Lakes District Council	Scenic Reserve	Adjacent to Horne Creek Camp, park Street and Coronation Drive, Queenstown. Sections 1-3, Block LII, Town of Queenstown.
186	24	Queenstown Lakes District Council	Recreation Reserve	Alison Avenue, Albert Town, Lot 110 DP 9486, Lot 48 DP 7458, Part Section 11, Block IV, Lower Wanaka SD. For conditions refer to G below.
187	24	Queenstown Lakes District Council	Recreation Reserve	Dale Street, Albert Town. Lot 1 DP 7458 (0.8650ha). For conditions refer to B below.
188	27	Department of Conservation	Scenic Reserve	Land adjacent to Caenarvon Street, cemetery site and Essex Street, Arrowtown. Section 16, Block XIX, Town of Arrowtown (7.008ha).
189	25	Queenstown Lakes District Council	Recreation Reserve	Jetty Street and Benmore Place, Glenorchy. Lot 39 and Part Lot 40 DP 8985, Sec 1 SO 18440 (0.9877). For conditions refer to B below.
190	25	Queenstown Lakes District Council	Local Purpose Reserve (Library)	Argyle Street, Glenorchy. Section 23 Block II, Glenorchy Town (0.0503ha).
191	25	Queenstown Lakes District Council	Recreation Reserve	Glenorchy Domain, Oban Street. (Showgrounds, racecourse, golf course, rugby) – Section 1 Block XX, Glenorchy Town (9.401ha). For conditions refer to B below.
192	25	Queenstown Lakes District Council	Cemetery Reserve	Sections 1 and 2, Block XVIII, Town of Glenorchy (5.2559ha).
193	39	Queenstown Lakes District Council	Recreation Reserve	Foreshore, Kent Street, Kingston. Section 1 Block XX, Kingston Town (0.8852ha). For conditions refer to B below.
194	39	Queenstown Lakes District Council	Recreation Reserve and Local Purpose Reserve (Community Centre).	Dorset, Shropshire, Devon and Gloucester Streets, Kingston, Sections 1-24 Block VII, Kingston Town (Sections 1 and 2 Local Purpose, Sections 3-24, Recreation) (1.0927ha). For conditions refer to B below.
195	39	Queenstown Lakes District Council	Recreation Reserve	Golf Course, Shropshire Street, Kingston. Section 1 Block XVI, Kingston Town. (4.0443ha). For conditions refer to B below.
196	39	Queenstown Lakes District Council	Recreation Reserve	Churchill Street, foreshore, Kingston. Lots 20,21 DP 4985, (0.7545ha). For conditions refer to B below.
197	39	Queenstown Lakes District Council	Cemetery Reserve	SH No 6, Kingston. Section 16, Block I, Kingston SD (1.5783ha).
198	37	Queenstown Lakes District Council	Recreation Reserve	Panorama Terrace to Earnslaw Terrace, Queenstown, Lot 37 DP 16397 (0.0513ha). For conditions refer to B below.
199	37	Queenstown Lakes District Council	Recreation Reserve and Local Purpose Reserve	Panorama Terrace to SH No 6A, Queenstown. Lot 38 DP 16397, (Recreation) (0.3032ha).
200	37	Queenstown Lakes District Council	Tree Planting Reserve	Frankton Road, Frankton Pt Lot 20 DP19889, Lot 40 DP 16397.
201	37	Queenstown Lakes District Council	Recreation Reserve	Panorama Terrace, Queenstown Lot 39 DP 16397 (0.1257ha). For conditions refer to B below.
202	37	Queenstown Lakes District Council	Recreation Reserve	Cecil Road Lot 3 DP 6818, (0.1427ha). For conditions refer to B below.

New Ref No	Map Ref	Authority Responsible	Purpose	Site/Legal Description and Conditions
203	32,33 37	Queenstown Lakes District Council	Recreation Reserve	Foreshore – below SH 6A, Queenstown. Sec 50 BLK XXI, Shotover SD, Gazette 1967, p 1787 (4.8562ha). For conditions refer to B below.
204	35,36	Queenstown Lakes District Council	Scenic Reserve	Marine Parade Park, Queenstown. Legal Road & Section 6 BLK LI, Town of Queenstown and Part Marine Parade (0.6600ha and 0.1160ha).
205	34,35	Queenstown Lakes District Council	Recreation Reserve	Queenstown Gardens, 27-29 park Street, Queenstown. Part section 4, Section 5 and Section 7 Block LI, Town of Queenstown. For conditions refer to B below.
206	35	Queenstown Lakes District Council	Historic Reserve	Transit of Venus, 8 Melbourne Street. Section 15 Block XXXIV, Town of Queenstown (0.0138ha).
207	35	Queenstown Lakes District Council	Recreation Purposes	York Street. Lot 31 DP 18611 (0.347ha). For conditions refer to B below.
208	35	Queenstown Lakes District Council	Recreation Reserve	Suburb Street through to Dublin Street and Corner Dublin Street and Edinburgh Drive. Lots 1 & 2 DP 20449 (0.6983ha). For conditions refer to B below.
209	32	Queenstown Lakes District Council	Recreation Reserve	Gorge Road, Queenstown. Lots 1 & 2 DP 19293 (0.0520ha). For conditions refer to B below.
210	35,36	Queenstown Lakes District Council	Queenstown Recreation Reserve	Corner Man, Camp, Isle and Boundary Streets. Part Section 134, Block XX, Shotover SD. For conditions refer to B below.
211	35,36	Queenstown Lakes District Council	Recreation Reserve (Motor Park)	Isle Street, Queenstown. Part Block LVI, part Block XXXII Town of Queenstown. For conditions refer to F below.
213	35,36	Queenstown Lakes District Council	Local Purpose Reserve, Queenstown Cemetery	Cemetery Road, Queenstown. Section 132, BLK XX Shotover SD (1.647ha).
214	32,35	Queenstown Lakes District Council	Recreation Reserve	Kiwi Park, Cemetery Road Sec 1 SO 24407 & Pt Sec 129 & Pt Sec 131 BLK XX, Shotover SD. For conditions refer to B below.
215	36	Queenstown Lakes District Council	Local purpose Reserve. (Community Centre).	Corner Stanley, Ballarat and Henry Streets, Queenstown. Sections 1-2, 9 Block XVIII, Sections 14-17 Block XVI, Sec 16, SO 19720 & Sec 17 SO 19721. (0.7438ha).
216	36	Queenstown Lakes District Council	Local Purpose (Recreation) Reserve	47 Shotover Street, Brecon Street, Queenstown. Section 1 Block IX, Town of Queenstown (0.0339ha).
217	35,36	Queenstown Lakes District Council	Scenic Reserve	St Omer Park, Lake Esplanade. Section 2 Block XVII, Town of Queenstown, Part Sec 110 BLK XX Shotover SD (1.4670ha). For conditions refer to B below.
218	35,36	Queenstown Lakes District Council	Recreation Reserve	Rotary Park, Lake Street. Part Secs 2-4, 6-8, 10-14 Block XXVI Town of Queenstown. (02529ha). For conditions refer to B below.
219	36	Queenstown Lakes District Council	Recreation Reserve	Earnslaw Park, 54 Beach Street, Sections 6-18, 27, Crown Land Block XV, Queenstown (0.1847ha). For conditions refer to B below.
221	13	Queenstown Lakes District Council	Recreation Reserve	Restaurant Sec 1 SO 24832 Block IX, Shotover SD (1.3290ha). For conditions refer to B below.
222	32	Queenstown Lakes District Council	Tree Planting Reserve	Gorge Road. Lot 42 DP 1643 (o.2402ha).
223	34	Queenstown Lakes District Council	Recreation Reserve	Sunshine Bay, Recreation Reserve, Glenorchy Road. Sec 47 & Pt Res B BLK I Mid Wakatipu SD; Lot 30 DP 23538; Lot 101 DP 24394; Lot 38 DP 23951; Lot 122 DP 25083 (20.0174 ha) For conditions refer to B below.
224	13,34	Queenstown Lakes District Council	Recreation Reserve	Fernhill Road, Queenstown. Lot 31 DP 16628, (0.5059ha).
225	34	Queenstown Lakes District Council	Local Purpose Reserve (Recreation Reserve)	Greenstone, Caples and Von Places. Lot 14 DP 21242 (0.1510ha).
226	32	Queenstown Lakes District Council	Recreation Reserve	Warren park, Queenstown. Lot 48 DP 8591. For conditions refer to B below (2.5245ha).
227	13,34	Queenstown Lakes District Council	Scenic Reserve	Adjacent to Ben Lomond Track. Sections 4, 10, 14, 19 block I, Sections 1-2 Block VII Mid Wakatipu SD (175.6108ha).

New Ref No	Map Ref	Authority Responsible	Purpose	Site/Legal Description and Conditions
228	37	Queenstown Lakes District Council	Local Purpose Reserve (Beautification)	SH No 6A, to Hensman Road, Queenstown. Lot 1 DP 22328 (2.0565ha). For conditions refer to C below
229	32	Queenstown Lakes District Council	Local Purpose Reserve (Recreation)	Goldfield Heights Queenstown. Lot 26 DP 19559 (0.2035ha).
230	33	Meteorological Service of NZ Ltd	Meteorological Purposes	Queenstown Automatic Weather Station. Queenstown Airport. Part Section 6 Block XXXIV, Town of Frankton and Section 166 Block 1 Shotover SD.
231	18	Meteorological Service of NZ Ltd	Meteorological Purposes	Wanaka Automatic Weather Station. Wanaka Airport. Lot 8 22637.
232	35	Queenstown Lakes District Council	Car-park	Gorge Road, Queenstown. Part Sections 6 and & and Section 4 Block XXIV, Town of Queenstown, Lots 1-3 DP 1062. For conditions refer to C below
233	34	Queenstown Lakes District Council	Local Purpose Reserve (Beautification)	Glenorchy – Queenstown Road Lot 38 DP 23951 (2074m <sup>2</sup> ) and Lot 30 DP 23538 (5547m <sup>2</sup> ).
234	18	Queenstown Lakes District Council	Water Supply Reservoir	Part Section 62, Lot 1 DP 22244
235	34	Queenstown Lakes District Council	Recreation Reserve	Part 1096, Block XX Shotover SD
236	34	Queenstown Lakes District Council	Water Reservoir Purposes	Fernhill, Queenstown. Part Section 110, Block XX Shotover SD. For conditions refer to RM 960121.
237	34	Queenstown Lakes District Council	Water Reservoir Purposes	Ben Lomond Water Reservoir. Part Sec 42 Block I, Mid Wakatipu SD.
238	16	Queenstown Lakes District Council	Cemetery Reserve	Section 9 Block XII, Wilken SD
239	9	Queenstown Lakes District Council	Recreation Reserve (Aerodrome)	Glenorchy Aerodrome, Part Reserve D, Block IV Glenorchy SD.
240	35,36	Queenstown Lakes District Council	Recreation Reserve (James Clouston Memorial)	Lot 1 DP 7498
242	39	Queenstown Lakes District Council	Water Storage & Supply Purposes – Arthurs Point	Lot 3 DP 331294. For conditions refer to C below.
243	20	Ministry of Education	Educational Facilities	Lot 1 DP 340530. All land in CFR166553. For Conditions refer to C below.
244	18, 24b	Queenstown Lakes District Council	Recreation Reserve	McMurdo Park, Dale Street, Albert town Lot 1 DP 7458 Albert Town Extn No 3 Gaz 1954/701, Lot 44 DP 339994. For conditions refer to G below.
245	13,31, 39a	Queenstown Lakes District Council	Recreation Reserve	Murdoch Park, Maple Court, Arthurs Point Lot 301 DP 338585. For conditions refer to G below.
246	13,31, 39a	Queenstown Lakes District Council	Recreation Reserve	Atley Road, Arthurs Point Lots 301 – 305 DP 329180. For conditions refer to G below.
247	13,31, 39a	Queenstown Lakes District Council	Recreation Reserve	Macalister Park, McMillan Road , Arthurs Point sec 4 SO 308528. For conditions refer to G below.
248	13, 32 34,35	Queenstown Lakes District Council	Recreation Reserve	Lake Esplanade, Queenstown Sec 1 SO 24350 Sec 106 Pt Sec 105,107,109 – 110 BLK XX Shotover SD Lot 3 DP 19021 and Sec 1 SO 24322. Sec 1 SO 24832. For conditions refer to G below.
249	13,34, 35	Queenstown Lakes District Council	Recreation Reserve	Belfast Terrace, Queenstown Lot 600 DP 26038. For conditions refer to G below.
250	18,22	Queenstown Lakes District Council	Recreation Reserve	Kelliher Green, Kelliher drive, Wanaka Lot 96 DP 346120. For conditions refer to G below.
251	18,22	Queenstown Lakes District Council	Recreation Reserve	McFarlane Segregation Reserve, McFarlane Terrace, Wanaka Lot 104 DP 346120.
252	18,22	Queenstown Lakes District Council	Recreation Reserve	McFarlane Green, McFarlane Terrace, Wanaka Lot 103 DP 346120, Lot 102 DP 346120. For conditions refer to G below.

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New Ref No	Map Ref	Authority Responsible	Purpose	Site/Legal Description and Conditions
254	9,25b	Queenstown Lakes District Council	Recreation Reserve	Invincible Drive, Glenorchy Lot 54 DP 23959 Blk XXII Glenorchy Tn. For conditions refer to G below.
255	10,26,27	Queenstown Lakes District Council	Recreation Reserve	Essex Avenue, Arrowtown, Lot 100 DP 323992. For conditions refer to G below.
256	10,26,27	Queenstown Lakes District Council	Recreation Reserve	Dennison Weir Reserve, Devon Street, Arrowtown Lots 41-42 DP 300511 Lots 43-44 DP 302291 Lots 49-51 DP 315088. For conditions refer to G below.
257	10,26,27	Queenstown Lakes District Council	Recreation Reserve	Centennial Ave, Arrowtown Lot 27 DP 300001 Lot 25 DP 309418. For conditions refer to G below.
258	13,31	Queenstown Lakes District Council	Recreation Reserve	Jims Way, Wakatipu Lot 203 DP 300099 Lot 204 DP 300296. No buildings permitted.
259	13,31	Queenstown Lakes District Council	Recreation Reserve	Gretton Park, Gretton Way, Wakatipu Lot 200 DP 27472 Lots 201-202 DP 27482 For conditions refer to G below.
261	18,22	Queenstown Lakes District Council	Recreation Reserve	Meadow Park, Parkhill Ave, Wanaka Lot 99 DP 346120. For conditions refer to G below.
262	18,22	Queenstown Lakes District Council	Recreation Reserve	Stoney Creek Park, Meadowstone Drive, Wanaka Lot 101 DP 24573 SUBJ TO EASEMENT DP 27804. For conditions refer to G below.
263	18,22	Queenstown Lakes District Council	Recreation Reserve	Brook Green, Meadowstone Drive, Wanaka LOT 47 DP 24573, LOT 88 DP 24573 LOT 169 DP 25676 BLK III LOWER WANAKA SD. For conditions refer to G below.
264	18,21,22	Queenstown Lakes District Council	Recreation Reserve	Little Oak Green, Meadowstone Drive, Wanaka LOTS 157 and 159 DP 25676 LOT 104 DP 24573, LOT 93 DP 24573. For conditions refer to G below.
265	18,21,22	Queenstown Lakes District Council	Recreation Reserve	Willowridge walkway, Meadowstone Drive, Wanaka LOTS 79-81 DP 319220 and Lot 3 DP 357630. For conditions refer to G below.
266	18,21	Queenstown Lakes District Council	Recreation Reserve	Allenby Park, Wanaka Lot 23 DP 303952. For conditions refer to G below.
267	18,21	Queenstown Lakes District Council	Recreation Reserve	Allenby Car Park, Wanaka Lot 24 DP 303952. For conditions refer to G below.
268	8,17	Queenstown Lakes District Council	Recreation Reserve	Charles Court, Hawea Lot 30 DP 327385. For conditions refer to G below.
269	8,18	Queenstown Lakes District Council	Recreation Reserve	McPhee Park, Long Grass Place, Hawea Lot 1 DP 336255. For conditions refer to G below.
270	18,20,21	Queenstown Lakes District Council	Recreation Reserve	Domini Park, Anderson Road, Wanaka Lot 111 DP 347413 Secs 100 and 106 Blk XIV L. For conditions refer to G below.
271	13	Queenstown Lakes District Council	Recreation Reserve	SH6 Kingston Road, Lot 57 DP 27520. For conditions refer to G below.
272	18,21	Queenstown Lakes District Council	Recreation Reserve	Bridgeman Green, Ardmore Street, Wanaka Secs 1-2 Blk III. For conditions refer to G below.
273	13,31,39a	Queenstown Lakes District Council	Recreation Reserve	Schoolhouse Domain, Arthurs Point Road, Arthurs Point Lot 45 DP 338763. For conditions refer to G below.
274	13,31,39a	Queenstown Lakes District Council	Recreation Reserve	Scheib Park, Redfern Terrace, Arthurs Point Lot 20 DP 338763. For conditions refer to G below.
275	13,30	Queenstown Lakes District Council	Recreation Reserve	Sylvan Street, Wakatipu Lot 314 DP 333981 For conditions refer to G below.
276	13,30	Queenstown Lakes District Council	Recreation Reserve	Sylvan Street, Wakatipu Lot 315 DP 333981 For conditions refer to G below.
277	13,30	Queenstown Lakes District Council	Recreation Reserve	Sylvan Street, Wakatipu Lot 316 DP 333981 For conditions refer to G below.
278	13,30	Queenstown Lakes District Council	Recreation Reserve	Orbell Drive, Wakatipu LOT 301 DP 326828 For conditions refer to G below.

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New Ref No	Map Ref	Authority Responsible	Purpose	Site/Legal Description and Conditions
279	13,30	Queenstown Lakes District Council	Recreation Reserve	Orbell Drive, Queenstown Rural, Lot 303, DP330087, LOT 304 DP 329276 For conditions refer to G below.
280	13,30	Queenstown Lakes District Council	Recreation Reserve	Orbell Drive, Wakatipu LOT 302 DP 333246 For conditions refer to G below.
281	13,30	Queenstown Lakes District Council	Recreation Reserve	Frankton-Ladies Mile Highway, Wakatipu Lot 307 DP 322452, Howards Drive, Queenstown Rural, Lot 313, DP333981. For conditions refer to G below.
282	13,30	Queenstown Lakes District Council	Recreation Reserve	Frankton-Ladies Mile Highway, Wakatipu Lot 312 DP 329276. For conditions refer to G and H below.
283	13,30	Queenstown Lakes District Council	Recreation Reserve	Erskine Street, Wakatipu Lots 203, 303 DP 336365. For conditions refer to G below
284	13,30	Queenstown Lakes District Council	Recreation Reserve	Walnut Lane, Wakatipu Lots 3-4 DP 26719. For conditions refer to G below.
285	8,18, 24b	Queenstown Lakes District Council	Recreation Reserve	Halliday Road, Wanaka Rural Sec 2 SO 24616 Blk IV Lower Wanaka SD. For conditions refer to G below.
286	13,31, 33	Queenstown Lakes District Council	Recreation Reserve	De La Mare Park, Middleton Road, Frankton Lot 200 DP 307429. For conditions refer to G below.
287	9	Queenstown Lakes District Council	Local Purpose	Puahiri Park, Priory Road, Glenorchy Sec 40 Blk 1 Upper Wakatipu.
288	8,18	Queenstown Lakes District Council	Recreation Reserve	Lachlan Ave, Hawea Flat Lot 14 DP 330876. For conditions refer to G below.
289	18,23	Queenstown Lakes District Council	Recreation Reserve	Connell Green, Ballantyne Road, Wanaka Lot 33 DP 332078. For conditions refer to G below.
290	13,31, 33	Queenstown Lakes District Council	Recreation Reserve	McTaggart Park, Glenda Drive, Wakatipu LOTS 606-608 DP 27577 LOTS 609-612 DP 27 773 LOT 613 DP 301681 LOT 13 DP 322851 LOT 614 DP 328960 For conditions refer to G below and H for LOT 13 DP322851.
291	18,24b	Queenstown Lakes District Council	Segregation Strip	Frye Crescent Segregation Reserve, Frye Cres, Albert Town LOT 66 DP 319218.
292	18,24b	Queenstown Lakes District Council	Recreation Reserve	Ash Walkway, Frye Cres, Albert Town LOT 64 DP 319218. For conditions refer to G below.
293	10,26, 27	Queenstown Lakes District Council	Recreation Reserve	Helms Court Arrowtown LOT 12 DP 326175, LOT 30 DP 369201. For conditions refer to G below.
294	18,21	Queenstown Lakes District Council	Recreation Reserve	Lansdown Walkway, Willowridge, Wanaka LOT 82 DP 319220. for conditions refer to G below.
296	18,24b	Queenstown Lakes District Council	Recreation Reserve	Wicklow Terrace Walkway, Wicklow Terrace, Albert Town Lots 3 17 DP 312351 For conditions refer to G below.
297	13,31, 39a	Queenstown Lakes District Council	Recreation Reserve	Boyd Walkway, Arthurs Point road, Arthurs Point Lot 51 DP 338763. For conditions refer to G below.
298	8,18	Queenstown Lakes District Council	Segregation Strip	Aubrey Road Segregation Reserve, Aubrey road, Wanaka LOT 65 DP 314781.
299	18,24b	Queenstown Lakes District Council	Segregation Strip	Alison Ave Albert Town LOT 65 DP 319218.
300	10,26, 27	Queenstown Lakes District Council	Segregation Strip	Centennial Ave, Arrowtown LOT 10 DP 326175.
301	10,26, 27	Queenstown Lakes District Council	Recreation Reserve	Alexander Place, Arrowtown LOT 24 DP 306062. For conditions refer to G below.
302	18,24b	Queenstown Lakes District Council	Recreation Reserve	Hunt Place, albert Town LOT 46 DP 339994. For conditions refer to G below.
303	18,21, 23	Queenstown Lakes District Council	Segregation Reserve	Ballantyne Rd Segregation Reserve, Ballantyne road, Wanaka LOT 35 DP 332078. For conditions refer to g below.
304	13,30	Queenstown Lakes District Council	Recreation Reserve including Pedestrian/ Cycle Under-pass	Sylvan Street, Wakatipu Lot 317 DP 333981 and Lot 2 DP 375714. For conditions refer to G below.
305	13,30	Queenstown Lakes District Council	Recreation Reserve	Quill Street, Wakatipu Lot 318 DP 372310. For conditions refer to G below.
306	13,30	Queenstown Lakes District Council	Recreation Reserve	Quill Street, Wakatipu LOT 319 DP 372310. For conditions refer to G below.
307	18,23	Queenstown Lakes District Council	Recreation Reserve	Ballantyne Road, Wanaka LOT 36 DP 332078, for conditions refer to G below.
308	18	Queenstown Lakes District Council	Recreation Reserve	Ewing Walkway, Aubrey Road, Wanaka LOT 64 DP 314781. For conditions refer to G below.
309	18,22	Queenstown Lakes District Council	Scenic Reserve	Mount Aspiring Road Scenic reserve, Wanaka-Mount Aspiring Road, Wanaka LOT 3 DP 300273
310	18,22	Queenstown Lakes District Council	Scenic Reserve	Mt Aspiring Road Scenic Reserve, Wanaka-Mount Aspiring Road, Wanaka LOT 4 DP 300273.
311	18	Queenstown Lakes District Council	Recreation Reserve	Old Racecourse Walkway, Aubrey Road, Wanaka LOT 63 DP 314781. For conditions refer to G below.

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New Ref No	Map Ref	Authority Responsible	Purpose	Site/Legal Description and Conditions
312	5,16,16a	Queenstown Lakes District Council	Local Purpose (Fire Building) and Recreation	Kiwi Street, Makarora LOT 16 DP 27383. No development shall be of a form that shall be adversely affected by natural hazards, or exacerbate natural hazards impacts beyond the site.
313	18,23	Queenstown Lakes District Council	Local Purpose (Drainage)	Ballantyne Road Stormwater Reserve, Ballantyne Road, Wanaka LOT 32 DP 332078.
314	18,20	Queenstown Lakes District Council	Local Purpose (Water Reservoir)	Kirimoko Cres, Wanaka LOT 13 DP 300734.
316	13,30	Queenstown Lakes District Council	Recreation Reserve	Nerin Square, Wakitipu, Lot 405 DP 329276. For conditions refer to G below
317	9,25	Queenstown Lakes District Council	Recreation Reserve	Benmore Place, Glenorchy, Sec 22 Blk IV glenorchy SD. For conditions refer to G below and in addition no development shall be of a form that shall be adversely affected by natural hazards, or exacerbate natural hazards impacts beyond the site.
318	18,24b,8	Queenstown Lakes District Council	Recreation Reserve	Lake Hawea-Albert Town Road, Albert Town Lot 1-2 DP 375247 For conditions refer to G below and in addition no development shall be of a form that shall be adversely affected by natural hazards, or exacerbate natural hazards impacts beyond the site.
319	8,18	Queenstown Lakes District Council	Recreation Reserve	Windmill Corner, McLennan Triangle Road, Hawea, Sec 96 Blk XII Lower Hawea SD for conditions refer to G below.
320	13,31	Queenstown Lakes District Council	Recreation Reserve	Sledmere Drive Wakatipu Basin, Lot 207 DP 362057. No buildings permitted.
324	13,31,39a	Queenstown Lakes District Council	Recreation Reserve	Lot 303 DP 329180. Larkins Way, Arthurs Point. For conditions refer to G below.
325	13,31,39a	Queenstown Lakes District Council	Recreation Reserve	302 DP 329180. Larkins Way, Arthurs Point. For conditions refer to G below.
326	13,30	Queenstown Lakes District Council	Recreation Reserve	Erskine Street, Wakatipu Lot 301 DP 336365. for conditions refer to G below.
327	18,24b	Queenstown Lakes District Council	Local Purpose (Cemetery)	SH6, Albert Town, Section 20 Blk V Lower Wanaka SD. No development shall be of a form that shall be adversely affected by natural hazards, or exacerbate natural hazards impacts beyond the site.
328	10,24a	Queenstown Lakes District Council	Local Purpose (Cemetery)	Cardrona Valley Road, Cardrona, Section 6 Blk I Cardrona SD.
329	13,30,31	Queenstown Lakes District Council	Local Purpose (Cemetery)	Spence Road Wakatipu Basin, Pt Sec 62 BLK III Shotover SD Pt Sec 888R BLK III Shotover SD.
330	21	Queenstown Lakes District Council	Works Depot	Corner of Tenby and Conner Streets, Wanaka, Pt Secs 9-10 BLK XXXVII Wanaka. For conditions refer to C below.
331	10	Aurora Energy Limited	Electricity Substation	Cardrona Valley Road, Cardrona, Sec 1 SO 397170. For conditions refer to C below.
332	26	Queenstown-Lakes District Council	Sewage Pump Station	Recreation reserve, northern end of Lake Hayes. Lot 3 DP 15096. For conditions refer to C below.
333	30	Queenstown-Lakes District Council	Sewage Pump Station	Recreation reserve, eastern side of Lake Hayes. Section 65 Block IX Shotover Survey District. For conditions refer to C below.
334	30	Queenstown-Lakes District Council	Sewage Pump Station	In road reserve, State Highway 6, adjacent to Crown Land Block IX, Shotover Survey District at the south eastern corner of Lake Hayes. For conditions refer to C below.
335	30	Queenstown-Lakes District Council	Sewage Pump Station	In legal road reserve adjacent to Lot 235 DP329276 Lake Hayes Estate. For conditions refer to C below.
336	18, 18a	Queenstown-Lakes District Council	Wastewater Treatment and Disposal Purposes	Wanaka Airport. Lot 1, DP 341605 and Lots 4-5, DP 340031, CT164476. Lot 1, DP 300052, CT12576. Lot 1, DP 341605, CT171181. Lot 1, DP 26239, CT18B/856. For conditions refer to C below.
337	21	Aurora Energy Limited	Electricity Substation	39 Ballantyne Road, Wanaka, Lot 1 DP 12295. For conditions refer to C below.
338	31, 33	Aurora Energy Limited	Electricity Substation	71 Frankton-Ladies Mile Highway, Queenstown. Lot 1 DP 11785, Lot 1 DP 383378 and Lot 1 DP20596. For conditions refer to C below.
339	19	Queenstown Lakes District Council	Local Purpose (Access) Reserve	Westview Road, Wanaka Lot 702 DP399076.
340	20	Queenstown Lakes District Council	Local Purpose (Access) Reserve	Forest Heights, Wanaka Lot 703 DP 392593.
341	24	Queenstown Lakes District Council	Recreation Reserve	Sherwin Avenue, Albert Town Lot 990 DP 413111. For conditions refer to G below.

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New Ref No	Map Ref	Authority Responsible	Purpose	Site/Legal Description and Conditions
342	34	Queenstown Lakes District Council	Recreation Reserve Two Mile Water Treatment site	Sunshine Bay Recreation Reserve, Glenorchy – Queenstown Road, Glenorchy Rural, Secs 1, 2 SO 409197. For conditions refer to G below.
343	31	Queenstown Lakes District Council	Recreation Reserve	Spence Road, Wakatipu. Secs 158, 159 Block III Shotover SD. For conditions refer to G below.
344	31, 31a	Queenstown Lakes District Council	Recreation Reserve	Tucker Beach Road, Wakatipu Basin, Sections 1 -3 SO 409393, Section 73 Block II Shotover SD. For conditions refer to G below.
345	26	Queenstown Lakes District Council	Recreation Reserve, part Wastewater Pump Station	Rutherford Road, Wakatipu Basin Lot 4, Pt Lot 5 DP 15096. Arrowtown Lake Hayes Road, Wakatipu Basin. Lot 3 DP 15096. For conditions refer to G below.
346	11	Queenstown Lakes District Council	Local Purpose Access Reserve	Church Road Hawea Flat, Lot 202 DP 375230
347	11	Queenstown Lakes District Council	Local Purpose Access Reserve	Harris Place Luggate, Lots 203, 204 DP 375230
348	11	Queenstown Lakes District Council	Local Purpose Esplanade Reserve, part Wastewater Pump Station	Luggate-Cromwell Road, Wanaka Rural Lots 400, 401, 402, 406 DP 361422 Church Road, Hawea Flat Lots 408, 409 DP 375230 Lots 410, 411, 412 DP 399292
349	11	Queenstown Lakes District Council	Local Purpose Esplanade Reserve	Luggate-Cromwell Road, Wanaka Rural Lot 404 DP 361422, Church Road, Hawea Flat Lot 407 DP 375230
350	11	Queenstown Lakes District Council	Local Purpose Access Reserve	Luggate-Cromwell Road Wanaka Rural Lot 200 DP 361422
351	11	Queenstown Lakes District Council	Local Purpose Access Reserve	Luggate-Cromwell Road Wanaka Rural Lot 201 DP 361422
352	24	Queenstown Lakes District Council	Recreation Reserve	Lagoon Avenue, Albert Town Lot 106 DP 358775. For conditions refer to G below.
353	20	Queenstown Lakes District Council	Recreation Reserve	Aubrey Road, Wanaka Town Lot 3 DP 347876
354	20	Queenstown Lakes District Council	Recreation Reserve	Waimana Place Wanaka Town Lot 12 DP 301972. For conditions refer to G below
355	19,20	Queenstown Lakes District Council	Local Purpose (Access) Reserve	Greenbelt Place Wanaka Lot 701 DP 399076.
356	19,20	Queenstown Lakes District Council	Recreation Reserve	Platinum Ridge Wanaka Lot 721 DP 399076. For conditions refer to G below
357	19	Queenstown Lakes District Council	Local Purpose Access Reserve	Beacon Point Road Wanaka Town Lot 117 DP27003
358	21	Queenstown Lakes District Council	Local Purpose (Beautification Reserve)	Plantation Road, Wanaka Rural Lot 17 – 19 DP 300804 Lot 15 – 17 DP 302791
359	22	Queenstown Lakes District Council	Local Purpose (Access) Reserve	McFarlane Terrace Wanaka Lot 98 DP 346120
360	22	Queenstown Lakes District Council	Local Purpose (Access) Reserve	Willets Green Wanaka Lot 97 DP 346120
361	24	Queenstown Lakes District Council	Recreation Reserve	Hikuwai Drive Wanaka Rural Lot 301 DP 348554. For conditions refer to G below
362	24	Queenstown Lakes District Council	Recreation Reserve	Hikuwai Drive Wanaka Rural Lot 302 DP 348554. For conditions refer to G below
363	20	Queenstown Lakes District Council	Local Purpose (Access) Reserve	Mount Iron Drive, Wanaka Town Lot 40 DP330084, Lot 74 DP 341635
364	31	Queenstown Lakes District Council	Recreation Reserve	Ferry Hill Drive, Wakatipu Basin Lot 206 DP 357615. For conditions refer to G below
365	31	Queenstown Lakes District Council	Recreation Reserve, part Water Pump Station and	Onslow Road, Queenstown Rural, Lot 321 DP379403. For conditions refer to G below



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New Ref No	Map Ref	Authority Responsible	Purpose	Site/Legal Description and Conditions
			Bores	
366	13,30,	Queenstown Lakes District Council	Recreation Reserve	Orbell Drive, Queenstown Rural Lot 305 DP 330087. For conditions refer to G below
367	13	Queenstown Lakes District Council	Recreation Reserve	Coal Pit Road, Gibbston Lot 1 DP 387152. For conditions refer to G below
368	17	Queenstown Lakes District Council	Local Purpose Access Reserve	Hewson Crescent Hawea Lot 995 DP 372972.
369	31,32	Queenstown Lakes District Council	Recreation Reserve	Highview Terrace, Queenstown Lot 300 DP 365562. For conditions refer to G below

## A Roads

All Queenstown Lakes District Council Roads are deemed to be designated for the purpose of road.

### A.1 Stopped Roads

Council shall stop all roads in accordance with either the Local Government Act 1974 or the Public Works Act 1981.

Where the boundary of a legal road is re-aligned, or a legal road is stopped, the Council shall apply to the land no longer designated road a zone(s), in accordance with one or more of the following provisions:

- (i) Zoning shall be that which best accommodates any existing land use activities on the site of the stopped road, and which cause no more than minor effect to the environment; and/or
- (ii) Zoning shall reflect any topographical or natural features that constitute logical reason for zoning; and/or
- (iii) Stopped roads shall be zoned in accordance with the adjoining zone of least intensive development potential (refer to Table A.1).

**Table A.1 – Least Intensive District Zoning to most Intensive District Zoning**

- (i) Rural General
- (ii) Gibbston Character
- (iii) Rural Lifestyle/Bendemeer
- (iv) Rural Residential
- (v) Resort/Rural Visitor
- (vi) Arrowtown Historic Management
- (vii) Low Density Residential/Penrith park
- (viii) Township
- (ix) High Density Residential

- (x) Corner Shopping Centre
- (xi) Industrial
- (xii) Business
- (xiii) Remarkables park
- (xiv) Town Centre
- (xv) Airport Mixed Use

### A.2 Transit New Zealand

The designation provides for Transit New Zealand, either itself or through its agents, to control, manage and improve the state highway network, State Highways No 6, 6A, 84 and 89 including planning, design, research, construction and maintenance relating to all land within the designation. Such activities may also involve, but not necessarily be limited to, realigning the road, altering its physical configuration, culverts, bridges and associated protection works.

### A.3 Limited Access Roads

Those sections of State Highway which are declared limited access are:

- i SH No 6 from the junction with SH No 6A to the eastern abutment of the Hayes Creek Bridge.
- ii SH No 6 835m south of Kent Street to 300m north of Kent Street, Kingston.
- iii SH No 6A from the junction with State Highway 6 to Cecil Street (unformed - 500m east of Suburb Street).
- iv SH No 84 from its junction with State Highway No. 6 to its intersection with Ardmore Drive and Brownston Street, Wanaka.

Those sections of State Highway which are proposed limited access are as follows:

v SH No 6 from Hayes Creek to Swift Burn.

The objective of this control is to protect and maintain the safety and high level of traffic service on these important routes which may otherwise be adversely affected by traffic generation of property alongside. Existing legislation controls conditions relating to access to and from land adjoining Limited Access Roads. The effect is to prevent the proliferation of new access points and to reduce the number of accesses and volumes of traffic using them.

Consent under the provisions of the Transit New Zealand Act 1989 is required for access for subdivision purposes and may be required for other development of land adjacent to Limited Access Roads (LAR). Transit New Zealand should be consulted initially with respect to development along LAR.

