

Monitoring Report for the Town Centre Zones



Policy and Planning

Queenstown Lakes District Council

May 2012

Executive Summary

This report assesses the effectiveness and efficiency of the objectives, policies and rules of the District Plan Section 10 Town Centre Zone of the Queenstown Lakes District Plan.

This chapter of the Plan includes sections applying to the town centres of Wanaka, Queenstown and Arrowtown.

Consents in the Town Centre zones from the 2004 to 2011 period have been reviewed in terms of efficiency and effectiveness. The findings of this report have been considered alongside the feedback from consultation on town centre issues through the development of the Wanaka and Queenstown town centre strategies and from issues that have arisen from consent processing.

Town centre environments are generally relatively complex planning environments as they seek to provide for a wide range of activities but also to protect and reflect the different elements that Queenstown, Wanaka and Arrowtown so important to the community and to visitors to the District.

It is difficult to identify clear patterns from town centre consent data and a number of issues we are aware of from previous feedback on the town centres are not apparent in this form of analysis, such as town centre noise. However, based on analysis of consent information on balance it appears the town centre zones appear to have been working relatively effectively but are in need of amendment to increase their effectiveness in a number of areas and in particular to strengthen the objectives and policies to make provisions clearer and more defensible.

1. Introduction

Section 35 of the Resource Management Act states that:

*Every local authority shall monitor-
...[(b)] the efficiency and effectiveness of policies, rules, or other methods....*

*and take appropriate action (having regard to the methods available to it under this Act)
where this is shown to be necessary.*

This report monitors the effectiveness and efficiency of the provisions of the Town Centre Zones. However, in addition to monitoring the policies and rules, the zone objectives are also considered. Findings in this report will assist in informing the review of the Queenstown Lakes District Plan, due to be publicly notified in October 2013.

This report analyses consent data from 2004 to 2011 to enable comparison on an annual basis in the period since the town centre provisions became operative in late 2003. This information is based on consent data entered by Lakes Environmental when applications are lodged. This information is updated as the consent is processed to reflect changes that may be made to the original proposal during this process. As this information has been collected by a number of people over an extended period of time the quality of recording has varied at times and it must be considered more useful in an aggregate form than on the basis of individual consent information.

This report fulfils the monitoring and reporting requirements of section 35(b) and 35 2A in relation to the Section 10 Town Centres.

2. What is the purpose of the Town Centre Zones?

Chapter 10 establishes a policy framework that underpins the rules for the principle town centres throughout the District. The Queenstown Lakes District does not have a strong industrial base, with most commercial activities seeking a town centre or mixed business location. Consequentially a key function of these zones is to provide a location for commercial activities which generate high activity levels.

Queenstown, Wanaka and Arrowtown Town Centre Zones

At the time the District Plan was developed the Town Centre Zones were considered to cover the main concentration of commercial activity in the District. Although the Town Centre zones were also supported by Business and Industrial zones, there was a clear direction articulated in policies and objectives that the town centres would be the primary focus of commercial activity.

The purpose of the Town Centre zones is to allow for a wide range of activities appropriate to the town centre environment, while preserving the important physical and natural character elements which contribute to the unique qualities of Queenstown, Wanaka and Arrowtown. As a consequence of the different attributes of each town there are variations in the rules applying to each centre.

The town centre zones are effectively mixed use zones which permit a wide range of commercial, residential and visitor activities. The town centre zones are also the anticipated location for most hospitality related activities such as restaurants and bars.

As many of these activities are permitted in these zones consent information may not provide particularly useful information about the specific nature of the activities that are locating in the town centre. However, the zone rules contain a range of standards to achieve the desired environmental outcomes for the town centres relating to built form, open space, traffic management, heritage protection and pedestrian amenity. Consequently it is more common for applications to be related to breaches of site or zone standards than due to the nature of the activity itself.

Complexity is also added by a number of subzones and overlays used to provide additional direction within areas within these zones. These range from well-defined heritage precincts, 'special character areas' and the Town Centre Transitional Subzone (TCTZ), to less well defined areas such as the Queenstown Town Centre Waterfront Zone.

The following table sets out the approximate area of Town Centre zones. Actually usable zoned land will be somewhat less than these figures, which may include roads, waterways, no-build areas, and other non-commercial space such as designations and reserves.

Zone location	Approximate area
Queenstown Town Centre	17 ha
Wanaka Town Centre	13 ha
Arrowtown Town Centre	1.6 ha

This monitoring report predominantly examines resource consents within the Town Centre zones to assess the effectiveness of the provisions of this zone.

3. What are the issues?

At the time the District Plan was developed, it was common practise to identify issues relevant to the development of a particular section of the Plan in District Plan itself. The following issues were considered relevant 'district wide' issues at the time the plan was developed:

i The consolidation and maintenance of existing town centres

Inappropriate location, nature and design of business activities can result in fragmentation of town centres, inefficient use of infrastructure, loss of vitality,

convenience, accessibility and identity of business areas, and adverse effects on the environment of surrounding areas.

ii Efficient Use of Buildings and Infrastructure

Inadequate opportunities to change or redevelop the use of business buildings and sites, and inadequate access and parking associated with business areas, can result in inefficient use of buildings and infrastructure and loss of business vitality.

iii Amenity

The establishment and operation of activities in the town centres can result in adverse effects on the centres and their surroundings, such as from noise, emissions, loss of visual amenity, lighting and traffic congestion.

iv Retailing from Industrial Areas

Dispersal of retail activity from town centre areas will undermine the convenience, efficiency and availability of such areas to residents and visitors.

In addition to the 'district wide' issues additional issues were identified for each town centre.

Queenstown:

- Retention and enhancement of the compact and cohesive character of the town centre which contributes to its built form and appearance and hence the quality of the environment.
- Provision for vehicles in a manner which retains essential vehicle access to the town centre while providing the opportunity for enhanced pedestrian amenity.
- Provision for growth and intensification of activity levels within the town centre.
- Protection and enhancement of those heritage characteristics which contribute to the scale, proportion, character and image of the town centre, including the elevated views of the town centre.
- To avoid adverse effects on the elements of the environment which provide the underlying development pattern of the town centre including the tent site frontages, pedestrian linkages, mix of vehicles and pedestrians, views of and relationship to the lake, hills and mountains and the historic buildings and facades.
- Integration and improvement of the land/water interface of Queenstown Bay with the town centre.
- Compatibility of the town centre with the adjacent living environments.

Wanaka:

- The consolidation, maintenance and enhancement of the existing business area.
- The retention and enhancement of the visual image and lakeshore amenity.
- The sustainable use of the existing buildings and infrastructure.
- Retention of the existing scale, form and intensity of the built form.
- Ease of access and circulation for vehicles and pedestrians.

Arrowtown:

- Retention of the compact character of the town centre, which contributes to its amenity.
- Protection and enhancement of existing historic buildings and places, and the historic subdivision and land use patterns in respect of scale, density, setback of buildings and activities undertaken.
- Provision for new development that expresses the era of construction and can be distinguished from historic buildings.

- Enhancement of visual and physical linkages with the Arrow River area and the surrounding landscape.
- Retention of the predominantly pedestrian oriented main street with a lack of fast moving and heavy traffic.
- Retention of the historic character of the area with respect to the suitability of street furniture, signs and decorations.

Have the issues changed?

Although the majority of these issues remain generally relevant, a number of new issues have arisen since the adoption of the plan. Note this list reflects broad scale issues not concerns on aspects of specific rules etc. which are discussed later in this report.

Fragmentation of the town centres remains an issue for the town centres. However, this issue cannot be effectively addressed through the town centre section as the objectives and policies of this section do not apply to applications seeking to establish outside this zone. A similar issue applies in relation to the issue of retailing occurring in industrial areas. Related to this are issues around expansion of the town centres. Pressure for expansion of town centre to include peripheral areas is common. While Wanaka town centre has considerable areas that could be readily intensified, Arrowtown and Queenstown are closer to their development potential commercial development and requests have been made for peripheral expansion.

The efficient use of buildings and infrastructure and the importance of town centre amenity remain key issues for development in the town centres and are often interrelated. While more intense use of limited town centre land may be more efficient this needs to be balanced against effects on amenity.

The mixture of uses in the town centres has resulted in some conflict between activities and is creating reverse sensitivity issues. Conflict has arisen between different activities within the mixed use environment of the town centre. In particular conflict between noise sensitive activities, such as residential and visitor accommodation, and noise generating activities anticipated in the town centre, such as restaurants and bars has occurred as both the number of people residing in the town centre and the number of bars and restaurants have increased.

Rapid growth in the number of bars in the town centre has raised questions about whether this should be regulated to a greater extent.

The accessibility to and within the town centres has become an issue as development and traffic movements have intensified. Parking and pedestrian links within the town centre have become increasingly important.

4. How appropriate are the Objectives?

This report will primarily focus on the efficiency and effectiveness of the policies, rules and other methods. However, it is also worth considering whether the objectives formulated at the time the District Plan was developed are still appropriate. The

objectives and policies are broken into District Wide objectives and policies and objectives and policies for individual town centres.

District Wide Objectives

Objective 1 - Maintenance and Consolidation of the existing Town Centres and Activities Therein

Viable Town Centres which respond to new challenges and initiatives but which are compatible with the natural and physical environment.

This objective indicates a strategic focus. However, the text of this objective does not relate to the title, i.e. the consolidation of town centres and is too vague to provide direction to its related policies.

Objective 2 – Amenity

Enhancement of the amenity, character, heritage, environmental quality and appearance of the town centres.

