

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH
I TE KŌTI TAIAO O AOTEAROA
KI ŌTAUTAHI**

Decision No. [2024] NZEnvC 299

IN THE MATTER

of the Resource Management Act 1991

AND

an appeal under cl 14 of Schedule 1 of
the Act

BETWEEN

**WATERFALL PARK
DEVELOPMENTS LIMITED**

(ENV-2019-CHC-90)

Appellant

AND

**QUEENSTOWN LAKES DISTRICT
COUNCIL**

Respondent

Court: Environment Judge J J M Hassan
Environment Commissioner M C G Mabin

Hearing: In Chambers on the papers

Submissions: 29 August, 30 August, 2 September and 17 September 2024

Last case event: 17 September 2024

Date of Decision: 25 November 2024

Date of Issue: 25 November 2024

FINAL DECISION OF THE ENVIRONMENT COURT

A: The amendments to the PDP attached to Queenstown Lakes District Council's memorandum dated 30 August 2024, and attached in Appendices

WATERFALL PARK DEVELOPMENTS LTD v QLDC



A-D, are approved.

B: A separate costs decision will issue.

REASONS

Introduction

[1] Waterfall Park Developments Ltd (‘WPDL’) appealed against Queenstown Lakes District Council’s (‘QLDC’) decisions determining the content of relevant provisions of Ch 4 Urban Development, including as to the Arrowtown Urban Growth Boundary (‘Arrowtown UGB’), a variation to include Ch 24: Wakatipu Basin and associated zoning maps. WPDL’s land at 343 Arrowtown Lake Hayes Road (‘the Site’) had been included in the Wakatipu Basin Rural Amenity Zone (‘WBRAZ’). The appeal was allocated to Topic 31 – Ayrburn.

[2] The court issued an Interim Decision¹ directing that:

- (a) the Arrowtown UGB would remain unchanged;
- (b) the Ayrburn Domain part of the Site was to be rezoned Waterfall Park Zone – that aspect of the rezoning was by agreement;²
- (c) for the balance of the Site known as Ayrburn Farm, Precinct subzoning (whether or not modified) was found not to be appropriate. The most appropriate zoning was found to be WBRAZ, although the court reserved determination of whether this could include modifications identified in the Interim Decision.

[3] The Interim Decision included Annexure 2, which recorded the preliminary observations made prior to closing submissions. WPDL then withdrew its UGB relief and primary relief seeking a new Ayrburn Zone.

¹ *Waterfall Park Developments Ltd v Queenstown Lakes District Council* [2023] NZEnvC 207.

² QLDC submissions dated 21 June 2024 (as to costs) at [3].

[4] The second decision³ determined some confined issues in response to draft provisions provided by WPDL. Directions were given for submissions on the wording of an objective and possible policy, for the purposes of final determination of whether WBRAZ or modified WBRAZ was more appropriate. The third decision⁴ settled that issue and directed that a final set of provisions be lodged.

[5] QLDC lodged a memorandum on 30 August 2024, providing the provisions and also identifying some non-substantial drafting edits and other edits to ensure that the final package of provisions is complete.⁵ It acknowledges that the non-substantive amendments could be made in reliance on QLDC's powers under cl 16, Sch 1, but says its preference is to file the complete package to the court for approval.⁶

[6] WPDL lodged a memorandum dated 29 August 2024, resulting from its review of the agreed provisions. WPDL submits that the decision has an unintended and unanticipated consequence, and that the agreed provisions will not give effect to one aspect of the court's decision relating to minimum lot size.⁷ It seeks a specific exception from the 80 ha minimum rule.

WPDL submissions

[7] There is no dispute that the following outcome results from the agreed PDP provisions applicable to the Ayrburn Structure Plan:⁸

- (a) Stage 1 of development would be by way of subdivision consent application to create a separate title or titles containing the pink

³ *Waterfall Park Developments Ltd v Queenstown Lakes District Council* [2024] NZEnvC 87.

⁴ *Waterfall Park Developments Ltd v Queenstown Lakes District Council* [2024] NZEnvC 134.

⁵ QLDC memorandum dated 30 August 2024 at [6].

⁶ QLDC memorandum dated 30 August 2024 at [7].

⁷ WPDL submissions dated 29 August 2024 at [2].

⁸ WPDL submissions dated 17 September 2024 at [2].

Residential areas. This application would include, and address, the balance Open Space areas contained within the lot being subdivided. This application would be for a non-complying activity due to non-compliance with the minimum 80 ha rule;

- (b) Stage 2 of development would be subdivision consent application(s) applicable only to the pink Residential areas. Such application(s) would be for a restricted discretionary activity provided the subdivision density minimum criteria are complied with.

[8] WPDL contends that there is nothing in the court's decisions that suggest that the court intended this outcome.⁹ The court is respectfully requested to consider what the Stage 1 subdivision consent referred to in paragraph [7(a)] above is intended to achieve, why a two stage process is appropriate, and why non-complying activity status is appropriate.¹⁰

[9] WPDL explains that its land contains both of the Residential areas plus surrounding Open Space areas. Any subdivision of Residential areas must include part or parts of the Open Space areas (because it is not possible to subdivide just part of an existing lot without also creating a balance lot). That must inevitably result in a lot or lots, containing part of the Open Space areas, which do not comply with the minimum 80 ha criterion (because the relevant lot in total only comprises 32.4032 ha).¹¹ WPDL says this situation is exacerbated by the requirement to meet Open Space area outcomes. It says that it cannot meet those requirements without implementing a subdivision which includes all or part of the Open Space areas. Meeting those requirements must therefore again result in non-complying activity status.¹²

⁹ WPDL submissions dated 17 September 2024 at [3].

¹⁰ WPDL submissions dated 17 September 2024 at [4].

¹¹ WPDL submissions dated 29 August 2024 at [5].

¹² WPDL submissions dated 29 August 2024 at [6].

[10] WPDL suggests the following amendment to r 27.6.1 under a heading “WBRAZ”:¹³

- C. Any lot or part of a lot within the Ayrburn Structure Plan which is:
 - a. in a subdivision enabled under B. above; and
 - b. located outside the areas described in B. above; and
 - c. to be held in the same Record(s) of Title as one or more lots created under B. above.

[11] WPDL submits the amendment includes two critical components to avoid unnecessary fragmentation of the Open Space areas or any attempt to subdivide the Open Space areas for any other purpose. Firstly, the exception only applies to a subdivision for the purpose of implementing rural living development of one of the Residential Areas or of one of the other areas identified as being capable of absorbing a greater level of rural living density. Secondly, any part of the Open Space areas included in such subdivision must be held with the same record of title as a lot or lots created within those rural living areas.¹⁴

[12] Counsel considers that there is no jurisdictional hurdle to making the amendment, as it would be directly consequential on the court’s restricted discretionary subdivision determination.¹⁵ WPDL also submits that there would be no effect on residential density outcomes or on the physical outcomes of any such subdivisions, because of the requirements to comply with other agreed provisions.¹⁶

[13] If the court were minded to include the amendment, then WPDL proposes some ‘tidy up’ amendments to improve the clarity and consistency of r 27.6.1.¹⁷

¹³ WPDL submissions dated 29 August 2024 at [7].

¹⁴ WPDL submissions dated 29 August 2024 at [8].

¹⁵ WPDL submissions dated 29 August 2024 at [9].

¹⁶ WPDL submissions dated 29 August 2024 at [10].

¹⁷ WPDL submissions dated 29 August 2024 at [12].

QLDC submissions

[14] QLDC does not agree that WPDL’s amendment is necessary. It submits that a non-complying status for a subdivision which involves land within the Open Space area, and that does not comply with the 80 ha density standard, is consistent with the approach across the balance of the WBRAZ for all areas where the 80 ha density standard applies, including where sites are split zoned as part WBRAZ and part Lifestyle Precinct.¹⁸ QLDC submits that the court’s determinations, which provide a subdivision framework that is directed at avoiding further fragmentation of the WBRAZ, remain appropriate, and a non-complying status will provide for proper consideration of the objectives and policies of the Ch 24 framework.¹⁹

The Hadleys’ submissions

[15] The Hadleys likewise oppose WPDL’s request. The Hadleys submit that the WPDL memorandum seeks to reopen something that has been finally decided. The subdivision status in the Open Space area was not a matter reserved by the Interim Decision.²⁰ They submit that WPDL has not identified the legal basis for its application, and there is no jurisdiction for WPDL’s new proposal to change the activity status.²¹

[16] The Hadleys also submit that:²²

- (a) the “unexpected consequence” (non-complying status) was not unexpected or unintended by the Hadleys. It was always the case that any subdivision within the Open Space activity area within the WBRAZ was going to be subject to the 80 ha minimum site size rule

¹⁸ QLDC memorandum dated 30 August 2024 at [4.3].

¹⁹ QLDC memorandum dated 30 August 2024 at [4.5].

²⁰ Hadleys submissions dated 2 September at [3].

²¹ Hadleys submissions dated 2 September at [4].

²² Hadleys submissions dated 2 September at [6].

because it was common ground that the existing titles are less than 80 ha;

- (b) the utility of the non-complying status is that it will focus attention not just on creating “parent titles” for further subdivision within the residential activity area, but rather will draw particular attention to the merits of subdivision of the open space part of the WBRAZ.

Discussion

[17] The court has considered and approves the amendments to the PDP in attached Appendices A-D.

[18] WPDL’s request is declined. As the Hadleys note, it was common ground and well understood by the court that the existing titles were less than 80 ha. Non-complying status of an application involving an Open Space area smaller than 80 ha was not an unintended consequence of the court’s decision. WPDL acknowledged that other similar areas are unlikely to be neatly contained within specified lots and specific records of title. It proposes applying its “exception” to other such areas. There is no jurisdiction to address areas outside of WPDL’s appeal.

[19] The court also declines WPDL’s further proposed amendments contained in pt B of its memorandum.²³

²³ WPDL submissions dated 29 August 2024 at [12].

[20] I do not consider it appropriate to allow a further costs application to deal with the costs of replying to WPDL's submissions. The Hadleys' submissions in reply were short, and the issue was confined. A costs decision will issue separately.

For the court:



J J M Hassan
Environment Judge

APPENDIX A: FINAL WATERFALL PARK APPEAL PROVISIONS (MARK-UP)

24. Wakatipu Basin

New provisions or rezoning sought to be added by appeal

These new provisions/rezoning may relate to various parts of this chapter but are only identified here.

24.1 Zone Purpose

This chapter applies to the Wakatipu Basin Rural Amenity Zone (Rural Amenity Zone) and its sub-zone, the Wakatipu Basin Lifestyle Precinct (Precinct). The purpose of the Zone is to maintain or enhance the character and amenity of the Wakatipu Basin, while providing for rural living and other activities.

The Rural Amenity Zone is applied to areas of the Wakatipu Basin which have either reached, or are nearing a threshold where further landscape modification arising from additional residential subdivision, use and development (including buildings) is not likely to maintain the Wakatipu Basin's landscape character and visual amenity values. There are some areas within the Rural Amenity Zone that have a landscape capacity rating to absorb additional development of Moderate, Moderate-High or High. In those areas limited and carefully located and designed additional residential subdivision and development is provided for while maintaining or enhancing landscape character and visual amenity values.

Other activities that rely on the rural land and landscape resource are contemplated in the Rural Amenity Zone including recreation, commercial and tourism activities. Farming activities are enabled while noting that farming is not the dominant activity in many locations.

The Precinct is applied to specific areas of land within the broader Rural Amenity Zone that have capacity to absorb rural living development. These areas have a variety of existing lot sizes and patterns of development, with landscape character also varying across the Precinct. This includes existing vegetation, including shelterbelts, hedgerows and exotic amenity plantings, which characterise certain areas. Within the Precinct, sympathetically located and well-designed rural living development which achieves minimum and average lot sizes (and accords with any structure plan included in the Rural Amenity Zone), is anticipated, while still achieving the overall objectives of the Rural Amenity Zone.

While the Rural Amenity Zone does not contain Outstanding Natural Features or Outstanding Natural Landscapes, it is a distinctive and high amenity value landscape located adjacent to, or nearby to, Outstanding Natural Features and Outstanding Natural Landscapes. There are no specific setback rules for development adjacent to Outstanding Natural Features or Outstanding Natural Landscapes. However, all buildings (except small farm buildings) and subdivision require resource consent to ensure that inappropriate buildings and/or subdivision does not occur adjacent to those features and landscapes.

Escarpment, ridgeline and river cliff features are identified on the District Plan web mapping application. Buildings proposed within the prescribed setback of these features require assessment to ensure the values of these landscape features are maintained.

Integral to the management of the Rural Amenity Zone and Precinct is Schedule 24.8, which defines 24 Landscape Character Units. These Landscape Character Units are a tool that assists with the identification of the Basin's landscape character and visual amenity values that are to be maintained and enhanced.

Proposals in areas rated to have Very Low, Low or Moderate-Low development capacity are to be assessed against the landscape character and amenity values of the landscape character unit they are located within, as well as the Wakatipu Basin as a whole.

Proposals in areas rated to have Moderate development capacity are to be assessed against the landscape character and amenity values of the landscape character unit they are located within. Controls on the location, scale and visual effects of buildings are used to provide a design led response to the character and values.

24.2 Objectives and Policies

Objectives 24.2.1 to 24.2.4 and related policies apply to both the Rural Amenity Zone and the Precinct except the following policies do not apply to the Precinct; 24.2.1.2. 24.2.1.4. 24.2.1.5 24.2.1.7 24.2.1.10 24.2.1.13 24.2.1.15 and 24.2.1.18. Objective 24.2.5 and related policies apply to the Precinct only.

24.2.1 Objective - Landscape character and visual amenity values in the Wakatipu Basin are maintained or enhanced.

Policies

- 24.2.1.1 Identify in Schedule 24.8 and on the planning maps the landscape capacity of areas outside of the Precinct to absorb subdivision and residential development according to the following rating scale:
- a. Very Low capacity;
 - b. Low capacity;
 - c. Moderate-Low capacity;
 - d. Moderate capacity;
 - e. Moderate-High capacity; and
 - f. High capacity.
- 24.2.1.2 Subdivision or residential development in all areas outside of the Precinct that are identified in Schedule 24.8 to have Very Low, Low or Moderate-Low capacity must be of a scale, nature and design that:
- a. is not inconsistent with any of the policies that serve to assist to achieve objective 24.2.1; and
 - b. ensures that the landscape character and visual amenity values identified for each relevant Landscape Character Unit in Schedule 24.8 and the landscape character of the Wakatipu Basin as a whole are maintained or enhanced by ensuring that the landscape capacity is not exceeded.
- 24.2.1.3 Subdivision or residential development in all areas of the Wakatipu Basin Rural Amenity Zone outside of the Precinct that are identified in Schedule 24.8 to have Moderate capacity must be of a scale, nature and design that:
- a. is not inconsistent with any of the policies that serve to assist to achieve objective 24.2.1; and
 - b. ensures that the landscape character and visual amenity values of each relevant LCU as identified in Schedule 24.8 is maintained or enhanced by ensuring that landscape capacity is not exceeded.
- 24.2.1.4 Within those areas identified as having a landscape capacity rating of Moderate, do not allow any new residential development and subdivision for residential activity that is not located and

designed so as to:

- a. avoid sprawl along roads;
- b. maintain a defensible edge to and not encroach into any area identified as having Moderate-low, Low or Very Low landscape capacity rating;
- c. minimise incremental changes to landform and vegetation patterns associated with mitigation such as screen planting and earthworks which adversely affect important views of the landform and vegetation character identified for the relevant Landscape Character Units in Schedule 24.8; and
- d. not degrade openness when viewed from public places if that is identified in Schedule 24.8 as an important part of the landscape character of the relevant area, including as a result of any planting or screening along roads or boundaries.

24.2.1.5

Ensure the following outcomes in the consideration of any proposal for subdivision or residential development:

- a. *(This has been left intentionally blank)*
- b. *(This has been left intentionally blank)*
- c. in LCU 15 described in Schedule 24.8 as 'Hogans Gully' minimise the visibility of development from McDonnell Road, Centennial Avenue, Hogans Gully Road and the Queenstown Trail, and from elevated public places outside the Zone including from the Crown Range Road and Zig Zag lookout;
- d. in LCU 22 described in Schedule 24.8 as 'Hills':
 - i. minimise the visibility of development from McDonnell Road, Centennial Avenue, Hogans Gully Road and the Queenstown trail; and
 - ii. ensure development is visually recessive from elevated public places outside the Zone including from the Crown Range Road and Zig Zag lookout.
- e. in the part of LCU 23 described in Schedule 24.8 as 'Millbrook Malaghans Road South':
 - i. ensure no development is visible from Malaghans Road;
 - ii. confine development to the lower, flatter land on the south side of the roche moutonnée;
 - iii. ensure any vehicle access from Malaghans Road is located to the west of the roche moutonnée and has a discrete rural lane character that can visually integrate into the landscape setting when viewed from Malaghans Road and Millbrook Resort Zone. Encourage any vehicle access from the Millbrook Resort Zone to be located to the west of the roche moutonnée;
 - iv. the maintenance and management of non-developed areas of the site is to occur in a manner that both reinforces the legibility and expressiveness of the roche moutonnée and is visually consistent with the wider landscape setting, including the adjacent Resort Zone.
- f. in the part of LCU 23 described in Schedule 24.8 as 'Millbrook Arrowtown Lake Hayes East':
 - i. avoid built development on the low-lying land adjacent to Butel Road and Arrowtown Lake Hayes Road;
 - ii. confine development to locations where existing landform or vegetation features serve to limit visibility of additional dwellings when viewed from the Arrowtown Lake

Hayes Road.

- g. In the part of LCU 24 outside Precinct and Arrowtown South Special Zone:
 - i. Minimise visibility of development from McDonnell Road and Centennial Road;
 - ii. Ensure development is visually recessive from elevated public places including Cotter Avenue and Tobins Track.

- 24.2.1.6 Ensure subdivision and development is designed (including accessways, services, utilities and building platforms) to minimise inappropriate modification to the natural landform.
- 24.2.1.7 Ensure that subdivision and development maintains or enhances the landscape character and visual amenity values identified in Schedule 24.8 - Landscape Character Units.
- 24.2.1.8 Maintain or enhance the landscape character and visual amenity values of the Rural Amenity Zone including the Precinct and surrounding landscape context by:
 - a. controlling the colour, scale, form, coverage, location (including setbacks) and height of buildings and associated infrastructure, vegetation and landscape elements.
- 24.2.1.9 Require all buildings to be located and designed so that they do not compromise the landscape and amenity values and the natural character of Outstanding Natural Features and Outstanding Natural Landscapes that are either adjacent to the building or where the building is in the foreground of views from a public road or reserve of the Outstanding Natural Landscape or Outstanding Natural Feature.
- 24.2.1.10 Provide for farming, commercial, community, recreation, tourism related and other non-residential activities that rely on the rural land resource, subject to maintaining or enhancing landscape character and visual amenity values.
- 24.2.1.11 Locate, design operate and maintain regionally significant infrastructure so as to seek to avoid significant adverse effects on the character of the landscape, while acknowledging that location constraints and/or the nature of the infrastructure may mean that this is not possible in all cases.
- 24.2.1.12 In cases where it is demonstrated that regionally significant infrastructure cannot avoid significant adverse effects on the character of the landscape, such adverse effects shall be minimised.
- 24.2.1.13 Control earthworks and vegetation clearance to minimise adverse effects on landscape character and visual amenity values.
- 24.2.1.14 Enable residential activity within approved and registered building platforms subject to achieving appropriate standards.
- 24.2.1.15 Provide for activities that maintain a sense of spaciousness in which buildings are subservient to natural landscape elements.
- 24.2.1.15A Require buildings, or building platforms identified through subdivision, to maintain a staggered setback from McDonnell Road for all sites of the triangular Precinct that are located within 250m of the intersection of McDonnell Road and Arrowtown-Lake Hayes Road.
- 24.2.1.16 Manage lighting so that it does not cause adverse glare to other properties, roads or public places, or degrade views of the night sky.

- 24.2.1.17 Have regard to the spiritual beliefs, cultural traditions and practices of Tangata Whenua in the manner directed in Chapter 5: Tangata Whenua.
- 24.2.1.18 Ensure subdivision and development maintains a defensible edge between areas of rural living in the Precinct and the balance of the Rural Amenity Zone.
- 24.2.1.19 Require buildings, or building platforms identified through subdivision, to maintain views from roads to Outstanding Natural Features and the surrounding mountain Outstanding Natural Landscape context, where such views exist; including by:
- a. implementing road setback standards; and
 - b. ensuring that earthworks and mounding, and vegetation planting within any road setback, particularly where these are for building mitigation and/or privacy, do not detract from views to Outstanding Natural Features or Outstanding Natural Landscapes; while
 - c. recognising that for some sites, compliance with a prescribed road setback standard is not practicable due to the site size and dimensions, or the application of other setback requirements to the site.

24.2.2 Objective— Non-residential activities maintain or enhance amenity values.

Policies

- 24.2.2.1 Ensure traffic, noise and the scale and intensity of non-residential activities do not have an adverse impact on landscape character and amenity values, or affect the safe and efficient operation of the roading and trail network or access to public places.
- 24.2.2.2 Ensure the effects generated by non-residential activities (e.g. traffic, noise, hours of operation) are compatible with surrounding uses.
- 24.2.2.3 Ensure non-residential activities other than farming, with the potential for nuisance effects from dust, visual, noise or odour effects, are located a sufficient distance from formed roads, neighbouring properties, waterbodies and any residential activity.
- 24.2.2.4 Ensure informal airports are located, operated and managed to maintain the surrounding rural amenity.
- 24.2.2.5 Provide for residential visitor accommodation and homestays within residential units without compromising the surrounding character and amenity and minimising conflict with surrounding activities by limiting the scale, intensity and frequency of these activities.

24.2.3 Objective — Reverse sensitivity effects are avoided or mitigated where rural living opportunities, visitor and tourism activities, community and recreation activities occur.

Policies

- 24.2.3.1 Ensure informal airports are not compromised by the establishment of incompatible activities.

24.2.3.2 Ensure reverse sensitivity effects on rural living and non-residential activities are avoided or mitigated.

24.2.3.3 Support productive farming activities such as agriculture, horticulture and viticulture in the Rural Amenity Zone by ensuring that reverse sensitivity issues do not constrain productive activities.

24.2.4 Objective — Subdivision and development, and use of land, maintains or enhances water quality, ecological quality, and recreation values while ensuring the efficient provision of infrastructure.

Policies

24.2.4.1 Avoid adverse cumulative impacts on ecosystem services and nature conservation values.

24.2.4.2 Restrict the subdivision, development and use of land in the Lake Hayes catchment, unless it can contribute to water quality improvement in the catchment commensurate with the nature, scale and location of the proposal.

24.2.4.3 Provide for improved public access to, and the maintenance and enhancement of, the margins of waterbodies including Mill Creek and Lake Hayes.

24.2.4.4 Provide adequate firefighting water and emergency vehicle access to ensure an efficient and effective emergency response.

24.2.4.5 Ensure development has regard to servicing and infrastructure costs that are not met by the developer.

24.2.4.6 Facilitate the provision of walkway and cycleway networks and consider opportunities for the provision of bridle path networks.

24.2.4.7 Ensure traffic generated by non-residential development does not individually or cumulatively compromise road safety or efficiency.

24.2.4.8 Encourage the removal of wilding exotic trees.

24.2.4.9 Encourage the planting, retention and enhancement of indigenous vegetation that is appropriate to the area and planted at a scale, density, pattern and composition that enhances indigenous biodiversity values, particularly in locations such as gullies and riparian areas, or to provide stability.

24.2.5 Objective — Rural living opportunities in the Precinct are enabled, provided landscape character and visual amenity values are maintained or enhanced.

Policies

24.2.5.1 Provide for rural living, subdivision, development and use of land in a way that maintains or enhances the landscape character and visual amenity values identified in Schedule 24.8 - Landscape Character Units.

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- 24.2.5.2 Ensure that any development or landscape modification occurs in a sympathetic manner in both developed and undeveloped areas, by promoting design-led and innovative patterns of subdivision and development that maintain or enhance the landscape character and visual amenity values of the Wakatipu Basin overall.
- 24.2.5.3 Provide for non-residential activities, including restaurants, visitor accommodation, commercial recreation, and recreation activities while ensuring these are appropriately located and of a scale and intensity that ensures that the character and visual amenity values of the Precinct are maintained or enhanced.
- 24.2.5.4 Implement lot size and development standards that provide for subdivision and development while ensuring the landscape character and visual amenity values of the Precinct, as identified in Schedule 24.8 — Landscape Character Units, are not compromised by the cumulative adverse effects of development.
- 24.2.5.5 Encourage the retention and planting of vegetation that contributes to landscape character and visual amenity values of the Precinct, particularly where vegetation is identified as an important element in Schedule 24.8, provided it does not present a high risk of wilding spread.
- 24.2.5.6 Require buildings, or building platforms identified through subdivision, or any vehicle access located within a prescribed Escarpment. Ridgeline and River Cliff Features setback as identified on the District Plan web mapping application, to maintain the values of those features, including by:
- a. ensuring that any buildings, earthworks and landform modification are located and designed so that the values of the feature are maintained; while
 - b. recognising that for some sites compliance with the prescribed setback is not practicable due to the site size and dimensions, presence of existing buildings, or the application of other setback requirements.
- 24.2.5.7 Within the Lifestyle Precinct in LCU24 — South Arrowtown at McDonnell Road, when viewed from McDonnell Road, or distant public elevated viewpoints in Arrowtown, on Tobin's Track, and Feehley Hill:
- a. avoid a linear pattern of built development where that may contribute to a perception of urban sprawl along McDonnell Road, taking into account building form, location, setback and mitigation proposed;
 - b. maintain an open space buffer and the visual legibility of the boundary between development within the Precinct and the Arrowtown Retirement Village.
- 24.2.5.8 For development within Lot 2 DP 392663, Part Lot 7 DP 392663, and Part Lot 2 DP 501981 (or subsequent title/s), avoid additional vehicle crossings onto McDonnell Road by utilising existing vehicle access through The Hills Resort Zone.
- 24.2.5.9 Implement a structure plan within the Wharehuanui Hills East area to provide for Precinct development that ensures:
- a. landscape character and visual amenity values are maintained or enhanced, including when viewed from Millbrook and other neighbourhood-level locations; and
 - b. the predominant rural landscape character is maintained when viewed from:
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- Malaghans Road and the cricket pavilion car park;
 - Feehly Hill excluding those parts that are not public places;
 - Coronet Peak Road at Coronet Base Station;
 - Hogans Gully Road;
 - Tobins Track excluding any parts that are not public places; and
- c. water quality in the Lake Hayes catchment is improved; and
- d. effective visual containment and visual separation from Millbrook Resort and properties beyond the southern boundary of the site, including for Millbrook in the design of accesses from that resort.

24.3 Other Provisions and Rules

24.3.1 District Wide

Attention is drawn to the following District Wide chapters.

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes and Rural Character
25 Earthworks	26 Historic Heritage	27 Subdivision
28 Natural Hazards	29 Transport	30 Energy and Utilities
31 Signs	32 Protected Trees	33 Indigenous Vegetation
34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings	36 Noise
37 Designations	District Plan web mapping application	

24.3.2 Interpreting and Applying the Rules

- 24.3.2.1 A permitted activity must comply with all of the rules (in this case of Chapter 24) and any relevant district wide rules.
- 24.3.2.2 The surface of lakes and rivers are zoned Rural.
- 24.3.2.3 Guiding Principle: Previous Approvals
- a. Requirements relating to building platforms and conditions of consents, including landscaping or other visual mitigation, that are registered on a site's computer freehold register as part of a resource consent approval by the Council are considered by the Council to remain relevant and will remain binding unless altered or cancelled.
 - b. Applicants may apply to alter or cancel any conditions of an existing resource consent as a component of an application for resource consent for development. Whether it may be

appropriate for the Council to maintain, or to alter or cancel these conditions shall be assessed against the extent to which a resource consent application accords with the objectives and provisions of the Wakatipu Basin Rural Amenity Zone and Wakatipu Basin Lifestyle Precinct (as applicable).

24.3.2.4 These abbreviations for the class of activity status are used in the following tables. Any activity which is not permitted (P) or prohibited (PR) requires resource consent.

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

24.3.2.5 The Wakatipu Basin Lifestyle Precinct is a sub-zone of the Wakatipu Basin Rural Amenity Zone and all rules in Table 24.1 apply to the Precinct. Where specific rules and standards are identified for the Precinct, these prevail over the Rural Amenity Zone rules in Table 24.1.

24.3.2.6 All activities, including any listed permitted activities are subject to the rules and standards contained in Tables 24.1 and 24.2.

24.3.2.7 For Plantation Forestry the Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017 prevails.

24.3.2.8 Rules 24.5.1.1 to 24.5.1.5 do not apply to residential units, including residential flats, located within a building platform approved by resource consent, and registered on the applicable record of title.

24.3.3 Advice Notes

24.3.3.1 Clarifications of the meaning of root protection zone, minor trimming of a hedgerow, minor trimming and significant trimming are provided in Chapter 2 — Definitions.

24.3.3.2 On-site wastewater treatment is subject to the Otago Regional Plan: Water. In particular, Rule 12.A.1.4 of the Otago Regional Plan: Water requires that within the Lakes Hayes Catchment all on-site wastewater treatment systems are operated in accordance with a resource consent obtained from the Otago Regional Council. The Lake Hayes Catchment is identified in Schedule 24.9.

24.3.3.3 All objectives, policies and assessment matters will be applicable as part of any subdivision application, to the extent that they are relevant, despite policies 24.2.1.15 and 24.2.5.6 referring to the terms subdivision and building platform specifically.

24.3.3.4 Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (“NZECP34:200”) is mandatory under the Electricity Act 1992. All activities, such as buildings, earthworks and conductive fences regulated by NZECP34: 2001, including any activities that are otherwise permitted by the District Plan must comply with this legislation. Chapter 30 Energy and Utilities part 30.3.2.c has additional information in relation to activities and obligations under NZECP34:2001.

24.4 Rules — Activities

	Table 24.1 — Activities	Activity Status
24.4.1	Any activity not listed in Tables 24.1.	NC

24.4.2	Farming activity.		P
	Residential activities and buildings		
24.4.3	The use of land or buildings for residential activity except as otherwise provided for in Table 24.1 and subject to the standards in Table 24.2.		P
24.4.4	The alteration of any lawfully established building used for residential activity.		P
24.4.5	24.4.5.1	The construction of buildings for residential activity, including residential flats, that are located within a building platform approved by a resource consent and registered on the applicable record of title.	C
	24.4.5.2	The construction of buildings for residential activity, including residential flats, that are located within the rural residential notation within the District Plan web mapping application.	
	<p>Control is reserved over:</p> <ol style="list-style-type: none"> a. Effects on landscape character associated with the bulk and external appearance of buildings; b. Access; c. Infrastructure; d. Landform modification, exterior lighting, landscaping and planting (existing and proposed). e. Where the site is located within the Lake Hayes Catchment as identified in Schedule 24.9, the contribution of, and methods adopted by, the proposal to improving water quality within the Lake Hayes Catchment. f. Where the site is located within the Wharehuanui Hills East Structure Plan area, the visual prominence of the building and associated landscaping, fencing, driveways and ancillary structures when viewed from: <ul style="list-style-type: none"> • Malaghans Road and the cricket pavilion car park; • Feehly Hill excluding those parts that are not public places; • Coronet Peak Road at Coronet Base Station; • Hogans Gully Road; • Tobins Track excluding any parts that are not public places. 		
24.4.6	<p>The construction of buildings for residential activity not provided for by Rules 24.4.5 to Rule 24.4.7A.</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. Effects on landscape character associated with the bulk and external appearance of buildings; b. Access; c. Infrastructure; d. Landform modification, exterior lighting, landscaping and planting (existing and proposed); e. Natural hazards. f. Where the site is located within the Lake Hayes Catchment as identified in Schedule 24.9, the contribution of, and methods adopted by, the proposal to improving water quality within the Lake Hayes Catchment. 		RD

	g. Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is located within the adjacent road, any adverse effects on that infrastructure.		
24.4.7	The construction of buildings for residential activity outside a building platform approved by a resource consent and registered on the applicable record of title on a site where there is such a building platform.		NC
24.4.7A	Any new residential activity including the construction of buildings for that residential activity within those areas identified in Rule 24.5.1.6		D
24.4.7B	<p>Any new residential activity including the construction of buildings for that residential activity within those areas identified in Rule 24.5.1.6A.</p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"> a. <u>Effects on landscape character associated with the bulk and external appearance of buildings;</u> b. <u>Access;</u> c. <u>Infrastructure;</u> d. <u>Landform modification, exterior lighting, landscaping and planting (existing and proposed);</u> e. <u>Natural hazards;</u> f. <u>Where the site is located within the Lake Hayes Catchment as identified in Schedule 24.9, the contribution of, and methods adopted by, the proposal to improving water quality within the Lake Hayes Catchment.</u> 		RD
	Non-residential activities and buildings		
24.4.8	Farm buildings.		P
24.4.9	Roadside stall buildings.		P
24.4.10	Home occupation.		P
24.4.11	The alteration of any lawfully established building used for a non-residential activity.		P
24.4.12	24.4.12.1	Informal airports in the Wakatipu Basin Rural Amenity Zone.	P
	24.4.12.2	Informal airports in the Lifestyle Precinct.	D
24.4.13	Retail sales of farm and garden produce and wine grown, reared or produced on-site or handicrafts produced on the site.		P
24.4.14	Commercial recreational activities that are undertaken on land, outdoors and involve not more than 12 persons in any one group.		P
24.4.15	Residential visitor accommodation and homestays.		P
24.4.16	<p>Retail sales of farm and garden produce and wine grown, reared or produced on-site or handicrafts produced on the site where the access is onto a State Highway.</p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"> a. <u>Access to, and safety of, the transport network;</u> 		RD

	b. On-site parking in relation to safety and manoeuvring.	
24.4.17	<p>Industrial activities directly associated with wineries and underground cellars within a vineyard.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Noise; b. Access and parking in relation to safety and manoeuvring; c. Traffic generation; d. Odour; e. Hours of operation; f. Waste treatment and disposal. 	RD
24.4.18	<p>The construction of buildings for non-residential activities, not otherwise provided for in Table 24.1.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Landscape character; b. Visual amenity; c. Access; d. Natural hazards; e. Infrastructure; f. Landform modification, landscaping and planting (existing and proposed). g. Where the site is located within the Lake Hayes Catchment as identified in Schedule 24.9, the contribution of, and methods adopted by, the proposal to improving water quality within the Lake Hayes Catchment. h. Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is located within the adjacent road, any adverse effects on that infrastructure. 	RD
24.4.19	Commercial recreational activities that are undertaken on land, outdoors and involve more than 12 persons in any one group.	D
24.4.20	Cafes and restaurants.	D
24.4.21	Visitor accommodation.	D
24.4.22	Community activities.	D
24.4.23	Any commercial or Industrial activity not otherwise provided for in Table 24.1 including those associated with farming.	NC
24.4.24	Panelbeating, spray painting, motor vehicle repair or dismantling, fibre glassing, sheet metal work, bottle or scrap storage, motorbody building, or any activity requiring an Offensive Trade Licence under the Health Act 1956 except where such activities are undertaken as part of a farming activity, residential activity or as a permitted home occupation.	

	24.4.24.1	Within the Wakatipu Basin Rural Amenity Zone	NC
	24.4.24.2	Within the Lifestyle Precinct	PR
24.4.25	Buildings, associated infrastructure and earthworks within any Building Restriction Area. Except that this rule does not apply to accessways or underground infrastructure, and associated earthworks required for servicing development in the Wharehuanui East Structure Plan area.		NC
24.4.26	<u>Within the Residential Activity Areas identified on the Ayrburn Structure Plan located in Section 27.13:</u>		
	24.4.26.1	Landscaping and conservation planting	<u>P</u>
	24.4.26.2	The construction of any building for residential activity prior to the approval of subdivision consent applicable to all of the land within the Residential Activity Area containing such building.	NC
24.4.27	<u>Within the land contained in the Ayrburn Structure Plan located in Section 27.13:</u>		
	24.4.27.1	The construction of any building within Activity Area OS.	NC
	24.4.27.2	The discharge of wastewater to land.	NC
	24.4.27.3	The application of any fertiliser containing nitrogen or phosphorous provided this restriction does not apply to the initial establishment of hydroseed grass areas and other plants or to the use of organic fertiliser such as compost, manure or seaweed.	NC
	24.4.27.4	Commercial livestock farming.	NC
	24.4.27.5	Motor vehicle access into Ayrburn from the legal road adjoining the western boundary of Ayrburn, provided that this restriction does not apply to electric bicycles, mobility scooters or golf buggies.	NC
	24.4.27.6	The planting of vegetation other than pasture grass, crops or grapevines within any Activity Area OS provided that this control does not apply to planting to maintain or replace trees and landscaping along Ayr Avenue.	NC
	24.4.27.7	The planting of vegetation other than pasture grass within Activity Area OS adjoining the northern boundary of Ayrburn which adjoins the Millbrook Zone (Christine's Hill) above the Pasture Line shown on the Ayrburn Structure Plan.	NC

24.5 Rules - Standards

The following standards apply to all activities.

	Table 24.2 - Standards	Non-compliance status
24.5.1	Residential Density	
24.5.1.1	For sites with a net site area of 1 hectare or less and zoned in part or whole Wakatipu Basin Lifestyle Precinct, a maximum of one residential unit per site.	NC

24.5.1.2	For sites with a net site area greater than 1 hectare and zoned in part or whole Wakatipu Basin Lifestyle Precinct, no more than one residential unit per hectare on average of the net site area zoned Wakatipu Basin Lifestyle Precinct.	NC
24.5.1.3	Where Rule 24.5.1.1 or Rule 24.5.1.2 applies, all residential units (including residential flats) must be located within the area zoned Wakatipu Basin Lifestyle Precinct.	NC
24.5.1.4	Any site in the Wakatipu Basin Rural Amenity Zone located wholly outside the Precinct in respect of which resource consent creating the site was granted before 21 March 2019, and a record of title subsequently issued, and with an area less than 80 hectares, a maximum of one residential unit per site. Except this rule shall not apply where Rule 24.5.1.6 is applied.	NC
24.5.1.5	For that part of all other sites in the Wakatipu Basin Rural Amenity Zone wholly located outside of the Precinct, a maximum of one residential unit per 80 hectares net site area. Except this rule shall not apply where Rule 24.5.1.6 <u>or</u> <u>24.5.1.6A</u> is applied.	NC
24.5.1.6	Any site located within a Landscape Character Unit or area identified on the District Plan web mapping application a maximum of one residential unit per net site area and average area:	NC
24.5.1.6.1	<i>(This has been left intentionally blank)</i>	
24.5.1.6.2	<i>(This has been left intentionally blank)</i>	
24.5.1.6.3	LCU 6 limited to the area identified as Hunter Road West: 6,000m ² minimum and 5 ha average	
24.5.1.6.4	<i>(This has been left intentionally blank)</i>	
24.5.1.6.5	LCU 12 limited to the area identified as Hogans Gully Road South: 6,000m ² minimum and 2 ha average	
24.5.1.6.6	LCU 15 Hogans Gully (entire LCU outside of the Hogans Gully Resort Zone): 4ha minimum and 6 ha average	
24.5.1.6.7	LCU 22 Hills (entire LCU): 3ha minimum and 4 ha average	
24.5.1.6.8	<i>(This has been left intentionally blank)</i>	
24.5.1.6.9	LCU 23 limited to the area identified as Malaghans Road South: 4,000m ² minimum and 1.5ha average	
24.5.1.6.10	LCU 23 limited to the area identified as Arrowtown Lake Hayes Road East: 6,000m ² minimum and 1 ha average	
24.5.1.6.11	LCU 24 South Arrowtown (limited to the area zoned WBRAZ): 1ha minimum and 3ha average.	

