

Shotover Property Investments Limited

Private Plan Change Request

Frankton Mixed Use Zone
Hansen Road/State Highway 6
Frankton, Queenstown

May 2011

The Requester and Property Details

Requester

Shotover Property Investments Limited

Address for Service

John Edmonds & Associates Limited
PO Box 95
Queenstown

Site Address

Hansen Road/State Highway 6, Frankton, Queenstown

Site Area

Approximately 20,882m²

Legal Description

Lot 1 Deposited Plan 26426 and Part Section 5 Block XXI Shotover Survey District, contained within Certificate of Title OT18B/922

Zoning

Low Density Residential

Request

This Plan Change request seeks the re-zoning of approximately 20,882m² of land that is currently zoned Low Density Residential to a mixed use zone that will enable commercial, showroom, office, specialist retail, higher density residential and visitor accommodation activities.

The current Low Density Residential zoning is not considered appropriate for the land. The close proximity of State Highway 6, shadiness from the hills behind, and surrounding non-residential activities, mean that the land provides a poor living environment for low density housing.

This Plan Change is requested to enable a more sustainable, efficient and effective use of the land. The proposed Frankton Mixed Use Zone will provide for a higher quality, medium density, built environment that better suits the land and fits in with the evolving character of the Frankton Flats.

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1.0 Introduction

1.1 Executive Summary

This report has been prepared to support a private plan change request to re-zone land in Frankton from Low Density Residential to a new zone (“the site”). The site is to be known as the Frankton Mixed Use Zone (“the proposed zone”).

Urban Expansion in the Frankton Flats

The Frankton Flats area is currently undergoing considerable urban transformation in response to the population growth of the Queenstown area.

The Queenstown Airport is expanding, Remarkables Park has substantial development plans, the Five Mile shopping complex is proposed, and much of the remainder of the Frankton Flats is subject to a Plan Change that will re-zone the land allowing for an urban mix of activities.

The Proposed Zone

The site under discussion comprises an undeveloped urban land resource within the Frankton Flats. This resource has not been utilised as a low density residential zone and has been largely vacant for the last 9 years.

It is apparent that the current zoning is not the best fit for the site, for reasons such as isolation from other low density neighbourhoods, site constraints (such as shadiness), the close proximity to State Highway 6, and the emerging non-residential character of the surrounding area.

It is logical in a planning sense to turn the limitations of the site for low density housing into opportunities for more suitable land uses that better complement other activities in the surrounding area.

A series of expert reports assess the impacts of the rezoning proposal upon infrastructure, transport, heritage, geotechnical issues and urban design and conclude that rezoning of this land to enable a more intensive level of development can be absorbed and catered for with only minor upgrades to existing infrastructure.

This report concludes that a mixed use zoning that provides opportunities for higher density development and range of residential and commercial activities is the most appropriate method of achieving the purpose of the Resource Management Act 1991 (“the Act”).

The proposed zone comprises approximately 2 hectares and provides a mixed use zone that could include commercial, showroom, office, limited scale retail and a range of higher density residential and visitor accommodation options.

A carefully designed Outline Development Plan is proposed as part of the development process under the proposed zoning. The Outline Development Plan will identify the layout of buildings, car parking and access based on sound urban design principles. Central to this Outline Development Plan method is a set of associated rules and assessment matters to guide density, building height and coverage, provision of car parking, setbacks and landscaping.

1.2 The First Schedule of the Resource Management Act 1991

The First Schedule to the Act sets out the procedure for changes to a District Plan. Part 2 of that Schedule (clauses 21 – 29) outlines the process for a privately requested change.

This request is made in accordance with those requirements, and the assessment required by Section 32 of the Act.

1.3 Scope of the Plan Change

This Plan Change applies to that land identified on Figure 1 below. The land is contained in two parcels and is legally described as Lot 1 Deposited Plan 26426 and Part Section 5 Block XXI Shotover Survey District, and is held in Certificate of Title OT18B/922.