This objective reflects the desire for development in the town centres to retain and enhance their individual character and amenity. This objective looks wider than simply built form however; there is a high degree of repetition between this objectives and policies in individual town centres.

Objective 3 - Built Form

Maintenance and enhancement of a built form and style within each town centre that respects and enhances the existing character, quality and amenity values of each town centre and the needs of present and future activities.

This objective reflects the desire for new buildings in the town centres to retain their individual character. This objective focuses on built form. There is a high degree of repetition between this objectives and policies in individual town centres, particularly Arrowtown and Queenstown.

Objective 4 - Town Centre and Building Appearance

Visually exciting and aesthetically pleasing town centres which reflect their physical and historical setting.

This objective overlaps objectives 2 and 3.

Objective 5 - Pedestrian and Amenity Linkages

An attractive, convenient and comprehensive network of pedestrian linkages within town centres.

This objective is more specific than that related to access in the Queenstown town centre section and focuses entirely on pedestrian access. Although this remains relevant vehicle access is also important.

Queenstown Objectives

Objective 1 - Maintenance and Consolidation of the Town Centre

Maintenance and enhancement of the Queenstown Town Centre as the principal commercial, administration, cultural and visitor focus for the District.

The intent of this objective cannot be achieved as an objective located in this section.

Objective 2 - Character and Heritage

A town centre in which the built form, public space and linkages reflects, protects and enhances the distinctive built heritage and image which creates its essential character.

Objective 3 - Land Water Interface: Queenstown Bay

Integrated management of the land-water interface, the activities about this interface and the establishment of a dynamic and aesthetically pleasing environment for the benefit of the community and visitors.

Objectives and policies which are focused on aspects of town centres that are unique or Queenstown specific are appropriate.

Objective 4 – Accessibility and Parking –

A town centre which is accessible to people.

This objective is also relevant to Arrowtown and Wanaka but does not apply to them. It replicates part of District Wide Objective 5.

Wanaka Objectives

Objective - Consolidation and Amenity of the Town Centre

The establishment of a wide range of facilities within a compact and convenient built form which retains the essential character of the town centre.

This objective replicates a number of District Wide objectives (eg Objectives 1-4) but adds little that is specific to Wanaka Town Centre.

Arrowtown Objectives

Objective 1 - Character and Heritage

Retention of the historic character of the Arrowtown Town Centre; compatibility and linkages of the built environment with the surrounding landscape; and maintenance and enhancement of low traffic volumes in the main street.

This objective is more focused on Arrowtown specific issues.

Conclusions

While the structure of district wide / individual town objectives and policies has merits, it has not been particularly effectively implemented as objectives intended to apply on a truly district wide basis, i.e. outside the town centre, cannot be effective if they are in the Town Centres Section rather than the District Wide section of the Plan. Further there has been inconsistent application of this approach as some policies linked to district wide objectives are specific to only one centre and some policies applicable at a district wide level only occurring in individual sections, such as the accessibility and parking objective in Queenstown town centre.

5. How effective are the Policies and Rules of the Town Centre zones?

The District Plan groups policies under a relevant objective. As the purpose of these policies is to give effect to the associated objective, it is appropriate to consider them in this context. The effectiveness of the policies needs to be considered in relation to both how they achieve the objective and how they support the associated rules and other methods. However, due to the number of policies in Section 10 it was considered including the analysis in the body of the report would adversely affect readability. Consequently this section provides a conclusion of the general effectiveness of policies with a broad analysis of individual policies being provided in Appendix 1 to this report.

Conclusion General Effectiveness of Policies

It is considered the structure of the objectives and policies needs review. The location of objectives and policies with a strategic focus within the Town Centre Section restricts their consideration on applications or plan changes outside these zones. The structure of objectives and policies into district wide and centre specific sections has merit however the objectives and policies included in these sections has not followed this format and could be reviewed. The relative weakness of policies in this section has been largely masked by the limited number of applications reaching hearing stage.

Potential Policy Gaps

Policies identify general categories of activities, such as 'commercial activity', and some specific types of activity, such as 'residential activity', that are also intended to be enabled.

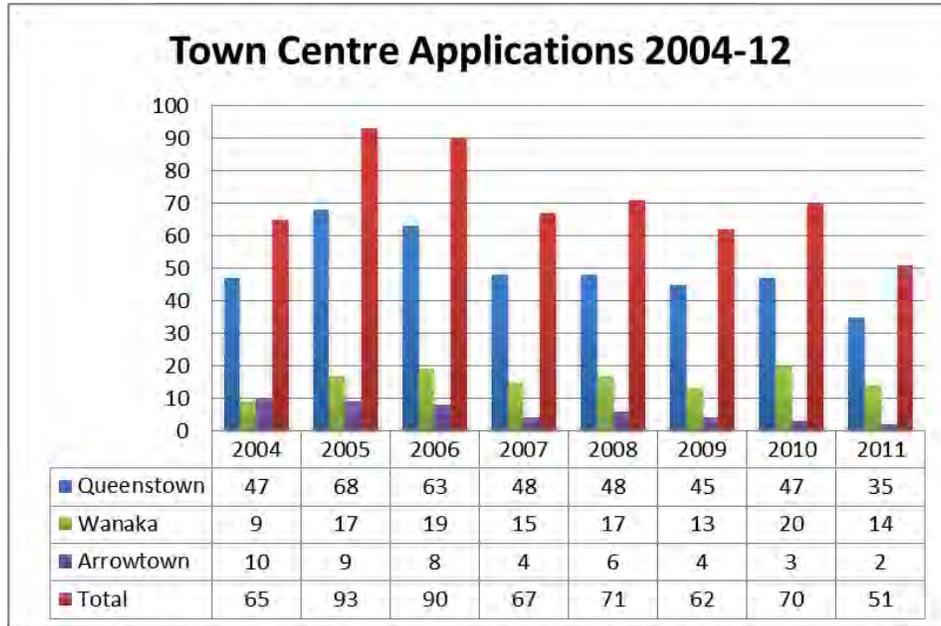
At the time the plan was being developed it was intended that this would support residential activities in addition to the predominant commercial activities, the approach established in resource management caselaw of providing greater weight to specific policies over general policies has to some extent turned that prioritisation on its head. Consequently it may be appropriate to provide greater emphasis on the role of the town centre as a location for commercial activities and as the intended location for a number of activities which are not anticipated anywhere else in the plan, notably bars and related activities.

Objectives and policies around environmental amenity within the town centres are relatively weak. Noise issues in the town centre have also raised issues about the changing environmental conditions in the town centres as activity levels have increased since the time the plan was developed. The lack of policies articulating the need of more sensitive activities to undertake steps to reduce their sensitivity to changing amenity levels occurring in the town centre environment is a policy gap that needs to be considered. This is also relevant in terms of the lack of policies relating to reverse sensitivity or identifying the protection of the finite areas suitable for town centre activities.

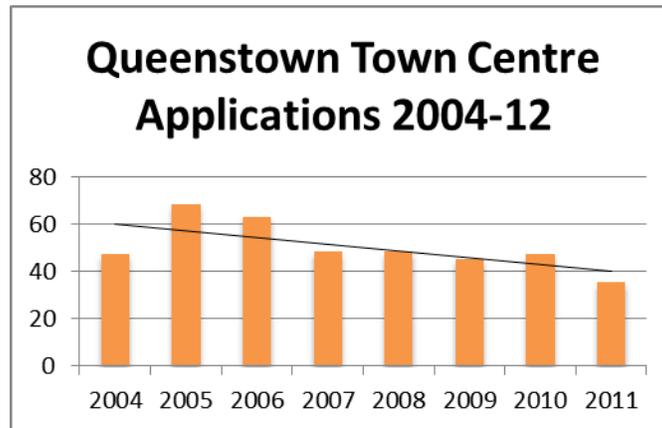
Effectiveness of the Rules

Number of Applications

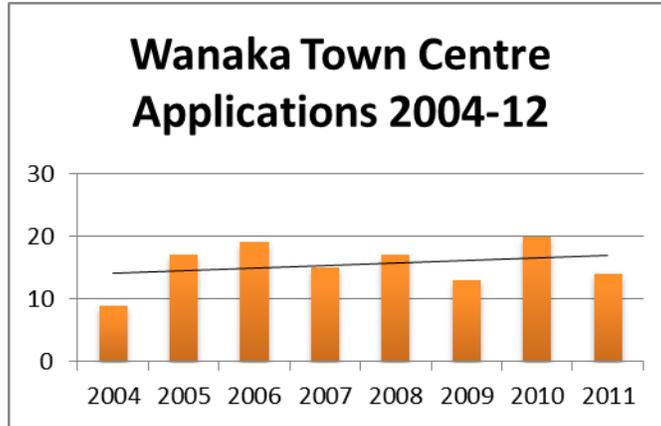
Applications in the period beginning 2004 to end 2011 were examined to look at trends in consents and changing issues in the town centre. A total of 571 applications for consents were lodged during this period.