24.5.1.6A	Any site located within a Residential Activity Area identified on the Ayrburn Structure Plan located in Section 27.13, a maximum of one residential unit per net site area and average area: <u>6,000m² minimum and 1ha average, with that averaging calculation to take into account only land that is located within the same Residential Activity Area as identified on the Ayrburn Structure Plan.</u>	NC						
24.5.2	<table border="1"> <tr> <td colspan="2" data-bbox="256 371 1050 427">Residential Flats</td> </tr> <tr> <td data-bbox="256 427 379 533">24.5.2.1</td> <td data-bbox="379 427 1050 533">Within the Wakatipu Basin Lifestyle Precinct, any residential flat must be separated from the principal residential unit by no more than 10 metres.</td> </tr> <tr> <td data-bbox="256 533 379 674">24.5.2.2</td> <td data-bbox="379 533 1050 674">Rule 24.5.2.1 does not apply to a residential flat located within a building platform approved by a resource consent, and registered on the applicable record of title.</td> </tr> </table>	Residential Flats		24.5.2.1	Within the Wakatipu Basin Lifestyle Precinct, any residential flat must be separated from the principal residential unit by no more than 10 metres.	24.5.2.2	Rule 24.5.2.1 does not apply to a residential flat located within a building platform approved by a resource consent, and registered on the applicable record of title.	RD Discretion is restricted to: a. Effects on landscape character associated with the location of buildings and cumulative adverse effects.
Residential Flats								
24.5.2.1	Within the Wakatipu Basin Lifestyle Precinct, any residential flat must be separated from the principal residential unit by no more than 10 metres.							
24.5.2.2	Rule 24.5.2.1 does not apply to a residential flat located within a building platform approved by a resource consent, and registered on the applicable record of title.							
24.5.3	<p>Alterations to buildings for residential activities not located within a building platform</p> <p>Alterations to a building not located within a building platform must not increase the ground floor area by more than 30% in any ten year period.</p>	RD Discretion is restricted to: a. Effects on landscape character associated with the bulk and external appearance of buildings; b. Landform modification, landscaping and planting (existing and proposed); c. Infrastructure. d. Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is located within the adjacent road, any adverse effects on that infrastructure.						
24.5.4	<p>Building Material and Colours</p> <p>Any building and its alteration, including shipping containers that remain on site for more than six months, are subject to the following:</p> <p>All exterior surfaces* must be coloured in the range of browns, greens or greys including;</p> <table border="1"> <tr> <td data-bbox="256 1603 379 1682">24.5.4.1</td> <td data-bbox="379 1603 1050 1682">Pre-painted steel and all roofs must have a light reflectance value not greater than 20%; and</td> </tr> <tr> <td data-bbox="256 1682 379 1794">24.5.4.2</td> <td data-bbox="379 1682 1050 1794">All other exterior surface** finishes, except for schist, must have a light reflectance value of not greater than 30%.</td> </tr> </table> <p>* Excludes soffits, windows and skylights (but not glass balustrades).</p> <p>** Includes cladding and built landscaping that cannot be measured by way of light reflectance value but is deemed by the Council to be suitably recessive and have the same effect as</p>	24.5.4.1	Pre-painted steel and all roofs must have a light reflectance value not greater than 20%; and	24.5.4.2	All other exterior surface** finishes, except for schist, must have a light reflectance value of not greater than 30%.	RD Discretion is restricted to: a. Effects on landscape character associated with the bulk and external appearance of buildings; b. Visual prominence from both public places and private locations.		
24.5.4.1	Pre-painted steel and all roofs must have a light reflectance value not greater than 20%; and							
24.5.4.2	All other exterior surface** finishes, except for schist, must have a light reflectance value of not greater than 30%.							

	achieving a light reflectance value of 30%.		
24.5.5	Building Ground Floor Area Where a residential building is constructed within a building platform under Rule 24.4.5, the ground floor area of all buildings must not exceed 500m ² .		RD Discretion is restricted to: a. Building scale and form; b. Visual prominence from both public places and private locations.
24.5.6	Building coverage The building coverage of all buildings on a site not subject to Rule 24.5.5 must not exceed 15% of net site area, or 500m ² , whichever is the lesser.		RD Discretion is restricted to: a. Building scale and form; b. Visual prominence from both public places and private locations.
24.5.7	Setback from internal boundaries		RD Discretion is restricted to: a. Building location, character, scale and form; b. External appearance including materials and colours; c. Landform modification/planting (existing and proposed). d. For any building within the setback defined in Rule 24.5.7.2: i. Effects on the visual legibility of the boundary between Lifestyle Precinct development within Lot 2 DP 392663, Part Lot 7 DP 392663, and Part Lot 2 DP 501981 (or subsequent title/s) and the Arrowtown Retirement Village; ii. Maintaining an open space buffer between Lifestyle Precinct development and the Arrowtown Retirement Village; iii. Avoiding a linear pattern of built development when viewed from McDonnell Road or distant public elevated viewpoints through building location and landscaping.
	24.5.7.1	The minimum setback of any building from internal boundaries shall be 10m, except where Rule 24.5.7.2 applies.	
	24.5.7.2	The set back of buildings from the southern boundary of Lot 2 DP 392663, Part Lot 7 DP 392663, and Part Lot 2 DP 501981 (or subsequent title/s) (adjacent to the Arrowtown Retirement Village, McDonnell Road, Arrowtown) shall be defined by a line between: i. a point at the McDonnell Road boundary 75m from the southern boundary of Lot 2 DP 392663; and ii. a point at the western boundary of the Precinct and 25m from the southern boundary of Part Lot 7 DP 392663	

24.5.8	Height of buildings		
24.5.8.1	The maximum height of buildings shall be 6.5m.		RD For buildings with a height greater than 6.5m and no more than 8m, discretion is restricted to: a. Visual prominence from both public places and private locations; b. External appearance including materials and colours; c. Landform modification/planting (existing and proposed). Note: 24.5.8.2 applies to buildings with a height greater than 8m.
24.5.8.2	The maximum height of buildings shall be 8m.		NC
24.5.8.3	The maximum height of buildings on House Sites in the Wharehuanui Hills East Structure Plan area shall be as follows: House Sites 1, 4, 11, 12, 15: 5m House Site 13: 4.5m All other House Sites: Rules 24.5.8.1 and 24.5.8.2 apply		NC
24.5.9	Setback from roads		RD
	24.5.9.1	The minimum setback of any building from any road boundary (other than an unformed road or as specified in Rule 24.5.9.4) shall be 75m in the Precinct and 20m in the Rural Amenity Zone.	Discretion is restricted to: a. Building location, character, scale and form; b. External appearance including materials and colours; c. Landscaping/planting (existing and proposed). d. Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is located within the adjacent road, any adverse effects on that infrastructure. e. Within Lot 2 DP 392663, Part Lot 7 DP 392663,
	24.5.9.2	The minimum setback of any building from any unformed road shall be 20m in the Rural Amenity Zone and Lifestyle Precinct.	
	24.5.9.3	Rules 24.5.9.1 and 24.5.9.2 do not apply to the construction of buildings for residential activity pursuant to Rule 24.4.5.	
	24.5.9.4	For the site(s) in the triangular Precinct located at the intersection of Arrowtown-Lake Hayes Road and McDonnell Road and within 250m of that intersection (measured from the centre of the intersection with Arrowtown-Lake Hayes Road), the minimum setback of any building from the McDonnell Road boundary shall be 20m provided that the minimum setback shall be 50m where any building on any adjacent site in the Precinct along that part of the frontage is or is proposed to be setback at less than 50m but not less than 20m from that frontage.	
	<u>24.5.9.5</u>	<u>The minimum setback of any building from Arrowtown-Lake Hayes Road, within the land contained in the Ayrburn Structure Plan located in Section 27.13, shall be 75m.</u>	

			and Part Lot 2 DP 501981 (or subsequent title/s) and Part Section 1 SO 23541 (or subsequent title/s), avoiding the potential effects of a linear pattern of built development when viewed from McDonnell Road or distant public elevated viewpoints in Arrowtown, on Tobin's Track, and Feeley Hill, that may contribute to a perception of urban sprawl along McDonnell Road taking into account building form, location setback and mitigation proposed.
24.5.9.4A	Maximum Number of Dwellings		NC
	For the site(s) in the Precinct located at the intersection of Arrowtown-Lake Hayes Road and McDonnell Road a maximum of six residential dwellings shall be allowed.		
24.5.10	Setback from Escarpment, Ridgeline and River Cliff Features		RD
24.5.10.1	Within the Lifestyle Precinct only, any building or vehicle access shall be located a minimum of 50m from the boundary of any Escarpment, Ridgeline or River Cliff Feature shown on the District Plan web mapping application.		Discretion is restricted to: a. Building location, character, scale and form; b. External appearance including materials and colours; c. Landform modification/planting (existing and proposed).
24.5.10.1	Rule 24.5.10.1 does not apply to the construction of buildings for residential activity pursuant to Rule 24.4.5.		
24.5.11	Setback from boundaries of non-residential buildings housing animals		RD
	The minimum setback from boundaries for any building whose primary purpose is to house animals shall be 30m.		Discretion is restricted to the following: a. Open space, rural living character and amenity; b. Privacy, views and outlook from neighbouring properties and public places; c. Reverse sensitivity effects on adjacent properties including odour and noise; d. Landform modification/planting (existing

		and proposed).
24.5.12	<p>Setback of buildings from waterbodies</p> <p>The minimum setback of any building from the bed of a wetland, river or lake shall be 30m.</p> <p>This rule does not apply to:</p> <ol style="list-style-type: none"> waterbodies that have been built as part of a subdivision or development for the primary purpose of treating and disposing of stormwater, or the construction of buildings for residential activities pursuant to Rule 24.4.5. 	<p>RD</p> <p>Discretion is restricted to the following:</p> <ol style="list-style-type: none"> Biodiversity values; Natural Hazards; Visual and recreational amenity values; Landscape and natural character; Open space. Where the site is located within the Lake Hayes Catchment as identified in Schedule 24.9, the contribution of, and methods adopted by, the proposal to improving water quality within the Lake Hayes Catchment.
24.5.13	<p>Farm buildings</p> <p>The maximum gross floor area of any farm building shall be 50m².</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> Building location, character, scale and form; External appearance including materials and colours; and Landform modification/planting (existing and proposed).
24.5.14	<p>Home occupations</p> <ol style="list-style-type: none"> The maximum net floor area of home occupation activities shall be 150m². No goods materials or equipment shall be stored outside a building. All manufacturing, altering, repairing, dismantling or processing of any goods or articles shall be carried out within a building. 	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> The nature, scale and intensity of the activity; Visual amenity from neighbouring properties and public places; Noise, odour and dust; Access, safety and transportation.
24.5.15	<p>Roadside stalls</p> <ol style="list-style-type: none"> The maximum ground floor area shall be 5m². 	<p>RD</p> <p>Discretion is restricted to:</p>

	<ul style="list-style-type: none"> b. Stalls shall not be higher than 2.0m from ground level. c. The minimum sight distance along the road from the stall or stall access shall be 250m. d. The minimum distance of the stall or stall access from an intersection shall be 100m; and, the stall shall not be located on the legal road reserve. 	<ul style="list-style-type: none"> a. Building location, character, scale and form; b. External appearance including materials and colours; c. Access and safety; d. Parking in relation to safety and manoeuvring. e. Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is located within the adjacent road, any adverse effects on that infrastructure.
24.5.16	<p>Retail Sales</p> <p>The maximum gross floor area of buildings shall be 25m² for retail sales of farm and garden produce and wine grown, reared or produced on-site or handicrafts produced on the site.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Building location, character, scale and form; b. External appearance including materials and colours; c. Access safety and transportation effects; d. Parking and access in relation to safety and manoeuvring.
24.5.17	<p>Glare</p> <ul style="list-style-type: none"> a. All fixed exterior lighting shall be directed away from adjacent roads and sites. b. Activities on any site shall not result in more than a 3 lux spill (horizontal and vertical) of light to any other site, measured at any point within the boundary of the other site. c. There shall be no upward light spill. 	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Lighting location and number of lights; b. Proximity to roads, public places and neighbours; c. Height and direction of lights; d. Lux levels.
24.5.18	<p>Informal airports</p> <p>Other than in the case of informal airports for emergency landings, rescues, fire-fighting and activities ancillary to farming activities:</p> <ul style="list-style-type: none"> a. Informal airports shall not exceed a frequency of use of 2 flights per day; 	<p>D</p>

	<p>b. Informal airports shall be located a minimum distance of 500 metres from any other zone or the notional boundary of any residential dwelling not located on the same site;</p> <p>Advice note: For the purpose of this rule a flight includes two aircraft movements i.e. an arrival and a departure.</p>							
24.5.19	<p>Firefighting water and access</p> <p>New buildings for residential activities where there is no reticulated water supply, or any reticulated water supply is not sufficient for firefighting must have one of the following:</p> <p>either a sprinkler system installed and plumbed with a maintained static water storage supply of at least 7,000 litres available to the system, or</p> <p>water supply and access for firefighting that meets the following requirements:</p> <ol style="list-style-type: none"> Water storage of at least 45,000 litres shall be maintained (excluding potable water storage for domestic use) with an outlet connection point that can provide 1500L/min (25 L/s) and any necessary couplings; A hardstand area with a minimum width of 4.5m and length of 11m located within 6m of the firefighting water supply connection point and capable of supporting a 20 tonne fire service vehicle; The connection point for the firefighting water supply must be located more than 6m and less than 90m from the building for residential activities and be accessible by emergency service vehicles during fire events; Access from the property road boundary to the hardstand area capable of accommodating a 20 tonne fire service vehicle. 	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> the extent to which SNZ PAS 4509: 2008 can be met including the adequacy of the water supply; the accessibility of the firefighting water connection point for fire service vehicles; whether and the extent to which the building is assessed as a low fire risk. 						
24.5.20	<p>Residential visitor accommodation</p> <p>Residential visitor accommodation — Excluding the Lifestyle Precinct</p> <table border="1"> <tr> <td>24.5.20.1</td> <td>The total nights of occupation by paying guests on a site do not exceed a cumulative total of 120 nights per annum from the date of initial registration.</td> </tr> <tr> <td>24.5.20.2</td> <td>The activity is registered with Council prior to commencement.</td> </tr> <tr> <td>24.5.20.3</td> <td>Up to date records of the Residential Visitor Accommodation activity must be kept, including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</td> </tr> </table> <p>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor</p>	24.5.20.1	The total nights of occupation by paying guests on a site do not exceed a cumulative total of 120 nights per annum from the date of initial registration.	24.5.20.2	The activity is registered with Council prior to commencement.	24.5.20.3	Up to date records of the Residential Visitor Accommodation activity must be kept, including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.	<p>C</p> <p>Control is reserved to:</p> <ol style="list-style-type: none"> The location, nature and scale of the activities; The management of noise, rubbish, recycling and outdoor activities; Guest management and complaints procedures; The keeping of records of the Residential Visitor Accommodation use, and availability of records for Council inspection; and
24.5.20.1	The total nights of occupation by paying guests on a site do not exceed a cumulative total of 120 nights per annum from the date of initial registration.							
24.5.20.2	The activity is registered with Council prior to commencement.							
24.5.20.3	Up to date records of the Residential Visitor Accommodation activity must be kept, including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.							

	compliance with rules 24.5.20.1 to 24.5.20.3.	e. Monitoring requirements, including imposition of an annual monitoring charge.
24.5.21	Residential visitor accommodation — Lifestyle Precinct only	RD
	24.5.21.1 The total nights of occupation by paying guests on a site do not exceed a cumulative total of 120 nights per annum from the date of initial registration.	Discretion is restricted to: a. the location, nature and scale of activities; b. the management of noise, rubbish, recycling and outdoor activities; c. privacy and overlooking; d. outdoor lighting; e. guest management and complaints procedures; f. the keeping of records of residential visitor accommodation use, and availability of records for Council inspection; and g. monitoring requirements, including imposition of an annual monitoring charge.
	24.5.21.2 number of guests must not exceed 2 adults per bedroom and the total number of adults and children must not exceed: <ul style="list-style-type: none">• 3 in a 1-bedroom residential unit;• 6 in a 2-bedroom residential unit;• 9 in a 3-bedroom or more residential unit.	
	24.5.21.3 The activity is registered with Council prior to commencement.	
	24.5.21.4 Up to date records of the Residential Visitor Accommodation activity must be kept, including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.	
Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 24.5.21.1 to 24.5.21.4		
24.5.22	Homestay	C
	Homestay — Excluding the Lifestyle Precinct	Control is reserved to:
	24.5.22.1 The total number of paying guests on a site does not exceed five per night.	a. The location, nature and scale of the activities; b. The management of noise, rubbish, recycling and outdoor activities; c. The keeping of records of Homestay use, and availability of records for Council inspection; and d. Monitoring requirements, including imposition of an annual monitoring charge.
	24.5.22.2 The Council is notified in writing prior to the commencement of a Homestay activity.	
	24.5.22.3 Up to date records of the Homestay activity are kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.	
Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 24.5.22.1 to 24.5.22.3.		
24.5.23	Homestay — Lifestyle Precinct only	RD
	24.5.23.1 The total number of paying guests on a site does not exceed five per night.	Discretion is restricted to: a. the location, nature and scale of activities;
	24.5.23.2 The Council is notified in writing prior to the commencement of a Homestay activity.	
	24.5.23.3 The Council must be notified in writing prior to the	

	commencement of a Homestay activity.		<ul style="list-style-type: none"> b. privacy and overlooking; c. the management of noise, rubbish, recycling and outdoor activities; d. the keeping of records of residential visitor accommodation use, and availability of records for Council inspection; and e. monitoring requirements, including imposition of an annual monitoring charge
	<p>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice in order to monitor compliance with rules 24.5.23.1 to 24.5.23.3.</p>		
24.5.24	<p>Alterations to buildings used for non- residential activities, not located within a building platform.</p> <p>Alterations to a building not located within a building platform must not increase the ground floor area by more than 10% in any ten year period.</p>	RD	<p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Landscape character; b. Visual amenity; c. Infrastructure; d. Landform modification, landscaping and planting (existing and proposed).
24.5.25	Exotic vegetation within landscape Character Unit 5: Dalefield		RD
	24.5.25.1	Clearance, works within the root protection zone or significant trimming of exotic vegetation that is of a height greater than 6 metres.	<p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. The extent of clearance or works within the root protection zone; b. Effects on landscape character and visual amenity associated with the removal of the vegetation; c. Replacement planting; d. Risk to health and safety arising from the vegetation.
	24.5.25.2	<p>Rule 24.5.25.1 does not apply if:</p> <ul style="list-style-type: none"> a. The vegetation is identified as a wilding exotic tree in Chapter 34 (Wilding Exotic Trees). b. The vegetation is either dead, diseased or damaged, or likely to cause an imminent hazard to life or property. To ensure compliance with b: <ul style="list-style-type: none"> i. Council must be notified in writing prior to the works commencing; and ii. Following the works, Council must be provided with a report or written statement from a qualified arborist confirming that the vegetation was dead, diseased or damaged or likely to cause an imminent hazard to life or property. 	

24.6 Non-notification of applications

24.6.1 Any application for resource consent for controlled or restricted discretionary activities shall not require the written consent of other persons and shall not be notified or limited-notified, with the exception of the following:

- a. Rule 24.5.5 Building ground floor area.
- b. Rule 24.5.6 Building coverage.
- c. Rule 24.5.7 Setback from internal boundaries.
- d. Rule 24.5.8.1 Height of buildings.
- e. Rule 24.5.9 Setback from roads.
- f. Rule 24.5.10 Setback from Escarpment, Ridgeline or River Cliff Feature.
- g. Rule 24.4.16 Retail sales of farm and garden produce and wine, where the access is onto a State Highway.
- h. Rule 24.5.2 Residential Flat separated from the principal residential unit by more than 10 metres, within the Lifestyle Precinct.
- i. Rules 24.4.6, 24.4.18, 24.5.3, 24.5.9 and 24.5.15 in relation to the electricity distribution network, where the Council will give specific consideration to Aurora Energy Limited as an affected person for the purposes of section 95E of the Act.
- j. Rule 24.5.23 Homestay within the Lifestyle Precinct.

24.6.2 The following Restricted Discretionary activities will not be publicly notified but notice will be served on those persons considered to be adversely affected if those persons have not given their written approval:

- a. Rule 24.5.21 Residential Visitor Accommodation within the Lifestyle Precinct.

24.7 Assessment Matters

24.7.1 In considering whether or not to grant consent and/or impose conditions on a resource consent, regard shall be had to the assessment matters set out at 24.7.3 to 24.7.15.

Assessment Matters-Controlled Activities Rule 24.4.5	
24.7.3	<p>The construction of buildings for residential activity within an approved building platform pursuant to Rule 24.4.5:</p> <p>Landscape character including external appearance associated with the bulk of the building, access, landform modification, exterior lighting, landscaping and planting</p> <ul style="list-style-type: none"> a. Whether the external appearance including colours of the building(s) adequately responds to the identified values set out in Schedule 24.8 — Landscape Character Units and the criteria set out below. b. The extent to which the buildings, ancillary elements and any landscape treatment complements the existing landscape character, including consideration of: <ul style="list-style-type: none"> i. building colours and materials; ii. the design and location of landform modification, retaining, fencing, gates, vehicle access (including paving materials), external lighting, domestic infrastructure (including water tanks), vegetation removal, and proposed planting;

	<ul style="list-style-type: none"> iii. the retention of existing vegetation and landform patterns; iv. earth mounding and framework planting to integrate buildings and accessways; v. planting of appropriate species that are suited to the general area having regard to the matters set out in Schedule 24.8 - Landscape Character Units; c. The extent to which existing covenants or consent notice conditions need to be retained or otherwise integrated into the proposed development. d. The extent to which the building is designed to avoid, remedy or mitigate adverse effects on the features, elements and patterns that contribute to the value of adjacent or nearby ONLs and ONFs. e. Whether mitigation elements such as a landscape management plan or proposed plantings should be subject to bonds or covenants. f. The merit of the removal of wilding exotic trees at the time of development.
24.7.4	<p>Infrastructure and access</p> <ul style="list-style-type: none"> a. The extent to which the proposal provides for adequate access, and wastewater disposal and water supply. The provision of shared infrastructure servicing to more than one property is preferred in order to minimise environmental effects.
24.7.4A	<p>Lake Hayes Catchment</p> <ul style="list-style-type: none"> a. The extent to which the proposal minimises erosion or sediment during construction, having regard to the provisions of Chapter 25 Earthworks, in particular Policies 25.2.1.1 and 25.2.1.7 and Assessment Matters 25.8.2 and 25.8.6. b. The extent to which the proposal avoids or mitigates any potential adverse effects on surface waterbodies and ecological values through the adoption of measures to reduce stormwater runoff adverse effects from the site, including the implementation of low impact design techniques. c. Where a waterbody is located on the site, the effectiveness of riparian planting to filter sediment and reduce sediment concentrations in stormwater runoff. d. The extent to which erosion and sediment management and/or on-site stormwater management systems are commensurate with the nature, scale and location of the activity. <ul style="list-style-type: none"> i. The extent to which the proposal contributes to water quality improvement, including by: <ul style="list-style-type: none"> ii. stabilising the margins of waterways, riparian planting and ongoing management; iii. Reducing inputs of phosphorus and nitrogen into the catchment; iv. Implementing a nutrient management plan; v. Restoring, maintaining, and constructing new, wetlands for stormwater management; e. Offering any voluntary contribution (including financial) to water quality improvement works off-site in the catchment. f. Practicable constraints limited to situations where no further improvements to stormwater runoff management can be achieved. g. Whether new development can be connected to reticulated services, or if connections are not available, whether onsite systems provide for the safe disposal of stormwater and wastewater without adversely affecting natural water systems and ecological values.
	<p>Assessment Matters- Restricted Discretionary Activities</p>

<p>24.7.5</p>	<p>New buildings (and alterations to existing buildings) including farm buildings and residential flats, and infringements of the standards for building coverage, building size, building material and colours, and building height:</p> <p>Landscape character</p> <p>a. The extent to which the building, ancillary elements and landscaping maintains or enhances the Basin's landscape including in responding to the identified values set out in Schedule 24.8 — Landscape Character Units and the following assessment matters.</p> <ul style="list-style-type: none"> i. building height; ii. building colours and materials; iii. building coverage; iv. design, size and location of accessory buildings; v. the design and location of landform modification, retaining, fencing, gates, vehicle access (including paving materials), external lighting, domestic infrastructure (including water tanks); vi. the retention of existing vegetation and landform patterns, and proposed new planting; vii. earth mounding and framework planting to integrate buildings and vehicle access; viii. planting of appropriate species that are suited to the general area including riparian restoration planting; ix. the retirement of steep slopes over 15° and restoration planting to promote slope stabilisation and indigenous vegetation enhancement; and x. the integration of existing and provision for new public walkways and cycleways/bridlepaths. <p>b. The extent to which existing covenants or consent notice conditions need to be retained or are otherwise integrated into the conditions governing the proposed development.</p> <p>c. The extent to which the development maintains visual amenity in the landscape, particularly from public places.</p> <p>d. In the case of multiple buildings or residential units not otherwise addressed as part of a previous subdivision, the extent to which a sense of spaciousness is maintained, and whether the buildings are integrated with existing landform, vegetation or settlement patterns.</p> <p>e. Where a residential flat is not located adjacent to the residential unit, the extent to which this could give rise to sprawl of buildings and cumulative effects.</p> <p>f. Where the site adjoins an ONF or ONL, the extent to which the development affects the values of that ONF or ONL.</p> <p>g. Whether mitigation elements such as a landscape management plan or proposed plantings should be subject to bonds or covenants.</p> <p>h. The merit of the removal of wilding exotic trees at the time of development.</p> <p>i. Whether the proposed development provides an opportunity to maintain landscape character and visual amenity through the registration of covenants requiring open space to be maintained.</p>
<p>24.7.6</p>	<p>Servicing, firefighting water, natural hazards, infrastructure and access</p> <p>a. The extent to which the proposal provides for adequate on-site wastewater disposal and water supply. The provision of shared infrastructure servicing to more than one property is preferred in order to minimise environmental effects.</p> <p>b. The extent to which the proposed access utilises an existing access or provides for a common access in order to reduce visual and environmental effects, including traffic safety, minimising earthworks and vegetation removal.</p>

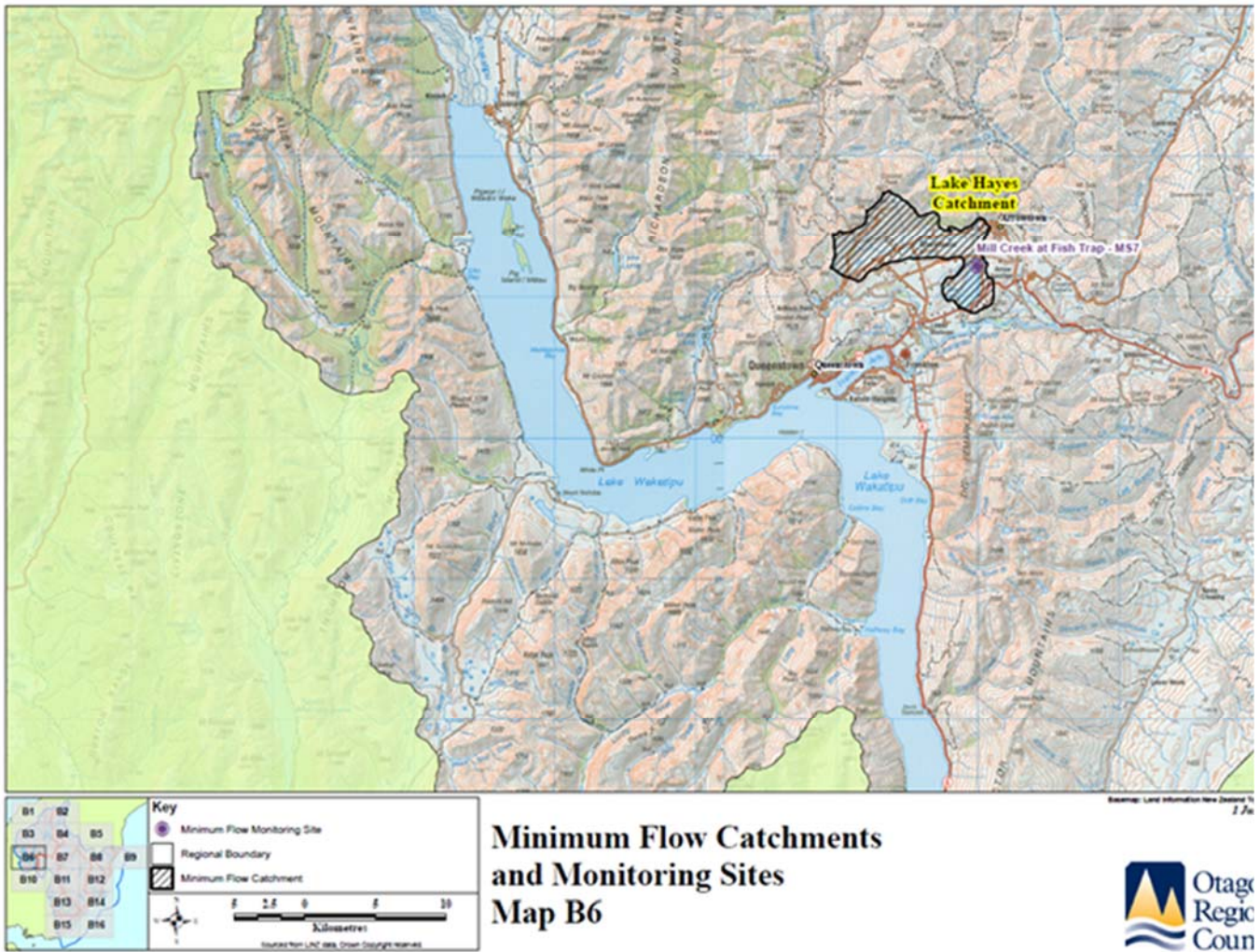
	<ul style="list-style-type: none"> c. Whether adequate provision is made for firefighting activities and provision for emergency vehicles. d. The extent to which the objectives and policies set out in Chapter 28, Natural Hazards, are achieved. e. Where Electricity Sub-transmission infrastructure or Significant Electricity Distribution Infrastructure is located in road adjacent to the subject site or within the subject site, consideration shall be had to: <ul style="list-style-type: none"> a. The effects on the operation, maintenance or minor upgrading of that infrastructure. b. Whether the network operator or suitably qualified engineer has provided confirmation that subdivision design would ensure that future development achieves NZECP34:2001.
24.7.7	<p>Non-residential activities</p> <p>Whether the proposal achieves:</p> <ul style="list-style-type: none"> a. An appropriate scale and intensity of the activity in the context of the Basin's amenity and character including of the surrounding area including reference to the identified elements set out in Schedule 24.8 — Landscape Character Units. b. Adequate visual amenity for neighbouring properties and from public places. c. Minimisation of any noise, odour and dust. d. Access that maintains the safety and efficiency of the roading and trail network.
24.7.8	<p>Setback from boundaries</p> <p>Whether the proposal achieves:</p> <ul style="list-style-type: none"> a. The maintenance of the Basin's landscape character and visual amenity values including the identified elements set out in Schedule 24.8 - Landscape Character Units. b. Adequate privacy, outlook and amenity for adjoining properties.
24.7.8B	<p>Setback from roads and Escarpments, Ridgeline and River Cliff Features</p> <ul style="list-style-type: none"> a. Whether the proposal achieves: <ul style="list-style-type: none"> i. The maintenance of the Basin's landscape character and visual amenity values including of the identified landscape character and visual amenity values set out in Schedule 24.8 - Landscape Character Units while having regard to the site constraints identified in b. ii. For roads, maintenance of views to Outstanding Natural Features and the surrounding Outstanding Natural Landscape mountain context. iii. For Escarpments, Ridgeline and River Cliff Features, development that is not visually prominent. b. Where a site is located wholly within any prescribed setback, or involves a proposal to alter, or redevelop, an existing building that is within any prescribed setback. Regard shall be had to mitigating or remedying as far as practicable any adverse effects arising from the visibility of the building, while acknowledging the existing constraints of the site and presence of existing buildings within the prescribed setback.
24.7.9	<p>Setback from boundaries of non-residential buildings housing animals</p>

	<p>Whether the proposal achieves:</p> <ul style="list-style-type: none"> a. The maintenance of the Basin's landscape character and visual amenity including reference to the identified elements set out in Schedule 24.8 — Landscape Character Units. b. Minimisation of adverse odour, dust and/or noise effects on any neighbouring properties.
24.7.10	<p>Setback of buildings from waterbodies</p> <p>Whether the proposal achieves:</p> <ul style="list-style-type: none"> a. The maintenance or enhancement of biodiversity values. b. The maintenance or enhancement of landscape character and visual amenity values including reference to the identified elements set out in Schedule 24.8 — Landscape Character Units for the landscape character unit that the proposal falls into. c. The maintenance or enhancement of open space. d. Mitigation to manage any adverse effects of the location of the building including consideration of whether the waterbody is subject to flooding or natural hazards.
24.7.11	<p>Roadside stalls</p> <p>Whether the proposal achieves:</p> <ul style="list-style-type: none"> a. An appropriate scale and intensity of the activity in the context of the surrounding landscape character and visual amenity values. b. Preservation of visual amenity for neighbouring properties and from public places. c. Minimisation of any noise, odour and dust. d. Adequate parking, access safety and avoids adverse transportation effects.
24.7.12	<p>Retail sales</p> <p>Whether the proposal ensures:</p> <ul style="list-style-type: none"> a. An appropriate scale and intensity of the activity in the context of the surrounding landscape character and visual amenity values. b. Preservation of visual amenity for neighbouring properties and from public places. c. Minimisation of any noise, odour and dust. d. Adequate parking, access safety and avoids adverse transportation effects.
24.7.13	<p>Glare</p> <ul style="list-style-type: none"> a. The effects on adjacent roads and neighbouring sites. b. The extent of likely visual dominance from light fixtures, poles and lux levels. c. The nature and extent of any effects on character and amenity, including the night sky. d. The nature and extent of any effects on privacy, views and outlook from neighbouring properties. e. Whether there will be any reverse sensitivity effects on adjacent properties.

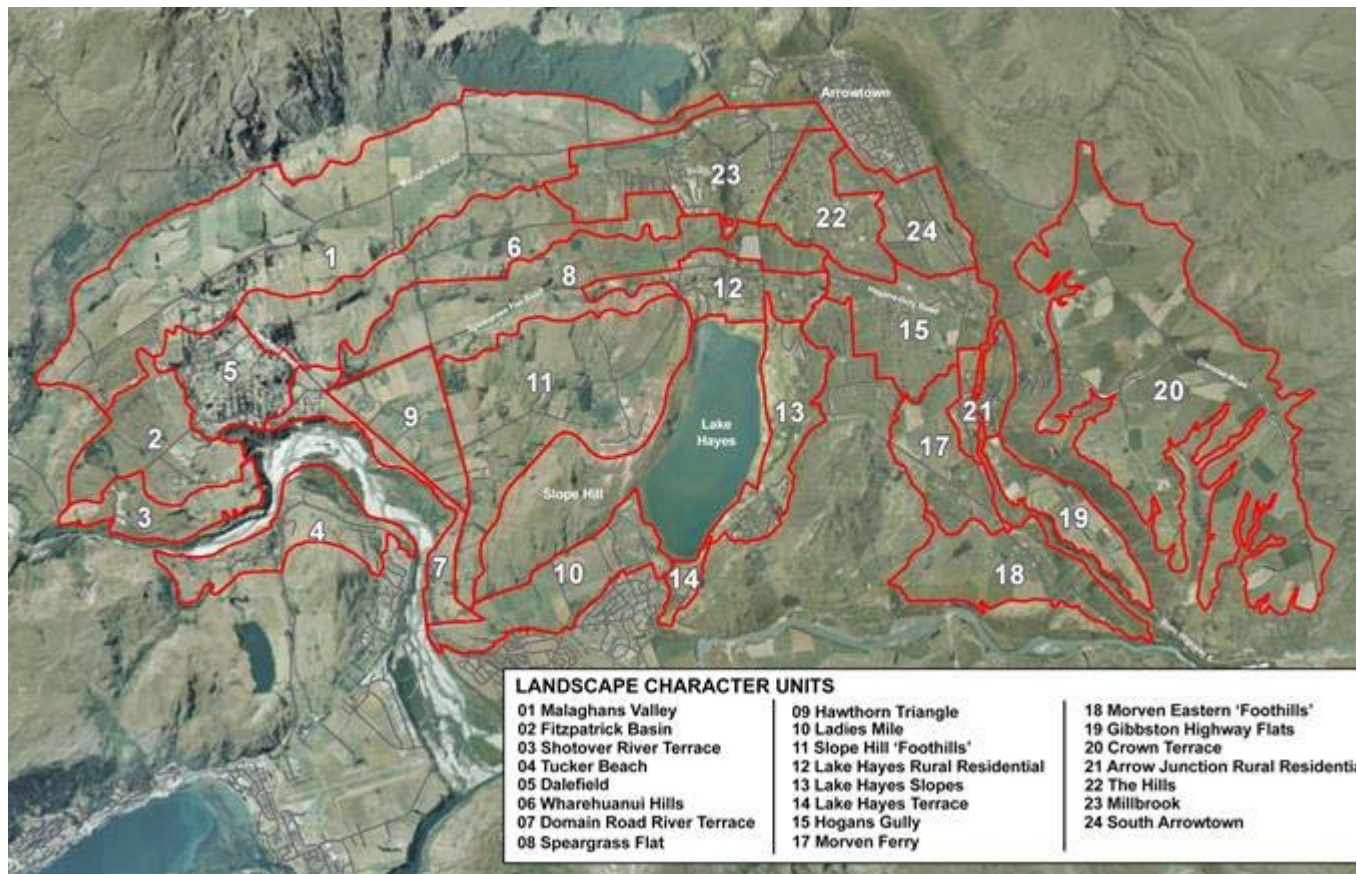
24.7.14	<p>Clearance, works within the root protection zone or significant trimming of exotic vegetation over 6m in height in Landscape Character Unit 5: Dalefield</p> <ul style="list-style-type: none"> a. The degree to which the vegetation contributes to the landscape character and visual amenity values, and the extent to which the clearance or significant trimming would reduce those values. b. The potential for buildings and development to become more visually prominent. c. The merits of any proposed mitigation or replacement plantings. d. The effects on the health and structural stability of the vegetation. e. Whether the works are reasonably necessary to enable the efficient use of the site.
24.7.15	<p>Lake Hayes Catchment</p> <ul style="list-style-type: none"> a. The extent to which the proposal minimises erosion or sediment during construction, having regard to the provisions of Chapter 25 Earthworks, in particular Policies 25.2.1.1 and 25.2.1.7 and Assessment Matters 25.8.2 and 25.8.6. b. The extent to which the proposal avoids or mitigates any potential adverse effects on surface waterbodies and ecological values through the adoption of measures to reduce stormwater runoff adverse effects from the site, including the implementation of low impact design techniques. c. Where a waterbody is located on the site, the effectiveness of riparian planting to filter sediment and reduce sediment concentrations in stormwater runoff. d. The extent to which erosion and sediment management and/or on-site stormwater management systems are commensurate with the nature, scale and location of the activity. e. The extent to which the proposal contributes to water quality improvement, including by: <ul style="list-style-type: none"> i. stabilising the margins of waterways, riparian planting and ongoing management; ii. Reducing inputs of phosphorus and nitrogen into the catchment; iii. Implementing a nutrient management plan; iv. Restoring, maintaining, and constructing new, wetlands for stormwater management; v. Offering any voluntary contribution (including financial) to water quality improvement works off-site in the catchment. f. Practicable constraints limited to situations where no further improvements to stormwater runoff management can be achieved. g. Whether new development can be connected to reticulated services, or if connections are not available, whether onsite systems provide for the safe disposal of stormwater and wastewater without adversely affecting natural water systems and ecological values.

Schedule 24.8 Landscape Character Units *please refer to separate document*

Schedule 24.9 Lake Hayes Catchment



24.8 Schedule Landscape Character Units



Acronyms used in Schedule 24.8

ONF	Outstanding Natural Feature	ONL WB	Outstanding Natural Landscape Wakatipu Basin
ONL	Outstanding Natural Landscape	SHA	Special Housing Area
LCU	Landscape Character Unit	Ha	Hectare (10,000m ²)
PDP	Proposed District Plan	DoC	Department of Conservation
SH	State Highway	QLDC	Queenstown Lakes District Council

Schedule 24.8 – Landscape Character Units identifies and describes 24 landscape character units, all of which are within the Wakatipu Basin. The schedule is a tool to assist with the identification of the landscape character and amenity values that are to be maintained or enhanced within each landscape character unit, and across the Wakatipu Basin more generally.

The landscape character unit descriptions contain both factual information and evaluative content. The description of each landscape character unit must be read in full. Each description, as a whole, expresses the landscape character and visual amenity values of that unit.

Although the landscape character unit descriptions apply to specific areas within the Wakatipu Basin that share similar landscape or settlement pattern characteristics, they do not uniformly describe the landscape character of any unit. Across each unit there is likely to be variation in landform, development and vegetation patterns, which will require consideration and assessment through consent applications. The descriptions also acknowledge that there will be change, through future development and use, particularly within the Lifestyle Precinct.

The descriptions are based on the scale of the relevant landscape character unit, and should not be taken as prescribing the values and/or capacity of specific sites. The descriptions are intended to be read collectively to inform landscape decision-making in the Wakatipu Basin, by highlighting the important elements that are to be maintained or enhanced within certain landscape character units.

8: Speargrass Flat

Landscape Character Unit	8: Speargrass Flat
Landform patterns	Relatively open pastoral flat framed by the south-facing slopes of the Wharehuanui Hills to the north, and the steep margins of the Slope Hill 'Foothills' to the south.
Vegetation patterns	Scattered exotic shelterbelts and patches of mixed scrubland in gullies. Isolated bush fragment to eastern end. Exotic pasture grasses dominate.
Hydrology	A series of watercourses and overland flow paths drain southwards across Speargrass Flat from the Wharehuanui Hills to Lake Hayes.
Proximity to ONL/ONF	Unit does not adjoin ONL or ONF; however, has open longer-range views to surrounding ONL mountain context.
Character Unit boundaries	North: ridgeline crest, Millbrook Structure Plan area. East: crest of hill slopes, Lake Hayes Rural Residential landuse pattern/cadastral boundaries, Speargrass Flat Road. South: ridgeline crest, Hawthorn Triangle hedging. West: vegetation patterns/stream.
Land use	Predominantly pastoral land use with sparsely scattered rural residential lots.
Settlement patterns	Dwellings tend to be well separated and framed by plantings, or set into localised landform patterns. Generally dwellings are located on the flat land adjacent the road although a very limited number of consented but unbuilt platforms located on elevated hill slopes to the south (that enjoy northern aspect). Overall very few consented but unbuilt platforms (3). Typical lot sizes: the majority of lots are over 50ha.
Proximity to key route	Located away from a key vehicular route. Part of the area is adjacent to Speargrass Flat Road, Hogans Gully Road and Arrowtown Lake Hayes Road.
Heritage features	Two heritage buildings/features identified in PDP.
Recreation features	Speargrass Flat Road is identified as a Council walkway/cycleway. Forms part of Queenstown Trail 'Countryside Ride'.
Infrastructure features	No reticulated sewer or stormwater. Reticulated water in places.
Visibility/prominence	The relatively open character of the unit makes it highly visible from the public road network and the elevated hills to the north and south, although the escarpment confining the character unit to the north blocks some views from the north.
Views	Key views relate to the open and spacious pastoral outlook from Speargrass Flat Road (including the walkway/cycleway route) across to the escarpment faces and hillslopes flanking the valley, backdropped by mountains.
Enclosure/openness	The landform features to the north and south providing a strong sense of containment to the relatively open valley landscape.
Complexity	The hillslopes and escarpment faces to the north and south display a reasonably high degree of complexity as a consequence of the landform and vegetation patterns. The valley floor itself displays a relatively low level of complexity as a consequence of its

	open and flat nature.
Coherence	The relatively simple and legible bold valley landform pattern, in combination with the predominantly open pastoral character, contributes an impression of coherence. Gully vegetation patterning serves to reinforce the landscape legibility in places.
Naturalness	The area displays a reasonable degree of naturalness as a consequence of the relatively limited level of built development evident.
Sense of Place	Generally, the area displays a predominantly working rural landscape character with scattered and for the most part, relatively subservient rural residential development evident in places. Whilst Hawthorn Triangle and Lake Hayes Rural Residential LCUs form part of the valley landscape, their quite different character as a consequence of relatively intensive rural residential development sets them apart from the Speargrass Flat LCU, with the latter effectively reading as 'breathing space' between the two. To the eastern end of the unit, there is the perception of the Lakes Hayes Rural Residential area sprawling west into Speargrass Flat.
Potential landscape issues and constraints associated with additional development	Absence of a robust edge to the Lake Hayes Rural Residential LCU makes Speargrass Flat vulnerable to 'development creep'. Open character, in combination with walkway / cycleway, makes it sensitive to landscape change.
Potential landscape opportunities and benefits associated with additional development	Riparian restoration potential. Easy topography.
Environmental characteristics and visual amenity values to be maintained and enhanced	<i>Central and western portion of LCU 8</i> Sense of openness and spaciousness as a 'foil' for the more intensively developed rural residential areas nearby. Maintenance of unobstructed rural views from Speargrass Flat Road to the largely undeveloped hillslopes and escarpment faces to the north and south. <i>Eastern portion of LCU 8</i> Integration of buildings with landform and/or planting. Maintenance of a spacious and open outlook in views from the Queenstown Trail and Arrowtown Lakes Hayes Road, including the southbound view as one descends Christine's Hill. Maintenance of openness in views from Hogans Gully Road to the backdropping hill /escarpment landforms and broader ONL mountain context.
Capability to absorb additional development	Low. <u>Moderate</u> – within the Residential Activity Areas shown on the Ayrburn Structure Plan in <u>section 27.13.</u>

This chapter is subject to the following Variation:

- Te Pūtahi Ladies Mile - for full details click here
- Urban Intensification - for full details click here

27 Subdivision and Development

New provisions sought to be added by appeal

These new provisions may relate to various parts of this chapter but are only identified here.

