



Mackenzie

DISTRICT PLAN REVIEW

TOMORROW'S MACKENZIE
KA AWATEA HŌU

Plan Change 21 – Amended Decision Report

11 May 2022

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List of submitters addressed in this report:

Submitter Ref	Further Submitter	Submitter Name	Abbreviation
1.		Richard Smith	
2.		James Paranihi	
3.		Lachlan Broadfoot	
4.		Kevin O'Neill	
5.		Ann-Maree Grant	
6.	Y	The Burkes Pass Heritage Trust	BPHT
7.		Graham Batchelor	
8.		Jeannie Columbus	
9.		Caroline Thomson	
10.		Mackenzie Runholders	
11.		Wayne Tewnion	
12.		Rick Ramsay	
13.		Peter Donohue and Janine Donohue	P and J Donohue
14.		Edward Stead	
15.		Alex Lusby	
16.		Michael Guerin	
17.		John Emery	
18.		Ministry of Education	MoE
19.		Sandra McHaffie	
20.		Owen Hunter	
21.		Paul Hannagan	
22.		Tony Stringer and Jill Stringer	T and J Stringer
23.		Helen Fincham-Putter	
24.		Deidre Senior	
25.		Anne Deaker	
26.		Robin Barlass	
27.		Ross Taylor	
28.		James Underwood	
29.		Ross Hanan	
30.		Trudy Hulme	
31.		Ali Preston-Marshall	
32.		Michele O'Carroll	
33.		Megan Merrick	
34.		Grant Hanan	
35.		Mitchell Beggs	
36.		Andrea Shaw	
37.		Lister Bass	
38.		Craig Ure	
39.		Theresa Firman	
40.		Brent Esler	
41.		Mitch Taylor	
42.		Marco Brenna	
43.		Carolyn Mincham	
44.		Prue Clark	
45.		Christopher Davies	
46.		Kelli James	
47.		Warren Frost and Maree Frost	W and M Frost
48.		Angela Davis	
49.		Don Hayden	
50.		John Cassie	
51.		Paul McKernan	
52.		Mary Murdoch	
53.	Y	Frank Hocken	
54.		Frank Hocken	

Submitter Ref	Further Submitter	Submitter Name	Abbreviation
55.		Guus van Gisteren	
56.		Bruce Mincham	
57.		Canterbury Regional Council (Environment Canterbury)	ECan
58.		Ian Riddler	
59.		Valerie McMillan	
60.		Ian Riddler	
61.		Judy Norman	
62.		John Capstick	
63.		Heather Capstick	
64.		Grant Pearson	
65.		Jacqui De Buyzer	
66.		Tina Wang	
67.		Craig La Hood	
68.		Scott Aronsen	
69.		Deb Thompson-bre	
70.		Belinda Kelly	
71.		Bevan Newlands	
72.		Grant Payne	
73.		Jacob Payne	
74.		Road Metals Company Limited	Road Metals
75.		Ursula Paul	
76.		Jan Spriggs	
77.		Russell King	
78.		Hannah Josli	
79.		Morgan Bathgate	
80.		Daniel Richards and Laura Richards	D and L Richards
81.		Fire and Emergency New Zealand	FENZ
82.		Ethan Stout	
83.		Martin Galley	
84.		Ara Poutama Aotearoa the Department of Corrections	Ara Poutama
85.		Lizz Carrington	
86.		David Power	
87.		Steve and Michelle Allan	S and M Allan
88.		Mackenzie A and P Society	
89.		Shaun Norman	
90.		Kevin and Jodi Payne	K and J Payne
91.		Kieran Buckham	
92.		Grant and Liz Munro	G and L Munro
93.		Simon Feasey	
94.		Melissa McMullan	
95.		Stephen Golding	
96.		Rosemary Golding	
97.		Jessica Mackay	
98.		Nick Mackay	
99.		Karen MacDiarmid	
100.		Ian Cartwright	
101.		Air BnB	
102.		Nicola Newman	
103.		Elizabeth Kinsman	
104.		Luke Haugh	
105.		Heather Eathorne	
106.		Karen Morgan	
107.		Anthony Weekes	
108.		Enviro Waste New Zealand	Enviro Waste
109.		Tessa Smith	
110.		Heather Te Koeti	

Submitter Ref	Further Submitter	Submitter Name	Abbreviation
111.	Y	Lake Tekapo Enterprises	
112.		Janette Hodges	
113.		Twizel Community Board	
114.		Tim Preston-Marshall	
115.		Zoe Willox	
116.		Colin Withnall and Family	
117.		Mackenzie Properties Limited	Mackenzie Properties
118.		Frances Dennison	
119.	Y	Waka Kotahi	
120.		Frances Dennison	
121.		Tekapo Landco Limited and Godwit Leisure Limited	TL&GL
122.		Matt Smith	
123.		Lisa Cotterrell	
124.		Anita Middleton-Buchan	
125.		Robin McCarthy	
126.		Helen Johnson and Phil McCabe	H Johnson and P McCabe
127.		Tessa Smith	
128.		Craig Latta	
129.		Matt Smith	
130.		Maree Cummings	
131.		Ian McDonald	
132.		Liz Angelo	
133.		Hannah Josli	
134.		Sarah Thompson	
135.		Jessica Maaka	
136.		Kerryn Archer	
137.		Eugene Archer	
138.		Walter Speck and Zita Speck	W and Z Speck
139.		Rob Young	
140.		Ian Thomson	
141.		Brian Carpenter	
142.		Kathleen Carpenter	
143.		Erica Wills	
144.		Jane Nicholls	
145.		Christopher Johnson	
146.		Eleanor Harris-Brouwer	
147.		Frances Bower	
148.		Malcolm Lousley	

Abbreviations used in this report:

Abbreviation	Full Text
APP	Appendix
CMUZ	Commercial and Mixed Use Zones
CON	Controlled Activity Status
CRPS	Canterbury Regional Policy Statement
DEV	Development Area
DIS	Discretionary Activity Status
District	Mackenzie District
GIZ	General Industrial Zone
LFRZ	Large Format Retail Zone
LLRZ	Large Lot Residential Zone
LRZ	Low Density Residential Zone
MDC	Mackenzie District Council
MDP	Mackenzie District Plan
MDPR	Mackenzie District Plan Review
MRZ	Medium Density Residential Zone
MUZ	Mixed Use Zone
NC	Non-Complying Activity Status
NP Standards	National Planning Standards
OMDP	Operative Mackenzie District Plan
PC20	Proposed Plan Change 20
PC21	Proposed Plan Change 21
PER	Permitted Activity Status
PREC	Precinct
SCA	Specific Control Area
RDIS	Restricted Discretionary Activity Status
RESZ	Residential Zones
RMA	Resource Management Act 1991
TCZ	Town Centre Zone

1. Purpose of Report

1. Pursuant to section 43(1) of the Resource Management Act 1991 (RMA), the Mackenzie District Council (MDC) has appointed a combined Hearings Panel of four independent commissioners¹ to hear and decide the submissions and further submissions on the Plan Changes which form the Mackenzie District Plan Review (MDPR).
2. This Decision Report sets out the Hearings Panel's decisions on the submissions and further submissions received on Plan Change 21 – Implementation of the Spatial Plans (PC:21).
3. The initial Section 42A Report and the end of hearing Section 42A Report (Reply Report) for PC21 were:
 - Section 42A Report: Plan Change 21 – Implementation of the Spatial Plans, Report on submissions and further submissions, Authors: Rachael Willox and Liz White, Date: 17 February 2023
 - Section 42A Report: Plan Change 21 – Implementation of the Spatial Plans, Reply Report, Authors: Rachael Willox and Liz White, Date: 6 April 2023
4. In our Minute 4 for PC21 dated 1 March 2023 we posed a number of questions to the PC21 Section 42A Report authors (hereafter referred to as the s42A authors). We received written answers to those questions on 10 March 2023.
5. The Hearing Panel's amendments to the notified provisions of PC21 are set out in Appendix 1. Amendments recommended by the s42A authors that have been adopted by the Hearing Panel are shown in ~~strike-out~~ and underlining. Further or different amendments made by the Hearing Panel are shown in **red font** as ~~strike-out~~ and underlining. Amendments to the MDP planning maps are show in Appendix 2.

2. Hearing and Submitters Heard

6. There were 148 primary submissions and seven further submissions² on PC21. Further submissions are generally not discussed in this Decision Report, because they are either accepted or rejected in conformance with our decisions on the primary submissions to which they relate.
7. The hearing for PC21 was held on Wednesday 22 March 2023 in Fairlie and on Thursday 23 March 2023 in Twizel. Eighteen submitters were heard³:

Submitter Ref	Submitter Name
03	Lachlan Broadfoot
06	Burkes Pass Heritage Trust ⁴
08	EnviroWaste Services Ltd
12	Rick Ramsay
13	Peter & Janine Donohue
14	Environment Canterbury
21	Paul Hannagan
72	Grant Payne
84	Department of Corrections
86	David Power
92	Grant & Liz Munro
111	Lake Tekapo Enterprises Ltd
112	Janette Hodges
117	Mackenzie Properties Ltd
121	Tekapo Landco Ltd & Godwit Leisure
125	Robin McCarthy
138	Walter and Zita Speck
FS 2	Queenstown Lakes Community Housing Trust

¹ Andrew Willis, Megan McKay, Rob van Voorthuysen and Ros Day-Cleavin.

² Four of the further submissions were lodged by primary submitters.

³ Liz Angelo (132) wished to be heard but had problems with MS Teams. She provided a written statement.

⁴ Jane Batchelor spoke on behalf of the Burkes Pass Heritage Trust. She also represented submitters Graham Batchelor (7), Prue Clark (44), John Emery (17) and Laura Richards (80).

8. The people we heard from are listed in Appendix 3. Submitters who tabled evidence but did not appear at the hearing are also listed in Appendix 3.
9. Copies of any legal submissions or evidence (either precirculated or tabled at the hearing) is held by the MDC. We do not separately summarise that material here, but we refer to or quote from some of it in the remainder of this Decision Report. We record that we considered all submissions and further submissions, regardless of whether the submitter or further submitter appeared at the hearing and whether or not they were represented by counsel or expert witnesses.
10. We received opening legal submissions from MDC's legal counsel Michael Garbett who advised that decisions on the strategic objectives in PC20 had passed the appeal period with no appeals being lodged in the Environment Court. Those strategic objectives are therefore beyond challenge.

3. Our Approach

11. We have decided to structure this Decision Report in the following manner.

3.1 Statutory Framework

12. We adopt the statutory framework assessment set out in section 6 of the Section 42A Report. We note that to be consistent with the framework described by Mr Garbett.

3.2 Out of Scope Submissions

13. We adopt the 'Scope Assessment' set out in sections 5 and 8 of the Section 42A Report. The consequence of that is that we decline to consider the submissions listed in the tables that appear under paragraphs 20, 31 and 32 of the Section 42A Report.
14. Regarding the issue of 'scope' we record:
 - We issued PC21 Minute 2 inviting any submitter who disagreed with the 'Scope Assessment' for their submission or submission point to inform the Hearing Panel (preferably but not necessarily supported by either legal submissions or expert planning evidence) on or before Friday 3 March 2023 outlining why they considered their submission or part thereof was 'in scope'.
 - We received submissions in response to Minute 2 from Roads Metals Limited (Road Metals) and Tekapo Landco Limited and Godwit Leisure Limited (TL&GL). We asked for and received a reply to those two submissions from counsel for MDC. We issued subsequent Minutes declining to consider the 'out of scope' matters addressed by both Road Metals⁵ and TL&GL⁶. Those Minutes are available on the MDC webpage for PC21.
15. No other submitter assessed by the S42A authors as being 'out of scope' provided a response to Minute 2.
16. However, in her opening submissions counsel for ECan helpfully advised⁷:

At the outset, I note that there were two matters raised in CRC's submission which were identified within the section 42A report as being out of the scope of PC21 and the submissions lodged on PC21. This related to the amendments sought in CRC's original submission to the definition of "high flood risk" in the ODP, and the addition of a further subdivision rule in the ODP. The CRC accepts that these matters are outside the scope of PC21, as they relate to provisions that are not otherwise amended by PC21 (and therefore do not address a change to the status quo advanced by the proposed plan change).
17. Mr Garbett submitted in his opening legal submissions that for the remaining submission points (other than those of Road Metals and TL&GL) and further submissions that the s42A authors identified as being out of scope, the Hearing Panel should decline to consider those points further as they are beyond the scope of PC21. We accept that submission. Having said that, we nevertheless allowed 'out of scope' submitters to appear at the hearing if they had requested to do so, but advised them that we could not consider their out of scope submission points.

⁵ PC21 Minute 5

⁶ PC21 Minute 7

⁷ Legal Submissions on behalf of the Canterbury Regional Council, 10 March 2023

18. The 'out of scope' submitters who appeared at the hearing⁸ included:
- 06 Burkes Pass Heritage Trust
 - 13 Peter & Janine Donohue
 - 92 Grant & Liz Munro
19. The 'out of scope' submissions of submitters 06 and 13 related to a request to include a new Heritage Precinct within Te Kōpi-O-Ōpihi / Burkes Pass. Their submissions relating to the LRZ and MUZ are 'in scope'.
20. The further submission of the Queenstown Lakes Community Housing Trust (QLCHT) was partially out of scope. That further submission sought relief⁹ that was not contained in the primary submission they relied on¹⁰. The QLCHT also sought to "include regulations for Visitor Accommodation" and we consider that to be generally within the scope of submission 05 as visitor accommodation is dealt with in PC21. However, no amendments to the notified provisions were sought by either submitter 05 or the QLCHT, so we do not consider that matter further.

3.3 Uncontested Provisions

21. As discussed in section 9 of the Section 42A Report, PC21 proposed consequential amendments, including deletions, to the various provisions within the OMDP relating to residential, commercial and mixed use and industrial zones. No submitters opposed those deletions or amendments. Accordingly, we adopt the s42A authors' recommendation that those provisions be deleted or amended.
22. There were also a large number of provisions that were supported by some submitters and not opposed by other submitters. Accordingly, we adopt the s42A authors' recommendation that those provisions be retained as notified. Those provisions are listed in tabular form under paragraph 34 of the Section 42A Report; however, we do not repeat that table here for the sake of brevity.
23. We note that the following submitters who appeared at the hearing supported the notified provisions and sought no further changes:
- 3 Lachlan Broadfoot in relation to Kimbell;
 - 92 Grant and Liz Munro in relation to Burkes Pass Spatial Plan¹¹; and
 - 111 Lake Tekapo Enterprises in relation to DEV-1 Lake Tekapo West Future Development Area and DEV-2 Lake Tekapo North-West Future Development Area¹².

3.4 Common Issues or Relief Sought

24. There was one issue that attracted a number of narrowly focussed submissions seeking the same relief. We assess those submissions in section 4 of this Decision Report.

3.5 Institutional or 'Corporate' Submitters

25. We received comprehensive submissions and expert evidence from the following submitters¹³ who appeared at the hearing:
- 57 Canterbury Regional Council (ECan)
 - 84 Ara Poutama Aotearoa the Department of Corrections (Ara Poutama)

⁸ Liz Angelo (132) had technical issues so could not appear on MS Teams but she tabled documentation with the Hearing Secretary.

⁹ Facilitate the establishment of an independent not-for-profit community housing trust and Implement Inclusionary Housing provisions into the District Plan.

¹⁰ Submission 05 Anne Marie Grant. Ms Grant's sole relief sought was to "Start regulating and limiting Airbnb and other short-term rentals" in Tekapo.

¹¹ We note this was an 'out of scope' submission.

¹² We note the Lake Tekapo Enterprises further submission FS05 was 'out of scope' in relation to staff accommodation.

¹³ Some of whom also provided legal submissions.

- 108 Envirowaste Limited
- 117 Mackenzie Properties Limited
- 121 Tekapo Landco and Godwit Leisure

26. Solely for ease of reference we address those submissions under specific headings.

3.6 Other Matters Raised at the Hearing

27. We address the submission of 72 Grant Payne in section 10 of this Decision Report.

3.7 Remaining Submissions

28. For any submission that is not addressed in sections 3.4 to 3.6 above, we record that we adopt the s42A authors' assessments, recommendations and reasons. We do not repeat those assessments, recommendations or reasons here for the sake of brevity.

3.8 Section 32AA Assessments

29. Where we adopt the s42A authors' recommendations we also adopt their section 32AA assessments.

30. Where we differ from those recommendations, we set out our own assessment or reasons at a level of detail that corresponds to the scale and significance of the changes we recommend to the provisions. We are satisfied that those amendments are a more efficient and effective means of giving effect to the purpose and principles of the RMA and the higher order statutory instruments, for the reasons set out in the body of this Decision Report

4. MRZ and Commercial Visitor Accommodation Precinct north of Ruataniwha Road in Twizel

4.1 Assessment

31. Sixty-seven submissions requested that the proposed MRZ and Commercial Visitor Accommodation Precinct north of Ruataniwha Road in Twizel¹⁴ not be zoned MRZ and instead be retained as Recreation Passive¹⁵. The s42A authors recommended that those submissions be accepted. They set out their reasons for that recommendation in paragraphs 358 to 360 of the Section 42A Report. We adopt that recommendation and the reasons for it, noting in particular:

- rezoning all land identified in the Spatial Plans for MRZ and Commercial Visitor Accommodation is not required at this time to meet the likely demand for that type of land use during the lifetime of the MDP;
- areas other than land north of Ruataniwha Road in Twizel are more logical areas for infill development over the short to medium term (namely the next ten years); and
- the area in question is extremely popular and highly valued by the community for its recreational use and it provides an attractive and green entrance to Twizel.

4.2 Decision

32. The proposed MRZ (Commercial Visitor Accommodation Precinct) north of Ruataniwha Road, Twizel is not zoned MRZ and is retained Recreation Passive as shown in Attachment 2.

5. Canterbury Regional Council

5.1 Assessment

33. Evidence for ECan was provide by Oliver Hermans (science analyst) and Alanna Hollier (hydraulic modelling).

¹⁴ The area outlined in green in Figure 2 on page 83 of the Section 42A Report.

¹⁵ That relief was sought by submitters 12, 14, 21 and 81 who appeared at the Hearing.

34. Mr Hermans' evidence was that investigations had identified that the area below the terrace that runs parallel to Glen Lyon Road was subject to a significant flood hazard. Some floodable areas met the CRPS definition of a high hazard area.¹⁶
35. Ms Hollier advised that having reviewed the Section 42A Report, ECan requested the following additional relief:
- (a) Onsite wastewater – clarifying to MDP users that connection to the reticulated sewer network in Twizel was expected, and that development constraints applied to the townships of Albury and Kimbell based on the need to obtain a discharge consent from the CRC;
 - (b) ECan bylaw - inserting an advice note to highlight to Plan users that authorisation may be required under the Canterbury Flood Protection and River Drainage Bylaw 2013 for various activities occurring adjacent to some drains and watercourses;
 - (c) Flood risk – ensuring new development in the LLRZ located to the north of Twizel was not subject to unacceptable flood risk; and
 - (d) GIZ setbacks – ensuring that adverse effects of activities within the Twizel GIZ, that may be incompatible with residential uses, were appropriately managed.

Onsite wastewater

36. Regarding matter (a) Ms Hollier advised that ECan's concern related to potential adverse effects on water quality in Twizel, Kimbell and Albury, primarily as we understand it from onsite wastewater treatment systems. The s42A authors advised that all new development in the LLRZ in Twizel and Fairlie was intended to be connected to MDC's reticulated sewer network.
37. We observe that ECan's LWRP onsite wastewater Rule 5.8(2) states "*The discharge is onto or into a site that is equal to or greater than 4 hectares in area*" which is 40,000m². On smaller sites LWRP Rule 5.8B requires a discretionary activity consent. In that regard Ms Hollier agreed with the proposed servicing standard recommended to be introduced to the LLRZ, LRZ and MUZ as it appeared to require a discharge consent be obtained prior to or at the same time as the activity was assessed under the MDP.
38. The s42A authors agreed¹⁷ that it was appropriate to have all references to wastewater discharges within the Servicing Standards (LLRZ-S6, LRZ-S7 and MUZ-S8) in order to remove unnecessary repetition. They recommended amendments to LLRZ-S1, LRZ-S1 and MUZ-S1 to remove reference to wastewater disposal and consequential amendments to LLRZ-R1, LRZ-R1 and MUZ-R1 to ensure residential units were subject to the proposed Servicing Standards.
39. We agree with the s42A authors¹⁸ that the Servicing Standards should be only be linked to the rules controlling residential units and buildings.
40. We understand the above matters to have been agreed with Ms Hollier¹⁹.
41. Ms Hollier recommended consequential amendments to LLRZ-P5, LRZ-P6 and MUZ-P3. We do not consider that is necessary as we also agree with the s42A authors²⁰ that policies relating to wastewater services should be located in the subdivision chapter.
42. Ms Hollier recommended an additional matter of discretion that would read "*Whether lot size allows for adequate access to any wastewater or stormwater system for any required maintenance, upgrading or repairs*" for LLRZ-R8 and LLRZ-R10, LRZ-R8 to LRZ-R11 and MUZ-R5 to MUZ-R7. We do not consider that to be appropriate as lot size is a subdivision matter that will be considered in later stages of the MDP.

¹⁶ ECan had also sought to amend the OMDP definition of High Flood Risk and to include a new subdivision rule requiring a RDIS consent for any subdivision in the LLRZ, LRZ and MUZ with discretion limited to allotment size. Those matters are out of scope and so we declined to consider them, as outlined in section 3.2 of this Decision. Ms Hollier accepted that the first matter was out of scope.

¹⁷ Reply Report paragraph 8.

¹⁸ Reply Report paragraph 11.

¹⁹ Reply Report paragraphs 10 and 11.

²⁰ Reply Report, paragraph 14.

43. We agree with the s42A authors that it is not necessary to amend the Servicing Standards to address stormwater disposal. We understand that the disposal of stormwater in Kimbell and Albury is likely to meet the permitted activity conditions set in the Canterbury Land and Water Regional Plan.
44. Finally, Ms Hollier recommended an addition to the introduction section of the LLRZ, LRZ and MUZ by the inclusion of the following sentence “*The development potential of sites within Kimbell and Albury is limited by the possible need to obtain a discharge permit from Environment Canterbury for the discharge of wastewater and stormwater.*” We find that is not required in the LLRZ due to its large lot sizes and we observe the LRZ introduction already addresses onsite wastewater. We agree that the MUZ Introduction should also address that matter and we find that words similar to those in the LRZ Introduction should be used.

ECan Bylaw

45. Regarding matter (b), the s42A authors considered that as the ECan Bylaw sought to manage, regulate and protect flood protection and flood controls works, issues in relation to it would be more appropriately included as part of the MDP Natural Hazard Chapter. In response Ms Hollier advised that the Bylaw was not about protecting land use activities from flood hazards, but rather managing adverse effects of activities, land use and development on flood mitigation infrastructure and works. She considered that the benefit of including an advice note within the setback standards of LRZ-S4.2 and MUZ-S4.1 was that it would be seen by Plan users applying the setback standards.
46. In their Reply Report the s42A authors noted that reference to the Bylaw would also need to be included within multiple other chapters, where the zone crosses an area to which the Bylaw applies, which was not appropriate. To the s42A authors’ knowledge, advice notes relating to the Bylaw had not been included in other District Plans in the region.
47. On balance we decline to find that an advice note relating to the ECan Bylaw should be included in the setback standards of LRZ-S4.2 and MUZ-S4.1.

