

**Queenstown Lakes District Council
Planning Authority**

To Whom It May Concern,

Re: Proposed Changes to the Current Arthurs Point Rural Visitors Zone

We wish to present a submission regarding the Proposed District Plan Stage 3 changes relating to the current Rural Visitors Zone at Arthurs Point. This is in addition to our earlier submission dated 18/11/19. We also will make reference to the Section 42A Report of Emma Jane Turner regarding Arthurs Point Rezoning – Provisions and Mapping on 18th of March 2020.

It can firstly be confirmed that we are generally in agreement with much of the Section 42A Report with particular regard to Section 4 which confirms that alternative options to the Medium Density Residential Zone initially proposed offering additional positive economic and social effects and added flexibility to the Arthurs Point area.

We agree that “the area is not homogeneous in terms of character and issues” and that “a multiple zone approach is the most efficient and effective way to achieve the strategic objectives”. We therefore agree with the reports understanding that the Arthurs Point area merits a “finer grained” analysis than was applied for the previous proposal.

We also support the view that the Arthurs Point North Zone has the ability to support greater densities than that of the notified zoning and agree to the landscape assessment for the flat terrace area contained within the report.

We do however have some concerns regarding some the High Density Residential Zone Rules suggested by the report when related to the flat areas of Arthurs Point North as noted in Figure 9 of the report. Our concerns are listed below :-

- Commercial Restrictions

The High Density Residential Zone recommended by the Section 42A Report for the flat areas to Arthurs Point North does offer greater housing and mixed use alternatives including both visitor accommodation and commercial activities compared to the notified proposal. We generally agree with the added flexibility and increased density that this proposal offers.

The rules for the HDRZ under the Proposed District Plan do however note that commercial activities no more than 100sqm of gross floor area are permitted. It goes on to note commercial recreation above 100sqm as a discretionary activity. Commercial activities not otherwise identified are however noted as a non complying activity.

We feel that the existing character of Arthurs Point North particularly regarding the flat areas near Arthurs Point Road is suited to commercial activity. This process is already naturally occurring with its own sense of village type community starting to evolve which should be supported by the planning framework. These existing commercial activities are acknowledged by the report which goes on to suggest that the future planning framework should “provide for additional complementary activities that could have positive social and economic on the community at Arthurs Point”.

We feel that 100sqm is a very small area for commercial uses within an area of this nature and that this restriction could be a barrier to encouraging appropriate uses and activities particularly when considering the need for accessory and back of house areas such as storage, kitchens, toilets etc.

We feel that commercial activity in the flat area to Arthurs Point North should be encouraged particularly in locations closer to Arthurs Point Road. We also feel that there should not be a distinction between commercial recreation and other commercial activities in this area and that less restrictive rules should apply to both.

It is understood from the definitions within the operative district plan that activities such as restaurants, takeaway food bars, establishments selling liquor, offices and markets would be considered to be commercial activity. The distinction between commercial activity and commercial recreation is very important with regard to the HDRZ as mentioned earlier. We therefore suspect that this would mean that all these activities over 100sqm would be considered non complying in the HDRZ. The report does however suggest that “the strategic directions promotes the recognition of the existing activities and character that are at Arthurs Point North”. The report goes on to state under 4.30 “The land adjoining the road is relatively flat (Figure 8) and, as well as dense residential activity, has existing commercial and visitor accommodation activities being undertaken on sites. These types of activities would be able to continue to be provided for through an HDRZ and provide for additional complementary activities that could have positive social and economic effects on the community at Arthurs Point North.”

The existing commercial activities include a food bar, tavern, offices, café and restaurant. Some of these activities are over 100 sqm and would be considered non complying activities within the HDRZ under the proposed district plan. The proposed HDRZ rules on commercial activity appear to contradict the aims stated within the Section 42A Report of recognising and building upon the areas existing activities and character and the provision of additional complimentary activities to support and service the Arthurs Point Area. We agree that “this area is important for the social and economic wellbeing of Arthurs Point and allows for people to live, work and play in the greater Arthurs Point Area” and feel that the proposed HDRZ commercial restrictions may hamper of this evolving process.

Larger developments by one entity or on one section do not necessarily have to result in larger businesses or larger buildings. Larger developments can be split into several smaller subleases or buildings and can also be carried out over a period of time or in separate phases.

The section at 170 Arthurs Point Road provides an example where the existing small office uses up the 100sqm allowance as a permitted activity with any other non-recreational commercial activity being considered as non complying under proposed HDRZ rules even where the development is broken up into smaller leases, businesses, buildings and forms.

We therefore feel that these rules are inflexible and too restrictive on commercial activity for this area of Arthurs Point given its character and the fact that larger commercial developments already exist. We support the broad objectives but feel that the controls do not fully match these objectives.

We would suggest potential options of significantly increasing the 100sqm area restriction related to commercial activity and ensuring that all commercial activity above this area restriction should be a discretionary activity.

- Setback to State Highway Road Boundaries

We feel that the setback from Arthurs Point Road from the flat area to Arthurs Point North proposed as 4.5m in the HDRZ rules to the proposed district plan should be reduced to 2m which is the same as the other boundaries. This would be more in keeping with the traditional centres of local small historic town such as Arrowtown and Dunstan. We feel that the added sense of enclosure would add to the streetscape and would achieve a higher sense of place.

- Recession Plane

The rules for the High Density Residential Zone under the Proposed District Plan state that on flat sites a recession plane of 2.5 metres above ground level at an angle of 45 degrees will apply to all boundaries apart from a 55 degree recession plane to northern boundaries with a restricted discretionary activity status. These rules also state that minimum boundary setbacks are to be 2m except for state highway road boundaries where the minimum setback is to be 4.5m.