## B Recreation Reserves

### 1 Setback from Road

All structures and buildings shall be setback from the road boundary as follows:

Residential Zones:	5m
Rural Zones:	20m

### 2 Separation from Neighbours

All structures and buildings shall be setback from internal boundaries as follows:

Residential Zones: 5m, except for buildings necessary for the storage of equipment used for the maintenance of reserves which may be sited as a residential accessory building.

Rural Zones:	10m
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### 3 Height

No structure or building shall exceed the following maximum heights:

Residential Zones:	8m
Rural Zones:	10m
Queenstown Town Centre Zone	8m

### 4 Recession Lines

Within Residential Zones or on boundaries adjoining a residential zone, buildings shall not project beyond a building envelope constructed by a recession line inclined towards the site at an angle of 25 degrees and commencing at 2.5m above ground level at any given point along each internal boundary.

### 5 Site Coverage

A single building shall not exceed 100m<sup>2</sup> in total floor area. The combined total of all buildings on site shall not exceed a maximum of 5% of the total site area. These standards are exclusive of play equipment.

### 6 Access and Parking

Shall be provided in accordance with the general Transport Rules.

### 7 Surfacing

No more than 30% of the site area in Residential Zones and 20% of the site area in Rural Zones shall be covered by impervious surfaces, including courts, footpaths, swimming pools, car-parking areas and/or areas under lease arrangements.

### 8 Glare

All exterior lighting shall be directed away from adjacent properties and roads.

No activity shall result in greater than a 2.5 lux spill, horizontal and vertical, of light on to any adjoining property in Residential or Rural-Residential Zone, measured 2 metres inside the boundary of the adjoining property.

### 9 Noise

Activities, other than outdoor recreation, shall be conducted such that the following noise levels are not exceeded at the boundary of the site:

Residential Zones:	<ul style="list-style-type: none"> <li>• during day time 40 dBA L10</li> <li>• during night time 30 dBA L10</li> </ul>
Rural Zones:	<ul style="list-style-type: none"> <li>• during day time 55 dBA L10</li> <li>• during night time 40 dBA L10</li> </ul>

## 10 Hours of Operation

Where a site adjoins or faces a residential area no activities shall be conducted from the site between the hours of midnight and 7am.

## C Conditions for Specific Designations

### C.1 Designation # 1 - Frankton Substation

(a) That future buildings and alterations to existing buildings be constructed in accordance with the following:

- i Maximum height 10 metres other than the items listed in (b).
- ii Minimum setback from the road 10 metres.
- iii Minimum setback from internal boundaries 4 metres other than replacement or alteration of existing buildings.

(b) That the maximum height of any gantry structures, telecommunication masts or transmission poles shall not exceed 20 metres, or up to 26 metres for transmission towers, and the maximum diameter of any dishes or radomes shall not exceed 1.8 metres.

(c) That landscaping be provided along the state highway frontage to effectively screen the site from the highway.

### C.3 Designation # 8 - Wanaka Police Station

1. That future buildings and alterations to existing buildings be constructed in accordance with a maximum height of 10 metres.
2. That the Police Station not be used for remand purposes other than temporary holding.

### C.5 Designation # 10 - Proposed Frankton Primary School

1. That buildings be constructed in accordance with the following;

- i Minimum setback from roads shall be 4.5m
- ii Minimum setbacks from internal boundaries shall be 2m
- iii The maximum height shall be 10m - provided that:
  - a) no part of any buildings shall protrude through a recession plane inclined towards the site at an angle of 25 degrees and commencing 4.5m above the ground at any given point on the site boundary.
  - b) The exceptions to (a) - the recession plane condition - are Gable, hip dormer and other similar projections which may encroach beyond the recession plane provided they are within a calculated area no greater than 6m<sup>2</sup> with the apex no higher than a point 1m below the maximum height for the school site and the base of the area(s) at the level of the recession plane protrusion.

### C.6 Designation # 11 - Glenorchy Primary School

1. That future buildings be constructed in accordance with the following;

- i Maximum height - 5.5 metres
- ii A minimum pitched roof of 15 degrees.

### C.7 Designation # 13 - Mount Aspiring College

1. That future buildings and alterations to existing buildings be constructed in accordance with the following;

- i Minimum setback from roads shall be 4.5 metres.
- ii Minimum setback from the southern boundary adjacent to Scaife Place residential properties shall be 4.5 metres.
- iii Minimum setbacks from all other internal boundaries shall be 2 metres.
- iv The maximum height shall be 10 metres - provided that no part of any building shall protrude through a recession plane inclined towards the site at an angle of 25 degrees and commencing at 2.5 metres above ground level at any point on the site boundary interfacing with a Residential Zone, and 4.5 metres above ground level at any other point on the site boundary.

Exceptions to the recession plane include: Gable, hip dormer and other similar projections may encroach beyond the recession plane provided they are contained within a calculated area no greater than 6m<sup>2</sup> with the apex no higher than 1 metre below the maximum height for the school site and the base of the area(s) at the level of the recession plane protrusion.

## C.8 Designation # 14 - Queenstown Primary School

1. Where the adjoining site is zoned for residential purposes, future buildings and alterations to existing buildings shall be constructed in accordance with the following:
  - i Minimum setback from internal boundaries 2m

## C.9 Designation # 15 - Wakatipu High School

1. Where the adjoining site is zoned for residential purposes, future buildings and alterations to existing buildings shall be constructed in accordance with the following:
  - i minimum setback from internal boundaries 2 metres.

## C.10 Designation # 16 - Wanaka Primary School

1. That future buildings and alterations to existing buildings be constructed in accordance with the following:
  - i Minimum setback from roads shall be 4.5 metres.
  - ii The setback from the internal south east facing boundary shall be 4.5 metres.
  - iii Minimum setbacks from all other internal boundaries shall be 2 metres.
  - iv The maximum height shall be 8 metres.

## C.12 Designation # 18 - Arrowtown Exchange

1. That future buildings and alterations to existing buildings be constructed in accordance with the following:
  - i Maximum height 5 m
  - ii Minimum setback from roads 6 m
  - iii Minimum setback from internal boundaries 3 m
2. That no mast shall be greater than 9 metres in height and no antenna greater than 1.2 metres in diameter or 3 metres in length.
3. In accordance with section 176A(2)(a) of the Resource Management Act an outline plan need not be submitted if the proposed project or work is a permitted activity under the District Plan Rules (including, but not limited to the relevant rules in Part 17 - Utilities Rules). Where a proposed project or work is not provided for as a permitted activity in terms of this Plan, an Outline Plan shall be submitted in accordance with section 176A.

## **C.13 Designation # 19 - Glenorchy Microwave Station**

1. That future buildings and alterations to existing buildings be constructed in accordance with the following;
  - i Maximum height 10 m
  - ii Minimum setback from road 10 m
  - iii Minimum setback from internal boundaries 15 m
2. That no mast shall be greater than 20 metres and no antenna greater than 2.4 metres in diameter or 4 metres in length.
3. In accordance with section 176A(2)(a) of the Resource Management Act an outline plan need not be submitted if the proposed project or work is a permitted activity under the District Plan Rules (including, but not limited to the relevant rules in Part 17 - Utilities Rules). Where a proposed project or work is not provided for as a permitted activity in terms of this Plan, an Outline Plan shall be submitted in accordance with section 176A.

## **C.14 Designation # 20 - Queenstown Telephone Exchange**

1. That buildings not exceed a height of 12 metres.
2. That no new mast shall be greater than 17 metres in height and no antenna greater than 2.4 metres in diameter or 4 metres in length.
3. In accordance with section 176A(2)(a) of the Resource Management Act an outline plan need not be submitted if the proposed project or work is a permitted activity under the District Plan Rules (including, but not limited to the relevant rules in Part 17 - Utilities Rules). Where a proposed project or work is not provided for as a permitted activity in terms of this Plan, an Outline Plan shall be submitted in accordance with section 176A.

## **C.15 Designation # 21 - Wanaka Exchange**

1. That buildings not exceed a height of 10 metres.
2. That no new mast shall be greater than 15 metres in height and no antenna greater than 2.4 metres in diameter or 4 metres in length.
3. In accordance with section 176A(2)(a) of the Resource Management Act an outline plan need not be submitted if the proposed project or work is a permitted activity under the District Plan Rules (including, but not limited to the relevant rules in Part 17 - Utilities Rules). Where a proposed project or work is not provided for as a permitted activity in terms of this Plan, an Outline Plan shall be submitted in accordance with section 176A.

## **C.16 Designation # 23 - Fernhill Water Supply Pump and Intake**

1. No activity or disturbance of the lake bed may be undertaken within that part of the designated area applying to Lake Wakatipu, other than the use of the surface of the lake for recreation activities, without the consent of the Queenstown Lakes District Council. The purpose of this restriction is to ensure no damage occurs to the water intake pipe which is located on the bed of the lake, extending approximately 25 metres from the lake edge.
2. That the pump station operate so the following noise levels are not exceeded, except for emergency purposes at or within the notional boundary of residential units:

* 0800 - 2000 hrs	50 dBA L10
* 2000 - 0800 hrs	40 dBA L10

## C.17 Designation # 24 - Sunshine Bay Sewage Pump Station

That the pump station operate so the following noise levels are not exceeded, except for emergency purposes, at or within the national boundary of residential units:

* 0800 - 2000 hrs	50 dBA L10
* 2000 - 0800 hrs	40 dBA L10

## C.18 Designation # 25 – Marine Parade Sewage Pump Station

That the pump station operate so the following noise levels are not exceeded, except for emergency purposes, at or within the boundary of any site used for residential or visitor accommodation purposes:

* 0800 - 2000 hrs	60 dBA L10
* 2000 - 0800 hrs	50 dBA L10

## C.19 Designation # 26 - Kelvin Peninsula Sewage Pump Station

That the pump station operate so the following noise levels are not exceeded, except for emergency purposes, at or within the notional boundary of residential units:

* 0800 - 2000 hrs	50 dBA L10
* 2000 - 0800 hrs	40 dBA L10

## C.20 Designation # 27 - Bay View Sewage Pump Station

That the pump station operate so the following noise levels are not exceeded, except for emergency purposes, at or within the notional boundary of residential units:

* 0800 - 2000 hrs	50 dBA L10
* 2000 - 0800 hrs	40 dBA L10

## C.21 Designation # 28 - Water Reservoir and Pump Station

That the pump station operate so the following noise levels are not exceeded, except for emergency purposes, at or within the notional boundary of any site used for residential purposes:

* 0800 - 2000 hrs	50 dBA L10
* 2000 - 0800 hrs	40 dBA L10

## C.22 Designation # 29 - QLDC Events Centre and Aquatic Centre

### A. Conditions for the Events Centre

For conditions see page A1/37 also refer to file no 950236

It is decided that the notice of requirement seeking to designate Lot 11 DP 22121, Sections 49, 50, 51, 52, 61, 62 and 149, and Part Sections 53, 59, 60 and 63 Block I Shotover Survey District to enable the establishment of a multi-purpose indoor and outdoor recreation, cultural and conference complex be confirmed, but that pursuant to Section 168/A(3) (c) of the Resource Management Act 1991, such designation be subject to the following conditions:

1. That prior to commencing the construction of any public work on the site the subject of the designation, the Queenstown Lakes District Council shall apply to Transit New Zealand for its consent to such works as shall be necessary to upgrade the intersection of State Highway 6 and the unformed and unnamed legal road immediately to the west of the site the subject of the designation.
2. That the cost of carrying out any and all such works as shall be required on the State Highway as a consequence of upgrading the intersection of State Highway 6 and the unformed and unnamed legal road immediately to the west of the site the subject of the designation shall be met by the Queenstown Lakes District Council .

3. Such work as shall be necessary consequent on the upgrading of the intersection between State Highway 6 and the unformed and unnamed legal road immediately to the west of the site the subject of the designation, shall be carried out and completed prior to the opening and use by the public of the multi-purpose indoor and outdoor recreation, cultural and conference complex to be erected on the site the subject of the designation.
  4. There shall be no access to, nor egress from the site the subject of the designation to Grant Road, nor to the legal road intersecting with Grant Road, and lying to the south east of the site the subject of the designation.
  5. The public works to be undertaken pursuant to the designation shall be undertaken substantially in accordance with the following plans:
    - (i) Plan 3105/30 prepared by Boffa Miskell Limited, and described as “Main Entry - Sketch”
    - (ii) Plan 3105/7, prepared by Boffa Miskell Limited, and dated June 1995, and being a landscape plan and Landscape Plan A, dated 18 June 2010.
    - (iii) Plan 3105/10, prepared by Boffa Miskell Limited, and dated 14th June 1995, and being a planting plan
    - (iv) Plan 3105/11, prepared by Boffa Miskell Limited, and dated 14th June 1995, and being a planting plan.
    - (v) Plan WD2.01, Revision P3, dated January 1995, but marked with a date stamp the 8th September 1995, prepared by Powell Dods & Thorpe, and being a ground floor plan.
    - (vi) Plan WD2.02, Revision P3, dated January 1995, but marked with a date stamp the 8th September 1995, prepared by Powell Dods & Thorpe, and being a mezzanine floor plan.
    - (vii) Plan WD2.04, Revision P3, dated February 1995, but marked with a date stamp the 8th September 1995, prepared by Powell Dods & Thorpe, and being elevations.
    - (viii) Plan WD2.05, Revision P3, dated February 1995, but marked with a date stamp the 8th September 1995, prepared by Powell Dods & Thorpe and being a plan headed “Sections - Queenstown Lakes Events Centre”.
    - (ix) Queenstown Event Centre Rugby, drawn by Thorn and the proposal submitted under reference RM070510. For the avoidance of doubt this condition refers to the floodlighting only.
    - (x) A maximum area no greater than 250 square metres, being one of the rooms shown on plans 1 and 2 submitted under reference RM081369. For the avoidance of doubt this condition refers to the ancillary child care centre only.
- In the case of each of them, Plans 3105/7, 3105/10, WD2.01 and WD2.04, the works shall also be carried out in accordance with the hand-written narration detailed on the copies of the plans produced at the hearing. The plans produced at the hearing shall be held by the Queenstown Lakes District Council.
- In addition to the works shown on the plans that part of the site to the east of the main oval (shown as “Oval 1” on Plan 3105/7) may be developed and used for playing fields. It may also be used from time to time for carparking, but it shall not be laid out or developed as permanent carpark.
6. The exterior colours of the buildings comprising part of the public work permitted by the designation, shall be shown on the plans referred to in Condition 5 hereof, and shall be as follows:
    - For the lower walls BSS 10B23 (Peat – Resene)
    - For the mezzanine level – BSS 08 B21 (Calico – Resene), shading from dark to light as shown on Plan WD2.04.



- For the upper level – BSS 08 B17 (Soft Amber – Resene), shading from light to dark as shown on Plan WD2.04.
- For the down-pipes and for other steel trim and accessories on the building – BSS 18 C37 (Bismarck – Resene).
- For the Roof 9 New Denim Blue (Colorsteel)

7. Landscaping shall be carried out to the satisfaction of the Queenstown Lakes District Council’s landscape architect, and in accordance with Plans 3105/7, 3105/11 referred to in Condition 5 hereof.

Not less than 60 trees between the point marked “B - 60 trees 3 metres +” - and the point marked “B”, and shown by the broken line intersecting the State Highway on Plan 3105/7, shall be trees of not less than 3 metres in height as at the time of planting.

Not less than 50% of the trees between the eastern boundary of the site adjoining the State Highway - marked with a solid blue biro line on the copy of Plan 3105/7 produced at the hearing, and the heavy dark blue biro line beside the works “to existing playing fields” on the same plan, shall comprise evergreen species.

Landscaping shall be carried out as soon as shall be reasonably practicable, and in any event shall be completed no later than one year from the date that the public work shall be opened and made available for the use of the public.

8. The public work to be constructed on the site shall be constructed, maintained and managed, so that the following noise emission levels are not exceeded at or within the 20 metre notional boundary of any rural/residential dwelling:

Monday to Sunday 7am to 11pm. 55dBA L10;

At all other times 45dBA L10;

At night time Lmax limit of 75dBA shall be complied with between 11pm. and 7am. On all days of the week.

Except that:

On not more than 6 days during any calendar year, noise emission levels from a major outdoor event may exceed the limits detailed above, but only between the hours of 7am. and 11pm. And provided that such noise emission levels shall not during such period exceed a noise emission level of 65 dBA Leq (15 minutes) at or within the 20 metre notional boundary of any rural/residential dwelling.

The term “major outdoor event” shall mean any outdoor sporting or cultural event held on the site, attracting or which might reasonably be expected to attract more than 2000 persons.

At least 30 days before each major outdoor event, notice shall be given in such major daily newspaper and in such local newspaper as shall circulate in the locality, advising of the forthcoming major outdoor event, the times of operation, and the nature of the event.

Noise emission levels shall be measured in accordance with NZS6801:1991, and assessed in accordance with NZS6802:1991.

9. The hours of operation of the multi-purpose indoor/outdoor recreation, cultural and conference complex shall not be restricted, subject however to Condition 11 hereof.
10. Retailing within the multi-purpose complex shall be confined to the areas marked “lettable area”, “vending machines”, “reception” and “kiosk”, on Plan WD2.01, and to the areas marked “servery”, “kiosk” and “bar”, on Plans WD2.01, and WD2.02.
11. The hours of operation for the bar facilities associated with the complex shall be such as shall be fixed pursuant to the provisions of the Sale of Liquor Act 1989, but in any event shall not exceed 10am. to 11pm. Monday to Friday, and 9am. to midnight Friday to Saturday. A special licence shall be required for the sale of liquor at major outdoor events (as defined in Condition 8 hereof).
12. The use of that part of the site lying to the east of the main oval, (Oval 1” on Plan 3105/7), shall be restricted to sports playing fields and to temporary carparking.

13. There shall be no buildings, structures, facilities or landscaping constructed, erected or permitted to grow, in any position which penetrates the airport approach and side slope protection planes, which slope and protection planes are shown in the Plan attached to this report as Annexure "B".
14. That prior to commencing the construction of any public work on the site the subject of the designation, the Queenstown Lakes District Council shall obtain and register a right-of-way easement in its favour, permitting pedestrian and cycle access from Kawarau Road (State Highway 6) to the site the subject of the designation. The pedestrian/cycle accessway shall be not less than 2.4 metres in width. The accessway shall be sealed and lit.
- The Queenstown Lakes District Council shall obtain the agreement of Transit New Zealand to the formation of a pedestrian/cycle accessway in the road reserve on the eastern side of Kawarau Road (S.H.6) from a point opposite the lay-by on the western side of Kawarau Road extending to the intersection of S.H.6 and the road giving access to Queenstown Airport. There shall also be a formed pedestrian/cycle accessway extending south on Douglas Street as shown on the plan produced by Transit New Zealand and annexed as Annexure "B" to this recommendation.
- The route formation and lighting of the pedestrian and cycle accessway over the land being used as at the date of this recommendation as a golf course shall be such route as shall be agreed between the Queenstown Lakes District Council, Queenstown Airport Corporation Limited and Queenstown Golf Club Incorporated as the lessee of that land.
- Such work as shall be necessary to create the pedestrian and cycle accessway both on the land used as at the date of this recommendation as a golf course and within the road reserve, shall be carried out and completed prior to the opening and use by the public of the multi purpose indoor and outdoor recreation, cultural and conference complex to be erected on the site the subject of the designation.
15. Floodlights are only to be used between 5 pm and 10 pm from March till October.
16. The childcare facility shall be restricted to use by children whose parents or guardians are at the time of requiring the childcare, using the Events Centre / Aquatic Centre for its designated purpose.
17. The childcare facility shall not operate outside the hours of 7 am and 6 pm.
18. The room containing the childcare facility shall be acoustically treated to achieve indoor sound levels of Ldn 40dBA.
19. In terms of the establishment of temporary buildings and structures within the designation, the following restrictions shall apply:
- a) Temporary buildings and structures are defined as marquees, tents, shelters, stands, filming facilities, offices, scaffolding, safety fences and other similar buildings and structures.
  - b) The use of any temporary building or structure shall be limited to providing for recreation, cultural and conference activities within the Queenstown Events Centre.
  - c) The maximum time that temporary buildings and structures can be established within the Queenstown Events Centre is 21 days at any one time, including the time required for establishment/construction and dismantling of such buildings and structures.
  - d) Aside from the provision of safety fences, no other temporary buildings and structures shall be established within 50 metres of the legal boundary of the Queenstown Events Centre that adjoins State Highway 6.
  - e) The maximum gross floor area of any temporary buildings and structures established within the Queenstown Events Centre shall be 2400m<sup>2</sup> (per building or structure).

- f) The maximum height of any temporary building or structure established within the Queenstown Events Centre shall be 10m.
- g) No temporary building or structure shall be placed in a position such that it penetrates the take-off climb and approach or transitional protection surfaces for the cross-wind runway at Queenstown Airport unless prior written consent of Queenstown Airport Corporation is obtained.
- h) If permission is required under the Building Act 2004 for any temporary building or structure, then such permission shall be obtained.

The establishment and use of temporary buildings and structures shall also be subject to all other relevant conditions of the designation.

20. In terms of the establishment of temporary advertising banners within the designation, the following restrictions shall apply:
- a) The banners shall only advertise recreation, cultural and conference activities that are to be undertaken within the Queenstown Events Centre.
  - b) The banners shall only be located on the 28 existing light poles along Joe O'Connell Drive and within the Events Centre parking area, as shown numbered 1 – 28 on the plan titled "Location of Light Poles with Banner Arms (L100 – 27/7/11)" approved under RM110502.
  - c) The maximum time that one set of specific advertising banners can be placed on the lighting poles is 30 days within any 12 month period.

## B. Conditions for the Aquatic Centre

That the Notice of Requirement to enable the establishment of an Aquatic Centre on the land within Designation 29 is confirmed and that pursuant to section 168A(4)(c) of the Resource Management Act 1991, Designation 29 is subject to the following further conditions:

1. The development is undertaken in general accordance with the application as submitted and site plan and architectural plans (Plan D01 rev. 11 dated Aug 2005, Plan FE01 dated 11 Aug 2005, and Plans D01 rev. 10 dated 29 Jun 2005, D02-D06 rev. 3 dated 22 April 2005) prepared by ASC Architects and stamped approved on 16 November 2005.
2. That the landscaping work proposed shall be carried out to the satisfaction of the Council's landscape architect, and in general accordance with the Landscape Concept Plan prepared by Isthmus Group dated 4 July 2005 and stamped approved on 16 November 2005 as soon as practical and/or no later than 6 months after final building inspection
3. The consent holder shall undertake the excavation, temporary works, retaining walls and batter slopes in accordance with the report prepared by Tonkin and Taylor report number 890845.
4. The site shall be categorised as intermediate in relation to NZS4203, C1 4.6.2.2 seismic provisions.
5. Prior to the commencement of works on site:
  - a) The consent holder shall provide Council with the name of a suitably qualified and experienced Engineer who is to supervise the excavation procedure. This engineer shall continually assess the condition of the excavation and implement any design changes / additions if and when necessary.
6. The consent holder shall submit to the Council an as built of the fill. This plan shall be in terms of New Zealand Map grid and shall show the contours indicating the depth of the fill. Any fill that has not been certified by a suitably qualified and experienced engineer in accordance with NZS 4431 shall be recorded on the as built plan as "uncertified fill".
7. A producer statement/design certificate shall be produced for all permanent retaining walls on the site.

8. For the entire construction period, the consent holder shall maintain a barrier between the construction site and the Events Centre to assure that all users of the Events Centre are kept out of the construction area.
9. At the time of final design of the Aquatic Centre, the consent holder shall be required to meet the fire safety design requirements for pool halls including fire fighting services.
10. Until improvements are made to the Council reticulated water supply that result in increased residual pressures (minimum 300kPa) in the 150mm diameter water main in SH6, irrigation of the playing fields shall not coincide with peak use times of the Aquatic Centre and/or Events Centre. Peak use times shall be determined by the management of each respective Centre and shall be submitted to Council within 12 months of the opening of the Aquatic Centre. Whenever possible irrigation of the playing fields shall occur outside hours of operation of either centre.
11. The combined discharge of wastewater for both the Events Centre and the Aquatic Centre shall not exceed 13.6l/s unless the consent holder submits information to Council for approval that proves that the wastewater discharge rate can be increased without negative downstream effects.
12. That in all other aspects the Aquatic Centre shall comply with conditions 4, 8, 9, 11, 13 and 14 as contained in part A of this Designation.

## C.23 Designation #30 - Lake Avenue Sewage Pump Station

That the pump station operate so the following noise levels are not exceeded, except for emergency purposes, at or within the notional boundary of residential units:

*	0800 - 2000 hrs	50 dBA L10
*	2000 - 0800 hrs	40 dBA L10

## C.24 Designation # 31 - Coneburn Water Pump Station and Intake

1. No activity or disturbance of the lake bed may be undertaken within that part of the designated area applying to Lake Wakatipu, other than the use of the surface of the lake for recreation activities, without the consent of the Queenstown Lakes District Council. The purpose of this restriction is to ensure that no damage occurs to the water intake pipe which is located on the bed of the lake, extending approximately 25 metres from the lake edge.
2. That the pump station operate such that the following noise levels are not exceeded, except for emergency purposes, at or within the notional boundary of residential units:

*	0800 - 2000 hrs	50 dBA L10
*	2000 - 0800 hrs	40 dBA L10

## C.25 Designation # 33 - Willow Place Sewage Pump Station

That the pump station operate such that the following noise levels are not exceeded, except for emergency purposes, at or within the notional boundary of residential units:

*	0800 - 2000 hrs	50 dBA L10
*	2000 - 0800 hrs	40 dBA L10

## C.26 Designation # 34 - Kawarau Place Sewage Pump Station

That the pump station operate such that the following noise levels are not exceeded, except for emergency purposes, at the boundary of the property on which the pump station is located:

*	0800 - 2000 hrs	50 dBA L10
*	2000 - 0800 hrs	40 dBA L10

## C.27 Designation # 35 - Leary's Gully Water Pump Station

That the pump station operate such that the following noise levels are not exceeded, except for emergency purposes, at the boundary of the property on which the pump station is located:

- \* 0800 - 2000 hrs            50 dBA L10
- \* 2000 - 0800 hrs            40 dBA L10

## C.28 Designation # 38 - Norfolk Street Sewage Pump Station

That the pump station operate such that the following noise levels are not exceeded, except for emergency purposes, at or within the notional boundary of residential units:

- \* 0800 - 2000 hrs            50 dBA L10
- \* 2000 - 0800 hrs            40 dBA L10

## C.29 Designation # 39 - Sewage Pump Station, McDonnell Road, Arrowtown

That the pump station operate such that the following noise levels are not exceeded, except for emergency purposes, at the boundary of the adjoining site used for residential purposes:

- \* 0800 - 2000 hrs            50 dBA L10
- \* 2000 - 0800 hrs            40 dBA L10

## C.30 Designation # 41 - Arrowtown Water Supply Borefield and Infrastructure

1. Any new water supply infrastructure shall have a maximum height of 1m above ground level, except for any vent pipes

2. That the pump station operate such that the following noise levels are not exceeded, except for emergency purposes, at or within the notional boundary of residential units:

- \* 0800 - 2000 hrs            50 dBA L10
- \* 2000 - 0800 hrs            40 dBA L10

## C.31 Designation # 44 - Glenorchy Water Storage Tanks

No activity or work may be undertaken within the designated area which could adversely effect the Council water storage tanks, without the consent of the Queenstown Lakes District Council. The purpose of this restriction is to ensure that no damage occurs to Council's water storage tanks.

## C.32 Designation # 45 - Queenstown-Glenorchy Water Pump Station and Intake

That the pump station operate such that the following noise levels are not exceeded, except for emergency purposes, at or within the notional boundary of residential units:

- \* 0800 - 2000 hrs            50 dBA L10
- \* 2000 - 0800 hrs            40 dBA L10

## C.33 Designation # 46 - QLDC Sewage Treatment Works

For conditions refer to page A1/40 and also file RM 970647

1. The designation shall be in accordance with the approved plans and specifications submitted with the notice of requirement including all associated amendments, with the exceptions required by the following conditions:
2. That unless it is otherwise specified in these conditions of the consent, compliance with any monitoring requirement imposed by this consent shall be at the requiring authority's own expense.
3. That the consent holder shall pay all required administrative charges fixed by the Council, pursuant to Section 36 in relation to:

- (i) The administration, monitoring and supervision of this requirement; and
  - (ii) Charges authorised by regulations.
4. Prior to the construction of any further facilities on site, a preliminary archaeological assessment of the site shall be undertaken to determine whether there is any evidence of archaeological sites or material of cultural or historical significance. That, if during development, archaeological material is discovered or a previously unidentified site disturbed, the designating authority shall immediately implement appropriate measures. Appropriate measures would include an assessment by a qualified archaeologist and notification of the NZ Historic Places Trust and Te Runanga o Otakou and Kati Huiapaki Puketeraki, before operations resume.
5. That in the case of any pre-1900 sites being identified, that the designating authority make appropriate application to the NZ Historic Places Trust, pursuant to Sections 9 to 20 of the Historic Places Act 1993, for authority to search, modify or destroy a site.
6. A landscaping plan including irrigation scheme, shall be submitted to, and approved by, the Territorial Authority within 3 months of the confirmation of the designation.
- Prior to submission of the plan, the Requiring Authority shall consult with residents having access off Jims Way, and shall confirm, when submitting the plan, that such consultation has occurred. The landscaping plan shall be implemented within 12 months of the confirmation of the designation and shall thereafter be maintained in accordance with that plan. If any plant or tree should die or become diseased, it shall be replaced.
- In this instance, the landscaping plan shall be designed to meet the following objectives:
- Create a positive visual effect from the surrounding area using species in keeping with the vegetation of the area including both deciduous and evergreen species.
  - Minimise the view from State Highway 6 with trees being a minimum of 2 metres in height at the time of planting.
  - Improve the on-site amenity.
7. Nuisance odour from the existing facility any future facilities shall not be detectable beyond the boundary site.
8. All practicable measures shall be undertaken and maintained to minimise the risk of the site being inundated by water as a result of flooding that could cause pollution to enter the Shotover and Kawarau Rivers. A risk management report on this issue shall be included with the Outline Plan referred to in Condition 10.
9. Any upgrades or extensions to the facility shall ensure that public access to sport fishing and game-bird hunting venues in the vicinity is maintained.
10. Prior to the construction of any further facilities, the Requiring Authority responsible for the designation shall submit Outline Plans as required by Section 176A, to the Territorial Authority for consideration. The Requiring Authority shall also carry out consultation with all potentially affected parties as part of this process, including Te Runanga o Otakou and Kati Hairapa ki Puketeraki, and when submitting such plans shall confirm that this consultation has occurred, and shall indicate the response to issues raised in this consultation.
11. The Requiring Authority shall design, develop and manage the public work so that it does not attract any birds that are hazardous to aircraft or may endanger aircraft operations. The bird species that have been observed at the airport and which may be hazardous to aircraft are gull, oyster catcher, hawk, spur-wing plover and duck.
12. 6 months prior to any work being carried out in accordance with the Outline Plan, monitoring of bird activity shall be undertaken by a suitably qualified person experienced in wildlife observation to determine a baseline of bird activity. Subsequently, from the date any work is carried out in accordance with the Outline Plan, the site and surrounding area shall be monitored monthly by a suitable qualified

person experienced in wildlife observation and approved by the Territorial Authority. This person will monitor bird activity in and around the site as an impartial observer to enable any increased bird activity as a result of the work to be identified.

13. The result of all monitoring shall be reported to the Territorial Authority and the Queenstown Airport Corporation Limited every three months.
14. In the event of any hazard to Queenstown Airport operations arising from birds which have been shown to have or likely to have been attracted to the area by any work for which Outline Plan approval has been obtained, the Territorial Authority reserves the right to review the conditions of consent attached to this designation for the purpose of mitigating, remedying or avoiding any adverse effect on airport operations, that is apparent from the works or from on-going monitoring.
15. The Territorial Authority reserves the right to review the conditions of this requirement annually from the date of confirmation for the purpose of mitigating, remedying or avoiding any adverse effect on the environment that is apparent from the operation of the activity or from on-going monitoring.

In the event that the Council, in exercising its authority as the Territorial Local Authority (as opposed to Designating Authority) does not agree with my recommendation to delete the buffer zone, an additional condition, as follows should be imposed:

16. The buffer zone shall apply to the areas as shown on the approved plan, which is described as including the area 300 metres to the east and south of the designation boundary, 10 metres back from the edge of the terrace on the western boundary and includes the area to the far edge of the road reserve of State Highway 6 on the northern boundary. Residential activities are prohibited within the Buffer Zone boundaries.

**C.34 Designation # 47 - Arrowtown-Lake Hayes Water Supply Pump Station and Intake**

That the pump station operate such that the following noise levels are not exceeded, except for emergency purposes, at or within the notional boundary of residential units:

- \* 0800 - 2000 hrs 50 dBA L10
- \* 2000 - 0800 hrs 40 dBA L10

**C.35 Designation # 49 - Bendemeer Reserve Sewage Pump Station**

That the pump station operate such that the following noise levels are not exceeded, except for emergency purposes, at the boundary of the adjoining site used for residential purposes:

- \* 0800 - 2000 hrs 50 dBA L10
- \* 2000 - 0800 hrs 40 dBA L10

**C.36 Designation # 51 – Wanaka Sewage Treatment Works**

No dwellings are to be erected within the “no build” buffer zone shown on the District Plan Maps.

**C.37 Designation # 52 & 53- Lakeside Road Sewage Pump Station**

That the pump station operate such that the following noise levels are not exceeded, except for emergency purposes, at or within the notional boundary of residential units:

- \* 0800 - 2000 hrs 50 dBA L10
- \* 2000 - 0800 hrs 40 dBA L10

**C.38 Designation # 55 - Wanaka Sewage Pump Station**

That the pump station operate such that the following noise levels are not exceeded, except for emergency purposes, at the boundary of any site used for residential or visitor accommodation purposes:

- \* 0800 - 2000 hrs            50 dBA L10
- \* 2000 - 0800 hrs            40 dBA L10

### **C.39        Designation # 56 - Stratford Terrace Sewage Pump Station**

That the pump station operate such that the following noise levels are not exceeded, except for emergency purposes, at the boundary of any site used for residential or visitor accommodation purposes:

- \*                            0800 - 2000 hrs                            50 dBA L10
- \*                            2000 - 0800 hrs                            40 dBA L10

### **C.40        Designation # 58 - Dungarvon Street Sewage Pump Station**

That the pump station operate such that the following noise levels are not exceeded, except for emergency purposes, at or within the notional boundary of residential units:

- \*                            0800 - 2000 hrs                            50 dBA L10
- \*                            2000 - 0800 hrs                            40 dBA L10

### **C.41        Designation # 60 - Lakeside Road Water Supply Pump and Intake**

That the pump station operate such that the following noise levels are not exceeded, except for emergency purposes, at or within the notional boundary of residential units:

- \*                            0800 - 2000 hrs                            50 dBA L10
- \*                            2000 - 0800 hrs                            40 dBA L10

### **C.42        Designation # 61 - Totara Terrace Water Supply Pump Station**

That the pump station operate such that the following noise levels are not exceeded, except for emergency purposes, at the boundary of any site used for residential purposes:

- \*                            0800 - 2000 hrs                            50 dBA L10
- \*                            2000 - 0800 hrs                            40 dBA L10

### **C.43        Designation # 62 - Anderson Road Water Supply Pump Station**

1. That landscaping be undertaken and maintained along the Anderson Road frontage.
2. That the pump station operate such that the following noise levels are not exceeded, except for emergency purposes, at the boundary of the property on which the pump station is located:

- \*                            0800 - 2000 hrs                            60 dBA L10



\* 2000 - 0800 hrs 50 dBA L10

3. That from 31 July 2000 the pump station shall operate so that the following noise levels are not exceeded, except for emergency purposes, at the boundary of the designated site and Lot 1 DP 13035.

\* 0800 - 2000 hours 50 dBA L10  
 \* 2000 - 0800 hours 40 dBA L10

Measured and assessed in accordance with NZ 6801:1991 and NZS 6802:1991

4. That in August 2000, and annually thereafter, the Requiring Authority shall undertake a day time and night time noise assessment at the boundary of the Anderson Road Business Zone between the designated site and Lot 1 DP 13035 and shall supply a copy of the same to the owner of Lot 1 DP 13035
5. The seals on the non-return valves shall be replaced whenever the nuisance noises start.
6. The duration of the designation expires 31 December 2004.