Flood risk

48. Regarding matter (c), Ms Hollier’s evidence was that based on allowable LLRZ lot size, there was the potential for increased development of the properties between Glen Lyon Road and the Twizel River. She advised ECan sought that a standard be inserted into the LLRZ chapter to require any new development associated with the properties between Glen Lyon Road and the Twizel River to be located atop the terrace, with non-compliance defaulting to a DIS activity status. Ms Hollier suggested that standard could be deleted once the flood hazard chapter provisions were reviewed and had legal effect.
49. The s42A authors did not agree that a new standard was necessary in LLRZ with respect to inundation because most of the buildable area on sites on Glen Lyon Road sat above the lower floodable terrace and the majority of sites had already been developed for residential activity. They also considered that provisions relating to natural hazards should be dealt with in the MDP’s Natural Hazard Chapter.
50. Regarding Ms Hollier’s suggestion, we do not consider it would be appropriate to insert a ‘temporary’ rule that then needs to be further amended in a later Plan change.
51. At the hearing Ms Willox drew our attention to standard 3.1.1.e.ii of the Operative District Plan which is:
 The minimum floor height for habitable residential buildings in areas subject to 'Low Flood Risk' shall be 150mm above floodwaters with a 0.2% annual probability of occurring (i.e., 500 year return period flood).
52. We also observe that under standard 3.1.1.e.i “*No habitable residential buildings shall be located in areas of 'High Flood Risk'.*” We consider that the Operative DP provisions provide a sufficient safeguard against inappropriate habitable buildings being built in flood zones prior to the review of the Natural Hazards chapter of the MDP. We also agree that the risk of habitable buildings being erected on the Glen Lyon lower terrace area is low for the reasons set out by the s42A authors.
53. Finally, we note that MDC would in all likelihood be able to refuse building consents for any such buildings. In that regard the s42A authors advised²¹ that s71 of the Building Act 2004 requires a building consent

²¹ Reply Report, paragraph 21.

authority to refuse to grant a building consent for the construction of a building if the land is subject to, or is likely to be subject to, one or more natural hazards and adequate provision has not been made to protect the land or building work from the natural hazard.

54. We decline to find in favour of the amendment sought by ECan.

GIZ setbacks

55. Regarding matter (d), Ms Hollier noted that ECan had requested a 50m setback of buildings, structures and industrial activities within the Twizel GIZ to residential areas (LRZ and LLRZ) in order to maintain residential amenity. The s42A authors recommended accepting the intent of that relief in relation to GIZ-R1 but not GIZ-R2. Ms Hollier considered that created a 'gap' in the MDP. She also considered it was not appropriate to apply a permitted activity status to industrial activities managed under GIZ-R2.
56. We agree that buildings, structures and activities for non-heavy industry should not be enabled to locate within 30m of LLRZ or LRZ areas as a permitted activity under either GIZ-R1 or GIZ-R2. Requiring a controlled activity resource consent (CON) for such activities (our amended GIZ-R1.1 and GIZ-R2.2) will enable decision-makers to ensure potential adverse effects on adjoining residential areas are appropriately avoided or mitigated. We agree the effects to be assessed should include odour, as was suggested by Ms Hollier.
57. We also agree that heavy industry seeking to establish within 30m of a residential area in Twizel should be assessed as a RDIS (GIZ-R2.1).
58. In that regard we differ from the s42A authors who considered that the 30m setback should only apply to activities managed under GIZ-R2.
59. We consider that GIZ-R2 'industrial activities' should also have to comply with GIZ-S2 and GIZ-S6 relating respectively to outdoor storage / servicing areas and landscaping. We make a Schedule 1 clause 16(2) amendment accordingly.
60. We find that GIZ-R1 and GIZ-R2 should be amended to address the above matters. That includes having consistent matters of control in GIZ-R1.1 and GIZ-R2.2, mirroring those recommended in Reply by the s42A authors for GIZ-R2.1.
61. We also agree with Ms Hollier that GIZ-S3 requires a consequential amendment arising from the amendments to GIZ-R1. However, all that requires is to omit the word 'residential' from GIZ-S3.1 because under our amendments to GIZ-R1 and GIZ-R2 the setback from a residential zone must be 30m unless determined otherwise through a CON consent process.

5.2 Decisions

62. Amend LLRZ-S1, LRZ-S1 and MUZ-S1 1 in order to better manage the effects of on-site wastewater disposal systems as shown in Attachment 1.
63. Insert new LLRZ-S6, LRZ-S7 and MUZ-S8 in order to better manage the effects of on-site wastewater disposal systems as shown in Attachment 1.
64. Amend LLRZ, LRZ and MUZ rules to reflect the new on-site wastewater standards as shown in Attachment 1.
65. Amend the Introduction to the MUZ chapter as shown in Attachment 1.
66. Amend GIZ-R1, GIZ-R2 and GIZ-R3 in order to better manage the effects of industrial buildings, structures and activities on residential activities as shown in Attachment 1.

6. Ara Poutama Aotearoa the Department of Corrections

6.1 Assessment

67. Ara Poutama sought a range of amendments primarily related to providing for a 'community corrections activity' in various residential, commercial and industrial zones. Evidence was provided by Maurice Dale, a planner acting on behalf of Ara Poutama.
68. Mr Dale outlined²² his agreement with the Ara Poutama submissions that the s42A authors had recommended accepting. We echo that agreement, but do not list those provisions here for the sake of brevity. Mr Dale addressed the remaining areas of contention.
69. He recommended that the MDP contain a definition of 'household' that would cover the situation where people released from prison, those on bail, or those serving community-based sentences were domiciled in a residential unit along with or without a supervisor. Ara Poutama referred to that as a 'supported residential activity' which is not a defined term in the NP Standards or the MDP. Mr Dale considered that a definition of 'household' was necessary because the definition of 'residential unit' contained a reference to 'household' but did not further define what that meant.
70. Andrea Miller (representative of Ara Poutama) advised that inclusion of a definition of 'household' would ensure that the MDP provided for, and met the needs of, a variety of different households including those housed by Ara Poutama and/or its services within the community.
71. The s42A authors did not consider that to be necessary and they suggested 'household' would generally include individuals living within a residential unit no matter what their relationship to each other was. In their Reply Report²³ the s42A authors noted that the MDP does not treat supported residential activities, such as those provided by Ara Poutama, differently to other forms of residential activity.
72. We agree with the s42A authors' assessment and note that should Ara Poutama wish to establish a 'supported residential activity' in one of the Mackenzie District's townships (at the hearing the Ara Poutama representatives advised that they did not know if any currently existed) then it has the option of seeking a certificate of compliance from the MDC.
73. Mr Dale outlined how Ara Poutama sought that a 'community corrections activity' be provided for as a permitted activity in the TCZ, MUZ, and GIZ zones instead of being a discretionary activity. He advised that outcome was no longer sought for the MUZ²⁴.
74. The s42A authors considered that a 'community corrections activity' was already permitted in the TCZ by virtue of it being a 'community facility'. They recommend that it be permitted in the GIZ by way of a new rule GIZ-R5.1. Mr Dale generally supported that approach, but suggested that a "community corrections activity" should be permitted by way of a separate rule in each zone.
75. We agree with Mr Dale's suggestion regarding separate rules in the TCZ and GIZ, because in our view upon a plain reading of the MDP definition of 'community facility' it would not be apparent that it included a 'community corrections activity'. For that reason, we agree with Mr Dale that the definition of 'community corrections activity' should be a standalone definition as opposed to being nested within the definition of 'community facility'. In reaching this view we note alignment with the National Planning Standards where 'community corrections activities' are separately defined.
76. However, we do not think it is necessary to amend TCZ-P1 to refer to community corrections facilities.

6.2 Decisions

77. Insert the definition of 'community corrections activity' contained in the NP standards as shown in Attachment 1.
78. Insert new rules TCZ-R3A and GIZ-R5A to permit a 'community corrections activity' as shown in Attachment 1.

²² Paragraph's 6.1 to 6.6.

²³ Paragraph 58.

²⁴ His paragraph 8.13.

7. EnviroWaste Limited

7.1 Assessment

79. Evidence was provided by Kaaren Rosser, an Environmental Planner with EnviroWaste.
80. EnviroWaste sought to amend MRZ-R9 to include waste storage as a matter of discretion for retirement villages. The s42A authors agreed that would be beneficial and recommended that the submission be accepted. We agree.
81. EnviroWaste sought amendments to GIZ-O1 to ensure that compatible activities did not compromise the functionality of the zone for industrial activities. The s42A authors considered²⁵ that was unnecessary because what is 'compatible' was set out in the policy framework. We also note that it is axiomatic that a compatible activity would not compromise the functionality of the zone for industrial activities. Ms Rosser disagreed with the authors and suggested²⁶ alternative wording. We are not persuaded that her alternative wording is appropriate as it would fail to inform decision-makers that they should give favourable consideration to compatible activities in the GIZ.
82. EnviroWaste sought amendments to GIZ-P1 as they considered it was too vague and could lead to reverse sensitivity effects. The s42A authors considered²⁷ EnviroWaste's amendments to be inappropriate because it was not best practice for a policy to refer to a rule, where the rule referred to is the one implementing the policy. Ms Rosser suggested that the policy should instead be amended to refer to "permitted activities of a similar scale and nature to industrial activities". We consider that to be inappropriate because it would deny the ability to obtain a resource consent for such activities.
83. EnviroWaste sought amendments to GIZ-R4, which relates to ancillary activities, to impose limits on the gross floor area of any office. The s42A authors considered²⁸ that was appropriate as it would ensure that if offices were established in the GIZ, the associated industrial activity would nevertheless remain the dominant feature. The authors recommended that the gross floor area of an office should not exceed the greater of 30% of all buildings on the site or 100m². We find that to be appropriate.
84. EnviroWaste sought a new standard in the MRZ with regard to waste management, in particular a requirement to provide space for waste storage bins. Amendments relating to that standard were sought for MRZ-R1 along with a new matter of discretion to deal with non-compliance with the standard. The s42A authors initially considered²⁹ that was unnecessary as the matter fell within the jurisdiction of the MDC's Solid Waste Bylaw 2021. However, the EnviroWaste relief was supported by Stephanie Griffiths, the MDC's urban design witness.
85. In their Reply Report the s42A authors recommended amendments to the MRZ Design Guide contained in APP2 to require consideration of waste storage and collection at the design phase of any proposed higher density residential development. The authors noted³⁰ that residential units in the MRZ were only permitted where they had a site area of 400m² or more. All residential units with a site area less than 400m² required resource consent as a RDIS activity (MRZ-R1), with consistency with the Design Guide being the only matter of discretion. We find that to be a suitable approach to the issue, because as observed by the s42A authors, EnviroWaste's concern was with higher density residential developments (200-250m² sections) which would require consent and would therefore be assessed against the Design Guide.
86. Lastly, EnviroWaste sought amendments to LLRZ-P5 to ensure that built form was required to be of a scale and design that maintained the amenity values anticipated in adjacent zones. They also sought amendments to LLRZ-S4 to impose a 20m setback required from GIZ, to ensure residential dwellings did not negatively impact adjacent industrial activities. As a consequence of that relief, they also sought an amendment to the related matter of discretion RESZ-MD3.

²⁵ Paragraph 177.

²⁶ Her paragraph 6.2.

²⁷ Paragraph 180.

²⁸ Paragraph 183.

²⁹ Paragraph 277.

³⁰ Reply Report, paragraphs 29 and 30.

87. The s42A authors agreed³¹ that an amendment to LLRZ-P5 would be appropriate and recommended that the request for a 20m setback be accepted (new LLRZ-S4.4) along with a new RESZ-MD3.e relating to reverse sensitivity effects. Ms Rosser supported the authors' recommended amendments and we agree that they are appropriate.

7.2 Decisions

88. Amend MRZ-R9 to include waste storage as a matter of discretion for retirement villages as shown in Attachment 1.
89. As a consequential amendment, make the same amendment to LRZ-R10.
90. Amend LLRZ-P5 to include an additional clause relating to minimising potential reverse sensitivity where the LLRZ adjoins a GIZ as shown in Attachment 1.
91. Amend LLRZ-S4 to apply a 20m setback from any internal boundary adjoining the GIZ as shown in Attachment 1.
92. Amend RESZ-MD3 to include a new clause e relating to reverse sensitivity effects as shown in Attachment 1.
93. Amend the MRZ Design Guide contained in APP2 of the MDP to manage the storage of waste bins as shown in Attachment 1.

8. Mackenzie Properties Limited

8.1 Assessment

94. Mackenzie Properties Limited (MPL) sought a number of amendments to the PMDP.
95. They sought amendments to LLRZ-S5 to allow for an increased building coverage of 35% and an increased impervious coverage of 45%. As notified, LLRZ-S5 allowed for a maximum building coverage of 25% and a maximum building and impervious coverage of 40%. They similarly requested amendments to LRZ-S5 to allow for an increased building coverage of 50% and an increased impervious coverage of 60%.
96. The s42A authors assessed³² these requests and recommended they be rejected. We accept that recommendation for the reasons cited by the authors.
97. MPL sought amendments to LRZ-S1 such that where reticulated sewerage was not available the minimum density per residential unit would be 2,000m² instead of 1,500m². The s42A authors advised that the 1,500m² lot size was consistent with the OMDP and was discussed with ECan prior to notification. ECan reportedly raised no concerns provided that the wastewater discharge was authorised by ECan. We note that in their submission ECan did not seek to increase the 1,500m² lot size. We agree with the s42A authors that this MPL submission should be rejected.
98. MPL sought amendments to the LFRZ to allow for separate retail development down to 200m² and an allowance for office accommodation space. They also sought to enable commercial visitor accommodation in the LFRZ. Referring to the NP Standards definition³³ of LFRZ, the s42A authors advised that this type of zone was used to provide specifically for large format retail activities and in almost all cases, small-scale retail was restricted in order to direct the latter to town centres. Reducing the minimum floor area for retail development would therefore not align with the NP Standards' LFRZ description as it would allow for a predominance of smaller retail shops. We agree that would be inappropriate. Enabling offices of any scale and in any location within the LFRZ as a permitted activity would also be inconsistent with the purpose of the LFRZ.
99. MPL requested that the Commercial Visitor Accommodation Precinct be applied to part of the land they own adjoining Ostler Road and bounded by Benmore Place. The s42A authors considered³⁴ that a SCA

³¹ Paragraph 335.

³² Section 42A report, paragraphs 58 and 59 regarding the LLRZ and paragraph 83 regarding the LRZ.

³³ Areas used predominantly for commercial activities which require large floor or yard areas. We note that dictionary definitions of 'predominantly' refer to 'mostly' or 'for the main part'.

³⁴ Paragraph 163.

should be applied to that part of the site to allow commercial visitor accommodation as a RDIS. We agree with that suggestion.

100. Finally, regarding residential visitor accommodation, MPL sought a reduced permitted activity limit of four guests per night in all residential zones outside of the Commercial Visitor Accommodation Precinct. The s42A authors outlined³⁵ why they considered that to be inappropriate. We concur with those reasons, noting in particular that six guests are comparable to a residential household.

8.2 Decisions

101. The submissions of Mackenzie Properties Limited are rejected other than for the land they own adjoining Ostler Road and bounded by Benmore Place.
102. The area shown in the Mackenzie Properties Limited's concept plan for 'proposed accommodation' is identified as a Specific Control Area 8 as shown in Attachment 2.
103. Amend LFRZ-R8 so that a RDIS activity status is applied to commercial visitor accommodation within SCA-8, with commercial visitor accommodation otherwise remaining a non-complying activity under LFRZ-R8, as shown in Attachment 1.

9. Tekapo Landco and Godwit Leisure (TL&GL)

9.1 Assessment

104. TL&GL owns land at Lakeside Drive in Tekapo that accommodates the Lakes Edge Holiday Park and the wider Station Bay residential development.
105. TL&GL's original submission sought zoning that was consistent with the Tākapo/Tekapo Spatial Plan. As noted by the s42A authors³⁶, that involved that Lot 1 DP 455053, Lot 400 DP 560853, Lots 49 and 50 DP 560853 and Lot 1 DP 560853 being zoned MUZ with a new 'Tekapo Mixed Use Precinct' applied to allow for campground activities and a greater level of built form. The Lake Tekapo Precinct (PREC1) would be removed from those lots.
106. Alternatively, TL&GL sought that the above lots be zoned MRZ and that a Commercial Visitor Accommodation Precinct (PREC2) be applied to them.
107. As set out in section 3.2 of this Decision Report, we have ruled that TL&GL's submissions seeking to redraw the boundaries of the Medium Density Residential Zone (MRZ) to match the Spatial Plan for Lot 401 DP 560853 and that Lot 1 DP 455053 containing the Tekapo Holiday Park³⁷ be included in PC21 and zoned MUZ are out of scope. We do not consider those two matters further. TL&GL's planning witness, Kimberley Banks, helpfully provided revised evidence on 24 March 2023 that omitted the relief originally sought for these two 'out of scope' matters.
108. The submissions relating to Lots 49 and 50 DP580853 and Lot 400 DP560853 (as outlined in Figure 1 of Ms Banks' evidence) are in scope.
109. The s42A authors initially recommended that TL&GL's primary relief (MUZ with a new 'Tekapo Mixed Use Precinct') be rejected as they considered that the notified approach was more consistent with the intent of the Spatial Plans and the NP Standards. They explained that a MUZ (according to the NP Standards) anticipated a broader range of activities (including recreation and light industrial) than was anticipated under the Spatial Plan.
110. The s42A authors also instead initially recommended that Lots 49 and 50 DP580853 and Lot 400 DP560853 remain MRZ as notified and that the Commercial Visitor Accommodation Precinct (PREC2) be applied to those lots (apart from the 'skinny' western part of Lot 400 DP 560853 that abuts SH8)³⁸. Specific Control Area 3 (SCA-3) would continue to apply to Lot 400 DP560853 and SCA-7 would also apply to a small part of that Lot. They recommended³⁹ that the Lake Tekapo Precinct (PREC1) cover all of the affected land.

³⁵ Paragraph 235.

³⁶ Section 42A Report, paragraphs 408-423.

³⁷ We understand the Ms Banks referred to this as the Lakes Edge Holiday Park.

³⁸ Section 42A Report, paragraph 421.

³⁹ Appendix 4 of the Section 42A Report.

111. In her 24 March 2023 revised evidence Ms Banks confirmed⁴⁰ that TL&GL sought the following amended relief:
- (a) *That the land at Lakeside Drive (Lot 400 DP 560853, Lot 49, 50 DP 560853, and Lot 1 560853) comprising part of the Lakes Edge Holiday Park is zoned as Mixed Use Zone (MUZ) within PREC 1 (Tākapo/Lake Tekapo Precinct), PREC 2 (Commercial Visitor Accommodation), and part of Lot 400 within Specific Control Area 7.*
 - (b) *That consequential amendments are made to provisions to give effect to the submission.*
112. Regarding TL&GL's amended relief (a), Ms Banks explained that it omitted the originally proposed new 'Tekapo Mixed Use Precinct' and instead applied PREC1 and PREC 2 over the lots, thereby utilising MDC's notified mapping framework, resulting in a consistent zoning for the Lakeside Drive land. In her view the amended relief sought (MUZ with PREC1 and PREC2) would appropriately enable a suitable scale of mixed-use outcomes within a framework that ensured development was compatible with the area's special landscape character while recognising its combined residential and visitor function.
113. The substantive issue for us to assess is whether the land in question should be zoned MUZ or MRZ. In their Reply Report⁴¹ the s42A authors agreed that application of MUZ to the TL&GL land having a frontage to Lakeside Drive was appropriate. They observed that the commercial activities anticipated under that zoning would be limited to small-scale ones that served the convenience needs of the surrounding residential area, or visitors, and therefore would not compromise the purpose of the Tekapo TCZ.
114. We accept the s42A authors' revised recommendation and find that a MUZ over the Lakeside Drive land will enable the efficient ongoing operation and enhancement of the Lakes Edge Holiday Park and provide opportunities to enhance the vibrancy of the lakefront area. Importantly, the MUZ as notified in PC21 differs from the description in the NP Standards, insofar as the PC21 MUZ does not provide for industrial activities as a permitted activity as they are DIS under MUZ-R9.
115. The s42A authors considered it was not necessary to apply PREC2 to the TL&GL land as the activity status and matters of discretion for Commercial Visitor Accommodation were exactly the same under PREC2-R1 as they are under MUZ-R6.2. We agree.
116. Ms Banks provided⁴² an evaluation of the proposed MUZ zoning which the s42A authors agreed with. Having reviewed that evaluation, we also adopt it for the purposes of our s32AA assessment.
117. Regarding TL&GL's amended relief (b), Ms Banks proposed a number of changes to the provisions to give effect to the intent and desired outcomes of TL&GL's submission, including the PREC1 and PREC2 provisions⁴³. Additional boundary setback standards to Lakeside Drive were also proposed to manage potential effects. In their Reply Report the s42A authors recommended some amendments to PREC1 to reflect the Lakeside Drive MUZ and increasing the setback from the road boundary in Lakeside Drive to 4.5 m (from 3m). We find that to be appropriate.
118. Finally, in her 24 March 2023 evidence Ms Banks identified⁴⁴ that TL&GL disagreed with three of the s42A authors' Willox's recommendations relating to:
- (a) Policy MRZ-P4 and MRZ-P2 - Other Non-Residential Activities;
 - (b) Rule MRZ-R1.2
 - (c) Definition of Residential Unit
119. Regarding matter (a) Ms banks sought to amend the policies to more clearly indicate what was 'compatible' (MRZ-P2) and what was 'non-residential' (MRZ-P4). While on its face that may seem like a helpful addition to the wording, the risk with a discrete list of activities as suggested by Ms Banks is that some appropriate

⁴⁰ Paragraph 3.

⁴¹ Section 7.

⁴² Statement of Evidence of Kimberley Anne Banks, revised 24 March 2023, Paragraph 3 of Attachment C

⁴³ Attachment B to Ms Banks' 24 March 2023 evidence.

⁴⁴ Commencing at paragraph 58 of that evidence.

activities are omitted. This can cause implementation issues so on balance we do not find in favour of that additional wording.