We feel that the proposed recession plane rules are a too restrictive and inflexible particularly with regard to the flat area Arthurs Point North. We feel that this could result in buildings being located close to the boundary with the upper storeys being stepped back to be within the recession plane (refer to Section A). This can result in an unflattering aesthetic more suited to larger more densely developed city centres.

It can also be argued that buildings spaced further from the boundary may have less effect on their surroundings and neighbours (refer to attached Section B). This could also provide more space for landscaping between the building and boundary as indicated in the attached photo taken of a current Arthurs Point development (attached).

We therefore feel that more flexible requirements where the recession plane requirements are removed and replaced with more flexible rules where buildings set back more than 3m from the boundary have a maximum height of 3 storeys (9m) and buildings set back more than 4m from the boundary have a maximum height of 4 storeys (12m). A sliding scale such as this may reflect the buildings effect on its surroundings more accurately and may also have a beneficial effect on the area generally while helping to avoid the more urban aesthetic mentioned previously. The space provided around the building can also be used for trees and landscaping in mitigation providing a softening of the built environment.

We must again confirm that while we have mentioned some concerns we do agree with many of the findings and recommendations of the "Section 42A Report of Emma Jane Turner regarding Arthurs Point Rezoning – Provisions and Mapping" and feel that it is a significant improvement on the previous proposals. We would however ask that the concerns raised are given careful consideration.

Yours sincerely,

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David Happs

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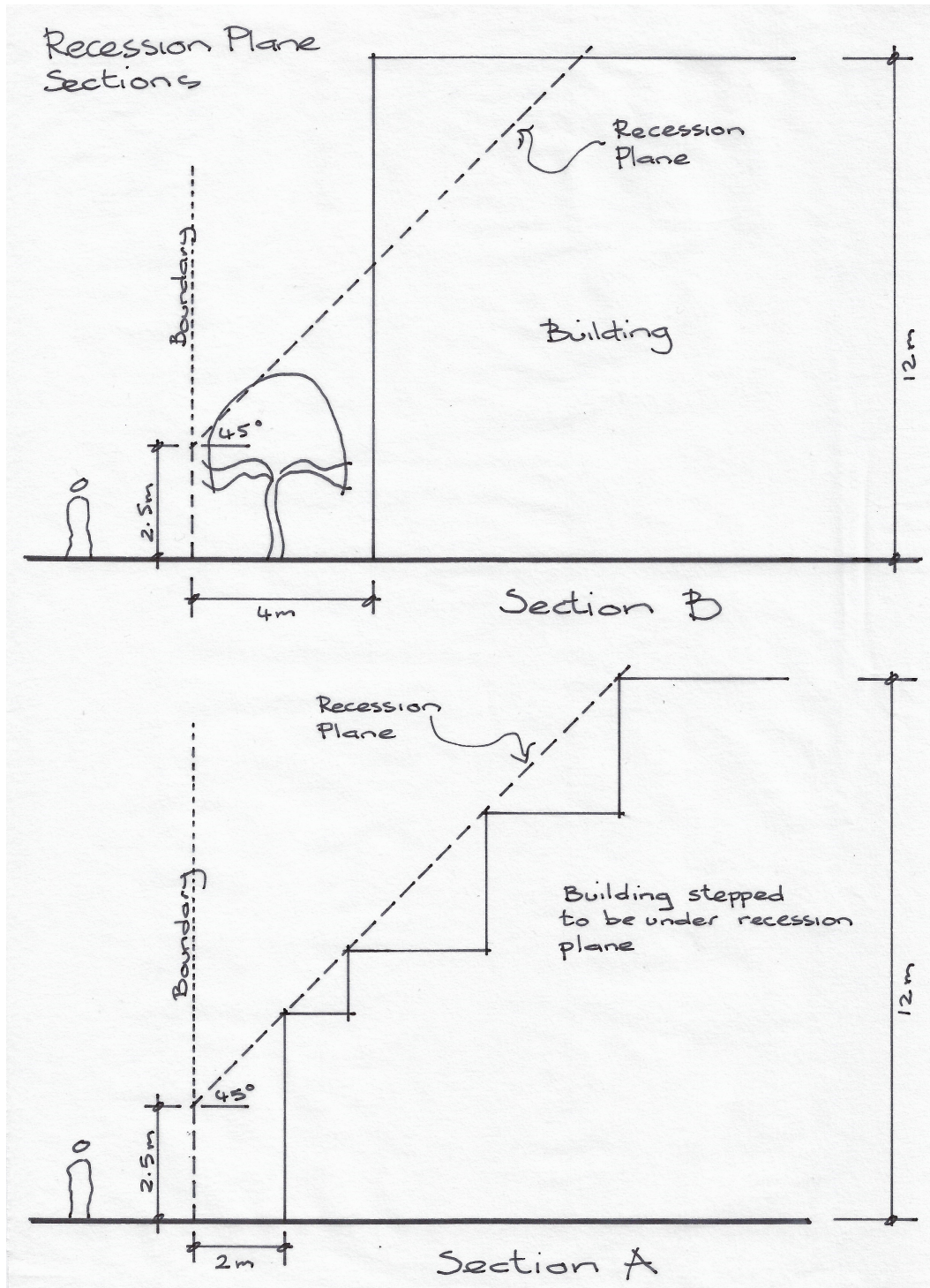
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Recession Plane Sections A & B (referred to in text)



Photo of Arthurs Point Building Related to Boundary (referred to in text)

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