### C.44 Designation # 63 - Gordon Road, Wanaka Sewage Pump Station

That the pump station operate such that the following noise levels are not exceeded, except for emergency purposes, at the boundary of the property on which the pump station is located:

\* 0800 - 2000 hrs 60 dBA L10  
 \* 2000 - 0800 hrs 50 dBA L10

### C.45 Designation # 68 - Domain Road Oxidation Ponds, Hawea

No oxidation ponds or associated activity may be undertaken within 100 metres of Domain Road. The purpose of this restriction is to ensure that the

land within 100 metres of Domain Road provides a buffer between the oxidation ponds and the road.

### C.46 Designation # 69 – Albert Town Wastewater Management Purposes

No buildings are to be erected within the “no build” buffer zone shown on the District Plan Maps.

### C.47 Designation # 70 - Allison Avenue Sewage Pump Station

That the pump station operate such that the following noise levels are not exceeded, except for emergency purposes, at the boundary of any site used for residential purposes:

\* 0800 - 2000 hrs 50 dBA L10  
 \* 2000 - 0800 hrs 40 dBA L10

### C.48 Designation # 71 - Alison Avenue, Albert Town Sewage Pump Station

That the pump station operate such that the following noise levels are not exceeded, except for emergency purposes, at the boundary of any site used for residential purposes:

\* 0800 - 2000 hrs 50 dBA L10  
 \* 2000 - 0800 hrs 40 dBA L10

### C.49 Designation # 72 - Wicklow Terrace Sewage Pump Station

That the pump station operate such that the following noise levels are not exceeded, except for emergency purposes, at or within the notional boundary of residential units:

- \* 0800 - 2000 hrs      50 dBA L10
- \* 2000 - 0800 hrs      40 dBA L10

## C.50      **Designation # 73 - Lake Hawea Esplanade Sewage Pump Station**

That the pump station operate such that the following noise levels are not exceeded, except for emergency purposes, at or within the notional boundary of residential units:

- \* 0800 - 2000 hrs      50 dBA L10
- \* 2000 - 0800 hrs      40 dBA L10

## C.51      **Designation # 74 - Lake Hawea Esplanade Sewage Pump Station**

That the pump station operate such that the following noise levels are not exceeded, except for emergency purposes, at or within the notional boundary of residential units:

- \* 0800 - 2000 hrs      50 dBA L10
- \* 2000 - 0800 hrs      40 dBA L10

## C.53      **Designation # 76 - Victoria Bridge Terrace site (RM 970116)**

It is decided that the requirement to Designate part Run 330C, Block II, Kawarau SD for the purpose of a landfill; part Run 330C and part Section 32 for the purpose of a buffer zone; and part Run 330C for the purpose of a road; be confirmed pursuant to Section 168A(3) of the Resource Management Act 1991, subject to the following conditions:

1. The activity shall take place in accordance with the plans and specifications submitted with the notice of requirement and the approved Buffer Zone and Landfill Site Boundaries plan dated 19 March 1998 attached, with the exceptions required by the following conditions:

2. All engineering works shall be carried out in accordance with all relevant New Zealand Standards to meet the acceptance of the District Planner.
3. Prior to the commencement of any works on the land being developed, and in accordance with Condition 2 above, the applicant shall provide to the District Planner, copies of specifications, calculations and design plans both necessary and adequate to detail the following engineering works required:
  - (a) That all roading to the site and on site are in accordance with Queenstown Lakes District Council standards.
  - (b) That the intersection of the new road and the Kawarau Gorge Road - State Highway 6 be reconstructed in accordance with Transit New Zealand standard described in Diagram 4 with the modification that the radius shown 'R' shall be 15 metres for heavy vehicles.
  - (c) That adequate facilities are provided on site for fire fighting purposes. The New Zealand Fire Service shall be consulted regarding training and establishment of fire-fighting procedures.
  - (d) Dust be controlled on the landfill site to ensure that no nuisance is created beyond the site boundary,
  - (e) That a water reticulation system be provided at the boundary of the proposed landfill site for the purposes of providing an irrigation system for the proposed tree planting for screening purposes.
  - (f) All earthworks required to establish the site for the proposed activity.
4. Prior to the establishment of the activity, the applicant shall provide the following:

- (a) That the boundaries of the land shown 'F' on SO 24512 be fenced with a post and wire, seven strand fence.
  - (b) That the proposed new road shown 'F' on SO 24512 have a formation of no less than 4 metres in width and of a metal depth of 150mm of M4 AP40.
  - (c) That the land shown as 'A' and 'C' on SO24512 be road to be stopped.
  - (d) That areas shown 'B', 'D' and 'E' be land taken for local purpose reserve (landfill).
  - (e) That the land shown 'F' on SO 24512 be land taken for road.
  - (f) That the applicant shall provide a boundary fence about the proposed landfill area defined as 'B', 'D' and 'E' on SO 24512. The fence shall be a seven strand post and wire fence or equivalent.
  - (g) That an operations manual be prepared and approved by the District Planner for all aspects of the operation and maintenance of the activity and the manual is to include any on going conditions that are required to be complied with. Aspects to be included in the manual are:
    - (i) That temporary access tracks within the landfill operating area be of adequate standard to ensure that a B Train commercial vehicle can manoeuvre without difficulty.
    - (ii) That a portable water supply be available for human consumption at the operator's facilities.
    - (iii) That the operational area boundary fence shall be no less than 3 metres in height and in the position shown on the conceptual operations plan, Sheets 10-22.
  - (iv) That the effects of odour, dust, vermin and litter will be mitigated to ensure that any adverse effects associated with the site are minor.
  - (h) The applicant shall carry out planting in accordance with the Planting Plan drawn by Morgan+Pollard associates, stamped (received 1 May 2007 and stamped as approved 13 June 2007) and the application as submitted (ref. RM070383) with the exception that a maximum 25% of Macrocarpa shall be planted in the replacement of any plant removed within the proposed planting 'D' zone.
  - (i) Earthworks required as part of the operation.
5. Compliance with the approved operations manual required to be prepared under condition 4(g).
6. The planting carried out in accordance with condition 4(h) above shall thereafter be maintained and irrigated in accordance with that plan. If any plant or tree should die or become diseased it shall be replaced.
7. During the construction stage the consent holder shall ensure:
- (a) That noise generated from construction activities occurring on the site shall be measured and assessed in accordance with, and shall not exceed the maximum permissible noise levels specified in NZS 6803P:1984 'The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work'.
  - (b) That the deposition of soil onto the State Highway from vehicles and other earth moving equipment is avoided by taking such precautions as the installation of a truck wash area fitted with a high pressure hose to remove mud from vehicles prior to entering onto the State Highway.
  - (c) That dust generated by construction, or from the wind is not noticeable at the boundary of the site, by the use of water or other approved dust suppressant and from refraining from

construction activities which generate-dust during the prevalence of windy conditions.

- (d) That a water supply capable of providing sufficient water for use during the construction stage is available prior to any major earthworks occurring.
- (e) The consent holder shall ensure that run-off of stormwater from the site during construction, which visibly contains sediment is not discharged directly to a waterway.

8. During the operational stage of the landfill the consent holder shall ensure:

- (a) That all activities conducted on the site are carried out such that the following noise levels are not exceeded, neither at, nor within, the notional boundary of any residential unit (other than a residential unit located on the same site as the activity):

Day time	0800-2000 hours	L10 50dBA
Night time	2000-0800 hours	L10 40 dBA;

And shall not exceed the following level at the boundary of the site:

L10 65 dBA.

Noise levels shall be measured and assessed in accordance with NZS 6801:1991 and NZS 6802:1992.

**Note:** The notional boundary is defined as being 20m from the wall of the dwelling.

- (b) That the unloading and storage of any hazardous substances on the site shall be carried out in an area which is sealed with an impervious material and bunded to contain the total volume of the material in the event of a spillage and in all

other respects shall be in compliance with the relevant legislation.

- (c) That register of the type and quantity of hazardous substances stored on site and details of the fate of any hazardous substances leaving the site is maintained.

9. Should the applicant choose to site water storage pipes at an elevated height above the landfill operating area on adjoining land, then appropriate easements shall be duly granted.

10. That all proposed monitoring be carried out and reported to the appropriate authorities.

11. That prior to the development of the landfill commencing, an archaeological recording programme shall be commissioned to fully record the sites identified by the preliminary archaeological assessment and a management plan developed to ensure that:

- (a) Adverse effects on the sites affected by the landfill operation are mitigated by a recording programme in accordance with the following:

- That stratigraphy and remains are sampled in accordance with accepted archaeological practice;
- That any artefacts are properly removed, curated and retained for study;
- That if any additional sites of possible interest to Manawhenua are identified, the Trust and Manawhenua in accordance with condition 13 should be notified without delay.
- That within six months of the conclusion of any archaeological work, a report to accepted archaeological standard be submitted to the Regional and District Council with a copy to the NZ Historic Places Trust.

Particular regard shall be had to minimising the adverse effects of the proposed new road realignment on the abandoned water race, sluicing sites and hut identified in the preliminary archaeological assessment.

- (b) That the consent holder shall obtain an Authority from the NZ Historic Places Trust to destroy, damage or modify any historic archaeological sites affected by the landfill development.
  - (c) Appropriate management techniques, such as buffer zones, employee education and fencing where appropriate, are put in place to avoid adverse effects on the sites that adjoin, but are not immediately affected by, the landfill operation.
  - (d) The management plan should be submitted to the Councils after consultation with the NZ Historic Places Trust.
12. That processes are put in place to ensure appropriate management of the discovery of archaeological remains or unrecorded archaeological sites or sites of possible interest to Manawhenua, during the landfill operations. Appropriate management would include assessment by a qualified archaeologist and notification of the NZ Historic Places Trust and Te Runanga o Otakou and Kati Huirapa ki Puketeraki before operations resume.
  13. If any site of historical Iwi association is identified during landfill development and operation, work is to cease in that specific location and both Te runanga o Otakou and Kati Huirapa ki Puketeraki are to be notified.
  14. The site shall be rehabilitated and reinstated in accordance with the Development and Management Plan at the completion of each phase or upon closure of the site, whichever precedes, and shall be grazed to minimise fire risk.
  15. Any changes to normal stormwater flows as a result of the activity shall be directed to avoid any adverse effects occurring on neighbouring properties.

**Note:** Pursuant to Section 184(a) of the Resource Management Act 1991 the designation will lapse on the expiry of 5 years after the date on which it is included in the district plan unless it is given effect to before the end of that period. A longer period may be fixed if application is made within 3 months of expiry if substantial progress has been, or continuing to be made, towards giving effect to the designation.

**Note:** The permission of the NZHPT is required for the modification or destruction of any archaeological site, whether recorded or unrecorded, pursuant to the provisions of the Historic Places Act 1993.

## **C.54 Designation # 77 - Tucker Beach Landfill**

That the Tucker Beach landfill be closed by 30 June 1999

## **C.55 Designation # 78 - Refuse Transfer Station, Kingston**

1. That the transfer station be screened from the State Highway and the railway line which is used by the Kingston Flyer.
2. That the local iwi be advised of the excavation of the site.
3. That excavation be stopped should any artefact or other item of cultural or spiritual significance be uncovered.
4. That any finding of the same be reported to the local iwi representatives and liaising with them before proceeding with development works.

## **C.56 Designation # 81 - Athol Street Carpark**

That any future building on the site have a maximum building height of 12 m

- a. Maximum building height 12 m
- b. Maximum building coverage 80%

**C.57 Designation # 219 - Earnslaw Park Recreation Reserve**

A maximum height limitation of 8m shall apply to designation # 219

**C.58 Designation # 228 – Hensman Road Local Purpose Reserve (Beautification)**

No buildings may be located on the designated land. The purpose of this restriction is to ensure that the land remains a buffer between residential dwellings and the State Highway.

**C.59 Designation # 232 - Gorge Road Carpark**

1. That the land designated shall extend from Gorge Road only as far west as the present eastern bank of Horne Creek.
2. Development of the parking area and parking building shall be generally in accordance with the scale of building and type of landscaping shown on the plans presented on behalf of the requiring authority at the hearing. In particular, the level of the floor of the upper level of the parking structure shall be lower than the level of Gorge Road.
3. The parked cars are to be substantially screened by earth mounding and planting from viewpoints along Gorge Road, Boundary Street and the recreational ground. If the planning shown on the plans presented outside the area to be designated does not eventuate, this screening shall be achieved by planting within the designated area. Planting shall be designed and maintained so as not to unnecessarily obscure views over the site.
4. All works shall be carried out in conformity with NZS 4404, 1981, Code of Urban Land Subdivision, the Queenstown Lakes District Council Amendments thereto dated 1 June 1994, and associated Standards and Codes of Practice.
5. Headworks fees for water and connections shall be paid in conformity with the Council's normal fees and charges.

6. A solid fence or wall with a minimum height of 2 metres shall be erected along the boundary of any adjoining land within the designated area not held in public ownership. Such a fence or wall shall be designed to ensure no lights from vehicles on the site shine through. Any building erected near the boundary of any adjoining land within the designated area not held in public ownership shall comply with the bulk and location requirements in the District Plan as if both sites were zoned Low Density Residential.

**C.60 Designation # 242 - Water Storage and Supply Arthurs Point**

It is decided that the requirement to designate part of Lot 3 DP 331294 for the purpose of water storage and supply be confirmed pursuant to section 168A(3) of the Resource Management Act, subject to the following conditions:

**1 Building Design**

- (a) That the colour of the exterior of any future structures to be built on site comprise BSS 12 B29 (Resene - Rangoon Green).
- (b) That any future structures on site do not exceed 6 metres in height at any point above the ground level existing as at the date of this decision.

**2 Landscaping**

- (a) That the construction of any new reservoir or other structures on the subject site shall be completed in such a manner that those existing conifer trees which are situated in close proximity to the east, south east and north east faces of the proposed structures, are retained in a healthy state in order that they may contribute to substantial screening of all works from adjoining residential and commercial areas on either side of Malaghan Road, and that construction works generally be carried out so as to minimise as far as possible the removal of any existing trees.

- (b) That any of the existing tree cover which is required to be removed to allow works on site, be replanted with conifer trees in such a manner as to substantially screen any structures on site when viewed from Malaghan Road. Such replanting shall be completed within the first planting season following the establishment of any structures on site. The trees planted shall be at least 2 metres in height at the time of planting.
- (c) That any cut and batter of the slope-face necessary on the subject site for the purpose of completing any works on site:
  - (i) Be no steeper than a slope of 1:1, with the final degree of steepness to be determined by consultation between the site engineer and the independent landscape adviser with a view to minimising visual impact and maximising the ability for regeneration of vegetative cover.
  - (ii) Be stabilised and replanted with species consistent with the vegetative cover existing prior to works being commenced on site.
  - (iii) That earth mounding be placed around the side and front of the reservoir if reasonably practical to help screen the reservoir from adjoining residential and commercial land, and that such mounding be stabilised and oversown with browntop grass within the first planting season of approval.
  - (iv) That all top soil materials be stripped and stockpiled for long term batter revegetation and construction of mounding, and be replaced and oversown as directed by the site engineer.
  - (v) That the revegetation and planting detailed above be reviewed within six months of those works being carried out and regularly at six month intervals thereafter until all trees and grass planted have been

properly established and that remedial planting be undertaken in the event of any failure of the revegetation and grass planting required, at the cost of the applicant.

### **3 Dumping of Fill**

- (a) That any dumping of fill from the subject site occurring at the site nominated by the Requiring Authority (across Malaghan Road near the Shotover River) be completed within the hours 07.30 am and 07.30 pm. There shall be no dumping on Sundays or Public Holidays.

### **4 Reservoir Site**

- (i) All topsoil materials to be stripped and stockpiled for long-term batter revegetation, and to be replaced and oversown as directed by the site engineer at the completion of the works.
- (ii) All cut batters to be excavated at a nominal 1 in 1 slope and to a maximum vertical height of 5 metres, with an intermediate 1.5 metre wide drainage bench to be included as required by the site engineer for those batter slopes exceeding 5 metres in vertical height.
- (iii) All cut batter slopes to be inspected and certified as to long-term stability by the consultant engineering geologist or geotechnical engineer, and remediated if or when required prior to installation of the concrete water reservoir.
- (iv) Following excavation the reservoir foundation area to be subjected to heavy dynamic compaction to a standard approved by the site engineer, and any voids encountered to be infilled with approved and compacted subgrade material prior to placement of 50mm thick site concrete as per design.

- (v) A 1 metre deep perimeter drain to be installed as designed to provide for seepage control if or where encountered, and any groundwater flows intercepted to be directed into the drain as required by the site engineer.
  - (vi) For the first one year after completion all cut batters and drainage measures to be inspected at least quarterly by the site engineer or his nominee to ensure satisfactory design performance, and thereafter on a regular care and maintenance basis only.
  - (vii) Close liaison to be maintained between the site engineer and the consultant engineering geologist or geotechnical engineer during the construction period to ensure any site stability issues are addressed, and following completion specialist geotechnical data input to be obtained if or where required.
  - (viii) A network of survey marks as agreed between the site engineer and the consultant engineering geologist or geotechnical engineer to be established on and around the reservoir for annual resurvey to confirm stability for a period of five years after construction, and thereafter on an as-required basis.
  - (ix) The “consultant engineering geologist or geotechnical engineer” referred to in these conditions shall be a suitably qualified and experienced geotechnical engineer who is regarded as a specialist in dealing with schist derived landslide materials.
1. The Development be undertaken in general accordance with the application as submitted.
  2. Prior to commencing works on the site for proposed access and parking and drop-off and collection areas shall be provided to the Wanaka Community Board and Queenstown Lakes District Council for their comments.
  3. Prior to occupation of the school the Ministry shall provide for the following:
    - (a) Onsite carparking providing for no fewer than 124 carparks on site and for bus parking areas and drop-off and collection areas in the vicinity of Ironside Drive, which shall generally be as shown in option 4.2.
    - (b) Pedestrian and cycle accessways required on the site shall be constructed to the standards of the Queenstown Lakes District Council.
    - (c) A roundabout shall be constructed at the Kings Drive/ Ironside Drive intersection. Specifications of these works shall be provided to the Queenstown Lakes District Council for its approval prior to commencing any works at this intersection. The full cost of these works shall be borne by the Ministry.
  4. Drop-off and pick-up areas shall be maintained on the subject site, designed by a suitably qualified engineer to adequately provide for accommodating the number of pupils on the roll of all facilities on the subject site, at all times.
  5. A review of parking and traffic related issues shall be conducted after the expiration of 12 calendar months from the opening of the school and before the expiration of 18 calendar months for the opening of the school, and again at each of the points where the school role reaches 600 pupils and 800 pupils respectively. Each review shall be conducted by a suitably experienced and qualified traffic engineer nominated by the Queenstown Lakes District Council and approved by the ministry. A review shall also be conducted at any other time that the Queenstown Lakes District

## **C.61 Designation # 243 - Educational Facilities Wanaka (RM 050409)**



Council deems necessary. The cost of any mitigation of adverse effects as determined by the engineer shall be borne by the Ministry unless an alternative cost-sharing agreement is reached with the Queenstown Lakes District Council. The review shall consider the following issues, and make recommendations for any necessary mitigation of adverse effects which are identified:

- (i) The size and capacity of drop-off and pick up areas accommodated on site, which shall adequately service the full combined role of all schools located on the site. This shall include the use of the unnamed road off Totara Terrace and the extension of Ironside Drive.
  - (ii) Increases in on-site parking being provided to adequately accommodate parking demand during peak times, the number of car parks shall be based on a survey conducted by the reviewing engineer on both wet and dry days and in both summer and winter.
  - (iii) The provision of an extension to Ironside Drive generally as shown on option 4.3 as presented in evidence on decision RM 050409, but within the site boundaries of the subject site, and the possibility of extending the roadway further in a north or easterly direction to Aubrey Road or Kings Drive respectively, through Kelly's Reserve, subject always to the approval of the Ministry of Conservation in whom Kelly's Reserve is presently vested, and to best traffic engineering practice in relation to any intersection thereby created.
6. The following restrictions shall apply to any development on the site:
- a. Minimum setback of buildings from roads shall be 4.5m.
  - b. Minimum setback of buildings from residential properties shall be 4.5m.
  - c. Minimum setback of buildings from all other internal boundaries shall be 2m.
  - d. Maximum height of buildings shall be 10m provided that no part of any building shall protrude through a recession plane inclined towards the site at any angle of 26 degrees and commencing 2.5m above ground level at any point on the site boundary interfacing with a residential zone, and 4.5m above ground level at any other point on the site boundary (as exceptions to the recession plane, gable, dormer and other similar projections may encroach beyond the recession plane provided they are contained within a calculated area no greater than 6m with the apex no higher than 1m below the maximum height for the school site and the base of the area(s) at the level of the recession plane protrusion).
  - e. Tree species planted will not exceed 10m in height and will be maintained at this height at maturity.
  - f. The following trees will be excluded from landscaping on the site: *Pinus radiata*, *Pinus muricata*, *Pinus ponderosa*, *Pinus sylvestris*, *Pinus nigra*, Douglas fir, and all eucalyptus varieties.
  - g. When necessary, water spraying will be used to reduce dust affecting adjacent residential properties.
  - h. During construction, the site shall be kept in a tidy state with construction materials secured so they are not blown around the site or into adjacent properties.
7. The first Outline Plan submitted for the site pursuant to section 176A of the Act shall include a structural landscape plan showing the location of any planting proposed on the site that is likely to have a mature height exceeding 3m in order that the Council may assess the effects of such vegetation on views from any residential properties that share a boundary with the site.

## C.62 Designation # 330 – Works Depot Wanaka (RM 080414)

1. The development be undertaken in accordance with the application as submitted and landscape plan and car parking plans prepared by Baxter Design Group and stamped approved on 16 July 2008.
2. Any activity undertaken on the site shall be conducted such that the following noise levels are not exceeded at any time at any point within the boundary of any other site:
  - During daytime (0800 to 2000 hrs) 50dBA L10
  - During night time (2000 to 0800 hrs) 40dBA L10
3. Hours of operation shall be between 7.30am and 6.00pm daily, except:
  - After 6.00am on week days, one vehicle may enter and exit the site; and
  - During emergencies, civil defence or rural fire, vehicles and personnel may enter and exit the site at any time.
4. Heavy vehicle access to the site shall be limited to two per day and shall not be before 0800 hours.
5. No more than six staff vehicles shall be parked on the site during any given day. They are to be parked in a designated parking area within the depot grounds. There is to be no parking on the road verges outside the depot.
6. There shall be no more that 12 operational vehicle movements daily.
7. Coinciding with the council upgrading of Tenby Street, the applicant shall upgrade the existing Tenby Street vehicle crossing to a sealed vehicle crossing that is constructed to Council standards and is suitable for regular heavy vehicle use. If the Tenby Street upgrade does not take place within 6 months of the granting of this consent the applicant will construct the sealed vehicle crossing as per above.
8. The provision of a sealed vehicle crossing from Connor Street to the on-site loading ramp that shall be constructed to Council standards, including compliance with Rule 14.2.4.2 (except for its location in proximity to the Connor/Tenby Street intersection).
9. A Traffic Management Plan is to be implemented when using the loading ramp and shall include the following;
  - (a) Suitable site warning signage shall be in place on the road in both directions from the site entrance.
  - (b) Safety 'dayglo' vests or similar shall be worn by any staff working on the road.
  - (c) Safe sight distances and passing provisions shall be maintained at all times for road users.
10. Prior to the site being used as a public works depot, the following work shall be completed:
  - (a) The construction of all vehicle manoeuvring and car parking areas in gravel with a concrete hard stand in front of the building. This is to be done to council standards, including adequate provision for stormwater control.
  - (b) Management of the on-site manoeuvring and parking areas shall be undertaken at all times to mitigate against dust and/or noise nuisance.
  - (c) The closure of the secondary access from Connor Street with permanent fencing materials and a lockable gate.
  - (d) The repainting and repairing of the existing on-site building.
  - (e) The repairing of the loading ramp to a safe standard.
11. An amended landscape plan shall be submitted for approval by Council prior to the site being used as the public works depot. The approved landscape plan including the fencing, gates and restoration of the berms

shall be implemented within six months of the public works commencing and shall thereafter be maintained. If any tree or plant shall die it shall be replaced in the next available planting season. The landscape design shall incorporate the following criteria in order to maintain sight visibility from the access points to the site:

- (a) The hedge planting along the Tenby Street frontage shall be maintained to a height so as not to hinder vehicle visibility when exiting the yard.
- (b) The street tree planting along both road frontages shall include species that provide for a canopy 1.5m above ground level and a small diameter trunk.

### C.63 Designation # 331 – Electricity Substation Cardrona (RM 070792)

- That the activity be carried out in accordance with the application and plans submitted and new site plan stamped as received on 18 June 2010, with the exception of the amendments required by the following conditions of consent.
- That the requirement to designate the proposed site in accordance with the application be confirmed, subject to the following conditions.
- That the use of the site for a temporary diesel generation plant be confirmed subject to the following conditions.

#### 1. Landscape conditions

- (a) The existing vegetation within and adjacent to the site shall be maintained for the initial five-year period.
- (b) A detailed landscape plan to mitigate the visual effects of development on the designation site is to be submitted to Council for approval within three months of the date of this recommendation. The plan shall be implemented within the next available planting season and maintained thereafter. Should any tree or shrub die or become diseased, it shall be replaced in the

next planting season. The objectives of the landscaping plan are to achieve the following:

- To fully screen the site from the approaches at both ends of the Cardrona Valley Road;
- To protect existing rural vegetation in order to preserve a rural character;
- The planting of a mixed variety of suitable trees of varying heights and maturity sufficient to grow into a naturalised screen to shield the site from the roadway by the time of construction of the substation.

- (c) The proposed colour of the container housing the generator shall be submitted to Council for approval prior to application. It should comply with Council's guidelines of being within the natural range of browns, greens and greys and with a reflectivity of less than 36%.
- (d) All heritage trees located on the site shall be protected in accordance with the provisions governing such trees.

#### 2. Engineering conditions

- (a) All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being NZS4404:2004 with the amendments to that standard adopted on 5 October 2005, except where specified otherwise.
- (b) Prior to commencing the construction of any public work on the designated site, a sealed vehicle crossing shall be constructed to the right-of-way approved by consent RM 071072 from Cardrona Valley Road to be in terms of Diagram 2, Appendix 7 and Rule 14.2.4.2 of the Partially Operative District Plan. This shall be sealed for a minimum of 6m from the road carriageway or to the boundary of the site, whichever is the greater. The vehicle crossing shall be trafficable in all weathers and be capable of withstanding a laden weight of up to 25 tons with an axle load of

8.2 tons or have a load-bearing capacity of no less than the public roadway serving the property, whichever is the lower. Provision shall be made to continue any roadside drainage. Design details shall be submitted to Council for review prior to construction.

- (c) Prior to commencing the construction of any public work on a designation site, the right-of-way access to this site as shown on Patterson Pitts Partners Limited's plan, Job Number W2947, Proposed Easement over Part Sec SO24173 Cardrona Valley, Wanaka, dated 2 November 2007, and as approved by consent RM 071072, shall be formed and surfaced in accordance with Council's rural roading standards. The right-of-way shall have a minimum formed carriageway width of 3.5m and provision shall be made for the disposal of storm water from the right-of-way.

- (d) Vehicle access and manoeuvring areas shall be constructed on the designation site in accordance with Council standards.

These areas shall be constructed with a minimum compacted depth of 150mm AP40 metal at a minimum construction standard.

- (e) Public works to be undertaken in accordance with the designation shall include the provision of a storm water disposal system that is to provide storm water disposal from all impervious areas within the site. The proposed storm water system shall be designed by a suitably qualified professional as is defined in s1.4 of NZS4404:2004 and subject to the review of Council prior to implementation.

### 3. Environmental Health conditions

- (a) Prior to the commissioning of the storage facility, the Requiring Authority shall submit a copy of the applicable hazardous substances test certificate required under the Hazardous Substances (Classes 1 to 5 Controls) Regulations 2001 as applicable.

- (b) The Requiring Authority shall provide a copy of the annual hazardous substances test certificate within eight weeks of the renewal date.

- (c) The Requiring Authority shall ensure that the activities conducted on the premises shall meet the international commission on non-ionising radiation protection guidelines.

- (d) The Requiring Authority shall ensure that the conditions attached to the Otago Regional Council discharge permit – consent number 2005.470 are fully complied with.

- (e) The Requiring Authority shall ensure that all activities conducted on the premises shall not exceed the following noise limits when measured at any point beyond the boundaries of the site:

- Day-time (0800 to 2200 hours) 50dBA L10
- Night-time (2200 to 0800 hours) 40dBA L10 and 70dBA Lmax

Noise limits shall be measured and assessed in accordance with NZS6801:1991 and NZS6802:1991, and shall take into account special audible characteristics.

### C. 64 Designations #332– Lake Hayes Sewage Pump Station

1. That the facilities shall be constructed, operated and maintained generally in accordance with the specifications in the Notice of requirement.
2. The emergency generator shall be located in the vicinity of the borefield several hundred metres west of the pumping station itself.
3. The pumping station shall be constructed, operated and maintained so that no odour is discernable from a distance of three metres from any part of the facility.

4. Prior to the pumping station commencing normal operation a landscape plan to the satisfaction of the Principal Planner: Lakes Environmental shall be prepared. The plan shall provide for an appropriate colour for the emergency generator, and planting to make the generator and pumping station as unobtrusive as possible. The landscape plan shall be implemented within 12 months of the pumping station commencing normal operation.

### **C. 65 Designation #333 – Lake Hayes Sewage Pump Station**

1. That the facilities shall be constructed, operated and maintained generally in accordance with the specifications in the Notice of requirement.
2. The emergency generator shall be located as close as practical to the other utility structures near the entrance to the reserve.
3. The pumping station shall be constructed, operated and maintained so that no odour is discernable from a distance of three metres from any part of the facility.
4. Prior to the pumping station commencing normal operation a landscape plan to the satisfaction of the Principal Planner: Lakes Environmental shall be prepared. The plan shall provide for an appropriate colour for the emergency generator, and planting to make the generator and pumping station as unobtrusive as possible. The landscape plan shall be implemented within 12 months of the pumping station commencing normal operation.

### **C. 66 Designation #334– Lake Hayes Sewage Pump Station**

1. That the facilities shall be constructed, operated and maintained generally in accordance with the specifications in the Notice of requirement.
2. The exact location of the pumping station and emergency generator shall be determined in consultation with New Zealand Transport Agency network consultants.

3. The pumping station shall be constructed, operated and maintained so that no odour is discernable from a distance of three metres from any part of the facility.
4. Prior to the pumping station commencing normal operation a landscape plan to the satisfaction of the Principal Planner: Lakes Environmental and New Zealand Transport Agency network consultant shall be prepared. The plan shall provide for an appropriate colour for the emergency generator, and planting to make the generator as unobtrusive as possible. The landscape plan shall be implemented within 12 months of the pumping station commencing normal operation.

### **C. 67 Designation #335 – Lake Hayes Estate Sewage Pump Station**

1. That the facilities shall be constructed, operated and maintained generally in accordance with the specifications in the Notice of requirement.
2. The pumping station shall be constructed, operated and maintained so that no odour is discernable from a distance of three metres from any part of the facility.
3. Prior to the pumping station commencing normal operation a landscape plan to the satisfaction of the Principal Planner: Lakes Environmental shall be prepared. The plan shall provide for an appropriate colour for the emergency generator, and planting to make the generator and pumping station as unobtrusive as possible. The landscape plan shall be implemented within 12 months of the pumping station commencing normal operation.

### **C. 68 Designations # 336 – Wanaka Airport Wastewater Treatment and Disposal Purposes**

#### **Designation for Wastewater Treatment and Disposal Purposes**

1. All fencing of the area within or bordering the Wastewater Treatment System (WTS) designation shall be in either:
  - (a) Standard post and wire fencing (traditional livestock fencing to a maximum height of 1.2m); or
  - (b) Security fencing (wire mesh fencing) to a maximum height of 2.5m. Mesh (wire) and poles on any security fencing shall be a black or dark green powder coated finish, or otherwise a dark colour submitted for approval by the Principal: Landscape Architecture, Queenstown Lakes District Council.
2. Consultation with the Airport Committee shall occur prior to any planned development within the WTS to ensure that any development does not adversely affect:
  - (a) Planned future airport development; and
  - (b) Safety requirements.

(For the purpose of this condition, development shall include utilities).
3. All structure and car-parking areas shall be contained within the WTS site.
4. All of the site outside of the WTS shall be maintained in pastoral appearance by grazing and/or mowing.
5. All buildings shall be finished in one of the following Resene colours: 'Karaka', 'Lignite', 'Charcoal' or 'Iron sands'.
6. All plans of buildings and/or structures to be constructed within the WTS that are compliant with all applicable 'rules' as specified above shall be submitted for Council approval via Outline Plan Approval under s 176A.
7. That following the construction of the facility a bird monitoring program shall be developed and implemented and if birds do become attracted to the facility then all practicable steps shall be taken to eliminate them including the making of any modifications to the facility that may be seen as to be necessary to achieve such elimination.

## Designation for Wastewater Disposal Purposes

1. No buildings or structures which are directly related to the WTS shall be constructed within the area designated for 'wastewater disposal purposes'.
2. Consultation with the Airport Committee shall occur prior to any planned development within the area designated for 'wastewater disposal purposes' to ensure that any development does not adversely affect:
  - (a) Planned future development; and
  - (b) Safety requirements regarding bird and glare hazards.

(For the purpose of this condition, development shall include utilities).
3. Trenches created for the installation of infiltration pipes within the disposal field shall be exposed for no more than 5 working days prior to being backfilled to the original ground level.
4. All areas of exposed soil resulting from the installation of infiltration pipes within the disposal field shall be reinstated with pastoral grasses within the first planting season from completion of work.

## C. 69 Designation #337 – Electricity Substation Wanaka (RM100381)

1. That the development must be carried out in accordance with the approved plans, drawn by the applicant, as follows:  
Location Plan stamped as received on 4 June 2010 (stamped as approved on 18 August 2010) and the application as submitted, with the exception of the amendments required by the following conditions of consent.
2. Wall colours of any new building within the designated area shall be natural and recessive (reflectance value of less than 36%) in the natural range of browns, tussocks, greys or greens.

3. Activities shall be so conducted that the following noise limits are not exceeded at any point within the boundary of any other site in the adjoining Rural zone:
  - day time (0800 - 2200 hours) 50 dBA L<sub>10</sub>
  - night time (2200 - 0800 hours) 40 dBA L<sub>10</sub> and L<sub>max</sub> 70dBA

Noise levels shall be measured and assessed in accordance with NZS 6801:1991 and NZS 6802:1991 and shall take into account special audible characteristics.

## **C. 70 Designation #338 – Electricity Substation Frankton (RM100235)**

1. The maximum height of any building or structure on the site shall be 6.75m.
2. All buildings and structures on the site shall be finished with colours in the natural range of browns, greens and greys with a reflectivity of less than 36%.
3. The outline development plan shall include a plan for the approval of Council prepared by a qualified arborist, for the maintenance of the existing hawthorn hedge along the road boundary at a height of about 4 metres. This plan is to indicate how the trees are to be maintained and/or progressively replaced to achieve the objective of a dense, continuous screen. The maintenance regime shall include a schedule for regular trimming.
4. The outline development plan shall include a landscape plan for the approval of Council. This plan shall fulfil the following objectives:
  - a. Provide vegetative screening along the frontage with SH 6 so as to obscure views of the activities on site from SH 6.
  - b. Provide vegetative screening along the western boundary with Dart Engineering so as to obscure views of the activities on site from the west.

5. The outline development plan shall include a lighting plan submitted for the approval of Council. This lighting plan shall ensure that all exterior lighting is mounted on buildings and that these mountings shall be below the level of the roof pitch and directed away from SH 6. No free standing light poles are permitted.
6. Any on site signage shall have a maximum area of 2m<sup>2</sup>; be located on site; not project over any road, service lane or footpath.
7. All engineering works shall be carried out in accordance with the Queenstown Lakes District Council's policies and standards, being New Zealand Standard 4404:2004 with the amendments to that standard adopted on 5 October 2005, except where specified otherwise.
8. Prior to the commencement of any works on the land designated the consent holder shall provide to the Queenstown Lakes District Council for review and approval, copies of specifications, calculations and design plans as are considered by Council to be both necessary and adequate, in accordance with Condition (7), to detail the following engineering works required:
  - a. The provision of a comprehensive stormwater disposal system that is to provide stormwater disposal from all impervious areas within the site. The proposed stormwater system shall be designed by a suitably qualified professional as defined in Section 1.4 of NZS4404:2004 and be subject to the review of Council prior to implementation. The proposed stormwater system shall dispose of stormwater within the site boundary and not result in increased flows off site. The proposed stormwater disposal system shall take into consideration up-stream flows into the site and seek to address known flooding issues associated with existing structures and earthworks.
  - b. The provision of a sealed vehicle crossing to the site from State Highway 6 approved by Transit New Zealand. Construction of this crossing shall include the removal of a second illegal crossing located to the east.
9. Any outdoor storage of goods will be screened from views from public places.