120. Regarding matter (b), Ms Banks considered that MRZ-R1.2 specifying a minimum site area of 400m² conflicted with the intended density standard MRZ-S1 which specified a minimum site area per residential unit of 200m². We agree that on the face of it those provisions appear to be in conflict.
121. In their Reply Report the s42A authors advised⁴⁵ that the 400m² minimum site area proposed in MRZ-R1 needed to be considered in the context of the MDP as a whole. The intent was to require all high-density development (being that with a density of less than 400m²) to be designed and constructed in accordance with the Medium Density Residential Design Guide contained in APP2 of the MDP. If the 400m² minimum site area was removed it would permit higher density development without consideration of the Design Guide, because Section 13, Standard 6.a.i.(b) of the MDP allowed subdivision in the MRZ to a minimum site area of 250m². They therefore advised that removal of the 400m² was not appropriate. We agree.
122. However, having considered the issue raised by Ms Banks, the s42A authors recommended that MRZ-R1 be amended to remove any reference to a minimum site area within the rule itself, with the 400m² reference being shifted to MRZ-S1. That would result in residential units requiring a minimum site area of 400m² in order to be a permitted activity. For smaller sites with a minimum site area not less than 200m², the activity status would be RDIS with matters of direction restricted to consistency with the MRZ Design Guide. Sites with a minimum site area of less than 200m² would remain DIS. The authors considered that would remove any perceived inconsistency between the two provisions. We agree.
123. Regarding matter (c) Ms Banks suggested that the definition of “residential unit” should be amended to specify that it included any “minor residential unit”, or that the various density standards be amended to clarify that was the case. In their Reply Report the s42A authors advised that minor residential units are not proposed to be permitted in the MRZ as all supplementary residential units (with a site area no less than 200m²) required resource consent as a RDIS activity. Consequently, they considered that the amendment proposed by Ms Banks was not appropriate. We agree.

9.2 Decisions

124. Lots 1, 49 and Lots 1, 49, 50 and 400 DP560853 (excluding the skinny western strip of Lot 400) and the intervening areas between Lots 1, 49 and 400 are zoned MUZ and minor amendments are made to the MUZ chapter to reflect its application to the Lakeside Drive land in Tākapo/Lake Tekapo. Specific Control Area 3 (SCA-3) is applied to Lot 400 DP560853 and Specific Control Area 7 is applied to (part of) Lot 400 DP 560853 as shown in Attachment 2.
125. Apply Lake Tekapo Precinct (PREC1) to the above lots as shown in Attachment 2.
126. Amend PREC1 provisions to reflect the application of MUZ to the Lakeside Drive land in Tākapo/Lake Tekapo as shown in Attachment 1.
127. Relocate the density controls from MRZ-R1 into MRZ-S1 as shown in Attachment 1.

10. Other Matters Raised at the Hearing

10.1 Grant Payne (72)

128. Grant Payne (72) requested that 56-74 North West Arch (outlined in yellow in Figure 7 of the Section 42A Report) be excluded from SCA 4 as those allotments were purposely created, and controlled with covenants, to maintain a rural feel by way of a minimum lot size of 4000m². At the hearing it became evident that Mr Payne was more concerned with 56-74 North West Arch being upzoned to LRZ with an associated minimum lot size of 400m² as opposed to the application of SCA 4.
129. From our questioning of Mr Payne at the hearing we understand that he would be satisfied with a minimum lot size of 2000m² for 56-74 North West Arch, provided that a minimum lot size of 4,000m² was retained until such time as the servicing constraints for the area were addressed by the MDC. Coincidentally, LLRZ-S1 provides a minimum lot size of 2000m² and Specific Control Area 1 (SCA 1) for the LLRZ imposes a minimum site area per residential unit of 4,000m². We note that the land immediately to the south-west

⁴⁵ Paragraph 52.

of 56-74 North West Arch is already zoned LLRZ. We find that rezoning lots 56-74 North West Arch to LLRZ with a SCA 1 overlay will address Mr Payne's concerns while also providing a suitable transition to the more densely developed parts of Twizel to the north-east. However, given that no other parties on the North West Arch expressed concern with the LRZ, we do not consider that a LLRZ needs to be extended beyond 56-74 North West Arch.

10.2 Decision

130. Amend the zoning of 56-74 North West Arch to LLRZ with an SCA 1 overlay as shown in Attachment 2.

10.3 David Power (86)

131. David Power submitted that the existing recreation land in front of the Twizel Skate Park, incorporating the existing carparking area⁴⁶, should be retained as Recreation Active and not be zoned TCZ. Mr Power considered that passive surveillance of the Skate Park from Mackenzie Drive was desirable and the existing car parking area should remain.
132. The s42A authors opposed Mr Power's request as they considered that the proposed TCZ zoning did not automatically change the area's land use, but rather signalled that further intensification of it was generally appropriate. They noted that the land in question is owned by MDC and therefore any proposed development would be subject to further community consultation to ensure it was sympathetic to the town and fulfilled the community's needs⁴⁷.
133. In their Reply Report⁴⁸ the s42A authors maintained their opposition to Mr Power's request. However, if we were minded to accept Mr Power's submission, the authors advised that a reduction in the extent to which the proposed TCZ stretched north was more appropriate than removing the proposed TCZ in its entirety. The authors considered that the existing carpark abutting the Twizel Four Square was appropriate for commercial and community activities. Figure 1 in the Reply Report showed the resultant reduced area of TCZ zoning.
134. We find the outcome shown in Figure 1 of the Reply Report to be a reasonable compromise of addressing Mr Power's submission relating to the Skate Park. We accept that the car park need not be retained in light of the existing carpark abutting the Twizel Four Square. On that basis we find that David Power's submission should be 'accepted in part'.

10.4 Decision

135. Amend the rezoning of the Recreation Active zoned land adjacent to Mackenzie Drive as illustrated in Figure 1 of the Section 42A Reply Report as shown in Attachment 2.



Rob van Voorthuysen (Chair)



Megan McKay



Andrew Willis



Ros Day- Cleavin

⁴⁶ Outlined in yellow in Figure 5 on page 87 of the Section 42A Report.

⁴⁷ Section 42A Report, paragraphs 372 to 375.

⁴⁸ Paragraphs 40 and 41.

Appendix 1: Amended Provisions

Definitions Nesting Table

The following table sets out where any term defined in the Definitions Chapter is a subset of another definition. Where any rule lists a primary activity set out in the table below, the rule applies to all of the subset activities, unless any subset activity is otherwise specified in the rule framework for that chapter.

Primary Activity	Subset Activities	Subset Activities
<u>boundary</u>	<u>internal boundary</u> <u>road boundary</u> <u>side boundary</u> ⁴⁹	
commercial activity	commercial visitor accommodation	
	retail activity	food and beverage outlet service station trade-based retail yard-based retail
	home business	
<u>community facilities</u>	<u>emergency service facilities</u> ⁵⁰	
industrial activity	heavy industrial activity	
residential unit	minor residential unit	

Definitions

Note: Grey Highlight = terms proposed in PC20 that are not within scope of PC21.

Pink Highlight = terms proposed in PC21 that are from the National Planning Standard which will replace existing terms in the Operative Plan.

Green Highlight = terms proposed in PC21 that are from the National Planning Standard. The application of these terms is limited to the proposed residential, commercial and mixed use and general industrial zones.

Blue Highlight = new terms proposed in PC21 that are not from the National Planning Standard. The application of these terms is limited to the proposed residential, commercial and mixed use and general industrial zones.

Orange Highlight = terms used in proposed PC21 that are from the Operative Plan.

Yellow Highlight = terms used in proposed PC21 that are from the Operative Plan but have been amended. The application of these terms is limited to the proposed residential, commercial and mixed use and general industrial zones.

Term	Definition
<u>access</u>	means that area of land over which a site or allotment obtains legal vehicular and/or pedestrian access to a legal road. This land may include an access leg, a private way, common land as defined on a cross-lease or company-lease; or common property as defined in Section 2 of the Unit Titles Act 1972.
<u>amenity values</u>	has the same meaning as in section 218 of the RMA (as set out below) <i>those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.</i> (National Planning Standard definition)

⁴⁹ TL&GL (121)

⁵⁰ FENZ (81)

accessory building	means a detached building, the use of which is ancillary to the use of any building, buildings or activity that is or could be lawfully established on the same site, but does not include any minor residential unit. (National Planning Standard definition)
ancillary activity	means an activity that supports and is subsidiary to a primary activity. (National Planning Standard definition)
ancillary structure	means any: a. boundary fence less than 2m in height; b. decking less than 1m in height; c. free standing mailboxes; d. washing lines; e. raised garden beds; and f. other small decorative structures less than 1m ² in gross floor area and 2m in height. ⁵¹
bed	has the same meaning as in section 2 of the RMA (as set out below) means - (a) in relation to any river - (i) for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the river cover at its annual fullest flow without overtopping its banks; (ii) in all other cases, the space of land which the waters of the river cover at its fullest flow without overtopping its banks; and (b) in relation to any lake, except a lake controlled by artificial means - (i) for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the lake cover at its annual highest level without exceeding its margin; (ii) in all other cases, the space of land which the waters of the lake cover at its highest level without exceeding its margins; and (c) in relation to any lake controlled by artificial means, the space of land which the waters of the lake cover at its maximum permitted operating level; and (d) in relation to the sea, the submarine areas covered by the internal waters and the territorial sea. (National Planning Standard definition)
boundary	Means any boundary of the net area of a site and includes any road boundary, side or internal boundary. Site boundary shall have the same meaning as boundary. Internal Boundary: means any boundary of the net area of a site other than a road boundary and includes a side boundary. Road Boundary: means any boundary of a site abutting a legal road (other than an accessway or service lane) or contiguous to a boundary of a road designation. Frontage or road frontage shall have the same meaning as road boundary. Side Boundary: means any boundary of a site generally at right angles to a road boundary.⁵²
building	means a temporary or permanent movable or immovable physical construction that is: a. partially or fully roofed; and b. fixed or located on or in land. but excludes any motorised vehicle or other mode of transport that could be moved under its own power. (National Planning Standard definition)

⁵¹ Response to Minute 4 – S42A Authors, TL&GL (121)

⁵² TL&GL (121)

building coverage	means the percentage of the net site area covered by the building footprint. (National Planning Standard definition)
building footprint	means, in relation to building coverage, the total area of buildings at ground floor level together with the area of any section of any of those buildings that extends out beyond the ground floor level limits of the building and overhangs the ground. (National Planning Standard definition)
commercial activity	means any activity trading in goods, equipment or services. It includes any ancillary activity to the commercial activity (for example administrative or head offices). (National Planning Standard definition)
commercial visitor accommodation	means land and buildings used for any form of visitor accommodation that is not defined as residential visitor accommodation, including: <ul style="list-style-type: none"> a. backpackers; b. camping grounds; c. hostels; d. hotels; e. motels; f. motor inns; and g. tourist lodges.; and h. self-contained units and bedsits.⁵³
community corrections activity	means the use of land and buildings for non-custodial services for safety, welfare and community purposes, including probation, rehabilitation and reintegration services, assessments, reporting, workshops and programmes, administration, and a meeting point for community works groups. ⁵⁴
community facility	means land and buildings used by members of the community for recreational, sporting, cultural, safety, health, welfare, or worship purposes. It includes provision for any ancillary activity that assists with the operation of the community facility. (National Planning Standard definition)
educational facility	means land or buildings used for teaching or training by child care services, schools, or tertiary education services, including any ancillary activities. (National Planning Standard definition)
effect	has the same meaning as in section 3 of the RMA (as set out below) includes – <ul style="list-style-type: none"> (a) any positive or adverse effect; and (b) any temporary or permanent effect; and (c) any past, present, or future effect; and (d) any cumulative effect which arises over time or in combination with other effects – regardless of the scale, intensity, duration, or frequency of the effect, and also includes – (e) any potential effect of high probability; and (f) any potential effect of low probability that has a high potential impact. (National Planning Standard definition)
emergency service facility	means those facilities of authorities which are responsible for the safety and welfare of people and property in the community and includes fire stations, ambulance stations and police stations. ⁵⁵
environment	has the same meaning as in section 2 of the RMA (as set out below) includes –

⁵³ TL&GL (121)

⁵⁴ Department of Corrections (84)

⁵⁵ FENZ (81)

	<ul style="list-style-type: none"> a. ecosystems and their constituent parts, including people and communities; and b. all natural and physical resources; and c. amenity values; and d. the social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) or which are affected by those matters. <p>(National Planning Standard definition)</p>
food and beverage outlet	means a retail activity primarily involving the sale of food and/or beverages prepared for immediate consumption on or off the site to the general public. It includes restaurants, taverns, cafés, fast food outlets, takeaway bars, but does not include supermarkets or bottle stores.
fresh water	has the same meaning as in section 2 of the RMA (as set out below) <i>means all water except coastal water and geothermal water.</i> (National Planning Standard definition)
gross floor area	means the sum of the total area of all floors of a building or buildings (including any void area in each of those floors, such as service shafts, liftwells or stairwells) measured: <ul style="list-style-type: none"> a. where there are exterior walls, from the exterior faces of those exterior walls; b. where there are walls separating two buildings, from the centre lines of the walls separating the two buildings; c. where a wall or walls are lacking (for example, a mezzanine floor) and the edge of the floor is discernible, from the edge of the floor. <p>(National Planning Standard definition)</p>
ground level	means: <ul style="list-style-type: none"> a. the actual finished surface level of the ground after the most recent subdivision that created at least one additional allotment was completed (when the record of title is created); b. if the ground level cannot be identified under paragraph (a), the existing surface level of the ground; c. if, in any case under paragraph (a) or (b), a retaining wall or retaining structure is located on the boundary, the level on the exterior surface of the retaining wall or structure where it intersects the boundary. <p>(National Planning Standard definition)</p>
habitable room	means any room used for the purposes of teaching or used as a living room, dining room, sitting room, bedroom, office or other room specified in the Plan to be a similarly occupied room. (National Planning Standard definition)
heavy industrial activity	means: <ul style="list-style-type: none"> a. Blood or offal treating b. Bone boiling or crushing c. Burning of municipal, commercial or industrial wastes d. Collection and storage of used bottles for sale e. Crematoriums f. Dag crushing g. Fellmongering h. Fish cleaning i. Fish curing j. Flax pulping k. Flock manufacturing, or teasing of textile materials for any purpose l. Gut scraping and treating m. Nightsoil collection and disposal n. Slaughtering of animals for any purpose other than human consumption o. Storage, drying, or preserving of bones, hides, hoofs, or skins p. Tallow melting

	<ul style="list-style-type: none"> q. Tanning r. Wood pulping s. Wool scouring
height	<p>means the vertical distance between a specified reference point and the highest part of any feature, structure or building above that point. (National Planning Standard definition)</p>
height in relation to boundary	<p>means the height of a structure, building or feature, relative to its distance from either the boundary of:</p> <ul style="list-style-type: none"> a. a site; or b. another specified reference point. <p>(National Planning Standard definition)</p>
home business	<p>means a commercial activity that is:</p> <ul style="list-style-type: none"> a. undertaken or operated by at least one resident of the site; and b. incidental to the use of the site for a residential activity. <p>(National Planning Standard definition)</p>
industrial activity	<p>means an activity that manufactures, fabricates, processes, packages, distributes, repairs, stores, or disposes of materials (including raw, processed, or partly processed materials) or goods. It includes any ancillary activity to the industrial activity. (National Planning Standard definition)</p>
internal boundary:	<p>means any boundary of the net area of a site other than a road boundary and includes a side boundary.⁵⁶</p>
impervious coverage	<p>means the percentage of the net site area covered by impervious surfaces.</p>
impervious surface	<p>means a continuous surface of concrete, bitumen, paving or hardfill that puts a physical barrier on the surface of any part of a site, and includes gravel or other loose stone surfaces that are used for the parking and manoeuvring of vehicles.</p>
infrastructure	<p>has the same meaning as in section 2 of the RMA (as set out below) <i>means –</i></p> <ul style="list-style-type: none"> (a) pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel, or geothermal energy; (b) a network for the purpose of telecommunication as defined in section 5 of the Telecommunications Act 2001; (c) a network for the purpose of radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989; (d) facilities for the generation of electricity, lines used or intended to be used to convey electricity, and support structures for lines used or intended to be used to convey electricity, excluding facilities, lines, and support structures if a person— <ul style="list-style-type: none"> a. uses them in connection with the generation of electricity for the person’s use; and b. does not use them to generate any electricity for supply to any other person (e) a water supply distribution system, including a system for irrigation; (f) a drainage or sewerage system; (g) structures for transport on land by cycleways, rail, roads, walkways, or any other means; (h) facilities for the loading or unloading of cargo or passengers transported on land by any means; (i) an airport as defined in section 2 of the Airport Authorities Act 1966; (j) a navigation installation as defined in section 2 of the Civil Aviation Act 1990;

⁵⁶ TL&GL (121)

	<p>(k) facilities for the loading or unloading of cargo or passengers carried by sea, including a port related commercial undertaking as defined in section 2(1) of the Port Companies Act 1988;</p> <p>(l) anything described as a network utility operation in regulations made for the purposes of the definition of network utility operator in section 166</p>
lake	<p>has the same meaning as in section 2 of the RMA (as set out below)</p> <p>means a body of fresh water which is entirely or nearly surrounded by land.</p> <p>(National Planning Standard definition)</p>
land	<p>has the same meaning as in section 2 of the RMA (as set out below)</p> <p>(a) includes land covered by water and the airspace above land; and</p> <p>(b) in a national environmental standard dealing with a regional council function under section 30 or a regional rule, does not include the bed of a lake or river; and</p> <p>(c) in a national environmental standard dealing with a territorial authority function under section 31 or a district rule, includes the surface of water in a lake or river.</p> <p>(National Planning Standard definition)</p>
landscaping	means the planting of trees, shrubs, grasses, ground cover, gardens and lawn.
minor residential unit	<p>means a self-contained residential unit that is ancillary to the principal residential unit and is held in common ownership with the principal residential unit on the same site.</p> <p>(National Planning Standard definition)</p>
natural and physical resources	<p>has the same meaning as in section 2 of the RMA (as set out below)</p> <p>includes land, water, air, soil, minerals, and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures.</p> <p>(National Planning Standard definition)</p>
natural hazard	<p>has the same meaning as in section 2 of the RMA (as set out below)</p> <p>means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire, or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment.</p> <p>(National Planning Standard definition)</p>
net floor area	<p>means the sum of any gross floor area; and</p> <p>(a) includes:</p> <ol style="list-style-type: none"> i. both freehold and leased areas; and ii. any stock storage or preparation areas; but <p>(b) excludes:</p> <ol style="list-style-type: none"> i. void areas such as liftwells and stair wells, including landing areas; ii. shared corridors and mall common spaces; iii. entrances, lobbies and plant areas within a building; iv. open or roofed outdoor areas, and external balconies, decks, porches and terraces; v. off street loading areas; vi. building service rooms; vii. parking areas and basement areas used for parking, manoeuvring and access; and viii. non-habitable floor spaces in rooftop structures. <p>(National Planning Standard definition)</p>
net site area	<p>means the total area of the site, but excludes:</p> <ol style="list-style-type: none"> a. any part of the site that provides legal access to another site; b. any part of a rear site that provides legal access to that site; c. any part of the site subject to a designation that may be taken or acquired under the Public Works Act 1981.

	(National Planning Standard definition)
operational need	means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints. ⁵⁷ (National Planning Standard definition)
outdoor living space	means an area of open space for the use of the occupants of the residential unit or units to which the space is allocated. (National Planning Standard definition)
outdoor storage	means land used for the purpose of storing vehicles, equipment, machinery, natural and processed products, outside a fully enclosed building for periods in excess of 4 weeks in any one year.
residential activity	means the use of land and building(s) for people's living accommodation. (National Planning Standard definition)
residential unit	means a building(s) or part of a building that is used for a residential activity exclusively by one household, and must include sleeping, cooking, bathing and toilet facilities. (National Planning Standard definition)
residential visitor accommodation	means the use of a residential unit for visitor accommodation including any residential unit used as a holiday home. ⁵⁸
retail activity	means a commercial activity that uses land and/or buildings for displaying or offering goods for sale or hire to the public.
retirement village	means a managed comprehensive residential complex or facilities used to provide residential accommodation for people who are retired and any spouses or partners of such people. It may also include any of the following for residents within the complex: recreation, leisure, supported residential care, welfare and medical facilities (inclusive of hospital care) and other non-residential activities. (National Planning Standard definition)
river	has the same meaning as in section 2 of the RMA (as set out below) means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal). (National Planning Standard definition)
road	has the same meaning as in section 2 of the RMA (as set out below) has the same meaning as in section 315 of the Local Government Act 1974; and includes a motorway as defined in section 2(1) of the Government Roading Powers Act 1989 Section 315 of the Local Government Act 1974 road definition: road means the whole of any land which is within a district, and which— a. immediately before the commencement of this Part was a road or street or public highway; or b. immediately before the inclusion of any area in the district was a public highway within that area; or c. is laid out by the council as a road or street after the commencement of this Part; or

⁵⁷ MoE(18)

⁵⁸ TL&GL (121)

	<p>d. is vested in the council for the purpose of a road as shown on a deposited survey plan; or</p> <p>e. is vested in the council as a road or street pursuant to any other enactment;— and includes</p> <p>f. except where elsewhere provided in this Part, any access way or service lane which before the commencement of this Part was under the control of any council or is laid out or constructed by or vested in any council as an access way or service lane or is declared by the Minister of Works and Development as an access way or service lane after the commencement of this Part or is declared by the Minister of Lands as an access way or service lane on or after 1 April 1988;</p> <p>g. every square or place intended for use of the public generally, and every bridge, culvert, drain, ford, gate, building, or other thing belonging thereto or lying upon the line or within the limits thereof;—</p> <p>h. but, except as provided in the Public Works Act 1981 or in any regulations under that Act, does not include a motorway within the meaning of that Act or the Government Roading Powers Act 1989</p> <p>Section 2(1) of the Government Roading Powers Act 1989 motorway definition</p> <p>motorway—</p> <p>a. means a motorway declared as such by the Governor-General in Council under section 138 of the Public Works Act 1981 or under section 71 of this Act; and</p> <p>b. includes all bridges, drains, culverts, or other structures or works forming part of any motorway so declared; but</p> <p>c. does not include any local road, access way, or service lane (or the supports of any such road, way, or lane) that crosses over or under a motorway on a different level.</p> <p>(National Planning Standard definition)</p>
<p>road boundary</p>	<p>means any boundary of a site abutting a legal road (other than an accessway or service lane) or contiguous to a boundary of a road designation. Frontage or road frontage shall have the same meaning as road boundary.⁵⁹</p>
<p>service station</p>	<p>Means any site where the dominant activity is the retail sale of motor vehicle fuel (including petrol, LPG, CNG, and diesel), and may also include any one or more of the following:</p> <p>a. the sale of kerosene, alcohol based fuels, lubricating oils, tyre batteries, vehicle spare parts and other accessories normally associated with motor vehicles;</p> <p>b. mechanical repair and servicing of motors (includes motor cycles, caravans, boat motors, trailers);</p> <p>c. warrant of fitness testing;</p> <p>d. the sale of other merchandise where this is an ancillary activity to the sale of motor fuel and vehicle accessories;</p> <p>e. truck stops;</p> <p>f. light engineering;</p> <p>g. carwash facilities;</p> <p>h. other retail sales subsidiary to the main use of the site.</p>
<p>setback</p>	<p>Means the distance between a building and the boundary of its site. Where any building is required to be setback from any boundary, no part of that building unless specifically permitted by the Rules in the Plan, shall be closer to the site boundary than the minimum distance specified. Where any road widening is required by this Plan, the setback shall be calculated by the proposed final site boundary.</p>

⁵⁹ TL&GL (121)

side boundary	means any boundary of a site generally at right angles to a road boundary. ⁶⁰
site	<p>means:</p> <ol style="list-style-type: none"> an area of land comprised in a single record of title under the Land Transfer Act 2017; or an area of land which comprises two or more adjoining legally defined allotments in such a way that the allotments cannot be dealt with separately without the prior consent of the council; or the land comprised in a single allotment or balance area on an approved survey plan of subdivision for which a separate record of title under the Land Transfer Act 2017 could be issued without further consent of the Council; or despite paragraphs (a) to (c), in the case of land subdivided under the Unit Titles Act 1972 or the Unit Titles Act 2010 or a cross lease system, is the whole of the land subject to the unit development or cross lease. <p>(National Planning Standard definition)</p>
structure	<p>has the same meaning as in section 2 of the RMA (as set out below)</p> <p>means any building, equipment, device, or other facility, made by people and which is fixed to land; and includes any raft.</p> <p>(National Planning Standard definition)</p>
trade-based retail	<p>means a business engaged in sales to businesses and institutional customers (but may also include sales to the general public) and consists only of suppliers of goods in one or more of the following categories:</p> <ol style="list-style-type: none"> automotive and/or marine suppliers; building suppliers; catering equipment suppliers; farming and agricultural suppliers; garden and landscaping suppliers; hire services (except hire or loan of books, videos, DVDs and other similar home entertainment items); industrial clothing and safety equipment suppliers; and office furniture, equipment and systems suppliers.
visitor accommodation	<p>means land and/or buildings used for accommodating visitors, subject to a tariff being paid, and includes any ancillary activities.</p> <p>(National Planning Standard definition).</p>
water	<p>has the same meaning as in section 2 of the RMA (as set out below)</p> <p>(a) means water in all its physical forms whether flowing or not and whether over or under the ground;</p> <p>(b) includes fresh water, coastal water, and geothermal water;</p> <p>(c) does not include water in any form while in any pipe, tank, or cistern.</p> <p>(National Planning Standard definition)</p>
waterbody	<p>has the same meaning as in section 2 of the RMA (as set out below)</p> <p>means fresh water or geothermal water in a river, lake, stream, pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area.</p> <p>(National Planning Standard definition)</p>
yard-based retail	<p>means retail activity with the primary function of the supply of goods from a yard area and includes building supplies (DIY or Trade), garden centres, automotive and marine yards, farming and agricultural supplies and heavy machinery or plant. More than 50% of the area devoted to sales or display must be located in covered or uncovered external yard as distinct from within a secure and weatherproofed building where trade, business and general public customers are able to view items for sale and load, pick up or retrieve the goods, but does not include site access and parking.</p>

⁶⁰ TL&GL (121)

Large Lot Residential Zone

Introduction

The Large Lot Residential Zone provides opportunities to enjoy a more spacious living environment while remaining close to a town centre and covers outer residential areas in Fairlie, Twizel and Kimbell.