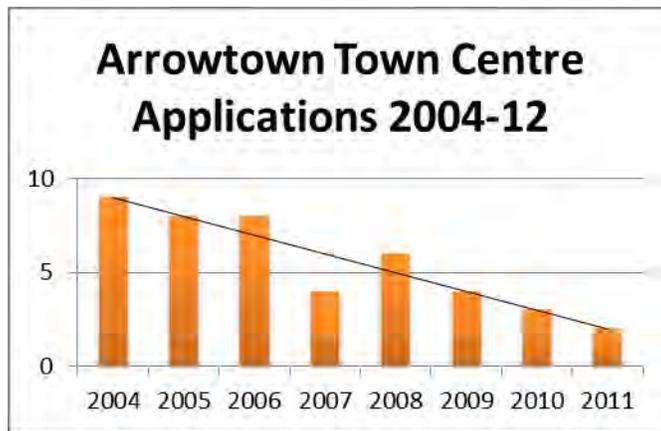
Consent applications are not equally distributed between the town centres. Approximately 70% of the consents for activities in the town centres were for Queenstown town centre, 22% for Wanaka and 8% for Arrowtown. The following tables show application rates in the town centres since 2004.



Annual application numbers in Queenstown have averaged 50 a year since 2003 but have been below this figure for the last 5 years, reaching a low in 2011. Over the same period, applications in Wanaka town centre have averaged 16 a year. However, while Queenstown has shown a general decline in applications numbers since 2006 Wanaka has experienced both positive and negative fluctuations.

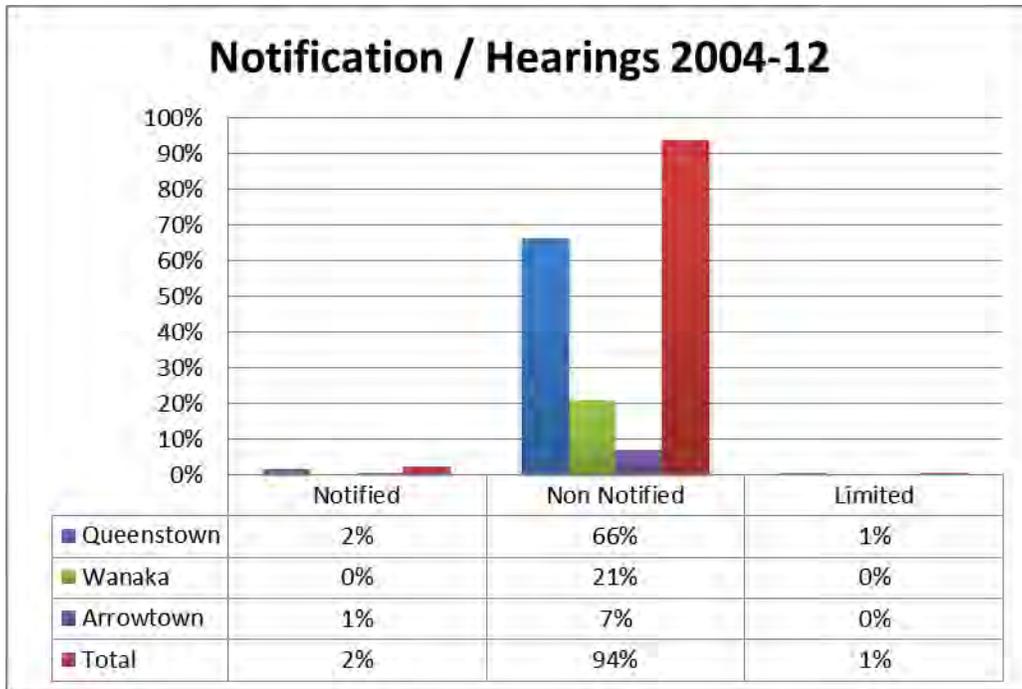


Arrowtown has averaged 6 applications a year since 2003, but has experienced a steady decline since a high of ten applications in 2004 to a low of 2 in 2011.



Notification & Hearings

The majority of resource consents in all the town centre zones have been processed on a non-notified basis without hearings.



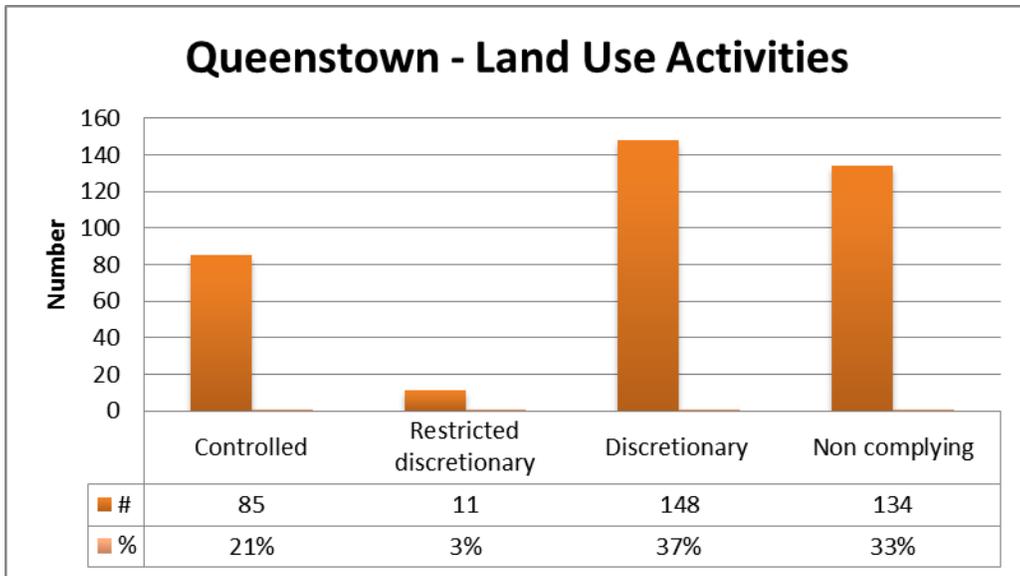
Activity Status

The Town Centre zones in the District are complex consenting environments as they generally include high numbers of protected features (such as trees and buildings), overlays (such as precincts and subzones) and areas of particular amenity (such as the waterfront). This complexity is reflected in the consenting regime. Although the objectives and policies of the Town Centre zone anticipate and provide for a wide range of activities, the rules are not permissive and many activities will require a resource consent. This reflects the nature of the town centres as areas valued for their amenity or character values and the need for a range of controls to ensure the different activities provided for are compatible with each other.

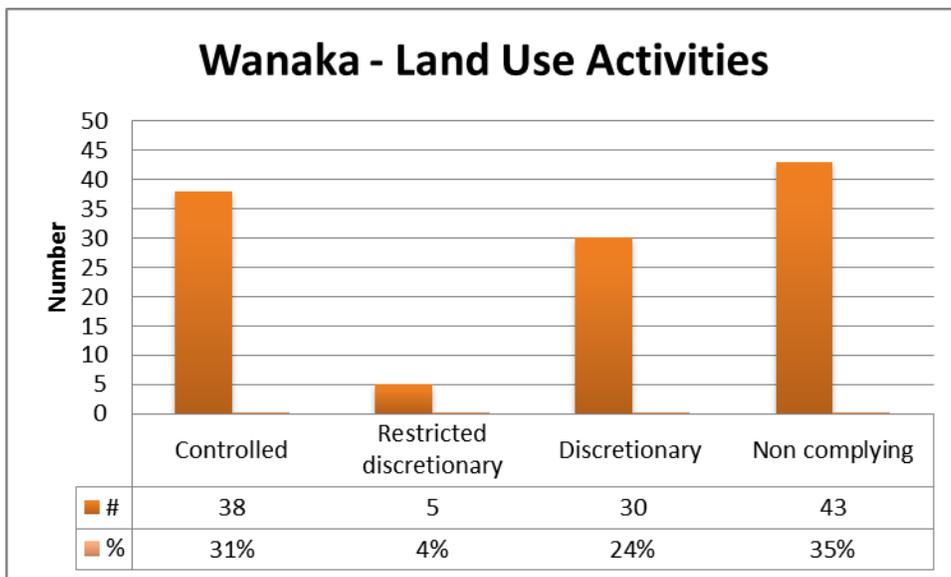
The following graphs show the activity status for applications lodged in the town centres. Note the figures shown are a percentage of all applications of a particular status. As applications also include certificates of compliance, outline development plans and overseas investment certificates which are not shown on the graphs below, activity status for land use activities will not total to 100%.

Although the Town Centre zone anticipates a wide range of activities it is generally permissive in terms of the nature of activities that can locate there. However, conversely in most cases new building is a controlled activity reflecting the heritage or character of the centres and the zones have relatively tight site and zone standards reflecting a desire to maintain amenity levels.

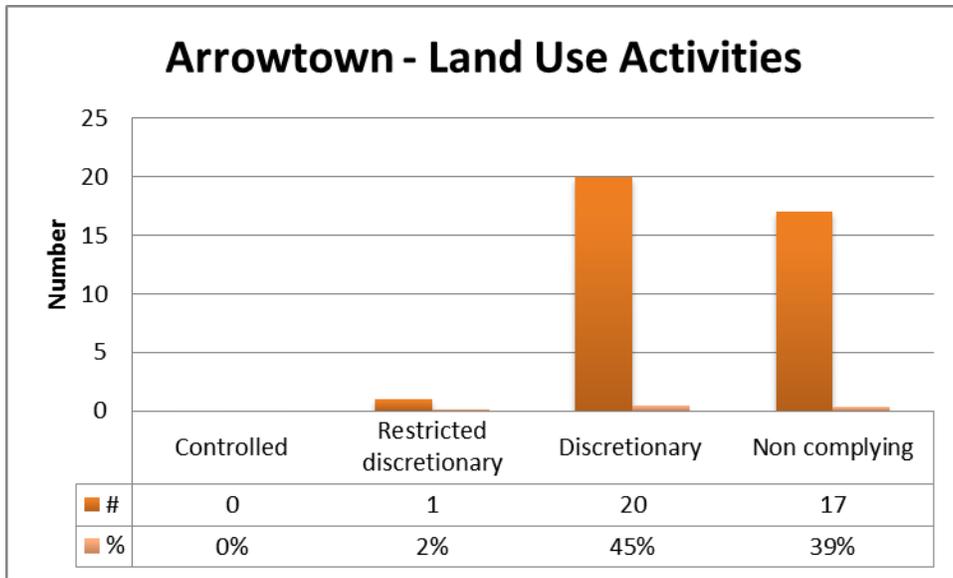
New building or alterations to existing buildings in the Queenstown town centre will require resource consent for either a controlled activity, or a discretionary activity if it is located in the Special Character Area.