27.1 Purpose

Subdivision and the resultant development enables the creation of new housing and land use opportunities, and is a key driver of the District's economy. The council will support subdivision that is well designed, is located in the appropriate locations anticipated by the District Plan with the appropriate capacity for servicing and integrated transportation.

All subdivision requires resource consent unless specified as a permitted activity. It is recognised that subdivisions will have a variable nature and scale with different issues to address. Good subdivision design, servicing and the appropriate management of natural hazards are underpinned by a shared objective to create healthy, attractive and safe places.

Good subdivision can help to create neighbourhoods and places that people want to live or work within, and should also result in more environmentally responsive development that reduces car use, encourages walking and cycling, and maximises access to sunlight.

Good subdivision design will be encouraged by the use of the QLDC Subdivision Design Guidelines 2015. The QLDC Subdivision Design Guidelines includes subdivision and urban design principles and outcomes that give effect to the objectives and policies of the Subdivision and Strategic Directions Chapters, in both designing and assessing subdivision proposals in urban areas. Proposals at odds with this document are not likely to be consistent with the policies of the Subdivision and Strategic Directions chapters, and therefore, may not achieve the purpose of the Act. Some aspects of the Subdivision Design Guidelines may be relevant to rural subdivisions.

The QLDC Land Development and Subdivision Code of Practice provides assistance in the design of subdivision and development infrastructure in the District and should also be considered by subdivision applicants.

The Council uses its Development Contributions Policy set out in its 10 Year Plan to fix the contributions payable by subdividers for infrastructure upgrades. That policy operates in parallel with the provisions of this chapter and should also be referred to by subdivision consent applicants.

The subdivision chapter is the primary method to ensure that the District's neighbourhoods are quality environments that take into account the character of local places and communities.

27.2 Objectives and Policies — District Wide

27.2.1 Objective - Subdivision that will enable quality environments to ensure the District is a desirable place to live, visit, work and play.

Policies

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- 27.2.1.1 Require subdivision infrastructure to be constructed and designed so that it is fit for purpose, while recognising opportunities for innovative design.
- 27.2.1.2 Enable urban subdivision that is consistent with the QLDC Subdivision Design Guidelines 2015, recognising that good subdivision design responds to the neighbourhood context and the opportunities and constraints of the application site.
- 27.2.1.3 Require that allotments are a suitable size and shape, and are able to be serviced and developed for the anticipated land use under the applicable zone provisions.
- 27.2.1.4 Discourage non-compliance with minimum allotment sizes. However, where minimum allotment sizes are not achieved in urban areas, consideration will be given to whether any adverse effects are mitigated or compensated by providing:
- a. desirable urban design outcomes;
 - b. greater efficiency in the development and use of the land resource;
 - c. affordable or community housing.
- 27.2.1.5 Recognise that there is an expectation by future landowners that the key effects of and resources required by anticipated land uses will have been resolved through the subdivision approval process.
- 27.2.1.6 Ensure the requirements of other relevant agencies are fully integrated into the subdivision development process.
- 27.2.1.7 Recognise there will be certain subdivision activities, such as boundary adjustments, that will not require the provision of services.
- 27.2.2 Objective - Subdivision design achieves benefits for the subdivider, future residents and the community.**

Policies

- 27.2.2.1 Ensure subdivision design in urban areas provides a high level of amenity for future residents by aligning roads and allotments to maximise sunlight access.
- 27.2.2.2 Ensure subdivision design maximises the opportunity for buildings in urban areas to front the road.
- 27.2.2.3 Locate open spaces and reserves in appropriate locations having regard to topography, accessibility, use and ease of maintenance, while ensuring these areas are a practicable size for their intended use.
- 27.2.2.4 Urban subdivision shall seek to provide for good and integrated connections and accessibility to:
- a. existing and planned areas of employment;
 - b. community facilities;
-

- c. services;
- d. trails;
- e. public transport; and
- f. existing and planned adjoining neighbourhoods, both within and adjoining the subdivision area.

- 27.2.2.5 Urban subdivision design will integrate neighbourhoods by creating and utilising connections that are easy and safe to use for pedestrians and cyclists and that reduce vehicle dependence within the subdivision.
- 27.2.2.6 Encourage innovative subdivision design that responds to the local context, climate, landforms and opportunities for views or shelter.
- 27.2.2.7 Promote informal surveillance for safety in urban areas through overlooking of open spaces and transport corridors from adjacent sites and dwellings and by effective lighting.
- 27.2.2.8 Manage subdivision near to electricity distribution lines to facilitate good amenity and urban design outcomes, while avoiding, remedying or mitigating potential adverse effects (including reverse sensitivity effects) on electricity distribution lines.
- 27.2.2.8A Manage subdivision within the National Grid Subdivision Corridor to avoid reverse sensitivity effects on the National Grid and facilitate good amenity and design outcomes, to the extent reasonably possible, and to ensure that the operation, maintenance, upgrading and development of the National Grid is not compromised.

27.2.3 Objective - The potential of small scale and infill subdivision in urban areas is recognised and provided for while acknowledging their design limitations.

Policies

- 27.2.3.1 Accept that small scale subdivision in urban areas, (for example subdivision involving the creation of fewer than four allotments), and infill subdivision where the subdivision involves established buildings, might have limited opportunities to give effect to policies 27.2.2.4, 27.2.2.5 and 27.2.2.7.
- 27.2.3.2 While acknowledging potential limitations, encourage small scale and infill subdivision in urban areas to:
- a. ensure lots are shaped and sized to allow adequate sunlight to living and outdoor spaces, and provide adequate on-site amenity and privacy;
 - b. where possible, locate lots so that they over-look and front road and open spaces;
 - c. avoid the creation of multiple rear sites, except where avoidance is not practicable;
 - d. where buildings are constructed with the intent of a future subdivision, encourage site and development design to maintain, create and enhance positive visual coherence of the development with the surrounding neighbourhood;

- e. identify and create opportunities for connections to services and facilities in the neighbourhood.

27.2.4 Objective - Natural features, indigenous biodiversity and heritage values are identified, incorporated and enhanced within subdivision design.

Policies

- 27.2.4.1 Incorporate existing and planned waterways and vegetation into the design of subdivision, transport corridors and open spaces where that will maintain or enhance biodiversity, riparian and amenity values.
- 27.2.4.2 Ensure that subdivision and changes to the use of land that result from subdivision do not reduce the values of heritage features and other protected items scheduled or identified in the District Plan.
- 27.2.4.3 Encourage subdivision design to protect and incorporate archaeological sites or cultural features, recognising these features can contribute to and create a sense of place. Where applicable, have regard to Maori culture and traditions in relation to ancestral lands, water, sites, wāhi tapu and other taonga.
- 27.2.4.4 Encourage initiatives to protect and enhance landscape, vegetation and indigenous biodiversity by having regard to:
- a. whether any landscape features or vegetation are of a sufficient value that they should be retained and the proposed means of protection;
 - b. where a reserve is to be set aside to provide protection to vegetation and landscape features, whether the value of the land so reserved should be off-set against the development contribution to be paid for open space and recreation purposes.

27.2.5 Objective - Infrastructure and services are provided to new subdivisions and developments.

Policies

Transport, Access and Roads

- 27.2.5.1 Integrate subdivision roading with the existing road networks in a safe and efficient manner that reflects expected traffic levels and the provision for safe and convenient walking and cycling.
- For the purposes of this policy, reference to 'expected traffic levels' refers to those traffic levels anticipated as a result of the zoning of the area in the District Plan.
- 27.2.5.2 Ensure safe and efficient pedestrian, cycle and vehicular access is provided to all lots created by subdivision and to all developments.
- 27.2.5.3 Provide linkages to public transport networks, and to trail, walking and cycling networks, where useful linkages can be developed.

- 27.2.5.4 Ensure the physical and visual effects of subdivision and roading are minimised by utilising existing topographical features.
- 27.2.5.5 Ensure appropriate design and amenity associated with roading, vehicle access ways, trails and trail connections, walkways and cycle ways are provided for within subdivisions by having regard to:
- a. the location, alignment, gradients and pattern of roading, vehicle parking, service lanes, access to lots, trails, walkways and cycle ways, and their safety and efficiency;
 - b. the number, location, provision and gradients of access ways and crossings from roads to lots for vehicles, cycles and pedestrians, and their safety and efficiency;
 - c. the standard of construction and formation of roads, private access ways, vehicle crossings, service lanes, walkways, cycle ways and trails;
 - d. the provision and vesting of corner splays or rounding at road intersections;
 - e. the provision for and standard of street lighting, having particular regard to siting and location, the provision for public safety and the avoidance of upward light spill adversely affecting views of the night sky;
 - f. the provision of appropriate tree planting within roads in urban areas;
 - g. any requirements for widening, formation or upgrading of existing roads;
 - h. any provisions relating to access for future subdivision on adjoining land;
 - i. the provision and location of public transport routes and bus shelters in urban areas.

Water supply, stormwater, wastewater

- 27.2.5.6 All new lots shall be provided with connections to a reticulated water supply, stormwater disposal and/or sewage treatment and disposal system, where such systems are available or should be provided for.

Water

- 27.2.5.7 Ensure water supplies are of a sufficient capacity, including fire fighting requirements, and of a potable standard, for the anticipated land uses on each lot or development.
- 27.2.5.8 Encourage the efficient and sustainable use of potable water by acknowledging that the Council's reticulated potable water supply may be restricted to provide primarily for households' living and sanitation needs and that water supply for activities such as irrigation and gardening may be expected to be obtained from other sources.
- 27.2.5.9 Encourage initiatives to reduce water demand and water use, such as roof rain water capture and use and greywater recycling.
- 27.2.5.10 Ensure appropriate water supply, design and installation by having regard to:
- a. the availability, quantity, quality and security of the supply of water to the lots being

created;

- b. water supplies for fire fighting purposes;
- c. the standard of water supply systems installed in subdivisions, and the adequacy of existing supply systems outside the subdivision;
- d. any initiatives proposed to reduce water demand and water use.

Stormwater

27.2.5.11 Ensure appropriate stormwater design and management by having regard to:

- a. any viable alternative designs for stormwater management that minimise run-off and recognises stormwater as a resource through re-use in open space and landscape areas;
- b. the capacity of existing and proposed stormwater systems;
- c. the method, design and construction of the stormwater collection, reticulation and disposal systems, including connections to public reticulated stormwater systems;
- d. the location, scale and construction of stormwater infrastructure;
- e. the effectiveness of any methods proposed for the collection, reticulation and disposal of stormwater run-off, including opportunities to maintain and enhance water quality through the control of water-borne contaminants, litter and sediments, and the control of peak flow.

27.2.5.12 Encourage subdivision design that includes the joint use of stormwater and flood management networks with open spaces and pedestrian/cycling transport corridors and recreational opportunities where these opportunities arise and will maintain the natural character and ecological values of wetlands and waterways.

Wastewater

27.2.5.13 Treat and dispose of sewage in a manner that:

- a. maintain public health;
- b. avoids adverse effects on the environment in the first instance; and
- c. where adverse effects on the environment cannot be reasonably avoided, mitigates those effects to the extent practicable.

27.2.5.14 Ensure appropriate sewage treatment and disposal by having regard to:

- a. the method of sewage treatment and disposal;
- b. the capacity of, and impacts on, the existing reticulated sewage treatment and disposal system;
- c. the location, capacity, construction and environmental effects of the proposed sewage

treatment and disposal system.

- 27.2.5.15 Ensure that the design and provision of any necessary infrastructure at the time of subdivision takes into account the requirements of future development on land in the vicinity.

Energy Supply and Telecommunications

- 27.2.5.16 Ensure adequate provision is made for the supply and installation of reticulated energy, including street lighting, and communication facilities for the anticipated land uses while:
- a. providing flexibility to cater for advances in telecommunication and computer media technology, particularly in remote locations;
 - b. ensure the method of reticulation is appropriate for the visual amenity and landscape values of the area by generally requiring services are underground, and in the context of rural environments where this may not be practicable, infrastructure is sited in a manner that minimises visual effects on the receiving environment;
 - c. generally require connections to electricity supply and telecommunications systems to the boundary of the net area of the lot, other than lots for access, roads, utilities and reserves.

Easements

- 27.2.5.17 Ensure that services, shared access and public access is identified and managed by the appropriate easement provisions.
- 27.2.5.18 Ensure that easements are of an appropriate size, location and length for the intended use of both the land and easement.

27.2.6 Objective - Esplanades created where opportunities arise.

Policies

- 27.2.6.1 Create esplanade reserves or strips where they would provide nature conservation, natural character, natural hazard mitigation, infrastructural or recreational benefits. In particular, Council will encourage esplanades where they:
- a. are important for public access or recreation, would link with existing or planned trails, walkways or cycleways, or would create an opportunity for public access;
 - b. have high actual or potential value with regard to the maintenance of indigenous biodiversity;
 - c. comprise significant indigenous vegetation or significant habitats of indigenous fauna;
 - d. are considered to comprise an integral part of an outstanding natural feature or outstanding natural landscape;
 - e. would benefit from protection, in order to safeguard the life supporting capacity of the adjacent lake and river;
 - f. would not put an inappropriate burden on Council, in terms of future maintenance costs

or issues relating to natural hazards affecting the land.

27.2.6.2 Use opportunities through the subdivision process to improve the level of protection for the natural character and nature conservation values of lakes and rivers, as provided for in Section 230 of the Act.

27.2.7 Objective - Boundary adjustments, cross-lease and unit title subdivision are provided for.

Policies

- 27.2.7.1 Enable cross-lease and unit title subdivision of existing units in urban areas without the need to obtain resource consent where there is no potential for adverse effects associated with the change in boundary location.
- 27.2.7.2 Ensure boundary adjustment, cross-lease and unit title subdivisions are appropriate with regard to:
- a. the location of the proposed boundaries;
 - b. in rural areas, the location of boundaries with regard to approved residential building platforms, existing buildings, and vegetation patterns and existing or proposed accesses;
 - c. boundary treatment;
 - d. the location and terms of existing or proposed easements or other arrangements for access and services.

27.3 Location-specific objectives and policies

In addition to the district wide objectives and policies in Part 27.2, the following objectives and policies relate to subdivision in specific locations.

Peninsula Bay

27.3.1 Objective - Ensure effective public access is provided throughout the Peninsula Bay land.

Policies

- 27.3.1.1 Within the Peninsula Bay site, to ensure that public access is established through the vesting of reserves and establishment of easements prior to any further subdivision.
- 27.3.1.2 Ensure that easements for the purposes of public access are of an appropriate size, location and length to provide a high quality, recreational resource, with excellent linkages, and opportunities for different community groups.

Kirimoko

27.3.2 Objective - A liveable urban environment that achieves best practice in urban design; the protection and incorporation of landscape and

environmental features into the design of the area; and high quality built form.

Policies

- 27.3.2.1 Protect the landscape quality and visual amenity of the Kirimoko Block and preserve sightlines to local natural landforms.
- 27.3.2.2 Protect the natural topography of the Kirimoko Block and incorporate existing environmental features into the design of the site.
- 27.3.2.3 Ensure that urban development of the site is restricted to lower areas and areas of concealed topography, such as gullies and that visually sensitive areas such as the spurs are left undeveloped.
- 27.3.2.4 Ensure the provision of open space and community facilities that are suitable for the whole community and that are located in safe and accessible areas.
- 27.3.2.5 Develop an interconnected network of streets, footpaths, walkways and open space linkages that facilitate a safe, attractive and pleasant walking, cycling and driving environment.
- 27.3.2.6 Provide for road and walkway linkages to neighbouring developments.
- 27.3.2.7 Ensure that all roads are designed and located to minimise the need for extensive cut and fill and to protect the natural topographical layout and features of the site.
- 27.3.2.8 Minimise disturbance of existing native plant remnants and enhance areas of native vegetation by providing linkages to other open space areas and to areas of ecological value.
- 27.3.2.9 Design for stormwater management that minimises run-off and recognises stormwater as a resource through re-use in open space and landscape areas.
- 27.3.2.10 Require the roading network within the Kirimoko Block to be planted with appropriate trees to create a green living environment appropriate to the areas.

Large Lot Residential A Zone between Studholme Road and Meadowstone Drive.

27.3.3 Objective - Landscape and amenity values of the zone's low density character and transition with rural areas be recognised and protected.

Policies

- 27.3.3.1 Have regard to the impact of development on landscape values of the neighbouring rural areas and features of these areas, with regard to minimising the prominence of housing on ridgelines overlooking the Wānaka settlement.
- 27.3.3.2 Subdivision and development within land located on the northern side of Studholme Road shall have regard to the adverse effects of development and associated earthworks on slopes, ridges and skylines.

Bob's Cove Rural Residential Zone (excluding sub-zone)

27.3.4 Objective - The special character of the Bob's Cove Rural Residential Zone is recognised and provided for.

Policies

- 27.3.4.1 In order to maintain the rural character of the zone, any required street lighting shall be low in height from the ground, of reduced lux spill and directed downwards to avoid adverse effects on views of the night sky.

Wyuna Station Rural Lifestyle Zone

27.3.5 Objective - Provision for a deferred rural lifestyle zone on the terrace to the east of, and immediately adjoining, the Glenorchy Settlement.

Policies

- 27.3.5.1 Prohibit or defer development of the zone until such a time that:
- a. the zone can be serviced by a reticulated wastewater disposal scheme within the property that services both the settlement and proposed zone. This may include the provision of land within the zone for such purpose; or
 - b. the zone can be serviced by a reticulated wastewater disposal scheme located outside of the zone that has capacity to service both the settlement and proposed zone; or
 - c. the zone can be serviced by an on-site (individual or communal) wastewater disposal scheme no sooner than two years from the zone becoming operative on the condition that should a reticulated scheme referred to above become available and have capacity within the next three years then all lots within the zone shall be required to connect to that reticulated scheme.

27.3.6 Objective - Subject to Objective 27.3.5, rural living development is enabled in a way that maintains the visual amenity values that are experienced from the Glenorchy Settlement, Oban Street and the Glenorchy-Paradise Road.

Policies

- 27.3.6.1 The subdivision design, identification of building platforms and associated mitigation measures shall ensure that built form and associated activities within the zone are reasonably inconspicuous when viewed from Glenorchy Settlement, Oban Street or the Glenorchy-Paradise Road. Measures to achieve this include:
- a. prohibiting development over the sensitive areas of the zone via building restriction areas;
 - b. appropriately locating buildings within the zone, including restrictions on future building bulk;
 - c. using excavation of the eastern part of the terrace to form appropriate building platforms;

- d. using naturalistic mounding of the western part of the terrace to assist visual screening of development;
- e. using native vegetation to assist visual screening of development;
- f. the maximum height of buildings shall be 4.5m above ground level prior to any subdivision development.

27.3.6.2 Maintain and enhance the indigenous vegetation and ecosystems within the building restriction areas of the zone and to suitably and comprehensively maintain these areas into the future. As a minimum, this shall include:

- a. methods to remove or kill existing wilding exotic trees and weed species from the lower banks of the zone area and to conduct this eradication annually;
- b. methods to exclude and/or suitably manage pests within the zone in order to foster growth of indigenous vegetation within the zone, on an ongoing basis;
- c. a programme or list of maintenance work to be carried out on a year to year basis on order to bring about the goals set out above.

Jacks Point Zone

27.3.7 Objective - Subdivision occurs consistent with the Jacks Point Structure Plan.

Policies

27.3.7.1 Ensure that subdivision and development achieves the objectives and policies located within Chapter 41.

27.3.7.2 Within the R(HD) Activity Areas, subdivision design shall provide for the following matters:

- a. the development and suitability of public transport routes, pedestrian and cycle trail connections within and beyond the Activity Area;
- b. mitigation measures to ensure that no building will be highly visible from State Highway 6 or Lake Wakatipu;
- c. road and street designs;
- d. the location and suitability of proposed open spaces;
- e. commitments to remove wilding trees.

27.3.7.3 Within the R(HD-SH) Activity Areas, minimise the visual effects of subdivision and future development on landscape and amenity values as viewed from State Highway 6.

27.3.7.4 Within the R(HD) Activity Area, in the consideration of the creation of sites sized less than 550m², particular regard shall be given to the following matters and whether they should be given effect to by imposing appropriate legal mechanism of controls over:

- a. building setbacks from boundaries;
- b. location and heights of garages and other accessory buildings;
- c. height limitations for parts of buildings, including recession plane requirements;
- d. window locations;
- e. building coverage;
- f. roadside fence heights.

27.3.7.5 Within the OS Activity Areas shown on the Jacks Point Zone Structure Plan, implement measures to provide for the establishment and management of open space, including native vegetation.

27.3.7.6 Within the R(HD) A - E Activity Areas, ensure cul-de-sacs are straight (+/- 15 degrees).

27.3.7.7 In the Hanley Downs areas where subdivision of land within any Residential Activity Area results in allotments less than 550m² in area:

- a. such sites are to be configured:
 - i. with good street frontage;
 - ii. to enable sunlight to existing and future residential units;
 - iii. to achieve an appropriate level of privacy between homes;
- b. parking, access and landscaping are to be configured in a manner which:
 - i. minimises the dominance of driveways at the street edge;
 - ii. provides for efficient use of the land;
 - iii. maximises pedestrian and vehicular safety; and.
 - iv. addresses nuisance effects such as from vehicle lights.
- c. subdivision design should ensure:
 - i. public and private spaces are clearly demarcated, and ownership and management arrangements are proposed to appropriately manage spaces in common ownership.
- d. consideration is to be given as to whether design parameters are required to be secured through an appropriate legal mechanism. These are height, building mass, window sizes and locations, building setbacks, fence heights, locations and transparency, building materials and landscaping.

27.3.7.8 Ensure that any subdivision of land containing Homesite Activity Areas HS38 - HS56, including the area of intervening OSL or OSG, maintains or enhances the indigenous biodiversity and ecological values, landscape character and visual amenity values of these Homesite Activity Areas and this part of the Tablelands Landscape Protection Area, through the preparation and

implementation of a comprehensive Vegetation Management Strategy.

Waterfall Park

27.3.8 Objective — Subdivision that provides for a range of visitor, residential and recreational facilities, sympathetic to the natural setting and has regard to location specific opportunities and constraints identified within the Waterfall Park Structure Plan.

Policies

27.3.8.1 Enable subdivision which provides for appropriate, integrated and orderly development in accordance with the Waterfall Park Structure Plan located within Section 27.13.

Millbrook

27.3.9 Objective — Subdivision that provides for resort development while having particular regard to landscape, heritage, ecological, water and air quality values.

Policies

27.3.9.1 Enable subdivision which provides for appropriate, integrated and orderly development in accordance with the Millbrook Structure Plan located within Section 27.13.

Coneburn Industrial

27.3.10 Objective - Subdivision that creates opportunities for industrial activities and Service activities to occur.

Policies

27.3.10.1 Enable subdivision which provides for a combination of lot sizes and low building coverage to ensure that this area is retained for yard based industrial and service activities as well as smaller scale industrial and service activities.

27.3.10.2 Require the establishment, restoration and ongoing maintenance of the open space areas (shown on the Coneburn Structure Plan located in Section 27.13) to:

- a. visually screen development using the planting of native species;
- b. retain existing native garden species unless they are wilding;
- c. give effect to the Ecological Management Plan required by Rule 44.5.2 so its implementation occurs at the rate of development within the Zone.

27.3.10.3 Ensure subdivision works and earthworks results in future industrial and service development (buildings) being difficult to see from State Highway 6.

27.3.10.4 At the time of subdivision ensure that there is adequate provision for road access, onsite

parking (staff and visitors) and loading and manoeuvring for all types of vehicle so as to cater for the intended use of the site.

- 27.3.10.5 Ensure subdivision creates lots and sites that are capable of accommodating development that meets the relevant zone standards for the Coneburn Industrial Zone.
- 27.3.10.6 Ensure that shared infrastructure (water, wastewater and stormwater) is provided, managed, and maintained if development cannot connect to Council services.
- 27.3.10.7 Require safe accesses to be provided from the State Highway into the Zone at the rate the Zone is developed.

West Meadows Drive

- 27.3.11 Objective - The integration of road connections between West Meadows Drive and Meadowstone Drive.

Policies

- 27.3.11.1 Enable subdivision at the western end of West Meadows Drive which has a roading layout that is consistent with the West Meadows Drive Structure Plan.
- 27.3.11.2 Enable variances to the West Meadows Drive Structure Plan on the basis that the roading layout results in the western end of West Meadows Drive being extended to connect with the roading network and results in West Meadows Drive becoming a through-road.

Frankton North

- 27.3.12 Objective - High quality urban subdivision and development of the land on the northern side of State Highway 6 at Frankton, that is planned around, and integrated with, a primary road that connects State Highway 6 at Hawthorne Drive to Quail Rise, pedestrian and cycle access, and appropriate servicing.**

Policies

- 27.3.12.1 Ensure subdivision and development at Frankton North is undertaken in accordance with the Frankton North Structure Plan (Schedule 27.13.9) to promote integration and provision of access to and throughout Frankton North.
- 27.3.12.2 Ensure safe transport connections by:
- i. avoiding any new access to State Highway 6;
 - ii. limiting new access to the land at Frankton North to: Hawthorne Drive/SH6 roundabout. Hansen Road and Ferry Hill Drive;
 - iii. providing the primary road connection between State Highway 6 at Hawthorne Drive and Quail Rise;
 - iv. providing access to the primary road connection from all sites within Frankton North; and

- v. providing internal road, pedestrian and cycle connections that are of a form that accounts for long-term traffic demand for the area between Hansen Road and Ferry Hill Drive without the need for subsequent retrofitting or upgrade.

- 27.3.12.3 Ensure subdivision and development at Frankton North provides, or has access to, a safe walking and cycling environment, including by providing internal pedestrian and cycle access and a dedicated pedestrian and cycle path along the State Highway 6 corridor (as shown on the Frankton North Structure Plan (Schedule 27.13.9) that integrates with, and links to, the public transport network and the surrounding pedestrian and cycle network, including on the southern side of State Highway 6.
- 27.3.12.4 Encourage low impact stormwater design that utilises on-site treatment and storage I dispersal approaches.
- 27.3.12.5 Avoid the impacts of stormwater discharges on the State Highway network.

Criffel Station Rural Lifestyle Zone (upper terrace)

27.3.13 Objective - Subdivision achieves an integrated landscape strategy for the collective rural lifestyle developments enabled by the Zone.

- 27.3.13.1 Require a collective landscape strategy for development of the Criffel Station Rural Lifestyle Zone (upper terrace) which:
- a. Achieves consistency with the Structure Plan in 27.13.7 by maintaining the land within Building Restriction Area 1 in an open pastoral state, free of shelterbelts, woodlot planting or other amenity tree planting, and within Building Restriction Area 2 the enhancement of indigenous biodiversity values;
 - b. Ensures buildings are integrated into the landscape;
 - c. Avoids reinforcing individual lot boundaries in order to achieve a seamless transition between the domestic curtilage of the rural living allotments and the pastoral terrace of Building Restriction Area 1; and
 - d. Avoids any built form within Building Restriction Area 1 and Building Restriction Area 2.
- 27.3.13.2 Ensure subdivision of the Criffel Station Rural Lifestyle Zone (upper terrace) maintains and enhances the indigenous vegetation and ecosystems within the gully and escarpment area identified as Building Restriction Area 2 in Structure Plan 27.13.7 and suitably and comprehensively maintains these areas into the future. As a minimum, this shall include:
- a. Planting of indigenous vegetation within the gully area at a coverage of 30%;
 - b. Methods to exclude and suitably manage weeds and pests in order to foster growth of indigenous vegetation on an ongoing basis;
 - c. a programme or list of maintenance work to be carried out on a year to year basis in order to achieve the goals set out above.

Luggate Park

27.3.14 Objective - Subdivision provides for residential development while appropriately managing the transition from rural to urban zones.

Policies

- 27.3.14.1 Minimise the visual effects of urban subdivision and development on the upper plateau when approaching Luggate settlement from the east as viewed along State Highway 6 through:
- a. mounding that integrates with the existing eastern facing slope; and
 - b. provision of groups of trees and shrubs that reinforce the natural appearance of the mound, and filter and screen views to buildings from State Highway 6.
- 27.3.14.2 Provision for amenity planting, stormwater management, walkway and cycleway along the southern boundary adjoining State Highway 6 along the lower plateau.

Large Lot Residential B Zone at Mt Iron West

27.3.15 Objective - Subdivision and residential development within the Large Lot Residential B Zone at Mt Iron West provides for a sensitive transition from urban to the Rural Zoned Mt Iron Outstanding Natural feature.

- 27.3.15.1 Minimise the landscape effects of urban subdivision and development adjacent to Mt Iron through:
- a. avoiding buildings within the Building Restriction Area as identified on the District Plan web mapping application;
 - b. restricting the height of buildings to 6 metres and coverage of buildings within each allotment to 500m²;
 - c. restricting residential activity to not more than four allotments; and
 - d. retention of existing indigenous vegetation that contributes to Mt Iron's landscape values.
- 27.3.15.2 Encourage opportunities to enhance indigenous biodiversity including through retention of existing indigenous vegetation or habitat of indigenous fauna that contributes to the maintenance of indigenous biodiversity.

Gibbston Valley Resort Zone

27.3.16 Objective — Subdivision that provides for visitor accommodation, viticulture, horticulture, commercial, tourism and limited residential activities developed in an integrated and planned manner with particular regard to the maintenance and enhancement of landscape, ecological values, soil values, productive land use and economic sustainability.

Policies

- 27.3.16.1 Enable subdivision that provides for integrated and planned development in general accordance with the Gibbston Valley Resort Structure Plan located in Section 27.13.10.

Alpine Meadows

- 27.3.17 Objective — The integration of road, walkway and cycleway connections between Alpine Meadows and adjacent land.**

Policies

- 27.3.17.1 Provide for roading connections within the Alpine Meadows site and land to the north and east as shown in the Structure Plan in 27.13.11.
- 27.3.17.2 Provide for a walkway and cycleway along the frontage with Orchard Road to facilitate walking and cycling out of the Orchard Road carriageway, and to connect with walking and cycling access to the east.

Three Parks Wānaka (defined by the extent of the Three Parks Structure Plan — 27.13.12)

- 27.3.18 Objective — Subdivision of Three Parks Wānaka is consistent with the Three Parks Structure Plan and achieves integrated development.**

Policies

- 27.3.18.1 Ensure the provision of open spaces that are suitable for the whole community and that are located in safe and accessible areas.
- 27.3.18.2 Protect the character and amenity of the entrance to Wānaka through a Building Restriction Area along SH84.
- 27.3.18.3 Require integration of the Building Restriction Areas for developments within the High Density Residential Zone in Three Parks Wānaka and require high quality landscaping as part of development.
- 27.3.18.4 Develop an interconnected network of streets, footpaths, walkways and open space linkages that facilitate a safe, attractive and pleasant walking, cycling and driving environment.
- 27.3.18.5 Require the Three Parks Commercial Zone to include a public square that is greater than 900m².
- 27.3.18.6 Recognise that relocation of fixed or collector roads may significantly affect the integrity of the Three Parks Structure Plan and any relocation should be restricted to;
- a. no greater than 20m for any fixed road shown on the Three Parks Structure Plan; and
 - b. no more than 50m from any collector road location shown on the Three Parks Structure Plan.
- 27.3.18.7 Encourage subdivision design to ensure that sites front the road and restrict the creation of

rear sites as follows;

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

27.3.18.8 Limit the impact of vehicle traffic entering and exiting Ballantyne Road by encouraging consolidation and sharing of vehicle crossings into the Three Parks Business Zone land to the northwest of Sir Tim Wallis Drive.

General Industrial and Service Zone

27.3.19 Objective - Subdivision within the General Industrial and Service Zone enables the establishment, operation and long term viability of Industrial and Service activities which cannot locate elsewhere in this District, including those Industrial and Service activities which require larger buildings and more space for the purpose of vehicle manoeuvring and loading.

Policies

- 27.3.19.1 Enable subdivision and development within the General Industrial and Service Zone that provides for the establishment, operation and long term viability of Industrial and Service activities by ensuring any new lots created are capable of accommodating activities and development that is anticipated by the Zone standards.
- 27.3.19.2 Recognise and provide for subdivision activities which create smaller lot sizes than anticipated within the General Industrial and Service Zone where there is a demonstrated need for Industrial and Service activities on lots of that size and where it can be shown that the lots could viably provide for their long term functional needs.
- 27.3.19.3 Ensure any new subdivision provides adequate road access, loading and manoeuvring suitable for the activities anticipated to establish within the lots.
- 27.3.19.4 Ensure any new subdivision integrates well with current and future transport networks, including roads and public and active transport systems by managing the functional layout and arrangement of lots and their access.
- 27.3.19.5 Ensure subdivision only occurs where the necessary infrastructure exists to service the lots.
- 27.3.19.6 Avoid subdivision that creates lots of a size and layout that limit the intended function of the General Industrial and Service Zone to provide for the long term establishment, operation and long term viability of Industrial and Service Activities.

Connell Terrace Structure Plan

27.3.19.7 Ensure subdivision is consistent with the Connell Terrace Structure Plan by requiring;

- a. landscaping and on-going maintenance of the Building Line Restriction Area shown on

the Connell Terrace Structure Plan; and

- b. a roading layout that is consistent with the Connell Terrace Structure Plan.

Ballantyne Road Structure Plan

27.3.19.8 Ensure subdivision is consistent with the Ballantyne Road Structure Plan by requiring;

- a. landscaping and on-going maintenance of the Building Line Restriction Area shown in the Ballantyne Road Structure Plan; and
- b. a roading layout that is consistent with the Ballantyne Road Structure Plan.

Kawarau Heights

27.3.20 Objective - A high quality residential development that conforms to a structure plan, provides for a range of housing densities and which integrates with the surrounding landscape, urban areas and transport network.

Policies

27.3.20.1 Require subdivision and development to be in accordance with the structure plan located within Section 27.13.15.

27.3.20.2 Provide for subdivision and development that:

- a. is consistent with the design outcomes sought by the Kawarau Heights Design Guidelines 2020, particularly where a range of densities would result in a diversity of housing;
- b. safely integrates with the surrounding urban environment and transport network through both active and non-active transport modes.

27.3.20.3 Ensure that the values of the adjacent Rural Zone Outstanding Natural Landscape are protected by locating development in accordance with the Structure Plan in Section 27.13.15, including by avoiding buildings within the building restriction areas.

27.3.20.4 Maintain the landscape character and integrity of the escarpments within and directly adjacent to Kawarau Heights, by:

- a. avoiding buildings on the escarpments, and setting buildings back from the edges of those escarpments and terrace edges as identified by building restriction areas;
- b. ensuring any earthworks and mounding are sensitively designed and undertaken to integrate with existing topography;
- c. ensuring that any planting on the escarpments and escarpment edges effectively filters and screens views of urban development, in particular as viewed from the adjacent Shotover Country and Lakes Hayes Estate urban areas, and the Kawarau River floodplains.

- 27.3.20.5 Recognise the limitations of the existing roading network by restricting subdivision and development to 55 residential allotments until the State Highway 6 and Howards Drive intersection is upgraded to a roundabout or another intersection design.

Hills Resort Zone

- 27.3.21 Objective — Subdivision that provides for visitor accommodation, residential and commercial recreation activities developed consistently with the Hills Resort Zone Structure Plan.**

Policies

- 27.3.21.1 Enable subdivision which provides for development that is located in accordance with the Hills Resort Zone Structure Plan within Section 27.13.
- 27.3.21.2 Require that development within the Hills Resort Zone is connected to a reticulated wastewater treatment and disposal system, where available.
- 27.3.21.3 Where connection to a reticulated wastewater system is not available, avoid or mitigate any potential adverse effects on natural water systems and ecological values by ensuring the safe and efficient disposal of wastewater through provision of a comprehensive system that is designed to provide sufficient capacity for anticipated development within the Hills Resort Zone.
- 27.3.21.4 Ensure a comprehensive approach to on-site stormwater management that is designed to provide sufficient capacity for anticipated development within the Hills Resort Zone.

Hogans Gully Resort Zone

- 27.3.22 Objective — Subdivision consistent with the Hogans Gully Resort Zone Structure Plan that provides for golf related commercial recreation and commercial activities, visitor accommodation and residential activities, and requires appropriate ecological management and indigenous revegetation.**

Policies

- 27.3.22.1 Enable subdivision that provides for development located in accordance with the Hogans Gully Resort Zone Structure Plan within Section 27.13.
- 27.3.22.2 Require the adoption and implementation of ecological management and indigenous revegetation as part of the subdivision process.
- 27.3.22.3 Require that development within the Zone is connected to a reticulated wastewater treatment and disposal system, where available.
- 27.3.22.4 Where connection to a reticulated wastewater system is not available, avoid or mitigate any potential adverse effects on natural water systems and ecological values by ensuring the safe and efficient disposal of wastewater through provision of a comprehensive system that is designed to provide sufficient capacity for anticipated development within the Zone.

- 27.3.22.5 Ensure a comprehensive approach to on-site stormwater management that is designed to provide sufficient capacity for anticipated development within the Zone.

Orchard Road and Riverbank Road Wanaka Lower Density Suburban Residential Zone

- 27.3.23 Objective — Subdivision of the Lower Density Suburban Residential Zone on the north west side of Riverbank Road has integrated internal roading connections and pedestrian and cycle access along and adjacent to Orchard Road and Riverbank Road.**

Policies

- 27.3.23.1 Ensure subdivision and development is undertaken in accordance with the Riverbank Road Structure Plan (Schedule 27.13.18) to provide integration and connection of internal roading connections between those properties identified on the Riverbank Road Structure Plan, and provision of access onto Orchard Road and Riverbank Road.
- 27.3.23.2 Ensure subdivision and development provides for a safe walking and cycle environment adjacent to and within Orchard Road and Riverbank Road.

Lake Hāwea South Structure Plan (Schedule 27.13.19)

All references to the Structure Plan are to the Lake Hāwea South Structure Plan

- 27.3.24 Objective — A high quality urban environment on the land on the southern side of Cemetery Road Hāwea, that is planned around, and integrated with infrastructure, a water race, key road connections, the existing township and a strong and well defined urban edge to the southern extent of Lake Hāwea Township.**

Policies

- 27.3.24.1 Ensure subdivision and development is undertaken in accordance with the Structure Plan to provide integration and coordination of access to the separately owned properties within the Structure Plan area, the existing township and the wider road network.
- 27.3.24.2 Ensure integrated and safe transport connections by providing for key road connections as shown on the Structure Plan and limiting additional access from Domain Road and Cemetery Road.
- 27.3.24.3 Ensure subdivision and development provides:
- a. Building Restriction Areas along the boundaries of the Structure Plan area to:
 - i. create and maintain a legible and strong urban edge along the western boundary defined by Domain Road, the southern extent, and the eastern boundary of the Structure Plan and urban environment;
 - ii. visually integrate urban development with the surrounding rural environment

located to the west, south and east of the Structure Plan area;

- iii. provide walking and cycling access;
- iv. mitigate the effects of urban development on the surrounding Rural Zone Rural Character Landscapes, primarily through planting and sympathetic mounding within the Building Restriction Areas that results in a planted buffer that filters views of built development from the surrounding rural landscape; and v. vesting of these areas as reserves, except where located on roads.

b. Building Restriction Area over the water race to:

- i. provide for walking and cycling connections through the Structure Plan area and access to reserves; and ii. provide visual amenity and a greenbelt through the Structure Plan area which enhances biodiversity and provides non-road based connections.

c. Recreation Reserves to:

- i. provide a range of recreational opportunities, including a Community Park (Sportsground) with a minimum area of 2.0ha, a park for village centre activities, and two Local Parks;
- ii. have a primary function as a recreation reserve, with the potential to provide a dual stormwater use, only were the primary function of the reserves for recreation as provided for in (i) above is not compromised; while
- iii. enabling flexibility of the final location and shape of each reserve so each can be integrated within the detailed subdivision design that encompasses the identified reserve, except the market square which has a fixed location and dimensions.

Staging

- 27.3.24.4 Ensure subdivision and development of the Lower Density Suburban Residential Zone is undertaken in a north to southward direction to:
- a. Provide for an urban form and development pattern that is coherent and avoids a sense of sprawl and ad hoc development as a result of areas of land left undeveloped amidst developed areas;
 - b. Integrate with the provision of infrastructure and formation of the walkway connections;
 - c. Provide for public access along the water race, and the market square reserve in the Local Shopping Centre Zone shown on the Structure Plan, to be formed as part of the first stage of subdivision to provide opportunity for community facilities; and
 - d. Form the 2ha Community Park (Sportsground) reserve, and the entire perimeter Building Restriction Area within Area A, as part of any application resulting in 500 residential lots or greater within Area A, to provide for community facilities, open space and recreation.
- 27.3.24.5 Ensure subdivision and development of the Local Shopping Centre Zone is undertaken firstly along Longview Drive, then outwards towards and including the strip along Cemetery Road, to support an initial focus of development around Longview Drive.
- 27.3.24.6 Recognise the limitations of the existing roading network by restricting all subdivision and development on the southern side of Cemetery Road within the Structure Plan area to 990

residential allotments until the Cemetery Road and Doman Road intersection is upgraded to a roundabout.

Wastewater

27.3.24.7 Ensure all new lots are provided with connections to Council owned and operated reticulated wastewater treatment and disposal systems.