## D Queenstown Airport

The area of land covered by the Aerodrome Designation shall include the sites described below:

- Part Sections 59, 60, 61, 62, 63, 65 Block 1 Shotover Survey District
- Lots 1-3 DP 12475
- Lot 9, DP 22121
- Part Glenda Drive, and all legal roads within the above described land.
- Lots 2, 8, 11, 22 and 32, DP 304345
- Part of Lots 1 and 2, DP 394343
- Lots 1 and 2 DP 300177
- SO 14262
- Parts of Lot 1, DP 306621
- Part Sections 141, 142 and 145, Block I, Shotover Survey District
- The portion of an unformed legal road bounded by Lot 1, DP 306621, Parts Sections 141, 142 and 145, Block I, Shotover Survey District and Lots 8 and 32, DP 304345 to the east and Lot 2, DP 304345 to the west.

### D.1 Aerodrome Purposes

The following conditions and provisions be included in the Plan as D.1 - Aerodrome Purposes.

This designation is defined to protect the operational capability of the airport, while at the same time minimising adverse environmental effects from aircraft noise on the community at least to the year 2045~~37~~.

#### Permitted Activities

1. The nature of the activities ~~covered~~ authorised by this designation are described as follows:

- (a) aircraft operations, private aircraft traffic, domestic and international aircraft traffic, rotary wing operations, aircraft servicing, fuel storage and general aviation.

- (b) associated activities, buildings and infrastructure, navigational aids and lighting, car parking, offices and cafeteria provided there is a functional need for the activity to be located within the designation;
- (c) the main runway has a maximum usable length of 1,931 metres oriented 05-23 and a width of 45 metres. The main runway will have a runway seal dimension of 1,891 metres, 60 metre sealed starter extension/strip west, 118 metre runway extension west, 1,341 metre original runway, a 320 metre runway extension east and a 52 metre starter extension strip allowance east, with 20 metre strip lengths beyond both starter extension thresholds and a 90 metre runway end safety area at both the eastern and western ends of the runway end strip;
- (d) a crosswind runway orientated 14-32 with a runway strip length of 944 metres including a 90 metre starter extension to the south and a 60 metre width.
- (e) the following roading alterations:
- stopping the southern part of Glenda Drive
  - stopping three roads off Glenda Drive
  - provision of a road link to provide access to Hawthorne Drive from Glenda Drive

The fixed wing operations are concentrated on runways 05-23 and 14-32. ~~Helicopters currently operate to the south west of the terminal.~~

#### Restrictions on Aerodrome Purposes Activities

##### Building Height

2. Maximum height of any building shall be 9.0 metres except that: ~~This restriction does not apply to the control tower, hangars, lighting towers or navigation and communication masts and aerials.~~

##### Building Setback

3. Minimum setback from all aerodrome designation boundaries shall be 10.0m, with the exception of the following:



- (i) Security fencing around the perimeter of the Airport which comprises a mesh fence being a maximum height of 2.5 metres and includes an 45° outrigger post with 3 strands of barbed wire, or such security fencing that is required by the Civil Aviation Authority to ensure compliance with Civil Aviation regulations.
- (ii) A 3 metre high blast fence at the western end of the runway.

### **Operations During Hours of Darkness**~~Operational Hours~~

The airport shall not be used for scheduled passenger services during the hours of darkness. "Hours of darkness" shall mean the hours between 10pm and 6am.

- 4. No aircraft operations, other than emergency aircraft operations shall occur between 10pm and 6am.

### **Prohibited Activities**

- 5. Non-airport related activities are prohibited within the Aerodrome designation.

### **Airport Master Plan**

Queenstown Airport Corporation is to provide an Airport Master Plan within 12 months of the airport designation being finalised.

### **Hawthorne Drive**

Hawthorne Drive shall be maintained in its present position for a distance of 75 metres each side of the centre line of the cross wind runway.

### **Airport Aircraft Noise**

- 6. Airport
  - 1. Aircraft noise shall be measured, predicted and assessed in accordance with NZS 6805:1992 Airport Noise Management and Land Use Planning and NZS 6801:2008 Acoustics – Measurement

of Environmental Sound, by a person suitably qualified in acoustics. The terms ANB, OCB, ASAN, 2037 Noise Contours and Indoor Design Sound Level shall be as defined in the District Plan.

- II. The term Annual Aircraft Noise Contours (AANC) shall be defined as the annual Ldn contours 55 dB, 60 dB, and 65dB that have been derived using airport noise prediction software to be determined by the Queenstown Airport Liaison Committee (QALC) in accordance with the Noise Management Plan (NMP) and records of actual aircraft movements for the busiest three consecutive months of the preceding year.
- III. The term Compliance AANC shall be defined as the AANC adjusted for any differences between calculated noise levels and measured noise levels described in Conditions 8 and 9 of this designation.
- IV. The term Projected AANC shall be defined as the Compliance AANC adjusted for annual growth estimated for the following year based on trends derived from historical aircraft movement data.
- V. If NZS 6805:1992 is superseded by a revised or new standard, the adoption of this revised/new standard in place of NZS 6805:1992 shall be at the discretion of the Queenstown Airport Liaison Committee (QALC) under the Noise Management Plan (NMP). Note the detail and the content of the NMP are set out in Condition 22, Condition 23 and Condition 24.
- 7. The Airport shall be managed so that the noise from aircraft operations does not exceed 65 dB Ldn outside the Air Noise Boundary (ANB) or 55 dB Ldn outside the Outer Control Boundary (OCB). The ANB and OCB are as shown on the District Plan Maps. Compliance with the ANB and OCB shall be determined on the basis of the Compliance AANCs required to be prepared by Conditions 8 and 9.
- 8. Each year, QAC, shall produce 55 dB, 60 dB and 65 dB AANCs, using airport noise prediction software to be determined by the QALC in accordance with the NMP and records of actual aircraft movements for the busiest three consecutive months of the preceding year.
- 9. At least every three years, QAC shall undertake a monitoring programme to compare the measured aircraft noise levels with the AANCs. The AANCs shall be corrected for any differences arising from the measured levels to produce the Compliance AANCs. The monitoring programme

*shall include the following measurements within a three year period: a minimum of one month summer and one month winter undertaken at a minimum of three points located west, north-east and south of the airport with the exact positions to be determined by the QALC under the NMP.*

10. *Each year the Compliance and Projected AANCs (required under conditions 9 and 14 respectively) shall be reported to the ~~Queenstown Airport Liaison Committee (QALC)~~ and Compliance AANCs produced for years when noise measurements have not been undertaken shall be prepared using the same corrections determined from the most recently measured aircraft noise levels undertaken for Condition 9.*

#### **Other Noise**

11. *Sound from activities which are outside the scope of NZS 6805:1992, shall comply with the District Plan noise limits set in the zone standards for each zone in which the sound is received. This requirement includes engine testing other than for essential unplanned engine testing of aircraft for scheduled passenger services.*
12. *No noise limits shall apply to essential unplanned engine testing of aircraft for scheduled passenger services. The NMP shall detail noise management practices for unplanned engine testing including preferred locations and times. Following each unplanned engine test the QAC shall report to the next meeting of the QALC why the testing was required and what noise management practices were followed.*

#### **Airport Noise Mitigation**

13. *Queenstown Airport Corporation Limited (QAC), shall provide the Queenstown Lakes District Council (QLDC) with the 2037 Noise Contours in 1 dB increments from 70 dB Ldn to 55 dB Ldn inclusive. The methodology used to calculate these 2037 Noise Contours shall be the same as that used to calculate the ANB and the OCB. These contours shall be provided in an electronic format and shall also be appended to the NMP.*
14. *Each year QAC shall produce 55 dB, 60 dB and 65 dB Projected AANCs for the purpose of determining when mitigation shall be offered under Conditions 15 and 16 using the same aircraft noise prediction software*

*as used for the Compliance AANCs required under Condition 8, adjusted for annual growth estimated for the following year based on trends derived from historical aircraft movement data.*

15. *Each year the QAC shall offer to provide 100% funding of noise mitigation for Critical Listening Environments of buildings that existed on [insert date designation confirmed] containing an ASAN that are within the 65 dB Projected AANC. This offer may be earlier at QAC's discretion. The mitigation shall be designed to achieve an Indoor Design Sound Level of 40 dB Ldn or less, based on the 2037 Noise Contours contained in the NMP.*
16. *QAC shall offer to part fund retrofitting, over time, of mechanical ventilation of any Critical Listening Environment within existing buildings containing an ASAN located between the Air Noise Boundary and the 2037 60 dB Noise Contour. In particular, e*~~E~~*ach year the QAC shall offer to provide 75% funding of mechanical ventilation for Critical Listening Environments of buildings that existed on [insert date designation confirmed] containing an ASAN that are within the 60 dB Projected AANC. This offer may be earlier at QAC's discretion. Where a building owner accepts this offer they shall not be eligible for further funding of mechanical ventilation if the building later becomes within the 65 dB Projected AANC, but they shall become eligible for 100% funding of any sound insulation required.*
17. *Mechanical ventilation shall be in accordance with Table 2 of Appendix 13 to the District Plan.*
18. *Noise mitigation funding offered by the QAC shall only be required where the benefitting building owner agrees to the methods offered and agrees to enter into a binding property agreement or covenant to the effect that the owners or occupiers of the property:*
- (a) are aware that the property may be subject to increased levels of aircraft noise, and*
  - (b) agree that any complaint arising from noise related activities shall be dealt with in accordance with the complaints procedures set out in the NMP., and*
  - (c) will not remove or lessen the effectiveness of the acoustic insulation and/or mechanical ventilation that is installed by QAC without its prior approval.*

19. Alternative mitigation strategies may be adopted by agreement of QAC and the building owner. A procedure for dispute resolution shall be provided in the NMP.
20. A Noise Mitigation Plan detailing the processes required to give effect to the funding of sound insulation and mechanical ventilation shall be included as part of the NMP.
21. Any offer made under Conditions 15 or 16 remains open for acceptance by the landowner for a period of 12 months. If the landowner declines the offer, this shall be recorded by QAC. If, at a later date that landowner wishes to take up the offer, the landowner shall notify the QAC of its desire to do so. The QAC shall determine whether it will make the offer available again and shall communicate the reasons for its decision to the landowner. Acceptance of the request by the QAC shall not be unreasonably withheld. QAC shall monitor change of ownership records and if ownership of the property subsequently changes and the offer made above was not taken up by the landowner at that time, the QAC shall offer the new landowner funding in accordance with Conditions 15 and 16. In these circumstances the offer will remain open for acceptance for a further 12 month period.
- Noise Management Plan**
22. Within 6 months [insert date designation confirmed] and without in any way limiting its obligations to fully comply with the conditions attaching to this designation, QAC shall complete and provide to the QALC a NMP which describes how QAC proposes to manage the Airport in order to comply with the conditions of this designation. The NMP shall describe, in detail, the following matters:
- a) procedures for the convening, ongoing maintenance and operation of the QALC;
  - b) the provision for QALC's to have the discretion to adopt any revised/new standard which may replace NZS6805:1992 and to choose the noise modelling software to be used for the ongoing AANC compliance monitoring through the Compliance AANCs.
  - c) the mechanisms for giving effect to a noise monitoring programme to assess compliance with Conditions 7, 8, 9, and 10 and in 22 (h);
  - d) the ongoing investigations, methods, processes and resources that QAC proposes to put in place to provide for:
    - i. the reduction of noise levels from all aspects of Aircraft Operations and engine testing; and
    - ii. alternative methods of noise management to achieve the reduction of these noise levels;
  - e) noise minimisation procedures which include:
    - i. procedures and measures adopted to ensure compliance with noise limits for: -
      - aircraft operations in Condition 7; and
      - engine testing in Condition 12;
    - ii. Civil Aviation Authority (CAA) noise rules applicable to the Airport from time to time;
    - iii. voluntary or self imposed procedures or measures for the reduction of aircraft noise;
  - f) the procedures for modifying and enhancing the noise minimisation procedures to take into account:
    - i. any findings made pursuant to any investigation undertaken in accord with 22(d) above;
    - ii. the need to ensure compliance with all of the requirements of this designation;
  - g) the procedures for reporting to the QALC any Aircraft Operations and engine testing activities which contravene a condition of this designation and the details of noise mitigation procedures for unplanned engine testing including preferred locations and times;
  - h) the procedure for the annual preparation and publication of the Compliance AANCs by QAC, as required by Conditions 9 and 10 above;

- i) a procedure for dealing with complaints including: the recording of complaints; acknowledgement to the complainant of receipt of their complaint and the outcome once resolved; any corrective action(s) to be taken including if non compliance with the conditions is identified, and reporting to the QALC;
- j) the dispute resolution procedures, to resolve disputes between QAC and QALC about the contents and implementation of the NMP;
- k) the detailed procedures and processes for implementing a Noise Mitigation Plan above except that those procedures and processes shall not in any way limit the obligations set out in Conditions 15 to 21 above.
- l) the procedures for amending the NMP..

23. The NMP shall include provisions for a Queenstown Airport Liaison Committee (QALC) including:

- a) the membership of the QALC, which shall comprise of: a chair, QAC (up to 2 members), QLDC (1 member), community (3 members), Airways Corporation (1 member), a representative of the airlines operating flights at Queenstown Airport (1 member), a representative of the Queenstown Airport general aviation/helicopter operators (1 member);
- b) a quorum of the QALC shall be four members including at least one representative of each of QAC, QLDC and the community;
- c) the QALC shall have an independent chair appointed by QAC in consultation with the QLDC;
- d) the QAC will provide a venue and secretarial and support services for the QALC which will be provided at QAC's own expense, and
- e) the meeting times of the QALC which shall be up to 4 times per annum or as agreed by the QALC.

24. The NMP shall provide guidance for noise mitigation by owners of new and altered buildings containing ASANs within the OCB. This shall

include details of the likely mitigation required within each 2037 Noise Contour, including identification of the point at which no mitigation is required.

252. The current version of the NMP shall be made available to the public on QAC's web site.

## Eastern Runway End Safety Area (RESA)

### Construction Management Plan

26. (i) Prior to the commencement of construction of the RESA, and in conjunction with the outline plan required by Section 176A, a Construction Management Plan shall be submitted to the Council for review and approval. The purpose of the Construction Management Plan shall be to:

- (a) Describe the methods proposed for the construction of the RESA and the programme for construction of each element;
- (b) Describe what actions will be taken to manage the actual or potential effects of construction activities associated with the RESA and to satisfy conditions on the designation;
- (c) Provide a list of key personnel and points of contact during RESA construction;
- (d) Describe how stakeholders will be kept informed during construction of the RESA and how complaints will be managed; and
- (e) Ensure compliance with the conditions of the designation as they relate to RESA construction work.

(ii) The Construction Management Plan shall include the following details:

- (a) A staging plan, identifying the RESA works and proposed duration of each stage;
- (b) Description of all RESA construction works including (as required) identification of fill sources and additional construction material required, access roads and tracks,

- identification of areas for storing plant and machinery, locations and colours of any temporary buildings, design details of the blast fence at the west of the runway, mitigation measures, rehabilitation, monitoring and reporting to be undertaken;
- (c) Design responsibilities and method of RESA construction, including methods of conducting vegetation clearance and earthworks, disposal (if required) of excavation material, in river works management, sediment management, surface water and erosion management, methods for management of hazardous substances, dust management, noise (including vibration) management and fire fighting;
- (d) The name and contact details of personnel holding key positions during RESA construction, including an appropriately qualified person on site to have responsibility for managing environmental issues, responding to community complaints, and ensuring that conditions in the designation and management plans and are adhered to throughout the RESA construction; and
- (e) Details of the minimum requirements for investigations, inspections and monitoring throughout RESA construction to ensure that construction is being undertaken in accordance with the requirements of this designation.
- (iii) The Requiring Authority shall adhere to the requirements of the Construction Management Plan at all times during the construction of the RESA.
27. The earth-fill embankment shall be constructed such that it generally incorporates the ability to provide for the horizontal and vertical alignment of the future arterial road, as outlined on Airey Consultants Ltd, plan number 5814/155, SK02-1. The construction shall allow for this road corridor to have a width of between 16 and 22 metres, a design speed of 60km/hr and a posted speed limit of 50km/hr.
28. The use of Old School Road and Spence Road, Hawthorne Drive and Glenda Drive shall not be permitted as haulage routes for truck movements during the construction period for the RESA.
29. Prior to commencing works on site, and after consultation with potentially affected occupiers, the Requiring Authority shall submit a RESA Construction Traffic Management Plan, endorsed by the New Zealand Transport Agency, to Council for approval. The RESA Construction Traffic Management Plan shall include a Traffic Impact Assessment that provides an assessment of the actual and potential effects of construction traffic on the surrounding State highways and other roads (including the Shotover Delta Access Track outside the construction area) by an appropriately qualified traffic engineer. The Traffic Impact Assessment shall incorporate:
- (i) Proposed construction haulage routes, excluding Glenda Drive, Hawthorne Drive and Old School Road/Spence Road and excluding use of the public road network for night time deliveries of any materials;
- (ii) Construction traffic volumes over haulage routes; and
- (iii) Recommendations for the RESA Construction Traffic Management plan, including any physical works including ongoing maintenance work required on the State highways, other roads and/or other access routes (including the Shotover delta access track) to provide for safe and efficient access, and mitigate against all adverse effects including those of dust and noise (including vibration).
30. The RESA Construction Traffic Management Plan shall be prepared by a Site Traffic Management Supervisor (certification gained by attending the STMS course and getting registration) and incorporate the recommendations of the Traffic Impact Assessment. All contractors obligated to implement temporary traffic management plans shall employ a qualified STMS on site. The STMS shall implement the Construction Traffic Management Plan.
31. Prior to the commencement of works on site, all recommendations for physical improvement works on the State highways and/or other roads or access routes, as outlined in the RESA Construction Traffic Management Plan, and as approved or required the New Zealand Transport Agency and/or Council, shall be implemented.
32. During RESA construction the Requiring Authority shall monitor all access roads used as part of the construction to ensure that they are

maintained in a suitable condition (including being kept free from potholes) in order to assist in achieving condition 8 and to mitigate the effects of dust.

### **RESA Construction Noise and Vibration Management Plan**

33. Prior to the commencement of RESA construction works on site the Requiring Authority shall prepare and submit to Council for review and approval a noise and vibration management plan. The purpose of that Plan is:
- (i) To identify the measures the Requiring Authority will take to comply with the requirements of Section 16 RMA, including in relation to vibrations;.
  - (ii) To ensure that at all times during the RESA construction, construction noise complies with NZS 6803:1999 – Acoustic Construction Noise. For the avoidance of doubt compliance with the Acoustic Construction Noise Standard is not required for residential occupiers located in the Glenda Drive Industrial zone;
  - (iii) To identify the measures for reducing the noise generated by vehicles associated with the RESA construction work including alternative methods for dealing with reversing vehicle warning systems;
  - (iv) The Noise and Vibration Management Plan may make different provisions for daytime and night time noise; and
  - (v) To provide details of a leaflet drop to all neighbouring residents situated on Glenda Drive recommending they keep windows shut during the short term night construction phase.
34. The Requiring Authority will ensure that all work and operations are carried out in accordance with the Noise and Vibration Management Plan.

### **Lighting (Night Time) Management Plan**

35. Prior to the commencement of construction works at night on the site, a Lighting (night time) Management Plan shall be submitted to Council for review and approval. This shall detail the best practicable options to reduce off site light spill if RESA construction work is

undertaken during night time hours. The Requiring Authority shall adhere to the provisions of this plan during night time construction.

### **General**

36. No RESA construction machinery shall be parked within the active Shotover riverbed at any time.
37. Prior to the commencement of the RESA construction work a detailed planting and ongoing planting maintenance plan for the RESA shall be submitted to Council for review and approval. The planting plan shall have the following objectives:
- (i) To visually integrate the RESA and the future arterial road bench into the surrounding landscape;
  - (ii) To improve the ecological integrity and functioning of the site; and
  - (iii) To assist in the management of surface erosion.

The planting plan shall be progressively implemented as the RESA is constructed and shall be completed within the first planting season following the construction of the RESA.

38. If the Requiring Authority:
- (i) Discovers koiwi tangata (human skeletal remains), waahi taoka (resources of importance), waahi tapu (places or features of special significance) or other Maori artefact material, the requiring authority shall without delay;
  - (ii) Notify the Consent Authority, Tangata Whenua and New Zealand Historic Places Trust and in the case of skeletal remains, the New Zealand Police;
  - (iii) Stop work within the immediate vicinity of the discovery to allow a site inspection by the New Zealand Historic Places Trust and the appropriate runanga and their advisors, who shall determine whether the discovery is likely to be extensive, if a thorough site investigation is required, and whether an Archaeological Authority is required;

- (iv) Any koiwi tangata discovered shall be handled and removed by tribal elders responsible for the tikanga (custom) appropriate to its removal or preservation;
- (v) Site work shall recommence following consultation with the requiring authority, the New Zealand Historic Places Trust, Tangata Whenua, and in the case of skeletal remains, the New Zealand Police, provided that any relevant statutory permissions have been obtained; and
- (vi) Te Ao Marama shall be advised about construction activity prior to construction commencing.

39. The RESA fill shall at all times, including after completion of the RESA construction work, be protected in an appropriate manner from the risk of erosion by the river in accordance with accepted engineering practice.

## D.2 Air Noise Boundary Controls

An Air Noise Boundary has been defined around Queenstown Airport to protect the operational capability of the airport, while at the same time minimising adverse environmental effects from aircraft noise on the community.

The purpose of the air noise boundary is to identify the area of airport operations where noise sensitive activities are prohibited.

The extent of the air noise boundary is shown on the Planning Maps.

### Restrictions on Activities

#### Noise

The Airport shall be managed so the noise does not exceed a day/night level ( $L_{dn}$ ) of 65 dBA outside the Air Noise Boundary and 55 dBA outside the Outer Control Boundary. Aircraft Noise shall be measured in accordance with NZS 6805:1992 Airport Noise Management and Land Use Planning and calculated as a 90 day rolling average or calculated from a record of the individual

aircraft movements and single event noise levels obtained from a detailed noise monitoring study for a minimum of 3 months.

Aircraft operations which will involve:

- (a) aircraft landing in an emergency
- (b) aircraft using the Airport as a planned alternative to landing at a scheduled airport
- (c) military aircraft movements shall be excluded from the calculation of the three month average.

A noise monitoring regime is to be established and implemented by Queenstown Airport Corporation, the purpose of which is to meet the minimum reporting requirements set out in Clause 2.3.3.1 of NZS 6805:1992. This regime is to be recorded in a noise management plan, a copy of which is to be lodged with the Council not later than six months after the date this designation is included in the District Plan.

The data recorded and evaluated is to be reported at not more than 90 day intervals and a copy of the report forwarded to the Queenstown Lakes District Council not later than 20 working days after the expiry of the 90 day interval.

Queenstown Airport Corporation is to convene a standing Airport Liaison committee comprising at least one representative each from aircraft and airline operators, Airways Corporation of New Zealand, Queenstown Lakes District Council and the local community. The purpose of the committee is to foster a co-operative approach to the management of airport noise and other environmental effects.

### Prohibited Activities

Any activity other than an airport related activity shall not be permitted inside the  $L_{dn}$  65 Air Noise Boundary, without prior approval of the Queenstown Airport Corporation Limited.

New residential, school, hospital and other noise sensitive activities are prohibited inside the Air Noise Boundary.

No alterations or additions to existing residential, school, hospital and other noise sensitive activities shall be permitted inside the Air Noise Boundary.

Where any existing buildings within the Air Noise Boundary are proposed to be used for residential or other noise sensitive activity then that building must first be fitted with acoustic insulation so that the night-weighted sound exposure inside the building does not exceed 40 L<sub>dn</sub>.

**Note:** The location of the Air Noise Boundary is shown on Planning Map 31(a)

### D.3 Airport Approach and Land Use Controls

#### Objective

The objective of these restrictions is to limit the construction of any structure or facility which may inhibit the safe and efficient operation of Queenstown Airport. These restrictions directly relate to the runways specified in Designation 2 – Aerodrome Purposes.

#### Overview

The following height restrictions are based on combinations of various Civil Aviation (CAR 139-6 and 139-7) and ICAO Annex 14 obstacle limitation surfaces. The main runway take off climb surfaces are for Code 3 or 4 aerodromes. These are set out below.

All measurements are in metres above average mean sea level unless otherwise stated.

#### Airport Protection

Written consent of Queenstown Airport Corporation is to be obtained prior to a resource consent or building consent application being made to the Queenstown Lakes District Council or prior to the carrying out of any works involving the construction of any structure including any building, aerial, antennae or other object which in any way penetrates any of the surfaces described in D3 and indicated on the Planning Maps. These surfaces are as follows:

#### Take-off Climb and Approach Surfaces

There is a take off climb and approach protection surface at each end of the main runway and cross wind runway strips. The takeoff and approach surfaces differ in detail, but both are protected by a slope extending upward and outward from each end of the strip.

The take off climb/approach surface at the western and eastern end of the main strip rises at a gradient of 1.6% (1 in 62.5) over a horizontal distance of 18,750m and continues along the extended runway centreline. The inner edge of the main strip is 75 metres either side of the main runway centreline and the rate of lateral divergence from the inner edge is 12.5% (1 in 8) on each side of the fan.

The take off climb/approach surfaces at each end of the crosswind runway strip rises at a gradient of 5.0% (1 in 20) over a horizontal distance of 1600 metres. The inner edge of the crosswind strip is 30 metres either side of the runway centreline and the rate of divergence from the inner edge is 10.0% (1 in 10) on each side of the fan.

There is also a curved take-off climb and approach surface at the northern end of the crosswind runway, which turns to the north at the end of the runway strip with a radius of 900 metres and rises at a gradient of 5.0% (1 in 20) over a horizontal distance of 1600 metres. The inner edge of the crosswind strip is 30 metres either side of the runway centreline and the rate of divergence from the inner edge is 10.0% (1 in 10) on each side of the fan.

Note: (A and B in the note below apply)

#### Transitional Surfaces

The transitional surface provides for a situation where an approaching aircraft is either off centreline or where it has executed a missed approach and allows for an area free of obstacles to protect aircraft in the final phase of the approach to land manoeuvre.

These extend upwards and outwards from the sides of each runway strip. For the main strip the gradient is 14.3% (1 in 7). For the crosswind strip the gradient is 20% (1 in 5) to a height of 45 metres above the aerodrome.



Transition slopes extend at the same heights beyond each end of the runway strip to intercept the approach protection surfaces.

### Inner Horizontal Surface

The inner horizontal surface is a plane surface at a height of 45 metres above the airport datum level of 355 metres enclosed within a 4000 metres radius drawn from the periphery of the main runway strip, and a 4000 metres distance either side of the main runway strip.

Note: (A and B in the note below apply)

### Conical Surface

The conical surface extends from the periphery of the inner horizontal surface upwards and outward at a slope of 5.0% (1 in 20) to a height of 150m above the aerodrome datum level.

Note: (A and B in the note below apply)

### Lake Hayes Flight Path

The centreline of the engine failed take-off surface for light and medium weight aircraft at the eastern end of the proposed extended strip follows the heavy aircraft take off climb/approach surface for a distance of 78 metres from the end of the strip. At this point the engine failed take off surface turns left through an angle of 32 degrees, at a radius of 1442 metres before continuing straight ahead for 3550 metres when it make a further left turn through 50 degrees around Slope Hill at a radius of 3250 metres.

Immediately on completing this turn a right turn through 195 degrees at a radius of 1475 metres is initiated. When this third turn is completed, Northeast of Morven Hill the path continues straight ahead for 2625 metres before turning right through 67 degrees at a radius of 1475 metres between Morven Hill and The Remarkables. After completing this last turn it passes straight back over the Airfield.

The sides of the engine failed surface follow a 12.5% lateral divergence from each end of a 75 metre long strip inner edge either side of the extended runway centreline for a horizontal distance of 4200 metres and thereafter continues at a constant width of 600 metres either side of the centreline. The upward slope of the engine failed protection surface is 1.6% (1 in 62.5) for a distance of 78 metres at which point the surface drops 4.6 metres. The surface then continues to rise at 1.6% (1 in 62.5) terminating overhead the runway.

#### Note:

- A. New objects or extensions to objects shall be prohibited activities above the approach or transitional surfaces except when the new object or extension is shielded by an existing immovable object, provided that temporary short term penetrations of these surfaces may be authorised by the Queenstown Airport Corporation.
- B. New objects or extensions of existing objects shall not be permitted above the conical surface or inner horizontal surface except when the object is shielded by an existing immovable object, or the Council has consented to a penetration as a discretionary activity following an aeronautical study which has determined that the object will not adversely affect the safety or significantly affect the regularity of operations or aeroplanes.

#### Note:

Pursuant to Part 77 of the Civil Aviation Rules, a person proposing to construct or alter a structure must notify the Director of Civil Aviation of the proposal if the proposed structure or alteration to a structure is located below the approach or take-off surfaces described in this designation as shown on the Planning Maps and extends to a height greater than a surface extending outwards and upwards at one of the following:

- (i) A slope of 1:83 from the fan origin if the take-off surface of a runway where the runway is used or intended to be used by aircraft with a Maximum Certified Take-Off Weight above 5700kg.

- (ii) A slope of 1:50 from the fan origin of the take-off surface of a runway where the runway is intended to be used by aircraft with a Maximum Certified Take-Off Weight at or below 5700kg.

Notification must be in the form specified in Rule 77-13 and be submitted at least 90 days before the proposed date of commencement of construction or alteration.

## E Wanaka Airport

The land area covered by the Aerodrome Purposes designation shall include the sites described below:

- Lots 10 and 11 DP 24410
- Lot 8 DP 22637
- Lot 5 DP 23517
- Lot 7 DP 22637
- Lot 6 DP 22636
- Lots 1, 2, 3, 4 and 5 DP 18824
- Lot 6 DP 24685
- Lots 1, 2, 3 and 4 DP 23517
- Part Lot 1 DP 16921
- Legal Road

### E.1 Aerodrome Purposes

This designation is defined to protect the operational capability of the airport, while at the same time minimising adverse environmental effects from aircraft noise.

#### Permitted Activities

The nature of the activities covered by this designation is described as follows:

- (a) aircraft operations, rotary wing aircraft operations, aircraft servicing, fuel storage and general aviation, navigational aids and lighting, aviation schools, facilities and activities associated with veteran, vintage and classic aircraft operations, aviation museums and aero recreation.
- (b) associated buildings and infrastructure, car parking, offices and cafeteria.
- (c) a 197 metre extension of the main runway (11-29) in a north westerly direction to allow a maximum runway length of 1,397 m and a total

runway strip length of 1,517 m with the 60 metre RESA included at each end.

- (d) an increase in width of the main runway to 150 metres.
- (e) alterations to ancillary facilities.
- (f) realignment of the road to the south east of the airport.

#### Restrictions on Aerodrome Purposes Activities

##### Building Height

- Maximum height of any building shall not exceed 9.0 metres except that:
- This restriction does not apply to the control tower, lighting towers or navigation and communication masts and aerials associated with airport operations.
- No buildings shall infringe the restrictions of the Approach and Land Use Controls designations.

##### Building Setback

- Minimum setback from all boundaries of the designation shall be 10.0 metres.
- Minimum setback from the eastern side of the centre line of the runway shall be 200 metres.
- Minimum setback from the western side of the centre line of the runway shall be 150 metres.

##### Operations During Hours of Darkness

The airport shall not be used for scheduled passenger services during the hours of darkness unless a suitable lighting plan is produced and the 65 and 55  $L_{dn}$  contours and associated Air Noise Boundary and Outer Control Boundary are reassessed.

### Restrictions on Activities

No scheduled commercial aircraft flights are to take place from the airport until such time that processes under the Resource Management Act 1991 are adopted to reassess and consider the effects of altering the Air Noise Boundary and Outer Control Boundary and to implement a noise monitoring programme.

The Airport shall be managed so the noise does not exceed a day/night level ( $L_{dn}$ ) of 65 dBA outside the Air Noise Boundary and 55 dBA outside the Outer Control Boundary.

## E.2 Airport Approach and Land Use Controls

This designation applies in respect of the airspace in the vicinity of the Wanaka Airport. It defines essential airport protection measures, transitional slopes and surfaces, aircraft take off climb and approach slopes and airport height and obstacle clearances as defined below and as shown on District Plan Maps.

The objective of these restrictions is to limit any activity and the construction of any structure which may inhibit the safe and efficient operation of the Wanaka Airport. These restrictions directly relate to the main runway specified in Designation 64 - Aerodrome Purposes.

### Airport Protection

The approval of the Queenstown Lakes District Council is to be obtained prior to any activity established or structure or building erected with a height of more than 7 metres and which penetrates any of the surfaces described in E2 and indicated on the District Plan Maps. These surfaces are as follows:

#### Take-off Climb and Approach Surfaces

- (i) There is a take-off climb and approach protection surface at each end of the main runway strip. The take-off and approach surfaces differ in detail, but both are protected by a slope extending upward and outward from each end of the strip.

#### Obstacle Limitation Surfaces at East Runway End

A straight runway centreline extension satisfies the 1:50 slope requirements, as shown on District Plan Maps.

At the eastern end of the strip, aircraft must turn 5° to the left after crossing the aerodrome boundary after the end of the existing 11 runway. This is recognised in the establishment of a separate curved obstacle clearance path at a slope of 1:62.5. The lateral divergence of the curved protection surface is 12.5% (1:8).

#### Obstacle Limitation Surfaces at West Runway End

Straight line flight paths are obstructed by the ridge 24m above the runway level at about 1200m from the extended runway strip end (1:50 gradient). The Peninsula in Lake Wanaka is a more distant obstruction. Straight in obstacle limitation surfaces with a 1:50 slope, as shown on District Plan Maps, satisfy the slope requirements, with the provision for the engine failure flight path to the west.

At the western end of the strip, aircraft must turn 60° to the right some 365m after the end of the existing 29 runway. This is recognised in the establishment of a separate curved obstacle clearance path at a slope of 1:62.5. The lateral divergence of the curved protection surface is 12.5% (1:8). The curved path allows for a setdown of the obstacle surface of 4.6m at the start of the turn.

- (ii) Each take-off climb and approach protection surface extends over a horizontal distance specified below and is symmetrically disposed about the centreline of the flight protection surface, with its sides diverging uniformly outwards from each end of the length of inner edge at each strip end.

The take off and approach control surfaces vary as shown in the following table:

Element	Take-off Surface	Approach Surface
Inner Edge Length	300m	150m
Divergence	1:8	1:10
Slope	1:50	1:40
Length	15000m	3000m

(iii) For airport protection the worst case (ie most restrictive) surface profile has been adopted as follows:

For the runway the length of inner edge adopted is 150m either side of the extended runway centreline and the rate of lateral divergence is 12.5% (7°7'30").

The take-off climb/approach surface at each end of the ultimate main strip rises at a gradient of 2.0% (1 in 50) over a horizontal distance of 15000m to a final width of 1200m and then continues along the extended runway centreline.

**Note:** Where ground rises so that it penetrates or becomes close to the take off climb/approach surface, then this surface may be adjusted in conformity with the ground to provide a vertical clearance of 10.7m above ground level.

### Transitional Surfaces

(iv) These extend upwards and outwards from the sides of the runway strip at a gradient of 14.3% (1 in 7) for the strip to intercept the inner horizontal surface.

(v) Transition slopes extend at the same heights beyond each end of the runway strip to intercept the approach protection surfaces.

### Inner Horizontal Surface

The inner horizontal surface is a plane surface at a height of 45m above the airport datum level of 348m enclosed within a 4000m radius drawn from the ends of the runway strip, and a 4000m distance either side of the runway strip.

**Note:** Where ground rises so that it penetrates or becomes close to the inner horizontal surface, then this surface may be adjusted in conformity with the ground to provide a vertical clearance of 10.7m above ground level.

### Conical Surface

The conical surface extends from the periphery of the inner horizontal surface upwards and outwards at a slope of 5% (1 in 20) to a height of 150m above the aerodrome datum level

**Note:** Where ground rises so it penetrates or becomes close to the conical surface, then this surface may be adjusted in conformity with the ground to provide a vertical clearance of 10.7m above ground level.