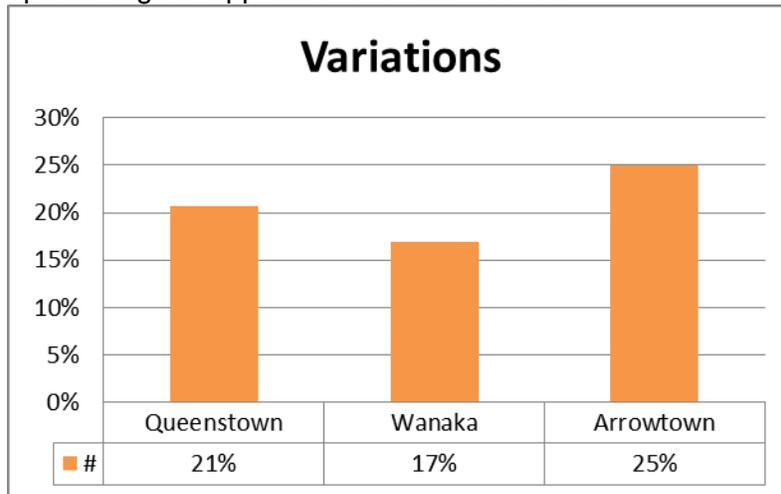
Compared to Queenstown, Wanaka shows a higher proportion of controlled activity consents reflecting the portion of development in Queenstown that occurs in the Special Character Area. This is also a likely factor in the lower numbers of discretionary activities in Wanaka town centre. The rules for Wanaka town centre only identify 'Premises Licensed for the Sale of Liquor' as a specific discretionary activity. Otherwise only activities failing to comply with site standards will be discretionary activities. Unlike Wanaka 'Premises Licensed for the Sale of Liquor' are controlled activities in the Queenstown town centre.



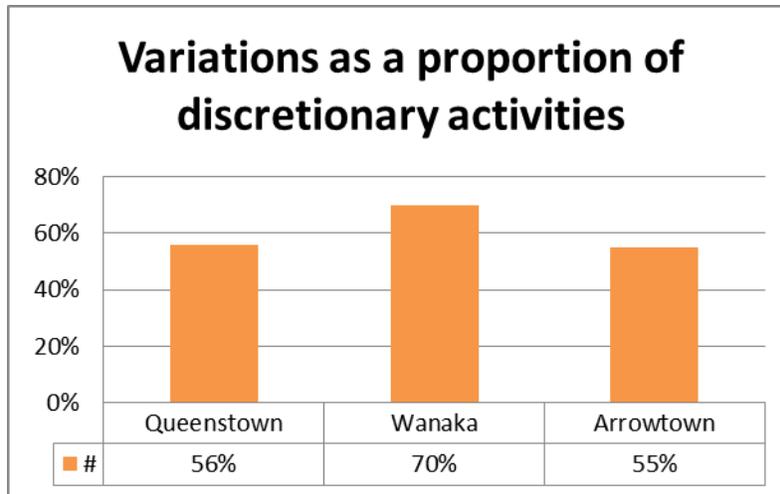
Arrowtown has few controlled activities, being verandas and visitor accommodation. All new buildings in the Arrowtown town centre, including external alterations to existing buildings, are discretionary activities. 'Premises Licensed for the Sale of Liquor' are also identified as a discretionary activity. This contributes to the low (0%) proportion of controlled activities and high proportion of discretionary activities.



Another significant contributor to the number of activities identified as discretionary is the number of applications for variations to existing consent conditions. These applications are identified as discretionary activities in the RMA which may differ from the status of the same activity in the District Plan. The following graph reflects the number of variations as a percentage of applications for each centre.



In all cases variations constituted a significant proportion of discretionary consents, ranging from Arrowtown (11, 55%) and Queenstown (83, 56%), to Wanaka (21, 70%).



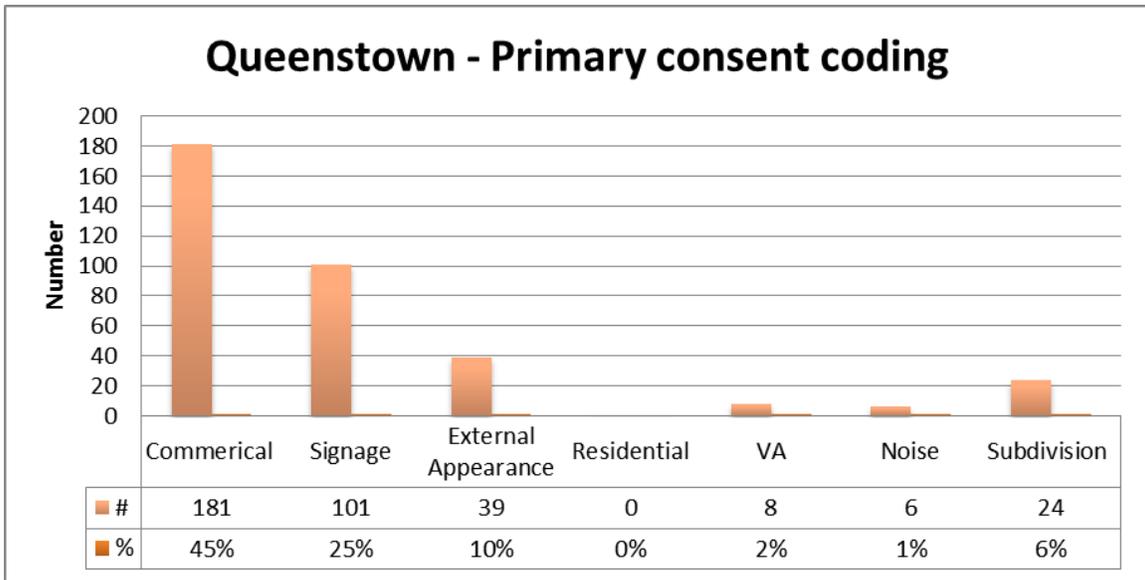
The proportion of activities assessed as non-complying activities is at odds with the small number of activities that are specifically identified as non-complying in all three of the town centre zones. These are: Factory Farming, Forestry Activities, Mining Activities, Airports, Residential Flats, and in addition Surface of Water and Interface Activities (Queenstown only). Unsurprisingly no applications were recorded for factory farming, forestry or mining in the town centres. Consequently, other than a very limited number of surface of water / interface activities in Queenstown, almost all the non-complying activities were the result of a breach of zone standards.

However, another factor in the high count of non-complying activities may be a processing issue. The recording of consent information at Lakes Environmental tends to over count non-complying activities as this is the default position recorded for consents until the final status is determined. Not all applications are subsequently corrected on completion of the consent. In addition applications which are not completed and remain open are not corrected and contribute to numbers of non-complying activities. For example, in Queenstown 19 applications were recorded as non-complying but were for described as being for additions, alterations or changes to external appearance, which would normally require assessment as a controlled activity. These examples were recoded correctly but not all records could be checked in this manner.

In general it is considered the high proportion of applications that fall into the discretionary or non-complying activity status reflect the fact that applications in the town centre are generally more complex and likely to breach multiple standards and the value to be derived from applications is such that applicants are more inclined to pursue an activity that breaches site or zone standards.

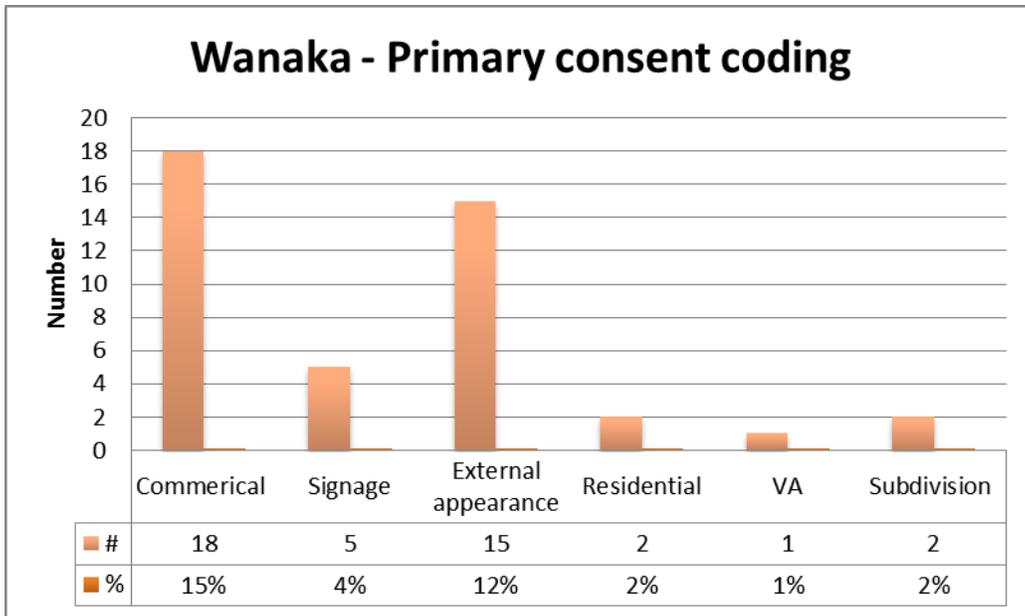
Land Use Activities

Due to the structure of the rules in the Town Centre zones it is considered that a relatively high proportion of activities will initially require resource consent to become established, particularly due to the controlled activity (or discretionary) status for building design and appearance. However, once a building is established change of activity can occur relatively readily without triggering the need for consent. The most common reason for consent for a change of activity is due to a desire to change signage or change the design and appearance of the building through painting or minor alteration.