Wharehuanui Hills East Structure Plan (Schedule 27.13.20)

27.3.25 Objective — Subdivision and development within the Wharehuanui Hills East Structure Plan area that provides for rural living while:

(a) maintaining or enhancing landscape character and visual amenity values;

(b) improving water quality in the Lake Hayes catchment; and

(c) ensuring effective visual containment and visual separation from Millbrook Resort and properties beyond the southern boundary of the site.

Policies

27.3.25.1 Require that subdivision and development is in accordance with the Wharehuanui Hills East Structure Plan, to:

(a) maintain or enhance the landscape character and visual amenity values of the Precinct and neighbouring areas;

(b) maintain the predominant rural landscape character when viewed from:

- Malaghans Road and the cricket pavilion car park;
- Feehly Hill excluding those parts that are not public places;
- Coronet Peak Road at Coronet Base Station;
- Hogans Gully Road;
- Tobins Track excluding any parts that are not public places;

27.3.25.2 Require that landscape planting and water quality improvement planting and restoration required within the Structure Plan area is established prior to construction of residential units and is maintained to ensure their long-term effectiveness in contributing to the landscape and visual amenity values and water quality improvements of the Structure Plan area and surrounding areas.

27.3.25.3 Require that vehicle access is through the existing Millbrook street network (via Ishii Lane and Dalesman Lane) and that all water supply and wastewater disposal connects to established reticulated systems.

27.3.25.4 Require a Water Quality Management Plan be prepared and implemented that ensures development contributes to the improvement of water quality in the Lake Hayes catchment by:

(a) revegetating, rehabilitating, and protecting the Water Quality Conservation Areas mapped within the Structure Plan area, and their margins; and

(b) preventing any stock access to the water bodies and Water Quality Conservation Areas.

- 27.3.25.5 Require that the Shared Open Spaces identified on the Structure Plan are managed in a consistent and integrated manner in perpetuity to maintain rural amenity and character.
- 27.3.25.6 Ensure that accessway lighting shall be low in height from the ground, of reduced lux spill and directed downwards to avoid adverse effects on views of the night sky.
- 27.3.25.7 Ensure that accessways, landscaping, fencing and boundary treatments maintain rural landscape character and amenity.
- 27.3.25.8 Ensure effective visual containment and visual separation from Millbrook Resort and properties beyond the southern boundary of the site.

Ayrburn

27.3.26 Objective — Subdivision that provides for limited rural living, provided landscape character, visual amenity values and ecological and water quality values are maintained or enhanced.

Policies

- 27.3.26.1 Enable subdivision which is consistent with the Ayrburn Structure Plan located in Section 27.13.
- 27.3.26.2 Protect the open space values of Christine’s Hill and Ayrburn, including when viewed from the Countryside Trail where it is a public place, and the rural values of the paddocks adjoining Arrowtown-Lake Hayes Road.
- 27.3.26.3 Avoid buildings within Activity Area OS, as identified on the Ayrburn Structure Plan, and provide for the consistent and integrated management of Activity Area OS.
- 27.3.26.4 Ensure retention or replacement of trees within the TPA areas shown on the Ayrburn Structure Plan.
- 27.3.26.5 Provide for vehicle access by way of Ayr Avenue, as shown on the Ayrburn Structure Plan, to enable development of the land within the Ayrburn Structure Plan and the adjoining Waterfall Park Zone, but excluding vehicle access off Speargrass Flat Road.
- 27.3.26.6 Avoid on-site wastewater disposal within Ayrburn.
- 27.3.26.7 Ensure that stormwater discharges (including contaminants and sediment) avoid adverse effects on water quality in Lake Hayes.
- 27.3.26.8 Ensure indigenous riparian vegetation along the banks of Mill Creek and the Ephemeral Tributary within Ayrburn as shown on the Ayrburn Structure Plan.
- 27.3.26.9 Prevent commercial stock farming and application of fertiliser containing nitrogen or phosphorous.
- 27.3.26.10 Avoid adverse effects on developed properties caused by flood hazard.

27.4 Other Provisions and Rules

27.4.1 District Wide

The rules of the zone the proposed subdivision is located within are applicable. Attention is drawn to the following District Wide chapters.

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes and Rural Character
25 Earthworks	26 Historic Heritage	28 Natural Hazards
29 Transport	30 Energy and Utilities	31 Signs
32 Protected Trees	33 Indigenous Vegetation	34 Wilding Exotic Trees
35 Temporary Activities and Relocated Buildings	36 Noise	37 Designations
District Plan web mapping application		

27.4.2 Earthworks associated with subdivision

27.4.2.1 Refer to Chapter 25 Earthworks, Rule 25.3.2.5. Earthworks associated with subdivisions are subject to the earthworks standards in Chapter 25 (except Rule 25.2 maximum total volume, Rule 25.5.15 cut, Rule 25.5.16 fill and Rule 25.5.21 Cleanfill transported by roads) and shall be assessed against the matters of discretion and assessment matters in Chapter 25.

27.4.3 Natural Hazards

27.4.3.1 The Natural Hazards Chapter of the District Plan sets a policy framework to address land uses and natural hazards throughout the District. All subdivision is able to be assessed against a natural hazard through the provisions of section 106 of the RMA. In addition, in some locations natural hazards have been identified and specific provisions apply.

27.5 Rules - Subdivision

27.5.1 **All subdivision requires resource consent unless specified as a permitted activity. The abbreviations set out below are used in the following tables. Any activity which is not permitted (P) or prohibited (PR) requires resource consent.**

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

Where an activity falls within more than one rule, unless stated otherwise, its status shall be determined by the most restrictive rule.

	Boundary Adjustments	Activity Status
27.5.2	An adjustment to existing cross-lease or unit title due to:	P

	<ul style="list-style-type: none"> a. an alteration to the size of the lot by alterations to the building outline; b. the conversion from cross-lease to unit title; or c. the addition or relocation of an accessory building; d. providing the activity complies with all other provisions of the District Plan or has obtained a land use consent. <p>Advice Note:</p> <p>In order to undertake such a subdivision a certificate of compliance (s139 of the Act) will need to be obtained (see s223(1)(b)).</p>	
<p>27.5.3</p>	<p>For boundary adjustment subdivision activities where there are two or more existing lots which each have separate Certificates of Title, new lots may be created by subdivision for the purpose of an adjustment of the boundaries between the existing lots, provided:</p> <ul style="list-style-type: none"> a. in the case of the Rural, Gibbston Character and Rural Lifestyle Zones the building platform is retained in its approved location; b. no additional or relocated residential building platform is identified and approved as part of a boundary adjustment within Rural, Gibbston Character and Rural Lifestyle Zones; c. no additional separately saleable lots are created; d. the areas of the resultant lots either comply with the minimum lot size requirement for the zone (where applicable) or where any lot does not comply with an applicable minimum lot size requirement for the zone, the extent of such non-compliance is not increased; and e. lots must be immediately adjoining each other. <p>Control is reserved to:</p> <ul style="list-style-type: none"> a. the location of the proposed boundaries; b. boundary treatment; c. easements for existing and proposed access and services. 	<p>C</p>
<p>27.5.4</p>	<p>For boundary adjustments that either:</p> <ul style="list-style-type: none"> a. involve any site that contains a heritage or any other protected item identified on the District Plan web mapping application; or b. are within the urban growth boundary of Arrowtown; <p>where there are two or more existing lots which each have separate Certificates of Title, new lots may be created by subdivision for the purpose of an adjustment of the boundaries between the existing lots, provided:</p> <ul style="list-style-type: none"> a. no additional separately saleable lots are created; b. the areas of the resultant lots comply with the minimum lot size requirement for the zone; c. lots must be immediately adjoining each other; 	<p>RD</p>

	<p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. the impact on the heritage values of the protected item; b. the maintenance of the historic character of the Arrowtown Residential Historic Management Zone; c. the location of the proposed boundaries; d. boundary treatment; e. easements for access and services. 	
	Unit Title or Leasehold Subdivision	Activity Status
27.5.5	<p>Where land use consent is approved for a multi unit commercial, residential, or visitor accommodation development, or Ski Area Sub-Zone Accommodation or retail activity ancillary to Ski Area Activities within the Ski Area Sub-Zone and a unit title or leasehold (including cross lease) subdivision is subsequently undertaken in accordance with the approved land use consent, provided:</p> <ul style="list-style-type: none"> a. all buildings must be in accordance with an approved land use resource consent; b. all areas to be set aside for the exclusive use of each building or unit must be shown on the survey plan, in addition to any areas to be used for common access or parking or other such purpose; c. all service connections and on-site infrastructure must be located within the boundary of the site they serve or have access provided by an appropriate legal mechanism. <p>Control is reserved to:</p> <ul style="list-style-type: none"> a. the effect of the site design, size, shape, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces; b. the effects of and on infrastructure provision. <p>This rule does not apply a subdivision of land creating a separate fee simple title.</p> <p>The intent is that it applies to subdivision of a lot containing an approved land use consent, in order to create titles in accordance with that consent.</p>	C
	Subdivision Activities - District Wide	Activity Status
27.5.6	Any subdivision that does not fall within any rule in this section 27.5.	D
27.5.7	<p>All urban subdivision activities, unless otherwise provided for, within the following zones:</p> <ul style="list-style-type: none"> 1. Lower Density Suburban Residential Zone; 2. Medium Density Residential Zone; 3. High Density Residential Zone; 4. Town Centre Zones; 	RD

	<p>5. Arrowtown Residential Historic Management Zone;</p> <p>6. Large Lot Residential Zone;</p> <p>7. Local Shopping Centre;</p> <p>8. Business Mixed Use Zone;</p> <p>9. Airport Zone — Queenstown;</p> <p>10. Settlement Zone;</p> <p>11. General Industrial and Service Zone.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. subdivision design and any consequential effects on the layout of lots and on lot sizes and dimensions; b. Internal roading design and provision, relating to access to and service easements for future subdivision on adjoining land, and any consequential effects on the layout of lots, and on lot sizes and dimensions; c. property access and roading; d. esplanade provision; e. the adequacy of measures to address the risk of natural hazards; f. fire fighting water supply; g. water supply; h. stormwater design and disposal; i. sewage treatment and disposal; j. energy supply and telecommunications, including adverse effects on energy supply and telecommunication networks; k. open space and recreation; l. ecological and natural values; m. historic heritage; n. easements. <p>For the avoidance of doubt, where a site is governed by a Structure Plan, that is included in the District Plan, subdivision activities shall be assessed in accordance with Rule 27.7.1, unless otherwise stated.</p>	
27.5.8	<p>All subdivision activities, unless otherwise provided for, in the District's Rural Residential and Rural Lifestyle Zones</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. in the Rural Lifestyle Zone, the location and size of building platforms in respect of: 	RD

	<ul style="list-style-type: none"> i. external appearance; ii. landscape character and visual amenity. b. subdivision design and any consequential effects on the layout of lots and on lot sizes and dimensions; c. internal roading design and provision, relating to access and service easements for future subdivision on adjoining land, and any consequential effects on the layout of lots and on lot sizes and dimensions; d. property access and roading; e. esplanade provision; f. the adequacy of measures to address the risk of natural hazards; g. fire fighting water supply; h. water supply; i. stormwater disposal; j. sewage treatment and disposal; k. energy supply and telecommunications including adverse effects on energy supply and telecommunication networks; l. open space and recreation; m. ecological and natural values; n. historic heritage; o. easements. 	
27.5.9	<p>All subdivision activities, unless otherwise provided for, in the Wakatipu Basin Rural Amenity Zone or the Wakatipu Basin Lifestyle Precinct.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Location of building platforms and vehicle access; b. Subdivision design and lot layout including the location of boundaries, lot shape and dimensions (but excluding lot area); c. Location, scale and extent of landform modification, and retaining structures; d. Property access and roading; e. Esplanade provision; f. Natural hazards; g. Firefighting water supply and access; h. Water supply; i. Network utility services, energy supply and telecommunications; 	RD

	<p>j. Open space and recreation provision;</p> <p>k. Opportunities for nature conservation values, and natural landscape enhancement;</p> <p>l. Easements;</p> <p>m. Vegetation, and proposed planting;</p> <p>n. Fencing and gates;</p> <p>o. Wastewater and stormwater management;</p> <p>p. Connectivity of existing and proposed pedestrian networks, bridle paths, cycle networks;</p> <p>q. Where the site is located within the Lake Hayes Catchment as identified in Schedule 24.9, the contributions of, and methods adopted by, the proposal to improving water quality within the Lake Hayes Catchment.</p> <p><u>Advice Note:</u></p> <p>Refer to the Wakatipu Basin Rural Amenity Zone location specific rules in 27.7.18 — 27.7.21.</p>	
27.5.10	<p>Subdivision of land in any zone within the National Grid Subdivision Corridor except where any allotment identifies a building platform to be located within the National Grid Yard.</p> <p>Discretion is restricted to:</p> <p>a. impacts on the operation, maintenance, upgrade and development of the National Grid;</p> <p>b. the ability of future development to comply with NZECP34:2001;</p> <p>c. the location, design and use of any proposed building platform as it relates to the National Grid transmission line.</p> <p>d. the risk of electrical hazards affecting public or individual safety, and the risk of property damage.</p> <p>e. whether any proposed planting within the subdivision would result in the planting of trees or shrubs in the vicinity of the National Grid transmission lines and the potential for effects on the operation and security of the transmission lines.</p>	RD
27.5.11	<p>The subdivision of land that results in creation of an additional lot within an identified wāhi tūpuna area outside of the urban environment, where subdivision is a potential threat as set out in Schedule 39.6.</p> <p>For the purposes of this rule, the urban environment relates to those zones set out in Part 3: Urban Environment and the Open Space and Recreation Zones within the Urban Growth Boundary.</p> <p>Except that:</p> <p>a. Subdivision in accordance with rule 27.5.5 is exempt from rule 27.5.11.</p>	RD

	<p>Discretion is restricted to:</p> <p>a. Effects on Manawhenua values.</p> <p>Any application for resource consent under Rule 27.5.11 for restricted discretionary activities will not be publicly notified and for the purpose of limited notification, assessment of affected persons shall be limited to effects on Manawhenua.</p>	
27.5.12	All subdivision activities in the Rural Visitor Zone (excluding the Maungawera Rural Visitor Zone), Rural and Gibbston Character Zones and Airport Zone - Wanaka, unless otherwise provided for.	D
27.5.13	<p>The subdivision of land containing a heritage or any other protected item scheduled in the District Plan.</p> <p>This rule does not apply to boundary adjustments under Rule 27.5.4.</p>	D
27.5.14	The subdivision of land identified on the District Plan web mapping application as a Heritage Overlay Area.	D
27.5.15	The subdivision of a site containing a known archaeological site.	D
27.5.16	Subdivision that would alter, or create a new boundary within a Significant Natural Area scheduled in the District Plan.	D
27.5.17	A Unit Titles Act subdivision lodged concurrently with an application for building consent, or land use consent.	D
27.5.18	<p>Within the Jacks Point Zone, subdivision that does not comply with the minimum lot areas specified in Part 27.6 and the zone and location specific rules in Part 27.7, excluding:</p> <p>a. in the R(HD) activity area, where the creation of lots less than 380m² shall be assessed under Rule 27.7.5.2 (as a restricted discretionary activity).</p>	D
27.5.19	Within the Coneburn Industrial Zone Activity Area 2a, subdivision which does not comply with the minimum lot areas specified in Part 27.6.	D
27.5.19A	<p>Subdivision of any site within the Wakatipu Basin Rural Amenity Zone (outside the Lifestyle Precinct) where located within the following areas identified on the district plan web mapping application:</p> <p>a. <i>This has been left intentionally blank</i></p> <p>b. LCU 6 limited to the area identified as Hunter Road West</p> <p>c. <i>This has been left intentionally blank</i></p> <p>d. <i>This has been left intentionally blank</i></p> <p>e. LCU 12 limited to the areas identified as Hogans Gully Road South</p> <p>f. LCU 15 Hogans Gully (entire LCU excluding Hogans Gully Resort Zone)</p> <p>g. LCU 22 Hills (entire LCU)</p> <p>h. LCU 23 limited to the area identified as Malaghans Road South</p> <p>i. LCU 23 limited to the area identified as Arrowtown Lake Hayes Road East</p> <p>j. LCU 24 South Arrowtown</p>	D

27.5.20	Within the Wakatipu Basin Lifestyle Precinct, subdivision which does not comply with the minimum net site area specified in Part 27.6 provided that the minimum net site area is not less than 4,000m ² and the average area of all lots in the subdivision is not less than 0.8ha per lot.	D
27.5.21	Within the Wakatipu Basin Lifestyle Precinct, subdivision with a minimum net site area less than 4,000m ² or where the average area of lots in the subdivision is less than 0.8ha per lot.	NC
27.5.22	Subdivision that does not comply with the minimum lot areas specified in Part 27.6 with the exception of the Jacks Point Zone which is assessed pursuant to Rule 27.5.18 and Coneburn Industrial Zone Activity Area 2a which is assessed pursuant to Rule 27.5.19 and Wakatipu Basin Lifestyle Precinct Rules 27.5.20 and Cardrona Settlement Zone which is assessed pursuant to Rules 27.5.31 and 27.5.32.	NC
27.5.23	A subdivision under the Unit Titles Act not falling within Rules 27.5.5 or 27.5.17 where the building is not completed (meaning the applicable code of compliance certificate has not been issued), or building consent or land use consent has not been granted for the buildings.	NC
27.5.24	The further subdivision of an allotment that if undertaken as part of a previous subdivision would have caused that previous subdivision to exceed the minimum average density requirements for subdivision in the Rural Lifestyle Zone or the Rural Residential Zone.	NC
27.5.25	The subdivision of land resulting in the division of a building platform.	NC
27.5.26	The subdivision of a residential flat from a residential unit.	NC
27.5.27	Any subdivision of land in any zone within the National Grid Corridor, which does not comply with Rule 27.5.10.	NC
27.5.28	Subdivision that does not comply with the standards related to servicing and infrastructure under Rule 27.7.35.	NC
27.5.29	The further subdivision of an allotment that has previously been used to calculate the average lot size net site area for subdivision in the Wakatipu Basin Lifestyle Precinct, except where the further subdivision and any prior subdivision together complies with Rule 27.6.1 or Rule 27.5.20.	NC
27.5.30	All subdivision activities in the Maungawera Rural Visitor Zone	NC
27.5.31	Within the Cardrona Settlement Zone, subdivision which does not comply with the minimum lot areas specified in Part 27.6, but which relate to development that complies with Standard 20.5.21.	D
27.5.32	Within the Cardrona Settlement Zone, subdivision which does not comply with the minimum lot areas specified in Part 27.6, other than subdivision which relates to development that complies with Standard 20.5.2.	NC

27.6 Rules - Standards for Minimum Lot Areas

27.6.1 No lots to be created by subdivision, including balance lots, shall have a net site area or where specified, an average net site area less than the minimum specified.

(Note: in the Large Lot Residential A zone, the minimum or average lot size shall be determined by total area, not net site area)

Zone	Minimum Lot Area
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Town Centres		No minimum
Local Shopping Centre		No minimum
Business Mixed Use		200m ²
	Frankton North	No minimum
Airport		No minimum
Coneburn Industrial	Activity Area 1a	3000m ²
	Activity Area 2a	1000m ²
Residential	High Density	450m ²
	High Density at Frankton North	No minimum
	Medium Density	250m ²
	Lower Density Suburban	450m ² Within the Queenstown Airport Air Noise Boundary and Outer Control Boundary: 600m ² At Lake Hāwea South within Area B as identified in the Structure Plan in 27.13.19: 800m ²
	Arrowtown Residential Historic Management	800m ²
	Large Lot Residential A	1500m ² providing the average lot size is not less than 2000m ² (total area)
	Large Lot Residential B	4000m ²
Settlement	Luggate, Glenorchy, Kinloch, Kingston, Cardrona	800m ²
	Makarora	1,000m ²
Rural	Rural Gibbston Character	No minimum
	Wakatipu Basin Rural Amenity Zone	80ha
	Within the following areas of the Wakatipu Basin Rural Amenity Zone identified on the district plan web mapping application the minimum net site area and the average area of all lots in the subdivision is not less than:	
	<i>This has been left intentionally blank</i>	<i>This has been left intentionally blank</i>
	LCU 6 limited to the area identified as Hunter Road West	6,000m ² minimum and 5ha average
	<u>LCU 8, for the land comprised within the Ayrburn Structure Plan:</u>	
	<u>limited to the area within the Residential Activity Areas shown on the Ayrburn Structure Plan</u>	<u>6,000m² minimum and</u>

		1ha average
	<i>This has been left intentionally blank</i>	<i>This has been left intentionally blank</i>
	LCU 12 limited to the area identified as Hogans Gully Road South	6,000m ² minimum and 2ha average
	LCU 15 Hogans Gully (entire LCU excluding Hogans Gully Resort Zone)	4ha minimum and 6ha average
	LCU 22 The Hills (entire LCU)	3ha minimum and 4ha average
	LCU 23 limited to the area identified as Malaghans Road South	4,000m ² minimum and 1.5ha average
	LCU 23 limited to the area identified as Arrowtown Lake Hayes Road East	6,000m ² minimum and 1ha average
	LCU 24 South Arrowtown	1ha minimum and 3ha average
	Wakatipu Basin Lifestyle Precinct	6000m ² 1.0ha minimum average
Rural Lifestyle	Rural Lifestyle	One hectare providing the average lot size is not less than 2 hectares. For the purpose of calculating any average, any allotment greater than 4 hectares, including the balance, is deemed to be 4 hectares.
Rural Residential	Rural Residential	4000m ²
	Rural Residential Bob's Cove sub-zone	No minimum, providing the total lots to be created, inclusive of the entire area within the zone shall have an average of 4000m ² .
	Rural Residential Camp Hill	4000m ² with no more than 36 lots created for residential activity
Jacks Point	Residential Activity Areas — being the R(JP), R(HD), R(JP-SH), and R(HD-SH) areas.	380m ² In addition, subdivision shall comply with the average density requirements set out in Rule 41.5.1.1.
	All other activity areas.	No minimum
Millbrook		No minimum
Waterfall Park		No minimum
Open Space and		No minimum

Recreation Zones		
Gibbston Valley Resort Zone		No minimum
General Industrial and Service Zone		1000m ² Except: Subdivision of lots between 1000m ² and 500m ² shall be a discretionary activity. Subdivision of lots less than 500m ² shall be a non-complying activity.
Three Parks Commercial		No minimum
Three Parks Business		No minimum
High Density Residential — Three Parks Wānaka		No minimum
Rural Visitor Zone		No minimum
Hills Resort Zone		No minimum
Hogans Gully Resort Zone		Activity Areas VAR1 – VAR9: 600m ² All other Activity Areas: No Minimum

Advice Note:

Non-compliance with the minimum lot areas specified above means that a subdivision will fall under one of Rules 27.5.18-22 and Rules 27.5.31 and 27.5.32 depending on its location.

27.6.2 Lots created for access, utilities, roads and reserves shall have no minimum size.

27.7 Zone - Location Specific Rules

	Zone and Location Specific Rules	Activity Status
27.7.1	<p>Subdivision consistent with a Structure Plan that is included in the District Plan (except Structure Plans 27.13.7 Criffel Station, 27.13.9 Frankton North, 27.13.13 Connell Terrace, 27.13.14 Ballantyne Road, 27.13.19 Lake Hāwea South and 27.13.20 Wharehuanui Hills East Structure Plan, and 27.13.21 Ayrburn).</p> <p>Control is reserved to:</p> <ol style="list-style-type: none"> subdivision design and any consequential effects on the layout of lots and on lot sizes and dimensions; internal roading design and provision, and any consequential effects on the layout of lots, and on lot sizes and dimensions; property access and roading; esplanade provision; 	C

	<ul style="list-style-type: none"> e. the adequacy of measures to address the risk of natural hazards; f. fire fighting water supply; g. water supply; h. stormwater design and disposal; i. sewage treatment and disposal; j. energy supply and telecommunications, including adverse effects on energy supply and telecommunication networks; k. open space and recreation; and l. ecological and natural values; m. historic heritage; n. easements; o. any additional matters relevant to achievement of the objectives and policies in part 27.3 of this Chapter. 		
27.7.2	Kirimoko	C	
27.7.2.1	<p>In addition to those matters of control listed under Rule 27.7.1 when assessing any subdivision consistent with the principal roading layout depicted in the Kirimoko Structure Plan shown in part 27.13, the following shall be additional matters of control:</p> <ul style="list-style-type: none"> a. roading layout; b. the provision and location of walkways and the green network; c. the protection of native species as identified on the structure plan as green network. 		
	27.7.2.2	Any subdivision that does not comply with the principal roading layout and reserve net-work depicted in the Kirimoko Structure Plan included in Part 27.13 (including the creation of additional roads, and/or the creation of access ways for more than 2 properties).	NC
	27.7.2.3	Any subdivision of land zoned Rural proposed to create a lot entirely within the Rural Zone, to be held in a separate certificate of title.	NC
	27.7.2.4	Any subdivision of land described as Lots 3 to 7 and Lot 9 DP300734, and Lot 1 DP 304817 (and any title derived therefrom) that creates more than one lot that has included in its legal boundary land zoned Rural.	NC
27.7.3	Bob's Cove Rural Residential Sub-Zone	NC	
	27.7.3.1		<p>Activities that do not meet the following standards:</p> <ul style="list-style-type: none"> a. boundary planting — Rural Residential sub-zone at Bobs Cove: <ul style="list-style-type: none"> i. within the Rural Residential sub-zone at Bobs Cove, where the 15 metre building Restriction Area adjoins a development area, it shall be planted in indigenous tree and shrub species common to the area, at a density of one plant per square metre; and

		<ul style="list-style-type: none"> ii. where a building is proposed within 50 metres of the Glenorchy-Queenstown Road, such indigenous planting shall be established to a height of 2 metres and shall have survived for at least 18 months prior to any residential buildings being erected. <p>b. development areas and undomesticated areas within the Rural Residential sub-zone at Bob's Cove:</p> <ul style="list-style-type: none"> i. within the Rural Residential sub-zone at Bob's Cove, at least 75% of the zone shall be set aside as undomesticated area, and shown on the Subdivision Plan as such, and given effect to by consent notice registered against the title of the lots created, to the benefit of all lot holders and the Council; ii. at least 50% of the 'undomesticated area' shall be retained, established, and maintained in indigenous vegetation with a closed canopy such that this area has total indigenous litter cover. This rule shall be given effect to by consent notice registered against the title of the lot created, to the benefit of the lot holder and the Council; iii. the remainder of the area shall be deemed to be the 'development area' and shall be shown on the Subdivision Plan as such, and given effect to by consent notice registered against the title of the lots created, to the benefit of all holders and the Council; iv. the landscaping and maintenance of the undomesticated area shall be detailed in a landscaping plan that is provided as part of any subdivision application. This Landscaping Plan shall identify the proposed species and shall provide details of the proposed maintenance programme to ensure a survival rate of at least 90% within the first 5 years; and v. this area shall be established and maintained in indigenous vegetation by the subdividing owner and subsequent owners of any individual allotment on a continuing basis. Such areas shall be shown on the Subdivision Plan and given effect to by consent notice registered against the title of the lots; vi. any lot created that adjoins the boundary with the Queenstown-Glenorchy Road shall include a 15 metre wide building restriction area, and such building restriction area shall be given effect to by consent notice registered against the title of the lot created, to the benefit of the lot holder and the Council. 	
<p>27.7.4</p>	<p>Ladies Mile</p>	<p>27.7.4.1 Subdivision of land situated south of State Highway 6 ("Ladies Mile") and southwest of Lake Hayes that is zoned Lower Density Suburban Residential or Rural Residential as shown on the District Plan web mapping application and that does not meet the following standards:</p> <ul style="list-style-type: none"> a. the landscaping of roads and public places is an important aspect of property access and subdivision design. No subdivision consent shall be granted without consideration of appropriate landscaping of roads and public places shown on the plan of subdivision. b. no separate residential lot shall be created unless provision is made for pedestrian access from that lot to public open spaces and recreation areas within the land subject to the application for subdivision consent and to public open spaces and rural areas ad-joining the land subject to the application for subdivision consent. 	<p>C</p>

<p>27.7.5</p>	<p>Jacks Point</p> <p>27.7.5.1 Subdivision Activity failing to comply with the Jacks Point Structure Plan located within Section 27.13. For the purposes of interpreting this rule, the following shall apply:</p> <ul style="list-style-type: none"> a. a variance of up to 120m from the location and alignment shown on the Structure Plan of the Primary Road, and their intersection with State Highway 6, shall be acceptable; b. Public Access Routes and Secondary Roads, except as provided for in d. below, may be otherwise located and follow different alignments provided that any such alignment enables a similar journey; c. subdivision shall facilitate a road connection at each Key Road Connection shown on the Structure Plan to enable vehicular access to roads which connect with the Primary Roads, provided that a variance of up to 50m from the location of the connection shown on the Structure Plan shall be acceptable; d. Open Spaces are shown indicatively, with their exact location and parameters to be established through the subdivision process; and e. The following variances in the alignment of the secondary road access to Homesite HS58 shall be acceptable: <ul style="list-style-type: none"> i. Section 1 (S1) shall be aligned along the existing farm track with no variance allowed; ii. Section 2 (S2) shall be aligned within 5m of the identified access; and iii. Section 3 (S3) shall be aligned within 20m of the identified access. 	<p>D</p>
	<p>27.7.5.2 Subdivision failing to comply with the 380m² minimum lot size for subdivision within the Hanley Downs part of the Jacks Point Zone.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. subdivision design and any consequential effects on the layout of lots and on lot sizes and dimensions; b. internal roading design and provision, and any consequential effects on the layout of lots, and on lot sizes and dimensions; c. property access and roading; d. esplanade provision; e. the adequacy of measures to address the risk of natural hazards; f. fire fighting water supply; g. water supply; h. stormwater design and disposal; i. sewage treatment and disposal; j. energy supply and telecommunications, including adverse effects on 	<p>RD</p>

		<p>energy supply and telecommunication networks;</p> <p>k. open space and recreation; and</p> <p>l. ecological and natural values;</p> <p>m. historic heritage;</p> <p>n. easements;</p> <p>o. location and height of buildings, or parts of buildings, including windows;</p> <p>p. configuration of parking, access and landscaping.</p>	
	27.7.5.3	<p>Subdivision within the OSR-North Activity Area of the Jacks Point Zone that does not, prior to application for subdivision consent being made:</p> <p>a. provide to the Council noise modelling data that identifies the 55dB Ldn noise contour 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, based on any consented operations from the airstrip on Lot 8 DP443832; and</p> <p>b. register a consent notice on any title the subject of subdivision that includes land that is located between the 55 dB Ldn contour and the airstrip preventing any ASAN from locating on that land.</p>	NC
	27.7.5.4	<p>Subdivision of land comprising any of Homesite Activity Areas HS₃₈ — HS₅₆</p>	C
	Control is reserved to:		
		<p>a. Those matters listed under Rule 27.7.1;</p> <p>b. The content of the Vegetation Management Strategy;</p> <p>c. Indigenous biodiversity values;</p> <p>d. Ecological values;</p> <p>e. Landscape character and visual amenity values;</p> <p>f. The measures to ensure implementation of the Vegetation Management Strategy (including potential enforceability provisions); and</p> <p>g. The appropriateness of a legal instrument (s) registered on the titles to secure implementation of the Vegetation Management Strategy.</p>	
	<p><u>Information requirements:</u></p> <p>The Vegetation Management Strategy submitted as part of this Rule shall be prepared by a suitably qualified and experienced person to provide a holistic approach to revegetation of the homesites and the surrounding area of the tablelands. The Vegetation Management Strategy shall include the following information:</p> <p>a. A Vegetation Plan which includes:</p>		

	<p>i. A schedule of plant species numbers, and spacing, using locally appropriate eco-sourced native species;</p> <p>ii. The boundaries of the area subject to the Vegetation Management Strategy and the location of Homesites HS₃₈ to HS₅₆;</p> <p>iii. Identification of existing indigenous vegetation communities, including grey shrubland and wetland species, and provides a coherent pattern of new planting, which integrates with the existing indigenous vegetation and reinforces the existing landform patterning;</p> <p>iv. Any earthworks associated with the Vegetation Management Strategy; and</p> <p>v. The location and alignment of access, roading, sites for future dwellings and any associated earthworks, and integration of these built elements into the landscape when viewed from neighbouring homesites, public walkways, the Lodge Activity Area, Lake Wakatipu and Jacks Point Zone residential activity areas.</p> <p>b. Measures relating to the implementation of the Vegetation Plan, including:</p> <p>i. Protection of indigenous vegetation from grazing stock, weeds and other pests;</p> <p>ii. Irrigation methods, if required; and</p> <p>iii. Staging and timing of planting.</p> <p>c. A landscape assessment which:</p> <p>i. Includes the rationale for the boundaries for the proposed Vegetation Plan;</p> <p>ii. Demonstrates that the Vegetation Plan will result a coherent pattern of new planting, which integrates with the existing indigenous vegetation; establishes indigenous vegetation links within and between Homesites; and reinforces the existing landform patterning;</p> <p>iii. Demonstrates that the proposed planting will result in an improvement in indigenous biodiversity values across these Homesites and the surrounding Tablelands Landscape Protection Area;</p> <p>iv. Demonstrates that subdivision design elements, including vehicle access, have been integrated into the design of the proposed planting, taking into account views from:</p> <ul style="list-style-type: none"> • neighbouring homesites; • public walkways; • the Lodge Activity Area; • Lake Wakatipu; and • Jacks Point Zone residential activity areas. <p><u>Advice Note</u></p> <p>Noting that the purpose of the proposed planting is to assist the visual integration of development; and</p>	
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		v. Demonstrates that the Vegetation Plan will accommodate views from homesites to the surrounding mountains and lake.	
	Subdivision of any land containing Homesite Activity Areas HS38 -HS56		NC
	27.7.5.5	Subdivision of any land containing Homesite Activity Areas HS38 — HS56, that does not: <ul style="list-style-type: none"> a. Include a Vegetation Management Strategy that satisfies the information requirements in Rule 27.7.5.4; or b. Include all of Homesite Activity Areas HS38 to HS56 and any land within the Activity Areas OSL or OSG that is located between these Homesites. 	
	27.7.5.6	Subdivision of Subdivision of any part of Activity Areas OSL or OSG located outside of the lot containing Homesite Activity Areas HS38 — HS56 that does not provide for the implementation of the Vegetation Management Strategy provided in accordance within Rule 27. 7.5.4 prior to the issue of s224c) certification.	
	27.7.5.7	Subdivision of any land containing Homesite Activity Areas HS38 -HS56 that does not provide for the registration of a legal instrument on the relevant Record of Title which: <p>For the lot containing the Homesite Activity Area:</p> <ul style="list-style-type: none"> i. requires implementation of the Vegetation Management Strategy in accordance with Rule 27.7.5.4, including any ongoing commitments associated with the implementation of the vegetation plan, as relevant to each lot containing a homesite, including areas of existing vegetation prior to the occupation of the residential unit; ii. requires implementation of the measures detailed within provision 27.7.5.4 b.; and <p>For those lot/s containing any part of Activity Areas OSL or OSG located outside of the lot containing Homesite Activity Areas HS38 — HS56</p> <ul style="list-style-type: none"> iii. requires any ongoing commitments associated with the implementation of the measures detailed within provision 27.7.5.4 b. 	
27.7.6	Millbrook Resort Zone		D
	27.7.6.1	Any subdivision of the Millbrook Resort Zone that is inconsistent with the Millbrook Resort Zone Structure Plan contained in Section 27.13.	
27.7.7	Coneburn Industrial		NC
	27.7.7.1	Subdivision not in general accordance with the Coneburn Industrial Structure Plan located in Section 27.13. <p>For the purposes of this rule:</p> <ul style="list-style-type: none"> a. any fixed connections (road intersections) shown on the Structure Plan may be moved no more than 20 metres; b. any fixed roads shown on the Structure Plan may be moved no more than 50 metres in any direction; 	

		c. the boundaries of any fixed open spaces shown on the Structure Plan may be moved up to 5 metres.	
	27.7.7.2	<p>Subdivision failing to comply with any of the following:</p> <p>a. consent must have been granted under Rule 44.4.10 for landscaping of the Open Space Area shown on the Structure Plan in accordance with an Ecological Management Plan prior to lodgement of the subdivision application;</p> <p>b. subdivision of more than 10%, in area, of the Activity Areas shown on the Structure Plan shall not occur unless the work required under the Ecological Management Plan consented under Rule 44.4.10 has been completed on not less than 25% of the Open Space Area shown on the Structure Plan;</p> <p>c. subdivision of more than 25%, in area, of the Activity Areas shown on the Structure Plan shall not occur unless the work required under the Ecological Management Plan consented under Rule 44.4.10 has been completed on not less than 50% of the Open Space Area shown on the Structure Plan;</p> <p>d. subdivision of more than 50%, in area, of the Activity Areas shown on the Structure Plan shall not occur unless the work required under the Ecological Management Plan consented under Rule 44.4.10 has been completed on not less than 100% of the Open Space Area shown on the Structure Plan.</p>	NC
	27.7.7.3	<p>Subdivision whereby prior to the issue of a s224(c) certification under the Act for any subdivision of any land within the zone:</p> <p>a. prior to the Northern Access Point being constructed as a Priority T Intersection (Austroads Guide to Road Design (Part 4A)) and being available for public use every subdivision of any land within the zone must contain a condition requiring that the Northern Access Point be constructed as a Priority T Intersection (Austroads Guide to Road Design (Part 4A)) and be available for public use prior to issue of a s.224(c) certificate;</p> <p>b. any subdivision of land within the Activity Areas 1a and 2a which, by itself or in combination with prior subdivisions of land within the zone, involves subdivision of more than 25% of the land area of Activity Areas 1a and 2a must include a condition to provide the consent authority written confirmation from Waka Kotahi NZ Transport Agency that access for the subdivision via a dual circulating land roundabout with State Highway 6 at the Southern Access Point has been designed and constructed to a safe and acceptable standard.</p>	NC
27.7.8	West Meadows Drive		C
	27.7.8.1	<p>Subdivision of lots zoned Lower Density Suburban Residential at the western end of West Meadows Drive identified in Section 27.13.6 which is consistent with the West Meadows Drive Structure Plan in Section 27.13.</p> <p>Control is reserved to:</p> <p>a. the matters of control listed under Rule 27.7.1; and</p> <p>b. roading layout.</p>	
	27.7.8.2	Subdivision of lots zoned Lower Density Suburban Residential at the	D

		western end of West Meadows Drive identified in Section 27.13.6 that is inconsistent with the West Meadows Drive Structure Plan in Section 27.13.	
27.7.9	Frankton North		RD
	27.7.9.1	Subdivision in accordance with the Structure Plan 27.13.9 Frankton North.	
	27.7.9.2	All subdivision at Frankton North that complies with the following standards: <ul style="list-style-type: none"> a. access to the wider roading network shall only be via one or more of: <ul style="list-style-type: none"> i. Hansen Road; ii. Ferry Hill Drive; and/or iii. Hawthorne Drive/State Highway 6 roundabout. b. no subdivision shall be designed so as to preclude compliance with clause 27.7.9.2a, including in respect of access to adjacent sites. c. provision for a pedestrian and cycle path along the boundary with State Highway 6. 	
Discretion is restricted to: <ul style="list-style-type: none"> a. the matters contained in Rule 27.5.7; b. safe and effective functioning of the State Highway network, including no new access to State Highway 6; c. provision and integration of internal connections throughout Frankton North with the primary road that links State Highway 6 to Quail Rise, and Hansen Road; d. integration with pedestrian and cycling networks, including those across State Highway 6. e. provision for a pedestrian and cycle path along the boundary with State Highway 6. This is intended to provide a minimum path width of 2.5 metres, within the existing State Highway corridor, or where there is insufficient land within the State Highway corridor, within adjacent private land. f. Road design accounts for long-term traffic demands without the need for subsequent retrofitting or upgrade. 			
27.7.10	Any subdivision activity at Frankton North that does not comply with Rule 27.7.9.		D
27.7.11	Criffel Station Rural Lifestyle (upper terrace)		RD
	27.7.11.1	Subdivision consistent with Structure Plan 27.13.7 for the Criffel Station Rural Lifestyle (upper terrace).	
	Discretion is restricted to: <ul style="list-style-type: none"> a. The matters contained in Rule 27.5.8 with particular regard to the effects of lighting and mitigating the prominence of development from public places at night; b. Landscaping and land management (including fencing and any restrictions on ornamental gates) within the Building Restriction Areas of the Structure Plan consistent with Policies 27.3.13.1 and 27.3.13.2; and 		

	c. Weed and pest control within Building Restriction Area 2 of the Structure Plan in order to maintain and enhance indigenous vegetation and ecosystems consistent with Policy 27.3.13.2.		
27.7.12	Luggate Park		C
	27.7.12.1	In addition to those matters of control listed under Rule 27.7.1 when assessing any subdivision, the following shall be additional matters of control: <ul style="list-style-type: none"> a. Mounding and planting at the eastern edge of the Upper Plateau as identified on the Structure Plan in 27.13.8; b. Provision for restricting the height of buildings within the area identified on the Structure Plan in 27.13.8: c. Provision for the finished ground level of the area identified on the Structure Plan in 27.13.8 as subject to building height restriction of 5.5m being no greater than +279.00 MASL. 	
	27.7.12.2	Any building located on the Upper Plateau area as identified on the Structure Plan in 27.13.8 not in accordance with the Structure Plan in 27.13.8	NC
	27.7.12.3	Subdivision that is not consistent with the Structure Plan in 27.13.8.	NC
27.7.13	Gibbston Valley Resort Zone Any subdivision of the Gibbston Valley Resort Zone that is not in general accordance with the Gibbston Valley Resort Zone Structure Plan contained in Section 27.13.		D
27.7.14	Alpine Meadows		C
	27.7.14.1	In addition to those matters of control listed under Rule 27.7.1 when assessing any subdivision, the following shall be additional matters of control: <ul style="list-style-type: none"> a. The location of roading connection points, including internal road and connection points to Orchard Road can move +/- 30m. b. The provision of a public walkway and cycleway along the Orchard Road frontage. 	
	27.7.14.2	Any subdivision that is not consistent with the Structure Plan in 27.13.11.	NC
27.7.15	Three Parks Wānaka		C
	27.7.15.1	In addition to those matters of control listed under Rule 27.7.1 when assessing any subdivision consistent with the principal roading layout depicted in the Three Parks Structure Plan shown in part 27.13.12, the following shall be additional matters of control: <ul style="list-style-type: none"> a. roading layout; b. the provision and location of walkways and the green network; and c. the integrated approach to landscaping of the building restriction areas. <p>Note: for the western fixed road, two options are shown on the structure plan. Only either A or B is required to be constructed, not both.</p>	
	27.7.15.2	Any subdivision within the Three Parks High Density Residential zone.	D
	27.7.15.3	Any subdivision that does not comply with the Three Parks Structure Plan located in Section 27.13.12	NC
	For the purposes of this rule:		

		<p>a. any fixed connections (road intersections) shown on the Structure Plan may be moved no more than 20 metres;</p> <p>b. any fixed roads shown on the Structure Plan may be moved no more than 50 metres in any direction;</p> <p>c. the boundaries of any fixed open spaces shown on the Structure Plan may be moved up to 5 metres; and</p> <p>d. for the western fixed road, only either A or B is required to be constructed, not both.</p>	
	27.7.15.4	At Three Parks Wānaka no more than 10% of sites created shall be rear sites; except that; in the Medium Density Residential Zone at Three Parks Wānaka no rear sites shall be created.	NC
27.7.16	Connell Terrace Structure Plan		RD
	27.7.16.1	<p>Subdivision consistent Structure Plan 27.13.13 Connell Terrace.</p> <p>Discretion is restricted to:</p> <p>a. the matters of control listed in Rule 27.7.1;</p> <p>b. roading layout;</p> <p>c. the provision and location of walkways and the green network; and</p> <p>d. the integrated approach to landscaping of the building restriction areas.</p>	
	27.7.16.2	Any subdivision that does not comply with the Connell Terrace Structure Plan located in Section 27.13.	NC
	For the purposes of this rule:		
		<p>a. any fixed roads shown on the Structure Plan may be moved no more than 20 metres;</p> <p>b. the boundaries of any fixed open spaces shown on the Structure Plan may be moved up to 5 metres; and</p> <p>c. landscaping along the western boundary of the BRA shall be either;</p> <p>i. a 3-5m height and 15-20m width mounding with predominantly evergreen planting with a height of 5-6m; or</p> <p>ii. 30m strip of dense predominantly evergreen planting with a height of at least 8 metres.</p>	
27.7.17	Ballantyne Road Structure Plan		RD
	27.7.17.1	<p>Subdivision consistent Structure Plan 27.13.14 Ballantyne Road.</p> <p>Discretion is restricted to:</p> <p>a. the matters of control listed in Rule 27.7.1</p> <p>b. roading layout;</p> <p>c. the provision and location of walkways and the green network; and</p> <p>d. the integrated approach to landscaping of the building restriction</p>	

		areas.	
	27.7.17.2	Any subdivision that does not comply with the Ballantyne Road Structure Plan located in Section 27.13.	NC
	For the purposes of this rule:		
	<p>a. any fixed roads shown on the Structure Plan may be moved no more than 20 metres; and</p> <p>b. the boundaries of any fixed open spaces shown on the Structure Plan may be moved no more than 5 metres.</p>		
	Kawarau Heights		C
	27.7.17.3	In addition to those matters of control listed under Rule 27.7.1, when assessing any subdivision, the following shall be additional matters of control: <p>a. consistency with the Kawarau Heights Design Guidelines 2020;</p> <p>b. earthworks, mounding and planting within the southern extent of the Structure Plan area and the escarpments in proximity to the Rural Zone ONL.</p>	
	27.7.17.4	Any subdivision that is not in accordance with the Structure Plan contained in 27.13.15.	NC
	27.7.17.5	Prior to the upgrade of the State Highway 6 and Howards Drive intersection, to a roundabout or another intersection design, up to 55 residential allotments may be created; or	NC
	27.7.17.6	If, prior to the upgrade of the State Highway 6 and Howards Drive intersection, to a roundabout or another intersection design, the Boat Shed cafe approved pursuant to resource consent SH160140 is operational, up to 19 residential allotments may be created.	
	Note: The creation of allotments means the issue of s224(c) certification under the Resource Management Act 1991.		
27.7.18	Wakatipu Basin Rural Amenity Zone		RD
	Setback from Roads		
	27.7.18.1	The minimum setback of any building platform identified through subdivision from any road boundary (other than an unformed road or as specified in Rule 27.7.18.3) shall be: <p>a. 75m in the Lifestyle Precinct; and</p> <p>b. 20m in the Rural Amenity Zone.</p>	
	27.7.18.2	The minimum setback of any building platform identified through subdivision from any unformed road shall be 20m in the Rural Amenity Zone and Lifestyle Precinct.	
	27.7.18.3	For the site(s) in the triangular Precinct located at the intersection of Arrowtown-Lake Hayes Road and McDonnell Road and within 250m of that intersection (measured from the centre of the intersection with Arrowtown-Lake Hayes Road) the minimum setback of any building platform from the McDonnell Road boundary shall be 20m provided that the minimum setback shall be 50m where any building on any adjacent site along that part of the frontage in the Precinct is or is proposed to be setback at less than 50m but not less than 20m from that frontage.	