Development in the Large Lot Residential Zone is predominantly residential with other ~~small scale~~ non-residential activities provided where they are ancillary to residential activity or are consistent with the character and amenity values of the zone.⁶¹

The density within the Large Lot Residential Zone is the lowest of all the residential zones. The typical housing type is detached houses on larger sites to maintain an open and spacious character.

Objectives and Policies

Objectives	
LLRZ-O1	Zone Purpose
The Large Lot Residential Zone provides primarily for residential living opportunities, and other small scale non-residential activities which are ancillary to residential activity <u>that support and are consistent with the character and amenity values of the zone.</u> ⁶²	
LLRZ-O2	Zone Character and Amenity Values
The Large Lot Residential Zone is a desirable low density living environment, which: <ol style="list-style-type: none"> contains predominantly detached residential units on large lots; maintains a predominance of open space over built form; and provides on-site amenity and maintains the spacious character and amenity values of adjacent sites. 	
Policies	
LLRZ-P1	Residential Activities
Enable residential activities within a range of residential unit types and sizes.	
LLRZ-P2	Compatible Activities
Provide for activities other than residential activities, where: <ol style="list-style-type: none"> they are ancillary to a residential activity <u>or are consistent with the character, amenity values and purpose of the zone.</u>⁶³ <u>they service the local community and do not detract from the character, amenity values or purpose of the Neighbourhood Centre or Town Centre Zones;</u>⁶⁴ they are consistent with the character, amenity values and purpose of the zone; and the effects of the activity <u>including its scale, hours of operation, parking and vehicle manoeuvring</u> are compatible with the amenity values of adjacent sites; <u>and</u>⁶⁵ <u>there is a functional need or operational need to establish in the zone.</u>⁶⁶ 	
LLRZ-P3	Workers Accommodation
Provide for workers accommodation which exceeds the density requirements, where: <ol style="list-style-type: none"> the scale and design of the workers accommodation maintains the character and amenity values of the surrounding area; sufficient parking and servicing is provided on-site; parking and vehicle manoeuvring areas are appropriately designed; and road safety and efficiency is maintained. 	
LLRZ-P4	Other Non-Residential Activities
Avoid non-residential activities and buildings not provided for in LLRZ-P2, unless: <ol style="list-style-type: none"> any adverse effects of the activity do not compromise the amenity values of the surrounding area; and the nature, scale and intensity of the activity is compatible with the character and purpose of the zone. 	
LLRZ-P5	Adverse Effects
Manage development within the Large Lot Residential Zone to ensure:	

⁶¹ Consequential Amendment MoE (18)

⁶² MoE (18)

⁶³ Consequential Amendment FENZ (81)

⁶⁴ Consequential Amendment FENZ (81)

⁶⁵ Consequential Amendment FENZ (81)

⁶⁶ Consequential Amendment MoE (18)

<ol style="list-style-type: none"> 1. built form is of a scale and design that is compatible with the character, amenity values and purpose of the zone; 2. larger lot sizes are retained in areas subject to servicing constraints in Specific Control Areas 1 and 2, until such time appropriate services are in place; and 3. a predominance of open space over built form is maintained; and 4. the potential for reverse sensitivity effects to arise in relation to adjoining industrial areas is minimised.⁶⁷

Note for Plan Users: *“For certain activities, consent may be required under rules in this Chapter as well as other District-Wide Matters Chapters or Area-Specific Matters Chapters in the Plan. Unless expressly stated otherwise, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in [Part 1 – How the Plan Works](#).”⁶⁸*

Rules

LLRZ-R1	Residential Units	
Large Lot Residential Zone	Activity Status: PER Where the activity complies with the following standards: LLRZ-S1 to LLRZ-S65 ⁶⁹	Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).
LLRZ-R2	Minor Residential Units	
Large Lot Residential Zone	Activity Status: PER Where: <ol style="list-style-type: none"> 1. There is a maximum of one minor residential unit per site; 2. The maximum gross floor area of the minor residential unit is 65m² excluding garaging; and 3. The minor unit does not exceed one storey; and⁷⁰ 4. The minor residential unit is ancillary to or for the purpose of residential activity. And the activity complies with the following standards: LLRZ-S2 to LLRZ-S65. ⁷¹	Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s). Activity status when compliance is not achieved with R2.1 to R2.34: DIS
LLRZ-R3	Buildings and Structures Not Otherwise Listed	
Large Lot Residential Zone	Activity Status: PER Where the activity complies with the following rule requirements: LLRZ-S2 to LLRZ-S65. ⁷²	Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).
LLRZ-R4	Residential Activity	
Large Lot Residential Zone	Activity Status: PER	
LLRZ-R5	Residential Visitor Accommodation	
Large Lot Residential Zone	Activity Status: PER Where:	Activity status when compliance is not achieved with R5.1: DIS

⁶⁷ EnviroWaste (108)

⁶⁸ Waka Kotahi (119)

⁶⁹ ECan (57)

⁷⁰ Consequential Amendment W and Z Speak (138)

⁷¹ Consequential Amendment ECan (57)

⁷² Consequential Amendment ECan (57)

	<ol style="list-style-type: none"> 1. No more than one residential unit on a site is used for residential visitor accommodation, including a minor residential unit; and 2. The maximum occupancy of a site <u>a site the unit</u>⁷³ used for residential visitor accommodation does not exceed six guests per night. 	<p>Activity status when compliance is not achieved with R5.2: RDIS</p> <p>Where:</p> <ol style="list-style-type: none"> 3. The maximum occupancy of a residential unit used for residential visitor accommodation exceeds six guests but does not exceed 12 guests per night. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. The location, design and appearance of buildings on the site. b. The traffic impacts including the provision of adequate onsite parking. c. Effects on amenity values of adjoining residential sites including noise. d. The adequacy of any mitigation measures. <p>Activity status when compliance is not achieved with R5.3: DIS</p>
LLRZ-R6	Home Business	
Large Lot Residential Zone	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The home business is undertaken within a residential building and is ancillary to a residential activity; 2. A maximum of one non-resident staff member shall be employed in undertaking the activity; 3. The hours of operation that the home business is open to visitors, clients and/or deliveries shall be limited to 7:00am to 8:00pm; and 4. Retail sales shall be limited to the sale of produce grown on site, handmade crafts manufactured on site and any goods associated with a professional service. 	<p>Activity status when compliance is not achieved with R6.1 to R6.4: DIS</p>
LLRZ-R7	Recreation Activities and Community Gardens	
Large Lot Residential Zone	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity is not a motorised recreation activity. 	<p>Activity status when compliance is not achieved with R7.1: DIS</p>
LLRZ-R8	Education Facilities	
Large Lot Residential Zone	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The education activity is undertaken within a residential building and is ancillary to a residential activity. 	<p>Activity status when compliance is not achieved with R8.1 and R8.2: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. The location, design and appearance of buildings on the site. b. The traffic impacts including the provision of adequate onsite parking.

⁷³ Relates to TL&GL (121)

	2. The maximum number of children in attendance at any one time is six, excluding any children who live on site.	c. Effects on amenity values of adjoining residential sites including noise. d. <u>Whether there is a functional or operational need to establish in the zone.</u> ⁷⁴ e. The adequacy of any mitigation measures.
LLRZ-R9	Commercial Activities Not Provided in LLRZ-R6	
Large Lot Residential Zone	Activity Status: DIS	
LLRZ-R10	Community Facilities Not Provided in LLRZ-R7	
Large Lot Residential Zone	Activity Status: <u>RDIS</u> DIS <u>Matters of discretion are restricted to:</u> a. <u>The location, design and appearance of buildings on the site.</u> b. <u>The traffic impacts including the provision of adequate parking and loading areas.</u> c. <u>Effects on amenity values of adjoining residential sites including noise.</u> d. <u>Whether there is a functional or operational need to establish in the zone.</u> ⁷⁵ e. <u>The adequacy of any mitigation measures.</u> ⁷⁶	
LLRZ-R11	Retirement Villages	
Large Lot Residential Zone	Activity Status: DIS	
LLRZ-R12	Commercial Visitor Accommodation	
Large Lot Residential Zone	Activity Status: DIS	
LLRZ-R13	Activities Not Otherwise Listed	
Large Lot Residential Zone	Activity Status: DIS	
LLRZ-R14	Industrial Activities	
Large Lot Residential Zone	Activity Status: NC	

Standards

LLRZ-S1	Density	Activity Status where compliance not achieved:
Large Lot Residential Zone	1. Where the residential unit is connected to a reticulated sewerage system, or the residential unit is not connected to a reticulated sewerage system but the wastewater discharge is authorised by Environment Canterbury, † The minimum site area per residential unit is 2,000m ² . ⁷⁷	DIS
Specific Control Area 1	2. The minimum site area per residential unit is 4,000m ²	

⁷⁴ Consequential Amendment MoE (18)

⁷⁵ Consequential Amendment MoE (18)

⁷⁶ FENZ (81)

⁷⁷ ECan (57)

Specific Control Area 2	3. The minimum site area per residential unit is 1ha	
LLRZ-S2	Height	
Large Lot Residential Zone	1. The maximum height of any building or structure shall not exceed 8m above ground level.	RDIS Matters of discretion are restricted to: RES-MD1
LLRZ-S3	Height in Relation to Boundary	
Large Lot Residential Zone	1. Any building or structure shall comply with the Height in Relation to Boundary requirements in APP1.	RDIS Matters of discretion are restricted to: RES-MD2
LLRZ-S4	Setbacks	
Large Lot Residential Zone	<ol style="list-style-type: none"> 1. Any building or structure, <u>excluding ancillary structures</u>, shall be setback a minimum of 10m from any road boundary, shared accessway or reserve. 2. All residential units and buildings <u>and structures, excluding ancillary structures not otherwise specified</u> shall be setback a minimum of 10m from internal boundaries. 3. All accessory buildings or structures, <u>excluding ancillary structures</u>,⁷⁸ shall be setback a minimum of 5m from internal boundaries. 4. <u>Where a site adjoins the General Industrial Zone, any residential unit or habitable buildings shall be setback a minimum of 20m from the boundary with the General Industrial Zone.</u>⁷⁹ 	RDIS Matters of discretion are restricted to: RES-MD3
LLRZ-S5	Coverage	
Large Lot Residential Zone	<ol style="list-style-type: none"> 1. The maximum building coverage of any site shall not exceed 25%. 2. The maximum building and impervious coverage of any site shall not exceed 40%. 	RDIS Matters of discretion are restricted to: RES-MD4
LLRZ-S6	Servicing	
Large Lot Residential Zone in Kimbell	1. <u>All residential units and buildings which are not connected to a reticulated sewer network, but which involve the discharge of wastewater, shall be provided with an on-site wastewater treatment and disposal system, authorised by Canterbury Regional Council by way of a rule in a regional plan or a resource consent.</u> ⁸⁰	DIS

⁷⁸ Response to Minute 4 – S42A Authors, TL&GL (121)

⁷⁹ Enviro Waste (108).

⁸⁰ Consequential Amendment ECan (57)

Low Density Residential Zone

Introduction

The Low Density Residential Zone is the Districts main residential zone and covers residential areas in Fairlie, Takapō / Lake Tekapo and Twizel and the smaller settlements of Te Kopi-O-Ōpihi / Burkes Pass, Kimbell and Albury.

The purpose of the Zone is to provide predominantly for suburban living with a range of site sizes and building types. Other activities including community facilities and retirement villages are also anticipated where they support the local population and are compatible with the character and amenity values of the zone.

The typical housing type is detached houses on sections between 400-600m². Where residential units are not connected to a reticulated sewerage system, larger sections are required to allow for on-site wastewater treatment and disposal.

Objectives and Policies

Objectives	
LRZ-01	Zone Purpose
The Low Density Residential Zone provides primarily for residential living opportunities, and other compatible activities that support and are consistent with the character and amenity values of the zone.	
LRZ-02	Zone Character and Amenity Values
The Low Density Residential Zone is a desirable suburban living environment, which: <ol style="list-style-type: none"> contains predominantly one to two story detached residential units; and provides on-site amenity and maintains the suburban character and amenity values of adjacent sites. 	
Policies	
LRZ-P1	Residential Activities
Enable residential activities within a range of residential unit types and sizes.	
LRZ-P2	Compatible Activities
Provide for activities other than residential activities, where: <ol style="list-style-type: none"> they are ancillary to a residential activity or are consistent with the character, amenity values and purpose of the zone; they service the local community and do not detract from the character, amenity values or purpose of the Neighbourhood Centre or Town Centre Zones; and the effects of the activity, including its scale, hours of operation, parking and vehicle manoeuvring are compatible with the amenity values of adjoining sites; and there is a functional need or operational need to establish in the zone.⁸¹ 	
LRZ-P3	Workers Accommodation
Provide for workers accommodation which exceeds the density requirements, where: <ol style="list-style-type: none"> the scale and design of the workers accommodation maintains the character and amenity values of the surrounding area; sufficient parking and servicing is provided on-site; parking and vehicle manoeuvring areas are appropriately designed; and road safety and efficiency is maintained. 	
LRZ-P4	Retirement Living
Provide for retirement living and retirement villages, where: <ol style="list-style-type: none"> the scale, form, composition and design of the retirement living, or village maintains the character and amenity values of the surrounding area; they are designed to provide safe, secure, convenient, and comfortable living conditions for residents, with good on-site amenity and facilities; any parking and vehicle manoeuvring provided on-site is appropriately designed; and road safety and efficiency is maintained. 	
LRZ-P5	Other Non-Residential Activities
Avoid non-residential activities and buildings not provided for in LRZ-P2 or LRZ-P4, unless:	

⁸¹ MoE (18)

<ol style="list-style-type: none"> 1. the activity is an expansion of an existing activity; and/or 2. any adverse effects of the activity do not compromise the amenity values of the surrounding area; and 3. the nature, scale and intensity of the activity is compatible with the character and purpose of the zone.
LRZ-P6 Adverse Effects
Manage development within the Low Density Residential Zone to ensure: <ol style="list-style-type: none"> 1. built form is of a scale and design that is compatible with the character, amenity values and purpose of the zone; 2. larger lots sizes are retained in areas subject to servicing constraints in Specific Control Area 4, until such time appropriate services are in place; and 3. building and structures located in Specific Control Area 5 do not dominate the identified ridgeline when viewed from a public place.

Note for Plan Users: *“For certain activities, consent may be required under rules in this Chapter as well as other District-Wide Matters Chapters or Area-Specific Matters Chapters in the Plan. Unless expressly stated otherwise, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in [Part 1 – How the Plan Works](#).”⁸²*

Rules

LRZ-R1	Residential Units	
Low Density Residential Zone	Activity Status: PER Where the activity complies with the following standards: LRZ-S1 to LRZ-S7 ⁸³	Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).
LRZ-R2	Minor Residential Units	
Low Density Residential Zone	Activity Status: PER Where: <ol style="list-style-type: none"> 1. There is a maximum of one minor residential unit per site; 2. The maximum gross floor area of the minor residential unit is 65m² excluding garaging; and The minor unit does not exceed one storey; and⁸⁴ 3. The minor residential unit is ancillary to or for the purpose of residential activity. And the activity complies with the following standards: LRZ-S2 to LRZ-S7 ⁸⁵	Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s). Activity status when compliance is not achieved with R2.1 to R2.34: DIS
LRZ-R3	Buildings and Structures Not Otherwise Listed	
Low Density Residential Zone	Activity Status: PER Where the activity complies with the following standards: LRZ-S2 to LRZ-S7 ⁸⁶	Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).
LRZ-R4	Residential Activity	
Low Density Residential Zone	Activity Status: PER	
LRZ-R5	Residential Visitor Accommodation	
Low Density Residential Zone	Activity Status: PER	Activity status when compliance is not achieved with R5.1: DIS

⁸² Waka Kotahi (119)

⁸³ ECan (57)

⁸⁴ W and Z Speak (138)

⁸⁵ Consequential Amendment ECan (57)

⁸⁶ Consequential Amendment ECan (57)

	<p>Where:</p> <ol style="list-style-type: none"> 1. No more than one residential unit on a site is used for residential visitor accommodation, including a minor residential unit; and 2. The maximum occupancy of a site <u>the unit</u>⁸⁷ used for residential visitor accommodation does not exceed six guests per night 	<p>Activity status when compliance is not achieved with R5.2: RDIS</p> <p>Where:</p> <ol style="list-style-type: none"> 3. The maximum occupancy of a residential unit used for residential visitor accommodation exceeds six guests but does not exceed 12 guests per night. <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. The location, design and appearance of buildings on the site. b. The traffic impacts including the provision of adequate onsite parking. c. Effects on amenity values of adjoining residential sites including noise. d. The adequacy of any mitigation measures. <p>Activity status when compliance is not achieved with R5.3: DIS</p>
LRZ-R6	Home Business	
Low Density Residential Zone	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The home business is undertaken within a residential building and is ancillary to a residential activity; 2. A maximum of one non-resident staff member shall be employed in undertaking the activity; 3. The hours of operation that the home business is open to visitors, clients and/or deliveries shall be limited to 7:00am to 8:00pm; and 4. Retail sales shall be limited to the sale of produce grown on site, handmade crafts manufactured on site and any goods associated with a professional service. 	<p>Activity status when compliance is not achieved with R6.1 to R6.4: DIS</p>
LRZ-R7	Recreation Activities and Community Gardens	
Low Density Residential Zone	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity is not a motorised recreation activity. 	<p>Activity status when compliance is not achieved with R7.1: DIS</p>
LRZ-R8	Education Facilities	
Low Density Residential Zone	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity is an expansion to an existing activity; or 	<p>Activity status when compliance is not achieved with R8.1, R8.2 and R8.3: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. The location, design and appearance of buildings on the site.

⁸⁷ Relates to TL&GL (121)

	<ol style="list-style-type: none"> 2. The education activity is undertaken within a residential building and is ancillary to a residential activity; and 3. The maximum number of children in attendance at any one time is six, excluding any children who live on site. 	<ol style="list-style-type: none"> b. The traffic impacts including the provision of adequate onsite parking. c. Effects on amenity values of adjoining residential sites including noise. d. <u>Whether there is a functional or operational need to establish in the zone.</u>⁸⁸ e. The adequacy of any mitigation measures.
LRZ-R9	Community Facilities Not Provided in LRZ-R7	
Low Density Residential Zone	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity is an expansion to an existing activity. 	<p>Activity status when compliance is not achieved with R10.1: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. The location, design and appearance of buildings on the site. b. The traffic impacts including the provision of adequate parking and loading areas. c. Effects on amenity values of adjoining residential sites including noise. d. <u>Whether there is a functional or operational need to establish in the zone.</u>⁸⁹ e. The adequacy of any mitigation measures.
LRZ-R10	Retirement Villages	
Low Density Residential Zone	<p>Activity Status: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. The location, design and appearance of buildings on the site. b. The traffic impacts including the provision of adequate onsite parking and the impacts on the wider transport network. c. Provision of landscaping, open space, <u>waste storage</u>⁹⁰ and on-site amenity for residents. d. Effects on amenity values of adjoining residential sites including outlook and privacy. e. The adequacy of any mitigation measures. 	