## F Motor Parks and Golf Clubs

### 1. Setback from Road

All structures and buildings shall be setback the following minimum distances from the road boundary:

Residential Zones:	4.5m
Rural Zone:	20m

### 2. Separation from Neighbours

All structures and buildings shall be setback the following minimum distances from internal boundaries:

Residential Zones:	4.5m
Rural Zones:	10m

### 3. Height

No structure or building shall exceed the following maximum heights:

Residential Zones:	8m
Rural Zones:	8m



## 5 Site Coverage

A single building shall not exceed 100m<sup>2</sup> in total floor area. The combined total of all buildings on site shall not exceed a maximum of 5% of the total site area. These standards are exclusive of play equipment.

## 6 Access and Parking

Shall be provided in accordance with the general Transport Rules.

## 7 Surfacing

No more than 30% of the site area in all Zones except Rural and Town Centre and 20% of the site area in Rural Zones shall be covered by impervious surfaces, including courts, footpaths, swimming pools, car-parking areas and/or areas under lease arrangements.

## 8 Glare

All exterior lighting shall be directed away from adjacent properties and roads.

No activity shall result in greater than a 2.5 lux spill, horizontal and vertical, of light on to any adjoining property in all Zones except Rural and Town Centre, measured 2 metres inside the boundary of the adjoining property.

## 9 Noise

Activities, other than outdoor recreation, shall be conducted such that the following noise levels are not exceeded at the boundary of the site:

All Zones except Rural:

- during day time 40 dBA L10
- during night time 30 dBA L10

Rural Zones:

- during day time 55 dBA L10
- during night time 40 dBA L10

## 10 Hours of Operation

Where a site adjoins or faces a residential area no activities shall be conducted from the site between the hours of midnight and 7am.

## H LOT 13 DP 322851 & LOT 312 DP329276

1. (Transpower's Development Free Zone) All trees/vegetation (in excess of 1 metre in height) and/or buildings/structures on Lot 13 DP 322851 and Lot 312 DP 329276 shall be setback by a horizontal distance of at least 12 metres either side (total of 24 metres) from the centre line of the Cromwell – Frankton A transmission line.
2. (NZEC 34:2001 safe distances from conductors where engineering advice is necessary) Prior to construction, the Requiring Authority must submit to the Queenstown Lakes District Council (and a copy to Transpower) certification from a suitably qualified electrical engineer confirming that any building or structure on Lot 13 DP 322851 and Lot 312 DP 329276 complies with the minimum safe distances from the Cromwell – Frankton A line as specified in Table 3 of the NZEC 34:2001.
3. (NZEC 34:2001 safe distances from support structures) Buildings or any part of a building on Lot 312 DP 329276 shall not be located within 12 metres of the closest visible edge of any high voltage transmission line support structure foundation.
4. (NZEC 34:2001 safe distances from support structures - fences) With reference to NZEC 34:2001 Figure 2, fences of conductive materials shall not be constructed within 5 metres of any tower of a high voltage overhead electric line of 66 kV or greater.
5. (NZEC 34:2001 safe distances of mobile plant from conductors) All machinery and mobile plant operated on Lot 13 DP 322851 and Lot 312 DP 329276 shall maintain a minimum clearance distance of 4 metres from the Cromwell – Frankton A transmission line conductors at all times.
6. (NZEC 34:2001 access to support structures) All buildings, structures and vegetation located on Lot 312 DP 329276 shall not be located to preclude existing vehicle access to the existing support structure on site.

7. (NZEC 34:2001 excavation near support structures) In the case of any tower supporting any conductor, no person may excavate or otherwise interfere with any land:
  - a. at a depth greater than 300mm within 6 metres of the outer edge of the visible foundations of the tower; or
  - b. at a depth greater than 3 metres, between 6 metres and 12 metres of the outer edge of the visible foundation of the tower; or
  - c. in such a way as to create an unstable batter.
  
8. (NZEC 34:2001 safe distances of conductors from ground) Excavated or other material must not be deposited under or near the Cromwell – Frankton A line so as to reduce the vertical distance from the ground to the conductors to a distance less than:
  - a. 7.5 metres vertically, across or along driveways or on any other land traversable by vehicles;
  - b. 6.0 metres vertically, on any land not traversable by vehicles due to inaccessibility; and
  - c. 4.5 metres in any distance other than vertical on all land.

Please note that the distances specified include an allowance for mechanic creep (i.e. permanent elongation).

9. On Lot 13 DP 322851 and Lot 312 DP 329276 all tree trimming activities around the Cromwell – Frankton A transmission line, shall be carried out in accordance with the Electricity (Hazards from Trees) Regulations 2003.
  
10. All land use activities, including earthworks located on Lot 13 DP 322851 and Lot 312 DP 329276 must comply with the New Zealand Code of Practice for Electrical Safe Distances (NZEC 34:2001).
  
11. All trees and vegetation planted on Lot 13 DP 322851 and Lot 312 DP 329276 must comply with the Electricity (Hazards from Trees) Regulations 2003.



Queenstown Airport Corporation

Draft Noise Management Plan

DRAFT



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# 1. INTRODUCTION

1.1 This Noise Management Plan (“**NMP**”) has been prepared by Queenstown Airport Corporation **Limited** (“**QAC**”) in accordance with Designation 2 and section D.1 of Appendix A1 of the Queenstown Lakes District Plan (“**District Plan**”).

1.2 The objectives of this NMP are:

1. *To continue dialogue between QAC and the local community regarding noise management matters at Queenstown Airport.*
2. *To establish and articulate a clear process for the monitoring and reporting of noise levels at Queenstown Airport and actions to be followed in the event of a noise level exceedance.*
3. *To provide a procedure for dealing with complaints including their recording, an acknowledgement to the complainant of their receipt and the outcome once resolved, any corrective action(s) to be taken including those if non-compliance with the conditions of the Aerodrome Purposes designation (Designation 2) is identified and reporting to the QALC.*
4. *To establish a procedure for the avoidance, remediation and mitigation of noise effects at Queenstown Airport, on existing buildings accommodating an Activity Sensitive to Aircraft Noise (**ASAN**) within the Air Noise Boundary (“**ANB**”) and the Outer Control Boundary (**OCB**) based on the annual calculation of a 65 dB and a 60 dB Projected Annual Aircraft Noise Contour (**Projected AANC**).*
5. *To acknowledge that noise is an inherent part of an airport, which in the case of Queenstown Airport is the travel conduit to connect Queenstown to the rest of the world.*
6. *To manage the effects of aircraft noise on the community.*
7. *To provide the community with certainty as to compliance with the noise limits and effects on all surrounding land uses.*
8. *To detail noise management practices for unplanned engine testing including preferred locations and times.*

1.3 Given these objectives, and the requirements of Designation 2 and section D.1 of Appendix A1 of the District Plan, this NMP addresses the matters listed in Conditions 22 and 23 of the Designation and may include additional matters such as considerate flying practices for aircraft operators.

1.4 This NMP has been drafted to provide the community and the QALC with details of the management of aircraft noise at Queenstown Airport in an easy-to-use format. The NMP will be an evolving document that will be amended and

updated as more information becomes available and if further changes occur to operations at Queenstown Airport. Amendments to the NMP may be initiated by QAC in consultation with QALC or vice versa. QAC will be responsible for the approval of the NMP and for any amended versions prepared in accordance with Designation 2.

- 1.5 Copies of this NMP will be available from QAC, QLDC and representatives on the QALC as well as being posted on the QAC website.

## 2. QUEENSTOWN AIRPORT LIAISON COMMITTEE (QALC)

### PURPOSE

- 2.1 QAC shall be responsible for convening the QALC that is to function as a forum and interface between the Airport and the community and other stakeholders regarding issues related to noise at Queenstown Airport. The ongoing maintenance and functioning of the QALC will be achieved at QAC's expense.
- 2.2 The membership and functioning of the QALC is discussed in the following sections:

### QALC MEMBERSHIP

- 2.3 The membership of the QALC will be structured as follows:

QAC Representative	Up to 2 members
Airways Corporation of New Zealand Representative	1 member
QLDC Representative	1 member
<p>Community Representatives (to be appointed by QLDC) It is expected that the QLDC will seek nominations <u>from the community to fill these roles via public notice in two local newspapers from the Frankton Community Association, the Kelvin Peninsula Community Association, and the Lake Hayes Estate Community Association to fill these roles.</u></p> <p><u>A representative of the airlines operating flights at Queenstown Airport. When vacancies occur the respective organisations shall be asked to nominate replacement representatives. Failing any nominations in any case, QLDC shall seek fresh nominations for a replacement community representative according to the process outlined above will select another community representative of its choosing.</u></p> <p>The contact details of the community representatives on the QALC shall be posted on the QAC and QLDC websites.</p>	3 members
<u>A representative of the airlines operating flights at Queenstown Airport.</u>	1 member (to be determined by consensus of all scheduled airline operators using Queenstown Airport)

A representative of the Queenstown Airport General Aviation/Helicopter Operators.	1 member
Note: At the time this NMP came into force, these operators were referred to as the Milford Users Group.	

## MEMBERSHIP ROLES

### CHAIRPERSON

- 2.4 In addition to the membership set out in the table at 2.3 QAC will appoint an independent chair for the QALC in consultation with the QLDC.

### QUEENSTOWN AIRPORT CORPORATION

- 2.5 QAC is the owner and operator of Queenstown Airport and is responsible for ensuring operations and aircraft movements at the airport comply with designation conditions in Designation 2 and section D.1 of Appendix A1 of the District Plan and any Civil Aviation Authority (**CAA**) requirements. In particular, QAC is responsible for the development and implementation of the NMP and for all subsequent amendments. While QAC acknowledges it has responsibility for managing noise at Queenstown Airport, other stakeholders have a role in ensuring the NMP is workable and commercially viable, i.e. airlines and general aviation/helicopter operators. QAC will provide a copy of the NMP to QLDC and QALC within 6 months of the NOR being included in the District Plan as a Designation and copies of any amended versions within one month of their finalisation and approval.
- 2.6 QAC also has a responsibility under section 16 of the Resource Management Act 1991 (**RMA**) to adopt the best practicable options to ensure that the emission of noise from Queenstown Airport does not exceed a reasonable level.

### AIRWAYS CORPORATION OF NEW ZEALAND

- 2.7 Airways Corporation of New Zealand (**Airways**) is responsible for managing all domestic and international air traffic operating within New Zealand's airspace. Airways operate the Air Traffic Control at Queenstown Airport and is responsible for directing air traffic on the runway and manoeuvring areas and in the airspace around the airport.

### QUEENSTOWN LAKES DISTRICT COUNCIL

- 2.8 QLDC is the territorial authority within whose jurisdiction the Queenstown Airport is located. QLDC has a responsibility to ensure that all activities undertaken within the Queenstown Lakes District, including at Queenstown Airport, are undertaken in accordance with the requirements established in the District Plan. QAC is also required to provide the NMP to the QLDC (as the applicable regulatory body for the management of noise and amenity effects) within 6 months of the NOR being included the District Plan as a Designation.
- 2.9 It should also be noted that QLDC is the majority shareholder in QAC. However, its involvement in the QALC is with regard to its regulatory function

under the RMA. The expertise of the QLDC representative on the QALC should suitably reflect this aspect of QLDC's functions.

### **COMMUNITY REPRESENTATIVES**

- 2.10 Queenstown Airport is located within close proximity to both existing and planned residential developments with the operation and growth of the Queenstown Airport having the potential to affect the amenity of the community who live in these developments.
- 2.11 Conversely, residential development in the Frankton area has the potential to generate reverse sensitivity effects on the operation of Queenstown Airport, which is a regionally significant asset.
- 2.12 Given the above, the community representatives are tasked with:
- Presenting the views of the local residents and community (including neighbouring properties and special interest groups);
  - Ensuring resident and community views have a direct route into the noise management process; and
  - Promoting communication and understanding between the residents / community and QAC and airport users and providing regular feedback on the deliberations of the QALC.

### **AIRLINES AND GENERAL AVIATION/HELICOPTER REPRESENTATIVES**

- 2.13 For the time being these operators will be represented by the Milford User Group. Representatives of General Aviation (**GA**) and helicopter-operators and Airline operators are parties to the QALC as they represent the airport users who are responsible for the noise generating activities at Queenstown Airport. As such, their involvement in the QALC is essential to managing noise issues at Queenstown Airport into the future.
- 2.14 The GA / Helicopter operators' representative is responsible for presenting the opinions and views of small commercial operators (i.e. flight-seeing operators, helicopter tourism operators, small commercial charter services) and recreational aircraft users.
- 2.15 The Airlines' representative will be responsible for presenting the opinions and views of the airlines they represent.

### **QALC FUNCTIONING**

#### **GENERAL**

- 2.16 It is intended that the QALC will have its inaugural meeting within one month of all representatives outlined in section 2.3 of this NMP being selected. From this inaugural meeting the QALC shall meet up to 4 times per annum. The meeting schedule and need for additional meetings per year will be decided at the discretion of the QALC.

- 2.17 The QAC will provide a venue and secretarial and support services to the QALC at its own expense.
- 2.18 The QAC will provide any necessary data and technical information on aircraft movements and any update of the noise complaint register as set out in Section 5 of this NMP to all QALC representatives in advance of each meeting.

### **MEETING PROCEDURES**

- 2.19 While it is expected that the QALC will develop its own processes for the facilitation of meetings over time, the following procedures are expected to be followed:

1. **Chairperson** – QAC in consultation with QLDC will appoint an independent chair to convene and facilitate all meetings of the QALC.
2. **Notice of Meeting** – QAC will arrange for a notice of meeting, together with any relevant information, to be sent to all QALC representatives at least 5 working days prior to each meeting. The notice of meeting will set out the time and place of the meeting and the nature of the business to be discussed. Representatives may advise the QAC of items to be included in the notice of meeting.
3. **Method of Holding Meeting** – A meeting will be held by a number of representatives, who constitute a quorum, being assembled together at the place, date and time appointed for a meeting.
4. **Quorum** – No business may be transacted at a meeting of the representatives if a quorum is not present. A quorum exists if there are at least four representative members, including one of the community representatives, the Council representative, the representative of the airlines and the QAC representative, present at the meeting.
5. **Members may act by Representative** – A member of the QALC may appoint a substitute to attend one or more meetings of the QALC provided this is communicated to the chairperson in advance of the meeting.
6. **Minutes** – The QAC will ensure that accurate minutes of all QALC meetings are produced and circulated to all representatives within 10 working days of each meeting occurring.

### **DISPUTE RESOLUTION**

- 2.20 The QAC is committed to a process whereby differences between parties represented on the QALC are resolved within the committee through the provision of information, analysis, consultation and the development of a consensus.
- 2.21 QAC recognises, however, that there may be occasions where a consensus is not reached. In these circumstances the following procedure will be utilised:



1. The Chairperson may determine that a point of difference exists between the various representatives and may, if the issue is of significance, appoint an independent mediator.
2. To facilitate any such mediation QAC will provide, at its cost, the Mediator with whatever information is reasonably necessary (including a legal opinion on the issue in question if required), on the basis that the information and advice will be made available to all representatives on the QALC.
3. If, despite best efforts (including independent mediation), a consensus cannot be reached within the QALC on matters relating to aviation safety or operations, the QAC will consider any recommendation on the issue in dispute that the Mediator or Chairperson may make and will formally advise the Chairperson within 10 working days of its decision in respect to any such recommendation and the reasons for its decision. On matters not relating to aviation safety and operations QAC will abide by the mediator's recommendation.

### 3. NOISE MONITORING

#### 3.1

- i. Aircraft noise shall be measured, predicted and assessed in accordance with NZS 6805:1992 Airport Noise Management and Land Use Planning and NZS6801:2008 Acoustics – Measurement of Environmental Sound, by a person suitably qualified in acoustics.
- ii. The terms ANB, OCB, ASAN, 2037 Noise Contours and Indoor Design Sound Level shall be as defined in the District Plan.
- iii. The term Annual Aircraft Noise Contours (**AANC**) shall be defined as the annual  $L_{dn}$  contours 55 dB, 60 dB, and 65dB that have been derived using airport noise prediction software to be determined by the QALC in accordance with this NMP and records of actual aircraft movements for the busiest three consecutive months of the preceding year.
- iv. The term Compliance AANC shall be defined as the AANC adjusted for any differences between measured noise levels and calculated noise levels.
- v. The term Projected AANC shall be defined as the Compliance AANC adjusted for annual growth estimated for the following year based on trends derived from historical aircraft movement data.
- vi. If NZS 6805:1992 is superseded by a revised or new standard, the adoption of this revised/new standard in place of NZS 6805:1992 shall be at the discretion of Queenstown Airport Liaison Committee (**QALC**).

3.2 Each year, QALC, shall produce 55 dB, 60 dB and 65 dB AANCs, using airport noise prediction software INM v7a and records of actual aircraft movements for the busiest three consecutive months of the preceding year. QALC shall have the discretion to require future predictions to be modelled using new or improved software which supersedes INMv7a.

3.3 At least every three years, QALC shall undertake a monitoring programme to compare the measured aircraft noise levels with the AANC. The AANCs shall be corrected for any differences arising from the measured levels to produce the Compliance AANCs. The monitoring programme shall include the following measurements within a three year period including: a minimum of one month summer and one month winter undertaken at a minimum of three points located west, north-east and south of the airport with the exact positions to be determined by the QALC under theis NMP.

3.4 Each year the Compliance and Projected\_AANCs shall be reported to the QALC. Compliance AANCs produced for years when noise measurements have not been undertaken shall be prepared using the same corrections determined from the most recently measured aircraft noise levels undertaken in accordance with section 3.3.

3.5 The Airport shall be managed so that the noise from aircraft operations does not exceed 65 dB  $L_{dn}$  outside the Air Noise Boundary (**ANB**) or 55 dB  $L_{dn}$  outside the Outer Control Boundary (**OCB**). The ANB and OCB are as shown on the

District Plan Maps. Compliance with the ANB and OCB shall be determined on the basis of the Compliance AANCs.

#### **NON – COMPLIANCE WITH ANB AND OCB**

3.6 In the event that monitoring determines that noise levels at Queenstown Airport have exceeded the ANB and OCB as shown on the District Planning Maps, the following procedures will be followed:

1. QAC will immediately advise the QALC and the QLDC of the non-compliance event. QAC shall provide a report by a person suitably qualified in acoustics stating the extent of the non compliance and its significance.
2. QAC will investigate the source and reason for the non-compliance event(s). This will include identifying whether it was a result of human error, mechanical fault or non-conformity with the NMP.
3. QAC will also determine whether the non-compliance event(s) is part of a broader trend or pattern of events.
4. If necessary QAC will meet with the airport operators concerned and jointly identify possible mitigation measures.
5. QAC will produce a report outlining the outcome of its investigation into the non-compliance event(s).
6. A review of the report, and any recommendations or mitigation proposed by QAC, will be undertaken by the QALC.
7. QAC will take all practicable steps to:
  - remedy the non-compliance.
  - ensure that another non-compliance does not occur.
  - NOTE: the actual remedial method will be determined in the event of a non-compliance.

## 4. ENGINE TESTING RULES

- 4.1 Aircraft operators are required to carry out maintenance procedures on aircraft and their engines. These procedures may require mandatory engine testing before the aircraft can fly again. This is referred to as 'engine testing'. Ground testing of aircraft engines 'on the wing' is carried out on the runway and taxiway areas at Queenstown Airport. This involves taxiing or towing the aircraft to the required test area (as directed by Air Traffic Control) and testing the engines at various power levels.
- 4.2 The duration and type of 'on the wing' testing varies widely. Testing may arise due to the need to test replacement components, troubleshoot a defect, or for routine systems testing. Generally on modern aircraft the majority of this testing is carried out at an 'idle' thrust setting. Occasionally it is necessary to increase the engine power to full thrust. If a full thrust test is required there would typically be 2 or 3 high power runs, each of about 3 minutes duration. The remainder of the time comprises lower power or idle running.
- 4.3 Section D.1 of Appendix A1 of the District Plan sets out the conditions for aircraft engine testing 'on the wing' at Queenstown Airport. These conditions are as follows:

*Sound from activities, which are outside the scope of NZS 6805:1992, shall comply with the District Plan noise limits set in the zone standards for each zone in which the sound is received. This requirement includes engine testing other than for essential unplanned engine testing of aircraft for scheduled passenger services.*

*No noise limits shall apply to essential unplanned engine testing of aircraft for scheduled passenger services. The NMP shall detail noise management practices for unplanned engine testing including preferred locations and times. Following each unplanned engine test the QAC shall report to the next meeting of the QALC why the testing was required and what noise management practices were followed.*

[QAC will endeavour to identify preferred locations and times for unplanned engine testing for inclusion in this NMP].

## 5. COMPLAINTS PROCEDURES

### INTRODUCTION AND PURPOSE

- 5.1 The purpose of this section is to outline QAC's standard protocols for recording, responding to, and reporting on any noise complaints it may receive from the community in relation to aircraft operations, engine testing activities and any other noise generating activities at Queenstown Airport.
- 5.2 In addition to the above, the objective of this procedure is to provide local residents and the community with a mechanism to report any complaints or concerns regarding noise from aircraft operations, engine testing activities or any other noise generating activities at Queenstown Airport. QAC also acts as a conduit for complaints of aircraft noise outside the airport environment.

### LOGGING A COMPLAINT

- 5.3 The general public can call the QAC at any time if they wish to register a noise complaint by contacting **(03) 450 9031** or submit a complaint via the Queenstown Airport website. Details for lodging a noise complaint will be displayed in a prominent location on the website for Queenstown Airport and recorded in a complaints log able to be viewed at any time by members of the QALC and QLDC.
- 5.4 Callers will be asked to provide the following details:
- Name of Complainant;
  - Contact Details of Complainant;
  - Location of Complaint;
  - Date and Time of the incident given rise to the complaint;
  - Nature of Complaint (i.e. jets flying overhead, helicopter circuits); and
  - Any identifying features of the aircraft such as colour, type, registration, etc.
- 5.5 Within 48 hours of the first working day after receiving the complaint, the complaint will be investigated by the QAC Noise Administrator who will also add any information they have available as to the cause of the noise complaint, such as weather conditions and runways in use at the time of the complaint.

### INVESTIGATIONS

- 5.6 The Noise Administrator will respond to the complaint with an initial acknowledgement (letter, email or phone call) to the complainant and then investigate the complaint further. A copy of the complaint and correspondence arising from it shall be forwarded to the Queenstown Lakes District Council.
- 5.7 The investigation will attempt to identify the cause of the noise event in question. One example may be a noise complaint related to an aircraft movement. In this case the investigation will attempt to identify the flight in question based on the information collected when the initial complaint was received (i.e. time of day, location of complainant) and any noise or flight data available for the period in question. With this approach the Noise Administrator may identify which flights have travelled over, or close to, the area of concern to

the complainant, whether these flights or flight paths were expected, and whether the flights were in accordance with any relevant CAA flight and / or agreed protocol.

- 5.8 If a breach of CAA rules is suspected or the circumstances are particularly unusual the QAC will refer the matter to the airport user concerned for comment before responding to the complainant.

### **REPORTING**

- 5.9 A written response outlining the conclusion of the investigation undertaken by the Noise Administrator and any remedial or mitigation measures that may be implemented, if necessary, will be provided to the complainant within 20 working days. The complainant will be invited to attend the next meeting of the QALC.
- 5.10 In addition to the above, the QALC will review the complaints register and associated responses from the QAC at all of its meeting as a matter of general business. If necessary, the QALC will consider and recommend appropriate remedial or mitigation measures for on-going or unresolved complaints.
- 5.11 Any complainant unhappy with the outcome of the response or investigation into their complaint can contact one of the community representatives on the QALC to follow up the matter further.
- 5.12 If the investigation identifies that there has been non compliance with the ANB and OCB as shown in the District Planning Maps, the procedures to be followed are set out under section 3.6.

## 6. CONSIDERATE FLYING PRACTICES

6.1 The terrain around Queenstown Airport provides for a challenging flying environment and there is limited ability to deviate from flight tracks. The main focus of pilots and airlines is on safe flying practice. As a result of this, considerate flying practices are limited in their application for scheduled heavy aircraft, however there is some scope for promoting considerate flying practices for general aviation or helicopters.

6.2 Where practicable QAC will encourage the promotion of considerate flying practices, subject to CAA rules and other safety procedures. The aim is to ensure awareness of noise issues amongst pilots and operational procedures for the benefit of neighbours of Queenstown Airport by minimising the impact of flying activities on the community. It is essential to note that considerate flying practices should not in any way usurp CAA rules or Air Traffic Control clearances or other safe flying practices at Queenstown Airport.

### OVERALL CONCEPT

6.3 As outlined in section 2.11 above Queenstown Airport is located within close proximity to residential and commercial development, most notably the community of Frankton. Given this, there is potential for residents below the flight paths and near the airport to be adversely affected by noise emanating from the airport or aircraft.

### SPECIFIC OPERATIONAL CONSIDERATIONS

6.4 Pilots in command of fixed wing aircraft (general aviation traffic) will be encouraged by QAC to observe the following:

1. All take-offs shall use the identified starting point of runway.
2. The operational procedures that the QAC has developed in conjunction with the Airways Corporation of New Zealand to mitigate noise from aircraft taking off from crossing runway 14.
3. Houses should not be used as a reference point for training or other manoeuvres.
4. Activities such as simulated forced landings, glide approaches and simulated engine failure after take-off should only be conducted in specially designated areas or restricted to runways that do not have built up areas under the flight path.
5. Engine testing operations shall be carried out in accordance with section 4 of this NMP and section D.1 of Appendix A1 of the District Plan.

6.5 Pilots in command of helicopters will be encouraged by QAC to observe the following:

1. Houses should not be used as a reference point for training or other manoeuvres.
2. Hover training is only permitted on designated runways.
3. Sling load training is not permitted on the airfield.
4. Helicopters with noisy characteristics should use take off techniques which achieve the maximum height possible prior to crossing the Queenstown Airport boundary.
5. Where it is practicable to do so, use the flight tracks as shown in **Annexure 3 Flight Tracks**.

### **COMMUNICATION OF CONSIDERATE FLYING PRACTICES**

- 6.6 QAC will monitor considerate flying practices through observation of the pilots operating out of Queenstown Airport. Where issues are evident, or brought to the attention of QAC (i.e. through the complaints procedure), these will be brought to the attention of the pilot and / or aircraft operator concerned. Where necessary, mitigation practices will be agreed by the QAC and the aircraft operator concerned. These agreed mitigation practices will also be reported to the QALC.



## 7. NOISE MITIGATION PLAN

### INTRODUCTION

- 7.1 This section of the NMP outlines the measures that will be undertaken by QAC to progressively mitigate the potential noise effects on existing ASANs within the ANB and the 2037 60 dB  $L_{dn}$  Noise Contour.
- 7.2 The purpose of this Noise Mitigation Plan is to inform the way the QAC offers mitigation to address these effects.
- 7.3 It is generally accepted (and recommended in NZS 6805) that ASANs within 65 dB  $L_{dn}$  should be provided with noise mitigation. QAC has also agreed to provide mitigation out to 60 dB  $L_{dn}$ .
- 7.4 It is also widely accepted that 40 dB  $L_{dn}$  is an appropriate Indoor Design Sound Level for critical listening environments within ASANs. The degree of mitigation required to achieve this objective varies depending on the external noise level and the condition of the building which houses the ASAN.
- 7.5 What has been found from practical sound insulation studies around other New Zealand airports, is that the level of mitigation can readily be grouped into three bands based on the external noise levels as follows;
- Houses located between 55.0 to 58.0 dB  $L_{dn}$  – will generally achieve 40 dB  $L_{dn}$  inside with windows slightly ajar.
  - Houses located between 58.0 to 65.0 dB  $L_{dn}$  – will generally achieve 40 dB  $L_{dn}$  inside with windows closed and thus mechanical ventilation is required to provide an alternative form of ventilation.
  - Houses located between 65.0 to 70.0 dB  $L_{dn}$  – will generally require additional sound insulation (window seals, extra plasterboard and batts) and also mechanical ventilation to achieve 40 dB  $L_{dn}$  inside.

### PROGRESSIVE MITIGATION

- 7.6 The noise level at Queenstown Airport is predicted to increase as air traffic increases over time out to the year 2037.
- 7.7 The approach adopted for the implementation of mitigation is thus based on when a certain noise level (generally either the 65 or 60 dB Projected AANC ~~65 or 60 dB~~) reaches a particular property, in which case mitigation is offered to the property owner. As discussed, QAC has agreed that for Queenstown this noise level should be when (or just before) the 65 or 60 dB Projected AANC reaches the property. It is anticipated that as 2037 approaches, the 65 and 60 dB Projected AANC ~~65 and 60 dB~~ will near and possibly meet the ANB and 2037 60 dB  $L_{dn}$  Noise Contour (respectively).
- 7.8 The mitigation can be implemented in two stages based on the noise bands discussed above. In particular when the 60 dB Projected AANC reaches a property, in which case only a mechanical ventilation system needs to be

offered for installation initially, as this allows the occupant to close the windows and meet the Internal Design Sound Level.

- 7.9 If and when the 65 dB Projected AANC reaches a property, sound insulation treatment needs to be offered for installation to complement the ventilation system. Thus a progressive approach is being taken by QAC in order to appropriately mitigate the noise in terms of the indoor environment as the noise reaches each ASAN.
- 7.10 The level of sound insulation to be installed in the particular house must be calculated on the future (2037) level of noise, not the Projected 65 or 60 dB AANC ~~65 or 60 dB~~ that has just reached the property, as it is not practical to incrementally install mitigation as the noise level gradually increases. The implementation of this mitigation procedure is described below and in the Aerodrome Purposes Designation 2.

### **IMPLEMENTATION OF MITIGATION**

- 7.11 The progressive approach to be adopted by QAC in mitigating potential noise effects is set out below:
- 7.12 Each year QAC shall produce 55 dB, 60 dB and 65 dB Projected AANCs using the same airport noise prediction software as used for the Compliance AANCs, with an appropriate growth projection factor applied, for the purposes of informing the mitigation offers specified below.

#### **Within the ANB**

- 7.13 Each year the QAC shall offer to provide 100% funding of noise mitigation for Critical Listening Environments of buildings that existed on [insert date designation confirmed] containing an ASAN that are within the 65 dB Projected AANC. This offer may be earlier at QAC's discretion. The mitigation shall be designed to achieve an Indoor Design Sound Level of 40 dB  $L_{dn}$  or less, based on the 2037 Noise Contours contained in the NMP.

#### **Within the 2037 60 dB Noise Contour**

- 7.14 Each year the QAC shall offer to provide 75% funding of mechanical ventilation for Critical Listening Environments of buildings that existed on [insert date designation confirmed] containing ASAN that are within the 60 dB Projected AANC. This offer may be earlier at QAC's discretion. Where a building owner accepts this offer they shall not be eligible for further funding of mechanical ventilation if the building later becomes within the 65 dB Projected AANC, but they shall become eligible for 100% funding of any sound insulation required.
- 7.15 Mechanical ventilation shall be in accordance with **Annexure Two** of this NMP. Refer also Appendix 13, Table 2 of the District Plan.

~~7.16 Noise mitigation funding offered by the QAC shall only be required where the benefitting building owner agrees to the methods offered and agrees to enter~~

~~into a binding property agreement or covenant to the effect that the owners or occupiers of the property:~~

- ~~\_\_\_\_\_ (a) \_\_\_\_\_ are aware that the property may be subject to increased levels of aircraft noise, and~~
- ~~\_\_\_\_\_ (b) \_\_\_\_\_ agree that any complaint arising from noise related activities shall be dealt with in accordance with the complaints procedures set out in the NMP., and~~
- ~~\_\_\_\_\_ (c) \_\_\_\_\_ will not remove and lessen the effectiveness of the acoustic insulation and/or mechanical ventilation that is installed by QAC without its prior approval.~~

7.167 Alternative mitigation strategies may be adopted by agreement of QAC and the building owner.

7.178 QAC shall be responsible for any structural or other changes required under the Building Act or otherwise to enable the installation of the acoustic treatment and mechanical ventilation. QAC shall not be responsible for any structural or other changes required to comply with building regulations or otherwise that applied when the building or relevant part was constructed.

#### **Covenants**

7.189 QAC shall only be obliged to carry out any work pursuant to clauses 7.12 – 7.1546 above if the affected property owner(s) agrees to enter into a covenant with QAC (that shall be registered on the property's certificate of title) to the effect that:

- The owners and occupiers of the property are aware that the property may be subject to increased levels of aircraft noise and any complaint arising from noise related activities at the Airport shall be dealt with in accordance with the complaints procedures set Section 5 of this NMP; and
- The owners and occupiers of the property will not remove or in any way lessen the effectiveness of the acoustic insulation and/or mechanical ventilation that is installed by QAC without it's prior approval.

7.1920 QAC will cover all reasonable legal costs of affected property owners associated with the development and registration of covenants on the titles of properties.

#### **Process**

7.2024 The following process will be followed:

1. QAC will be responsible for obtaining all necessary building consents and/or resource consents required for the installation of the acoustic insulation and / or mechanical ventilation mitigation required.

2. QAC will liaise with the affected property owner and / or tenant in relation to a suitable time for QAC's contractor to install the acoustic insulation and mechanical ventilation in the affected property.

### **GOOD FAITH NEGOTIATIONS**

7.2122 It should be acknowledged that the measures outlined above will be offered to the owners of existing ASAN ~~as~~ the 60 ~~dB~~ and 65 dB Projected AANC reaches their property. QAC cannot compel or require property owners to partake in the mitigation measures that are offered. Non acceptance of a QAC offer by any one or more property owners will not result in restrictions on the full utilisation of the ANB or OCB ~~60 dB L<sub>dn</sub>~~ Boundaries.

7.2223 Any offer made in accordance with 7.13 and 7.14 of this NMP remains open for acceptance for a period of 12 months. If the *landowner declines the offer is declined*, this shall be recorded by QAC, ~~and the offer may be remade~~ *if*, at a later date *that landowner wishes to take up the offer, the landowner shall notify the QAC of its desire to do so. The QAC shall determine whether it will make the offer available again and shall communicate the reasons for its decision to the landowner. Acceptance of the request by the QAC shall not be unreasonably withheld. QAC shall monitor change of ownership records and if owner of the property subsequently changes and the offer made above was not taken up by the landowner at that time, the* ~~at the discretion of QAC. Any subsequent offer or reoffer will remain open for acceptance for a period of 6 months. If the offer is declined and ownership changes and QAC is notified,~~ QAC shall offer the new *landowners* funding in accordance with 7.13 and 7.14 of this NMP. In ~~such~~ *these* circumstances the offer will remain open for acceptance for a further 12 month period.

7.2324 QAC should, however, provide the QALC with a complete list of any property owners who have chosen not to take up the mitigation measures offered, along with a record of correspondence with the property owner.

### **MONITORING OF NOISE MITIGATION**

7.2425 In recognition of the importance of the noise mitigation works to ensuring that occupiers of existing ASANs within the ANB or 2037 60dB Noise Contour are not unduly affected by operations at Queenstown Airport, it is appropriate that monitoring of the effectiveness of the noise mitigation works is undertaken by QAC. Given this, QAC shall retain an acoustic consultant to establish a monitoring programme that is designed to confirm the effectiveness of the on-going monitoring programme.

7.2526 The results of the monitoring programme will be provided to QAC and the QALC. The QALC may provide comments to the QAC on the effectiveness of the programme.

### **ALTERNATIVES TO THE NOISE MITIGATION PLAN**

7.2627 Property owners may make an application to QAC proposing alternative acoustic insulation and mechanical ventilation mitigation. The alternative will only be considered acceptable by QAC if the following is achieved:

1. The alternative acoustic insulation and mechanical ventilation mitigation achieves an Indoor Design Sound Level of 40 dB L<sub>dn</sub> in Critical Listening Environments and/or provides suitable airflow circulation to the level specified in Annexure 2 to enable windows and doors to remain closed; and
  2. The cost of the alternative acoustic insulation and mechanical ventilation mitigation proposed by the property owner is no greater in cost than the mitigation proposed by QAC in sections 7.13 – 7.15~~16~~ above; or
  - ~~3.~~ 3. The property owner enters into a contract with QAC agreeing to cover the additional cost of the alternative acoustic insulation and mechanical ventilation mitigation in addition to that allowed for in the mitigation proposed by QAC in sections 7.13 and 7.15~~16~~ above; and
  - ~~43.~~ 43. The property owner agrees to the covenants on the title property to the effect outlined in section 7.19 and 7.20 above.
  - ~~54.~~ 54. Calculations of sound insulation to meet 40 dB L<sub>dn</sub> shall be based on the external noise levels shown in the District Plan and shown as 1dB contours in the 2037 Noise Contours attached to this NMP. The calculations and reporting thereof shall be carried out by a person suitably qualified in acoustics.
- 7.27~~28~~ QAC will also forward all applications for alternative acoustic insulation and mechanical ventilation mitigation to the QALC for comment where appropriate.