	<p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Building Platform location as it relates to views from the road or unformed road to ONFs and ONLs and other mapped features; b. Scale of future buildings; c. Landscaping/planting (existing and proposed); d. Within Lot 2 DP 392663, Part Lot 7 DP 392663, and Part Lot 2 DP 501981 (or subsequent title/s) and Part Section 1 SO 23541 (or subsequent title/s), avoiding the potential effects of a linear pattern of built development when viewed from McDonnell Road or distant public elevated viewpoints in Arrowtown, on Tobins Track, and Feeley Hill, that may contribute to a perception of urban sprawl along McDonnell Road taking into account building platform location, setback and mitigation proposed. 	
<p>27.7.18A</p>	<p>Wakatipu Basin Rural Amenity Zone — Lifestyle Precinct</p> <p>Setback from Arrowtown Retirement Village</p> <p>The set back of buildings from the southern boundary of Lot 2 DP 392663, Part Lot 7 DP 392663, and Part Lot 2 DP 501981 (or subsequent title/s) (adjacent to the Arrowtown Retirement Village, McDonnell Road, Arrowtown) shall be defined by a line between:</p> <ul style="list-style-type: none"> i. a point at the McDonnell Road boundary 75m from the southern boundary of Lot 2 DP 392663; and ii. a point at the western boundary of the Precinct in this location and 25m from the southern boundary of Part Lot 7 DP 392663. <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Effects on the visual legibility of the boundary between Lifestyle Precinct development within Lot 2 DP 392663, Part Lot 7 DP 392663, and Part Lot 2 DP 501981 (or subsequent title/s) and the Arrowtown Retirement Village; b. Maintaining an open space buffer between Lifestyle Precinct development and the Arrowtown Retirement Village; c. Avoiding a linear pattern of built development when viewed from McDonnell Road or distant elevated viewpoints, through building location and landscaping; d. Scale of future buildings; e. Landscaping/planting (existing and proposed). 	<p>RD</p>
<p>27.7.18B</p>	<p>Wakatipu Basin Rural Amenity Zone — Lifestyle Precinct</p> <p>Access</p> <p>Access to lots created within Lot 2 DP 392663, Part Lot 7 DP 392663, and Part Lot 2 DP 501981 (or subsequent title/s) shall be from the western boundary of</p>	<p>NC</p>

	the Lifestyle Precinct and shall connect to McDonnell Road via existing roading within The Hills Resort Zone. There shall be no direct access from the Lifestyle Precinct to McDonnell Road.	
27.7.18C	Wakatipu Basin Rural Amenity Zone — Lifestyle Precinct Lot layout Within Part Section 1 SO 23541 (or subsequent title/s), there shall be no more than two residential building platforms located east of the 398masl contour closest to McDonnell Road.	NC
27.7.19	Wakatipu Basin Rural Amenity Zone Setback from Escarpment, Ridgeline and River Cliff Features	RD
27.7.19.1	Within the Lifestyle Precinct only, any building platform identified through subdivision, or vehicle access shall be located a minimum of 50m from the boundary of any Escarpment, Ridgeline or River Cliff Feature shown on the District Plan web mapping application.	
	Discretion is restricted to: a. Building platform location as it relates to any Escarpment, Ridgeline or River Cliff Feature shown on the District Plan web mapping application; b. Scale of buildings; c. Landform modification and earthworks; d. Landscaping/planting (existing and proposed).	
27.7.20	Wakatipu Basin Rural Amenity Zone Setback from waterbodies	RD
27.7.20.1	The minimum setback of any building platform identified through subdivision from the bed of a wetland, river or lake shall be 30m. This rule shall not apply to waterbodies that have been built or are proposed as part of a subdivision or development for the primary purpose of treating and disposing of stormwater.	
	Discretion is restricted to: a. Biodiversity and nature conservation values; b. Landscape and natural character; c. Landform modification and earthworks; d. Natural hazards; e. Esplanade provision.	
27.7.21	Wakatipu Basin Rural Amenity Zone Size of Building Platforms	NC
27.7.21.1	Any building platform identified shall be not less than 70m ² in area and not	

	greater than 1000m ² in area.	
27.7.22	Hills Resort Zone	C
27.7.22.1	Subdivision comprising all of any part of Activity Areas A1, A2, A3, A4, A5, A7, A8, A9, A10, A11, S1, S2 and HS1 - HS5:	
	<p>Control is reserved to:</p> <ol style="list-style-type: none"> a. The matters listed under Rule 27.7.1 b. The methods to achieve a comprehensive approach to wastewater treatment and stormwater management. c. The effectiveness of the LAMA proposed, in terms of its contribution to visual coherence and amenity, whether it ensures integration and whether it provides adequate mitigation of future buildings proposed within the relevant Activity Area when viewed from public viewpoints outside the Zone, including: <ol style="list-style-type: none"> i. the extent to which any existing vegetation should be retained; ii. the size, volume and batter of any earthworks required; iii. the species mix, proposed density and location of any new vegetation and its size at planting and maturity; iv. ongoing maintenance requirements and obligations, including the replacement of any diseased, damaged, dead or dying plants; v. irrigation methods; vi. the extent to which the earthworks are congruous with the landscape. d. The approach to establishment of the LAMA. For these purposes “established” means that the works required, including all planting, irrigation installation, and any earthworks: <ol style="list-style-type: none"> i. are implemented and physically completed; and ii. have been audited by the Council no sooner than 6 months following physical completion; and iii. have been certified by the Council as being completed. e. For the purpose of clause c above, Activity Area 4 and LAMA L4 may be established in stages (Sub Areas 4.1, 4.2 and 4.3), as shown on the indicative LAMA design/layout plans in Section 47.8. f. The mechanisms (including (but not limited to) requirements for the works to be established prior to issue of certification under section 224(c) and registration of any legal instruments on the title(s) of the land to ensure ongoing compliance and monitoring) to ensure that: <ol style="list-style-type: none"> i. Any LAMA will be established prior to construction of any buildings in any Activity Area; ii. Ongoing commitments exist in relation to the maintenance and management of the LAMA, including through a landscape management strategy; iii. Ongoing monitoring requirements. 	

	<p>Information requirements</p> <p>Where LAMA is proposed as part of any application for subdivision, the application must be accompanied by a LAMA strategy prepared by a suitably qualified and experienced person. The LAMA strategy shall include the following information:</p> <p>A description of the LAMA proposed relative to the subject Activity Area, including any new vegetation, existing vegetation to be retained, earthworks (including mounding and shaping), and/or other measures.</p> <p>If the LAMA proposed departs from the indicative LAMA plans in Section 47.8, an assessment which explains the rationale for any departures and which demonstrates that the LAMA proposed will result in an effective approach to the mitigation and integration of built form, and contribute to coherence and amenity within the Zone.</p>	
<p>27.7.23</p>	<p>Hills Resort Zone</p> <p>Subdivision comprising all of any part of Activity Areas A1, A2, A3, A4, A5, A7, A8, A9, A10, HS3, S1 and S2 where the LAMA in proximity to the Activity Area has not been established in accordance with Rule 47.4.3, or is not proposed through subdivision.</p>	<p>NC</p>
<p>27.7.24</p>	<p>Hills Resort Zone</p> <p>Subdivision comprising all of any part of Activity Areas A1, A2, A3, A4, A5, A7, A8, A9, A10, HS3, S1 and S2 where the application is not accompanied by the information required by Rule 27.7.15.1 (if applicable).</p>	<p>NC</p>
<p>27.7.25</p>	<p>Hogans Gully Resort Zone</p> <p>27.7.25.1 Subdivision comprising all of any part of Activity Areas C, M, VA, VAR 1 — VAR 9, HS, PG, EG and LP</p> <p>Control is reserved to:</p> <ul style="list-style-type: none"> a. The matters listed under Rule 27.7.1. b. The methods to achieve a comprehensive approach to wastewater treatment and stormwater management. c. The methods to ensure that the design and external appearance of all buildings within the lots created will be sympathetic to the landscape setting. d. The content of the Hogans Gully Ecological Management Plan and Revegetation Strategy (EMPRS). The purpose of the EMPRS is to ensure that Policies 48.2.1.12 and 48.2.1.13 are achieved, that viable indigenous habitats that can support a variety and indigenous fauna are established within the Zone, and that the planting areas contribute to blending built development into the local and wider landscape. e. Implementation of the EMPRS including (but not limited to) requirements for works to be completed prior to any certification under s224(c) of the Act and via any legal instruments on the title(s) of the land within Activity Areas VA and VAR 1 — VAR 9 to ensure ongoing compliance and monitoring with the EMPRS. f. The content of legal instruments on the title(s) of the land within Activity Areas VAR1 — VAR9 requiring the following ongoing responsibilities of owners: <ul style="list-style-type: none"> i. the lot owner shall ensure that the lot is kept free of noxious weeds and in a 	<p>C</p>

neat and tidy condition;

- ii. All vegetation required within the lot by Part 48.7 (Landscaping and Site Treatment Details) shall be maintained in perpetuity by the owner.

Information and outcomes requirements:

Any application for subdivision shall include an EMPRS. The EMPRS shall be prepared by a suitably qualified ecologist and shall set out the detail of and programme for the specific works required in Items 1 — 110 below and the satisfaction of Item 11:

1. The areas shall be rabbit fenced and where necessary stock fenced to permanently exclude grazing animals from these areas.
2. All woody weeds and wilding species including but not limited to willows, briar, hawthorn, broom and wilding conifers shall be removed and shall not be replanted.
3. Pest species shall be controlled.
4. No indigenous vegetation shall be removed except where necessary for restoration purposes or for the replacement of diseased or dying vegetation.
5. New indigenous vegetation shall be:
 - planted at a maximum of 1.2 m centres;
 - planted within a protective shelter;
 - planted with fertiliser,
 - of revegetation grade and eco-sourced.
6. Restoration of dryland communities should consist of a combination of indigenous species that represent the pre-human plant diversity within the Wakatipu Basin and provide for vegetation complexity (e.g. kowhai, *Olearia*'s, *Coprosma*s, hebes and native broom). Species selected shall increase plant diversity and provide a food source for invertebrates, lizards and birds within these areas.
7. Restoration of wetlands and riparian areas shall occur using native species such as *Carex*, *Juncus*, toetoe and flax and supported by shrubland species tolerant of periodic saturation such as *Coprosma propinqua*, *Olearia lineata*, and kowhai.
8. All indigenous vegetation within the dryland areas shall be supported by irrigation for at least 3 years following the installation of the plantings.
9. Twice yearly maintenance (Autumn and Spring) of ecological plantings shall occur for the first five years.
10. An annual audit shall be undertaken to assess the performance of the ecological plantings for the first 3 years of the project and subsequently on a biennial basis. An audit report shall be submitted to council documenting the findings of the audit. The audit report shall address pest and weed control programs undertaken throughout the year, any replacement planting required, the overall plant losses and percentage survival of the plantings and proposed amendments to the EMPRS.
11. Completion of the works in 1 — 10 above will be when all the plantings, irrigation and rabbit and stock proof fencing has been installed for a period of 12 months

	<p>and the first audit report finds the performance metrics and objectives of the EMPRS have been achieved.</p> <p><i>Staging</i></p> <p>The ecological works required in Items 1 — 10 above shall be undertaken in accordance with A, B, C and R of the Ecological Planting and Staging Plan at Chapter 48, Part 48.12.</p>		
	27.7.25.2	Subdivision comprising all of any part of Activity Areas VA, VAR 1 —VAR 9 where the application is not accompanied by the information required by Rule 27.7.XX.1 (if applicable).	NC
	27.7.25.3	Subdivision that:	NC
		a. would exceed the following lot numbers per Activity Area in Activity Areas VAR 1 — VAR 9:	
	Activity Area	Number of lots	
	VAR 1	5	
	VAR 2	10	
	VAR 3	13	
	VAR 4	4	
	VAR 5	4	
	VAR 6	6	
	VAR 7	7	
	HS	1	
27.7.26		Subdivision that is not in accordance with the Hogans Gully Resort Zone Structure Plan at 27.13.17.	NC
27.7.27		Orchard Road and Riverbank Road	D
		Any subdivision, use or development that is inconsistent with the Riverbank Road Structure Plan contained in Section 27.13.18.	
		Lake Hāwea South Structure Plan (Schedule 27.13.19)	
		All references to a structure plan in the following rules are to the Lake Hāwea South Structure Plan	
27.7.28	27.7.28.1	<p>In addition to those matters listed under Rule 27.5.7, when assessing any subdivision in accordance with the Lake Hāwea South Structure Plan contained in Schedule 27.13.19, the following shall be additional matters of discretion:</p> <p>a. the comprehensive landscape design and planting of the building restriction areas to the extent applicable for each sage and as required by Rule 27.7.28.6 Building Restriction Areas below.</p> <p>b. design parameters are required to be secured through an appropriate legal mechanism for lots that adjoin open space areas including the location and visual permeability/transparency of fencing, materials and landscaping, and restricting fencing height to 2.0 metres.</p>	RD

	<p>c. the extent that any subdivision and development of Area A identified on the Structure Plan ensures a logical progression of subdivision from north to southwards.</p> <p>d. The extent that subdivision and development of the Medium Density Residential Zone ensures a logical progression from the east adjacent to Longview Drive, to a westwards direction. e. where a reserve as identified on the Structure Plan forms part of an area proposed for subdivision, the final position of the reserve and its dimensions, except the market square which has a fixed location and dimensions.</p>	
	<p>27.7.28.2 Structure Plan</p> <p>Any subdivision that is not in accordance with the Structure Plan contained in Section 27.13.19</p> <p>For the purposes of interpreting this rule, the following shall apply:</p> <p>a. the Primary Road connections on Domain Road may move, however the same number of connections shall be provided.</p> <p>b. roading connections may move by up to 50m where they do not connect to an existing road.</p> <p>c. the location of the reserves may move and dimension amended provided the area of each reserve and frontage to roads and walkways remain, except the market square which has a fixed location and dimensions.</p>	NC
	<p>27.7.28.3 Roading Upgrades</p> <p>The subdivision of land (within the entire Structure Plan area) when taken cumulatively, results in more than 990 lots for residential or commercial activity unless:</p> <p>a. the Domain/Cemetery Roundabout has been completed and is available for public use; or</p> <p>b. any resource consent which exceeds 990 lots as identified in Rule 27.7.28.3 includes a condition requiring that the Domain/Cemetery Roundabout must be completed prior to the issuing of a s224 certificate.</p>	NC
	<p>27.7.28.4 Future Potential School</p> <p>The subdivision of the area identified as a Future School Site for residential activity or any other activity other than for education purposes, for a period of 7 years commencing on 29 May 2023. This rule shall not apply if the Ministry of Education has designated land for a new school elsewhere in Lake Hāwea (not including the existing school at Hāwea Flat), or the Ministry of Education confirms in writing to the Chief Executive of the Council that the Future School Site is of no interest as a school to the Ministry of Education.</p>	NC
	<p>27.7.28.5</p> <p>All subdivision and development within the Structure Plan area must be connected to Council owned and operated wastewater treatment and disposal systems.</p>	NC
	<p>27.7.28.6 Building Restriction Area</p> <p>a. The subdivision of any land for residential activity within Area A of the Lower Density Suburban Residential Zone as identified on the Structure Plan, and the Medium Density Residential Zone, shall include the development of the entire</p>	NC

	<p>water race as it relates to the land on the eastern side of the unformed north to south road.</p> <p>b. The subdivision of land for residential activity on the western side of the unformed legal road shall include the development of the entire water race as it relates to the land on the western side of the unformed legal road, except for subdivision within Area B as identified on the Structure Plan.</p> <p>c. Any resource consent which exceeds an accumulative total of 500 lots for residential activity within Area A shall include the 2.0ha reserve and the entire Building Restriction Area within Area A bordering the western, southern and eastern perimeters of the Structure Plan area, and the development of the Building Restriction Area trail and planting must be completed prior to the issuing of a s224 certificate for the relevant subdivision which exceeds 500 lots for residential activity.</p> <p>Note: In rules a. to c. development means the formation of the walkway/trail for use by the public and installation of plantings, and any necessary maintenance measures such as irrigation and pest management measures (as necessary). .</p>	
27.7.29	<p>Atkins Road Luggate Settlement Zone</p> <p>27.7.29.1 Subdivision of the Settlement Zone on the northern side of the terrace Building Restriction Area at Atkins Road Luggate.</p> <p>Discretion is restricted to:</p> <p>a. The matters contained in Rule 27.5.7;</p> <p>b. Provision for a minimum setback of 6m for future buildings from the Rural Zone boundary;</p> <p>c. Provision for visually permeable fencing (no higher than 1.6m) along the boundary with the Rural Zone; and</p> <p>d. Landscaping along the boundary with the Rural Zone to soften the interface of development with the Rural Zone boundary, to create a distinct, landscaped edge at the Settlement Zone boundary.</p>	RD
27.7.30	<p>Wharehuanui Hills East Structure Plan (Schedule 27.13.20)</p> <p>27.7.30.1 Subdivision in the Wharehuanui Hills East area provided that:</p> <p>(a) the subdivision is in accordance with Structure Plan 27.13.20 for the Wharehuanui Hills East area provided that:</p> <p>i. any building platform is not located more than 5m from the position shown on the structure plan;</p> <p>ii. any roading is located greater than 5m but less than 15m from the position showing on the structure plan; and</p> <p>iii. any Water Quality Conservation Area is located greater than 5m but less than 15m from the position shown on the structure plan.</p> <p>(b) a Structural Planting Areas Plan has been prepared in accordance with clause (1) below; and</p> <p>(c) a Water Quality Management Plan has been prepared in accordance with clause (2) below.</p> <p>Discretion is restricted to:</p> <p>(a) The matters of discretion listed under Rule 27.5.9.</p>	RD

	<p>(b) The content of the Structural Planting Areas Plan for the Structural Planting Areas shown on the Structure Plan.</p> <p>(d) The methods to ensure that the planting required by the Structural Planting Areas Plan will be established prior to construction of residential units in the Structure Plan area, along with any required ground preparation, irrigation and pest management.</p> <p>(c) The content of the Water Quality Management Plan for the Water Quality Conservation Areas (including their margins and water quality improvement conservation areas), as shown on the Structure Plan, including the contributions of, and methods adopted by, the proposal to improving water quality within the Lake Hayes Catchment.</p> <p>(e) The methods to ensure that works required by the Water Quality Management Plan will be implemented prior to construction of any residential units in the Structure Plan area, or where necessary any specific methods required to be implemented prior to subdivision construction.</p> <p>(d) The methods to ensure that the planting required by the Structural Planting Areas Plan and the works required by the Water Quality Management Plan will be maintained in perpetuity, including by way of legal instruments on the title/s of the lots within the Structure Plan area.</p> <p>(f) The effects of lighting and mitigating the potential prominence of development when viewed from public places at night.</p> <p>(e) Fencing and gates, recognising that visible non-rural fencing, hedgerows or avenue planting should be avoided.</p> <p>(g) The effects of cut and fill earthworks and the need to minimise significant landform modification.</p> <p>(j) The visual effects of accessways, driveway surfaces and any associated retaining structures when viewed from the following elevated views, recognising that these should be finished in dark, visually recessive materials:</p> <ul style="list-style-type: none"> • Malaghans Road and the cricket pavilion car park; • Feehly Hill excluding those parts that are not public places; • Coronet Peak Road at Coronet Base Station; • Hogans Gully Road; and • Tobins Track excluding any parts that are not public places. <p>(k) The methods to ensure that the Shared Open Spaces identified on the Wharehuanui Hills East Structure Plan are managed in a consistent, effective and integrated manner in perpetuity.</p> <p>(l) The intended mechanisms for ensuring that the Shared Open Spaces identified on the Wharehuanui Hills Structure Plan are managed in a consistent and integrated manner in perpetuity to:</p> <ol style="list-style-type: none"> i. maintain or enhance landscape character and visual amenity values; and ii. maintain predominant rural landscape character when viewed from: <ul style="list-style-type: none"> • Malaghans Road and the cricket pavilion car park; • Feehly Hill excluding those parts that are not public places; • Coronet Peak Road at Coronet Base Station; • Hogans Gully Road; and • Tobins Track excluding any parts that are not public places. <p>Additional matters in relation to roading:</p>	
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	<p>(m) Whether the roading location maintains or improves landscape and visual values relative to the position on the Structure Plan.</p> <p>(n) Whether the roading provides for visual containment and visual separation from Millbrook Resort and properties beyond the southern boundary of the Structure Plan area.</p> <p>(o) Effects on other features identified on the structure plan.</p> <p>Additional matters in relation to Water Quality Conservation Areas:</p> <p>(p) Consistency with the purpose of the Water Quality Management Plan.</p> <p>(q) The methods to ensure that works required by the Water Quality Management Plan will be implemented prior to construction of any residential units in the Structure Plan area, including any specific methods required to be implemented prior to subdivision construction.</p> <p>Information requirements:</p> <ol style="list-style-type: none"> 1. Any application for subdivision shall include a Structural Planting Areas Plan for the Structural Planting Areas shown on the Structure Plan, as follows: <ol style="list-style-type: none"> (a) The Plan shall be prepared by a suitably qualified landscape architect or botanical expert; (b) The Plan shall include (but not be limited to) the following species: <ol style="list-style-type: none"> i. Beech ii. Kowhai iii. Pittosporum iv. Coprosma provided that, where a Structural Planting Area coincides with a Water Quality Conservation Area, planting shall be in native species only. (c) The planting shall be: <ol style="list-style-type: none"> i. at a maximum of 1.2m centres; ii. within a protective shelter where necessary; iii. of revegetation grade and ecosourced; iv. supported by irrigation; v. fenced, where necessary, to avoid interference by stock or rabbits. Completion of the works in (b) and (c) above will be when all the plantings and irrigation have been installed and monitored for a period of 12 months. 2. Any application for subdivision shall include a Water Quality Management Plan for the Water Quality Conservation Areas as shown on the Structure Plan. The purpose of the Water Quality Management Plan is the improvement of water quality within the Lake Hayes catchment, and shall: <ol style="list-style-type: none"> (a) be prepared by a suitably qualified plant ecologist and a hydrological / water quality expert; (b) provide for the restoration of the Water Quality Conservation Areas mapped on the Structure Plan by removing non-native species and establishing native species including (but not limited to) Carex, Juncus, toetoe and flax and supported by shrubland species tolerant of periodic saturation such as Coprosma propinqua, Olearia lineata, and kowhai; (c) provide for exclusion of stock and rabbits; 	
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	<p>d) provide for avoidance or mitigation of erosion;</p> <p>e) ensure that locations of development and disturbance are consistent with the avoidance and protection of the Water Quality Conservation Areas shown in the Structure Plan.</p> <p>f) set out mechanisms for ensuring that the methods identified in (b), (c) and (d) above are implemented and maintained in perpetuity in order to achieve the objectives of the Water Quality Management Plan.</p>	
	<p>27.7.30.2 Any subdivision that:</p> <p>(a) is not a restricted discretion activity in accordance with Rule 27.7.29.1 above; or</p> <p>(b) creates new titles that are not required to connect to reticulated water supply and wastewater disposal systems; or</p> <p>(c) Creates any building platform closer than 15m from any boundary with Millbrook.</p>	NC
27.7.31	<p><u>Ayrburn Structure Plan</u></p> <p><u>27.7.31.1 Any subdivision which is not consistent with the Ayrburn Structure Plan contained in Section 27.13 or which does not require the following works to be completed prior to issue of s224(c) certification:</u></p> <p>(a) <u>The margins and banks along both sides of the full length of Mill Creek and the Ephemeral Tributary as shown on the Ayrburn Structure Plan shall be planted in indigenous riparian species (excluding vehicle and pedestrian / cycle crossings). The planting shall have a minimum width of 2m and a minimum average width of 3m, including the upper and lower bank zones;</u></p> <p>(b) <u>Works, including fencing and/or planting, shall ensure that stock is prevented from accessing Mill Creek and the Ephemeral Tributary;</u></p> <p>(c) <u>A grass strip of minimum width 1m shall be provided between the riparian planting and any stock fencing.</u></p>	NC
	<p><u>27.7.31.2 Any subdivision which does not impose the following controls as conditions in a registered Consent Notice:</u></p> <p>(a) <u>No vegetation other than pasture grass, crops or grapevines shall be planted within any Activity Area OS provided that this control does not apply to planting to maintain or replace trees and landscaping along Ayr Avenue.</u></p> <p>(b) <u>No vegetation other than pasture grass shall be planted within Activity Area OS adjoining the northern boundary of Ayrburn which adjoins the Millbrook Zone (Christine's Hill) above the Pasture Line shown on the Ayrburn Structure Plan.</u></p> <p>(c) <u>Trees and all other vegetation over 2m in height located within a TPA shown on the Structure Plan ("Trees") cannot be removed or trimmed, except as authorised under (aa), (bb) or (cc) below.</u></p> <p style="padding-left: 40px;"><u>(aa) The landowner may remove some or all Trees provided that:</u></p> <p style="padding-left: 80px;">i. <u>the landowner has first planted replacement Trees which will achieve the same or similar visual screening effect; and</u></p>	NC

	<p>ii. <u>existing evergreen Trees are replaced by evergreen Trees; and</u></p> <p>iii. <u>the replacement Trees have reached a height of 4m above ground level.</u></p> <p>(bb) <u>This standard does not apply to, or restrict the trimming of:</u></p> <p>i. <u>branches of Trees within the TPA which extend beyond the boundaries of the TPA;</u></p> <p>ii. <u>Trees which, in the opinion of an experienced arborist, need to be removed or trimmed for safety reasons.</u></p> <p>(cc) <u>Trees within the TPA west of Mill Creek identified in a Written Approval provided by the adjoining landowner directly south of the Trees to be removed or trimmed.</u></p> <p>(d) <u>No building shall be located within Activity Area OS.</u></p> <p>(e) <u>No wastewater shall be discharged to land within Ayrburn.</u></p> <p>(f) <u>No fertiliser containing nitrogen or phosphorous shall be applied within Ayrburn provided this restriction does not apply to the initial establishment of hydroseed grass areas and other plants or to the use of organic fertiliser such as compost, manure or seaweed.</u></p> <p>(g) <u>There shall be no commercial livestock farming within Ayrburn.</u></p> <p>(h) <u>There shall be no motor vehicle access into Ayrburn from the legal road adjoining the western boundary of Ayrburn, provided that this restriction does not apply to electric bicycles, mobility scooters or golf buggies.</u></p>	
	<p>27.7.31.3 <u>Any subdivision which is not subject to a registered Consent Notice condition requiring that the planting carried out under Rule 27.7.31.1 is maintained in perpetuity and that, if any plant dies or becomes diseased, it shall be replaced as soon as practicable. Maintenance shall include weed and pest control.</u></p>	<p>NC</p>

27.7.31

In the following zones, every allotment created for the purposes of containing residential activity shall identify one building platform of not less than 70m² in area and not greater than 1000m² in area.

- a. Rural Zone;
- b. Gibbston Character Zone;
- c. Rural Lifestyle Zone;

27.7.32

The dimensions of lots in the following zones, other than for access, utilities, reserves or roads, shall be able to accommodate a square of the following dimensions:

Zone		Minimum Dimensions (m =
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		Metres)
Residential	Medium Density	12m x 12m
	Large Lot	30m x 30m
	All others	15m x 15m
Settlement	All Settlements	15m x 15m
Rural Residential	Rural Residential (inclusive of sub-zones)	30m x 30m

27.7.33 Subdivision applications not complying with either Rule 27.7.31 or Rule 27.7.32 shall be non-complying activities.

27.7.34 Subdivision associated with infill development

The specified minimum allotment size in Rule 27.6.1, and minimum dimensions in Rule 27.7.32 shall not apply in the High Density Residential Zone, Medium Density Residential Zone and Lower Density Suburban Residential Zone where each allotment to be created, and the original allotment, all contain at least one established residential unit (established meaning a Building Code of Compliance Certificate has been issued or alternatively where a Building Code of Compliance Certificate has not been issued, construction shall be completed to not less than the installation of the roof).

27.7.35 Subdivision associated with residential development on sites less than 450m² in the Lower Density Suburban Residential Zone

27.7.35.1 In the Lower Density Suburban Residential Zone, the specified minimum allotment size in Rule 27.6.1 shall not apply in cases where the residential units are not established, providing;

- a. a certificate of compliance is issued for a residential unit(s); or
- b. a resource consent has been granted for a residential unit(s).

In addition to any other relevant matters pursuant to s221 of the Act, the consent holder shall register on the Computer Freehold Register of the applicable allotments:

- c. that the construction of any residential unit shall be undertaken in accordance with the applicable certificate of compliance or resource consent (applies to the additional undeveloped lot to be created);
- d. the maximum building height shall be 5.5m (applies to the additional undeveloped lot to be created).
- e. there shall be not more than one residential unit per lot (applies to all lots).

27.7.35.2 Rule 27.7.35.1 shall not apply to the Lower Density Suburban Residential Zone within the Queenstown Airport Air Noise Boundary and Outer Control Boundary as shown on the District Plan web mapping application.

27.7.36 Standards related to servicing and infrastructure

Water

27.7.36.1 Subject to Rule 27.7.36.3, all lots, other than lots for access, roads, utilities and reserves

except where irrigation is required, shall be provided with a connection to a reticulated water supply laid to the boundary of the net area of the lot, as follows:

To a Council or community owned and operated reticulated water supply:

- a. all Residential, Business, Town Centre, Local Shopping Centre Zones, and Airport Zone - Queenstown;
- b. Rural Residential Zones at Wānaka, Lake Hāwea, Albert Town, Luggate and Lake Hayes;
- c. Millbrook Resort Zone and Waterfall Park Zone;
- d. Settlement Zone at Luggate, Glenorchy, Cardrona and Kingston.

27.7.36.2 Where any reticulation for any of the above water supplies crosses private land, it shall be accessible by way of easement to the nearest point of supply.

27.7.36.3 Where no communal owned and operated water supply exists, all lots other than lots for access, roads, utilities and reserves, shall be provided with a potable water supply of at least 1000 litres per day per lot.

Telecommunications/Electricity

27.7.36.4 Electricity reticulation must be provided to all allotments in new subdivisions (other than lots for access, roads, utilities and reserves).

27.7.36.5 Telecommunication services must be available to all allotments in new subdivisions in the Rural Zone, Gibbston Character Zone and Rural Lifestyle Zone (other than lots for access, roads, utilities and reserves).

27.7.36.6 Telecommunication reticulation must be provided to all allotments in new subdivisions in zones other than the Rural Zone, Gibbston Character Zone and Rural Lifestyle Zone (other than lots for access, roads, utilities and reserves).

27.8 Rules - Esplanade Reserve Exemptions

27.8.1 Esplanade reserves or strips shall not be required where a proposed subdivision arises solely due to land being acquired or a lot being created for a road designation, utility or reserve or in the case of activities authorised by Rule 27.5.2.

27.9 Assessment Matters for Resource Consents

27.9.1 Boundary Adjustments

In considering whether or not to impose conditions in respect to boundary adjustments under Rule 27.5.3 and in considering whether or not to grant consent or impose conditions in respect to boundary adjustments under 27.5.4, the Council shall have regard to the

following assessment criteria:

- 27.9.1.1 Assessment Matters in relation to Rule 27.5.3 (Boundary Adjustments)
- a. whether the location of the proposed boundaries is appropriate, including in relation to their relationship to approved residential building platforms, existing buildings and vegetation patterns and existing or proposed accesses;
 - b. whether the site design, size, shape, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces:
 - i. is able to accommodate development in accordance with the relevant district-wide and zone rules; and
 - ii. the potential effects on the safety of pedestrians and cyclists and other users of the space or access;
 - c. whether any landscape features or vegetation, including mature forest, on the site are of a sufficient amenity value that they should be retained and if so, the proposed means for their protection;
 - d. the extent to which Policies 27.2.1.7, 27.2.3.2, 27.2.5.10, 27.2.5.11, 27.2.5.14 and 27.2.7.2 are achieved.
- 27.9.1.2 Assessment Matters in relation to Rule 27.5.4 (Boundary Adjustments involving Heritage Items and within Arrowtown's urban growth boundary)
- a. whether the location of the proposed boundaries is appropriate, including in relation to their relationship to existing buildings and vegetation patterns and existing or proposed accesses;
 - b. whether the site design, size, shape, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces:
 - i. is able to accommodate development in accordance with the relevant district-wide and zone rules; and
 - ii. the potential effects on the safety of pedestrians and cyclists and other users of the space or access;
 - c. whether any landscape features or vegetation, including mature trees, on the site are of a sufficient amenity value that they should be retained and, if so, the proposed means for their protection;
 - d. the effect of subdivision on any places of heritage value including existing buildings, archaeological sites and any areas of cultural significance.
 - e. where lots are being amalgamated within the Medium Density Residential Zone and Lower Density Suburban Residential Zone, the extent to which future development will affect the historic character of the Arrowtown Residential Historic Management Zone;
 - f. the extent to which Policies 27.2.1.7, 27.2.3.2, 27.2.4.2, 27.2.4.4, 27.2.5.10, 27.2.5.11, 27.2.5.14 and 27.2.7.2 are achieved.

27.9.2 Controlled Unit Title and Leasehold Subdivision Activities

In considering whether or not to impose conditions in respect to unit title or leasehold subdivision under Rule 27.5.5, the Council shall have regard to the following assessment

criteria:

27.9.2.1 Assessment Matters in relation to Rule 27.5.5 (Unit Title or Leasehold Subdivision)

- a. whether all buildings comply with an approved resource consent;
- b. whether the location of the proposed boundaries is appropriate, including in relation to their relationship to existing buildings and existing or proposed accesses;
- c. whether the site design, size, shape, gradient and location, including existing buildings, manoeuvring areas and outdoor living spaces:
 - i. is able to accommodate development in accordance with the relevant district-wide and zone rules; and
 - ii. the potential effects the safety of pedestrians and cyclists and other users of the space or access;
- d. the effects of and on infrastructure provision;
- e. The extent to which Policies 27.2.1.7, 27.2.3.1, 27.2.3.2, 27.2.5.10, 27.2.5.11 and 27.2.5.14 are achieved.

27.9.3 Restricted Discretionary Activity Subdivision Activities

In considering whether or not to grant consent or impose conditions under Rules 27.5.7 and 27.5.8, the Council shall have regard to the following assessment criteria:

27.9.3.1 Assessment Matters in relation to Rule 27.5.7 (Urban Subdivision Activities)

- a. whether lot sizes and dimensions are appropriate in respect of widening, formation or upgrading of existing and proposed roads and any provisions required for access for future subdivision on adjoining land;
- b. consistency with the principles and outcomes of the QLDC Subdivision Design Guidelines;
- c. whether any landscape features or vegetation, including mature forest, on the site are of a sufficient ecological and natural value that they should be retained and the proposed means for their protection;
- d. the effect of subdivision on any places of heritage value including existing buildings, archaeological sites and any areas of cultural significance;
- e. whether the location, alignment, gradients and pattern of roading, service lanes, pedestrian accessways and cycle ways is appropriate, including as regards their safety and efficiency;
- f. the extent to which the provision of land for open space and recreation is provided for having regard to recreational needs and environmental effects of open spaces and recreational facilities;
- g. whether the purposes for the creation of esplanade reserves or strips set out in section 229 of the Act are achieved;
- h. whether services are to be provided in accordance with Council's Code of Practice for Subdivision;

-
- i. whether effects on electricity and telecommunication networks are appropriately managed. Where the site contains, or is adjacent to road containing Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application, consideration shall also be had to:
 - a. the effects on the operation, maintenance or minor upgrading of that infrastructure;
 - b. Whether the network operator or suitably qualified engineer has provided confirmation that subdivision design would ensure that future development achieves NZECP34:2001;
 - j. whether appropriate easements are provided for existing and proposed access and services;
 - k. the extent to which natural hazard risk is appropriately managed in accordance with the relevant provisions of Chapter 28.

27.9.3.2

Assessment Matters in relation to Rule 27.5.8 (Rural Residential and Rural Lifestyle Subdivision Activities)

- a. The extent to which subdivision design (including the location of building platforms) manages effects on landscape values, landscape character and visual amenity values;
- b. the extent to which the location and size of building platforms could adversely affect adjoining non residential land uses;
- c. whether and what controls are required on buildings within building platforms to manage their external appearance or visibility from public places, or their effects on landscape character and visual amenity;
- d. the extent to which lots have been orientated to optimise solar gain for buildings and developments;
- e. whether lot sizes and dimensions are appropriate in respect of widening, formation or upgrading of existing and proposed roads and any provision required for access for future subdivision on adjoining land.
- f. whether any landscape features or vegetation, including mature forest, on the site are of a sufficient amenity value that they should be retained and the proposed means for their protection;
- g. the effect of subdivision on any places of heritage value including existing buildings, archaeological sites and any areas of cultural significance;
- h. whether the location, alignment, gradients and pattern of roading, service lanes, pedestrian accessways and cycle ways is appropriate, including as regards their safety and efficiency;
- i. whether the purposes for the creation of esplanade reserves or strips set out in section 229 of the Act are achieved;
- j. whether services are to be provided in accordance with Council's Code of Practice for Subdivision;
- k. whether effects on electricity and telecommunication networks are appropriately managed. Where the site contains, or is adjacent to road containing Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application, consideration shall also be had

to:

- a. the effects on the operation, maintenance or minor upgrading of that infrastructure;
- b. Whether the network operator or suitably qualified engineer has provided confirmation that subdivision design would ensure that future development achieves NZECP34:2001;
- l. whether appropriate easements are provided for existing and proposed access and services;
- m. where no reticulated water supply is available, whether sufficient water supply and access to water supplies for firefighting purposes in accordance with the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 is provided.
- n. the extent to which a natural hazard risk is appropriately managed in accordance with the relevant provisions of Chapter 28.