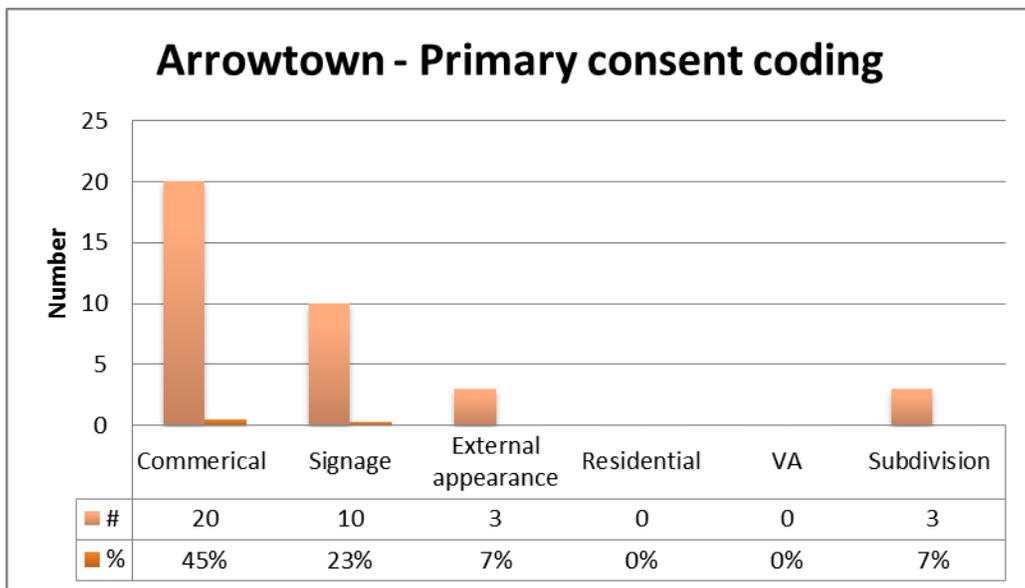


Resource consent applications are coded in terms of the nature of the application. Coding includes broad categories: such as general 'land use', 'commercial activity', 'residential', and 'traveller accommodation', but also specific consent types such as 'signage' and 'earthworks'. This information has been used to identify common activity types requiring resource consent. This information provides a useful guide but cannot be considered comprehensive as in cases where there are multiple breaches of rules or reasons for consent it is difficult to record all the breaches or to determine which is the most significant.

Unsurprisingly most applications fall within the broad coding category of commercial activity. No applications in Queenstown were coded as being for residential development and eight applications were for visitor accommodation in the monitoring period. In Wanaka two applications were coded as residential and one for visitor accommodation. Although in part this reflects the primary purpose of the zone as being for commercial activities, it should be noted that as residential activity is permitted a consent may not be required.

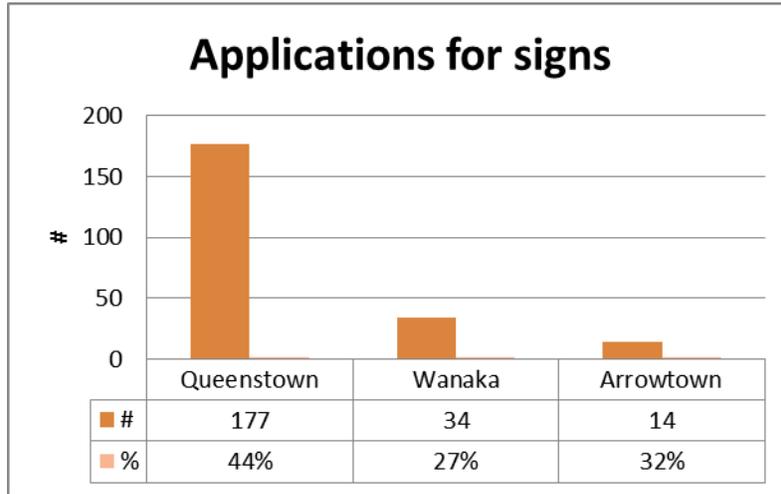


Signage was the most common activity coded for by consent application. However the number of applications for signage consents was even higher when a search by application description was undertaken as shown by the following figure. The inclusion of signage in the consent description indicates that signage was either the primary reason consent was needed or a key element of the reason for the application. It is considered likely that in many other instances signage would also be a component of a more complex application but would be recorded.



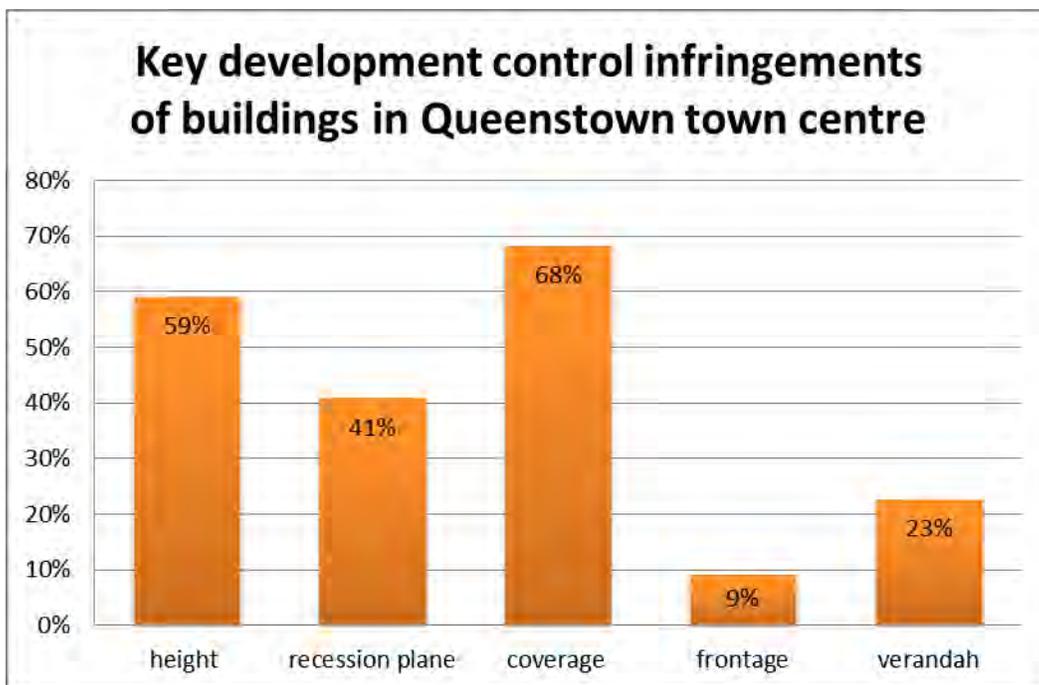
Further, the most common breach of a zone standard resulting in a non-complying activity in the town centres was for signs. For example 73 of the 134 activities identified as non-complying in Queenstown were related to signs. In Wanaka 26 of the 43 activities identified as non-complying were related to signs. These consents are also linked to changes in external appearance of the buildings which are generally a

controlled activity or a discretionary activity where located in Special Character Area in Queenstown.



These figures indicate that signage is a key component of business activity in the town centres. Further, although it is frequently suggested that non-complying status is a significant consenting hurdle to applicants the figures indicate that this does not appear to have discouraged applicants from exceeding zone standards for signs. A review of the signs provisions in the plan is being handled as a separate project.

As noted earlier new buildings and alterations to the external appearance of buildings are either controlled or discretionary activities in the town centre. The number of applications for new buildings in the town centres is relatively low; as the town centres are substantially developed and new development replacing existing buildings involves a considerable investment.



A review of decisions on applications for new buildings or substantial alterations in Queenstown town centre was undertaken to consider the nature of site or zone standard infringements sought. This exercise was undertaken as it was perceived that many of these applications were relatively complicated and as a consequence the nature and number of infringements was under recorded. This would result in under reported of these infringements.

Controls on coverage, frontage, verandas and recession planes are site standards and therefore discretionary activities when breached. Controls on building height and recession planes are zone standards and therefore non-complying activities when breached.

The most frequently breached site standard was for coverage with applicants seeking to increase the area building may cover sites. The actual coverage requirements vary depending upon the historical character of the area and other factors such as provision for landscaping, storage or parking. Feedback from previous consultation on town centre issues has suggested that lower coverage requirements can result in dead space and increasing coverage may be beneficial. These spaces can result in unsightly areas for waste storage. Conversely a number of areas with 100% site coverage provide no space for waste storage and this has been a source of complaint for commercial waste being placed in the public realm.