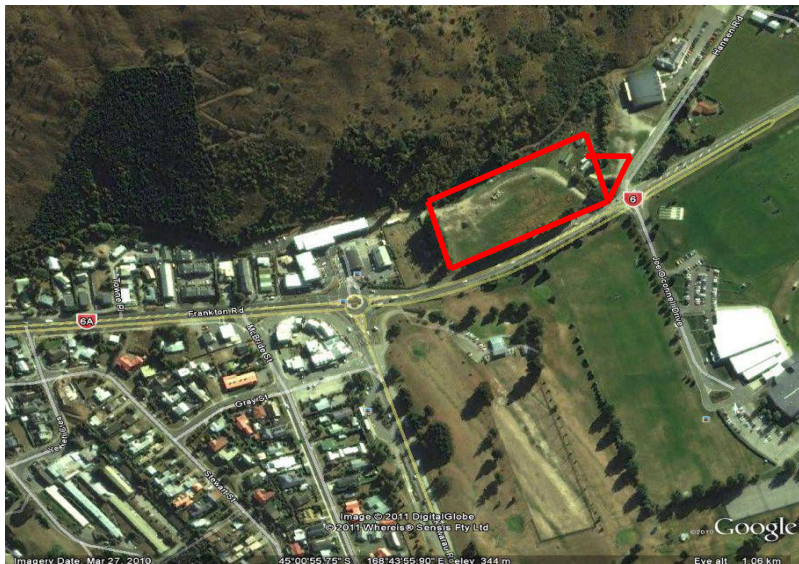


Figure 1 - Location of the Plan Change site

Preparation of this Plan Change has included consideration of whether the proposal should be extended in scope to include additional land located on the northern side of State Highway 6 (“SH6”) east of the site. The Council's current Plan Change 19 addresses land on the Frankton Flats to the south of SH6 east of the subject site. The Requester is aware that the Council would like to see the zoning of the flat land north of SH6 (opposite the Plan Change 19 land) addressed because there is debate whether the current rural general zoning applicable to that land is appropriate.

Having considered that issue the Requester has limited the scope of this plan change to the land zoned Low Density Residential owned by the Requester for the following reasons:

- a. The Requester's Low Density Residential land is isolated from other Low Density Residential zoned areas. The Terrace Junction land to the west and the City Impact Church land to the east, although zoned Low Density Residential, has been developed for non-residential purposes. The fact of those adjoining non-residential developments in itself raises questions as to the appropriateness of the Low Density Residential zoning applicable to the subject site.
- b. Extending the plan change to include land zoned Rural General would raise a number of considerations which do not apply to the Low Density Residential zoned land, and would potentially complicate the plan change to a significant extent, because the debate over the appropriate zoning of land zoned Rural General would be significantly different to the debate over the appropriate zoning of the subject site zoned Low Density Residential.

- c. Extending the plan change to land not owned by the Requester would bring other landowners within the scope of the plan change. That would probably result in a number of different planning debates within the same plan change, rather than just focusing on the appropriate zoning of the undeveloped Low Density Residential land owned by the Requester.
- d. The addition of other land not owned by the Requester would undermine one of the primary bases of the proposed plan change, being the requirement for an Outline Development Plan process applying to all of the land within the proposed zone. The Outline Development Plan process is impracticable when the relevant land is in different ownerships and potentially has different zonings.
- e. The Requester has to bear the full cost of processing a private plan change, including Council processing costs. There is no reasonable justification for the Requester to incur the additional costs (and potentially additional delays) that would likely result from inclusion of other land in different ownership with different existing zoning.

1.4 Purpose of the Plan Change

This Plan Change request seeks the re-zoning of approximately 20,882m² of the land that is currently zoned Low Density Residential. The purpose of this Plan Change is to provide a mixed use zone on the site that enables more sustainable, efficient and effective use of the land that is consistent with overall planning policy direction for the Frankton Flats area.

1.5 Report Structure

This report is structured in the following manner:

Part 1 – introduction, scope and purpose of the plan change;

Part 2 – identification of the site and an assessment of its context within Frankton;

Part 3 – assessment of the site constraints and opportunities;

Part 4 – an assessment of the issue of sustainable use of land in Frankton, and identification of the options for how to best address this issue;

Part 5 – identification and assessment of the most appropriate objectives, policies and methods to apply to the new zone (section 32 analysis);

Part 6 – proposed amendments to the District Plan;

Parts 7 – assessment of the effects on the environment;

Part 8 – an explanation of the consultation that has occurred in preparing the Plan Change;

Part 9 - an outline of the statutory framework, and an assessment of all of the relevant issues and documents; and

Part 10 - an assessment of Council strategies and plans.

2.0 Site and Context

2.1 Location

The land is located on the north side of and adjoining State Highway 6 and Hansen Road, Frankton, Queenstown.

The site is bounded by a variety of largely non-residential land use activities including the Queenstown Events Centre to the south, the Frankton Cemetery and Terrace Junction commercial precinct to the west and the City Impact Church to the east.

2.2 Land Owner and Legal Description

The land is owned by Shotover Property Investments Limited.

The land is contained in two parcels and is legally described as Lot 1 Deposited Plan 26426 and Part Section 5 Block XXI Shotover Survey District, and is held in Certificate of Title OT18B/922 (attached as Appendix 1).

The site is bisected by an unformed legal road which runs north to south. The unformed road separates a small triangle shaped parcel of land (956m²) from the remainder of the land (34,022m²). An easement for the purpose of conveying water, in favour of the Arrow Irrigation Company, runs through the land (east to west) and that water race marks the current zone boundary between the Rural General and Low Density Residential zones.