27.9.3.3

Assessment Matters in relation to Rule 27.5.9 (Wakatipu Basin Rural Amenity zone and Wakatipu Basin Lifestyle Precinct Subdivision Activities)

Subdivision Design and Landscape

- a. The maintenance of the Basin's landscape character and visual amenity values including reference to the identified elements set out in Schedule 24.8 — Landscape Character Units, and the following assessment matters:
 - i. the retention of existing vegetation and landform patterns;
 - ii. the alignment of lot boundaries in relation to landform and vegetation features and neighbouring development;
 - iii. earth mounding, and framework planting to integrate buildings and vehicle access;
 - iv. planting of appropriate species that are suited to the general area, including riparian restoration planting;
 - v. the retirement of steep slopes over 15° and restoration planting to promote slope stabilisation and indigenous vegetation enhancement;
 - vi. the integration of controls for future development that address building height, building colours and materials, building coverage, earthworks, retaining, fencing, gates, vehicle access (including paving materials), external lighting, and domestic infrastructure (including water tanks).
 - vii. the integration of existing and provision for new public walkways and cycleways/bridlepaths;
 - viii. whether the use of varied allotment sizes maintains a sense of spaciousness, or successfully integrates development with existing landform, vegetation or settlement patterns.
- b. The extent to which existing covenants or consent notice conditions need to be retained or are otherwise integrated into the conditions governing the proposed development.
- c. Where the site adjoins an ONF or ONL, the extent to which the development affects

the values of that ONF or ONL.

- d. The extent to which development affects Escarpment, Ridgeline and River Cliff Features shown on the District Plan web mapping application, and in particular whether a building platform, access or associated earthworks would be visually prominent on escarpments, river cliff features and ridgelines, as viewed from any public place, including roads.
- e. Where building platforms are proposed to be located within the road setback, the extent to which future development (including landscaping and mounding) will maintain views to Outstanding Natural Features and the surrounding Outstanding Natural Landscape mountain context when viewed from the road.
- f. Where the site size and dimensions are such that compliance with the setback from roads, or the setback from any Escarpment, Ridgeline or River Cliff Feature is not practicable, the extent to which any adverse effects arising from the visibility of future buildings or access is mitigated or remedied, acknowledging the constraints of the site.
- g. Whether mitigation elements such as a landscape management plan or proposed plantings should be subject to bonds or consent notices.
- h. Whether the layout of reserves and accessways provides for adequate public access and use.
- i. Whether the proposed subdivision provides an opportunity to maintain landscape character and visual amenity through the registration of covenants or consent notices requiring open space to be maintained.

Access and Connectivity

- j. Whether proposed sites are located and designed so that each site has a minimum frontage that provides for practical, legal and safe access from a formed public road that is suitable for both normal road going vehicles and construction traffic.
- k. Whether the location and design of any proposed pedestrian, cycle, bridlepaths and vehicle access on the proposed site(s) avoid or minimise any adverse effects on soil stability, landform patterns and features, and vegetation.
- l. Whether subdivision provides for safe and practical pedestrian paths and cycle ways (whether sealed or unsealed) and bridle paths that are located in a manner which connect, or have the potential to connect, to reserves (existing or proposed), roads and existing rural walkways and cycle ways.
- m. Whether site design recognises any impact of roading and access on waterbodies, ecosystems, drainage patterns and ecological values.
- n. Whether any subdivision provides for future roads to serve surrounding land or for road links that need to pass through the subdivision.

Infrastructure and Services

- o. Ensuring there is sufficient capacity and treatment to provide for the safe and efficient disposal of stormwater and wastewater from possible future development without adversely affecting natural water systems and ecological values.
- p. Ensuring the design of stormwater and wastewater disposal systems incorporate measures to reduce runoff rates where there may be damage caused to natural waterway systems.
- q. Whether any subdivision proposal demonstrates how any natural water system on the

site will be managed, protected or enhanced.

- r. Whether subdivision provides for an adequate and reliable supply of potable water to each proposed site.
- s. Whether subdivision provides for an adequate and reliable supply of emergency water supply to each site in the event of fire.
- t. Whether subdivision has sufficient capacity for the disposal of any effluent or other wastewater flow within the boundaries of each proposed site regardless of seasonal variations and loading.
- u. Assessing where more than one site will be created, whether a shared or individual wastewater treatment and disposal system is the most appropriate, having regard to any known physical constraints.
- v. Considering the extent to which easements and consent notices should be applied to protect the integrity of stormwater and/or wastewater treatment and disposal systems.
- w. Assessing the extent to which access easements should provide for lines, including electric lines, telecommunication lines and other lines, where such lines or cables are or may be located within any private property and serve other properties or sites.
- x. Whether sites can be connected to services such as telecommunications and electricity using low impact design methods including undergrounding of services.

aaaaaaaaaaaaaaaaaaaa. Whether effects on electricity and telecommunication networks are appropriately managed. Where the site contains, or is adjacent to road containing Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application, consideration shall also be had to:

- a. the effects on the operation, maintenance or minor upgrading of that infrastructure;
- b. Whether the network operator or suitably qualified engineer has provided confirmation that subdivision design would ensure that future development achieves NZECP34:2001.

Nature Conservation and Cultural values

- y. Considering the extent to which the subdivision provides for ecological restoration and enhancement. Ecological enhancement may include enhancement of existing vegetation, replanting and weed and pest control.
- z. Assessing the extent to which the subdivision design and layout preserves or enhances areas of archaeological, cultural or spiritual significance.
- aa. Considering the benefits of the removal of identified wilding exotic trees.
- bbb. Where the subdivision land includes waterbodies, considering the extent to which remediation measures and methodologies can be employed to avoid, remedy or mitigate any adverse effects on human health, water quality, and to the downstream receiving environment.

Hazards

- cccc. The extent to which natural hazard risk is appropriately managed in accordance with the relevant provisions of Chapter 28.

Lake Hayes Catchment

In addition to the matters above, where the site is located within the Lake Hayes Catchment identified in Schedule 24.9, the following are applicable.

- dddd. The extent to which the proposal minimises erosion or sediment during construction, having regard to the provisions of Chapter 25 Earthworks, in particular Policies 25.2.1.1 and 25.2.1.7 and Assessment Matters 25.8.2 and 25.8.6.
- eeeeee. The extent to which the proposal avoids or mitigates any potential adverse effects on surface waterbodies and ecological values through the adoption of measures to reduce stormwater runoff adverse effects from the site, including the implementation of low impact design techniques.
- ffffff. Where a waterbody is located on the site, the effectiveness of riparian planting to filter sediment and reduce sediment concentrations in stormwater runoff.
- gggggggg. The extent to which erosion and sediment management and/or on-site stormwater management systems are commensurate with the nature, scale and location of the activity.
- hhhhhhhh. The extent to which the proposal contributes to water quality improvement, including by:
 - i. stabilising the margins of waterways, riparian planting and ongoing management;
 - ii. Reducing inputs of phosphorus and nitrogen into the catchment;
 - iii. Implementing a nutrient management plan;
 - iv. Restoring, maintaining, and constructing new, wetlands for stormwater management;
 - v. Offering any voluntary contribution (including financial) to water quality improvement works off-site in the catchment.
- iiiiiiii. Practicable constraints limited to situations where no further improvements to stormwater runoff management can be achieved.
- jjjjjjjj. Whether new development can be connected to reticulated services, or if connections are not available, whether onsite systems provide for the safe disposal of stormwater and wastewater without adversely affecting natural water systems and ecological values.

27.9.4 Restricted Discretionary Activity - Subdivision Activities within National Grid Corridor

In considering whether or not to grant consent or impose conditions in respect to subdivision activities under Rules 27.5.10, the Council shall have regard to the following assessment criteria:

27.9.4.1 Assessment Matters in relation to Rule 27.5.10. (National Grid Subdivision Corridor)

- a. whether the allotments are intended to be used for residential or commercial activity;
- b. the need to identify a building platform to ensure future buildings are located outside the National Grid Yard;

- c. the ability of future development to comply with NZECP34:2001;
- d. potential effects of the location and planting of vegetation on the National Grid;
- e. whether the operation, maintenance and upgrade of the National Grid is restricted;
- f. the extent to which Policy 27.2.2.8A is achieved.

27.9.5 Controlled Subdivision Activities — Structure Plan

In considering whether or not to impose conditions in respect to subdivision activities undertaken in accordance with a structure plan under Rules 27.7.1 and 27.7.2.1, the Council shall have regard to the following assessment criteria:

27.9.5.1 Assessment Matters in relation to Rule 27.7.1

- a. consistency with the relevant location specific objectives and policies in part 27.3;
- b. the extent and effect of any minor inconsistency or variation from the relevant structure plan.

27.9.5.2 Assessment Matters in relation to Rule 27.7.2.1 (Kirimoko)

- a. the assessment criteria identified under Rule 27.7.1;
- b. the appropriateness of any earthworks required to create any road, vehicle accesses, of building platforms or modify the natural landform;
- c. the appropriateness of the design of the subdivision including lot configuration and roading patterns and design (including footpaths and walkways);
- d. whether provision is made for creation and planting of road reserves
- e. whether walkways and the green network are provided and located as illustrated on the Structure Plan for the Kirimoko Block in part 27.13;
- f. whether native species are protected as identified on the Structure Plan as green network;
- g. The extent to which Policies 27.3.2.1 to 27.3.2.10 are achieved.

27.9.6 Restricted Discretionary Activity-Subdivision Activities within the Jacks Point Zone

In considering whether or not to grant consent or impose conditions in respect to subdivision activities under Rule 27.7.5.2, the Council shall have regard to the following assessment criteria:

27.9.6.1 Assessment Matters in relation to Rule 27.7.5.2 (Jacks Point)

- a. the assessment criteria identified under Rule 27.7.1 as it applies to the Jacks Point Zone;
- b. the visibility of future development from State Highway 6 and Lake Wakatipu;
- c. the appropriateness of the number, location and design of access points;

- d. the extent to which nature conservation values are maintained or enhanced;
- e. the adequacy of provision for creation of open space and infrastructure;
- f. the extent to which Policy 27.3.7.1 is achieved;
- g. the extent to which sites are configured:
 - i. with good street frontage;
 - ii. to enable sunlight to existing and future residential units;
 - iii. to achieve an appropriate level of privacy between homes.
- h. the extent to which parking, access and landscaping are configured in a manner which:
 - i. minimises the dominance of driveways at the street edge;
 - ii. provides for efficient use of the land;
 - iii. maximises pedestrian and vehicular safety;
 - iv. addresses nuisance effects such as from vehicle lights.
- i. the extent to which subdivision design satisfies:
 - i. public and private spaces are clearly demarcated, and ownership and management arrangements are proposed to appropriately manage spaces in common ownership.
 - j. whether design parameters are required to be secured through an appropriate legal mechanism. These are height, building mass, window sizes and locations, building setbacks, fence heights, locations and transparency, building materials and landscaping.
- k. the extent to which natural hazard risk is appropriately managed in accordance with the relevant provisions of Chapter 28.

27.9.7 Controlled Activity-Subdivision Activities on West Meadows Drive

In considering whether or not to impose conditions in respect to subdivision activities under Rule 27.7.8.1, the Council shall have regard to the following assessment criteria:

- 27.9.7.1 Assessment Matters in relation to Rule 27.7.8.1
- a. the assessment criteria identified under Rule 27.7.1 as they apply to the West Meadows Drive area.
 - b. the extent to which the roading layout integrates with the operation of West Meadows Drive as a through-road.

27.10 Rules - Non-Notification of Applications

Applications for all controlled and restricted discretionary activities shall not require the written approval of other persons and shall not be notified or limited notified except:

- a. where the Council is required to undertake statutory consultation with iwi;
- b. where the application falls within the ambit of Rule 27.5.4;
- c. where the application falls within the ambit of Rule 27.5.10 and the written approval of Transpower New Zealand Limited has not been obtained to the application;
- d. where discretion or control relates to property access and roading and the site adjoins or has access directly onto a State Highway, an activity may be limited notified, in respect of those matters of discretion or control, if the written approval of the New Zealand Transport Agency has not been obtained to the application.
 - i. notwithstanding d. above, where an application falls within the ambit of Rule 27.7.9, an activity may be limited notified if the written approval of the New Zealand Transport Agency has not been obtained to the application.
- e. Where applications fail to comply with location specific Wakatipu Basin Rural Amenity Zone Rules 27.7.18.1 - Setback from Roads and 27.7.19 - Setback from Escarpment. Ridgeline, or River Cliff features.

27.11 Advice Notes

27.11.1 State Highways

- 27.11.1.1 Attention is drawn to the need to obtain a Section 93 notice from the New Zealand Transport Agency for all subdivisions with access onto state highways that are declared Limited Access Roads (LAR). Refer to the Designations Chapter of the District Plan for sections of state highways that are LAR as at August 2015. Where a subdivision will change the use, intensity or location of the access onto the state highway, subdividers should consult with the New Zealand Transport Agency.

27.11.2 Esplanades

- 27.11.2.1 The opportunities for the creation of esplanades are outlined in objective and policies 27.2.6. Unless otherwise stated, section 230 of the Act applies to the standards and process for creation of esplanade reserves and strips.

27.11.3 New Zealand Electrical Code of Practice for Electrical Safe Distances

- 27.11.3.1 Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances ("NZECP34:2001") is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including any activities that are otherwise permitted by the District Plan must comply with this legislation.

To assist plan users in complying with NZECP 34:2001, the major distribution components of the Aurora network (the Electricity sub-transmission infrastructure and Significant electricity distribution infrastructure) are shown on the District Plan web mapping application.

For the balance of Aurora's network plan users are advised to consult with Aurora's network maps at www.auroraenergy.co.nz or contact Aurora for advice.

27.12 Financial Contributions

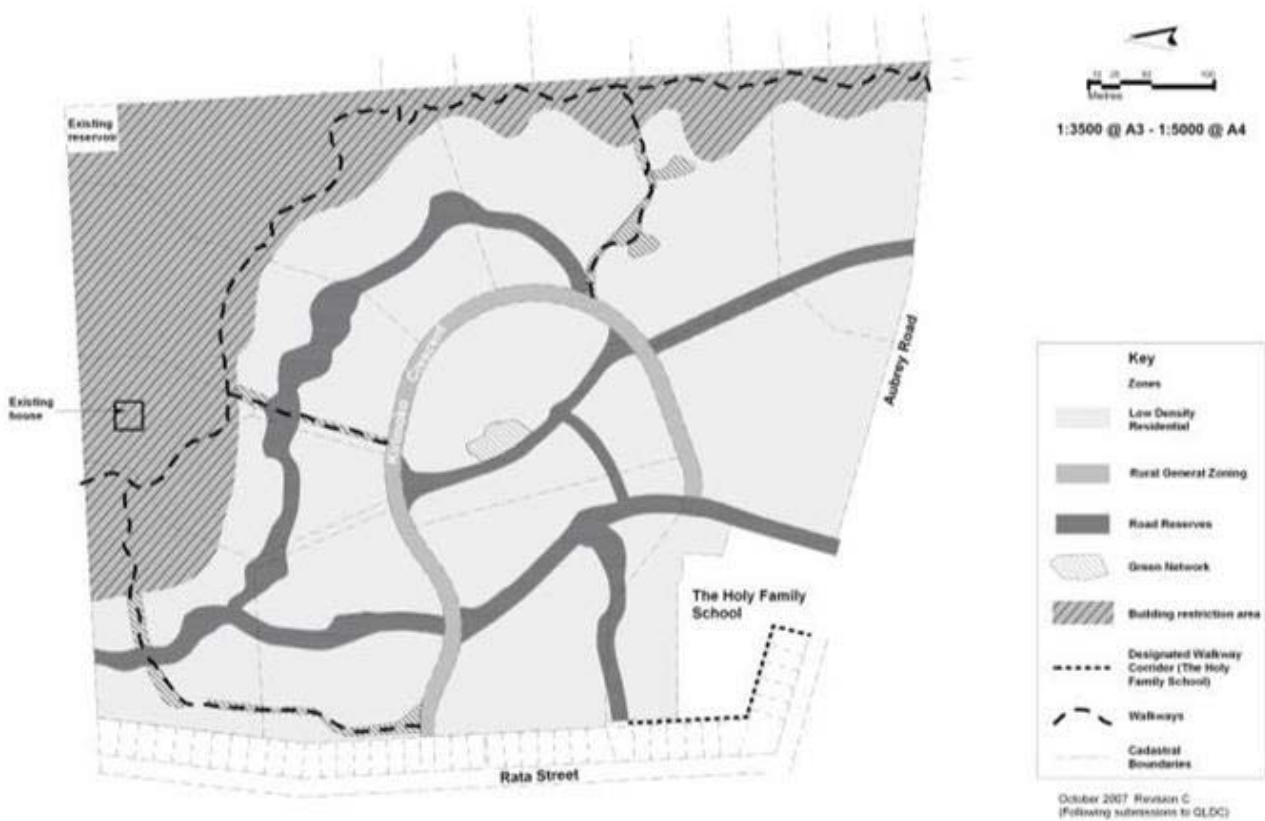
The Local Government Act 2002 provides the Council with an avenue to recover growth related capital expenditure from subdivision and development through development contributions. The Council forms a development contribution policy as part of its 10 Year Plan and actively imposes development contributions via this process.

The Council acknowledges that Millbrook Country Club has already paid financial contributions for water and sewerage for demand up to a peak of 5000 people. The 5000 people is made up of hotel guests, day staff, visitors and residents. Should demand exceed this then further development contributions will be levied under the Local Government Act 2002.

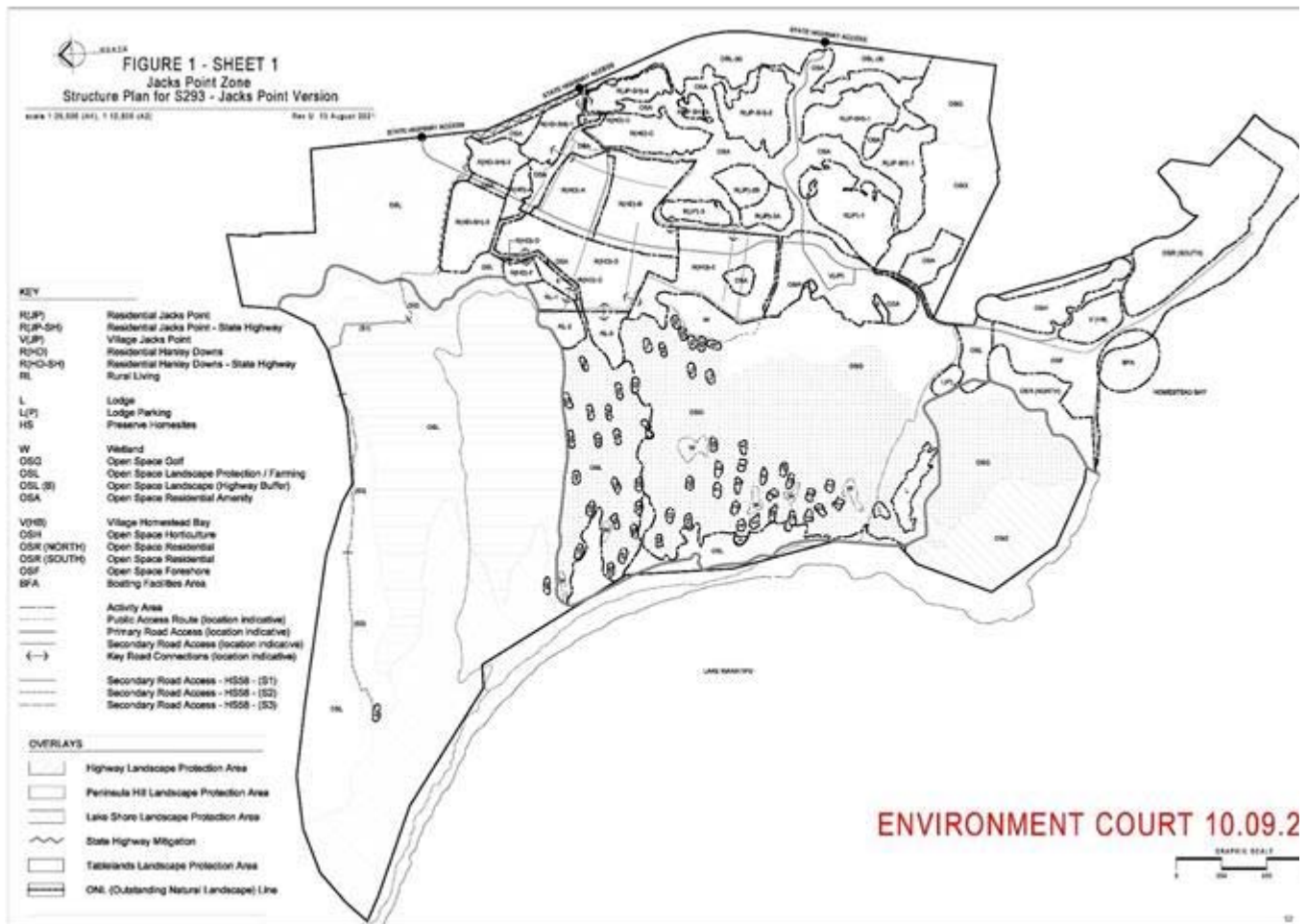
27.13 Structure Plans

27.13.1 KiriMoko Structure Plan

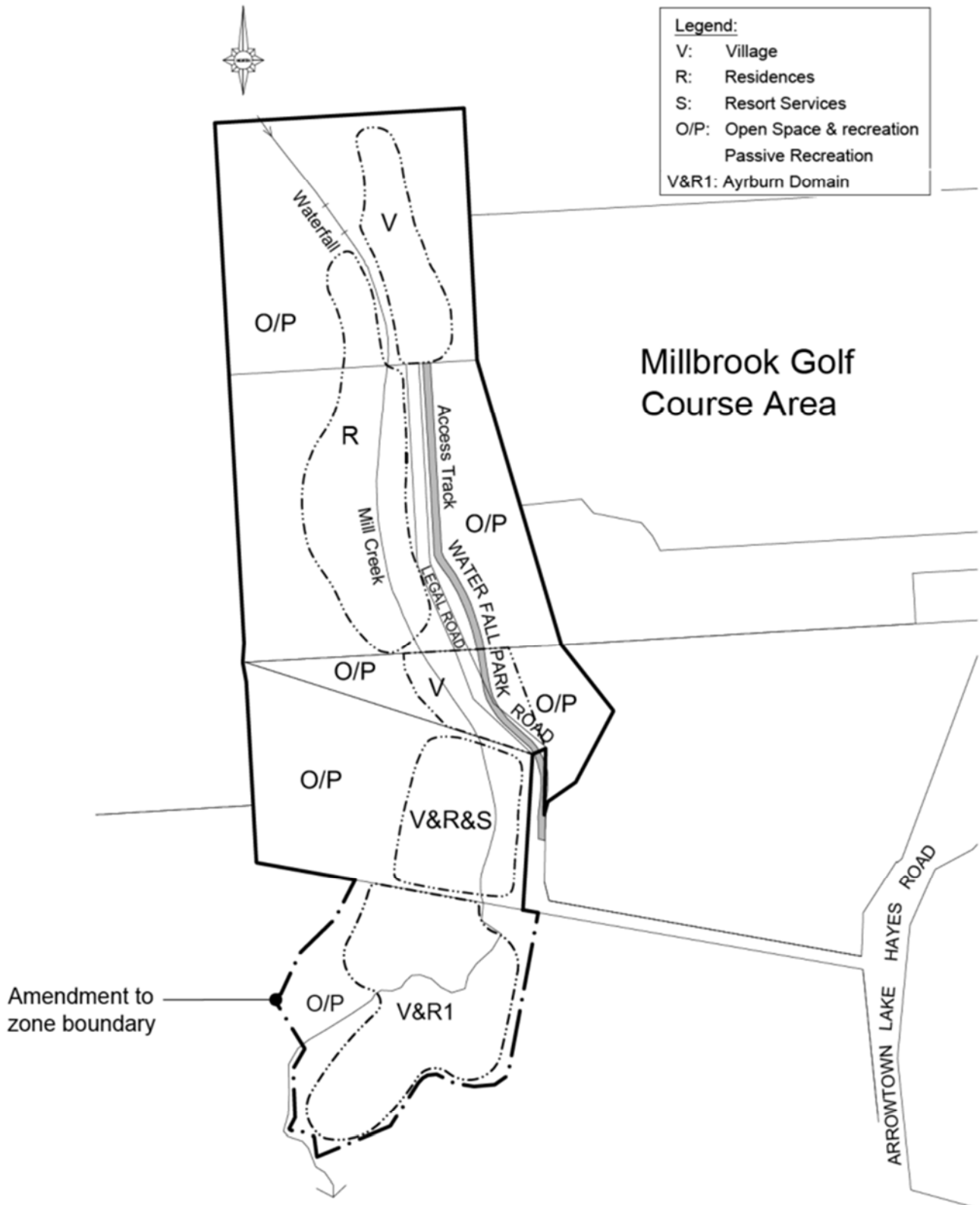
KiriMoko Block - Wanaka - Structure Plan



27.13.2 Jacks Point Structure Plan



27.13.3 Waterfall Park Structure Plan



WATERFALL PARK ZONE STRUCTURE PLAN - AMENDMENT - 9-Dec-21

Scale 1:4000 @ A4

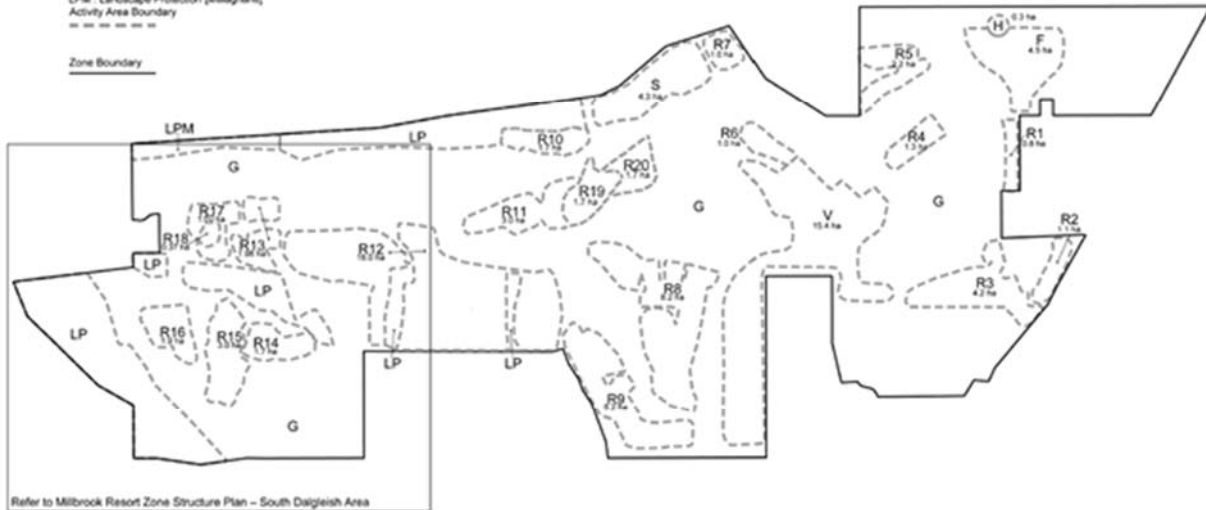
27.13.4 Millbrook Structure Plan



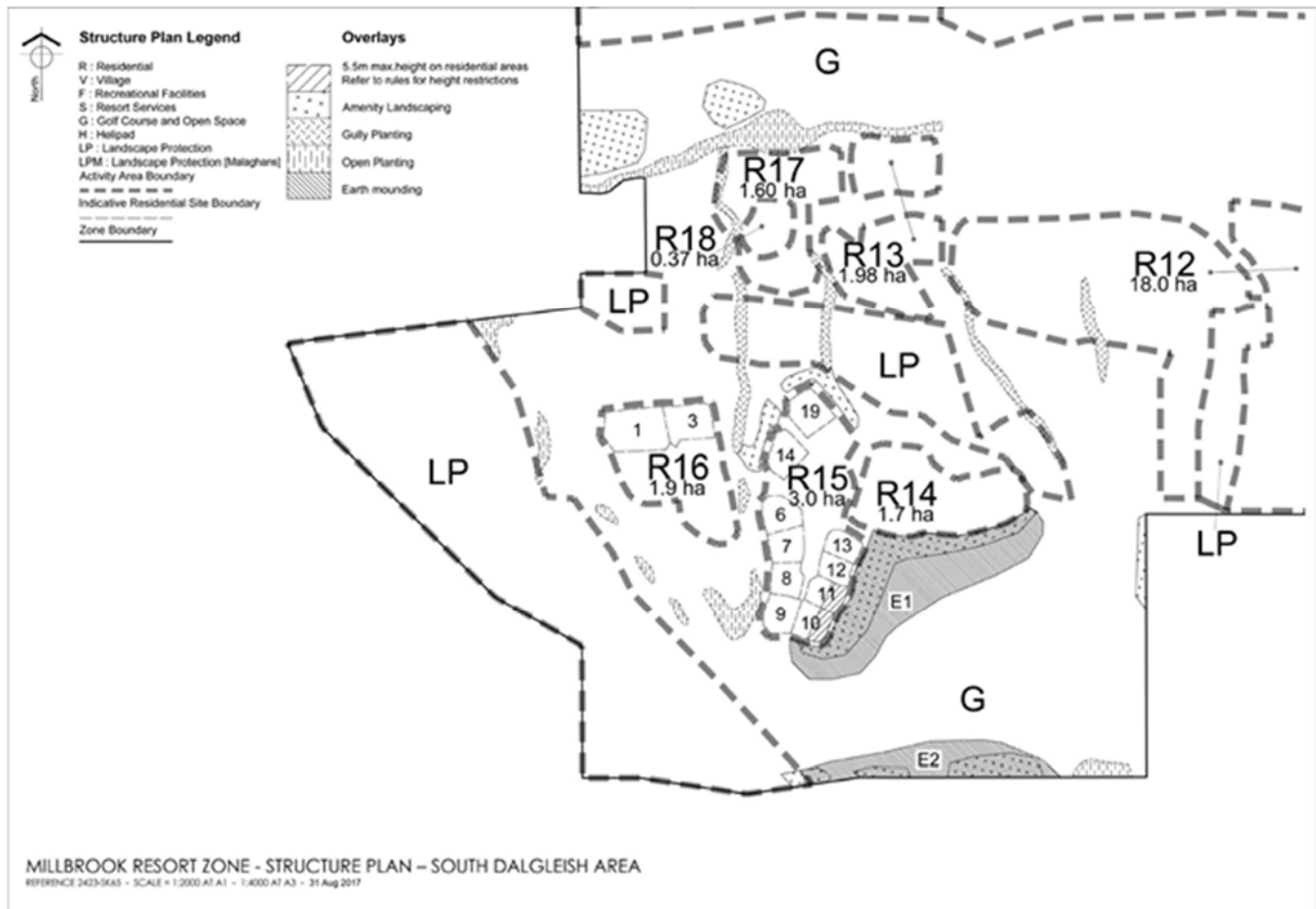
Structure Plan Legend

- R : Residential
- V : Village
- F : Recreational Facilities
- S : Resort Services
- G : Golf Course and Open Space
- H : Helipad
- LP : Landscape Protection
- LPM : Landscape Protection (Malaghans)
- Activity Area Boundary
- --- --- --- ---