⁸⁸ Consequential Amendment MoE (18)

⁸⁹ Consequential Amendment MoE (18)

⁹⁰ Consequential Amendment Enviro Waste (108)

LRZ-R11	Industrial Activities	
Low Density Residential Zone	Activity Status: RDIS Where: <ol style="list-style-type: none"> 1. The activity is an expansion to an existing activity. Matters of discretion are restricted to: <ol style="list-style-type: none"> a. The nature, scale and intensity of the activity. b. The location, design and appearance of buildings on the site. c. The traffic impacts including the provision of adequate onsite parking and loading areas. d. Effects on amenity values of adjoining residential sites including noise. e. The adequacy of any mitigation measures. 	Activity status when compliance is not achieved with R11.1: NC
LRZ-R12	Commercial Visitor Accommodation	
Low Density Residential Zone	Activity Status: DIS	
LRZ-R13	Commercial Activities Not Provided in LRZ-R6	
Low Density Residential Zone	Activity Status: DIS	
LRZ-R14	Activities Not Otherwise Listed	
Low Density Residential Zone	Activity Status: DIS	

Standards

LRZ-S1	Density	Activity Status where compliance not achieved:
Low Density Residential Zone in Burkes Pass, Fairlie, Tekapo and Twizel	<ol style="list-style-type: none"> 1. Where the residential unit will be connected to a reticulated sewerage system, the minimum site area per residential unit is 400m². 2. Where the residential unit will not be connected to a reticulated sewerage system but the wastewater discharge is authorised by Environment Canterbury, the minimum site area per residential unit is 1,500m². 	DIS
Low Density Residential Zone in Albury and Kimbell	<ol style="list-style-type: none"> 2. <u>The minimum site area per residential unit is 1,500m².</u>⁹¹ 	
Specific Control Area 4	<ol style="list-style-type: none"> 3. The minimum site area per residential unit is 4,000m². 	
LRZ-S2	Height	
Low Density Residential Zone	<ol style="list-style-type: none"> 1. The maximum height of any building or structure shall not exceed 8m above ground level. 	RDIS Matters of discretion are restricted to: RES-MD1

⁹¹ Consequential Amendment ECan (57)

LRZ-S3	Height in Relation to Boundary	
Low Density Residential Zone	1. Any building or structure shall comply with the Height in Relation to Boundary requirements in APP1.	RDIS Matters of discretion are restricted to: RES-MD2
LRZ-S4	Setbacks	
Low Density Residential Zone	1. Any building or structure, <u>excluding ancillary structures</u> , shall be setback a minimum of 2m from any road, shared accessway or reserve. Except any site with road frontage to Pioneer Drive, Takapō / Lake Tekapo shall have any building or structure, <u>excluding ancillary structures</u> , setback a minimum of 4.5m. 2. Any building or structure, <u>excluding ancillary structures</u> , ⁹² shall be setback a minimum of 2m from any internal boundary.	RDIS Matters of discretion are restricted to: RES-MD3
LRZ-S5	Coverage	
Low Density Residential Zone	1. The maximum building coverage of any site shall not exceed 40%. 2. The maximum building and impervious coverage of any site shall not exceed 50%.	RDIS Matters of discretion are restricted to: RES-MD4
LRZ-S6	Ridgeline	
Low Density Residential Zone Specific Control Area 5	1. No buildings or structures shall protrude above the ridgeline extending towards the Tekapo River when viewed from a public place.	DIS
LRZ-S7	Servicing	
Low Density Residential Zone in Kimbell and Albury	1. <u>All residential units and buildings requiring wastewater disposal which are not connected to a reticulated sewer network, but which involve the discharge of wastewater, shall be provided with an on-site wastewater treatment and disposal system, authorised by the Canterbury Regional Council by way of a rule in a regional plan or a resource consent.</u> ⁹³	DIS

⁹² Response to Minute 4 – S42A Authors, TL&GL (121)

⁹³ Consequential Amendment ECAN (57)

Medium Density Residential Zone

Introduction

The Medium Density Residential Zone is located in Fairlie, Takapō / Lake Tekapo and Twizel.

The purpose of the Medium Density Residential Zone is to provide higher density residential living opportunities close to town centres and main roads. The typical housing types include detached,⁹⁴ semi-detached, terraced housing and low-rise apartments.

Buildings within the Medium Density Residential Zone are expected to be well-designed to ensure that they integrate with the surrounding area, minimise the effects of development on adjoining sites and provide a high-quality living environment for residents.

Other non-residential activities are anticipated where they support the local population and are compatible with the character and amenity values of the zone.

Objectives and Policies

Objectives	
MRZ-O1	Zone Purpose
The Medium Density Residential Zone provides primarily for higher density residential living opportunities, and other compatible activities that support and are consistent with the character and amenity values of the zone.	
MRZ-O2	Zone Character and Amenity Values
The Medium Density Residential Zone is a desirable, higher density, residential living environment, which: <ol style="list-style-type: none"> contains a range of housing typologies including <u>detached</u>,⁹⁵ semi-detached, terraced housing and low rise apartments; is well designed with good design outcomes; and provides on-site amenity and maintains the amenity values of adjacent sites. 	
Policies	
MRZ-P1	Residential Activities
Enable residential activities within a range of residential unit types and sizes.	
MRZ-P2	Compatible Activities
Provide for activities other than residential activities, where: <ol style="list-style-type: none"> they are ancillary to a residential activity or are consistent with the character, amenity values and purpose of the zone; they service the local community and do not detract from the character, amenity values or purpose of the Neighbourhood Centre and Town Centre Zones; and the effects of the activity, including its scale, hours of operation, parking and vehicle manoeuvring are compatible with the amenity values of adjoining sites; and there is a functional need or operational need to establish in the zone.⁹⁶ 	
MRZ-P3	Retirement living
Provide for retirement living and retirement villages, where: <ol style="list-style-type: none"> the scale, form, composition and design of the retirement living or village maintains the character and amenity values of the surrounding area; they are designed to provide safe, secure, convenient, and comfortable living conditions for residents, with good on-site amenity and facilities; any parking and vehicle manoeuvring provided on-site is appropriately designed; and road safety and efficiency is maintained. 	
MRZ-P4	Other Non-Residential Activities
Avoid non-residential activities and buildings not provided for in MRZ-P2 or MRZ-P3, unless: <ol style="list-style-type: none"> the activity is an expansion of an existing activity; and/or any adverse effects of the activity do not compromise the amenity values of the surrounding area; and 	

⁹⁴ Consequential Amendment TL&GL (121)

⁹⁵ TL&GL (121)

⁹⁶ MoE (18)

3. the nature, scale and intensity of the activity is compatible with the character and purpose of the zone.	
MRZ-P5	Adverse Effects
Manage development within the Medium Density Residential Zone to ensure: <ol style="list-style-type: none"> built form is of a scale and design that is consistent with the Mackenzie Medium Density Design Guidelines and is compatible with the character, amenity values and purpose of the zone; and within Specific Control Area 3 that the safety and efficiency of State Highway 8 is maintained. 	

Note for Plan Users: *“For certain activities, consent may be required under rules in this Chapter as well as other District-Wide Matters Chapters or Area-Specific Matters Chapters in the Plan. Unless expressly stated otherwise, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in [Part 1 – How the Plan Works](#).”⁹⁷*

Rules

MRZ-R1	Residential Units	
Medium Density Residential Zone	Activity Status: PER Where: <ol style="list-style-type: none"> There is a maximum of one residential unit per site; and The site has a minimum site area of 400m². And Where the activity complies with the following standards: MRZ-S1 2 to MRZ-S10 9	Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s). Activity status when compliance is not achieved with R1.1 or R1.2: RDIS Where: the activity complies with MRZ-S1 to MRZ-S9 Matters of discretion are restricted to: <ol style="list-style-type: none"> Consistency with the Mackenzie Medium Density Design Guidelines (Appendix APP2).⁹⁸
MRZ-R2	Buildings and Structures Not Otherwise Listed	
Medium Density Residential Zone	Activity Status: PER Where the activity complies with the following standards: MRZ-S2 to MRZ-S10 9	Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).
MRZ-R3	Residential Activity	
Medium Density Residential Zone	Activity Status: PER	
MRZ-R4	Residential Visitor Accommodation	
Medium Density Residential Zone	Activity Status: PER Where: <ol style="list-style-type: none"> No more than one residential unit on a site is used for residential visitor accommodation, including a minor residential unit; and The maximum occupancy of a site the unit⁹⁹ used for residential visitor accommodation does not exceed six guests per night. 	Activity status when compliance is not achieved with R4.1: DIS Activity status when compliance is not achieved with R4.2: RDIS Where: <ol style="list-style-type: none"> The maximum occupancy of a residential unit used for residential visitor accommodation exceeds six guests but does not exceed 12 guests per night. Matters of discretion are restricted to: <ol style="list-style-type: none"> The location, design and appearance of buildings on the site.

⁹⁷ Waka Kotahi (119)

⁹⁸ TL&GL (121)

⁹⁹ Relates to TL&GL (121)

		<ul style="list-style-type: none"> b. The traffic impacts including the provision of adequate onsite parking. c. Effects on amenity values of adjoining residential sites including noise. d. The adequacy of any mitigation measures. <p>Activity status when compliance is not achieved with R4.3: DIS</p>
MRZ-R5	Home Business	
Medium Density Residential Zone	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The home business is undertaken within a residential building and is ancillary to a residential activity; 2. A maximum of one non-resident staff member shall be employed in undertaking the activity; 3. The hours of operation that the home business is open to visitors, clients and/or deliveries shall be limited to 7:00am to 8:00pm; and 4. Retail sales shall be limited to the sale of produce grown on site, handmade crafts manufactured on site and any goods associated with a professional service. 	<p>Activity status when compliance is not achieved with R5.1 to R5.4: DIS</p>
MRZ-R6	Recreation Activities and Community Gardens	
Medium Density Residential Zone	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity is not a motorised recreation activity. 	<p>Activity status when compliance is not achieved with R6.1: DIS</p>
MRZ-R7	Education Facilities	
Medium Density Residential Zone	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity is an expansion to an existing activity; or 2. The education activity is undertaken within a residential unit and is ancillary to a residential activity; and 3. The maximum number of children in attendance at any one time is six, excluding any children who live on site. 	<p>Activity status when compliance is not achieved with R7.1, R7.2 or R7.3: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. The location, design and appearance of buildings on the site. b. The traffic impacts including the provision of adequate onsite parking. c. Effects on amenity values of adjoining residential sites including noise. d. <u>Whether there is a functional or operational need to establish in the zone.</u>¹⁰⁰ e. The adequacy of any mitigation measures.
MRZ-R8	Community Facilities Not Provided in MRZ-R6	
Medium Density Residential Zone	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity is an expansion to an existing activity; 	<p>Activity status when compliance is not achieved with R8.1: RDIS</p> <p>Matters of discretion are restricted to:</p>

¹⁰⁰ Consequential Amendment MoE (18)

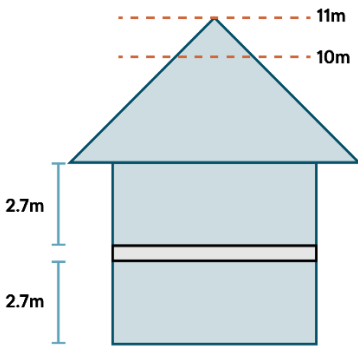
		<ul style="list-style-type: none"> a. The location, design and appearance of buildings on the site. b. The traffic impacts including the provision of adequate parking and loading areas. c. Effects on amenity values of adjoining residential sites including noise. d. <u>Whether there is a functional or operational need to establish in the zone.</u>¹⁰¹ e. The adequacy of any mitigation measures.
MRZ-R9	Retirement Villages	
Medium Density Residential Zone	Activity Status: RDIS Matters of discretion are restricted to: <ul style="list-style-type: none"> a. The location, design and appearance of buildings on the site. b. The traffic impacts including the provision of adequate onsite parking and the impacts on the wider transport network. c. Provision of landscaping, open space, <u>waste storage</u>¹⁰² and on-site amenity for residents. d. Effects on amenity values of adjoining residential sites including outlook and privacy. e. The adequacy of any mitigation measures. 	
MRZ-R10	Industrial Activities	
Medium Density Residential Zone	Activity Status: RDIS Where: <ul style="list-style-type: none"> 1. The activity is an expansion to an existing activity. Matters of discretion are restricted to: <ul style="list-style-type: none"> a. The nature, scale and intensity of the activity. b. The location, design and appearance of buildings on the site. c. The traffic impacts including the provision of adequate onsite parking and loading areas. d. Effects on amenity values of adjoining residential sites including noise. e. The adequacy of any mitigation measures. 	Activity status when compliance is not achieved with R10.1: NC
MRZ-R11	Commercial Visitor Accommodation	
Medium Density Residential Zone	Activity Status: DIS	

¹⁰¹ Consequential Amendment MoE (18)

¹⁰² Enviro Waste (108)

MRZ-R12	Commercial Activities Not Provided in MRZ-R5	
Medium Density Residential Zone	Activity Status: DIS	
MRZ-R13	Activities Not Otherwise Listed	
Medium Density Residential Zone	Activity Status: DIS	

Standards

MRZ-S1	Density	Activity Status where compliance not achieved:
Medium Density Residential Zone	1. The minimum site area per residential unit is <u>400m²</u> 200m ² .	<p>Where: MRZ-S1 is not met, and the minimum site area per residential unit is not less than 200m²: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>a. <u>Consistency with the Mackenzie Medium Density Design Guidelines (Appendix APP2).</u></p> <p>Where: MRZ-S1 is not met, and the minimum site area per residential unit is less than 200m²: DIS¹⁰³</p>
MRZ-S2	Height	
Medium Density Residential Zone	<p>1. The maximum height of any building or structure shall not exceed <u>107.5m</u>¹⁰⁴ above ground level except a gable roof may exceed the maximum height by no more than 1m.</p> <p>2. All floors shall have a minimum ceiling height of 2.7m.¹⁰⁵</p> 	<p>RDISA</p> <p>Matters of discretion are restricted to: RES-MD1</p>
MRZ-S3	Height in Relation to Boundary	
Medium Density Residential Zone	1. Any building or structure shall comply with the Height in Relation to Boundary requirements in APP1.	<p>RDIS</p> <p>Matters of discretion are restricted to: RES-MD2</p>
MRZ-S4	Setbacks	
Medium Density Residential Zone	1. Any building or structure, <u>excluding ancillary structures,</u> shall be setback a minimum of 2m from any road, shared accessway or reserve. Except any site with road frontage to Lakeside Drive, Takapō / Lake	RDIS

¹⁰³ TL&GL (121)

¹⁰⁴ James Underwood (28), Frank Hocken (53), Scott Aronsen (68), Stephen Golding (95), Rosemary Golding (96), Jane Nicholls (144), Eleanor Harris-Brouwer (146), Jan Spriggs (76), Jessica Mackay (97), Nick Mackay (98), Heather Earhorne (105), Anthony Weeks (107), Janette Hodges (112), Frances Dennison (120), Erica Wills (143) and Malcom Lousley (148).

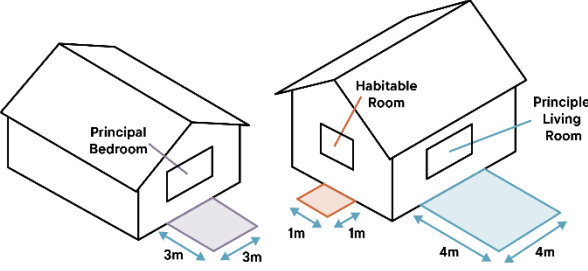
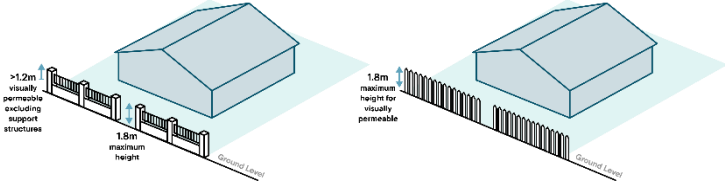
¹⁰⁵ TL&GL (121)

	<p>Tekapo shall have any building or structure, <u>excluding ancillary structures</u>, setback a minimum of 4.5m.</p> <p>2. Any building or structure, <u>excluding ancillary structures</u>¹⁰⁶, shall be setback a minimum of 2m from any internal boundary, <u>except for buildings that share a common wall with a building on an adjoining site</u>.¹⁰⁷</p> <p>3. Any building or structure on the true right bank of the Tekapo River shall be setback a minimum of 6m from the edge of the upper terrace.</p>	<p>Matters of discretion are restricted to: RES-MD3</p>
MRZ-S5	Coverage	
Medium Density Residential Zone	<p>1. The maximum building coverage of any site shall not exceed 40%.</p>	<p>RDIS</p> <p>Matters of discretion are restricted to: RES-MD4</p>
MRZ-S6	Landscaping	
Medium Density Residential Zone	<p>1. The minimum percentage of landscaping on any site shall be 30%.</p>	<p>RDIS</p> <p>Matters of discretion are restricted to: RES-MD5</p>
MRZ- S7	Outdoor Living Space	
Medium Density Residential Zone	<p>1. All residential units shall be provided with an outdoor living space, directly accessed from a living area, of at least:</p> <p>a) 25m² at ground level with a minimum dimension of 3m; or</p> <p>b) a balcony of at least 12m² with a minimum dimension of 2m.</p>	<p>RDIS</p> <p>Matters of discretion are restricted to: RES-MD6</p>
MRZ-S8	Minimum Outlook Space	
Medium Density Residential Zone	<p>1. All habitable rooms shall have minimum outlook space of at least:</p> <p>a) 4m in depth and 4m in width, for principal living rooms;</p> <p>b) 3m in depth and 3m in width, for principal bedrooms; and</p> <p>c) 1m in depth and 1m in width, for other habitable rooms.</p> <p>2. <u>The width of the outlook space shall be measured from the centre point of the largest window on the building face to which it applies.</u></p> <p>3. <u>Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.</u></p> <p>4. <u>Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.</u></p> <p>5. <u>Outlook spaces may be under or over a balcony.</u></p> <p>6. <u>Outlook spaces required from different rooms within the same building may overlap.</u></p> <p>7. <u>Outlook spaces must be clear and unobstructed by buildings and not extend over an outlook space or outdoor living space required by another dwelling.</u>¹⁰⁸</p>	<p>RDIS</p> <p>Matters of discretion are restricted to: RES-MD7</p>

¹⁰⁶ Response to Minute 4 – S42A Authors, TL&GL (121)

¹⁰⁷ TL&GL (121)

¹⁰⁸ TL&GL (121)

		
<p>MRZ-S9</p>	<p>Fencing</p>	
<p>Medium Density Residential Zone</p>	<p>1. All fencing along the road boundary shall be:</p> <ul style="list-style-type: none"> a) No higher than 1.8m above ground level; and b) Any part of the fence higher than 1.2m¹⁰⁹ above ground level shall be visually permeable, excluding support structures. 	<p>RDIS</p> <p>Matters of discretion are restricted to: RES-MD8</p>
<p>MRZ-S10</p>	<p>Access</p>	
<p>Medium Density Residential Zone Specific Control Area 3.5</p>	<p>1. All activities shall obtain vehicular access to State Highway 8 from Lakeside Drive. No direct access from State Highway 8 is permitted.</p>	<p>NC</p>

¹⁰⁹ TL&GL (121)

Residential Zones

Matters of Discretion

RESZ-MD1 Height

- a. The location, design, scale and appearance of the building or structure.
- b. Adverse effects on the streetscape.
- c. Adverse effects on the amenity values of neighbours on sites containing residential or other sensitive activities, including visual dominance, shading and effects on privacy.
- d. The extent to which the increase in height is necessary due to the functional and operational requirements of an activity.

RESZ-MD2 Height in Relation to Boundary

- a. Adverse effects resulting from the bulk and dominance of built form.
- b. Effects on visual amenity values, privacy, outlook, sunlight and daylight access and use of outdoor living space for neighbouring properties.
- c. The adequacy of any mitigation measures.

RESZ-MD3 Setbacks

- a. The location, design, scale and appearance of the building or structure.
- b. For road boundaries, adverse effects on the streetscape.
- c. For internal boundaries, the extent of adverse effects on privacy, outlook, shading, and other amenity values for the adjoining property.
- d. The adequacy of any mitigation measures.
- e. Where adjacent to the General Industrial Zone, the potential for residential activities to result in reserve sensitivity effects on industrial activities.¹¹⁰

RESZ-MD4 Coverage

- a. The location, design and appearance of buildings on the site.
- b. The visual impact of the built form on the streetscape and surrounding environment.
- c. The extent and quality of any landscaping proposed to soften the built form.
- d. The adequacy of any mitigation measures.

RESZ-MD5 Landscaping

- a. The location, design and appearance of buildings on the site.
- b. The extent and quality of the landscaping proposed to soften the built form. ?
- c. The visual impacts on the streetscape and surrounding environment as a result of the reduced landscaping.
- d. Whether a reduction in road boundary landscaping is appropriate to address a traffic safety matter.¹¹¹
- e. The adequacy of any mitigation measures.

RESZ-MD6 Outdoor Living Space

- a. The provision of landscaping, open space, and on-site amenity for residents.
- b. The adequacy of any mitigation measures.

RESZ-MD7 Minimum Outlook Space

- a. The level of on-site amenity provided for residents.
- b. The extent of adverse effects on privacy, outlook and other amenity values for the adjoining property.
- c. The adequacy of any mitigation measures.

RESZ-MD8 Fencing

- a. The design, scale, and appearance of the fence.
- b. Adverse effects on the streetscape.
- c. The adequacy of any mitigation measures.

¹¹⁰ Enviro Waste (108)

¹¹¹ Waka Kotahi (119)

Neighbourhood Centre Zone

Introduction

The Neighbourhood Centre Zone applies to small areas within Takapo / Lake Tekapo township which are separate from the main town centre area. This zone provides for small-scale commercial and community activities, to support the surrounding residential area without detracting from the role of the Town Centre Zone.

Due to the surrounding residential environment, development within this zone is of a scale and density that is sympathetic to its residential setting.

Objectives and Policies

Objectives	
NCZ-O1	Zone Purpose
The Neighbourhood Centre Zone contains a range of primarily small-scale commercial and community activities that support the surrounding residential area.	
NCZ-O2	Zone Character and Amenity Values
The Neighbourhood Centre Zone contains built form of a scale that reflects the character of the surrounding residential neighbourhood, and which maintains the amenity values anticipated in within and beyond the zone.	

Policies	
NCZ-P1	Commercial and Community Activities
Enable a wide range of small-scale commercial activities and community <u>and education facilities</u> ¹¹² to establish and operate within the Neighbourhood Centre Zone.	
NCZ-P2	Compatible Activities
Provide for activities that are not enabled by NCZ-P1 to establish and operate within the Neighbourhood Centre Zone where they: <ol style="list-style-type: none"> are not of a scale or nature which detracts from the character, amenity values or purpose of the Town Centre Zone; and are compatible with the scale and nature of activities permitted within the zone and the amenity values of the surrounding residential area. 	
NCZ-P3	Adverse Effects
Manage development within the Neighbourhood Centre Zone to ensure that it: <ol style="list-style-type: none"> provides a high-quality pedestrian environment; is well-integrated with roads and public areas and positively contributes to their vibrancy; provides a good level of amenity for residents, workers and visitors; and is compatible with its residential setting and maintains the anticipated amenity values of any adjoining residential zone. 	