### **DISPUTE RESOLUTION**

- 7.28~~29~~ The QAC is committed to the implementation of acoustic insulation and mechanical ventilation mitigation in all existing ASANs within the ANB and offering to fund 75% of the cost of installing mechanical ventilation within the 2037 60dB Noise Contour. Both measures are intended to provide mitigation that is cost effective, efficient and reasonable for the community surrounding Queenstown Airport. QAC recognises that there may be occasions where a dispute with an affected property owner does emerge in relation to the Noise Mitigation Plan. In these circumstances the following procedure will be utilised:
1. Any dispute arising between the QAC and the affected property owner(s) in respect of, or in connection with, this Noise Mitigation Plan (whether concerning the construction of this plan, or the rights, duties or liabilities of the parties arising or however arising) (Dispute) shall be endeavoured to be settled amicably and without recourse to litigation and any such Dispute shall be determined in accordance with the procedure set out in section 7.28 –(2), (3) and (4)below.
  2. In the event of a Dispute, the parties shall, without prejudice to any other right or entitlement they may have, immediately explore in good faith whether the Dispute can be resolved by agreement between them using

informal and private dispute resolution techniques such as negotiation, mediation, independent expert appraisal or any other alternative dispute resolution technique.

3. The rules governing any alternative dispute resolution technique adopted by the parties shall be agreed between the parties or, if no agreement is reached within five working days of notification by any party of a Dispute, then by such procedure as is selected by the chairman of the New Zealand Chapter of Lawyers Engaged in Alternative Dispute Resolution (**LEADR**).
4. The parties agree to use their best endeavours to achieve resolution of any Dispute in the manner contemplated by this clause and neither party will initiate other legal proceedings without first pursuing such informal alternative dispute resolution techniques.

# **ANNEXURE ONE**

Noise Control Boundaries

# **ANNEXURE TWO**

Ventilation Table



# **APPENDIX F**

Environment Court Decisions On Pc35

**BEFORE THE ENVIRONMENT COURT**

Decision No. [2012] NZEnvC 195

**IN THE MATTER** of the Resource Management Act 1991 (**the Act**) and appeals pursuant to clause 14 of the First Schedule and a designation under section 174 of the Act

**BETWEEN** AIR NEW ZEALAND LTD

(ENV-2011-WLG-001)

QUEENSTOWN AIRPORT  
CORPORATION LTD

(ENV-2011-WLG-003)

REMARKABLES PARK LTD AND  
SHOTOVER PARK LTD

(ENV-2011-WLG-004)

WAKATIPU RESIDENTS AGAINST  
AIRPORT NOISE INC

(ENV-2011-WLG-005)

Appellants

**AND** QUEENSTOWN LAKES DISTRICT  
COUNCIL

Respondent

**BETWEEN** AIR NEW ZEALAND LTD

(ENV-2011-WLG-014)

REMARKABLES PARK LTD AND  
SHOTOVER PARK LTD

(ENV-2011-WLG-016)



WAKATIPU RESIDENTS AGAINST  
AIRPORT NOISE INC

(ENV-2011-WLG-019)

Appellants

AND

QUEENSTOWN AIRPORT  
CORPORATION LTD

Respondent

Hearing: at Queenstown on 23, 25, 26, 27 and 31 January 2012

Court: Environment Judge J E Borthwick  
Environment Commissioner R M Dunlop  
Environment Commissioner D J Bunting

Appearances: J Gardner-Hopkins and J Marriner for Air New Zealand Limited  
A Dewar and R Wolt for Queenstown Airport Corporation Ltd  
J Young for Remarkables Park Ltd and Shotover Park Ltd  
I M Gordon for Queenstown Gateway Limited and Queenstown  
Central Limited – a section 274 party  
M Ray for Queenstown Lakes District Council  
R Buckham (on 23 and 25 January 2012) and M Maxwell (on 26  
January 2012) for Wakatipu Residents Against Airport Noise Inc  
R Makgill for the Minister of Education – a section 274 party

Date of Decision: 7 September 2012

Date of Issue: 10 September 2012

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**INTERIM DECISION OF THE ENVIRONMENT COURT**

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A: Subject to C and D by **28 September 2012** QAC, having conferred with the other parties, is to file and serve revised versions of PC 35 and Designation 2 amended to give effect to the changes directed in Table 1 of this Interim Decision.

B: The parties are to discuss, and if possible agree, the recommendations made by the court on the draft NMP. If the recommendations are agreed, then the draft



NMP is to be updated and filed in court by **28 September 2012**. If they cannot be agreed then the recommendations are to be determined by QAC in consultation with the QALC when the latter is convened.

C: Where any party considers that the court has in Table 1 misapprehended any provision, leave is reserved to call further evidence with directions to be sought by **21 September 2012**.

D: (i) By **21 September 2012** QAC is to file and serve a memorandum on the following topics:

- noise modeling software; and
- the offer period for noise mitigation.

(ii) In its memorandum QAC shall advise whether the court has jurisdiction to make the amendments shown in Table 1 on these two topics and, if there is no jurisdiction, then whether and how the concerns raised by the court can be addressed.

(iii) QLDC is file and serve a memorandum responding to QAC by **28 September 2012**.

(iv) If any party takes a different position to QAC or QLDC then they are to file and serve a memorandum by **5 October 2012**. Further directions will then likely follow.

E: A final decision will issue when the matters referred to in [2] are determined and, should it be necessary, any matters arising from C and D are determined.

## REASONS

### Introduction

[1] These proceedings concern a proposed plan change initiated by Queenstown Airport Corporation Ltd (QAC) to amend the Queenstown Lakes District Plan by revising the existing air noise boundaries and introducing related land use controls and funding mechanisms for new noise mitigation measures. Associated with this are the



appeals on a notice of requirement issued by Queenstown Airport Corporation contemporaneously to amend the existing Aerodrome Designation.

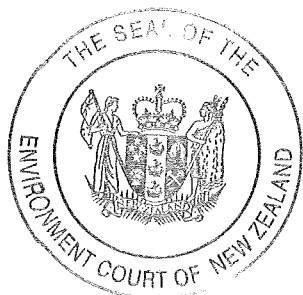
[2] This decision does not approve the proposed planning map 31a (recording the new air noise and outer control boundaries in the District Plan). A decision on the planning map will be made in conjunction with the QAC notice of requirement directly referred to the Environment Court (same division), to extend Designation 2 (the Aerodrome Designation). It is the court's intention to release contemporaneously final decisions on these proceedings, together with the direct referral. Similarly, this decision does not approve of the amendments proposed in relation to Remarkables Park Zone Structure Plan, although we find that we have jurisdiction under section 293 of the Act to amend the Structure Plan and that this is an appropriate case for our discretion to be exercised. A final decision and directions on the Structure Plan will be given when we release our decision on the QAC notice of requirement.

[3] While we are not tasked with approving the draft Noise Management Plan (NMP), we have considered its provisions carefully as it is a useful means to test the robustness of the proposed conditions of the designation. We comment on the draft NMP suggesting changes, but record here that it is a matter for the QAC to give formal approval of the NMP and the directions on the NMP we make are in the nature of recommendations.

### **The proceedings**

[4] We comment briefly on the conduct of the hearing as this has had some bearing on our deliberations. The proceedings were set down for a two week hearing commencing 23 January 2012. On the first day of the hearing the parties advised that they were engaged in settlement discussions and that they hoped either to resolve or narrow the scope of the appeals.

[5] The court, which was sitting in Queenstown, granted the parties' application for a two day adjournment and directed that evidence be called in support of any agreed amendments to the plan change. In the event, the hearing reconvened on 26 January 2012 and concluded on 31 January 2012. While further evidence was adduced, the witnesses did not respond fully to the court's directions addressing the agreed changes in the context of the decisions under appeal and the evidence filed in support of the various



parties (which the court had pre-read). Following the commencement of the hearing we received several iterations of the plan change, designation and draft noise management plan.

[6] In this Interim Decision we have incorporated our findings as outcomes in Table 1. As will be apparent from this table, a number of outcomes proposed by the parties do not find favour with the court. This is because some of the changes agreed to by the parties were either not supported by their expert witnesses or are editorial changes required to correct spelling, tense, inconsistent use of terms and the ambiguous use of language. We consider these later changes obvious and have not commented further on them in the decision.

[7] It is possible given the manner that the case was conducted, that the court has misapprehended the purpose and effect of some of the provisions. If it has then the parties will be provided a further opportunity to respond, this time addressing, in particular, the technical evidence underpinning the provisions. We have released this Interim Decision so that these matters may be addressed ahead of the substantive decisions on plan change 19 and QAC's notice of requirement.

[8] Finally, we record that the Wakatipu Residents Against Airport Noise Inc formally withdrew from the proceedings on 26 January 2012.

### **The Law**

[9] On appeal of a plan change the court must be satisfied that approving the plan change will achieve the statutory directions. These are summarised in the well known decision of *Long-Bay-Okura Great Park Society Incorporated v North Shore City Council*<sup>1</sup> which was recently updated in the decision of *High Country Rosehip Orchards Ltd and Ors v Mackenzie District Council*.<sup>2</sup> As we are also considering appeals against a notice of requirement we, subject to Part 2, must consider the effects on the environment of allowing the requirement, having particular regard to the matters set out in section 171(1) before deciding whether under section 174 to cancel or confirm the designation (with or without modifications to or new conditions). Finally, we are also to

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<sup>1</sup> A078/2008.

<sup>2</sup> [2011] NZEnvC 387.



have regard to the District Council's decision following its hearing into the plan change and the notice of requirement.<sup>3</sup>

### **The documents under consideration**

[10] To provide context we give a brief outline of the amendments proposed or new provisions sought in relation to the three documents that are the subject of this Interim Decision.

[11] The first of these documents is the Queenstown Lakes District Plan. The proposed plan change to extend the airport noise boundaries requires amendments to the existing objectives, policies and rules in a number of sections of the plan. These sections include the District Wide Issues; the Rural, Residential and Business and Industrial Areas; the Queenstown Airport Mixed-Use Zone; the Remarkables Park Zone; the Frankton Flats Zone; Transport; Definitions; and Appendix 1 (Queenstown Airport Sound Insulation and Ventilation Requirements). Planning map 31a is also to be amended recording the new air noise and outer control boundaries.

[12] The second document is Designation 2 – Queenstown Airport Corporation Limited Aerodrome Purposes. The notice of requirement proposes to amend the Aerodrome Designation to include new or amended conditions for the airport noise boundaries, noise predictions, noise monitoring, noise mitigation measures and provision for a noise management plan. We record that a second notice of requirement directly referred to the court by QAC (**Lot 6 NOR**), proposes additional amendments to the Aerodrome Designation.

[13] The final document is the Noise Management Plan which gives effect to a number of the conditions in the amended designations and sits outside of the District Plan.

[14] Finally, we note that QAC intends to uplift Designation 3<sup>4</sup> (Air Noise Boundary Controls) following the release the of the court's final decision and assuming that the plan change is approved and the notice of requirement is confirmed.

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<sup>3</sup> Section 290A.

<sup>4</sup> QAC submits the numbering of designations in the District Plan is confusing. We understood the relevant designation to concern air noise boundaries – see Transcript at [27].



### The issues

[15] While the parties had reached substantive agreement on the provisions to be included in these three documents, at the commencement of the hearing it soon became apparent that as between their experts there were unresolved issues concerning the preparation of the annual airport noise contours (**AANCs**) and some details of the ongoing noise compliance monitoring. In particular:

- (a) the version of the noise modelling software to be used for establishing the AANCs, its relationship with the version used to establish the air noise boundary (**ANB**) and the outer control boundary (**OCB**) under plan change 35 (**PC35**), and whether a particular model and version should be specified in the Designation and/or the NMP;
- (b) the number of measurement points to be used for the noise compliance monitoring; and
- (c) the tolerance limit between the predicted and measured noise levels including the consequences of different limits.

[16] In addition to these matters, in its review of the parties' proposed amendments to the District Plan, Designation and Noise Management Plan, the court has identified a number of common provisions in these documents which require correction or clarification. The key ones being:

- (a) the method to be used for predicting the 60 dB Ldn and 65 dB Ldn AANCs which trigger QAC funding for the noise mitigation of existing buildings containing activities sensitive to aircraft noise (**ASANs**);
- (b) the AANCs which trigger QAC funded mechanical ventilation or acoustic insulation or both;
- (c) the distinction between the ANB and the 65 dB Ldn AANC for triggering QAC funded noise mitigation;
- (d) the offer period for noise mitigation; and
- (e) the location of the air noise boundary and outer control boundary.





[17] Finally, the parties have proposed amendments to the Structure Plan for the Remarkables Park Special Zone. An issue arose as to the court's jurisdiction to make the amendments proposed.

## **Airport Noise Issues**

### ***Introduction***

[18] In relation to airport noise we heard from Christopher Day (for QAC); Malcolm Hunt (for RPL); Nevil Hegley (for QLDC) and Nigel Lloyd (for the Minister of Education). These witnesses are well known to the court from previous hearings and all are recognised as experts in their profession.

[19] Drawing substantially on Mr Day's primary evidence, we commence this section on airport noise issues by providing some background on the current New Zealand Standard used for airport noise management and land use planning, the noise modelling software, the genesis of the existing airport noise boundaries in 1995, the growth of the AANCs since that time and the need under PC35 to extend these existing noise boundaries to accommodate the predicted future growth of the airport.

[20] At paragraph 3.5 of his evidence-in-chief in a section headed **New Zealand Standard 6805** (this being New Zealand Standard NZS 6805:1992 *Airport Noise Management and Land Use Planning* (NZS6805)), Mr Day advised that airport noise contours "must" be calculated using the Integrated Noise Model (**INM**) software developed by the Federal Aviation Authority of America (**FAAA**) for predicting airport noise boundaries and contours.

[21] Indicative inputs to the INM include aircraft types, time of operation (day/night) runway usage, departure/arrival tracks and length of take-off. The FAAA is continually updating the model to take account of new aircraft models and improved algorithms so as to more accurately predict noise contours.<sup>5</sup>



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<sup>5</sup> Day EiC at [7.4].

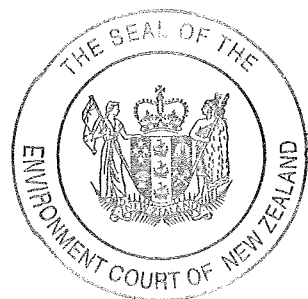
[22] The current noise boundaries and a related set of land use planning rules were incorporated in the District Plan in 1995 based on the then projected growth of the airport to 2015.

[23] During the QLDC hearing on submissions to the then proposed District Plan and a subsequent Environment Court appeal to consider the 1995 noise boundaries, Remarkables Park Limited's (**RPL**) noise experts disputed the Queenstown Airport Corporation's proposed boundaries as being too conservative and therefore too extensive. Eventually a compromise was reached between QAC and RPL, endorsed by the Environment Court, under which the boundaries were agreed to be located midway between the projections proposed by QAC and those proposed by RPL.

[24] Since that time, Mr Day's firm (Marshall Day and Associates) has been responsible for undertaking the Annual Airport Noise Contours (**AANC**) compliance monitoring, most recently in 2010.

[25] All of the noise experts have accepted that the INM software should be used for the PC35 noise modelling, that the Air Noise Boundary (**ANB**) contour should be set at 65 dB Ldn and that the Outer Control Boundary (**OCB**) contour should be set at 55 dB Ldn. This is consistent with the New Zealand Standard 6805.

[26] Mr Day notes that while INM version 5.1 was used to develop the 1995 airport noise boundaries, a later version 7.1a has been used by QAC for preparing the noise contours and boundaries proposed under PC35. This later version includes improved algorithms for predicting the lateral attenuation for propeller-driven aircraft and helicopters and a procedure for including terrain effects, described as the effects of screening and the distance between aircraft noise sources and receivers on the ground.<sup>6</sup>



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<sup>6</sup> Day EiC at [7.15].

*The version of the noise modelling software*

[27] The issue of the version of the INM to be used for producing the future AANCs was traversed by the court with the noise experts, Messrs Day, Hunt, Hegley and Lloyd having heard from them concurrently during the course of the hearing. We note that in its notice of appeal Air New Zealand Ltd supports QAC's decision to specify the noise prediction software, INM v7a, and delete the discretion afforded to the Queenstown Airport Liaison Committee (QALC) to determine the software type and version.<sup>7</sup> No appeal opposes the decision of QAC on this matter.

[28] The QLDC first instance decision for PC35 did not rule on which version of the INM should be used for the AANC compliance monitoring. Instead, the decision on this was left to the QALC under the NMP.

*The evidence*

[29] At Appendix B of his evidence-in-chief Mr Day has included a plan titled *Figure 1 - 2010 Compliance Noise Contours – Summer* which shows that the 2010 65 dB Ldn contour is within the existing District Plan ANB. Conversely the 55 dB Ldn contour exceeds the existing OCB contour in some locations by a small margin (one decibel) and therefore exposes more land to 55 dB Ldn than the District Plan authorises. Mr Day advises that the version of the draft INM used to produce the 2010 AANCs did not take account of noise attenuation from the effects of screening from nearby buildings.

[30] By comparing this Figure 1 with the figure in Appendix L of Mr Day's evidence-in-chief titled *Figure 14 – 2010 Compliance Contours (INM 6.1 vs 7a)* we have concluded that the 2010 AANCs referred to in Figure 1 in the previous paragraph have been modelled using v6.1 as the relevant contours on the two figures appear to be identical. We make this observation because Mr Day told us that the 1995 District Plan noise boundaries were modelled using v5.1.

[31] Mr Day is of the strong view that in the future, for consistency, INM version 7a should be used for determining the AANCs and the related compliance monitoring (until 2037). He argues that if a later INM version was to be adopted and this predicted a

<sup>7</sup> Air New Zealand notice of appeal at [10(c)].



noise level say 2 dB greater than that predicted under version 7a at the OCB, this increase would require the airport to cut back its activity to 60% of the anticipated operations.<sup>8</sup>

[32] Conversely, under this same scenario, he argues that for residents living at the OCB, a 2 dB increase in noise level from 55 dB Ldn to 57 dB Ldn would be barely discernible. Therefore he concludes that the degree of impact of a 2 dB increase in noise level on the airline industry would considerably outweigh the negative effect this would have on local residents.

[33] Referring again to the plan at Appendix L of Mr Day's evidence-in chief, this plan shows the difference in the 2010 compliance contours modelled using two versions of the INM, v6.1 and v7a. The 55 dB compliance contour from v6.1 is contained substantially within the current OCB (which was established using the earlier v5.1). Conversely the v7a 55 dB contour extends outside the OCB in two locations, at the northern end of the cross runway in an elongated strip some 800m long and over 150m wide (as scaled from the plan) and over the existing residential area south of the western end of the main runway. Mr Day uses this example to reinforce his opinion that if a different version of the software was to be used for compliance monitoring in the future (from the v7a used to produce the PC35 air noise boundaries), this could have the potential to trigger the imposition of severe restrictions on airport operations.

[34] Mr Hunt said he would favour using v7a for the compliance monitoring to avoid the potential for a later version to introduce unforeseen differences, but he would not "die in a ditch over it" (i.e. which version to use).<sup>9</sup>

[35] Mr Hegley confirmed that periodic monitoring is to be undertaken to correlate the AANCs (which are to be *predicted* from the model) with *measured* noise levels. The predicted levels are then adjusted by QAC to take account of any differences between the two. This is provided for in Condition 9 of the Designation which, as drafted by the parties, requires field measurements to be made at three yearly intervals to confirm that the measured levels are no more than 2 dB greater than the AANCs. If the

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<sup>8</sup> Day EiC at [11.4-11.12].

<sup>9</sup> Transcript at [73].



difference is greater than 2 dB then the AANCs must be corrected for the amount in excess of 2 dB.

[36] Mr Hegley's evidence was that since v7a was used to predict the noise boundaries for PC35, this version has already been superseded by v7b and then v7c. If a correction to the AANCs is required, then an advantage of using the model current at the time the noise monitoring is undertaken should be that this will lead directly to a more accurate answer. He concluded by saying that in his view, there should be flexibility in specifying which model is to be used. This would forestall the possibility of the need for QAC to have to seek a change in the Designation condition if a particular model was specified now and this needed to be changed sometime in the future because its application was proving to be problematic.<sup>10</sup>

[37] Mr Lloyd said that he did not wish to comment on this issue as it was outside of his brief.

[38] All of this may be summarised as follows:

- all of the experts accept that the PC35 noise boundaries for Queenstown Airport should be predicted using v7a of the INM modelling software;
- the INM software is updated at regular intervals to refine the accuracy of its predictions with v7a having already been superseded by v7b and then v7c;
- Mr Day's example of the predictions of the 2010 noise contours using v6.1 and v7a highlights the differences which can occur in the locations of the noise contours predicted under different versions of the software;
- on this basis, he argues that if INM versions later than v7a were to be used for predicting future AANCs, there is the potential for these AANCs to be outside those predicted by v7a and in the extreme, beyond the PC35 noise boundaries;
- if this was to eventuate, airport operations would need to be curtailed at substantial disbenefit to the airport and the airlines;



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<sup>10</sup> Transcript at [233].

- Mr Day therefore argues strongly that INM v7a should be specified both in the Designation and the NMP with this model and version to be used for all future AANC predictions;
- the QLDC first instance decision for PC35 was for the choice of noise modelling software for ongoing noise compliance monitoring to be made by the QALC under the NMP.

*Discussion and findings on the noise prediction model*

[39] Despite Mr Day’s statement that the INM software “must” be used for the prediction of the noise contours, we note that this is not mandatory. NZS 6805 at Clause 1.4.3.1 states:

It is recommended that a minimum of a 10 year period be used as the basis of the projected contours, and their location may be estimated for planning purposes using the FAA Integrated Noise Model or other appropriate models. [our emphasis]

[40] The noise boundaries to be incorporated in the District Plan under PC35 have been predicted to 2037, or some 25 years from now. It seems inevitable that at times within this 25 year period improved and more accurate airport noise modelling techniques will be developed to replace the INM. In addition, as evidenced by the progressive release of new versions, the INM itself is constantly being upgraded to improve its accuracy for predicting airport noise contours.

[41] If new and improved models and techniques show that v7a is under-predicting the AANCs, then the community who live around the airport must be entitled to the benefits and protection that these more accurate predictions would provide. If the use of a more accurate prediction model identifies that the 55 dB Ldn and/or 65 dB Ldn AANCs are falling outside the PC35 OCB and/or ANB, then this should trigger the need for QAC to either modify its operations to achieve compliance or alternatively to seek a further plan change to modify the noise boundaries.

[42] We therefore agree with the decision of the first instance commissioners that the noise modelling software for ongoing AANC compliance monitoring should not be specified in the Designation – or at least there is potential to upgrade as Mr Day



suggests. We recommend that the QALC should have the flexibility in the NMP to require that future predictions be modeled using new or improved software which might supersede INMv7a.

[43] We do not have the parties' views on whether the court has jurisdiction to either delete or amend Condition 8 of the Designation in this regard. There would be little point providing for this in the draft NMP if it is inconsistent with the Designation. We therefore seek the parties' views on whether the court has jurisdiction to amend the Designation. In the meantime, these findings are recorded in Table 1.

***Noise compliance monitoring, the number of measurement points and tolerance limits***

[44] The parties' proposed Condition 9 of the Designation is as follows:

Every three years, QAC shall undertake a monitoring programme and shall check that measured levels are no more than 2 dB greater than the AANCs. The monitoring programme shall include the following measurements within a three year period including: a minimum of one month summer and one month winter at each of two measurement locations determined by the QALC. The AANCs shall be corrected for any differences from the measurements greater than 2 dB.

[45] In his evidence, Mr Hunt is of the opinion that the proposed 2 dB tolerance limit is too great.<sup>11</sup> To support this, he notes if there was a 2 dB tolerance limit at the ANB, this could accommodate 60% more air traffic and that if the tolerance limit was 3 dB at the ANB, this would be equivalent to a doubling of the air traffic. He therefore proposed that the tolerance limit between the predicted noise levels and the measured noise levels should be restricted to 1 dB.

[46] Each of the noise experts was therefore asked for their opinion on the proposed compliance monitoring (except for Mr Lloyd who responded that, as his brief was specific to Ministry of Education issues, that he reserved his position on questions relating to compliance monitoring).

[47] In response to a question from the court, Mr Hunt reiterated the opinion given in his evidence that the proposed 2 dB tolerance "might be a bit coarse", although he did not have a fixed view on "what are the right numbers".<sup>12</sup> He went on to say that in his

<sup>11</sup> Hunt EiC at [62].

<sup>12</sup> Transcript at [222].



opinion, the tolerance limit should be a matter for decision by the QALC as part of the NMP, (with the QALC representing the QAC, QLDC, the airlines and the community), rather than this being included as a condition in the Designation. He would accept a tolerance limit of 2 dB in the NMP on the basis that there was a provision to modify this limit in the future if the QALC found this to be necessary.

[48] Mr Hunt therefore proposed that the wording of Designation Condition 9 be limited to requiring QAC to undertake a noise monitoring programme every three years in accordance with the draft NMP, with the more detailed provisions of this programme being included in the draft NMP.

[49] Mr Hegley also considered that 2 dB might be “a bit broad” as a tolerance limit between the predicted and measured noise levels and that, as the predicted noise contours are in 1 dB steps, a 1 dB step would seem logical. He agreed that the choice of 1 dB or 2 dB could impact on the timing of when QAC provided insulation for a particular property although he noted that this would only be what he described as being a temporary issue.<sup>13</sup> As to whether the detail of the noise monitoring should be in Condition 9 of the Designation or the draft NMP, Mr Hegley considered that the “bones” should be specified in the Designation with a full description to be included in the draft NMP.

[50] Mr Day advised that while he agreed with the currently proposed drafting of Condition 9, he would also accept Mr Hunt’s proposal for a modification to the condition which placed more reliance on the NMP.<sup>14</sup> On the issue of the number of measuring points to be used for the compliance monitoring, Messrs Hunt, Hegley and Day all agreed that as opposed to specifying only two measurement points, there would be greater flexibility for future monitoring if the provision was for two points “as a minimum”.

[51] Mr Lloyd did not wish to comment on these particular noise issues as his brief of evidence had been restricted to other matters.



<sup>13</sup> Transcript at [224].

<sup>14</sup> Transcript at [226].



*Discussion and findings on noise compliance monitoring and measurement points*

[52] There was general agreement among the noise experts that the wording of Condition 9 of the Designation should be limited to requiring QAC to undertake a noise monitoring programme every three years in accordance with the NMP, with the more detailed provisions being included in the NMP.

[53] The experts also agreed that the proposed requirement for two compliance monitoring noise measurement points be replaced with a requirement that there be a *minimum* of two points with the QALC to have the discretion under the noise monitoring plan to require measurements to be made at more than two points.

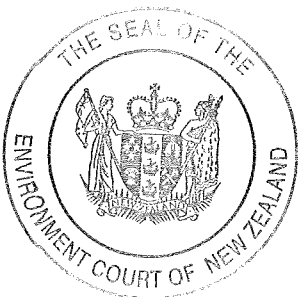
[54] We acknowledge that the cost for QAC of undertaking each set of noise measurements could well be significant. On the other hand, QAC also has a very real responsibility to protect the amenity of those who live and work around the entire perimeter of the airport. We take cognisance of the direct referral proceedings, also amending Designation 2 and dealing with the effects of airport noise. In this regard Mr Hunt cautioned against approving now the Noise Management Plan ahead of a decision on the direct referral.<sup>15</sup> While we did not hear evidence on the Noise Management Plan in those other proceedings, we did hear extensive evidence as to the effects of noise at three different localities; namely plan change 19, Remarkables Park Zone and Frankton (at the head of the Lake).

[55] We have therefore decided that rather than limiting the noise measurements to a minimum of two locations, there should be a minimum of three locations to include at least the Frankton residential area at the western end of the airport, the Remarkables Park Zone on the southern side and the Frankton Flats area on the north-eastern side in the vicinity of plan change 19.

[56] We accept that the exact measurement positions in each of these locations should be determined by the QALC under the NMP. Our Table 1 includes an amended Condition 9 of the Designation to reflect this decision.

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<sup>15</sup> Transcript at [260].



*Discussion and findings on tolerance limits*

[57] We now consider the issue of the tolerance limit to be set for the difference between the predicted and measured noise levels including the potential consequences of different limits.

[58] In his evidence, Mr Day argues very strongly for a limit of 2 dB whereas Mr Hunt argues for 1 dB.

[59] There did not seem to be any disagreement among the experts that a noise level 2 dB greater than that predicted at the ANB could accommodate 60% more air traffic and that a level 3 dB greater could accommodate a doubling of the traffic. On the other hand, if it became necessary to reduce the predicted noise level by 2 dB, this would require QAC to reduce the volume of air traffic by around 60%.

[60] As noted, Mr Day argues that a 2 dB increase in noise level at the OCB would be barely discernible to residents whereas there would be very severe consequences for QAC if it had to reduce air traffic volumes by 60% to accommodate a 2 dB reduction in the noise level.

[61] Mr Hunt indicated that he was prepared to accept the compromise for the Designation to specify a 2 dB limit with a qualification allowing the QALC to vary this limit in the future. Mr Hegley agreed that a 2 dB limit might be “a bit broad”. He noted that as the noise prediction contours are in 1 dB steps, a 1 dB tolerance would seem more logical although he would be prepared to accept the compromise proposed by Mr Hunt. Likewise, while arguing strongly for a 2 dB limit, Mr Day said he would be also prepared to accept the “Hunt” compromise.

[62] We do not agree with the compromise reached between the noise experts. While an increase in the noise level of 2 dB might be barely discernible to residents as an acoustic effect, a 60% increase in air traffic would involve a large number of additional aircraft movements which would have a very significant effect on the amenity of their daily lives. This includes, but is not limited to, the Remarkables Park Zone.

[63] Giving QALC the right to vary the limit in the future is also unacceptable, as this would transfer responsibility for a very significant decision under the plan change from the court to the QALC.



[64] We see considerable merit in Mr Hegley's suggestion that as QAC's 2037 noise prediction contours are at 1 dB steps, it would be consistent if the tolerance limit between the predicted sound levels and the measured levels is also set at 1 dB.

[65] For these reasons we have decided that the 2 dB tolerance limit proposed in Condition 9 of the Designation should be replaced with 1 dB with no qualification allowing this limit to be varied by the QALC.

[66] To provide for flexibility should unforeseen problems arise, the court has also decided that the wording of the proposed Designation condition which provides for noise monitoring to be undertaken every three years should be amended to state that this monitoring is to be undertaken at *least* every three years.

#### **Retrofitting of existing buildings for noise mitigation**

[67] QAC has agreed to fund noise mitigation retrofitting of existing buildings which contain Activities Sensitive to Aircraft Noise (ASANs) at the time that these buildings fall within prescribed AANCs.

[68] In our review of the proposed retrofitting provisions to be included in the plan, Designation and draft NMP, we have identified a range of provisions in these documents requiring correction or clarification. These are set out in detail in our Table 1.

[69] In addition, we provide here a brief overview of a number of the key provisions requiring correction which we have identified as being common to all of these documents.

#### ***Trigger for QAC funding***

[70] There are two triggers for QAC funded retrofitting, the first when a building falls within an AANC of 60 dB Ldn and the second when the building falls within an AANC of 65 dB Ldn.

[71] The retrofitting to be undertaken when each of these noise levels is reached is described in proposed Conditions 14 and 15 at page A1-49 of the Queenstown Airport Designation as follows:



Condition 14: Each year the QAC shall offer to provide 100% funding of noise mitigation for buildings that existed (insert date designation confirmed) containing Activity Sensitive to Aircraft Noise (ASAN) and are predicted to be within the 65 dB Ldn AANC for the following year. This offer may be earlier at QAC's discretion. The mitigation shall achieve an internal design sound level of 40 dB Ldn or less based on the 2037 1 dB Noise Contours contained in the NMP.

and

Condition 15: Each year the QAC shall offer to provide 75% funding of mechanical ventilation for buildings that existed on (insert date designation confirmed) containing ASAN, and are predicted to be within the 60 dB Ldn AANC for the following year. This offer may be earlier at QAC's discretion. Where a building owner accepts this offer they shall not be eligible for further funding of mechanical ventilation if the building later becomes within the 65 dB Ldn AANC but they shall become eligible for 100% funding of any sound insulation required.

[72] The last sentence of proposed Condition 14 refers to the achievement of the 40 dB Ldn internal design sound level on the basis of the 2037 1 dB noise contours contained in the NMP. Our understanding, however, is that the AANCs are to be predicted on the basis of either the modelled or measured level of airport operations occurring in any particular year. These AANCs will not necessarily end up being in the same locations as the noise contours predicted to occur in 2037 from the PC35 noise modeling.

[73] In the last sentence of this condition, the words "... based on the 2037 1 dB Noise Contours contained in the NMP." should be deleted with equivalent references in the other plan change documents being amended accordingly.

***Relationship between the 65 Ldn AANC and the ANC***

[74] The next issue common to a number of the documents is the relationship between the 65 dB Ldn AANC and the ANB for triggering QAC funded acoustic insulation retrofitting. For example, paragraph 4 of District Wide Issues, Objective 7, Implementation Methods (i) District Plan, stipulates that QAC funded retrofitting is to be provided for existing buildings containing ASANs "in the ANB". While this is strictly correct, it could be that the 65 dB Ldn AANC, which is the trigger for the QAC



funded acoustic insulation retrofitting, is reached inside of the ANB. To cover this eventuality, references to the “ANB” in the retrofitting of existing building provisions of the plan should be replaced with “65 dB Ldn AANC”.

***Mechanical ventilation and/or sound insulation***

[75] In addition to those provisions in the plan change documents which cover QAC funded retrofitting of existing buildings, there are policies requiring mechanical ventilation *and* sound insulation for alterations or additions to existing buildings when these fall within the OCB or the ANB. These policies are in many cases inconsistent with the related rules which, with certain conditions, provide for mechanical ventilation *or* acoustic insulation but not necessarily both.

[76] We understand that the parties intend either mechanical ventilation or acoustic insulation, but not both – in which case the policies may need correction.

***Offer period for noise mitigation***

[77] The objective of the NOR includes managing the effects of aircraft noise on the community and to provide the community with certainty as to the noise limits and effects on all surrounding land uses.<sup>16</sup> Neither the NOR or the NMP address the offer period for take-up of noise mitigation by existing residential homeowners. Given the objectives of the NOR, and the fact that the offer is not time bound in the NOR conditions, we infer that the offer is not conditional upon take-up within a certain period of time. However, in the interest of certainty this should be addressed, preferably in the Designation conditions or alternatively the NMP, by including a new condition that makes clear the offer remains open to be accepted at the discretion of the home owner.

[78] Our impression having heard from QAC’s planner Mr Kyle and counsel for QAC is that the failure to address this is an oversight in the NOR– it being the first time that QAC has had to deal with this type of condition. Mr Kyle thought it helpful if the matter were addressed in the NOR.<sup>17</sup> That is our view also, but in saying that we are conscious of the limitations of our jurisdiction. If, as counsel for QAC submits, the risk of a home owner not taking up the offer is small – she said it was difficult to imagine

<sup>16</sup> Report and Recommendations of Hearing Panel, dated 1 November 2010 at [4.2].

<sup>17</sup> Transcript at [167-8].



why someone might refuse mitigation, then we can see no compelling reason for QAC not to include such a condition in the NOR, or as counsel for QAC suggested leave the matter for QALC to address – in which case the NMP needs amending.<sup>18</sup>

[79] QAC is directed to file a memorandum responding to this issue and advising whether QAC offers a condition in the NOR (preferably) or NMP. At the same time counsel may address jurisdiction.

### ***Location of ANB and OCB***

[80] The parties have agreed on two alternative locations for the 2037 ANB and OCB noise contours.

[81] The first of these is based on an envelope approach which encompasses three alternative sites for the general aviation and helicopter precinct, being the current general aviation precinct location to the south-west of the main passenger terminal, the Lot 6 land to the south of the main runway and the airport land to the north of the main runway. The northern alternative has slightly reduced noise boundaries in the vicinity of Lot 6 and would apply if the Lot 6 NOR application is cancelled by the court.

[82] The final decision on the air noise boundaries and planning map 31a will be determined once the court has issued its decision on the Lot 6 NOR.