The most frequently breached zone standard was for breaches relating to height and recession planes. Breaches of these standards require assessment as a non-complying activity. Previous feedback on height controls suggested the use of greater discretion in height controls to enable unsightly building plant, such as heat pumps, to be hidden within the roof structure, thus creating a better outcome. Although this discretion has been allowed in some cases, in some cases additional plant has subsequently been added.

All the town centres have non-statutory design guides to assist in considering issues around building and site design. To some extent the nature of the design guides varies, reflecting the nature of the town centres. The Arrowtown (2006) and Queenstown (2007) design guides are strongly focused on providing direction on how new development can integrate effectively into town centres with strong the heritage and character elements. In contrast Wanaka town centre is less developed and the Wanaka Character Guidelines (2011) are intended to help create character by encouraging more coherent design in the town centre, rather than reflect a pre-existing character.

The design guidelines and involvement of the Urban Design Panel have enabled greater dialogue as proposals for new development in the town centres have been conceived rather than at the point of lodgement. In many cases it is considered that this has enabled greater modification through the process to address design concerns which have made final proposals generally more acceptable.

The majority of applications breaching site and zone standards related to site and building design have been resolved without notification. This indicates adjacent property owners are either providing approval or are not considered effected parties. This needs to be looked into in greater depth.

Although conflict between noise sensitive and noise generating activities is considered an issue in Queenstown town centre only 6 applications have been identified that seek to breach zone standards for noise in the monitoring period. No applications for this purpose were been identified in Wanaka or Arrowtown, however, we are aware of at least one consent seeking to exceed with noise limits in Arrowtown at least one may have been coded under another reason for consent.

Conclusions

It is difficult to draw clear conclusions from the consent data in the town centres due to the wide range of activities provided for, the variable recording of data on resource consents and the relatively broad coding this information and the complex regulatory environment.

Anecdotal feedback from developers during previous consultation exercises on town centre development controls has been that they would pursue inferior building designs to avoid breaching rules that would result in consideration against more stringent activity status. Conversely feedback from those in the building design field has indicated in many cases they see a more stringent activity status not necessarily forming an impediment to development, but as a useful tool to justify the case for higher quality development outcomes. This reflects the tension between the desire to simplify rules and facilitate development while maintaining quality outcomes. It is considered that this is an area where the use of design guides and the urban design panel have added value to the process by providing input on the appropriateness of trade-offs to achieve the optimal design outcome achievable in the circumstance.

The consent figures tend to support the latter case, as a significant proportion of new developments breach site or zone standards despite the activity status. Further, with only 2% of all applications in the Town Centre zones being notified or going to hearing, and only a fraction of those being appealed, development in the town centres appears generally non-contentious. However, as noted earlier this report focuses on a review of information from consent applications and the balance and operation of the provisions of the town centre rules merits further investigation through community consultation.

6. How efficiently are rules of the Town Centre zones processed?

An analysis of costs of processing consents in the town centre has not been undertaken. Due to the range of application types and huge potential variation in associated costs there this information provides little opportunity for meaningful analysis.

Number of Environment Court appeals

Consent records only indicate one appeal in the town centre zones during the monitoring period. This is reflective of the low number of applications being notified.

Summary with regard to efficiency

Although an analysis of costs has not been undertaken it is noted that despite a high proportion of consents falling into the discretionary or non-complying status very few applications in the monitoring period were notified or went to hearing and only one application was appealed to the Environment Court. This indicates that on the whole restrictive consent status is not preventing the achievement of good design and development outcomes in the town centres or resulting in an unnecessarily restrictive approach.

Consequently it is suggested that the low rate of notification of applications and low appeal rate suggests the zone is relatively efficient in terms of cost and timeliness.

7. Town Centre Expansion

Legitimate concerns about the effect of new commercial zoning on the viability of town centres have been identified in previous community consultation; however these concerns need to be considered in the context of requests for expansion of the town centre zones themselves. Expansion of the town centre can help to maintain the relevance of the town centre in the face of growth of other commercial centres. However, overexpansion of the zone can have a similar adverse effect on town centre vitality to the creation of new commercial zoning in other areas.

Although Wanaka town centre zone contains considerable potential for further intensification, both Arrowtown and Queenstown town centres are closer to their development potential.

Despite considerable capacity for intensification within Wanaka town centre some peripheral spread of commercial activity has occurred, most recently with a cinema complex being approved in the residential fringe of the town centre.

Arrowtown has seen some peripheral expansion beyond the town centre into the Residential Arrowtown Historic Management zone, particularly around historic buildings such as the Miners Cottages and Dudley's cottage.

Queenstown has experienced some expansion along Gorge Road and commercial development has occurred in Commercial Precinct Overlay in the Residential zone along Brecon Street. These have been suggested as areas for expansion of town centre related activities.

8. Conclusion and Recommendations

This monitoring report has examined the effectiveness and efficiency of the Town Centre Zone objectives, policies and rules. The assessment undertaken in this report is based on analysis of information from resource consent processing.

Town centre environments are generally relatively complex planning environments as they provide for a wide range of activities. The town centres in the Queenstown Lakes District are even more complex as they also include important elements associated with heritage, character and landscape that are valued by the community and visitors to the District.

A significant number of consents in the town centres relate to applications for signs. This reflects the density of commercial activities that occur in the town centre and the frequency with which commercial activities change in these areas. It also reflects efforts Council made a few years ago to achieve greater consistency in regulating signs. A review of the signs controls may offer a mechanism to streamline consent requirements in town centres and is being undertaken as a separate process as sign rules apply throughout the plan.

It is difficult to identify clear patterns from town centre consent data and a number of issues we are aware of from previous feedback on the town centres are not apparent in this form of analysis. For example, 6 applications to breach noise limits in the monitoring period does not reflect the concerns about noise provisions in Queenstown town centre.

As District Plan noise provisions are being dealt with separately, the following amendments do not relate to noise issues.

Based on analysis of consent information on balance it appears the town centre zones appear to have been working relatively effectively but are in need of amendment to increase their effectiveness in a number of areas and in particular to strengthen the objectives and policies to make provisions clearer and more defensible.

However, it would be appropriate to consider a number of issues through the District Plan review process, including the following:

1. A revision of the Objectives and Policies to reflect the role of these zones more effectively.
2. A revision of provisions related to reverse sensitivity issues to better enable the sustainable management of these zones for the activities they are primarily intended for.
3. A review of site and zone standards and the adequacy of associated assessment matters.

Appendix 1 - Objectives and Policies

District Wide Objectives and Policies

Objective 1 – District Wide

The District Wide Objectives and Policies are intended to provide strategic direction relevant to all the individual town centres.

Objective 1 - Maintenance and Consolidation of the existing Town Centres and Activities Therein

Viable Town Centres which respond to new challenges and initiatives but which are compatible with the natural and physical environment.

- 1.1 *To maintain and enhance patterns of land use, development and character which promote and reinforce close proximity and good accessibility within the business areas and between the business areas and living areas.*
- 1.2 *To enable town centres to become the principal foci for commercial, administration, employment, cultural and visitor activities.*

The first two policies will be considered together. As discussed in the previous section Objective 1 had a strategic focus. Policies 1.1 and 1.2 provide direction for the creation of town centre zoned land. However, as any change in zoning will consider the policies of the existing zone and the policies and objectives of the District Wide section these policies are ineffective.

- 1.3 *To provide for and encourage the integration of a range of activities within town centres, including residential activity.*

This policy reflects the broad nature of activities provided in the town centre zones but is so generic that it can create issues in terms of applications seeking to establish activities not anticipated. The specific reference to residential activity but more general reference to other town centre activities in the town centre policies has been identified as an issue arising from commentary from the Environment Court. A general principle from caselaw is that specific policies hold greater weight than general policies and therefore this could imply that the provision of residential activity may be more important than other types of activities which are anticipated and only provided for in the town centre zones eg bars.

- 1.4 *To enable retail activities within town centres.*

A specific policy for retail activities seems unnecessary and unrelated to the objective above.

- 1.5 *To provide for town centres to be densely developed centres of activity with maximum consolidation of space, commensurate with the essential amenity, environmental and image outcomes sought for each centre.*

Although this policy could be said to reflect aspects of the objective, particularly in relation to the natural and physical environment it is vague and provides little guidance.

- 1.6 *To provide for the staged development of a mixed use commercial core within the 3 Parks Zone provided its development does not undermine the role,*

function, vitality and vibrancy of the Town Centre, whilst recognising that some extensions to the Town Centre zone that may also be appropriate over time.

This is a specific policy relating to the Three Parks Special zone. It is uncertain whether failure to comply with a policy in the Town Centre zone could be used to control development in the Three Parks Special zone.

Objective 2 – District Wide

Objective 2 – Amenity

Enhancement of the amenity, character, heritage, environmental quality and appearance of the town centres.

2.1 To provide for the development of a full range of business activities while conserving and enhancing the physical, historic and scenic values and qualities of the geographical setting.

This policy is similar to policy 1.3 but provides more specific qualifiers related to the relevant features town centre rules seek to address. This policy is potentially even broader than policy 1.3 as the term ‘full range of business activities’ does not reflect what the town centre anticipates or provides for.

2.2 To ensure reserve areas and other public spaces are upgraded and integrated with development occurring on adjoining land or water areas.

The focus of this policy is on reserves being upgraded to integrate with development. However as it will be considered in the context of development around reserves or public space rather than the development of those areas, it may be more appropriately focused on requiring new development to be integrated into reserve areas and public spaces.

2.3 To control the height, scale, appearance and location of buildings to ensure that the amenity of the area, both at street level and within adjacent developments, is maintained and enhanced.