Zone Boundary

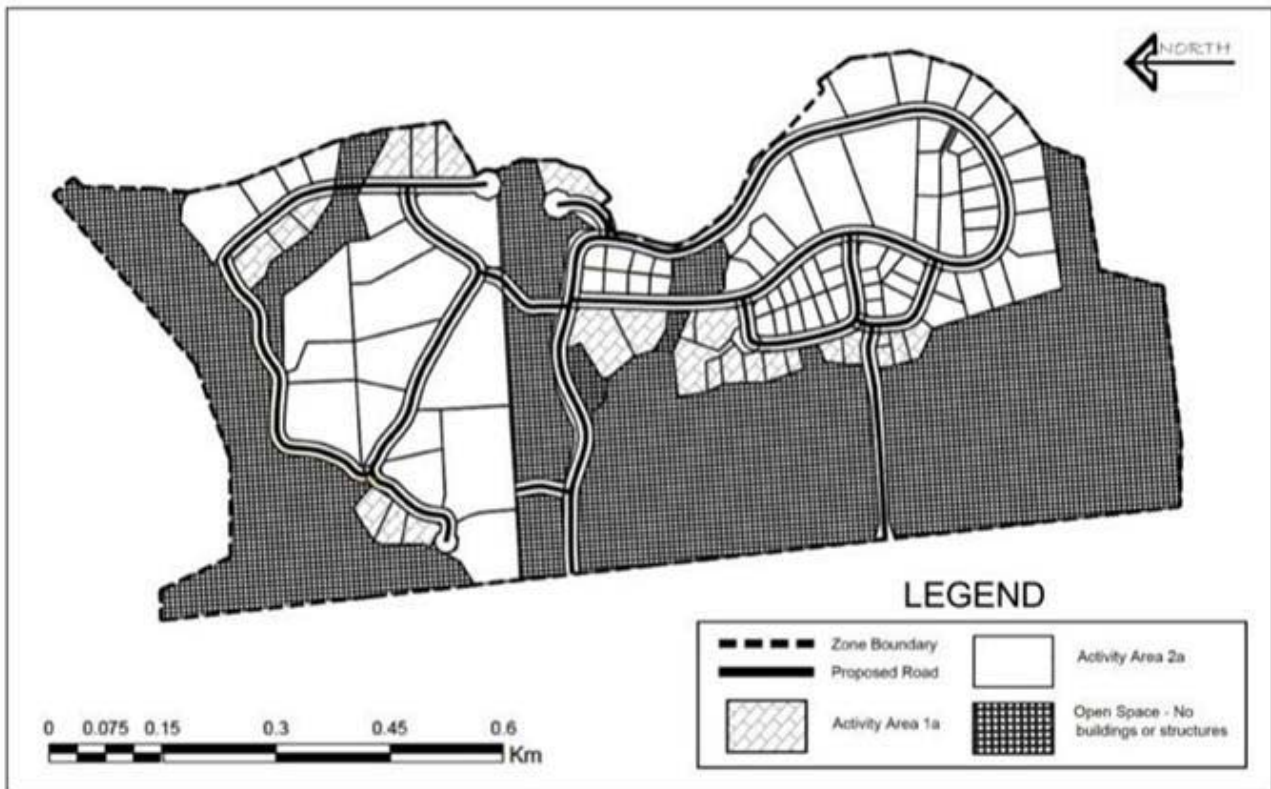


MILLBROOK RESORT ZONE - STRUCTURE PLAN
REFERENCE 2423-5640 - SCALE = 1:5000 AT A1 - 1:10000 AT A3 - December 2018

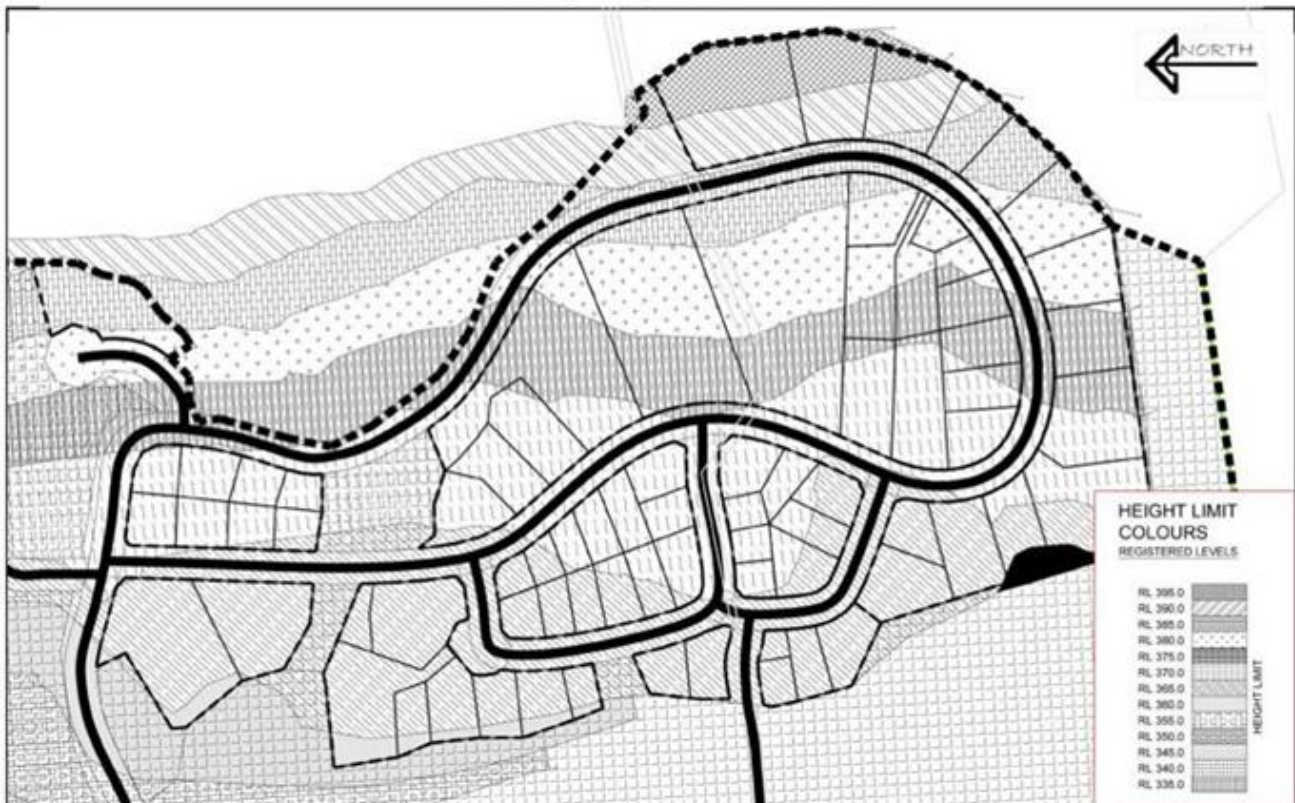


27.13.5 Coneburn Industrial Structure Plan

Coneburn Structure Plan Layout of Activity Areas, Roads and Open Space



Coneburn Structure Plan Building Height Limits: Part 1



Coneburn Structure Plan

Building Height Limits: Part 2



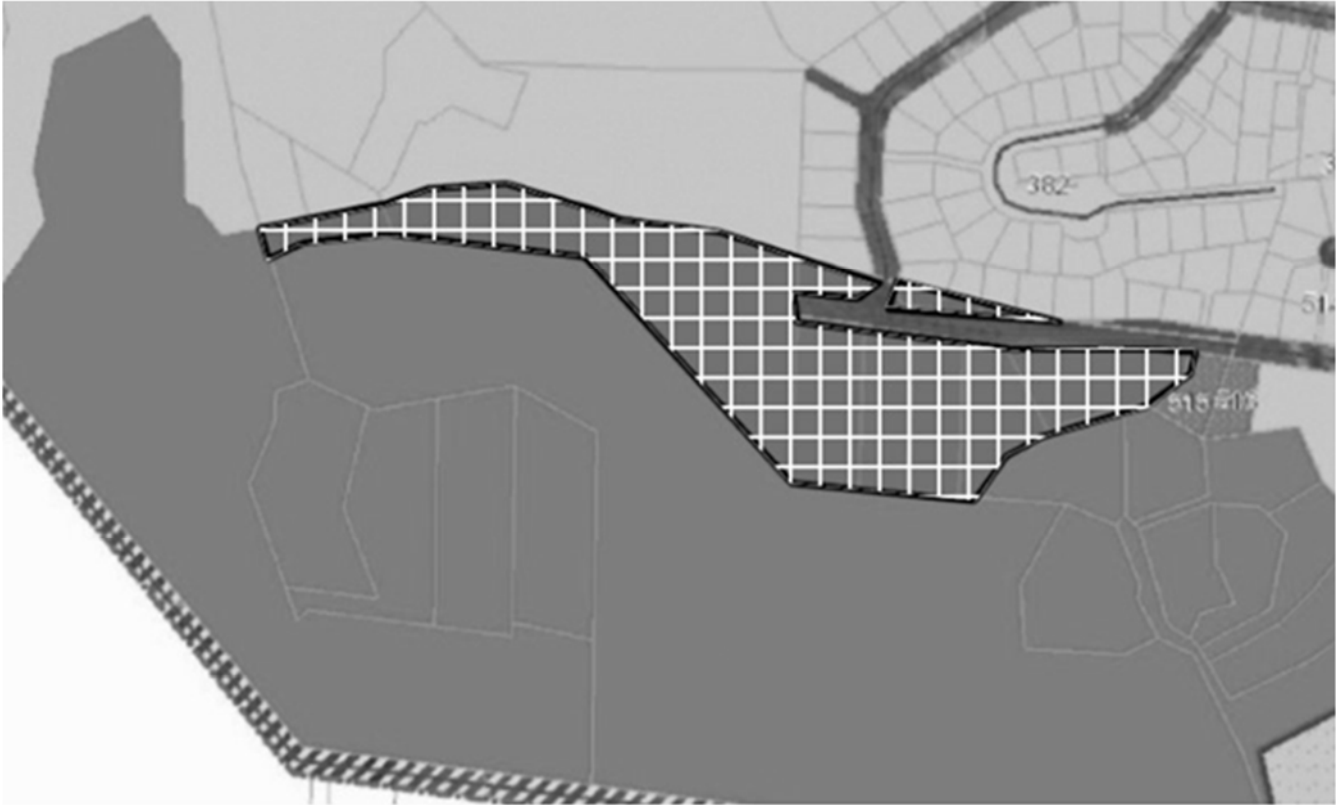
Coneburn Structure Plan

Building Height Limits: Part 3

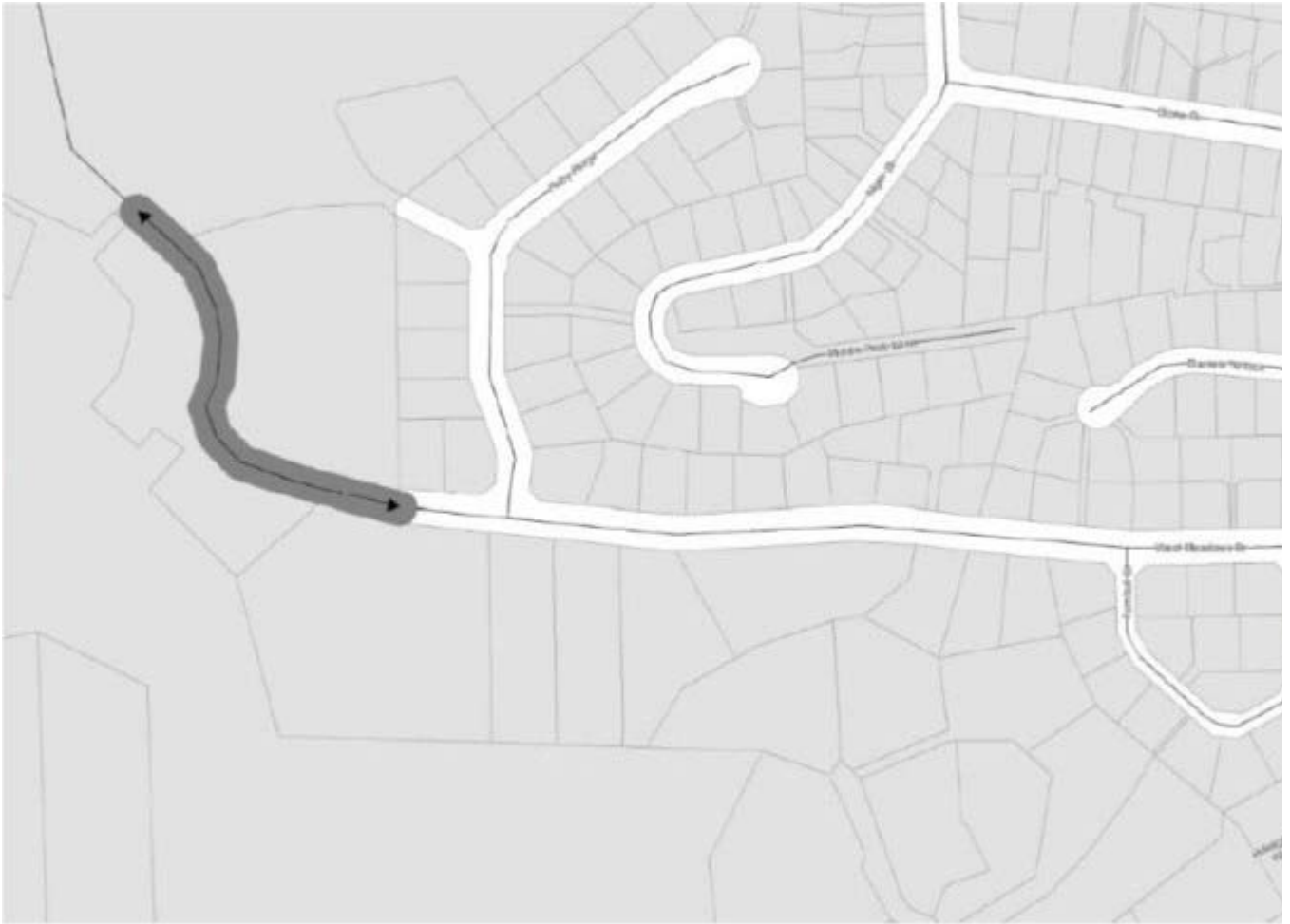


27.13.6 West Meadows Drive Structure Plan

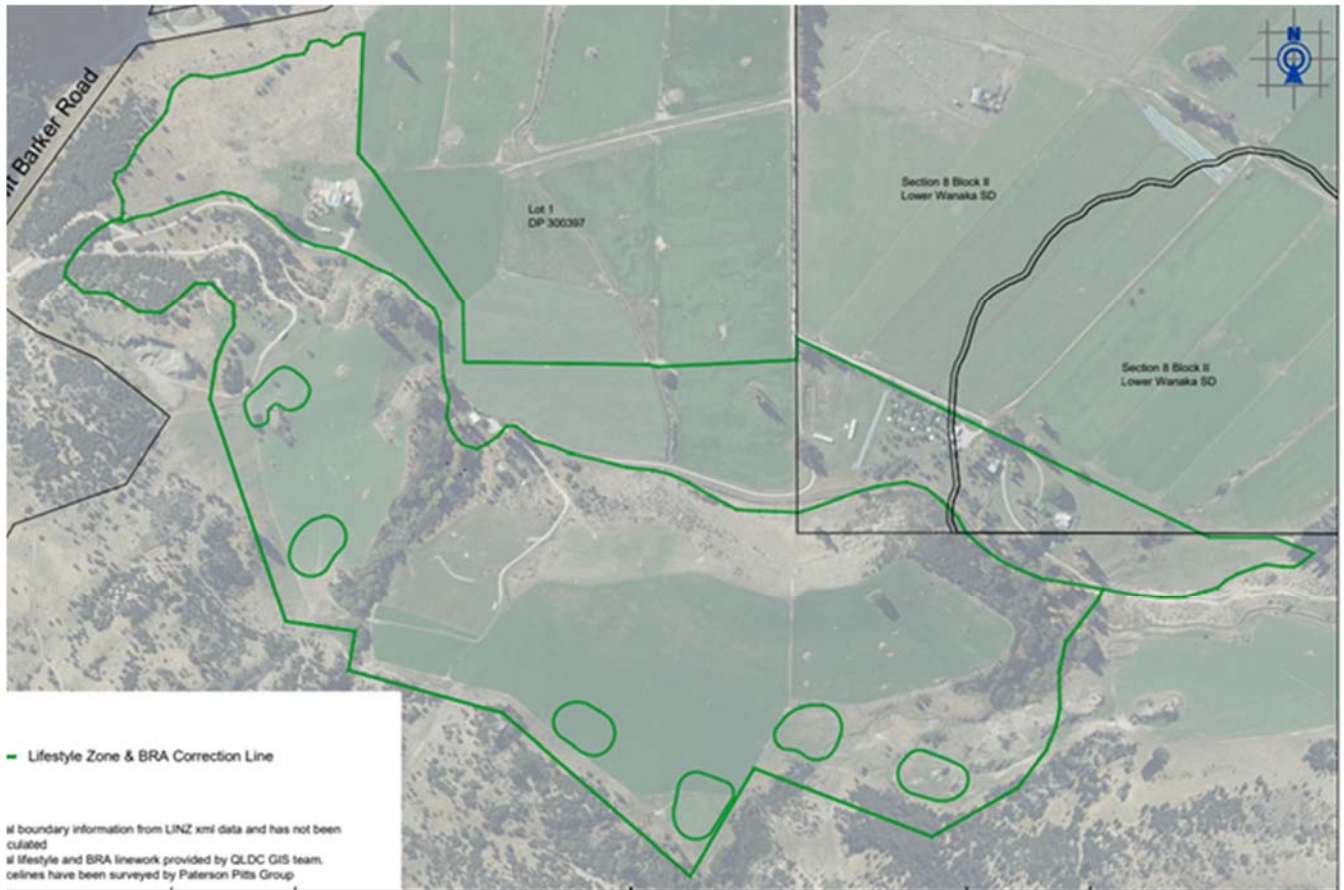
Area of Lower Density Suburban Residential zoned land the subject of the West meadows Structure Plan



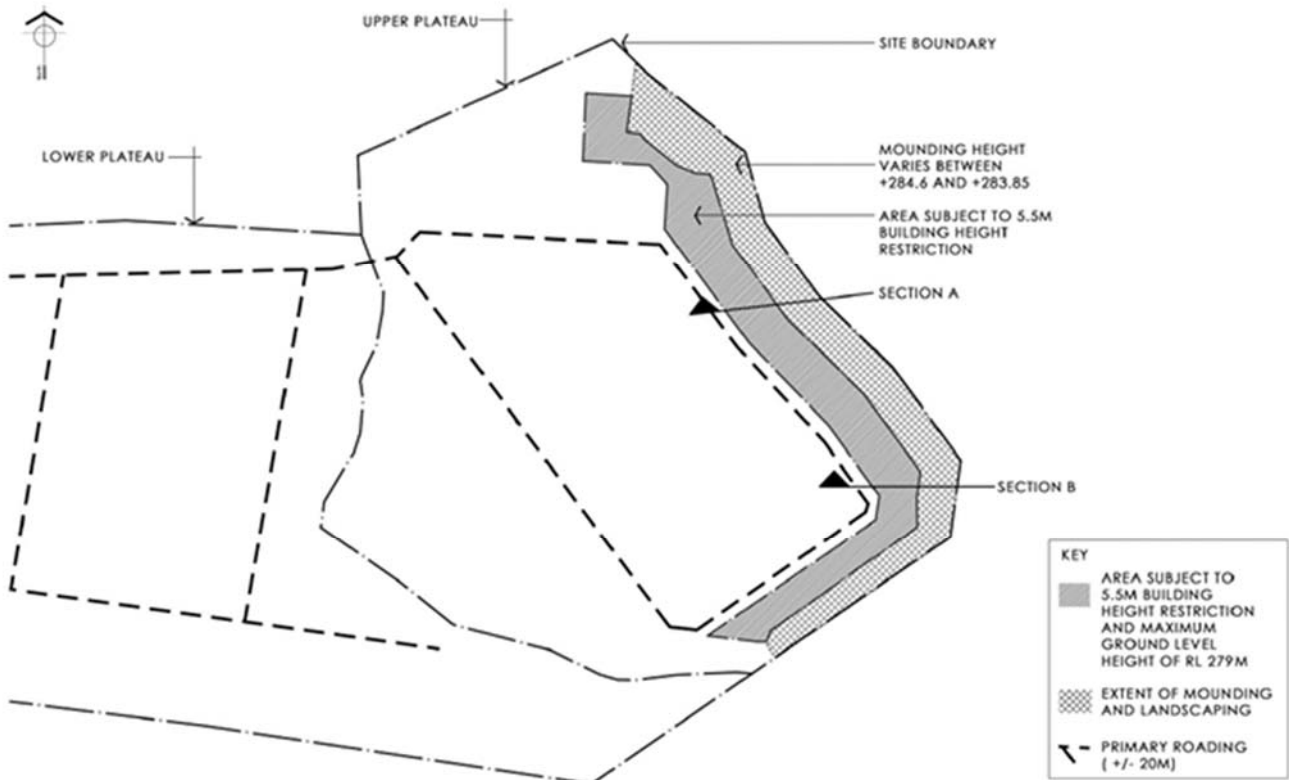
West Meadows Drive Structure Plan



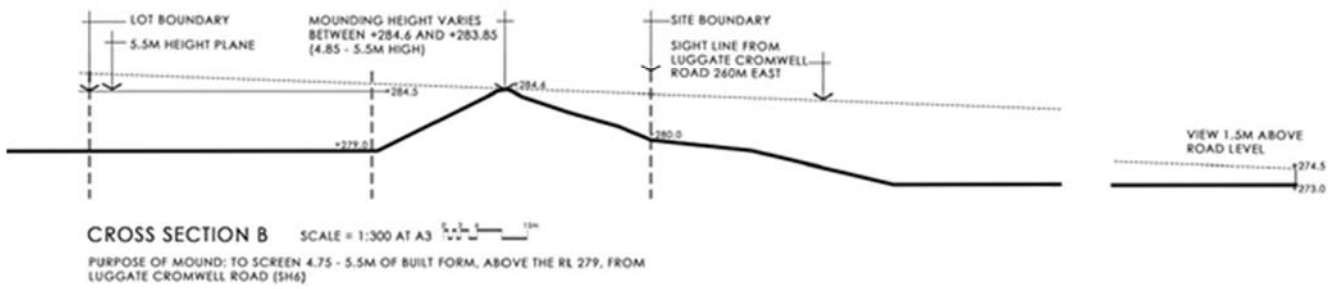
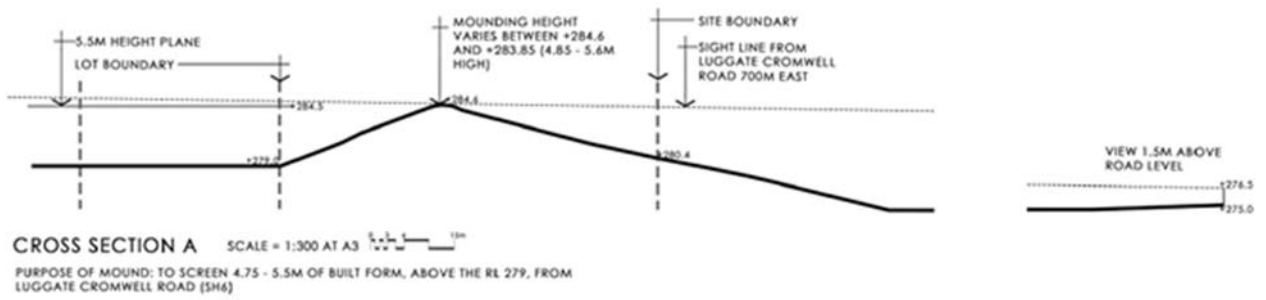
27.13.7 Criffel Station Rural Lifestyle Zone (Upper Terrace)



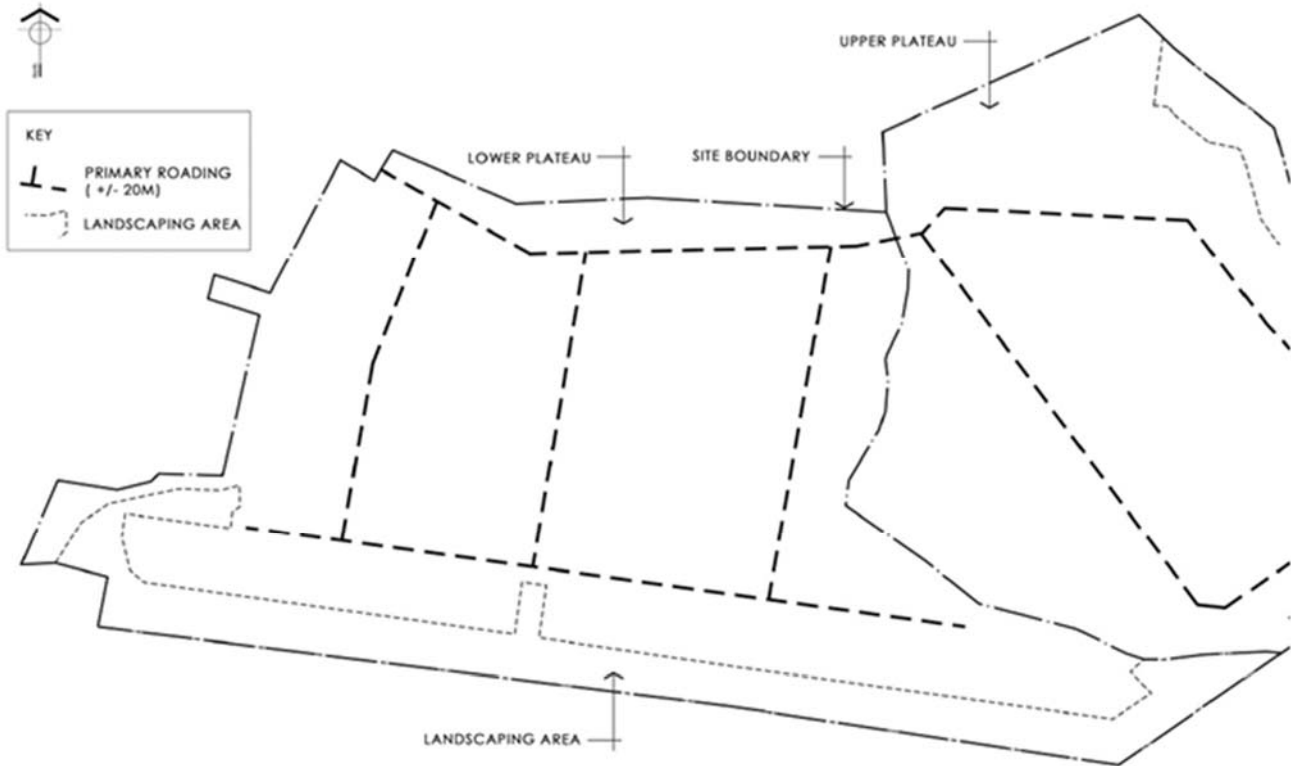
27.13.8 Luggate Park — Structure Plan



Luggate Park - Structure Plan Sections A & B



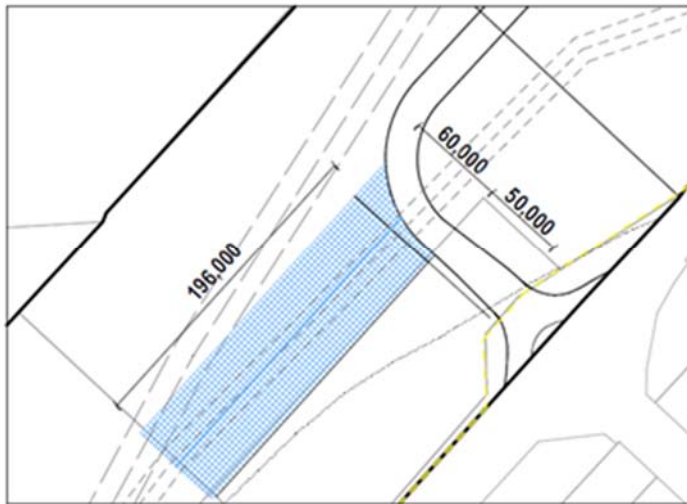
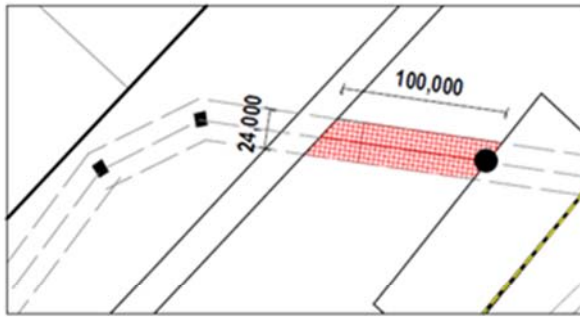
Luggate Park - Structure Plan Landscaping Area



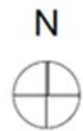
27.13.9 Frankton North — Structure Plan



Frankton North – Structure Plan



- LEGEND**
- UTILITIES PLACEMENTS**
- PRIMARY ROAD CONNECTION BETWEEN SH4 & FERRY HILL DRIVE (LOCATION INDICATIVE +/- 8 METRES)
 - INTERNAL CONNECTION (LOCATION INDICATIVE)
 - ← FRACTION NORTH
 - PEDESTRIAN AND CYCLE PATH (LOCATION INDICATIVE AND MAY BE LOCATED WITHIN THE STATE HIGHWAYS ROAD RESERVE)
 - INTERNAL ROAD 1 (LOCATION INDICATIVE +/- 2 METRES WITHIN THE WIDTHED CORRIDOR)
 - INTERNAL ROAD 2 (LOCATION INDICATIVE +/- 10 METRES WITHIN THE WIDTHED CORRIDOR)
 - FIRE LOCATION FOR ACCESS BETWEEN PROPERTIES
- AERIAL COLLISIONS**
- AURORA DISTRIBUTION 80KV SETBACK (REFER NZ ELECTRICAL CODE OF PRACTICE FOR ELECTRICAL SAFE DISTANCES - NZEP 34201)
 - TRANSMISSION CORRIDOR 12M SETBACK (REFER TO CHAPTER 34.2.1.1 AND UTILITIES AND CHAPTER 37 DESIGNATIONS DESIGNATION 5)
 - QUEENSTOWN AIRPORT OUTER CONTROL BOUNDARY (DNMS) (REFER TO PLANNING MAP 31 A)
- NOTE: The Queenstown Airport Approach and Land Use Control Designation applies to this land and may impose further height controls on the land. Refer to Chapter 37 Designation 5.

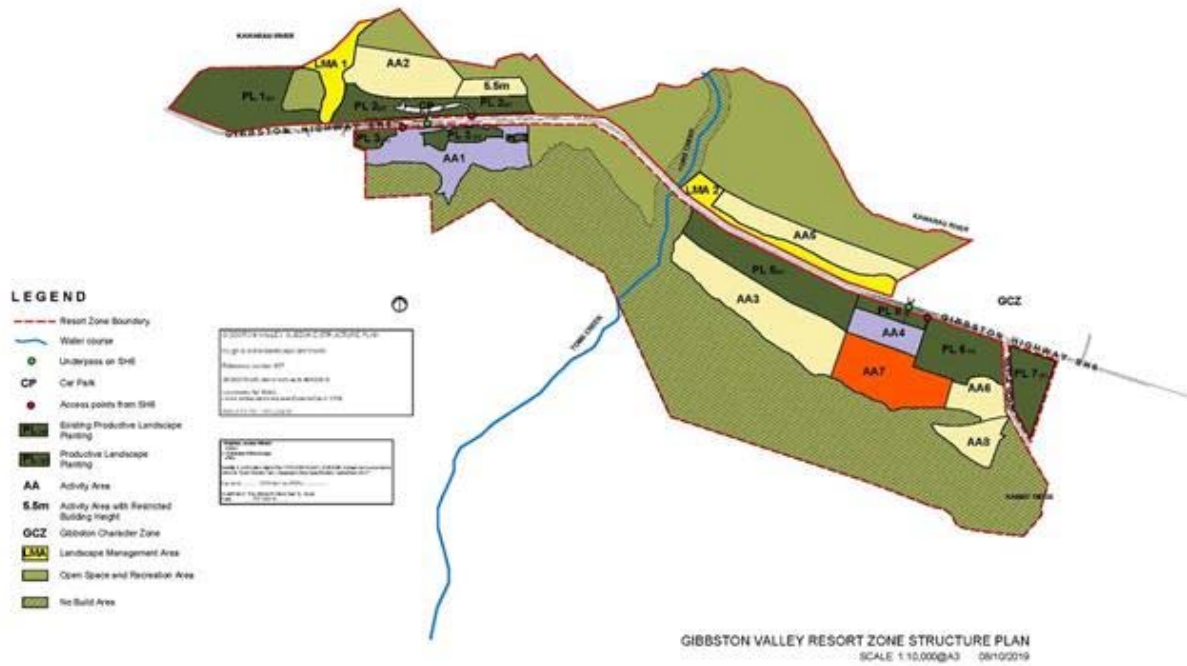


Scale: 1:2000

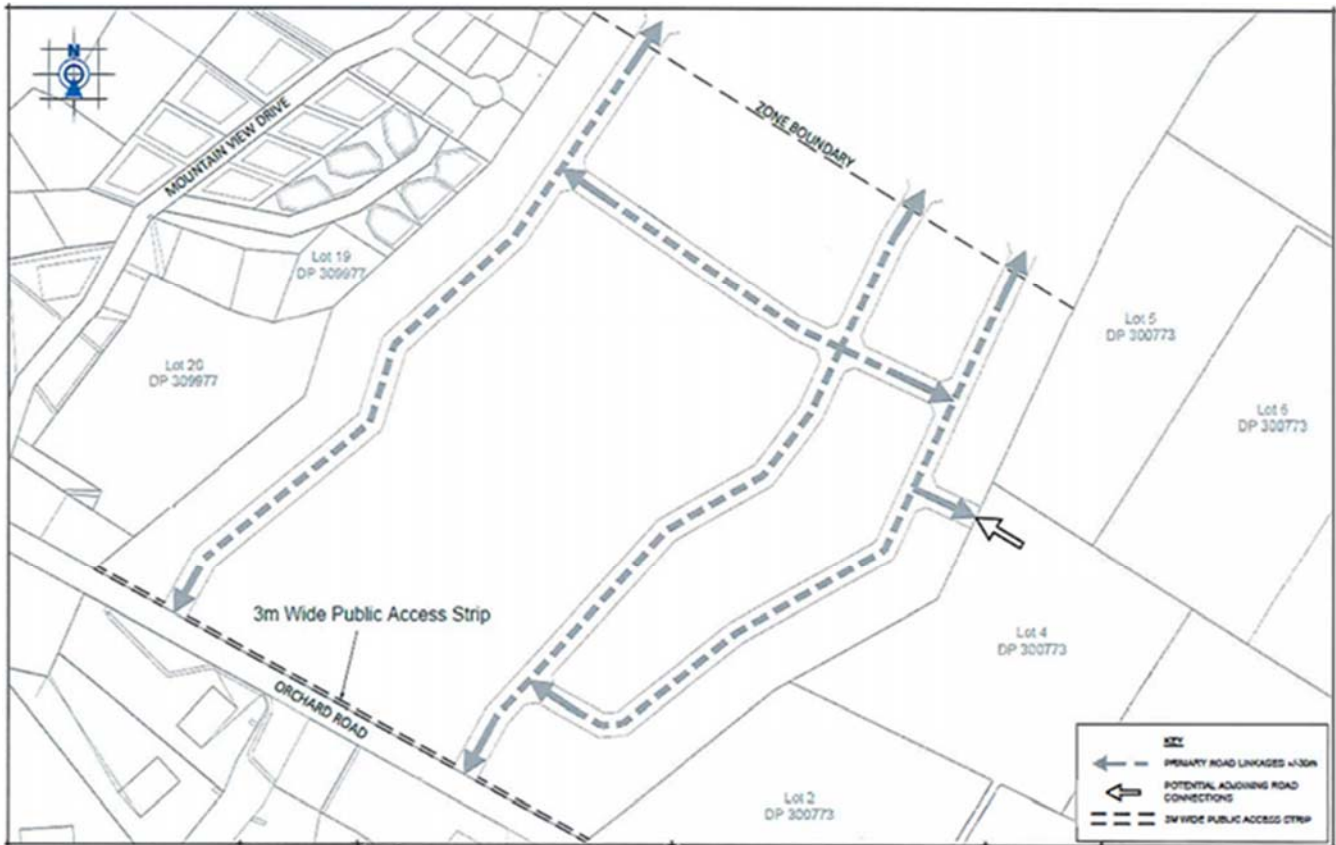
DIMENSION SNAPSHOT - 25.08.2020

27.13.10

Gibbston Valley Resort Zone — Structure Plan

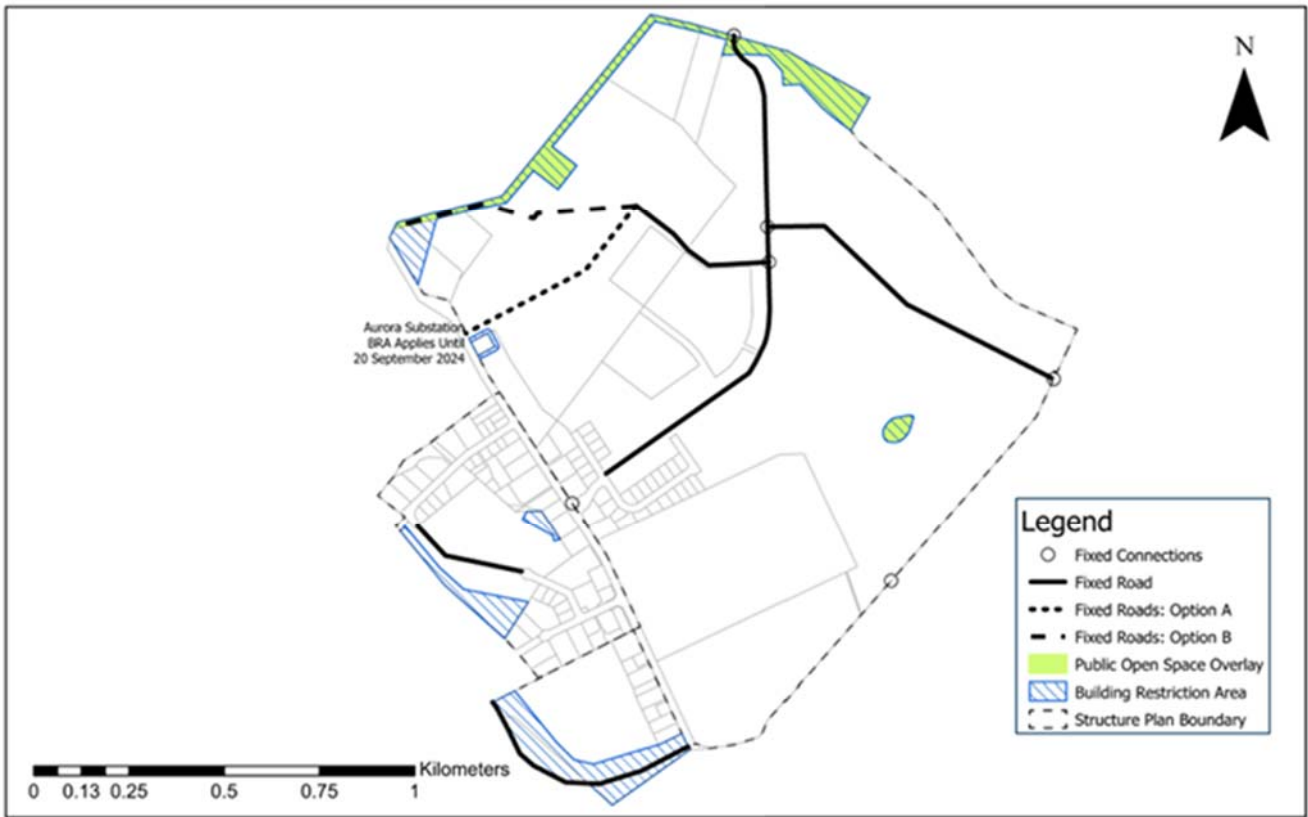


27.14.11 Alpine Meadows Structure Plan



27.13.12 Three Parks Structure Plan

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



27.13.13 Connell Terrace Structure Plan

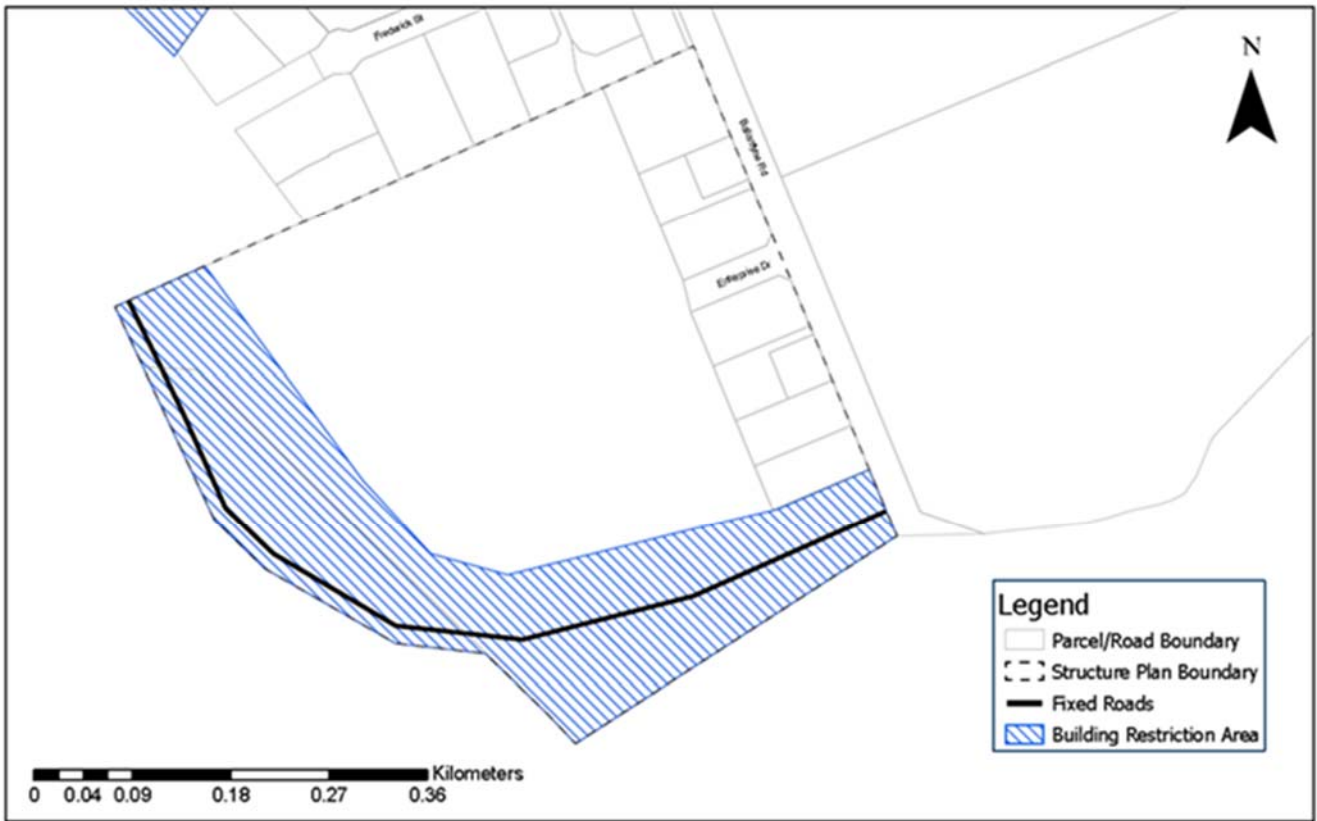
Connell Terrace Structure Plan Layout of Roads, Connections and Building Restriction Areas



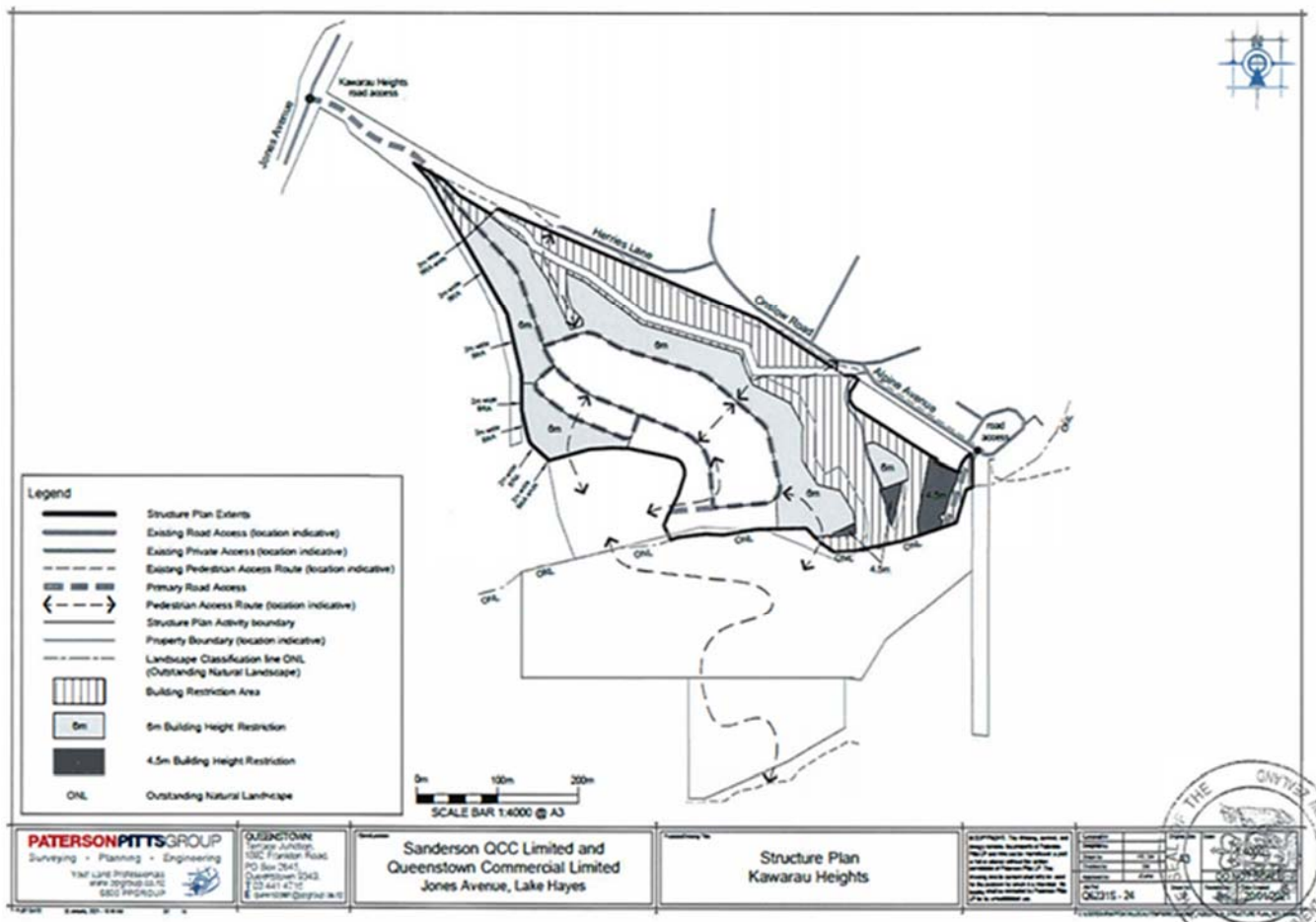
27.13.14 Ballantyne Road Structure Plan

Ballantyne Road Structure Plan

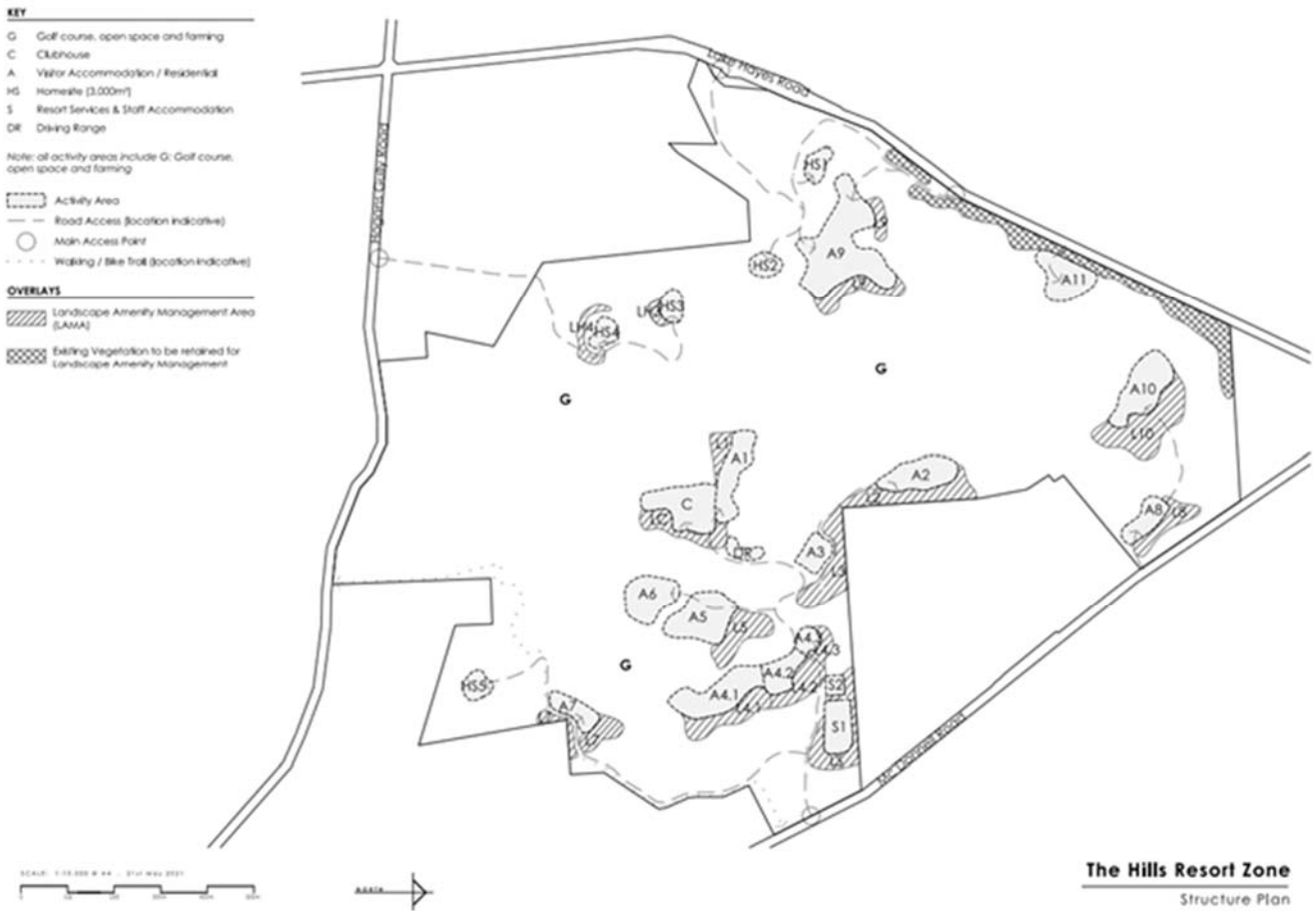
Layout of Roads, Connections and Building Restriction Areas