### **Remarkables Park Structure Plan**

[83] An issue has arisen in respect of the proposed resolution of the appeal by Remarkables Park Ltd and Shotover Park Ltd. The parties to this appeal agree that changes made to the Remarkables Park Structure Plan by the District Council following its hearing are beyond the scope of the notified plan change.<sup>19</sup> Secondly, the decision by the District Council to reject the Sound Insulation Boundary and to manage the effects of airport noise through the noise boundaries identified in the Planning Maps has had the effect that the rules, standards and methods to control noise in the Remarkables Park Special Zone (**Special Zone**) are now more restrictive than what was proposed in the

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<sup>18</sup> Transcript at [445].

<sup>19</sup> QAC Closing Submissions at [68], Air NZ Closing Submissions at [2].



notified plan change. This is most clearly shown in Exhibit E, which superimposes three noise contours relative to the activity areas in the Remarkables Park Special Zone.

[84] Some parties seek the retention of these more restrictive provisions in parts of the Special Zone and this is agreed to by RPL. In particular, QAC and Air New Zealand seek that the controls apply to new buildings within parts of the zone. QAC submits that the plan change as notified was not well drafted and while the application of controls to new buildings was intended, the rules did not give effect to this within the Special Zone.<sup>20</sup> An additional, but minor, complication is that the new restrictions may apply to land in the Special Zone which is largely developed.<sup>21</sup>

[85] We record that while QAC was directed to provide evidence on the detail of these changes, it did not do so in a comprehensive manner, and instead we have had to rely on counsel's submissions for context. In that regard we are particularly grateful to Mr Gardner-Hopkins, counsel for Air New Zealand.

[86] Air New Zealand submits that the amendments proposed by the parties to the Special Zone, which it supports, fall within the scope of RPL's notice of appeal.<sup>22</sup> QAC says the point is arguable, but urges the court to exercise its discretion under section 293 of the Act and direct the District Council to forthwith amend the Special Zone provisions. RPL submits that there is no jurisdiction under its appeal to make the changes agreed on by the parties but, if the changes find approval then the court could direct the District Council under section 293 to amend the District Plan. In relation to the Special Zone, RPL is concerned to avoid the court making a finding that the plan change included land use controls based on the 55 dBA outer control boundary contour.<sup>23</sup> The District Council adopts the submissions of Air New Zealand.<sup>24</sup>

### ***Discussion and findings on RPL Structure Plan***

[87] We accept Air New Zealand's submission that it is clear from the plan change read as a whole that the Special Zone is a subject matter of the plan change. Policy 8.2

<sup>20</sup> Transcript at [434].

<sup>21</sup> Transcript at [376].

<sup>22</sup> Air New Zealand also supports an application made under section 293 if the court were to find that it did not have jurisdiction. Closing Submissions at [5].

<sup>23</sup> RPL Closing Submissions at [17], Transcript at [404].

<sup>24</sup> QLDC Closing Submissions at [26].

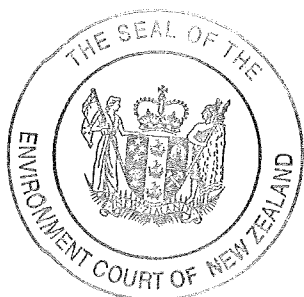


of the District Wide Issues Chapter provides new activities sensitive to aircraft noise, including those located in the Remarkables Park Special Zone within the Queenstown Airport Sound Insulation Boundary, are to be designed and built to achieve an appropriate internal noise environment and are to be appropriately ventilated. However, the notified plan change was not well drafted and did not include controls to apply to new buildings within this zone.

[88] Air New Zealand submits that it would have been clear to a person reading the plan change as a whole, that the rules and standards within the Special Zone could be amended including out to the 55 dBA outer control boundary contour or that it would have been apparent that consequential changes might be made. We observe that this possibility exists on any notice of requirement or plan change. To succeed in this submission we would need to be satisfied RPL submitted on the basis of amendments that may be made to the plan change (presumably following the District Council's hearing). Any link made with RPL's submission (or even the notice of appeal) concerning its Structure Plan and its eventual agreement to include more restrictive controls than notified in the plan change is too tenuous for us to find jurisdiction.<sup>25</sup> In conclusion, we do not find jurisdiction under the RPL notice of appeal to approve the Structure Plan amendments to Remarkables Park Zone.

[89] While the court is cautious when exercising its jurisdiction under section 293 to amend a plan change, in this case we find that the court both has jurisdiction to exercise its powers under section 293 and that this is an appropriate case for its discretion to be exercised.

[90] Before we can consider whether to exercise our discretion we must first be satisfied that there is a nexus between the RPL appeal and the relief sought pursuant to section 293. In this regard we refer to the helpful dicta of Harrison J in *Hamilton City Council v New Zealand Historic Places Trust* at [25].<sup>26</sup>



<sup>25</sup> Air New Zealand Closing Submissions (Jurisdiction) at [4.10].

<sup>26</sup> [2005] NZRMA 145.



The primary purpose of s 293 must be to provide the Court during the hearing of an appeal with a mechanism for expanding the nature and extent of the relief sought beyond the scope of the reference where appropriate (*Apple Fields*, para 36) but always, of course, related back to and arising out of the reference itself. The reference defines the scope of the appeal or inquiry and the appropriate relief. Consequently there must be a nexus between the reference itself and the changed relief sought. Chisholm J noted the rationale in *Apple Fields* as being that (para 37):

“Despite the best efforts of everyone involved in the process of preparing or changing a plan, the reality is that *unforeseen issues or proposals beyond the scope of the reference* can arise and that in some cases it will be more appropriate for the matter to be resolved at the Environment Court level than by referring it back so that the territorial authority can initiate a variation.”

[91] By way of relief in its notice of appeal RPL seeks to retain its existing Structure Plan (Figure 2). We accept this had been wrongly amended by the District Council in its decision.<sup>27</sup> RPL also pleads that the Structure Plan as amended by the QLDC in its decision appears to impose restrictions based on a 58 dBA noise contour and states, correctly in our view, that it has become extremely confusing and is unable to be reconciled “with confidence” back to the relevant Activity Table.<sup>28</sup> It is a ground of appeal that the acoustic mitigation proposals do not strike an appropriate balance between costs and benefits<sup>29</sup> and would place a cost burden on adjoining landowners.<sup>30</sup> And that the plan change would not achieve integrated management of the effects of the land use, development or protection of land and associated natural and physical resources of the district.<sup>31</sup> By way of relief RPL seeks *inter alia* that in relation to its land the air noise boundary follow the existing 65 dBA noise contour and that the outer control boundary follow the existing 55 dBA noise contour. This relief is in the alternative to rejecting PC35 outright (or at least rejecting its application to the Remarkables Park Special Zone).<sup>32</sup>

[92] The modifications to the Remarkables Park Zone Structure Plan now reflect QACs original intention to manage the effects of airport noise based on the Sound

<sup>27</sup> Notice of appeal at [7.4(j)].

<sup>28</sup> Notice of appeal at [7.4(l)].

<sup>29</sup> Notice of appeal at [6(d)].

<sup>30</sup> Notice of appeal at [7.9(x)].

<sup>31</sup> Notice of appeal at [6(c)].

<sup>32</sup> Notice of appeal at [8].



Insulation Boundary (58 dBA contour). To the extent that the Structure Plan is a method to control land use between the 55-58 dBA contours, these controls are now ones that RPL is prepared to accept as it will not incur any additional cost burden as practical compliance with this standard is achieved through the Building Code. The amended Figure 2 is a method that is integral to other proposed amendments to the Special Zone rules and standards which in turn give effect to the objectives and policies for the Zone and the District Wide Issues Chapter and the District Plan as a whole. Without it, and the controls which it gives effect to, the plan change would not achieve for RPL the integrated management of the effects of the land use, development or protection of land. On this basis we find that there is a nexus between the amendments proposed and the notice of appeal.

***Outcome on RPL Structure Plan***

[93] The court is prepared to exercise its discretion under section 293 and amend the Remarkables Park Special Zone Structure Plan (Figure 2) for inclusion in the Planning Maps. A final decision and directions will be made on this matter in conjunction with the decision on the notice of requirement (direct referral).



Table 1

<b>District Plan</b>		
<b>District Wide Issues</b>		
<b>Objective 7 -Queenstown Airport-Noise Management</b>		
<b>Policies</b>		
<b>Section</b>	<b>Subject</b>	<b>Amendment Directed by Court</b>
New policy (page 4-57)	<p>In giving effect to Objective 7, there is no reference to the functions of the Designation and the draft NMP.</p> <p>It is insufficient that the reference to these documents be contained in Objective 8, Section 14 which does not deal with airport noise.</p>	<p>Add new policy 7.3 that reads:</p> <p>“To manage the adverse effects of noise from Queenstown Aerodrome by conditions in Designation 2 including a requirement for a Noise Management Plan and a Queenstown Airport Liaison Committee.”</p>
<b>Implementation Methods</b>		
<b>Section</b>	<b>Subject</b>	<b>Amendment Directed by Court</b>
Paras 4 and 5 (page 4-57)	<p>As explained at para 74 of this decision, it appears from para 4 of the implementation methods that the ANB is the trigger for airport funded mitigation, whereas this trigger is the 65 dB Ldn.</p> <p>Secondly, para 4 of the implementation methods states that the calculations shall be based on 2037 Noise Contours. It is our understanding that these</p>	<p>If the court is correct, these errors are repeated in a number of provisions and the parties are to review all of the plan change documents and comment on each of these.</p> <p>The Court considers that if expressed accurately paragraphs 4 and 5 should read as follows:</p> <p>“Queenstown Airport Corporation funded retrofitting over time of sound insulation and mechanical ventilation of Critical Listening</p>



	<p>calculations shall be based on the AANC predicted to fall within the 65 dB Ldn in the following year?</p> <p>We are also unsure why in both of paras 4 and 5 the parties have used “should occur” when they intend that QAC “will” offer these measures ahead of the property reaching the OCB. See evidence of Kyle EiC at [21] and Designation conditions 14 or 15 where the imperative “shall” is used.</p>	<p>Environments within existing buildings containing an Activity Sensitive to Aircraft Noise located within the 65 dB Ldn AANC to achieve an indoor design sound level of 40 dB Ldn.</p> <p>Queenstown Airport Corporation part funded retrofitting of mechanical ventilation of Critical Listening Environments within existing buildings containing an Activity Sensitive to Aircraft noise located within the 60 dB Ldn AANC. This ventilation is to enable windows and doors to remain closed to achieve a reduction in internal design sound level if required.</p> <p>All retrofitting shall be conducted in accordance with the conditions attached to Designation 2.”</p>
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#### Explanation and Principal Reasons for Adoption

Para 5 (p4-58)	Reference to Noise Mitigation Plan is incorrect.	Replace Noise Mitigation Plan with “Designation 2”.
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#### Objective 8 -Queenstown Airport-Urban Growth Management

##### Policies

Section	Subject	Amendment Directed by Court
Policy 8.1 (page 4-58)	Editorial PC35 needs to differentiate between FF(A) and FF(B). The court’s understanding is that the Frankton Flats’ limitation applies only to the Frankton Flats (A) zone.	If the court’s understanding is correct, reword “Frankton Flats Zone” to read “Frankton Flats (A) Zone”.
Policy 8.3 (existing) (page 4-58)	Editorial For consistency juxtapose 8.3 and	Juxtapose 8.3 and 8.4  In existing 8.3, add “A” after “Frankton Flats”.



	<p>8.4 so that 8.2 and 8.3 refer to RPZ and 8.4 to Frankton Flats (A)</p> <p>Zone rules (for example RPZ rule 12.11.5.2(iv)(a) page 12-85) refer to “additions” as well as “alterations” to existing buildings.</p> <p>For consistency, should this policy be amended to do the same?</p> <p>Zone policies refer to either “internal design sound level” or “indoor design sound level”. The plan has a definition for the “design sound level”. If the subject matter of these terms is the same, the parties are to standardize language and use capitals in the text to indicate that a defined term is being employed.</p>	<p>The parties are directed to use consistent nomenclature throughout the District Plan.</p> <p>For consistency we have used the term “Indoor Sound Design Level” in this Decision when referring to these two terms.</p>
<p>Policy 8.4 (existing) (page 4-58)</p>	<p>PC35 needs to include educational facilities in activity list.</p> <p>In existing 8.4 identify location of Figure 2- District Planning Maps.</p>	<p>In existing 8.4, delete “and” after “Residential”, insert a comma and insert “Educational Facilities”.</p> <p>Add after “..Figure 2..” “.. in the District Planning Maps”.</p>
<b>Implementation Methods</b>		
<b>Section</b>	<b>Subject</b>	<b>Amendment Directed by Court</b>
<p>i District Plan (page 4-58)</p>	<p>In Para 2, line 2, identify where sound insulation and ventilation construction tables can be found.</p>	<p>Add after “tables” “..in Appendix 13,”</p>



Section 5 Rural Areas		
Objective 3 Rural Amenity		
Policies		
Policy 3.8 (page 5-5)	<p>This policy requires both sound insulation <b>and</b> mechanical ventilation within the OCB</p> <p>This is inconsistent with Section 5, Rural Area Rules, zone standard 5.3.5.1(vii)(b) which sets out that compliance may be demonstrated by providing either sound insulation or mechanical ventilation (subject to certain conditions).</p>	<p>In first line replace “... sound insulation and mechanical ventilation ...” with “... either sound insulation or mechanical ventilation”.</p> <p>As we have noted at paragraph 75-76 of this decision, this inconsistency is repeated in a number of places in the plan change documents. It is the parties’ responsibility to critically proof read and make the corrections directed above wherever this occurs.</p>
Implementation Methods		
Section	Subject	Amendment Directed by Court
ii (page 5-5)	<p>Line 2, the use of the term “land” here and in Policy 3.7 is inconsistent with Rule 5.3.3.5 (iii) which refers to “Site”.</p> <p>While the Council says that it would interpret “land” to mean “Site” when applying this policy, it is our view that the policy should say what it means.</p> <p>If the Council wish to consider the use of language generally in its</p>	<p>To align rule 5.3.3.5 with policy 3.7 and the implementation method delete “Site” and replace with “land”.</p> <p>This inconsistency appears here and elsewhere. The parties are to review all provisions where these terms are inconsistently used and suggest amendments consistent with the direction above.</p>



	<p>forthcoming District Plan review, as it says that it does, that is a matter for it.</p>	
<p>(iv) (page 5-5)</p>	<p>Implementation method (iv) concerns reverse sensitivity of land use activities on airport operations. This implementation method does not appear in other Areas or Zones.</p> <p>While many of the provisions in PC35 concern the management of reverse sensitivity effects, there is no District Wide policy to this effect.</p> <p>Implementation method (iv) also refers to NZS 6805:1992. This should be deleted as it better placed is in Designation 2.</p>	<p>The parties are to comment on whether jurisdiction exists to include a new policy under Objective 8 of the District Wide Issues that reads:</p> <p>“To protect the airport from reverse sensitivity effects of Activities Sensitive to Aircraft Noise.”</p> <p>Delete Implementation Method (iv)</p>



<p>New</p>	<p>In Section 5 Rural Areas, there is a policy (policy 3.8) concerning alterations/additions to existing buildings within the OCB and a corresponding rule, rule 5.3.5.2(b).</p> <p>There is a second rule, rule 5.3.5.2(a) requiring alterations/additions to existing dwellings within ANB. However, there is no corresponding policy to which this rule gives effect.</p> <p>That we can find, there is no provision for QAC funding for noise mitigation of existing residential buildings in the rural areas containing ASANs when these fall within the 60 and 65 dBA Ldn.</p> <p>This is in contrast with the provision made for funding for noise mitigation of existing residential buildings containing ASANs within the 60dB Ldn AANC in the Residential Areas.</p> <p>See:</p> <ul style="list-style-type: none"> <li>• Objective 3, Implementation method (i)(b)a i at page7-6;</li> <li>• Residential Areas Part 7.2.3 objective and policies –</li> </ul>	<p>The QLDC is to confirm whether there are any existing buildings containing ASANs within the 60 dB Ldn contour and the ANB in the rural area.</p> <p>If there are (and the other parties agree that this is the case) then the parties are to propose policy, rules, standards and other implementation methods to provide for QAC funding of noise mitigation consistent with that provided for in the Residential Area.</p> <p>Secondly, the parties are to propose wording for a policy which gives effect to rule 5.3.5.2(a).</p> <p>If there are no existing buildings containing ASANs then policy 3.8 &amp; 7.3, rule 5.3.5.2(a) and (b) are to be deleted.</p>
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	<p>Queenstown Residential and visitor accommodation areas, and</p> <ul style="list-style-type: none"> <li>• implementation method (i)(c) at page 7-13.</li> </ul> <p>To complicate matters further Rural Areas policy 7.3 (page 5-7), which concerns the OCB requires both insulation <i>and</i> ventilation to additions/alternations to existing buildings whereas the corresponding zone standard is expressed as either insulation <i>or</i> ventilation (zone standard 5.3.5.2 (vii)(6) at p5-21).</p>	
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### Objective 7-Buffer Land for Airports

#### Policies

Section	Subject	Amendment Directed by Court
7.3 (page 5-7)	Both sound insulation <b>and</b> mechanical ventilation are not be required within the OCB to achieve an indoor design sound level of 40 dB Ldn. It is the court's understanding that either/or is acceptable subject to conditions.	In first line replace “..sound insulation and mechanical ventilation..” with “...either sound insulation or mechanical ventilation”.

### Section 5 Rural Area Rules

#### Prohibited Activities

Section	Subject	Amendment Directed by Court
5.3.5.2 vii	Line 7 of (a) records that	To be consistent with 5.3.5.2 (vii)(a), rule



(page 5-21)	compliance “shall” be demonstrated whereas line 9 of (b) records that compliance “can” be demonstrated, with “can” replacing the struck out “shall”.	5.3.5.2(vii)(b) is to be amended by deleting “can” and replacing with “shall”.  This direction applies wherever this wording in equivalent rules appears.
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## Section 7 Residential Areas

### Residential Policies

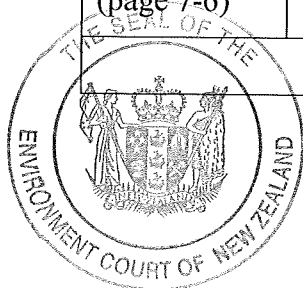
Section	Subject	Amendment Directed by Court
Policy 3.11 (page 7-5) and Policy 11 (page 7-12)	<p>Policy 3.11 (and Policy 11 on page 7-12) both refer to the requirement for both sound insulation <b>and</b> mechanical ventilation. It is the court’s understanding that either/or is acceptable subject to conditions.</p> <p>Likewise in Other Methods (ii)(c) at p7-6 and Implementation method (i)(b) at 7-12 there is reference to both sound insulation “and” mechanical ventilation within OCB.</p> <p>However, Section 7, Residential Area Rules, site standard 7.5.5.3(vi)(b) compliance may be demonstrated by providing either sound insulation or mechanical ventilation. This is inconsistent with policies 3.11 and 11 and the implementation methods.</p>	<p>If the policy wording (policies 3.11 &amp; 11 on page 7.12) is incorrect, amend to address what is required for noise mitigation within the OCB and in the ANB respectively.</p> <p>A similar amendment may be required to the implementation methods.</p>



	<p>In addition policy 11 refers to “any buildings” but the Implementation Method (i)(b) refers to “new and altered buildings”. Policy 11 and the Implementation Method are inconsistent.</p> <p>As a general comment following on from Policy 11, there appears to be no “parent objective” for Policy 11 insofar as we understand that Policy 11 provides for the health, social wellbeing and amenity of ASANs and persons occupying Critical Listening Environments.</p> <p>Further, there appears to be no policy for existing buildings within the ANB containing ASANs. However, zone standard 7.5.5.3(vi)(a) &amp; 7.5.6.2(viii)(a) provides for new buildings and additions and alterations to existing buildings within the ANB.</p>	<p>The parties are to identify the parent objective for policy 11. If there is none, then the parties are to propose wording.</p> <p>If zone standard 7.5.5.3(vi)(a) is relevant (and there are buildings within the ANB containing ASANs) then there needs to be a policy. If not, delete this zone standard.</p>
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#### Implementation Methods

Section	Subject	Amendment Directed by Court
i District Plan (i) (page 7-6)	Editorial	In line 1 replace “overtime” with “over time”



<b>Section 7 Residential Areas-Rules</b>		
<b>Zone Standards - Residential Activities and Visitor Accommodation</b>		
<b>Section</b>	<b>Subject</b>	<b>Amendment Directed by Court</b>
7.5.5.3 vi (a) (page 7-32)	Editorial  In the last line replacing the word “constructions” with “construction materials” would assist readability. The same change should be made in Table 1 of Appendix 13.	In last line replace “...constructions.” with “..construction materials..”  Make the same amendment in Table 1 of Appendix 13.
<b>Section 11 Business and Industrial Areas-Rules</b>		
<b>Section</b>	<b>Subject</b>	<b>Amendment Directed by Court</b>
New Section 11 page 11-6 to 11-16	The proposed Plan provisions do not include any objectives or policies for the Business and Industrial Areas. In lieu thereof, we assume that the following amendments may be necessary, in line with other Sections of the proposed plan.  Equivalent Implementation Methods have not been provided for in the Business and Industrial Areas. This is inconsistent with District Wide Objective 7, Implementation Methods i, paras 3 and 4 (page 4-57) which are not zone restricted.	The QLDC is to confirm whether there are any existing buildings containing ASANs within the ANB which would be eligible now or in the future for QAC funded noise mitigation retrofitting.  Secondly, the parties are to advise, what policies and objectives these rules implement. If there are none, wording is to be proposed.  If there are no existing buildings containing ASANs then rule 11.3.5.2(iii)(a) & (b) on pp11-13 are to be deleted.



<b>Remarkable Parks Zone</b>		
<b>Objectives and Policies</b>		
<b>Objective 1: Implementation Methods</b>		
<b>Section</b>	<b>Subject</b>	<b>Amendment Directed by Court</b>
12.10.3 i (c) (page 12-2)	Editorial	Add "RPZ" before "..Table 1.."  Add at end after measures "in the District Planning Maps".
12.10.3 ii(a) (page 12-3)	Editorial	Add at end after measures "in the District Planning Maps".
<b>Explanation and Principal Reasons for Adoption</b>		
<b>Section</b>	<b>Subject</b>	<b>Amendment Directed by Court</b>
para 4 (page 12-3)	Editorial	Delete in last paragraph, left hand column, "It is noted that..." and at the end add "..in the District Planning Maps".
<b>Remarkable Parks Zone-Rules</b>		
<b>Controlled Activities</b>		
<b>Section</b>	<b>Subject</b>	<b>Amendment Directed by Court</b>
12.11.3.2 i (bullet point 12) <i>and</i>	Editorial	After Airport Measures insert "..District Planning Maps..."
12.11.3.2 ii (bullet point 9) (page 12-78)	It is not clear why these two provisions do not also refer to education buildings in the area coloured green on Figure 2 given that "education facilities" are a controlled activity by virtue of Table 1 at page 12-80 and that Rule 12.11.5.1(v)(c) at page 12-83 sets an internal design sound level.	Add "..and education.." after "..residential.." and replace "..yellow areas .." with "..yellow and green areas respectively..".  Correct spelling in 12.11.3.2 ii bullet point 9 ("Measures" [sic])
Table 1	Editorial	In 3 locations which refer to Figure 2 add "..Airport



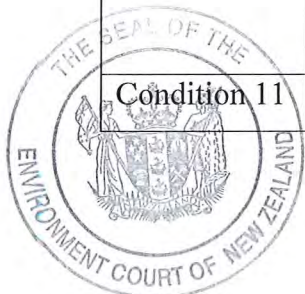
(page 12-80)		Measures, District Planning Maps”.
<b>Standards</b>		
<b>Section</b>	<b>Subject</b>	<b>Amendment Directed by Court</b>
12.11.5.1v Educational Facilities (page 12-83)	Editorial	Replace “area” with “areas”
12.11.5.1 v (b) (page 12-83)	No expert witness referred to “high quality teaching” and the meaning of this term is quite unclear, and is probably inconsistent with the definition of Critical Listening Environment.  The expert witnesses agreed to the wording of this provision based on the definition of a Critical Listening Environment and agreed that the wording was certain and enforceable (Transcript pp270)	Amend to read:  “Outdoor areas are not to be regularly used for high quality listening or communication, such as occurs in academic teaching. This standard shall not preclude recreation and recreation-related activities, e.g sports coaching.”
12.11.5.2(iv) (b)(ii) (page 12-85)	Editorial	In second line, delete “..above..”
12.11.6(d) final bullet point (page 12-88)	Editorial	After Airport Measures insert “..District Planning Maps...”
<b>Frankton Flats Special Zone Rules</b>		
<b>Section</b>	<b>Subject</b>	<b>Amendment Directed by Court</b>
12.18.1 (4th para)	Editorial	In line 2 delete “...appropriately..”



(page 12-128)	The inclusion of “appropriately” is otiose; it neither adds to nor qualifies any provision.	
<b>Transport</b>		
Implementation Methods		
<b>Section</b>	<b>Subject</b>	<b>Amendment Directed by Court</b>
(ii) (c) (page 14-11)	Editorial	Replace “..Transit New Zealand..” with “..the New Zealand Transport Agency..”  This amendment is to be made wherever the reference to Transit New Zealand occurs in the plan change.
(ii) (d) (page 14-11)	Editorial	Align draft NMP Condition numbers with the modified numbers in Designation D2.
<b>Appendix 13: Queenstown Airport Sound Insulation and Ventilation Requirements</b>		
<b>Section</b>	<b>Subject</b>	<b>Amendment Directed by Court</b>
Explanation to Table 1 (page A1-1)	Editorial	Replace “constructions required” with “construction requirements”.
Note (page A1-1)	If the reference to “acoustic standards” means Indoor Design Sound Level, the note needs be amended to say so.	If so, replace “acoustic standards” with “Indoor Design Sound Level”.
<b>Definitions</b>		
<b>Section</b>	<b>Subject</b>	<b>Amendment Directed by Court</b>
<b>Design Sound Level</b>	If the “Design Sound Level” means the “Indoor Design Sound Level” then it should say so.	If the Court is correct, the definition is to be amended.

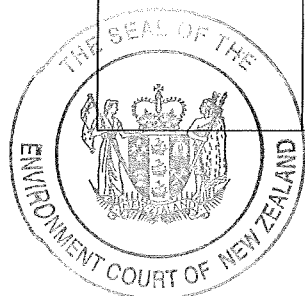


<b>Designations</b>		
<b>D Queenstown Airport</b>		
<b>D.1 Aerodrome Purposes</b>		
<b>Section</b>	<b>Subject</b>	<b>Amendment Directed by Court</b>
(page A1-47)	Editorial  Does not the current horizon of 2015 needs to be changed to the PC35 horizon of 2037.	If so, amend “2015” to “2037”
<b>D.1 Permitted Activities</b>		
<b>Section</b>	<b>Subject</b>	<b>Amendment Directed by Court</b>
1 (page A1-47)	Subject to jurisdiction, an editorial change is required.	Suggest amending “covered” to “authorised”
<b>Aircraft Noise</b>		
<b>Section</b>	<b>Subject</b>	<b>Amendment Directed by Court</b>
6 (page A1-48)	NZS 6805:1992 has now been in place for about 20 years. Provision needs to be made to incorporate any replacement standard.	Add the following new sentence after “...District Plan”:  “If NZS 6805:1992 is superseded by a revised or new standard, the adoption of this revised/new standard in place of NZS 6805:1992 shall be at the discretion of Queenstown Airport Liaison Committee (QALC) under the Noise Management Plan (NMP). Note: The detail and content of the NMP are set out in Condition 20.”  Amend “Design Sound Level” to read “Indoor Design Sound Level”
Condition 11	This next part is out-of-order as it	Renumber Condition 11 as Condition 7

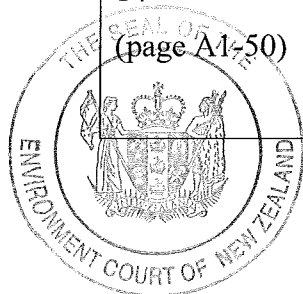




	<p>addresses the sequencing of provisions in the Designation conditions.</p> <p>Condition 11 should be renumbered as Condition 7 as this provides a logical sequence from the establishment of the ANB and the OCB in the District Plan to the development of the 1 dB incremental contours to the prediction of the AANCs.</p>	<p>with Conditions 7 to 10 being renumbered as Conditions 8 to 11.</p>
7 (page A1-48)	<p>The methodology used to predict the 1 dB incremental aircraft noise contours should be specified as being the same as that used to establish the ANB and the OCB.</p> <p>The NMP is now defined in Condition 7.</p>	<p>In renumbered Condition 8, insert after “..inclusive.”:</p> <p>“The methodology used to predict the 1 dB incremental noise contours shall be the same as that used to predict the ANB and the OCB.”</p> <p>In last line replace “..Noise Management Plan (NMP).” With “...NMP.”</p>
8 (page A1-48)	<p>The following comments are subject to directions given in this decision.</p> <p>In para 42 of our decision we found that QALC should have a discretion to require future noise predictions to be modeled using new or improved software which might supersede INM v7a, with this discretion to be provided for</p>	<p>In the fourth line of renumbered Condition 9 replace “INM v7a” with “...to be determined by the QALC in accordance with the NMP.”</p>



	in the NMP and not in the Designation.	
9 (page A1-48)	<p>In paras 55, 56 and 65 we decided that the following amendments were to be made to Condition 9:</p> <ul style="list-style-type: none"> <li>• Instead of two measurement points, there should be a minimum of three measurement points located west, north-east and south of the airport with the exact positions to be determined by the QALC under the NMP;</li> <li>• each reference to 2 dB should be replaced by 1 dB.</li> </ul> <p>As QAC gets closer to the ANB QAC may also consider it prudent to be monitoring at more frequent intervals than every three years.</p>	<p>Condition 9 renumbered as Condition 10 shall be amended to read as follows:</p> <p>“At least every three years, QAC shall undertake a monitoring programme and shall check that measured levels are no more than 1 dB greater than the AANCs. The monitoring programme shall include the following measurements within a three year period including: a minimum of one month summer and one month winter undertaken at a minimum of three points located west, east and south of the airport with the exact positions to be determined by the QALC under the NMP. The AANCs shall be corrected for any differences from the measurements greater than 1 dB.”</p>
10 (page A1-48)	The corrections to the AANCs need to be cross referenced to renumbered Condition 9.	Replace “any corrections” with “the corrections to the AANCs determined under Condition 9”
<b>Airport Noise Mitigation</b>		
<b>Section</b>	<b>Subject</b>	<b>Amendment Directed by Court</b>
14 (page A1-50)	The last sentence of this condition reads “The mitigation shall achieve an internal design sound	Replace the last sentence of Condition 14 with “The mitigation shall achieve an Indoor Design Sound Level of 40 dB



	<p>level of 40 dB Ldn or less based on the 2037 1 dB Noise Contours contained in the NMP.”</p> <p>The words “based on 2037 1 dB Noise Contours in the NMP” are superfluous. What must be achieved is an Indoor Design Sound Level of 40 dB Ldn.</p>	Ldn or less.”
<p>New Condition (With renumbering of all subsequent conditions and any affected cross references) (page A1-49)</p>	<p>The following comments are subject to directions given in this decision.</p> <p>Designation 2 does not limit the offer period. The conditions are silent as to what is to occur if the offer is made but not taken up by the home owner or the offer is made and title to the property subsequently transfers to another person.</p> <p>In the interest of certainty there should be a new condition in the Designation and in the NMP that makes clear the offer remains open to be accepted at the discretion of the home owner.</p>	<p>Insert a new condition:</p> <p>“Any offer made under [current reference given] conditions 14 or 15 remains open for acceptance at the discretion of the home owner or any future purchaser.”</p>
<p>17 (page A1-49)</p>	<p>A full stop needs to be deleted in the last line of (b).</p>	<p>Delete full stop in last line of 17 (b).</p>



<b>Noise Management Plan (Section in Designation)</b>		
<b>Section</b>	<b>Subject</b>	<b>Amendment Directed by Court</b>
20 (page A1-50)	<p>Editorial</p> <p>It is not clear why QAC requires 12 months to complete the NMP from the date of confirmation of the designation. With most of the detail already largely resolved, unless there is a very good reason, we suggest that this time be reduced to 6 months.</p> <p>Condition 20 provides that “the draft NMP submitted to the court on February 2012 shall form the basis of the required NMP.” As the court is not required to approve the draft NMP – but has commented on its provisions suggesting changes, this statement is not approved.</p>	<p>In line 1, substitute 6 months for 12 months.</p> <p>An editorial matter - delete “also” from the sentence “The NMP shall also describe, in detail, the following matters:”</p> <p>In Condition 20, delete the sentence “The draft NMP submitted to the Court on February 2012 shall form the basis of the required NMP.”</p>
20 (a) (page A1-50)	The procedures should also provide for the convening of the QALC.	Replace with “procedures for the convening, ongoing maintenance and operation of the QALC.”
20 (b) and (g) (page A1-50)	With the renumbering of Conditions 7 to 11, in 20 (b) Conditions 9-11 need to be renumbered as 7, 10 and 11 and in 20 (g), Condition 8 renumbered as Condition 9.	In 20(b) renumber Conditions 9-11 as Conditions 7, 10 and 11 and in 20 (g), Condition 8 as Condition 9.



20 (h) (page A1-50)	It is not clear whether this condition provides for action(s) to be taken should non-compliance with the conditions be identified in the investigation of the complaint. What is meant by “responding” is uncertain and open to interpretation.	Amend “the procedure for the recording, responding and reporting of complaints.” to “provide a procedure for dealing with complaints including their recording, an acknowledgement to the complainant of their receipt and the outcome once resolved, any corrective action(s) to be taken including those if non compliance with the conditions is identified and reporting to the QALC.”
New Condition 20(b) (page A1-50)	<p>Condition 6 provides for the QALC to have the discretion to adopt any revised/new standard which may replace NZS 6805:1992. As well, renumbered Condition 9 provides for the choice of the noise modelling software for ongoing AANC compliance monitoring to be made by the QALC.</p> <p>These provisions need to be added to Condition 20 as matters to be described in detail in the NMP.</p>	<p>Renumber items (b) to (k) of Condition 20 as items (c) to (l).</p> <p>Insert a new (b) “provision for QALC to have the discretion to adopt any revised/new standard which may replace NZS 6805:1992 and to choose the noise modelling software to be used for the ongoing AANC compliance monitoring.”</p>
21 (a) (page A1-50)	This plan change is forecast to 2037, during which time the Milford Users’s Group might well cease to exist. Specific reference to this group in the Designation should be replaced with “a representative of the Queenstown Airport general	<p>Replace “Milford Users Group” with “a representative of the Queenstown Airport general aviation/helicopter operators”</p> <p>Replace “airline representative” with “a representative of the airlines operating flights at Queenstown Airport.”</p>



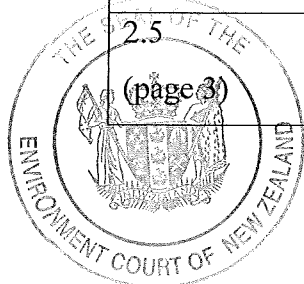
	<p>aviation/helicopter operators.”</p> <p>Reference to the Milford Users Group can be provided for in 2.3 of the NMP.</p> <p>The airline representative should be from airlines operating flights at Queenstown Airport.</p>	
22 (page A1-51)	<p>Condition 22 requires information to be given for new and altered buildings.</p> <p>The Court draws the parties’ attention to the fact that the draft NMP does not yet provide this.</p> <p>Condition 22 refers to new and altered buildings. The District Plan includes provision for “additions” to existing buildings.</p>	Condition 22 is to be amended by adding “additions” to buildings.
23 (page A1-51)	<p>The Note appended to condition 23 should be deleted as it is no longer relevant.</p> <p>The second condition “23” and all subsequent condition should be renumbered starting with condition 24.</p>	Delete note under condition 23 and renumber conditions as directed.