This policy provides useful guidance for the assessment of site and zone standards.

2.4 To continue programmes of street and other public open space enhancement within the town centres.

This policy relates to matters outside the scope of the RMA.

2.5 To maintain and enhance the contribution to the image of town centres of public open spaces and reserves within and on the periphery of the town centres.

It is unclear how this policy is achieved through the town centre zone provisions.

2.6 To implement methods to minimise the adverse effects of vehicles on the amenity of the town centres.

It is unclear how this policy is achieved through the town centre zone provisions.

2.7 To provide public facilities and street furniture for the convenience of persons within the town centres.

This policy relates to matters outside the scope of the RMA.

2.8 To recognise and enhance the particular heritage characteristics of Queenstown and Arrowtown.

This policy provides useful guidance for the assessment consents relating to heritage issues but could be addressed through policies relating to those centres.

2.9 To recognise and protect the important interrelationship between land and water activities and amenity values in Queenstown Bay.

This policy is Queenstown specific and would be more appropriate with the objectives and policies for Queenstown than the District Wide policies.

Objective 3 – District Wide

Objective 3 - Built Form

Maintenance and enhancement of a built form and style within each town centre that respects and enhances the existing character, quality and amenity values of each town centre and the needs of present and future activities.

3.1 To ensure a built form for each town centre which relates to and is sympathetic to the physical characteristics of the site and neighbourhood including climate, neighbours and topographical features.

3.2 To provide for a building appearance which is responsive to and reflects the essential character and heritage of each town centre and the surrounding topography.

These policies provide useful direction to support controls on building design and site and zone standards.

3.3 To create a series of core areas within each town centre, and appropriate interconnections between them.

This policy does not identify the nature of appropriate interconnections or how they will be provided.

3.4 To structure the town centres around the existing public spaces (including streets and lakes) and to relate its built form to the surrounding landscape and the built form of adjacent zones.

It is unclear how this policy will be achieved.

3.5 To promote a built form which exhibits a sense of arrival and departure and to contain the town centres within clearly established boundaries.

This policy is not reflected in the rules.

Objective 4 – District Wide

Objective 4 - Town Centre and Building Appearance

Visually exciting and aesthetically pleasing town centres which reflect their physical and historical setting.

4.1 To promote an image for each town centre which reflects and respects the existing dominant building themes.

The intent of the use of the term image is unclear in RMA terms.

4.2 To identify and implement controls which define appearance standards applicable to each town centre and which promote and, where appropriate, ensure harmony and compatibility of building design.

This policy provides a rationale for different standards for each town centre. However, there is a degree of repetition with policies 3.1 and 3.2.

4.3 *To ensure the display of outdoor advertisements does not detract from the visual amenity values of the town centres or the appearance of individual or groups of buildings within those areas.*

This policy provides a rationale for controls on signs.

4.4 *To ensure that new developments or redevelopments of existing sites within Arrowtown town centre respect and reflect the heritage value of the town centre.*

4.5 *To identify within the Queenstown Town Centre a Special Character Area to ensure developments or redevelopments of sites respect and reflect the historic subdivision pattern and development styles which give rise to the particular appearance and character of the area.*

4.6 *To enhance the amenity values of the Wanaka Town Centre.*

These policies are specific to individual town centres rather than being district wide in focus and would be more appropriate in the section relating to the relevant town centre.

4.7 *To provide for the retention of the generally people scale of developments within the town centres.*

This policy provides a rationale for controls on building scale. The use of 'generally' may be unnecessary.

4.8 *To identify opportunities for and promote the integration of public spaces, reserves and streets with developments to add visual interest and diversity to the appearance of the town centres.*

This policy is aspirational but provides more direction than policy 3.4.

4.9 *To establish and administer a fund to assist in the retention and enhancement of historic buildings and the development of public spaces within the town centres, most particularly Queenstown and Arrowtown.*

This policy relates to matters outside the scope of the RMA.

Objective 5 – District Wide

Objective 5 - Pedestrian and Amenity Linkages

An attractive, convenient and comprehensive network of pedestrian linkages within town centres.

5.1 *To establish and maintain a comprehensive pattern of pedestrian walkways about and within the town centres and between core areas.*

5.2 *To identify the locations of existing pedestrian walkways.*

5.3 *To ensure all pedestrian areas receive generous levels of sunlight, daylight and weather protection, as appropriate to the overall character of the particular locality.*

These policies provide useful support for provisions relating to pedestrian links.

Queenstown

Objective 1 – Queenstown

Objective 1 - Maintenance and Consolidation of the Town Centre

Maintenance and enhancement of the Queenstown Town Centre as the principal commercial, administration, cultural and visitor focus for the District.

This objective has a strategic focus that cannot be achieved when the objective is located in this part of the plan.

- 1.1 *To provide for the concentration of buildings and developments to occur in the town centre.*
- 1.2 *To enable a broad range of activities to establish, and to encourage the continuing occupation and development of buildings and sites.*
- 1.3 *To minimise the adverse environmental effects of those activities both within the town centre and on the activities in the surrounding living areas.*

These policies are not Queenstown specific and largely replicate policies in the District Wide section of the Town Centres Section.

Objective 2 – Queenstown

Objective 2 - Character and Heritage

A town centre in which the built form, public space and linkages reflects, protects and enhances the distinctive built heritage and image which creates its essential character.

This objective is relevant to specific character of Queenstown and policies and provisions related to the town centre.

- 2.1 *To identify and promote a Special Character Area within the town centre to ensure that developments or redevelopments of sites respect and reflect the historic subdivision pattern and built form which gave rise to the particular appearance and character of buildings and their relationship to each other in this area.*
- 2.2 *To ensure the shape, scale and form of development reflects the environmental qualities of the area and the particular precincts that make up the Special Character Area.*
- 2.3 *To recognise Queenstown’s architectural and developmental heritage, conserve and enhance the historic character, and to promote the continued contribution of this heritage to the town centre’s identity.*

These policies support town centre provisions related to design elements and controls intended to protect the historical character and amenity of the town centre.

Objective 3 – Queenstown

Objective 3 - Land Water Interface: Queenstown Bay

Integrated management of the land-water interface, the activities about this interface and the establishment of a dynamic and aesthetically pleasing environment for the benefit of the community and visitors.

This objective is Queenstown specific.

- 3.1 *To encourage the development of an exciting and vibrant waterfront which maximises the opportunities and attractions inherent in its location and setting as part of the town centre.*
- 3.2 *To promote a comprehensive approach to the provision of facilities for water based activities.*
- 3.3 *To promote maximum pedestrian accessibility to and along the waterfront for the enjoyment of the physical setting by the community and visitors.*

These policies are aspirational.

- 3.4 *To identify the important amenity and visual values, and to establish external appearance standards to help secure and implement these values and implement those through the District Plan.*
- 3.5 *To provide for structures within Queenstown Bay waterfront area subject to compliance with strict location and appearance criteria.*
- 3.6 *To conserve and enhance, where appropriate, the natural qualities and amenity values of the foreshore and adjoining waters.*

These policies support provisions around surface of water and interface activities. These are non-complying activities and policies are important to provide direction on these matters. However the policies are uncertain in a number of areas. The amenity and visual values of the land water interface have not been identified in the plan and the extent of the Queenstown Bay waterfront area is not clearly defined.

- 3.7 *To retain and enhance all the public open space areas adjacent to the waterfront and to manage these areas in accordance with the provisions of the Sunshine Bay, Queenstown, Frankton, Kelvin Heights Foreshore Management Plan.*

The intent of this policy cannot be achieved through the District Plan.

Objective 4 – Queenstown

Objective 4 – Accessibility and Parking

A town centre which is accessible to people.

This objective has merits but is only partly Queenstown specific and would appear to be generally relevant to other town centres also.

- 4.1 *To restrict the peripheral spread of the town centre to ensure all parts are convenient to pedestrians.*

This policy provides strategic direction that cannot be achieved at this level.

- 4.2 *To promote an integrated approach to traffic management, vehicle access and car parking within the Queenstown Town Centre.*
- 4.3 *To restrict the times when goods service vehicles will be permitted access to parts of the town centre.*
- 4.4 *To manage the street network within the town centre to ensure the network functions safely and efficiently, while seeking to enhance the pedestrian amenity of the town centre.*
- 4.5 *To enable car parking in the Queenstown Town Centre.*

This policy is ineffective as parking provisions are not provided in this section of the plan.

4.6 To provide for roading improvements to develop a route around the town centre to reduce congestion, environmental effects and improve traffic flows.

This policy is ineffective as it seeks to provide strategic direction for improvements outside the Queenstown town centre zone.

4.7 To promote and investigate opportunities for public transport linkages within the town centre and between the town centre and outlying activity areas.

These policies are aspirational.

4.8 To encourage a network of pedestrian linkages within the town centre.

Pedestrian links are identified in the Queenstown town centre. Protection of these links needs a policy stronger than 'encouragement'.

Wanaka

Objective - Consolidation and Amenity of the Town Centre

The establishment of a wide range of facilities within a compact and convenient built form which retains the essential character of the town centre.

This objective is not Wanaka specific.

1.1 To promote the retention and enhancement of those features of the town centre which contribute to its character and environmental quality.

1.2 To establish standards in respect of the form, style and external appearance of buildings.

Policies to promote do not require action. Policy 1.2 supports provisions related to design and character of the town centre.

1.3 To identify and implement environmental enhancement works in respect of the public areas and the streets.

This policy does not relate to activities implemented through the District Plan.