Note for Plan Users: *"For certain activities, consent may be required under rules in this Chapter as well as other District-Wide Matters Chapters or Area-Specific Matters Chapters in the Plan. Unless expressly stated otherwise, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in [Part 1 – How the Plan Works](#)."*¹¹³

Rules

NCZ-R1	Buildings and Structures	
Neighbourhood Centre Zone	Activity Status: PER Where the activity complies with the following standards: NCZ-S1 to NCZ-S6	Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).
NCZ-R2	Commercial Activities	

¹¹² MoE (18)

¹¹³ Waka Kotahi (119)

<p>Neighbourhood Centre Zone</p>	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity is not a service station. 2. The activity is not Commercial Visitor Accommodation. 3. Any food and beverage outlet or retail activity does not exceed 150m² in gross floor area per tenancy. 	<p>Activity status when compliance is not achieved with R2.1: NC</p> <p>Activity status when compliance is not achieved with R2.2: DIS</p> <p>Activity status when compliance is not achieved with R2.3: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. The location, design and appearance of buildings and landscaping on the site. b. The extent to which the nature, intensity and scale of the activity is consistent with the anticipated character and amenity values of the Neighbourhood Centre Zone and the surrounding area. c. Whether the activity has the potential to detract from the character, amenity values or purpose of the Town Centre Zone, including on a cumulative basis. d. The traffic impacts including the provision of adequate parking and loading areas. e. The adequacy of any mitigation measures proposed, including in relation to reverse sensitivity effects.
<p>NCZ-R3</p>	<p>Community Facilities</p>	
<p>Neighbourhood Centre Zone</p>	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. Any community facility does not exceed 200m² in gross floor area. 	<p>Activity status when compliance is not achieved with R3.1: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. The location, design and appearance of buildings and landscaping on the site. b. The extent to which the nature, intensity and scale of the activity is consistent with the anticipated character and amenity values of the Neighbourhood Centre Zone and the surrounding area. c. Whether the activity has the potential to detract from the character, amenity values or purpose of the Town Centre Zone, including on a cumulative basis. d. The traffic impacts including the provision of adequate parking and loading areas. e. The adequacy of any mitigation measures proposed, including in relation to reverse sensitivity effects.

NCZ-R4	Educational Facilities	
Neighbourhood Centre Zone	Activity Status: PER	
NCZ-R5	Residential Activities	
Neighbourhood Centre Zone	Activity Status: DIS	
NCZ-R6	Industrial Activities	
Neighbourhood Centre Zone	Activity Status: NC	
NCZ-R7	Activities Not Otherwise Listed	
Neighbourhood Centre Zone	Activity Status: DIS	

Standards

NCZ-S1	Height	Activity Status where compliance not achieved:
Neighbourhood Centre Zone	1. The maximum height of any building or structure shall not exceed 7.5m above ground level, except a gable roof may exceed the maximum height by no more than 1m.	RDIS Matters of discretion are restricted to: CMUZ-MD1
NCZ-S2	Height in Relation to Boundary	
Neighbourhood Centre Zone	1. Any building or structure shall comply with the Height in Relation to Boundary requirements in APP1.	RDIS Matters of discretion are restricted to: CMUZ-MD2
NCZ-S3	Setbacks	
Neighbourhood Centre Zone	1. Any building or structure excluding ancillary structures, ¹¹⁴ shall be set back a minimum of 2m from any road boundary or internal boundary.	RDIS Matters of discretion are restricted to: CMUZ-MD3
NCZ-S4	Outdoor Storage	
Neighbourhood Centre Zone	1. Any outdoor storage of goods (excluding vehicles or the display of goods for sale) and any servicing areas, shall be screened from any public space or adjoining residential site by a fence of no less than 1.8m in height, or dense planting to the same height. 2. No outdoor storage shall be located within the minimum setback from road boundaries.	RDIS Matters of discretion are restricted to: CMUZ-MD4
NCZ-S5	Coverage	
Neighbourhood Centre Zone	1. The maximum building coverage of any site shall not exceed 45%.	RDIS Matters of discretion are restricted to: CMUZ-MD5
NCZ-S6	Landscaping	
Neighbourhood Centre Zone	1. Where the site adjoins a residential zone, a landscaping strip with an average depth of 2m shall be established along that boundary, using a species capable	RDIS Matters of discretion are restricted to: CMUZ-MD6

¹¹⁴ Response to Minute 4 – S42A Authors, TL&GL (121)

	<p>of creating a continuous screen with a minimum height of 1.8m at maturity.</p> <ol style="list-style-type: none"> 2. The minimum percentage of landscaping on any site shall be 30%. 3. All landscaping required in 1. and 2. above shall be: <ol style="list-style-type: none"> a. undertaken and completed by the end of the first planting season (1 May to 30 November) following any activity being established on the site; or b. when an activity commences during the months of October or November, the landscaping shall be undertaken and completed within 12 months of the activity commencing on the site; and c. maintained, and any dead, diseased, or damaged plants, shall be removed and replaced. 	
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Large Format Retail Zone

Introduction

The Large Format Retail Zone is located within the Lake Tekapo/Tākapo and Twizel townships. This zone provides primarily for retail activities that require a large floor and/or yard area and which are less well suited to traditional town centre areas. The zone is intended to support the overall retail offering within the District, without detracting from the role of the Town Centre Zone as the primary commercial area.

Because of the type of activities anticipated within this zone, a greater scale of built form is anticipated than in other commercial zones, along with car parking and loading areas. The effects of activities within this zone need to be managed to maintain an appropriate level of amenity within the zone, and where these zones are located near more sensitive zones, careful management of the zone interface is required. Activities within the zone also need to be controlled to manage the potential for reverse sensitivity effects to arise, and to limit the type and scale of commercial activities to ensure that development within this zone does not detract from the vibrancy and vitality of the Town Centre Zone.

Objectives and Policies

Objectives	
LFRZ-O1	Zone Purpose
The Large Format Retail Zone provides primarily for large-scale retail activities.	
LFRZ-O2	Zone Character and Amenity Values
The adverse effects of activities and built form within the Large Format Retail Zone are managed in a way that: <ol style="list-style-type: none"> 1. recognises the functional and operational requirements of activities within the zone; 2. maintains a reasonable level of amenity within the zone; and 3. maintains the amenity values anticipated in adjoining areas. 	

Policies	
LFRZ-P1	Large-scale Retail Activities
Enable large scale retail activities to establish and operate within the Large Format Retail Zone.	
LFRZ-P2	Other Activities
Avoid the establishment of activities that are not enabled by LFRZ-P1 within the Large Format Retail Zone unless they: <ol style="list-style-type: none"> 1. are not retail activities that are more suited to a location within the Town Centre Zone; 2. will not detract from the character, amenity values or purpose of the Town Centre Zone; and 3. will not result in reverse sensitivity effects with activities that are anticipated in the zone. 	
LFRZ-P3	Adverse Effects
Manage the adverse effects of activities within the Large Format Retail Zone to: <ol style="list-style-type: none"> 1. ensure that built form is of a scale that is compatible with the role and function of the zone; 2. provide for a good level of amenity for workers within the zone; and 3. mitigate the effects of activities within the zone on areas outside it, particularly more sensitive zones, so that it does not compromise the amenity values anticipated in adjoining areas. 	

Note for Plan Users: *“For certain activities, consent may be required under rules in this Chapter as well as other District-Wide Matters Chapters or Area-Specific Matters Chapters in the Plan. Unless expressly stated otherwise, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in [Part 1 – How the Plan Works](#).”*¹¹⁵

Rules

LFRZ-R1	Buildings and Structures	
Large Format Retail Zone	Activity Status: PER Where the activity complies with the following standards: LFRZ-S1 to LFRZ-S6	Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).

¹¹⁵ Waka Kotahi (119)

LFRZ-R2	Retail Activities	
Large Format Retail Zone	Activity Status: PER Where: <ol style="list-style-type: none"> 1. The gross floor area of any individual retail activity is a minimum of 500m²; or 2. The activity is: <ol style="list-style-type: none"> a. a food and beverage outlet; or b. a service station; or c. yard-based retail; or d. trade-based retail. 	Activity status when compliance is not achieved with R2.1: DIS
LFRZ-R3	Ancillary Activities	
Large Format Retail Zone	Activity Status: PER Where: <ol style="list-style-type: none"> 1. The activity is ancillary to a permitted activity. 	Activity status when compliance is not achieved with R3.1: DIS
LFRZ-R4	Commercial Activities (unless specified in LFRZ-R2 or LFRZ-R8)	
Large Format Retail Zone	Activity Status: DIS	
LFRZ-R5	Community Facilities	
Large Format Retail Zone	Activity Status: DIS	
LFRZ-R6	Industrial Activities	
Large Format Retail Zone	Activity Status: DIS	
LFRZ-R7	Residential Activities	
Large Format Retail Zone	Activity Status: NC	
LFRZ-R8	Commercial Visitor Accommodation	
Within Specific Control Area 8 ¹¹⁶	Activity Status: RDIS Matters of discretion are restricted to: <ol style="list-style-type: none"> a. <u>Traffic impacts, including the provision of adequate onsite parking.</u> b. <u>Effects on amenity values of adjoining residential or open space and recreation sites, including outlook, privacy, and noise.</u> c. <u>The adequacy of any mitigation measures proposed to avoid reverse sensitivity effects.</u> 	
Large Format Retail Zone (excluding Specific Control Area 8) ¹¹⁷	Activity Status: NC	

¹¹⁶ Mackenzie Properties (117)

¹¹⁷ Mackenzie Properties (117)

LFRZ-R9	Educational Facility	
Large Format Retail Zone	Activity Status: NC	
LFRZ-R10	Activities Not Otherwise Listed	
Large Format Retail Zone	Activity Status: DIS	

Standards

LFRZ-S1	Height	Activity Status where compliance not achieved:
Large Format Retail Zone	1. The maximum height of any building or structure shall not exceed 12m above ground level.	RDIS Matters of discretion are restricted to: CMUZ-MD1
LFRZ-S2	Height in relation to boundary	
Large Format Retail Zone	1. Any building or structure shall comply with the Height in Relation to Boundary requirements in APP1, where the boundary adjoins any residential zone.	RDIS Matters of discretion are restricted to: CMUZ-MD2
LFRZ-S3	Setbacks	
Large Format Retail Zone	1. Any building or structure shall be set back a minimum of 7m from any boundary adjoining a residential, open space or recreation zone. 2. Any building or structure shall be set back a minimum of 3m from any boundary adjoining a rural zone. 3. Any building or structure shall be set back a minimum of 5m from any road boundary.	RDIS Matters of discretion are restricted to: CMUZ-MD3
LFRZ-S4	Outdoor Storage	
Large Format Retail Zone	1. Any outdoor storage of goods (excluding vehicles or the display of goods for sale) and any servicing areas, shall be screened from any public space or adjoining residential site by a fence of no less than 1.8m in height, or dense planting to the same height. 2. No outdoor storage shall be located within the minimum setback from road boundaries.	RDIS Matters of discretion are restricted to: CMUZ-MD4
LFRZ-S5	Coverage	
Large Format Retail Zone	1. The maximum building coverage of any site shall not exceed 75%.	RDIS Matters of discretion are restricted to: CMUZ-MD5
LFRZ-S6	Landscaping	
Large Format Retail Zone	1. A landscaped area shall be established along all road boundaries, except across entranceways, which: a. Has an average depth of 3m and a minimum depth of 1m; b. Contains at least 50% of trees and shrubs. 2. Where the site adjoins a zone boundary, a landscaping strip with an average depth of 2m shall be established along that boundary, using a species capable of creating a continuous screen with a minimum height of 1.8m at maturity.	RDIS Matters of discretion are restricted to: CMUZ-MD6

	<p>3. All landscaping required in 1. and 2. above shall be:</p> <ul style="list-style-type: none"> a. undertaken and completed by the end of the first planting season (1 May to 30 November) following any activity being established on the site; or b. when an activity commences during the months of October or November, the landscaping shall be undertaken and completed within 12 months of the activity commencing on the site; and c. maintained, and any dead, diseased, or damaged plants, shall be removed and replaced. 	
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Mixed Use Zone

Introduction

The Mixed Use Zone applies to small areas within the settlements of Albury, Te Kopi-O-Ōpihi / Burkes Pass, and Kimbell and Tākapo/Lake Tekapo.¹¹⁸ This zone provides for mixture of activities, including residential activities, as well as commercial and community activities which support the surrounding residential and rural neighbourhoods or cater to visitors.

Due to the surrounding residential environment, development within this zone is of a scale and density that is sympathetic to its residential setting. Where residential units or commercial buildings are not connected to a reticulated sewerage system, larger sections are required to allow for on-site wastewater treatment and disposal.¹¹⁹

Objectives and Policies

Objectives	
MUZ-O1	Zone Purpose
The Mixed Use Zone contains residential activities, along with a range of primarily small-scale commercial and community activities that serve the convenience needs of the surrounding residential and rural neighbourhood or visitors.	
MUZ-O2	Zone Character and Amenity Values
The Mixed Use Zone contains built form of a scale that reflects the character of the surrounding residential neighbourhood, and which maintains the amenity values anticipated within and beyond the zone.	

Policies	
MUZ-P1	Commercial, Community and Residential Activities
Enable a wide range of small-scale commercial activities, community facilities, <u>education facilities</u> ¹²⁰ and residential activities to establish and operate within the Mixed Use Zone.	
MUZ-P2	Compatible Activities
Provide for activities that are not enabled by MUZ-P1 to establish and operate within the Mixed Use Zone where they: <ol style="list-style-type: none"> are not of a scale or nature which detracts from the character, amenity values or purpose of the Town Centre Zone; and are compatible with the scale and nature of activities permitted within the zone and the amenity values of the surrounding residential area. 	
MUZ-P3	Adverse Effects
Manage development within the Mixed Use Zone to ensure that it: <ol style="list-style-type: none"> provides a high-quality pedestrian environment; is well-integrated with roads and public areas and positively contributes to their vibrancy; provides a good level of amenity for residents, workers and visitors; and is compatible with its residential setting and maintains the anticipated amenity values of any adjoining residential zone. 	

Note for Plan Users: *“For certain activities, consent may be required under rules in this Chapter as well as other District-Wide Matters Chapters or Area-Specific Matters Chapters in the Plan. Unless expressly stated otherwise, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in [Part 1 – How the Plan Works](#).”*¹²¹

Rules

MUZ-R1	Residential Units	
Mixed Use Zone	Activity Status: PER	Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).
	And the activity complies with the following standards:	

¹¹⁸ TL&GL (121)

¹¹⁹ Clause 16(2) amendment.

¹²⁰ MoE (18)

¹²¹ Waka Kotahi (119)

	MUZ-S1 to MUZ-S6 and MUZ-S8. ¹²²	
MUZ-R2	Minor Residential Units	
Mixed Use Zone	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. There is a maximum of one minor residential unit per site; 2. The maximum <u>gross</u> floor area of the minor residential unit is 65m² excluding garaging; <u>and</u> The minor unit does not exceed one storey; and¹²³ 4. The minor residential unit is ancillary to or for the purpose of residential activity. <p>And the activity complies with the following standards: MUZ-S2 to MUZ-S6 and MUZ-S8¹²⁴</p>	<p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p> <p>Activity status when compliance is not achieved with R2.2 to R2.34: DIS</p>
MUZ-R3	Buildings and Structures Not Otherwise Listed	
Mixed Use Zone	<p>Activity Status: PER</p> <p>And the activity complies with the following standards: MUZ-S1 to MUZ-S8¹²⁵</p>	<p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>
MUZ-R4	Residential Activities	
Mixed Use Zone	Activity Status: PER	

¹²² ECan (57)

¹²³ Consequential Amendment W and Z Speak (138)

¹²⁴ Consequential Amendment ECan (57)

¹²⁵ ECan (57)

MUZ-R5	Residential Visitor Accommodation	
Mixed Use Zone	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. No more than one residential unit on a site is used for residential visitor accommodation, including a minor residential unit; and 2. The maximum occupancy of a site <u>the unit</u>¹²⁶ used for residential visitor accommodation does not exceed six guests per night. 	<p>Activity status when compliance is not achieved with R5.1 or R5.2: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. The location, design and appearance of buildings on the site. b. The traffic impacts including the provision of adequate onsite parking. c. Effects on amenity values of adjoining residential sites including noise. d. The adequacy of any mitigation measures.
MUZ-R6	Commercial Activities	
Mixed Use Zone	<p>Activity Status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. The activity is not a service station. 2. The activity is not Commercial Visitor Accommodation; and 3. Any commercial activity does not exceed 200m² in gross floor area per site. 	<p>Activity status when compliance is not achieved with R6.1: DIS</p> <p>Activity status when compliance is not achieved with R6.2: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. The location, design and appearance of buildings and landscaping on the site. b. The traffic impacts including the provision of adequate parking and loading areas. c. Effects on amenity values of adjoining residential sites including noise. d. The adequacy of any mitigation measures. <p>Activity status when compliance is not achieved with R6.3: RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. The location, design and appearance of buildings and landscaping on the site. b. The extent to which the nature, intensity and scale of the activity is consistent with the anticipated character and amenity values of the Mixed Use Zone and the surrounding area.

¹²⁶ Relates to TL&GL (121)

		<ul style="list-style-type: none"> c. Whether the activity has the potential to detract from the character, amenity values or purpose of the Town Centre Zone, including on a cumulative basis. d. The traffic impacts including the provision of adequate parking and loading areas. e. The adequacy of any mitigation measures proposed, including in relation to reverse sensitivity effects.
MUZ-R7	Community Facilities	
Mixed Use Zone	Activity Status: PER Where: <ul style="list-style-type: none"> 1. It is an expansion to an existing community facility. 	Activity status when compliance is not achieved with R7.1: RDIS Matters of discretion are restricted to: <ul style="list-style-type: none"> a. The location, design and appearance of buildings and landscaping on the site. b. The traffic impacts including the provision of adequate parking and loading areas. c. Effects on amenity values of adjoining residential sites including noise. d. The adequacy of any mitigation measures.
MUZ-R8	Educational Facilities	
Mixed Use Zone	Activity Status: PER	
MUZ-R9	Industrial Activities	
Mixed Use Zone	Activity Status: DIS	
MUZ-R10	Activities Not Otherwise Listed	
Mixed Use Zone	Activity Status: DIS	

Standards

MUZ-S1	Density	Activity Status where compliance not achieved:
Mixed Use Zone	<ol style="list-style-type: none"> 1. The minimum site area per any residential unit is: <ol style="list-style-type: none"> a. <u>200m² in Tākapo/Lake Tekapo; or¹²⁷</u> b. <u>400m², in Burkes Pass, where the residential unit is connected to a reticulated sewerage system; or</u> c. <u>1,500m², in Albury and Kimbell, where the residential unit is not connected to a reticulated sewerage system; and</u> d. <u>authorisation of the wastewater discharge has been obtained from Environment Canterbury.¹²⁸</u> 	DIS
MUZ-S2	Height	
Mixed Use Zone	<ol style="list-style-type: none"> 1. The maximum height of any building or structure shall not exceed 8m above ground level. 	RDIS Matters of discretion are restricted to: CMUZ-MD1
MUZ-S3	Height in Relation to Boundary	
Mixed Use Zone	<ol style="list-style-type: none"> 1. Any building or structure shall comply with the Height in Relation to Boundary requirements in APP1. 	RDIS Matters of discretion are restricted to: CMUZ-MD2
MUZ-S4	Setbacks	
Mixed Use Zone	<ol style="list-style-type: none"> 1. Any building or structure, <u>excluding ancillary structures,¹²⁹</u> shall be set back a minimum of 2m from any internal boundary. 2. Any building or structure, <u>excluding ancillary structures,¹³⁰</u> shall be set back a minimum of: <ol style="list-style-type: none"> a. <u>3m from any road boundary; or</u> b. <u>4.5m from any road boundary with frontage to Lakeside Drive, Tākapo/Lake Tekapo.¹³¹</u> 	RDIS Matters of discretion are restricted to: CMUZ-MD3
MUZ-S5	Outdoor Storage	
Mixed Use Zone	<ol style="list-style-type: none"> 1. Any outdoor storage of goods (excluding vehicles or the display of goods for sale) and any servicing areas, shall be screened from any public space or adjoining residential site by a fence of no less than 1.8m in height, or dense planting to the same height. 2. No outdoor storage shall be located within the minimum setback from road boundaries. 	RDIS Matters of discretion are restricted to: CMUZ-MD4
MUZ-S6	Coverage	

¹²⁷ TL&GL (121)

¹²⁸ ECAN (57).

¹²⁹ Response to Minute 4 – S42A Authors

¹³⁰ Response to Minute 4 – S42A Authors

¹³¹ TL&GL (121)

Mixed Use Zone	<ol style="list-style-type: none"> 1. The maximum building coverage of any site shall be 45%. 2. The maximum site coverage of any site shall be 50%. 	RDIS Matters of discretion are restricted to: CMUZ-MD5
MUZ-S7	Landscaping	
Mixed Use Zone	<ol style="list-style-type: none"> 1. Where the site adjoins a residential zone, a landscaping strip with an average depth of 2m shall be established along that boundary, using a species capable of creating a continuous screen with a minimum height of 1.8m at maturity. <u>Except that this rule shall not apply in Tākapo/Lake Tekapo.</u>¹³² 2. 3. All landscaping required in 1. above shall be: <ol style="list-style-type: none"> a. undertaken and completed by the end of the first planting season (1 May to 30 November) following any activity being established on the site; or b. when an activity commences during the months of October or November, the landscaping shall be undertaken and completed within 12 months of the activity commencing on the site; and c. maintained, and any dead, diseased, or damaged plants, shall be removed and replaced. 	RDIS Matters of discretion are restricted to: CMUZ-MD6
MUZ-S8	Servicing	
Mixed Use Zone in Kimbell and Albury	<ol style="list-style-type: none"> 1. <u>All residential units and buildings requiring wastewater disposal which are not connected to a reticulated sewer network, but which involve the discharge of wastewater, shall be provided with an on-site wastewater treatment and disposal system, authorised by the Canterbury Regional Council by way of a rule in a regional plan or resource consent.</u>¹³³ 	DIS

¹³² TL&GL (121)

¹³³ ECan (57)

Town Centre Zone

Introduction

The Town Centre Zone applies to the main commercial areas within the Fairlie, Takapo / Lake Tekapo and Twizel townships. This zone is the focal point for commercial and community activities and provides for a wide range of commercial and other activities that support the residents of each township, the wider rural area and visitors.

While greater volumes of traffic are expected in these areas, they are also pleasant pedestrian environments and attractive areas with a moderate scale of built form. Where these zones are located near more sensitive zones, careful management of the zone interface is required.

Objectives and Policies

Objectives	
TCZ-01	Zone Purpose
The Town Centre Zone is the primary retail destination for comparison and convenience shopping in the District, and is a focal point for the community, providing for a range of commercial and community-focused activities, along with activities that support the vibrancy of these areas.	
TCZ-02	Zone Character and Amenity Values
The Town Centre Zone is a vibrant, pedestrian-focused environment with attractive and functional buildings and public areas of a moderate scale, which maintains the amenity values anticipated within and beyond the zone.	

Policies	
TCZ-P1	Commercial and Community Activities
Enable a wide range of commercial activities and community facilities to establish and operate within the Town Centre Zone.	
TCZ-P2	Compatible Activities
Provide for activities that are not enabled by TCZ-P1 to establish and operate within the Town Centre Zone where they: <ol style="list-style-type: none"> will contribute to the vibrancy or vitality of the Town Centre Zone; are compatible with the scale and nature of activities permitted within the zone; and are located so that the continuity of retail activities at ground floor level along road frontages and public spaces is maintained. 	
TCZ-P3	Adverse Effects
Manage development within the Town Centre Zone to ensure that it: <ol style="list-style-type: none"> provides a high-quality pedestrian environment; is well-integrated with roads and public areas and positively contributes to their vibrancy; provides a good level of amenity for residents, workers and visitors; and mitigates the effects of activities within the zone on areas outside it, particularly more sensitive zones, so that it does not compromise the <i>amenity values</i> anticipated in adjoining areas. 	