<b>Noise Management Plan</b>		
<b>Table of Contents</b>		
<b>Section</b>	<b>Subject</b>	<b>Amendments suggested by Court</b>
Annexure 2 (page i)	Annexure 2 is headed “Ventilation Table” and not “Construction Tables”.	Amend Table of Contents Annexure 2 title to “Ventilation Table”
<b>1. Introduction</b>		
1.2-3 (page 1)	This should be consistent with the Court’s revised wording for Designation Condition 20 (h).	Amend as follows:  “To provide a procedure for dealing with complaints including their recording, an acknowledgement to the complainant of their receipt and the outcome once resolved, any corrective action(s) to be taken including those if non compliance with the conditions is identified and reporting to the QALC.”
1.3 (page 1)	The list of matters should be consistent with the list in Condition 20 of the Designation.	In line 2 replace the words after “..Plan” with “..this NMP addresses the matters listed in Condition 20 of the Designation and may include additional matters such as considerate flying practices for aircraft operators.
1.4 (page 2)	Confirmation is required in this paragraph that QAC is responsible for both preparing the NMP and for its approval; that QALC may request QAC to make amendments to the NMP but that the final approval of any amendments rests with QAC.	Delete final sentence and replace with new para 1.5:  “Amendments to the NMP may be initiated by QAC in consultation with QALC or vice versa. QAC will be responsible for the approval of the NMP and for any amended versions prepared in accordance with Designation 2.”

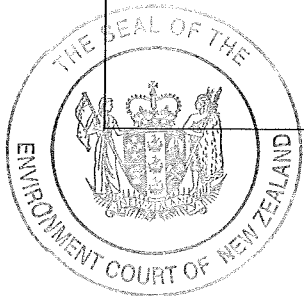


	We have a concern that the NMP will take on a life of its own and that Designation 2, to which it gives effect, will be lost sight of. It is important that the NMP cross reference the Designation which it gives effect.	
1.5 (Renumbered as 1.6) (page 2)	Suggest rewording to include reference to the current version of the NMP being available on QAC website to enhance accessibility.	Reword “The current version of the NMP will be available from QAC, QLDC and representatives of the QALC as well as being posted on the QAC website.”
<b>2. Queenstown Airport Liaison Committee (QALC)</b>		
2.3 (page 3)	In the table of QALC members, the description of the airlines representative and the Milford Users Group should be consistent with that used in the Designation.	In the table, replace “Airlines Representative” with “A representative of the airlines operating flights at Queenstown airport.”  Replace all of the wording starting with “AS/Helicopter Operators.” with “A representative of the Queenstown Airport general aviation/helicopter operators.”  Note: At the time this NMP came into force, these operators were referred to as the Milford Users Group.”
2.4 (page 3)	There is no 2.4	Renumber paragraphs and any associated cross references.
2.5 (page 3)	It needs to be made clear that the independent chair is in	Add before “QAC” “In addition to the membership set out in the table at 2.3,

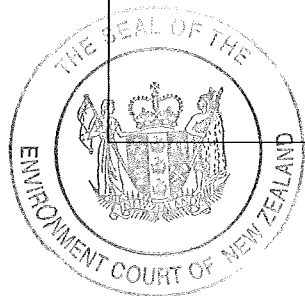




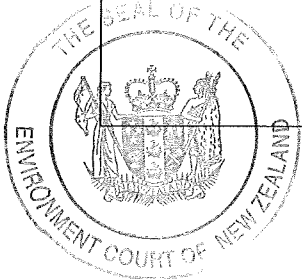
	<p>addition to the membership set out in the table at 2.3, if that is what is intended. The QALC members in clause 2.5 &amp; 2.20(i) are not independent in that they are representing various interest groups.</p>	<p>QAC....”</p>
<p>2.6 (page 3)</p>	<p>A number of changes are suggested for the wording of this clause for consistency with paras 1.5 (renumbered) and 1.6 and to include timings for QAC to provide the original NMP and any amended versions to the QLDC and the QAC.</p> <p>We have omitted the reference to “noise mitigation requirements” in clause 2.6 as QAC obligations under Designation 2 are wider than this.</p> <p>“Operators” is undefined.</p> <p>It is not clear on what basis QAC says that it has “delegated responsibility for managing noise at Queenstown Airport”. We understood that it was responsible for managing</p>	<p>Replace the sentence commencing “In particular...” with “In particular, QAC is responsible for the development and implementation of the NMP and for all subsequent amendments.</p> <p>At the end of this same sentence replace “operators” with “general aviation/helicopter operators”.</p> <p>In the sentence starting “While QAC..” delete the words “a delegated”.</p> <p>Add a new sentence “QAC will provide copies of the original approved version of the NMP to QLDC and QALC within 6 months of the NOR being included in the District Plan as a Designation and copies of any amended versions within one month of their finalisation and approval.”</p>



	<p>noise.</p> <p>For consistency with (amended) Designation Condition 20, the time for lodging copies of the NMP with QLDC and QAC should be 6 months and not 12 months.</p>	
2.7 (page 4)	Editorial	Replace “nose” with “noise” in line 3.
2.9 (page 4)	<p>The timetable for QAC to lodge copies of the NMP with QLDC (and QALC) is covered under 2.6. The last sentence of 2.9 needs to be amended to suit.</p> <p>To be consistent with 2.6 the reference to lodge should be replaced with provide.</p>	<p>Amend final sentence to delete “12 months” and replace with “6 months”.</p> <p>Amend last sentence to replace “lodge” with “provide the NMP to the QLDC...”</p>
2.11 (page 4)	The number of zones for the land surrounding the airport will change once the zoning of the PC19 land has been resolved. Suggest amended wording to reflect this.	Replace 2.11 with “Queenstown Airport is located within close proximity to both existing and planned residential developments with the operation and growth of the airport having the potential to affect the amenity of the community who live in these developments.”
2.13 (page 4)	As well as presenting the views of those whom they represent, the community representatives should also be responsible for providing feedback.	<p>In line 1 amend “view” to “views”.</p> <p>Add at the end of the first bullet point “and with providing regular feedback on the deliberations of the QALC.”</p>



	Should not the NMP record the process by which the community representatives are to be selected and replaced (such as advertising for expressions of interest in local newspapers)? And once appointed how are the community representatives to be contacted by members of the public?	<p>Add into the NMP the process by which the community representatives are to be selected and replaced.</p> <p>Add into the NMP the process governing the contact of the community representatives by members of the public.</p>
2.14 (page 5)	Amend this para for consistency with 2.3	Delete the first sentence and add a new sentence at the end: "For the time being these operators will be represented by the Milford User Group.
2.17 (page 5)	Editorial	In line 1 replace "expected" with "intended".
2.19 (page 5)	Editorial	Insert after "register" "..as set out in Section 5 of this NMP..."
<b>3. Noise Monitoring</b>		
3.1 (page 7)		For consistency with Designation Condition 6 add at end "If NZS 6805:1992 is superseded by a revised or new standard, the adoption of this revised/new standard in place of NZS 6805:1992 shall be at the discretion of the QALC."
3.2 (page 7)	This provision needs to be consistent with the renumbered condition 8 of the Designation as amended by the Court.	Add at the end "The methodology used to predict the 1 dB incremental noise contours shall be the same as that used to predict the ANB and the OCB."



3.3 (page 7)	This provision needs to be consistent with the Designation reworded and renumbered Condition 9.	Add at the end “QALC shall have the discretion to require future predictions to be modeled using new or improved software which supersedes INMv7a.”
3.4 (page 7)	If the NMP is restating conditions that appear in the Designation 2, it is strongly recommended that the actual wording of the designation condition be used to avoid inconsistency and difficulty in application or interpretation in the future.	For consistency replace 3.4 with the reworded and renumbered Condition 10 in Designation 2.

#### 4. Engine Testing Rules

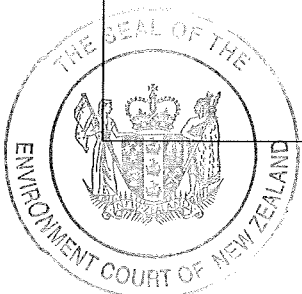
4.3 (page 9)	Once the preferred locations for engine testing are identified they should form part of the NMP.	Suggest add “for inclusion in this NMP” at end after “testing” .
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#### 5. Complaints Procedures

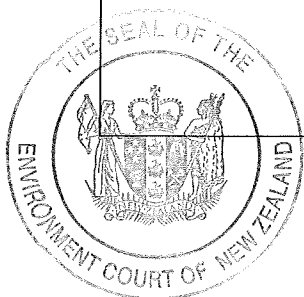
5.4 (page 10)	The wording of the fourth bullet is ambiguous.  First bullet point wrongly identifies the “complainant” as opposed to the “complaint”.	Amend the fourth bullet point to read “Date and time of the incident given rise to the complaint”.  Amend fifth bullet point to replace “complainant” and with “complaint”.
New paragraph to follow 5.11	Need to add a new paragraph detailing action to be taken if there has been non-compliance with the noise	Add new para 5.12: “If the investigation identifies that there has been non-compliance with the noise contours, the procedures to be followed are set out under



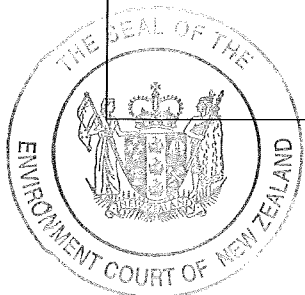
	contours. In particular the procedures to be followed are those set out in 3.7	clause 3.7.”
<b>6. Considerate Flying Practices</b>		
6.5-5 (page 13)	Presumably Appendix 1 should read Annexure 3 Flight Tracks?	Replace “Appendix 1” with “Annexure 3 Flight Tracks”
<b>7. Noise Mitigation Plan</b>		
7.1 (page 14)	<p>There are two triggers for QAC funded noise mitigation for existing ASANs, when the ASAN falls within the 60 dB Ldn AANC and then within the 65 dB Ldn AANC. An ASAN may fall within the 65 dB Ldn AANC before this AANC reaches the ANB. The wording of 7.1 needs to be amended to reflect this.</p> <p>Despite advice to the contrary, in 7.2 we do not consider that the NMC is defined. Also, our understanding is that NMC and AANC have the same meaning. If this is so, all references to NMC should be replaced with AANC.</p> <p>Alternatively, if we are</p>	<p>Replace the remainder of the sentence beginning “...within the ANB...” with “...within two AANCs, the 60 dB Ldn AANC and the 65 dB Ldn AANC..”</p> <p>If the terms NMC and AANC have the same meaning, replace all references to NMC with AANC.</p> <p>Alternatively, if there is a clear difference between the meanings of an NMC and an AANC, in the Introduction define and explain the function of NMC and secondly, clarify the differences between AANC and NMC.</p> <p>If the NMC is defined, then amend 7.2(2) &amp; (3) to identify the clause which defines the NMC.</p>



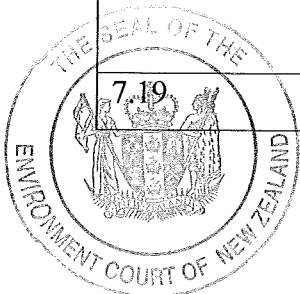
	<p>wrong, Clause 7.10 states how NMCs are to be prepared but does not define what an NMC is and its function in this NMP. Given that the NMCs trigger the obligation on QAC to fund noise mitigation, NMCs should be defined and their function explained in the Introduction. The difference between the AANCs and NMCs should also be made clear.</p>	
7.2 (page 14)	<p>The objectives of the NMP are those set out in clause 1.2</p> <p>In 7.2(i) the reference to ANB is incorrect. The adverse effects are to be managed within the 60 and 65 dBA Ldn AANCs.</p>	<p>Amend 7.2(i) to delete “ANB” and replace with 65 dBA Ldn AANC.</p>
7.3 -heading (page 14)	<p>The reference to the ANB in the heading is potentially confusing. Is it not clearer to talk about AANCs– which are the subject matter of the section?</p> <p>In 7.3 should not the reference to “as required by the rules” read “as required by Designation 2”?</p>	<p>Replace wording of heading with “60 dB Ldn AANC and 65 db Ldn AANC_Noise Mitigation</p> <p>Amend 7.3 to delete “as required by the rules” and replace with “as required by Designation 2”?</p>



	A qualification should be added to the last sentence in this same section to the effect that the 65 dB Ldn contour will only meet the ANB if the master planning growth predictions are realized in practice.	Add at the end of the last sentence “ provided that the actual growth in airport operations over the master planning period is the same as that predicted in the master planning growth predictions.”
7.4 (page 14)	The word “shown” begs the question, where this is “shown”. But in any event the phrase “shown” adds nothing to this provision.	Delete “shown” in line 3
7.5 (page 14)	Consistent with Designation 2 QAC is to provide acoustic insulation. The word “proposing” creates uncertainty.	Delete “proposing” in line 1.
7.9 (page 15)	Wording clarification	Replace “as follows:” with “below”.
7.10 (page 15)	As referred to in our comments under 7.1, should NMC be replaced with AANCs?  The NMCs (AANCs?) should be calculated using the noise prediction software described in 3.3.	Refer to 7.1 for amendments over the use of the term NMC.  Replace “...the latest version of the INM.” with “the noise prediction software described in 3.3”
7.11 (page 16)	For reasons that we have given elsewhere the reference to ANB in the heading requires amendment.	The heading to this section should read “ <b>Within the 65 db Ldn AANC</b> ”



	<p>With respect to the last sentence of this paragraph, in our comments on Designation Condition 14 we noted that the 2037 1 dB noise contours are based on the level of airport operations predicted to occur in 2037 and apply to noise mitigation for <i>new or altered</i> buildings. Conversely the noise levels predicted for “the following year” should apply to noise mitigation for <i>existing</i> ASANs based on the level of airport operations predicted for the “following year” ...and not those applying in 2037.</p> <p>It would be more consistent to replace the wording of this para with that from Designation Condition 14 as modified by the Court.</p>	<p>Replace existing wording with that from Designation Condition 14 as modified by the Court.</p>
7.13 (page 16)	<p>Standardise headings within this part of the NMP.</p> <p>Same comment applies to 7.13 as with 7.11 but for 60 dB Ldn contour and Condition 15.</p>	<p>The heading to this section should read <b>“Within the 60 db Ldn AANC”</b></p> <p>Replace existing wording with that from Designation Condition 15 as modified by the Court.</p>
	<p>The first sentence needs to be</p>	<p>Replace the words in the first sentence from</p>



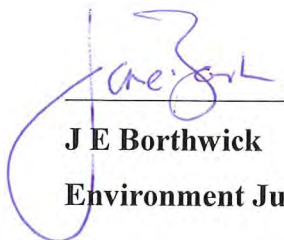


(page 17)	<p>reworded for clarity.</p> <p>As at page 15, the reference to the ANB is potentially confusing. This clause introduces a new concept of "boundary". Is it not clearer to talk about AANCs– which are the subject matter of the section 7?</p>	<p>"...existing ASAN .." with "...existing ASANs which will fall within the 65 dB Ldn or 60 dB Ldn AANC the following year."</p> <p>Replace "ANB or 60 dB Ldn Boundaries" with "65 dB Ldn AANC and 60 dB Ldn AANC"</p>
New Paragraphs after 7.19 (page 17)	The NMP should be amended to include the new condition directed by the Court in Designation 2, that there should be no limitation on the offer period. See related Designation conditions.	
7.23-1 (page 17)	An ASAN could fall within the 65 dB Ldn AANCs before it falls within the ANB.	Replace "ANB" in line 3 with "65 dB Ldn AANC"
7.23-4 (page 17)	The calculations of the noise levels should be based on the 60 dB Ldn or 65 dB Ldn AANCs predicted for the following year.	Replace balance of sentence from "...shown in .." with "..based on the 60 dB Ldn or 65 dB Ldn AANCs predicted for the following year."
7.25 (page 17)	We are unsure why the parties single out changes to the Noise Mitigation Plan when any changes, including changes to this section, are governed by clause 1.4. This provision is superfluous and	Delete clause 7.25.



	should be deleted.	
7.26	Editorial	Replace the two references to “ANB” with “65 dB Ldn AANC.”.
7.26-1	Editorial	In the last line replace “clause” with “7.26-2, 3 and 4 below.”
7.26-3	Editorial	Delete “for the time being” in line 4
<b>Plans/Maps</b>		
	As noted in paras 2, 80-82 of this decision, the parties have agreed two alternative locations for the ANB and OCB. Two plans should be provided to the court showing the locations of the ANB and OCB for each of these alternatives. The plan to be included in the maps’ section of district plan will be decided following the court’s resolution of the Lot 6 NOR designation application.	

For the Court:

  
**J E Borthwick**  
**Environment Judge**



**BEFORE THE ENVIRONMENT COURT**

Decision No. [2013] NZEnvC 28

**IN THE MATTER** of the Resource Management Act 1991 (**the Act**) and appeals pursuant to clause 14 of the First Schedule and a designation under section 174 of the Act

**BETWEEN** AIR NEW ZEALAND LTD

(ENV-2011-WLG-001)

QUEENSTOWN AIRPORT  
CORPORATION LTD

(ENV-2011-WLG-003)

REMARKABLES PARK LTD AND  
SHOTOVER PARK LTD

(ENV-2011-WLG-004)

Appellants

**AND** QUEENSTOWN LAKES DISTRICT  
COUNCIL

Respondent

**BETWEEN** AIR NEW ZEALAND LTD

(ENV-2011-WLG-014)

REMARKABLES PARK LTD AND  
SHOTOVER PARK LTD

(ENV-2011-WLG-016)

Appellants

**AND** QUEENSTOWN AIRPORT  
CORPORATION LTD

Respondent



Resumed Hearing: at Christchurch on 6 November 2012

Court: Environment Judge J E Borthwick  
Environment Commissioner R M Dunlop  
Environment Commissioner D J Bunting

Appearances: M M E Wikaira for Air New Zealand Limited  
R M Wolt for Queenstown Airport Corporation Limited  
J D Young for Remarkables Park Limited and Shotover Park  
Limited  
M A Ray for Queenstown Lakes District Council

Date of Decision: 5 March 2013

Date of Issue: 5 March 2013

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## SECOND INTERIM DECISION OF THE ENVIRONMENT COURT

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### REASONS

#### Introduction

[1] Following the release of the Interim Decision<sup>1</sup> in September 2012, this proceeding was resumed for the purpose of deciding discrete issues in relation to plan change 35, the notice of requirement to amend Designation 2 (the aerodrome designation) to include new or amended conditions for the airport noise boundaries, noise predictions, noise monitoring and noise mitigation measures and finally, the draft Noise Management Plan.

[2] Prior to the hearing the parties addressed to a substantial degree the concerns expressed by the court in its Interim Decision and filed updated documentation recording their agreement. In addition, the parties had taken on board the recommendations made by the court in respect of the Noise Management Plan.



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<sup>1</sup> [2012] NZEnvC 195.

[3] As a consequence of evidence exchange, and with the benefit of a short hearing, all outstanding matters have been resolved as between the parties. In this Second Interim Decision we address, to the extent we consider necessary, the draft documentation filed by the parties under a joint memorandum dated 30 November 2012 and set out the agreements reached.

**Planning map 31a and Figure 2 – Airport Measures and Activity Areas and related policies methods and rules**

[4] Before we do so, we adjourn again the issue of an amendment to planning map 31a and the proposed amendment of Figure 2 – Airport Measures and Activity Areas.<sup>2</sup> A final determination on the planning map and Figure 2 will be made in conjunction with the second Queenstown Airport Corporation Ltd (QAC) notice of requirement lodged in relation to Designation 2. Referred to as **Lot 6 NOR**, the Environment Court released its decision on the second notice of requirement in September 2012: *Queenstown Airport Corporation Ltd* [2012] NZEnvC 206. This decision has been appealed to the High Court, including by RPL.

[5] We record that Ms Wolt for Queenstown Airport Corporation Ltd accepted that the planning map and Figure 2 are dependent on the outcome of the Lot 6 NOR.<sup>3</sup> Mr Young for Remarkables Park Ltd (RPL) was more equivocal.<sup>4</sup> While he agreed that planning map 31a cannot be approved prior to the outcome of the High Court appeal, his position on Figure 2 was not clear. This lack of clarity may reflect an agreement between RPL and QAC for the purpose of these proceedings only, and that Figure 2 would be based on the noise contours that would apply if the QAC's notice of requirement to extend Designation 2 (i.e. Lot 6 NOR) was confirmed.

[6] Be that as it may, the extension of the aerodrome designation determines future noise contours and, it follows, the outer control and air noise boundaries on planning map 31a. In turn the noise boundaries determine the spatial arrangement of certain land uses within the Remarkables Park Zone which are recorded, amongst other places, in

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<sup>2</sup> Plan Change 35, Remarkables Park Zone – rules at 12-93/94.  
<sup>3</sup> Transcript at 6.  
<sup>4</sup> Transcript at 137-8.



Figure 2.<sup>5</sup> The parties do not suggest that the wording of policies, rules and methods that are contingent upon the approval of the amended Figure 2 will alter and so these provisions are able to be approved notwithstanding Figure 2 may yet be amended.

[7] If QAC's notice of requirement for Lot 6 is ultimately cancelled, the parties will need to address Figure 2 (for example, should it revert back to the Figure in the operative District Plan?).

*Issue: Should the District Council implementation method for partial funding of sound insulation of existing buildings refer to the 2037 Noise Contour?*

[8] In the Interim Decision we invited the parties to provide further technical evidence if the court had misapprehended the purpose and effect of any provision within the draft documentation. In his further supplementary evidence of 17 October 2012 Mr Day clarified the reason for including the words "... based on the 2037 1 dB Noise Contours contained in the NMP", namely that a building which qualified for noise mitigation when the noise level reached 65 dB before 2037 could ultimately be subjected to a higher noise level by 2037. It was therefore necessary for the noise mitigation measures to be designed for this higher 2037 noise level rather than 65 dB. We agree.

[9] The situation is different where a building owner may be eligible for partial funding for mechanical ventilation for Critical Listening Environments within the 60 dB Projected AANC. While condition 16 of the Designation does not refer to the 2037 Noise Contour, QAC nevertheless proposes reference to this is retained in various places in the District Plan. For example the District Wide Issues Objective 7, Implementation Method (i) District Plan,<sup>6</sup> with reference to Activities Sensitive to Aircraft Noise between the Air Noise Boundary and the 60 dB AANC, includes the words "... Retrofitting shall be based on the 2037 Noise contours ..." and also in the Residential Areas and Business and Industrial Areas Sections.

<sup>5</sup> Plan Change 35, Remarkables Park Zone, Objective 1 and related policies, Explanation and Principal Reasons for Adoption at p12-3.

<sup>6</sup> Page 4-59 fifth paragraph.



[10] Mr Day's evidence was that the reference to the "2037 Noise Contours" in the Plan Change, but not in condition 16 of the Designation, would not compromise the intent of these provisions, but agreed with the court that the 2037 Noise Contours are irrelevant when considering funding for noise mitigation outside of the Air Noise Boundary.<sup>7</sup> Instead, the obligation to offer funding for mechanical ventilation is triggered by the projected AANC.

[11] We find the continued reference to the 2037 Noise Contours unhelpful since – as Mr Day says – it is irrelevant to the determination of funding for properties outside the Air Noise Boundary. It is preferable that terms in the District Plan and the Designation are used deliberately and are consistent in their employment.<sup>8</sup> We have amended, accordingly, the provisions at [17].

*Issue: are the implementation methods consistent in their use of terms?*

[12] Having reviewed the agreed plan change provisions filed in November 2013, it has come to our attention that the same implementation methods inconsistently refer to the "60 dB AANC" and the "2037 60 dB Noise Contour" also in the context of the funding of retrofitting of mechanical ventilation. The Implementation Method in the District Wide Section at page 4-57 of the plan change refers to "existing buildings containing an Activity Sensitive to Aircraft Noise located between the Air Noise Boundary and the 60 dB AANC" [our emphasis]. Other versions of the same implementation method refer instead to the "2037 60 dB Noise Contour".

[13] The definitions in the plan change and the draft Noise Management Plan at paragraph 7.7-7.10 make clear these noise contours are not the same. From our understanding of Mr Day's evidence the reference to 60 dB AANC is correct. If that is the case, other than the Implementation Method appearing in the District Wide Issues Section, all other Implementation Methods are incorrect and are to be amended to reference 60 dB AANC.



<sup>7</sup> Resumed hearing, Transcript at 25.

<sup>8</sup> Resumed hearing, Transcript at 25, 45-47.

*Issue: Are additional policies and rules required in relation to the rural, business and industrial areas?*

[14] The structure of the proposed change to the District Plan was not clear at the time the Interim Decision was released. As recorded we were unsure whether there were any existing buildings within the 60 dB Ldn contour and the air noise boundary over Rural areas and secondly, Business and Industrial areas.<sup>9</sup> If there were then we queried whether there should be policies, rules and methods for the funding of noise mitigation.

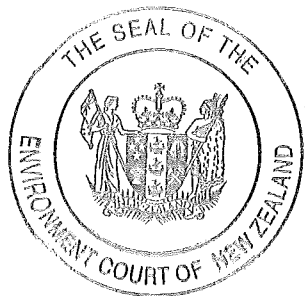
[15] Mr Kyle, QAC's planner, acknowledged that the structure of the plan change would not have been clear from what he referred to as the first tranche of documents.<sup>10</sup> At the resumed hearing he explained the structure advising that no objectives or policies were proposed for funding the retrofitting of sound insulation and, as the case may be, mechanical ventilation for existing buildings. The obligation on QAC to offer funding arises from the amendments made to the Aerodrome Designation and not the District Plan. The funding obligations are recorded as implementation methods within various Sections of the District Plan. In contrast there are policies and rules obliging the owners of new or altered buildings to install, as necessary, mechanical ventilation and sound insulation. These obligations arise under the District Plan, and not the Designation. The plan change was not consistent in its approach, omitting the latter in the Sections addressing Rural, Industrial and Business areas. In response to the Interim Decision there have been substantial changes to these two Sections, which (subject to our findings below) we generally approve.

[16] We are satisfied with the structure of the proposed plan change, particularly with the amended objectives and policies and find the provisions appropriate without the need to add policies and rules to address the funding of noise mitigation by QAC. The objectives and policies within the District Wide Issues supported by the Implementation Methods are sufficiently broad to guide the implementation methods in different chapters of this District Plan.

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<sup>9</sup> At 31 and 35.

<sup>10</sup> Transcript at 102.





*Issue: Is the wording of objective 4, Business & Industrial Areas Section appropriate?*

[17] In our Interim Decision on plan change 19 we criticised the wording of certain airport related objectives and associated policies for containing imprecise language such as “complementary to the operations current and reasonably foreseeable future operational capability” (QLDC policy 3.3); and “existing and reasonably foreseeable future operational capability and capacity” (QLDC policy 3.4).<sup>11</sup> This is so where growth in the Airport’s operations and measures to address the adverse effects arising from its existing and future operations are dealt with in the Interim Decision on plan change 35.

[18] More of the same language appears in the new objective for the Business and Industrial Areas Section (objective 4). Given the breadth of changes being considered in these proceedings and the related plan change 19 proceedings – any differences in wording in the higher order provisions relevant to the Queenstown Airport were not at the forefront of our minds at the resumed hearing.

[19] We have amended the objective at paragraph [20] below to bring it in line with the higher order provisions of plan change 19, as proposed to be amended by the court, and set out in Part 16 of *Queenstown Airport Corporation Ltd and ors v Queenstown Lakes District Council* [2013] NZEnvC 14.

### **Outcome**

[20] For the reasons that we give above, we find that the wording of the Designation Condition 16 should prevail, and for clarity and consistency, in relation to the implementation methods that appear in plan change 35 at:

- page 4-57 amend Implementation Methods (i);
- page 5-6 amend Implementation Methods (v);
- page 5-9 amend Implementation Methods (i)(i);
- page 7-6 amend Implementation Method (j);

<sup>11</sup> *Queenstown Airport Corporation Ltd and ors v Queenstown Lakes District Council* [2013] NZEnvC 14 at [691].



- page 11-6, of the Business & Industrial Area Section, Implementation Methods (i) as follows:
  - the relevant paragraph is to read:

Queenstown Airport Corporation Limited shall offer to part fund retrofitting over time of mechanical ventilation of any Critical Listening Environment within existing buildings containing an Activity Sensitive to Aircraft Noise located between the Air Noise Boundary and the ~~60 dB AANC 2037~~ 60 dB AANC ~~Noise Contour~~. This ventilation is to enable windows and doors to remain closed to achieve the Indoor Design Sound Level if required. ~~Retrofitting shall be based on the 2037 Noise Contours and~~ shall be offered at the time the Projected 60 dB AANC reaches the property.

[21] If the court is not correct in its understanding that the 60 dB AANC and not 2037 60 dB Noise Contour applies, then the parties are to file a joint memorandum by **15 March 2013** explaining the reason for the difference. If no memorandum is filed, the court approves the implementation methods subject to the amendments at [17].

[22] At page 7-13 amend Implementation Method (c) to read “Rules to require ...”.

[23] Amend objective 4 at page 11-6 of the Business and Industrial Areas Section to read:

Manage business and industrial areas in proximity to Queenstown Airport to ensure that the operations ~~at capacity and integrity~~ of the Airport is are not adversely affected now or in the future by Activities Sensitive to Aircraft Noise.

[24] We otherwise approve plan change 35 and confirm the conditions of Designation 2 (the Aerodrome Designation) that were filed together with the joint memorandum of counsel dated 30 November 2012. No further recommendations are made in relation to the Noise Management Plan.

For the Court:

  
 JE Borthwick  
 Environment Judge

JE\B\WF\DD\NPC 35 – Second Interim Decision 2013.doc



**BEFORE THE ENVIRONMENT COURT**

Decision No. [2013] NZEnvC 93

**IN THE MATTER** of the Resource Management Act 1991 (**the Act**) and appeals pursuant to clause 14 of the First Schedule and a designation under section 174 of the Act

**BETWEEN** AIR NEW ZEALAND LTD

(ENV-2011-WLG-001)

QUEENSTOWN AIRPORT  
CORPORATION LTD

(ENV-2011-WLG-003)

REMARKABLES PARK LTD AND  
SHOTOVER PARK LTD

(ENV-2011-WLG-004)

Appellants

**AND** QUEENSTOWN LAKES DISTRICT  
COUNCIL

Respondent

**BETWEEN** AIR NEW ZEALAND LTD

(ENV-2011-WLG-014)

REMARKABLES PARK LTD AND  
SHOTOVER PARK LTD

(ENV-2011-WLG-016)

Appellants

**AND** QUEENSTOWN AIRPORT  
CORPORATION LTD

Respondent



Hearing: In Chambers at Christchurch

Court: Environment Judge J E Borthwick  
Environment Commissioner R M Dunlop  
Environment Commissioner D J Bunting

Date of Decision: 8 May 2013

Date of Issue: 8 May 2013

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**THIRD INTERIM DECISION  
OF THE ENVIRONMENT COURT**

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**Introduction**

[1] In the Second Interim Decision issued on 5 March 2013 we found, inter alia, that the District Plan implementation methods should be amended to be both consistent as between themselves and with condition 16 of the notice of requirement to amend Designation 2.

[2] As a consequence, the implementation methods were to read:

Queenstown Airport Corporation Limited shall offer to part fund retrofitting over time of mechanical ventilation of any Critical Listening Environment within existing buildings containing an Activity Sensitive to Aircraft Noise located between the Air Noise Boundary and the 60 dB AANC 2037 ~~60dB Noise Contour~~. This ventilation is to enable windows and doors to remain closed to achieve the Indoor Design Sound Level if required. Retrofitting ~~shall be based on the 2037 Noise Contours~~ and shall be offered at the time the Projected 60 dB AANC reaches the property.

[3] That said, we reserved leave for the parties to file a joint memorandum if the court was not correct in its understanding that the 60 dB AANC and not 2037 60 dB Noise Contour applied.

[4] In its 15 March 2013 memorandum, QAC responded to paragraph [21] of the court's Second Interim Decision as follows:

... whilst the Court's suggested changes are not technically incorrect, QAC respectfully submits that the manner in which the issue is addressed in the November Provisions provides a clearer



indication to users of the District Plan as to the properties that will ultimately be eligible for QAC part funded noise mitigation. QAC therefore prefers that the 30 November 2012 wording be retained.

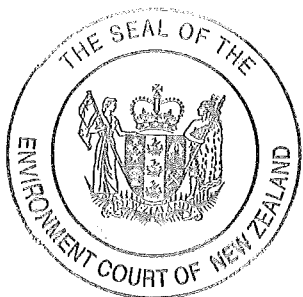
[5] What QAC omitted to say is that the implementation methods set out in the November Provisions inconsistently reference the 60 dB AANC and the 2037 60 dB Noise Contour. It is this inconsistent use of terminology that has given rise to the court's confusion. Subsequently, the court released a Minute seeking the advice of the parties on:

- (a) district wide issues – implementation methods at p4-57 – is a correction required to the fifth implementation method to delete “60 dB AANC” and replace it with “2037 60 dB Noise Contour”?
- (b) condition 16 at pA1-49 – in light of Mr Day's advice to counsel set out in the memorandum is the reference to “60 dB Projected AANC” correct or should it be amended to read “2037 60 dB Noise Contour”?<sup>1</sup>

[6] QAC has since confirmed that a correction is required to the implementation methods at p4-57 in the manner identified in the Minute, and we approve the same.

[7] While QAC does not consider any additional words are required to clarify the meaning and intent of condition 16, it volunteered revised wording for the condition as follows:

16. Queenstown Airport Corporation Limited shall offer to part fund retrofitting, over time, of mechanical ventilation of any Critical Listening Environments within existing buildings containing an Activity Sensitive to Aircraft Noise located between the Air Noise Boundary and the 2037 60 dB Noise Contour. In particular, each year the QAC shall offer to provide 75% funding of mechanical ventilation for Critical Listening Environments of buildings that existed on [insert date designation confirmed] containing an ASAN that are within the 60 dB Projected AANC. This offer may be earlier at QAC's discretion. Where a building owner accepts this offer they shall not be eligible for further funding of mechanical ventilation if the building later becomes within the 65 dB Projected AANC, but they shall become eligible for 100% funding of any sound insulation required.




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<sup>1</sup> Minute dated 21 March 2013.

[8] Given the complexity of noise management tools, it is our view that clarification is required and we approve the amendment proposed to condition 16.

### Outcome

[9] A final determination on the planning map and Figure 2 will be made in conjunction with the second Queenstown Airport Corporation Ltd notice of requirement lodged in relation to Designation 2. Referred to as **Lot 6 NOR**, the Environment Court released its decision on the second notice of requirement in September 2012: *Queenstown Airport Corporation Ltd* [2012] NZEnvC 206. This decision has been appealed to the High Court, including by RPL.

[10] This plan change is approved subject to the following amendments. In relation to the implementation methods that appear in the District Plan at:

- page 4-57 amend Implementation Methods (i);
- page 5-6 amend Implementation Methods (v);
- page 5-9 amend Implementation Methods (i)(i);
- page 7-6 amend Implementation Method (j);
- page 11-6 of the Business and Industrial Area Section, Implementation Methods (i) as follows:
- the relevant paragraph is to read:

Queenstown Airport Corporation Limited shall offer to part fund retrofitting over time of mechanical ventilation of any Critical Listening Environment within existing buildings containing an Activity Sensitive to Aircraft Noise located between the Air Noise Boundary and the 2037 60 dB Noise Contour. This ventilation is to enable windows and doors to remain closed to achieve the Indoor Design Sound Level if required. Retrofitting shall be offered at the time the Projected 60 dB AANC reaches the property.

[11] Condition 16 of the notice of requirement is approved subject to the following amendment:

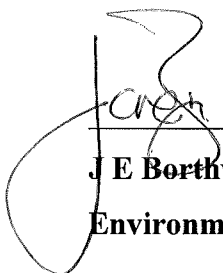
16. Queenstown Airport Corporation Limited shall offer to part fund retrofitting, over time, of mechanical ventilation of any Critical Listening Environments within existing buildings containing an Activity Sensitive to Aircraft Noise located between the Air Noise Boundary and the 2037 60 dB Noise Contour. In particular, each year the QAC shall offer to provide 75% funding of mechanical ventilation for Critical Listening Environments of buildings that existed on [insert date designation confirmed] containing an ASAN that are within the 60 dB Projected AANC. This offer may be earlier at QAC's discretion. Where a building owner accepts this offer they shall not be eligible for further funding of mechanical ventilation if the building later



becomes within the 65 dB Projected AANC, but they shall become eligible for 100% funding of any sound insulation required.

[12] Although PC35 cannot be decided finally for the reason at [9] above, we are concerned that the directions which the court has made in the First Interim Decision [2012] NZEnvC 195, Second Interim Decision [2013] NZEnvC 28 and this Third Interim Decision should be collated into a single version to assist district plan users by providing a consolidated record of the court's decisions. This can be done by updating the version of Plan Change 35 and Designation 2 (the Aerodrome Designation) filed on 30 November 2012. Accordingly, the Council, having conferred with the other parties, is to file by **31 May 2013** a copy of PC35 and Designation 2 amended to give effect to the relevant court decisions.

For the Court:

  
\_\_\_\_\_  
**J E Borthwick**  
**Environment Judge**