1.4 To provide for the establishment of a wide range of activities to ensure the continued viability and vitality of the town centre.

This policy is relevant to town centres in general rather than being Wanaka specific.

1.5 To promote coherence of the built form of the town centre through provision of pedestrian and activity linkages and by generally restricting any outward expansion.

It is unclear how this policy relates to existing town centre provisions. Coherent built form can be achieved through other mechanisms. The policy is relatively weak if it is intended to restrict outward growth as it only seeks to promote coherence rather than require it and only generally to restrict outward expansion.

Arrowtown

Objective 1 - Character and Heritage

Retention of the historic character of the Arrowtown Town Centre; compatibility and linkages of the built environment with the surrounding landscape; and maintenance and enhancement of low traffic volumes in the main street.

This objective is Arrowtown specific.

1.1 To ensure the scale, density and setback of new buildings; the type of activities undertaken; and the nature of street improvements reflects the historic character and enhances its coherence.

This policy identifies specific provisions for new development that are considered important to the character of Arrowtown.

1.2 To ensure any additions or alterations to historic buildings or places is undertaken in a manner that complements and respects the historic character.

This rule replicates policies in Section 13 Heritage.

1.3 To encourage visual and physical linkage with the Arrow River area and the surrounding landscape.

This policy identifies specific local landscape features requiring consideration.

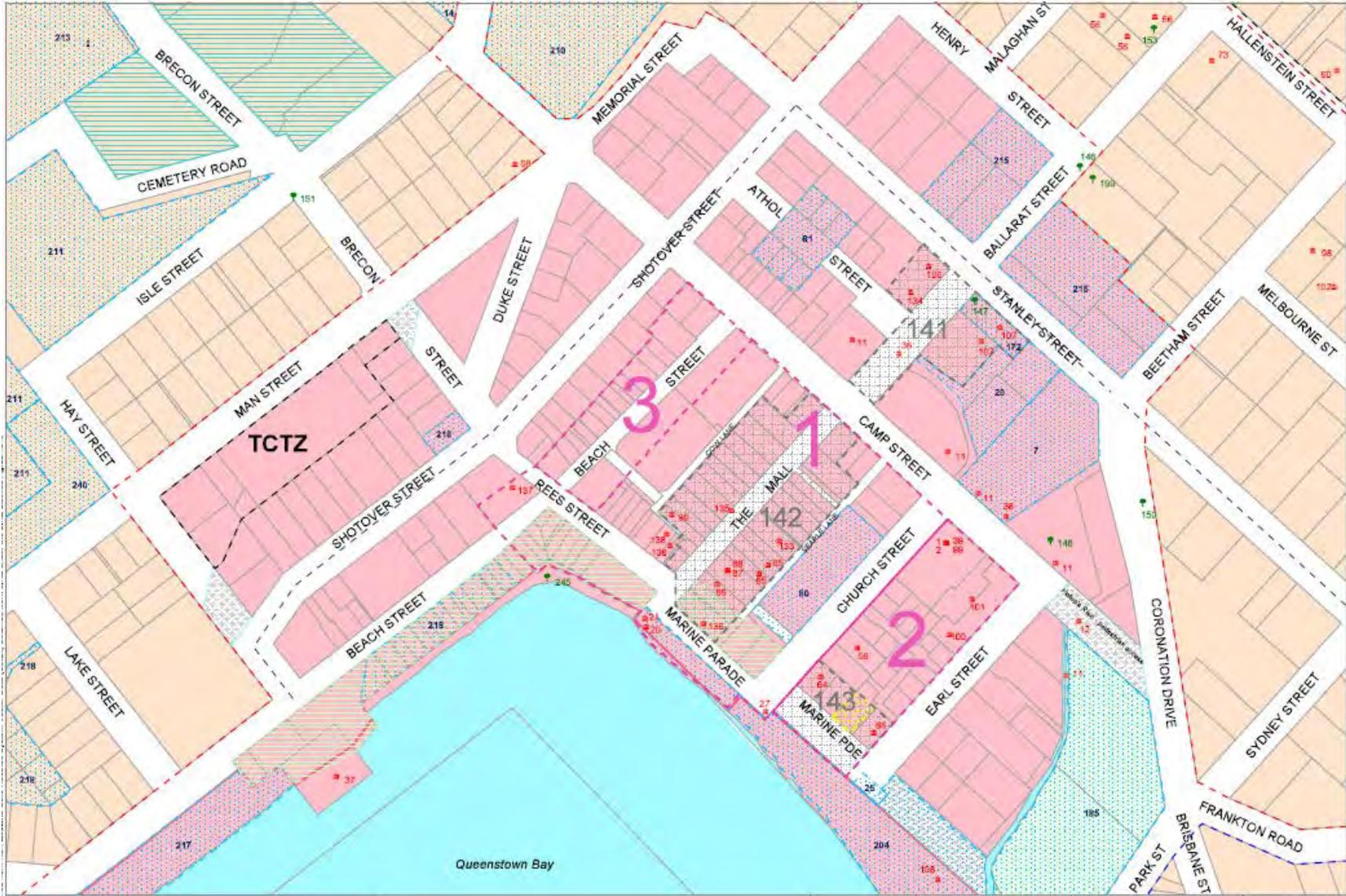
1.4 To maintain and enhance the amenity and peaceful by discouraging fast and heavy traffic and encouraging pedestrian movements.

This policy contains a typo. The policy is aspirational rather than relating to zone provisions.

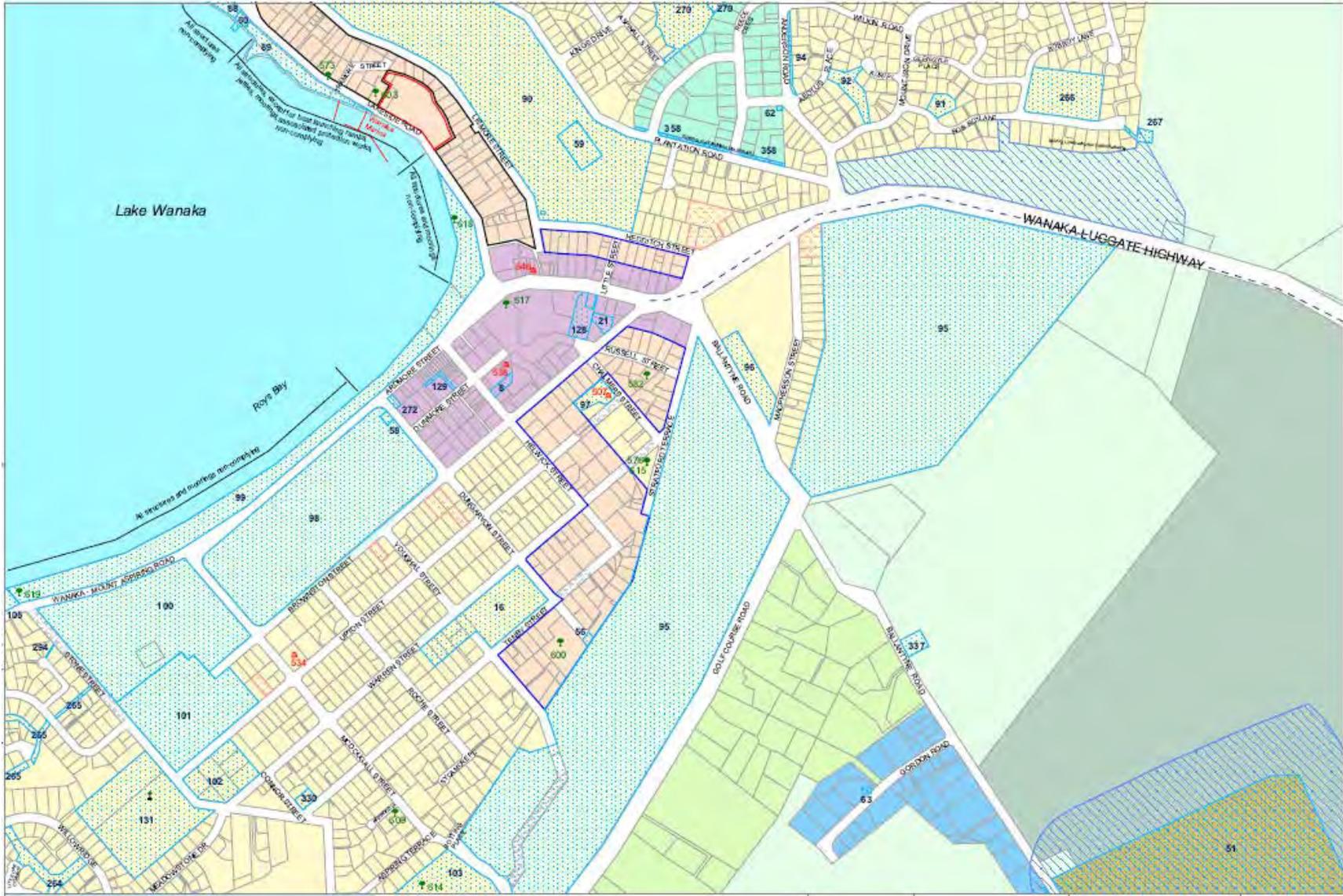
1.5 To acknowledge the visual, functional and amenity value of existing open space areas and to preserve these.

The policy is aspirational rather than relating to zone provisions.

Appendix 2 – Town Centre Zone Maps



Appendix 2 – Town Centre Zone Maps



Appendix 2 – Town Centre Zone Maps