Note for Plan Users: *“For certain activities, consent may be required under rules in this Chapter as well as other District-Wide Matters Chapters or Area-Specific Matters Chapters in the Plan. Unless expressly stated otherwise, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in [Part 1 – How the Plan Works](#).”*¹³⁴

Rules

TCZ-R1	Buildings and Structures	
Town Centre Zone	Activity Status: PER Where the activity complies with the following standards: TCZ-S1 to TCZ-S7	Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).
TCZ-R2	Commercial Activities	

¹³⁴ Waka Kotahi (119)

Town Centre Zone	Activity Status: PER Where: 1. The activity is not a service station. 2. Any Commercial Visitor Accommodation, except for reception areas, food and beverage outlets or function rooms, are located above the ground floor.	Activity status when compliance is not achieved with R2.1 or R2.2: DIS
TCZ-R3	Community Facilities	
Town Centre Zone	Activity Status: PER	
TCZ-R3A	Community Corrections Activity	
Town Centre Zone	Activity Status: PER¹³⁵	
TCZ-R4	Residential Activities	
Town Centre Zone	Activity Status: PER Where: 1. Any residential activity is located above the ground floor.	Activity status when compliance is not achieved with R4.1: NC
TCZ-R5	Educational Facilities	
Town Centre Zone	Activity Status: DIS	
TCZ-R6	Industrial Activities	
Town Centre Zone	Activity Status: DIS	
TCZ-R7	Activities Not Otherwise Listed	
Town Centre Zone	Activity Status: DIS	

Standards

TCZ-S1	Height	Activity Status where compliance not achieved:
Town Centre Zone	1. The maximum height of any building or structure shall not exceed 10.5m above ground level.	RDIS Matters of discretion are restricted to: CMUZ-MD1
TCZ-S2	Height in Relation to Boundary	Activity Status where compliance not achieved:
Town Centre Zone	1. Any building or structure shall comply with the Height in Relation to Boundary requirements in APP1, where the boundary adjoins any residential zone.	RDIS Matters of discretion are restricted to: CMUZ-MD2
TCZ-S3	Setbacks	Activity Status where compliance not achieved:
Town Centre Zone	1. Any building or structure <u>excluding ancillary structures</u> , ¹³⁶ shall be set back	RDIS Matters of discretion are restricted to:

¹³⁵ Ara Poutama Department of Corrections (84)

¹³⁶ Response to Minute 4 – S42A Authors, TL&GL (121)

	a minimum of 3m from any boundary adjoining a residential zone.	CMUZ-MD3
TCZ -S4	Verandahs	Activity Status where compliance not achieved:
Town Centre Zone, on sites fronting Market Place in Twizel, or Main Street in Fairlie	1. Where any building (<u>excluding any emergency service facility</u>) ¹³⁷ is erected, or reconstructed or altered in way that physically changes a road-facing facade, a verandah shall be provided along the full frontage of the building to provide continuous coverage for pedestrians moving along the public footpath or place, with a minimum width of 2.8m in Fairlie, 3m in Twizel, or the width of the footpath.	RDIS Matters of discretion are restricted to: a. Effects on amenity for pedestrians, including shelter. b. Maintenance of the amenity and character of the building and street. c. whether the provision of a complying verandah would detract from the streetscape. d. <u>whether the operational or functional requirements of an activity mean that the provision of a verandah is impractical.</u> ¹³⁸
TCZ-S5	Outdoor Storage	Activity Status where compliance not achieved:
Town Centre Zone	1. Any outdoor storage of goods (excluding vehicles or the display of goods for sale) and any servicing areas, shall be screened from any public space or adjoining residential site by a fence of no less than 1.8m in height, or dense planting to the same height. 2. No outdoor storage shall be located within the minimum setback from road boundaries.	RDIS Matters of discretion are restricted to: CMUZ-MD4
TCZ-S6	Landscaping	Activity Status where compliance not achieved:
Town Centre Zone	1. Where the site adjoins a residential zone, a landscaping strip with an average depth of 2m shall be established along that boundary, using a species capable of creating a continuous screen with a minimum height of 1.8m at maturity. 2. All landscaping required in 1. and 2. above shall be: a. undertaken and completed by the end of the first planting season (1 May to 30 November) following any activity being established on the site; or b. when an activity commences during the months of October or November, the landscaping shall be undertaken and completed within 12 months of the activity commencing on the site; and c. maintained, and any dead, diseased, or damaged plants, shall be removed and replaced.	RDIS Matters of discretion are restricted to: CMUZ-MD6

¹³⁷ FENZ (81)¹³⁸ FENZ (81)

TCZ-S7	Street Frontages	Activity Status where compliance not achieved:
Town Centre Zone	1. At least 50% of the ground floor of any façade that faces a road boundary or other public space shall contain transparent glazing, and the glazing may not be obscured by being boarded up, painted, or covered by signage or obscured by other means.	DIS

Commercial and Mixed Use Zones

Matters of Discretion

CMUZ-MD1 Height

- a. The location, design, scale and appearance of the building or structure.
- b. Adverse effects on the streetscape.
- c. Adverse effects on the amenity values of neighbours on sites containing residential or other sensitive activities, including visual dominance, shading and effects on privacy.
- d. The extent to which the increase in height is necessary due to the functional and operational requirements of an activity.

CMUZ-MD2 Height in Relation to Boundary

- a. Adverse effects resulting from the bulk and dominance of built form.
- b. Effects on visual amenity values, privacy, outlook, sunlight and daylight access and use of outdoor living space for neighbouring properties.
- c. The adequacy of any mitigation measures.

CMUZ-MD3 Setbacks

- a. The location, design, scale and appearance of the building or structure.
- b. For road boundaries, adverse effects on the streetscape.
- c. For internal boundaries, the extent of adverse effects on privacy, outlook, shading, and other amenity values for the adjoining property
- d. Where the building or structure is opposite any residential zone, the effects of a reduced setback on the amenity values and outlook on that zone.
- e. The adequacy of any mitigation measures.

CMUZ-MD4 Outdoor Storage

- a. The design, size and location of any outdoor storage area.
- b. Effects on the amenity values of adjoining residential sites.
- c. The visual impact of the outdoor storage on the streetscape and surrounding environment.
- d. The overall landscaping provided on the site.
- e. The adequacy of any mitigation measures.

CMUZ-MD5 Coverage

- a. The location, design and appearance of buildings on the site.
- b. The visual impact of the built form on the streetscape and surrounding environment.
- c. The extent and quality of any landscaping proposed to soften the built form.
- d. The adequacy of any mitigation measures.

CMUZ-MD6 Landscaping

- a. The location, design and appearance of buildings and other activities on the site.
- b. The extent of visual impacts on the streetscape and surrounding environment as a result of the reduced landscaping.
- c. The extent to which an appropriate level of separation and privacy is achieved between the zone boundaries.
- d. Whether a reduction in road boundary landscaping is appropriate to address a traffic safety matter.
- e. The overall landscaping provided on the site.
- f. The adequacy of any mitigation measures.

General Industrial Zone

Introduction

The General Industrial Zone applies to areas within the Fairlie, Takapō / Lake Tekapo and Twizel townships which are predominately used or intended to be used for a range of industrial activities, as well as other activities of a similar nature, or which support the function of the zone.

Because of the scale and nature of activities anticipated within this zone, a greater level of adverse effects are also expected than in other zones, including visual effects associated with larger-scale buildings and structures, as well as noise, odour and traffic effects. These effects need to be managed to maintain an appropriate level of amenity within the zone, and where these zones are located near more sensitive zones, more careful management of the zone interface is required. Certain more sensitive activities within the zone also need to be controlled to manage the potential for reverse sensitivity effects to arise.

Objectives and Policies

Objectives	
GIZ-O1	Zone Purpose
The General Industrial Zone provides primarily for industrial activities and other compatible activities, as well as activities that support the functioning of industrial areas.	
GIZ-O2	Zone Character and Amenity Values
The adverse effects of activities and built form within the General Industrial Zone are managed in a way that: <ol style="list-style-type: none"> 1. recognises the functional and operational requirements of activities within the zone; 2. maintains a reasonable level of amenity within the zone; and 3. maintains the amenity values anticipated in adjacent zones. 	

Policies	
GIZ-P1	Industrial Activities
Enable a range of industrial activities and activities of a similar scale and nature to industrial activities, to establish and operate within the General Industrial Zone.	
GIZ-P2	Other Activities
Avoid the establishment of activities that are not enabled by GIZ-P1 within the General Industrial Zone, unless they will not result in reverse sensitivity effects with activities enabled by GIZ-P1, and they: <ol style="list-style-type: none"> 1. have a functional need or operational need to establish in the zone; or 2. are commercial activities which support the needs of workers within the zone and will not detract from the character, amenity values or purpose of the Town Centre Zone. 	
GIZ-P3	Adverse Effects
Manage the adverse effects of activities within the General Industrial Zone to: <ol style="list-style-type: none"> 1. ensure that built form is of a scale that is compatible with the purpose of the zone; 2. provide for a reasonable level of amenity for workers within the zone; and 3. mitigate the effects of activities within the zone on areas outside it, particularly more sensitive zones, so that it does not compromise the amenity values anticipated in adjoining areas. 	

Note for Plan Users: *“For certain activities, consent may be required under rules in this Chapter as well as other District-Wide Matters Chapters or Area-Specific Matters Chapters in the Plan. Unless expressly stated otherwise, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in [Part 1 – How the Plan Works](#).”*¹³⁹

Rules

Rules	
GIZ-R1	Buildings and Structures
General Industrial Zone	Activity Status: PER Where:
	Activity status when compliance with is not achieved with R1.1: CON Matters of control are limited to:

¹³⁹ Waka Kotahi (119)

	<p>1. <u>The building or structure is located at least 30m from the boundary of any residential zone.</u></p> <p>Where the activity complies with the following standards: GIZ-S1 to GIZ-S6.</p>	<p>a. <u>The location and design of buildings with respect to residential zones.</u></p> <p>b. <u>Hours of operation.</u></p> <p>c. <u>Noise and vibration.</u></p> <p>d. <u>Light spill.</u></p> <p>e. <u>Amenity effects relating to dust.</u></p> <p>f. <u>The effectiveness of any landscaping proposed in mitigating effects.</u>¹⁴⁰</p> <p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>
GIZ-R2	Industrial Activities	
Where:	<p>Activity Status: PER</p> <p>Where:</p> <p>1. The activity is not a heavy industrial activity; and</p> <p>2. <u>The industrial activity is located at least 30m from the boundary of any residential zone.</u>¹⁴¹</p> <p>Where the activity complies with the following standards: GIZ-S4 and GIZ-S6.¹⁴²</p>	<p>Activity status when compliance is not achieved with R2.1: RDIS</p> <p>Matters of discretion are restricted to:</p> <p>a. The location, nature and scale of the activity.</p> <p>b. <u>Hours of operation.</u></p> <p>c. <u>Noise and vibration.</u></p> <p>d. <u>Light spill.</u></p> <p>e. <u>Amenity effects relating to dust and odour.</u>¹⁴³</p> <p>f. The sensitivity of the surrounding environment.</p> <p>g. The effectiveness of mitigation measures proposed.</p> <p><u>Activity status when compliance with is not achieved with R2.2: CON</u></p> <p><u>Matters of control are limited to:</u></p> <p>a. <u>The location and design of buildings with respect to residential zones.</u></p> <p>b. <u>Hours of operation.</u></p> <p>c. <u>Noise and vibration.</u></p> <p>d. <u>Light spill.</u></p> <p>e. <u>Amenity effects relating to dust and odour.</u></p> <p>f. <u>The effectiveness of any landscaping proposed in mitigating effects.</u>¹⁴⁴</p> <p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).¹⁴⁵</p>
GIZ-R3	Commercial Activities (unless specified in GIZ-R7)	
General Industrial Zone	<p>Activity Status: PER</p> <p>Where:</p> <p>1. The commercial activity is:</p> <p>a. yard-based retail; or</p> <p>b. trade-based retail; or</p>	<p>Activity status when compliance is not achieved with R3.1: DIS</p>

¹⁴⁰ ECan (57)¹⁴¹ ECan (57)¹⁴² Clause 16(2) amendment for consistency¹⁴³ ECan (57)¹⁴⁴ ECan (57)¹⁴⁵ Clause 16(2) amendment for consistency

	c. a service station; or d. a food and beverage outlet that is less than 120m ² .	
GIZ-R4	Ancillary Activities	
General Industrial Zone	Activity Status: PER Where: 1. The activity is ancillary to a permitted activity; and 2. Except on rear sites, any office or showroom shall be sited at the front of buildings; and 3. <u>The gross floor area of any office shall not exceed the greater of 30% of all buildings on the site, or 100m².</u> ¹⁴⁶	Activity status when compliance is not achieved with R4.1, R4.2 or R4.3: DIS Activity status when compliance is not achieved with R4.2: DIS¹⁴⁷
GIZ-R5	Community Facilities	
General Industrial Zone	Activity Status: PER Where: 1. The facility is an emergency service facility. ¹⁴⁸ Activity Status: DIS	Activity status when compliance is not achieved with R5.1: DIS
GIZ-R5A	Community Corrections Activity	
General Industrial Zone	Activity Status: PER¹⁴⁹	
GIZ-R6	Residential Activities	
General Industrial Zone	Activity Status: NC	
GIZ-R7	Commercial Visitor Accommodation	
General Industrial Zone	Activity Status: NC	
GIZ-R8	Educational Facility	
General Industrial Zone	Activity Status: NC	
GIZ-R9	Activities Not Otherwise Listed	
General Industrial Zone	Activity Status: DIS	

Standards

GIZ-S1	Height	Activity Status where compliance not achieved: RDIS
General Industrial Zone	1. The maximum height of any building or structure shall not exceed 12m above ground level.	Matters of discretion are restricted to: a. The location, design, scale and appearance of the building or structure. b. Adverse effects on the streetscape. c. Adverse effects on the amenity values of neighbours on sites containing residential or other sensitive activities,

¹⁴⁶ EnviroWaste (108)

¹⁴⁷ Clause 16(2) correction

¹⁴⁸ FENZ (81)

¹⁴⁹ Ara Poutama Department of Corrections (84)

		<p>including visual dominance, shading and effects on privacy.</p> <p>d. The extent to which the increase in height is necessary due to the functional and operational requirements of an activity.</p>
GIZ-S2	Height in Relation to Boundary	Activity Status where compliance not achieved:
General Industrial Zone	<p>1. Any building or structure shall comply with the Height in Relation to Boundary requirements in APP1, where the boundary adjoins any residential zone.</p>	<p>RDIS</p> <p>Matters of discretion are restricted to:</p> <p>a. Adverse effects resulting from the bulk and dominance of built form.</p> <p>b. Effects on visual amenity values, privacy, outlook, sunlight and daylight access and use of outdoor living space for neighbouring properties.</p> <p>c. The adequacy of any mitigation measures.</p>
GIZ-S3	Setbacks	Activity Status where compliance not achieved:
General Industrial Zone	<p>1. Any building or structure, <u>excluding ancillary structures</u>, shall be set back a minimum of 7m from any boundary adjoining a residential, open space or recreation zone.</p> <p>2. Any building or structure, <u>excluding ancillary structures</u>, shall be set back a minimum of 3m from any boundary adjoining a rural zone.</p> <p>3. Any building or structure, <u>excluding ancillary structures</u>,¹⁵⁰ shall be set back a minimum of:</p> <p>a. 10m from the boundary of Ostler Road; or</p> <p>b. 5m from any other road boundary; and</p>	<p>RDIS</p> <p>Matters of discretion are restricted to:</p> <p>a. The location, design, scale and appearance of the building or structure.</p> <p>b. For road boundaries, adverse effects on the streetscape.</p> <p>c. For internal boundaries, the extent of adverse effects on privacy, outlook, shading, and other amenity values for the adjoining property.</p> <p>d. Where the building or structure is opposite any residential zone, the effects of a reduced setback on the amenity values and outlook on that zone.</p> <p>e. The adequacy of any mitigation measures.</p>
GIZ-S4	Outdoor Storage	
General Industrial Zone	<p>1. Any outdoor storage of goods (excluding vehicles or the display of goods for sale) and any servicing areas, shall be screened from any public space or adjoining residential site by a fence of no less than 1.8m in height, or dense planting to the same height.</p> <p>2. No outdoor storage shall be located within the minimum setback from road boundaries.</p>	<p>RDIS</p> <p>Matters of discretion are restricted to:</p> <p>a. The design, size and location of any outdoor storage area.</p> <p>b. Effects on the amenity values of adjoining residential sites.</p> <p>c. The visual impact of the outdoor storage on the streetscape and surrounding environment.</p> <p>d. The overall landscaping provided on the site.</p> <p>e. The adequacy of any mitigation measures.</p>

¹⁵⁰ Response to Minute 4 – S42A Authors, TL&GL (121)

GIZ-S5	Coverage	
General Industrial Zone	<ol style="list-style-type: none"> 1. The maximum building coverage of any site shall not exceed 75%. 	RDIS Matters of discretion are restricted to: <ol style="list-style-type: none"> a. The location, design and appearance of buildings on the site. b. The visual impact of the built form on the streetscape and surrounding environment. c. The extent and quality of any landscaping proposed to soften the built form. d. The adequacy of any mitigation measures.
GIZ-S6	Landscaping	
General Industrial Zone	<ol style="list-style-type: none"> 1. A landscaped area shall be established along all road boundaries, except across entranceways, which: <ol style="list-style-type: none"> a. Has an average depth of 3m and a minimum depth of 1m; b. Contains at least 50% of trees and shrubs. 2. Where the site adjoins a zone boundary, a landscaping strip with an average depth of 2m shall be established along that boundary, using a species capable of creating a continuous screen with a minimum height of 1.8m at maturity. 3. All landscaping required in 1. and 2. above shall be: <ol style="list-style-type: none"> a. undertaken and completed by the end of the first planting season (1 May to 30 November) following any activity being established on the site; or b. when an activity commences during the months of October or November, the landscaping shall be undertaken and completed within 12 months of the activity commencing on the site; and c. maintained, and any dead, diseased, or damaged plants, shall be removed and replaced. 	RDIS Matters of discretion are restricted to: <ol style="list-style-type: none"> a. The location, design and appearance of buildings and other activities on the site. b. The extent of visual impacts on the streetscape and surrounding environment as a result of the reduced landscaping. c. The extent to which an appropriate level of separation and privacy is achieved between the zone boundaries. d. Whether a reduction in road boundary landscaping is appropriate to address a traffic safety matter. e. The overall landscaping provided on the site. f. The adequacy of any mitigation measures.

Takapō / Lake Tekapo Precinct

Introduction

The Takapō / Lake Tekapo Precinct applies to the residential, commercial and mixed use, and general industrial areas within the Takapō / Lake Tekapo township. This area is considered to have special character, derived from its landscape setting and the nature of built form which has been developed in the town over time, that provides it with a distinctive identity. The controls applicable within the precinct are intended to ensure that development within this area is sympathetic to the character of the town and the surrounding landscape.

For activities within this Precinct, the provisions of both the underlying zone and this Precinct apply. If the zone chapter and precinct chapter contain a rule or standard managing the same thing (e.g. a buildings and structures rule or a height standard), the applicable rule or standard in this Precinct applies and the equivalent rule in the underlying zone does not apply.

Objectives and Policies

Objectives	
PREC-O1	Precinct Purpose
Development within Takapō / Lake Tekapo maintains the distinctive character and identity of the Township and is complementary to the surrounding landscape.	

Policies	
PREC1-P1	Adverse Effects
Control the scale, appearance and location of buildings to ensure that: <ol style="list-style-type: none"> 1. the built form character of the Township is maintained and enhanced; 2. development is integrated with the landscape setting, including the topography, landform, and views to and from the area; 3. key viewshafts within and through land on the south side of State Highway 8 are protected, and accessibility to the Domain and lake are maintained; and 4. views to the lake from properties on the north side of State Highway 8 are maintained. 	

Rules

PREC1-R1	Buildings and Structures	
PREC1 within any residential zone, commercial and mixed use zone (excluding the Town Centre Zone)¹⁵¹ or General Industrial Zone	Activity Status: PER Where the activity complies with the following standards: PREC1-S1 to PREC1-S8 and any standards in the relevant zone chapter	Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).
PREC1 within Town Centre Zone	Activity Status: RDIS Where the activity complies with the following standards: PREC1-S1 to PREC1-S4 and TCZ-S1 to TCZ-S7 Matters of discretion are restricted to: <ol style="list-style-type: none"> a. The consistency of the proposal with the Takapō / Lake Tekapo Character Design Guide contained in Appendix 2. 	Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).

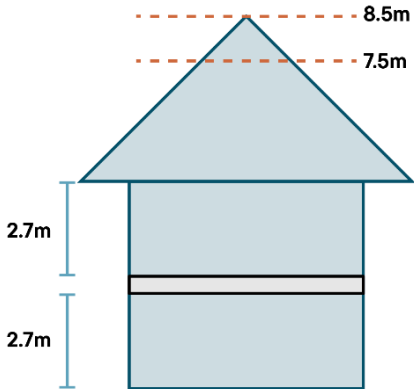
¹⁵¹ Clause 16(2) amendment for clarity.

Standards

PREC1-S1	Materials and Colours	Activity Status where compliance not achieved:
PREC1	<ol style="list-style-type: none"> 1. The exterior cladding of any building shall only comprise the following materials, with a minimum of at least two of these materials: <ol style="list-style-type: none"> a. natural unpainted or stained weatherboards and similar cladding materials (such as timber and board and batten); b. painted plaster style materials; c. alluvial stone (moraine and river stone); d. painted or weathering steel (including Colorsteel and Cortern); or e. cob (adobe blocks or rammed earth). 2. Roof materials shall not include tiles. 3. All painted cladding shall be coloured in the range of browns, greens, greys or black, with a light reflectivity value between 5% and 35%. 4. Except that 1.-3. above shall only apply in the Large Format Retail Zone and General Industrial Zone to building facades which front a road or other public space. 	<p>RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. The consistency of the proposal with the Takapō / Lake Tekapo Character Design Guide contained in Appendix 2.
PREC1-S2	Roofs	
PREC1 – within any residential zone or any commercial and mixed use zone	<ol style="list-style-type: none"> 1. Primary roof forms shall have: <ol style="list-style-type: none"> a. a flat or monopitch roof angle up to 20 degrees; or b. a gable of between 20 – 65 degrees. 2. Secondary roof forms (e.g. linking structures, lean-tos, verandahs, accessory buildings and garages) shall be the equivalent or lower in pitch and not project above the primary roof form. 	<p>RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. The consistency of the proposal with the Takapō / Lake Tekapo Character Design Guide contained in Appendix 2.
PREC1-S3	Building Scale	
PREC1 within any residential zone, Mixed Use Zone ¹⁵² or Neighbourhood Centre Zone	<ol style="list-style-type: none"> 1. The wall of any building shall not be greater than: <ol style="list-style-type: none"> a. 20m in total length; and b. 14m <u>along a road or other public space</u>,¹⁵³ without a recess in the façade and roofline of at least 1m in depth and 2m in length. 2. There shall be a minimum separation distance between any buildings on a site of no less than 2m. 	<p>RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. The consistency of the proposal with the Takapō / Lake Tekapo Character Design Guide contained in Appendix 2.
PREC1 within Town Centre Zone	<ol style="list-style-type: none"> 3. The wall of any building shall not be greater than <ol style="list-style-type: none"> a. 40m in total length; and b. 18m, without a recess in the façade and roofline of at least 1m in depth and 2m in length. 4. There shall be a minimum separation distance between any buildings on a site of no less than 4m. 	
PREC1 within Large Format Retail Zone or General Industrial Zone	<ol style="list-style-type: none"> 5. The wall of any building shall not be greater than 18m, without a recess in the façade and roofline of at least 1m in depth and 2m in length, where the wall fronts a road or other public space. 	