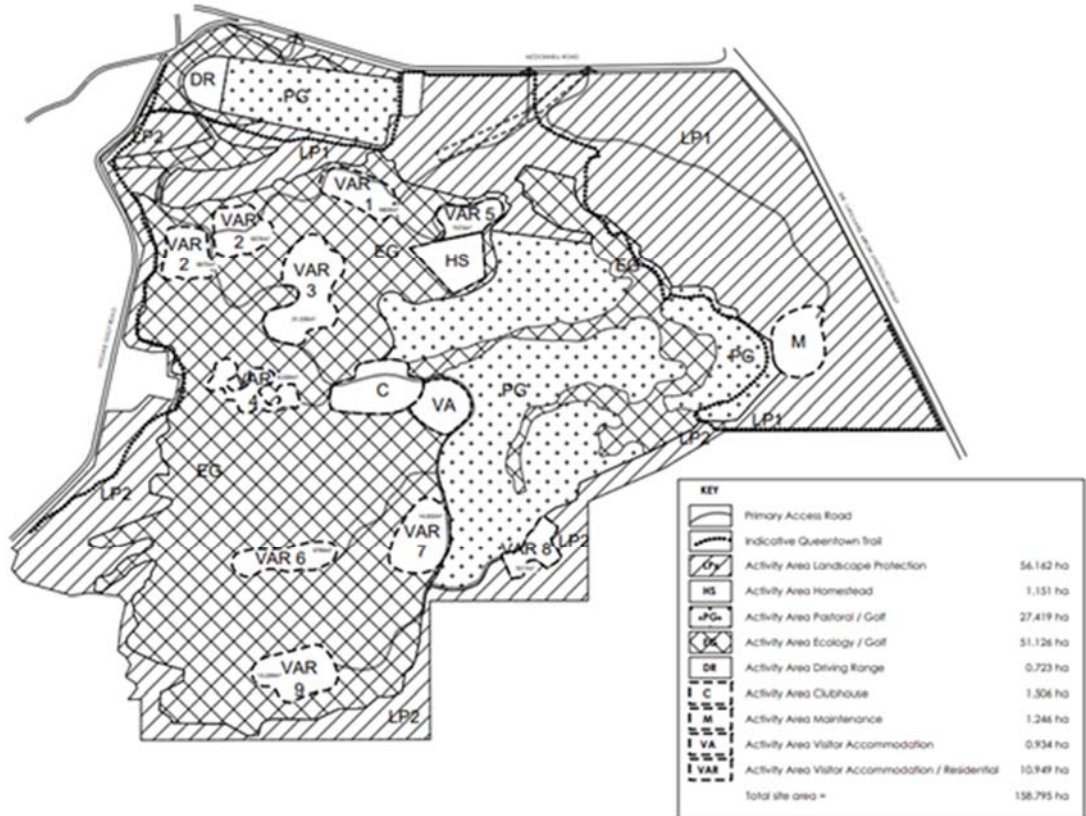
27.13.15 Kawarau Heights



27.13.16 Hills Resort Zone Structure Plan

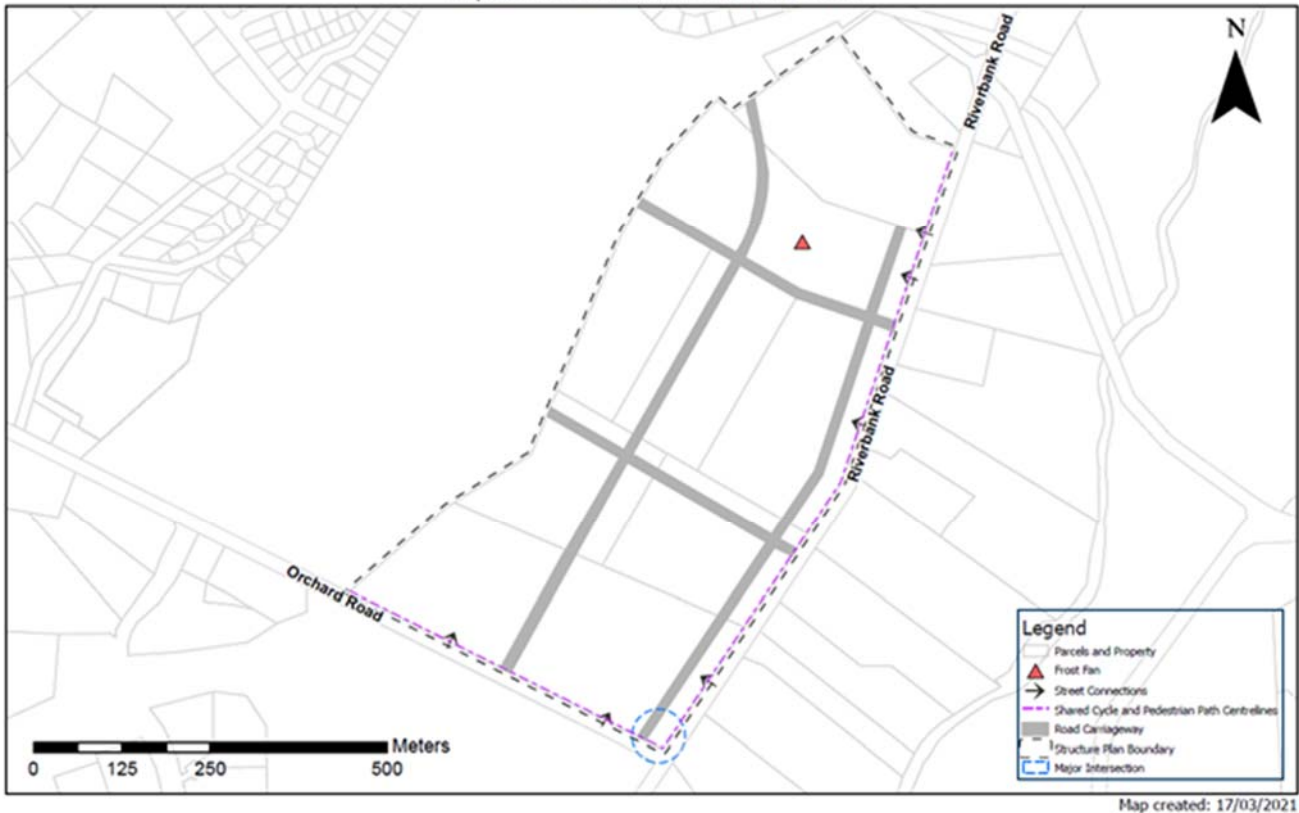


27.13.17 Hogans Gully Resort Zone Structure Plan

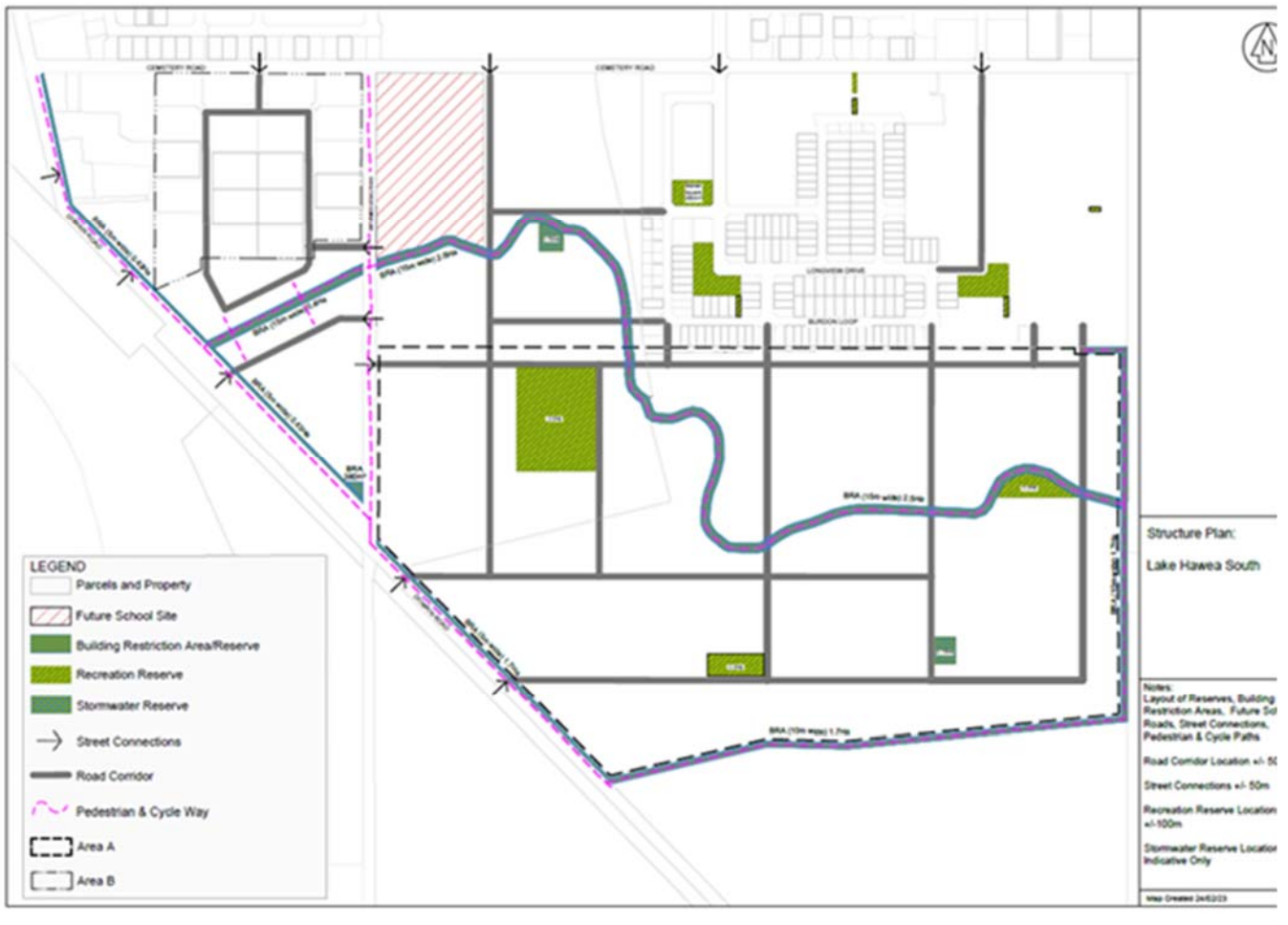


27.13.18 Riverbank Road Structure Plan

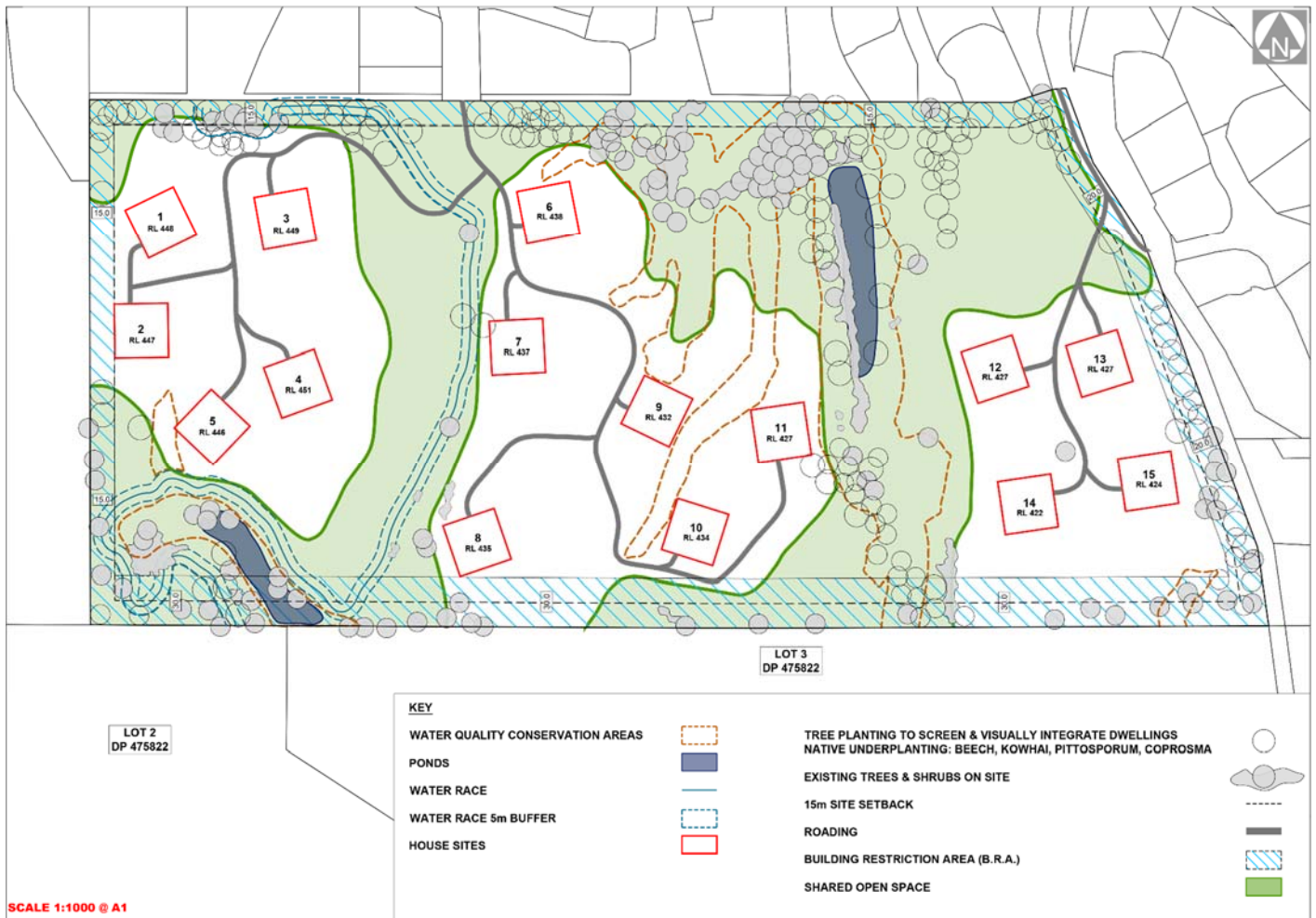
Layout of Roads, Connections, Pedestrian Paths, Cycle Paths and, Frost fan location.
 Road Carriageway location +/- 30m, Major Intersection location +/- 40m.
 The positions of the Street Connections are indicative



27.13.19 Lake Hāwea South Structure Plan








27.13.20 Wharehuanui Hills East Structure Plan







27.13.21 Ayrburn Structure Plan

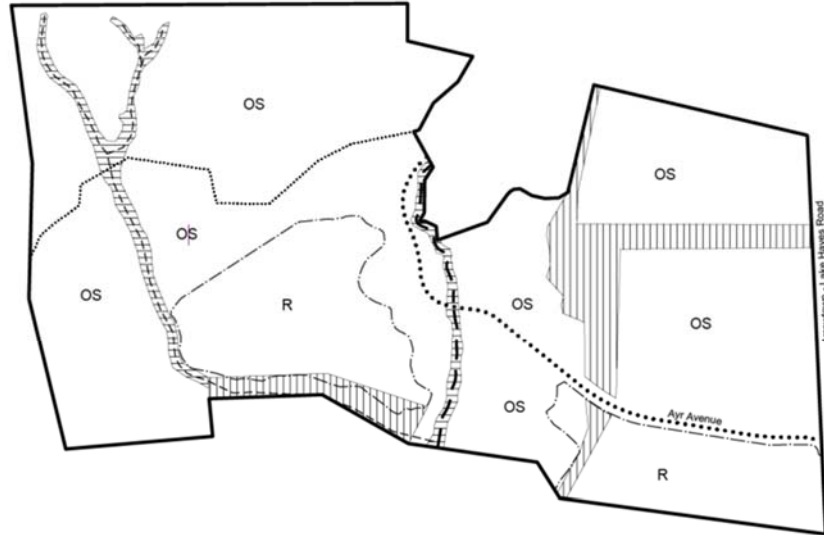
Key:

-  Structure Plan Boundary
-  Mill Creek
-  Ephemeral Tributary
-  Ayr Ave - Public Access
-  Pasture Line



Activity Areas:

-  Tree Protection Area
-  Riparian Planting
-  Open Space
-  Residential



AYRBURN STRUCTURE PLAN - 17 November 2023
Scale 1:4000 @ A3

42 Waterfall Park

42.1 Purpose

The purpose of the Waterfall Park Zone is to provide for the development of a visitor resort comprising a range of visitor, residential and recreational facilities, sympathetic to the natural setting. The site lies within a high quality scenic environment adjacent to the Millbrook Resort Zone.

In terms of natural features the focus of the site is the waterfall located towards the centre of the site. The existing recreational areas and amphitheatre are located adjacent to the waterfall and continue along part of Mill Creek. Development limits are imposed in the zone given its scenic and environmental qualities. Development shall conserve and enhance the natural and scenic values contained within the property and its setting.

42.2 Objectives and Policies

42.2.1 Objective — Visitor, residential and recreation facilities and activities developed in an integrated manner with particular regard for the natural and scenic values of the setting.

Policies

42.2.1.1 Ensure that the external appearance of buildings and other structures are appropriate to the location with particular regard to the site's natural and scenic values.

42.2.1.2 Require all development to be located in accordance with the Structure Plan.

42.2.1.3 Protect and enhance the important natural features on the site.

42.2.1.4 Within Activity Area V&R1, control the location and scale of built form, including building height, to:

- a. ensure consistency with the scale and heritage setting of the Ayrburn Domain heritage buildings; and
- b. avoid adverse visual effects when viewed from Arrowtown-Lake Hayes Road.

42.2.2 Objective — Development avoids adverse effects on Mill Creek and ecological values.

Policies

42.2.2.1 Ensure sewage disposal, water supply and refuse disposal services are provided so as not to adversely impact on water or other environmental qualities on or off the site.

42.2.2.2 Protect and enhance Mill creek as an important brown trout spawning habitat.

42.3 Other Provisions and Rules

42.3.1 District Wide

Attention is drawn to the following District Wide chapters.

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes and Rural Character
25 Earthworks	26 Historic Heritage	27 Subdivision
28 Natural Hazards	29 Transport	30 Energy and Utilities
31 Signs	32 Protected Trees	33 Indigenous Vegetation and Biodiversity
34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings	36 Noise
37 Designations	District Plan web mapping application	

42.3.2 Interpreting and Applying the Rules

42.3.2.1 A permitted activity must comply with all the rules listed in the activity and standards tables, and any relevant district wide rules.

42.3.2.2 Where an activity does not comply with a Standard listed in the Standards table, the activity status identified by the Non-Compliance Status column shall apply. Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.

42.3.2.3 The following abbreviations are used within this Chapter.

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

42.4 Rules - Activities

	Activities located in the Waterfall Park Zone	Activity status
42.4.1	Activities which are not listed in this table, except for Plantation Forestry where the Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017 prevails.	NC
42.4.2	In the Residences Area (R) of the Structure Plan Dwelling, Residential Unit	P
42.4.3	Dwelling, Residential Unit, Residential Flat not otherwise identified	D
42.4.4	In all Structure Plan Activity Areas Recreation Facilities (noting that in areas shown as O/P on the Structure Plan recreation facilities shall not include buildings or structures) Administration activities for administering and servicing of other facilities within the zone, including storage, maintenance and depot facilities Structures for the retention of water (not located within a waterbody)	C

	<p>Control is reserved:</p> <ul style="list-style-type: none"> a. general: <ul style="list-style-type: none"> i. location and external appearance of buildings; ii. setback from roads; iii. setback from internal boundaries; iv. vehicle access and street layout; v. outdoor living space; vi. street scene including landscaping; vii. enhancement of ecological and natural values; viii. provision for internal walkways, cycle ways and pedestrian linkages; and ix. noise. b. natural hazards where the proposal results in an increase in gross floor area: <ul style="list-style-type: none"> i. the nature and degree of risk the hazard(s) pose to people and property; ii. whether the proposal will alter the risk to any site; and iii. the extent to which such risk can be avoided or sufficiently mitigated. 	
42.4.5	<p>In all Structure Plan Activity Areas (except for the Open Space, Landscaping and Passive Recreation Activity Area O/P)</p> <p>Buildings</p> <p>Control is reserved:</p> <ul style="list-style-type: none"> a. the external appearance of the building and coherence with surrounding buildings; b. natural hazards where the proposal results in an increase in gross floor area: <ul style="list-style-type: none"> i. the nature and degree of risk the hazard(s) pose to people and property; ii. whether the proposal will alter the risk to any site; and iii. the extent to which such risk can be avoided or sufficiently mitigated. 	C
42.4.6	<p>In the Village Area (V) of the Structure Plan:</p> <p>Visitor Accommodation</p> <p>Licenced Premises integrated with Visitor Accommodation</p> <p>Theatres, conference, cultural and resort facilities and office and administration activities that are ancillary to Visitor Accommodation</p> <p>Community Activities (limited to creches and other child care facilities integrated with Visitor Accommodation)</p>	C

	<p>Educational Facilities</p> <p>Control is reserved to all:</p> <p>a. general:</p> <ul style="list-style-type: none"> i. location and external appearance of buildings; ii. setback from roads; iii. setback from internal boundaries; iv. vehicle access and street layout; v. outdoor living space; vi. street scene including landscaping; vii. enhancement of ecological and natural values; viii. provision for internal walkways, cycle ways and pedestrian linkages; and ix. noise. <p>b. natural hazards where the proposal results in an increase in gross floor area:</p> <ul style="list-style-type: none"> i. the nature and degree of risk the hazard(s) pose to people and property; ii. whether the proposal will alter the risk to any site; and iii. the extent to which such risk can be avoided or sufficiently mitigated. 	
42.4.7	Licensed Premises not otherwise identified	PR
42.4.8	Manufacturing and/or product assembling activities	PR
42.4.9	Fish or meat processing	PR
42.4.10	Fibreglassing, sheet metal work, bottle or scrap storage, motorbody building or wrecking, fish or meat processing (excluding that which is ancillary to a retail premises such as a butcher, fishmonger or supermarket), or any activity requiring an Offensive Trade Licence under the Health Act 1956.	PR
42.4.11	Factory Farming	PR
42.4.12	Any activity requiring an Offensive Trade Licence under the Health Act 1956	PR
42.4.13	In the Residences Area (R) of the Structure Plan Residential Visitor Accommodation and Homestays	P

42.5 Rules - Standards

	Standards for activities located in the Waterfall Park Zone	Non-compliance Status
42.5.1	<p>Setbacks</p> <p>No building or structure shall be located closer than 6m to the Zone boundary, and in addition:</p>	D

	No building shall be located closer than 7m to Mill Creek.	
42.5.2	Residential Capacity In the Waterfall Park Zone the maximum number of residential units shall be limited to 100.	NC
42.5.3	Building Height The maximum height of buildings shall be: c. visitor accommodation, (including facilities integrated with and ancillary to Visitor Accommodation) — 8 m; d. residential buildings - 8m; e. all other buildings and structures - 4m; f. In Activity Area V&R1: RL 354.7 masl.	NC
42.5.4	Glare shall comply with all of the following:	NC
42.5.4.1	All fixed lighting shall be directed away from adjacent roads and properties, and so as to limit effects on the night sky.	
42.5.4.2	Any building or fence constructed or clad in metal, or material with reflective surfaces shall be painted or otherwise coated with a non-reflective finish.	
42.5.4.3	No activity shall result in a greater than 3.0 lux spill, horizontal and vertical, of light onto any property located outside of the Zone, measured at any point inside the boundary of the adjoining property.	
42.5.5	Maximum Total Site Coverage The maximum site coverage shall not exceed 5% of the total area of the Zone. For the purposes of this Rule, site coverage excludes bridges and roads and parking areas.	NC
42.5.6	Fire Fighting A fire fighting reserve of water shall be maintained of a capacity sufficient to service the Zone. The storage shall meet the New Zealand Fire Service Firefighting Water Supplies Code of Practice 2008.	NC
42.5.7	Atmospheric Emissions There shall be no indoor solid fuel fires, except for: a. feature open fireplaces in the clubhouse and other communal buildings including bars and restaurants Note — Council bylaws and Regional Plan rules may also apply to indoor and outdoor fires.	NC
42.5.8	Retail sales No goods shall be displayed, sold or offered for sale from a site except:	NC

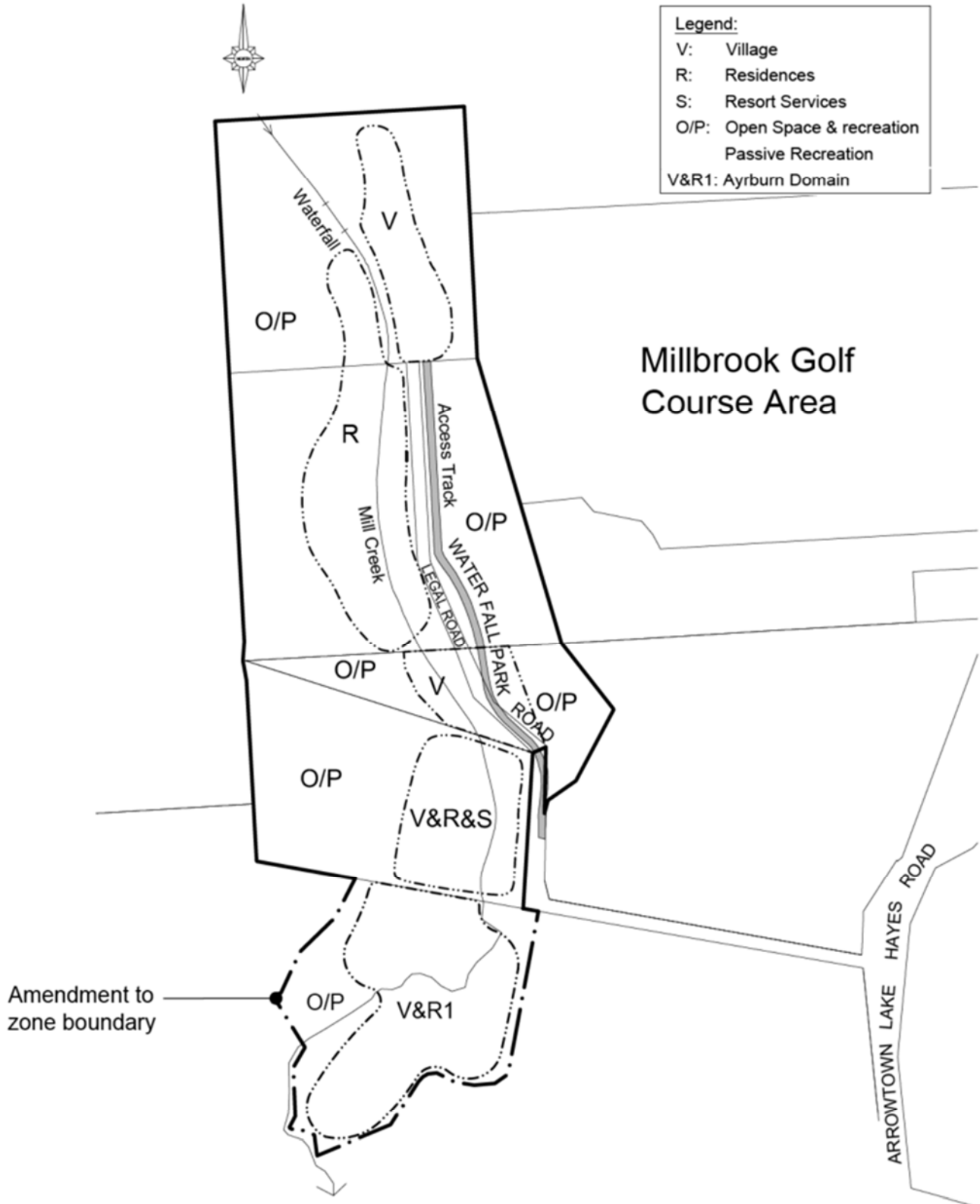
	a. goods grown, reared or produced on the site; b. within those areas of the Structure Plan identified as the Village Centre.	
42.5.9	Residential Visitor Accommodation	C
42.5.9.1	The total nights of occupation by paying guests on site do not exceed a cumulative total of 179 nights per annum from the date of initial registration.	Control is reserved to: a. The location, nature and scale of activities; b. Vehicle access and parking; c. The management of noise, rubbish, recycling and outdoor activities; d. Guest management and complaints procedures; e. The keeping of records of Residential Visitor Accommodation use, and availability of records for Council inspection; and f. Monitoring requirements, including imposition of an annual monitoring charge.
42.5.9.2	No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated.	
42.5.9.3	The activity is registered with Council prior to commencement.	
42.5.9.4	Up to date records of the Residential Visitor Accommodation activity must be kept, including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.	
Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 42.5.9.1 to 42.5.9.4.		
42.5.10	Homestay	C
42.5.10.1	The total number of paying guests on a site does not exceed five per night.	Control is reserved to: a. The location, nature and scale of activities; b. The management of noise, rubbish, recycling and outdoor activities; c. The keeping of records of Homestay use, and availability of records for Council inspection; and d. Monitoring requirements, including imposition of an annual monitoring charge; and e. Vehicle access and parking
42.5.10.2	No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated.	
42.5.10.3	Council is notified in writing prior to the commencement of a Homestay activity.	
42.5.10.4	Up to date records of the Homestay activity are kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.	
Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 42.5.10.1 to 42.5.10.4.		

42.6 Rules - Non-Notification of Applications

42.6.1 All applications for Controlled activities and Restricted Discretionary shall not require the written consent of other persons and shall not be

notified or limited-notified.






42.7 Structure Plan

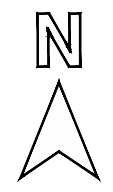


WATERFALL PARK ZONE STRUCTURE PLAN - AMENDMENT - 9-Dec-21

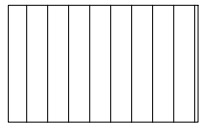
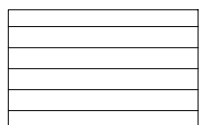

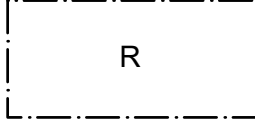
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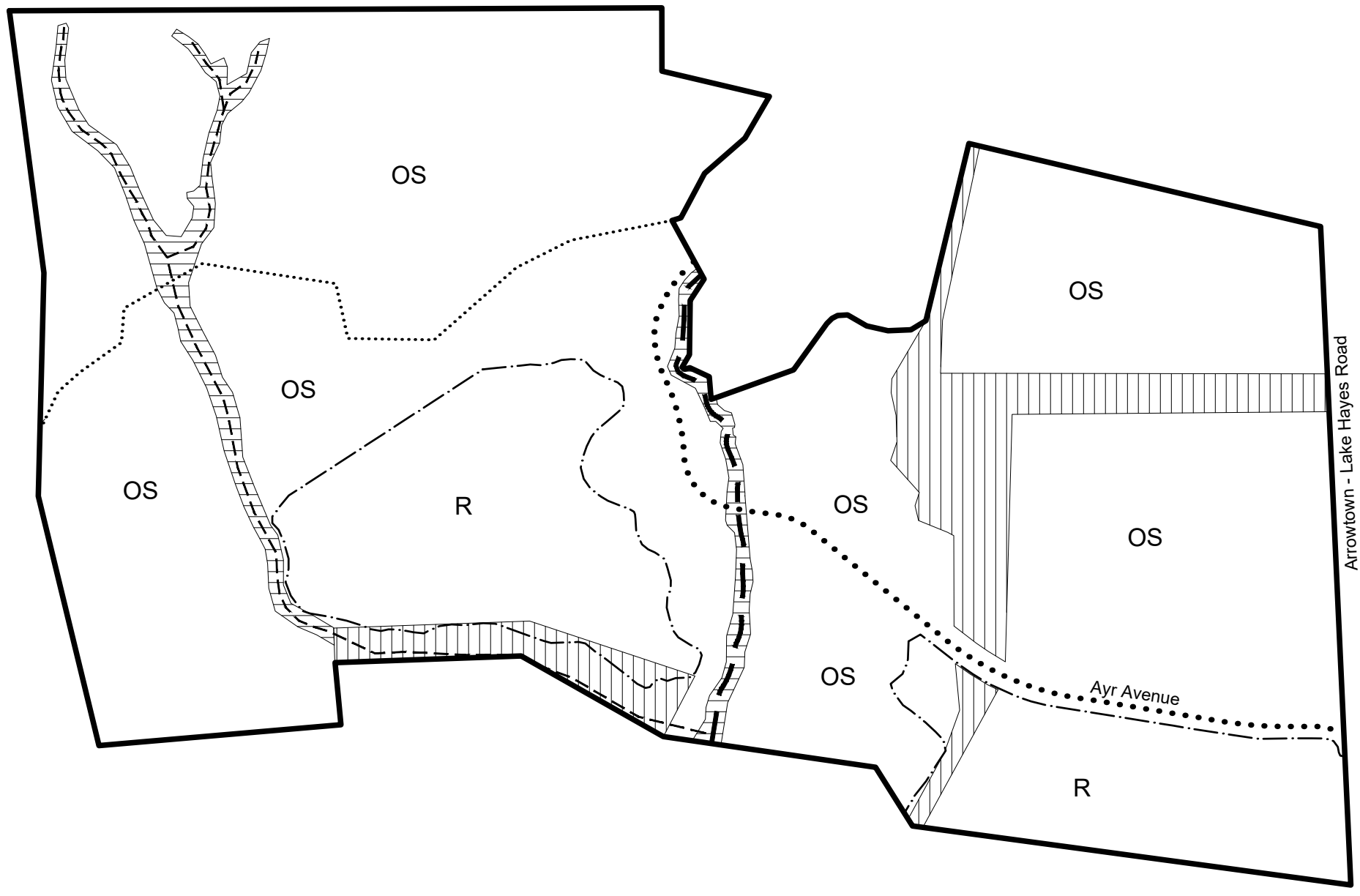
APPENDIX B: FINAL AYRBURN STRUCTURE PLAN

- Key:**
-  Structure Plan Boundary
 -  Mill Creek
 -  Ephemeral Tributary
 -  Ayr Ave - Public Access
 -  Pasture Line



Activity Areas:

-  Tree Protection Area
-  Riparian Planting
-  Open Space
-  Residential

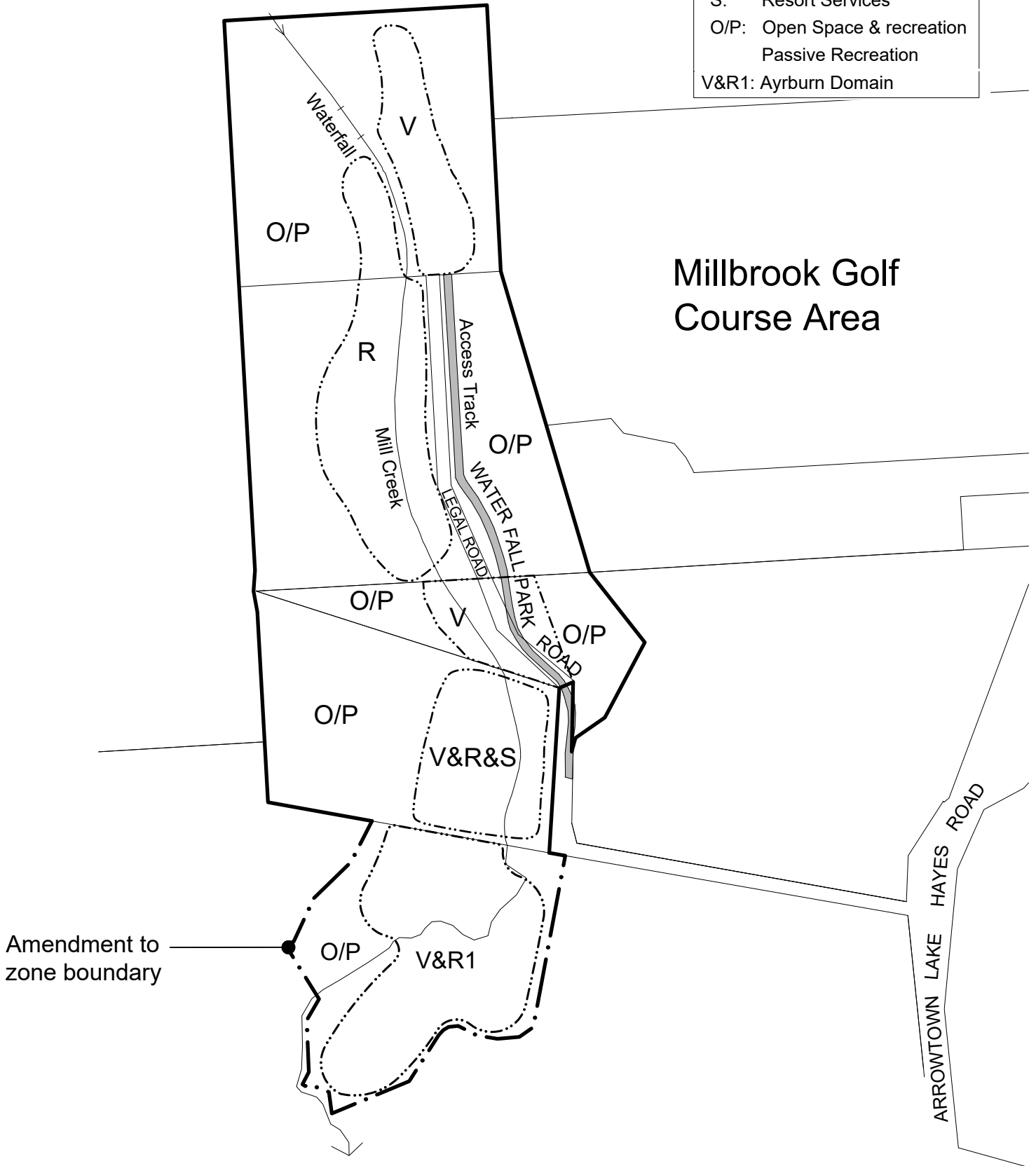


APPENDIX C: FINAL WATERFALL PARK ZONE STRUCTURE PLAN



Legend:	
V:	Village
R:	Residences
S:	Resort Services
O/P:	Open Space & recreation Passive Recreation
V&R1:	Ayrburn Domain

Millbrook Golf Course Area



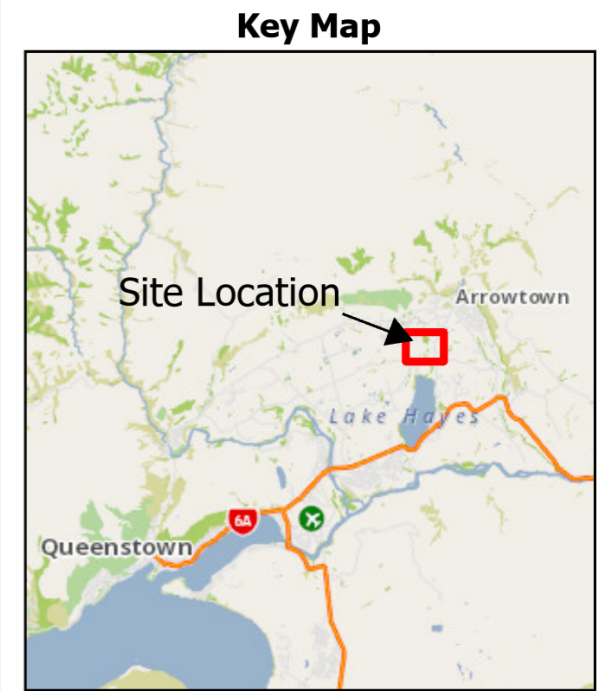
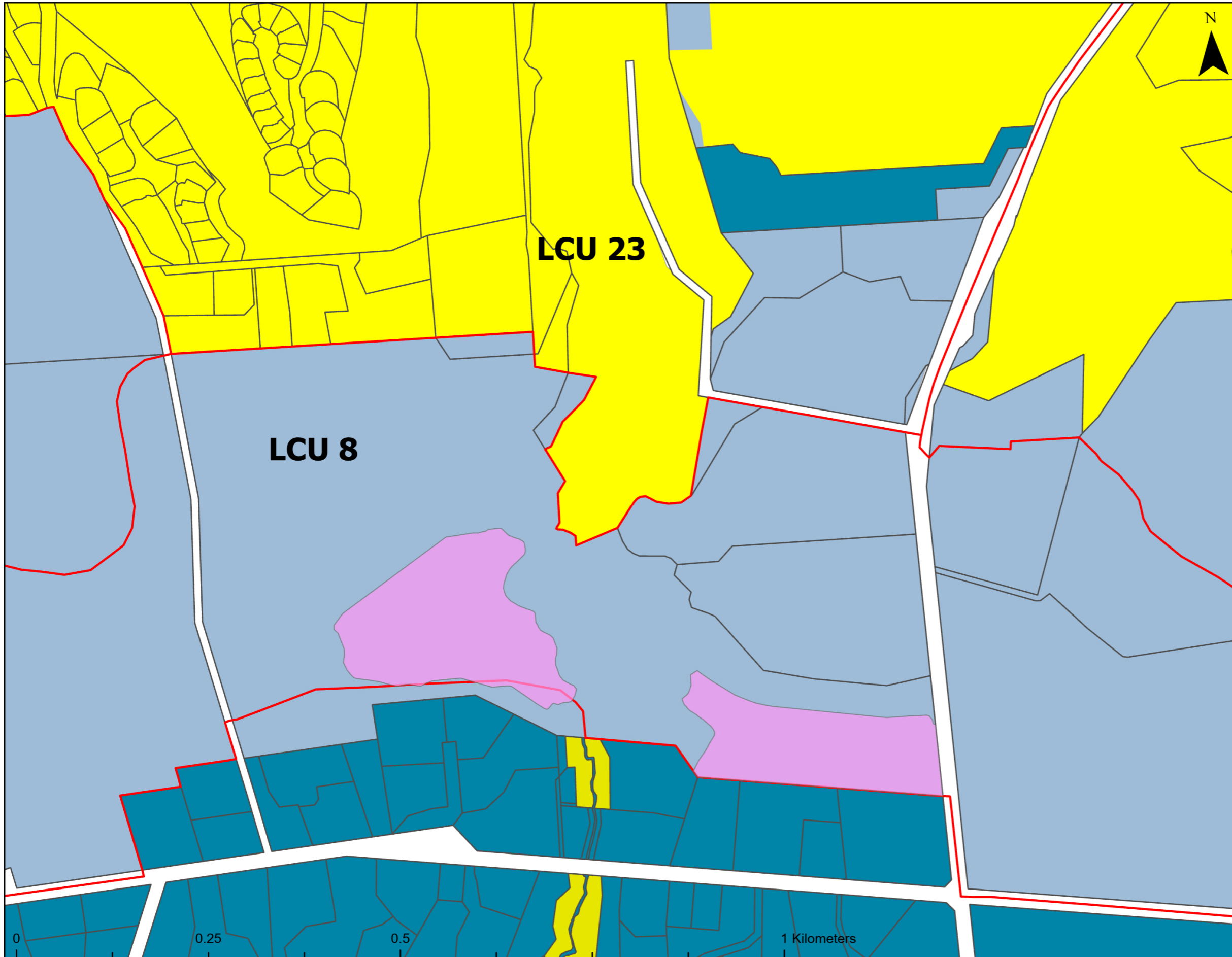
WATERFALL PARK ZONE STRUCTURE PLAN - AMENDMENT - 9-Dec-21

Scale 1:4000 @ A4

**APPENDIX D: FINAL WATERFALL PARK PDP MAP SHOWING ZONING, LCU BOUNDARIES,
AND WBRAZ MODERATE LANDSCAPE CAPACITY**



[2023] NZEnvC 134 - Waterfall Park



Legend

Land Parcels and Properties	Nature Conservation
Civic Spaces	Community Purposes
Zones	Active Sports and Recreation
Large Lot Residential A	Informal Recreation
Large Lot Residential B	Wakatipu Basin Lifestyle Precinct
Lower Density Suburban Residential	Wakatipu Basin Rural Amenity Zone
Medium Density Residential	Airport
High Density Residential	Coneburn Industrial
Rural	Gibbston Character
Rural Lifestyle	Gibbston Resort
Rural Residential	Hogans Gully Resort
Rural Visitor	Jacks Point Resort
Settlements	Millbrook Resort
Local Shopping Centre	The Hills Resort
Business Mixed Use	Three Parks Business
Arrowtown Residential Historic Management	Three Parks Commercial
Arrowtown Town Centre	Waterfall Park Resort
Queenstown Town Centre	Road
Wanaka Town Centre	Water (zone Rural unless otherwise shown)
General Industrial and Service	Moderate

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