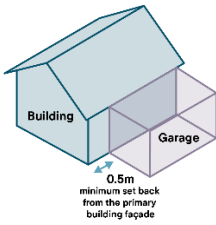
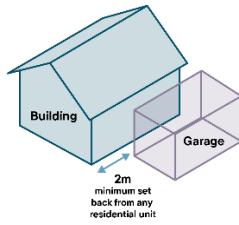
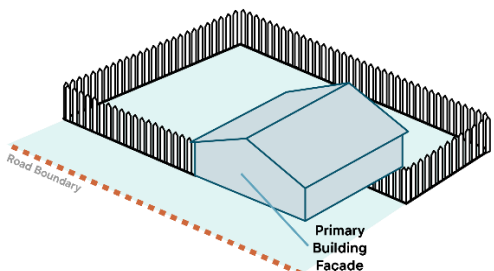
¹⁵² Consequential amendment arising from TL&GL (121)

¹⁵³ TL&GL (121)

PREC1-S4	Height	Activity Status where compliance not achieved:
<p>PREC1 within Town-Centre Zone (outside a Specific Control Area)¹⁵⁴</p>	<p>1. The maximum height of any building or structure shall not exceed 7.5m above ground level, except a gable roof may exceed the maximum height by no more than 1m.</p> 	<p>RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The consistency of the proposal with the Takapō / Lake Tekapo Character Design Guide contained in Appendix 2. The impact of the height on views to the lake. The location, design, scale and appearance of the building or structure. Adverse effects on the streetscape. Adverse effects on the amenity values of neighbours on sites containing residential or other sensitive activities, including visual dominance, shading and effects on privacy. The extent to which the increase in height is necessary due to the functional and operational requirements of an activity.
<p>PREC1 within the Medium Density Residential Zone (outside a Specific Control Area) and Neighbourhood Centre Zone</p>	<p>1. The maximum height of any building or structure shall be 7.5m above ground level except a gable roof may exceed the maximum height by no more than 1m.</p> <p>2. All floors shall have a minimum ceiling height of 2.7m.¹⁵⁵</p>	
<p>Specific Control Area 6– Top of Terrace</p>	<p>3. The maximum height of any building or structure shall be 5m above ground level.</p>	
<p>Specific Control Area 7 – Bottom of Terrace</p>	<p>4. The maximum height of any building or structure shall be 12m above ground level, or the height of the nearest point of the terrace top, whichever is the lesser.</p>	
<p>PREC1-S5</p>	<p>No Build Areas</p>	<p>Activity Status where compliance not achieved:</p>
<p>PREC1</p>	<p>1. No building or structure shall be located within an identified No Build Area.</p>	<p>NC</p>

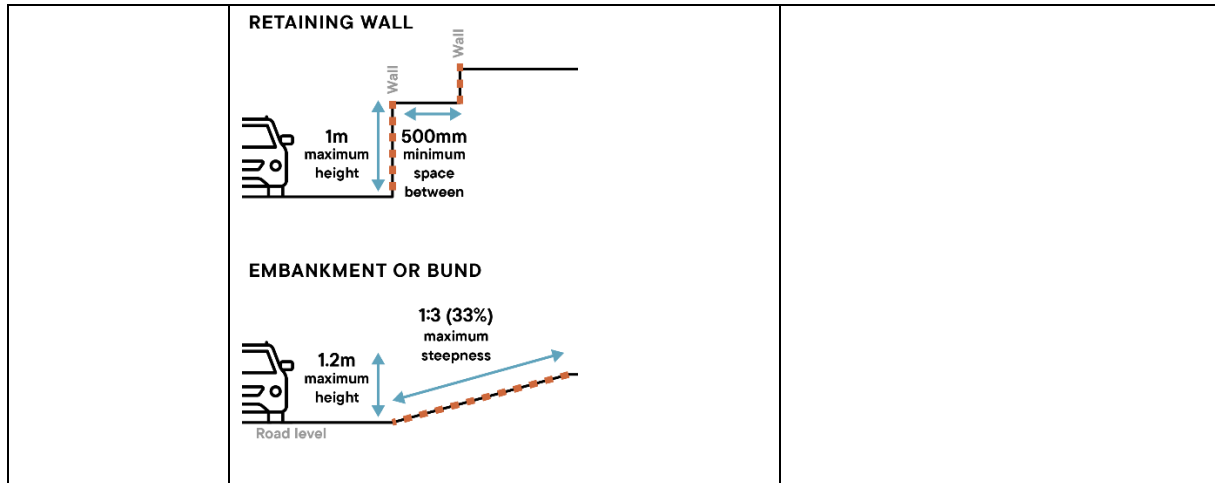
¹⁵⁴ Consequential amendment arising from TL&GL (121)

¹⁵⁵ TL&GL (121)

<p>PREC1-S6</p>	<p>Garages</p>	
<p>PREC1 within any residential zone</p>	<ol style="list-style-type: none"> Any garage attached to the primary building shall be set back at least 0.5m from the façade of the building fronting a road or public space. Any detached garage shall be set back at least 2m from any residential unit. <div style="display: flex; justify-content: space-around; align-items: flex-start;"> <div style="text-align: center;"> <p><small>GARAGE ATTACHED TO THE PRIMARY BUILDING</small></p>  </div> <div style="text-align: center;"> <p><small>DETACHED GARAGE TO THE PRIMARY BUILDING</small></p>  </div> </div>	<p>RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The consistency of the proposal with the Takapō / Lake Tekapo Character Design Guide contained in Appendix 2.
<p>PREC1-S7</p> <p>PREC1 within any Low Density Residential Zone,¹⁵⁶ Mixed Use Zone¹⁵⁶ or Neighbourhood Centre Zone</p>	<ol style="list-style-type: none"> No fence along the road frontage, or other public space, shall be located closer to the road or public space than the primary building façade. <div style="text-align: center;">  </div>	<p>RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The consistency of the proposal with the Takapō / Lake Tekapo Character Design Guide contained in Appendix 2.
<p>PREC1-S8</p>	<p>Retaining Walls and Level Changes</p>	
<p>PREC1 within any residential zone,¹⁵⁷ Mixed Use Zone¹⁵⁷ or Neighbourhood Centre Zone</p>	<ol style="list-style-type: none"> Any retaining wall fronting a road or public space shall be a maximum of 1m in height and be of natural materials or cladding (e.g. timber, moraine / river stone and steel) with a minimum terraced step or embankment of 500mm between retaining walls. Any embankment or bund shall be no steeper than 1:3 (33%) with bunding no higher than 1.2m above road level at the road boundary. 	<p>RDIS</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The consistency of the proposal with the Takapō / Lake Tekapo Character Design Guide contained in Appendix 2.

¹⁵⁶ Consequential amendment arising from TL&GL (121)

¹⁵⁷ Consequential amendment arising from TL&GL (121)



Precinct 2 – Commercial Visitor Accommodation

Introduction

The Commercial Visitor Accommodation Precinct applies to residential areas in Fairlie, Takapō / Lake Tekapo, and Twizel that given their location have been identified as being suitable for higher density commercial visitor accommodation, such as hotels and motels.

Within this Precinct, the provisions of the underlying residential zone and this Precinct apply. If there is a different rule requirement in the underlying residential zone, the applicable rule in this Precinct applies and the rule in the underlying zone does not apply.

Objectives and Policies

Objectives	
PREC2-01	Precinct Purpose
The Commercial Visitor Accommodation Precinct provides for higher density visitor accommodation activities and is a desirable residential environment for both residents and visitors.	
PREC2-02	Precinct Character and Amenity Values
Development within the Commercial Visitor Accommodation Precinct is well designed and maintains the character and amenity values of the underlying residential zone.	

Policies	
PREC2-P1	Commercial Visitor Accommodation
Provide for commercial visitor accommodation, where: <ol style="list-style-type: none"> 1. the design and appearance of buildings maintains the character and amenity values of the surrounding area; 2. any adverse effects on the amenity values of adjoining residential properties and the surrounding area are avoided where practicable or otherwise mitigated; 3. any parking and vehicle manoeuvring on the site is appropriately designed; and 4. road safety and efficiency is maintained. 	

Rules

PREC2-R1	Commercial Visitor Accommodation	
PREC2 Residential Zones	<p>Activity Status: RDIS</p> <p>Where: the activity complies with the underlying zone standards.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> d. the location, design and appearance of buildings on the site. e. The traffic impacts, including the provision of adequate onsite parking. f. Effects on amenity values of adjoining residential sites including outlook, privacy, and noise. g. The adequacy of any mitigation measures. 	<p>Activity status when compliance with standard(s) is not achieved: Refer to relevant standard(s).</p>

Takapō / Lake Tekapo West Future Development Area

Introduction

The Takapō / Lake Tekapo West Development Area identifies land that has been signalled in the Mackenzie Spatial Plans for some clustered areas of residential development and commercial visitor accommodation within and around the current open space setting of the Cairns Golf Course. Before such development is enabled, more detailed planning and further assessment of the location and nature of development is required. This includes further investigation of ecological values, and consideration of how adverse effects on these, and landscape values, are managed, as well as the provision of infrastructure.

The provisions applying to this area remain those of the underlying rural and low density residential zones, until such time as a comprehensive Master Plan is prepared and included, through a future Plan Change or variation. Its identification as a Future Development Area is intended to signal the general suitability for it to be developed in future, subject to the matters set out in this chapter being addressed.

Objectives and Policies

Objectives	
DEV1-01	Comprehensive Development
The Takapō / Lake Tekapo West Development Area is developed to provide residential living opportunities and other compatible activities in a comprehensive manner, which maintains a high level of open space character, is appropriate to its landscape setting, protects important ecological values and is integrated with infrastructure.	

Policies	
DEV1-P1	Master Plan
Prior to the rezoning of the Takapō / Lake Tekapo West Future Development Area to enable any residential or commercial visitor accommodation activities, require a comprehensive Master Plan, which achieves the matters set out in DEV1-P2 to DEV1-P4, to be prepared and incorporated into the District Plan.	
DEV1-P2	Landscape
Maintain the landscape values associated with the setting of the Takapō / Lake Tekapo West Future Development Area by: <ol style="list-style-type: none"> 1. clustering buildings in areas where existing topography is better able to absorb the change, to retain a predominantly open character and limit the need for extensive screen planting to mitigate built development; 2. locating development in low-lying areas and avoiding development on the top ridgelines of the terraces, to avoid intrusion into the skyline when viewed from the township and lake; 3. limiting the height of buildings and structures to avoid intrusion into the skyline when viewed from the township and lake; 4. minimising earthworks and changes to the landform to maintain the undulating landform; and 5. limiting planting to maintain the openness of the area. 	
DEV1-P3	Ecology
Identify indigenous invertebrate, bird, lizard and vegetation values and design any development to maintain these values.	
DEV1-P4	Infrastructure
Ensure that any development in the Takapō / Lake Tekapo West Future Development Area is able to be serviced by reticulated water and wastewater.	

Rules

There are currently no rules associated with the Takapō / Lake Tekapo West Future Development Area. Until and unless the area is rezoned, the rules which apply are those of the underlying rural or low density residential zone.

Takapō / Lake Tekapo North-West Future Development Area

Introduction

The Takapō / Lake Tekapo North-West Development Area identifies land that has been signalled in the Mackenzie Spatial Plans for residential development of varying densities, extending development located at the south-west corner of the lake, below Mount John. Before such development is enabled, detailed planning and further assessment of the location and nature of development is required. This includes further investigation of ecological values, and consideration of how adverse effects on these, and landscape values, are managed, as well as the provision of infrastructure.

The provisions applying to this area remain those of the underlying rural zone, until such time as a comprehensive Master Plan is prepared and included, through a future Plan Change or variation. Its identification as a Future Development Area is intended to signal the general suitability for it to be developed in future, subject to the matters set out in this chapter being addressed.

Objectives and Policies

Objectives	
DEV2-O1	Comprehensive Development
The Takapō / Lake Tekapo North-West Future Development Area is developed for residential activities in a comprehensive manner, providing for a range of housing options and densities and other supporting activities, that is appropriate to its landscape setting, protects important ecological values and is integrated with infrastructure.	

Policies	
DEV2-P1	Master Plan
Prior to the rezoning of the Takapō / Lake Tekapo North-West Future Development Area to enable any residential development, require a comprehensive Master Plan, which achieves the matters set out in DEV2-P2 to DEV2-P4, to be prepared and incorporated into the District Plan.	
DEV2-P2	Landscape
Maintain the landscape values associated with the setting of the Takapō / Lake Tekapo North-West Future Development Area by: <ol style="list-style-type: none"> 1. containing development on the lake side of the ridge to avoid visibility of development from the approach along State Highway 8 from Twizel; 2. minimising earthworks and recontouring to maintain the natural contours of the land; and 3. provision of landscape buffer planting along the State Highway 8 frontage and Godley Peaks Road frontage to assist in containing visual effects of development. 	
DEV2-P3	Ecology
Identify indigenous invertebrate, bird, lizard and vegetation values and design any development to maintain these values.	
DEV2-P4	Infrastructure
Ensure that any development in the Takapō / Lake Tekapo North-West Future Development Area is able to be serviced by reticulated water and wastewater.	

Rules

There are currently no rules associated with the Takapō / Lake Tekapo North-West Future Development Area. Until and unless the area is rezoned, the rules which apply are those of the rural zone.

APP1 – Height in Relation to Boundary

No building or structure shall project beyond a building envelope created by the recession planes. The height in relation to boundary angles for buildings and structures shall apply at all points along the boundary and shall vary according to the indicator below. The height that they shall commence above site boundaries shall depend on the underlying zone of the adjoining site:

- Low Density Residential Zone, Large Lot Residential Zone, Neighbourhood Centre Zone and Mixed Use Zone – 2.5m
- Medium Density Residential Zone – 3.5m

The height in relation to boundary angle shall be calculated by orienting both the site plan and the indicator to the true north. The indicator shall then be placed over the site plan with the circle tangential to the inside of the site boundary under consideration. The height in relation to boundary angle shall be determined based on the point where the indicator touches the site boundary. Where a height in relation to boundary angle falls between those indicated on the diagram, interpolations shall be made.

The height in relation to boundary provisions do not apply to:

- Chimneys less than 1m in diameter; ~~or~~
- Sloping sites above six degrees in Takapo / Lake Tekapo; or
- buildings that share a common wall with a building on an adjoining site in the MRZ.¹⁵⁸

¹⁵⁸ TL&GL (121)

Medium Density Residential Design Guide contained in APP2:**A WELCOMING ADDRESS**

Design Element F (Page 44)

*Any front yard services, such as bin storage, need to be balanced with the quality of visitors' experience and consideration of tapu (prohibited) and noa (common) through separation and visual screening and should be appropriately sized. **Service functions are generally best located in the side or back yard if there is good access, which is clear of stairs or steep gradients.***

ON THE SIDE:**A GOOD NEIGHBOUR**

Design Element I

I. Outdoor bin storage areas should be accessible to individual dwellings and should cater for waste and recycling bins. Generally, these should provide a minimum storage area of 2.5m² and a minimum width of 1.5m. Outdoor bin storage areas should not be within outdoor living spaces and predominant outlook areas. Screening of outdoor bin storage areas enhances amenity and reduces litter and odour for neighbours. Good access should be provided from the storage area to the street, with sufficient width available for the efficient collection of bins, that does not impede the footpath. Proposals for multiple dwellings require a Waste Management and Minimisation Plan as directed by the Mackenzie District Council Solid Waste Bylaw.¹⁵⁹

¹⁵⁹ EnviroWaste (08)

Appendix 2: Amended Planning Maps

Decision: The Proposed MRZ (Commercial Visitor Accommodation Precinct) north of Ruataniwha Road, Twizel is not zoned MRZ and retained as Recreation Passive.

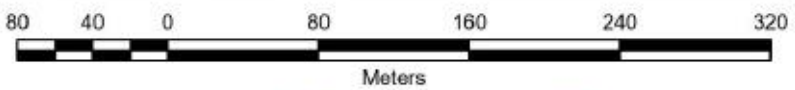
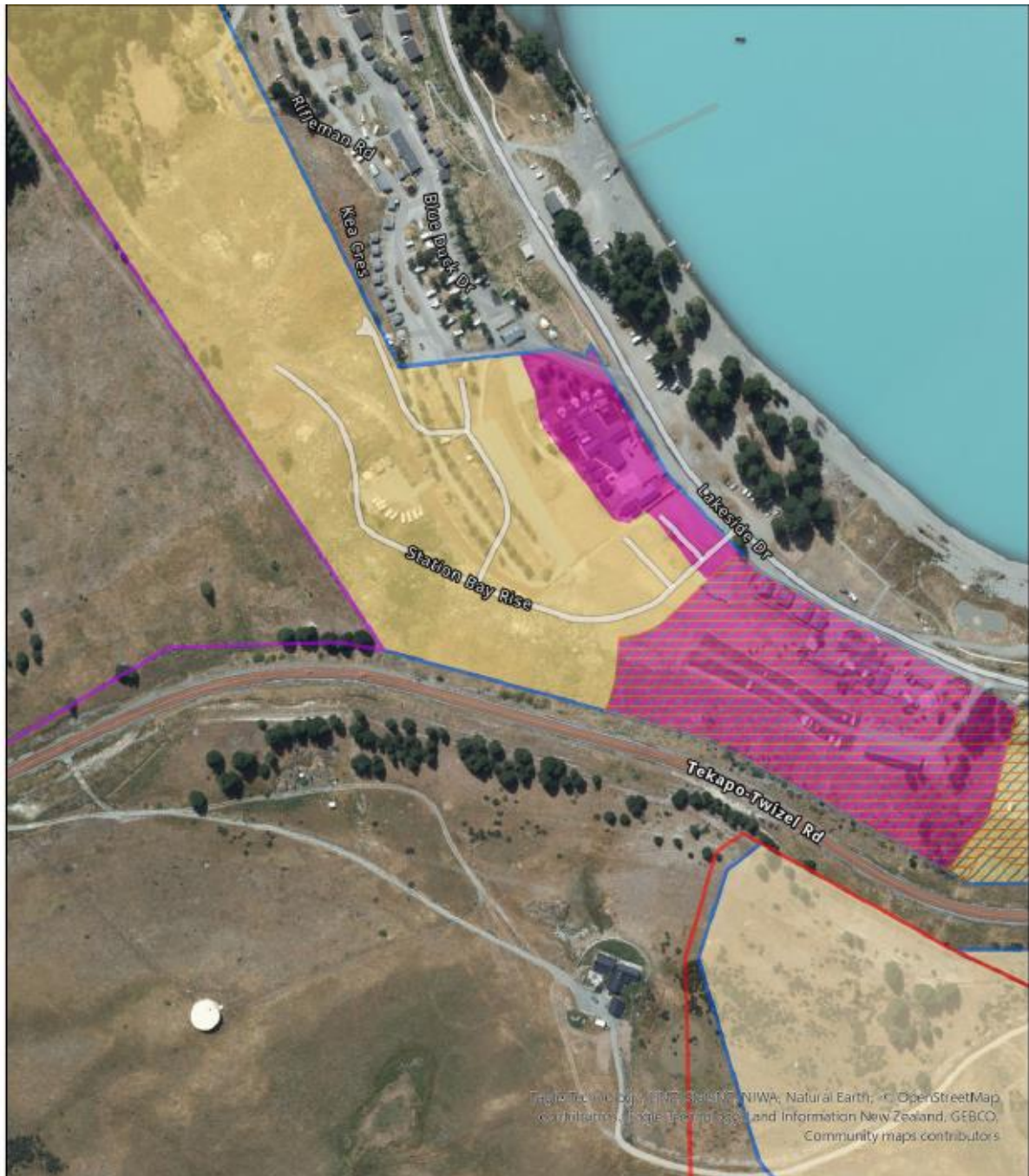


Decision: The area shown in Mackenzie Properties Limited concept plan for proposed accommodation is identified as Specific Control Area 8.



	Medium Density Residential
	Large Format Retail
	Specific Control Area 8

Decision: Lots 1, 49, 50 and 400 DP 560853 (excluding the skinny western strip of Lot 400) and the intervening areas between Lots 1, 49 and 400 are zoned MUZ. Specific Control Area 3 and Specific Control Area 7 are applied to (part of) Lot 400 DP 560853.

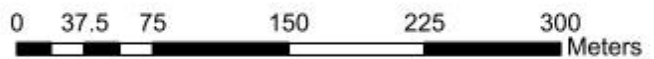


Low Density Residential	Tekapo West Future Development Area
Medium Density Residential	Tekapo North-West Future Development Area
Mixed Use Zone	Specific Control Area 3
Lake Tekapo Precinct	Specific Control Area 7

Decision: Amend the zoning of 56-74 North West Arch, Twizel to LLRZ with SCA 1 overlain.



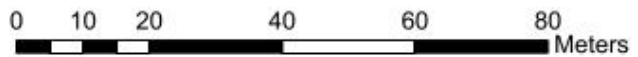
-  NZ Primary Land Parcels
-  Large Lot Residential
-  Low Density Residential
-  Specific Control Area 1
-  Specific Control Area 4



Decision: Amend the zoning of the Recreation Active land adjacent to Mackenzie Drive as illustrated in Figure 1 of the Section 42A Reply Report.



-  NZ Primary Land Parcels
-  Medium Density Residential
-  Recreation Active
-  Town Centre



Appendix 3: Appearances

	Submitter	Name	Role
03	Lachlan Broadfoot	Self	
06	Burkes Pass Heritage Trust	Jane Batchelor	
08	EnviroWaste Services Ltd	Kaaren Rosser	Planning
12	Rick Ramsay	Self	
13	Peter & Janine Donohue	Self	
14	Environment Canterbury	Kate Dickson Oliver Hermans Alana Hollier	Counsel Flood models Planning
21	Paul Hannagan	Self	
72	Grant Payne	Self	
84	Department of Corrections	Maurice Dale	Planning
86	David Power	Self	
92	Grant & Liz Munro	Self	
111	Lake Tekapo Enterprises Ltd	Russel Bengel Fred Coughlan	
112	Janette Hodges	Self	
117	Mackenzie Properties Ltd	Andrew Hocken	
121	Tekapo Landco Ltd & Godwit Leisure	Jonathan Speedy Kim Banks	Company Planning
125	Robin McCarthy	Self	
138	Walter and Zita Speck	Self	
FS 2	Queenstown Lakes Community Housing Trust	Julie Scott	

Tabled Evidence

	Submitter	Name	Role
50	John Cassie	John Cassie	Self
132	Liz Angelo	Self	