2.3 Zoning

The land is currently split zoned Rural General and Low Density Residential under the Queenstown Lakes District Plan. That area of land zoned Rural General is to remain unchanged.

The split in the zoning adjoins the toe of the hill with the flat part of the site zoned Low Density Residential (20,882m²) and the hill behind zoned Rural General (13,140m²). Plans attached as Appendix 2 define the site location and zone boundaries.

The standard District Plan Low Density Residential zone rules apply to the site. In addition there are several specific rules that apply to the site. These rules came about by Consent Order during the development of the District Plan (C131/2001, attached as Appendix 3). These rules and specific notations are explained and reproduced below.

There are two building line restrictions overlaid on the site in the District Plan maps. The first is 5 metres in depth and runs along the boundary adjoining SH6 and the second is 4 metres in depth and runs along the internal boundary adjoining the Frankton Cemetery (refer to Figure 2 below from Planning Map 33). Neither of these building line restrictions are recorded on the Certificate of Title.

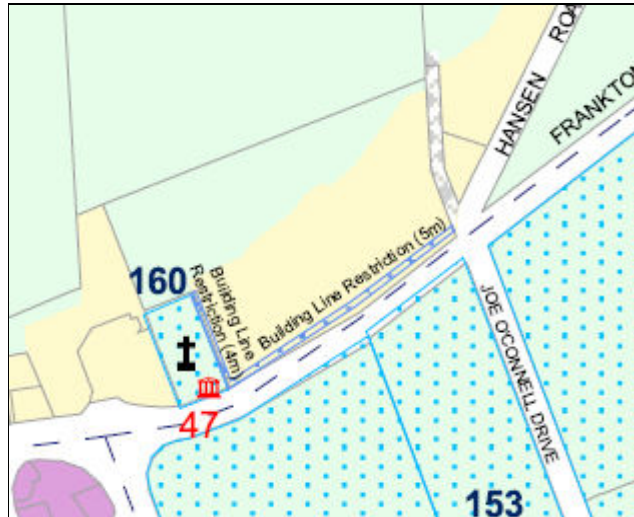


Figure 2 - District Plan zoning

A Zone Standard, in Part 7 of the Plan, provides for a footpath along the SH6 frontage extending between Hansen Road and the Frankton Cemetery and restricting vehicle access to Hansen Road. A Site Standard addressing landscaping requirements and associated assessment matters are also contained in Part 7. These rules are reproduced below:

**7.5.5.3 Zone Standards - Residential Activities and Visitor Accommodation
xiii Low density residential zone – Frankton Corner / Hansen Road**

The following standards shall apply to any development on Part Sections 5 and 120 Block I Shotover SD and Lot 1 DP 26426, or any subdivided lot thereof, (on the northern side of State Highway 6 and Hansen Road near the Frankton Corner – as shown on Planning Map 33):

- (a) *Prior to the erection of any buildings, a 1.5 metre wide compacted gravel footpath shall be constructed on the State Highway along the frontage between Hansen Road and the Frankton Cemetery.
The final design and location of that footpath shall be as approved by Transit New Zealand.*
- (b) *All vehicle access shall be via Hansen Road to the State Highway. There shall be no vehicle access directly onto the State Highway.*

**7.5.5.2 Site Standards - Residential Activities and Visitor Accommodation
xv Low Density Residential Zone - Frankton Corner / Hansen Road**

The following standards shall apply to any development on Pt Sec 5 Block XXI Shotover SD, or any subdivided lot thereof, (on the northern side of State Highway 6 between Hansen Road and Frankton Cemetery - as shown on Planning Map 33):

- (a) *No landscaping (including the removal of any of the existing trees as well as new planting) shall be carried out within 4 metres of the historic stone wall on the boundary of the Frankton Cemetery.*
- (b) *All vehicle access shall be via Hansen Road to the State Highway. There shall be no vehicle access directly onto the State Highway.*
- (c) *The landscaping shall:*

- (i) consist of trees and under planting to a depth of at least 5 metres; and
- (ii) contain trees planted at a maximum of 5 metre intervals, be specimens of at least 1.5 metres in height at the time of planting and shall be a species capable of reaching at least 3 metres in height at maturity; and
- (iii) be irrigated, maintained and any plants or trees that die or become, diseased or damaged replaced.

**7.7 Resource Consents – Assessment Matters Residential and Visitor Accommodation Zones
xxiii Landscaping – Low density residential zone Frankton Corner/ Hansen Road**

- (a) With respect to landscaping (removal of existing trees as well as new planting) adjacent to the historic stone wall on the boundary of the Frankton Cemetery, whether:
 - (i) removal of existing trees will damage the stone wall;
 - (ii) new landscaping will maintain the integrity and enhance the views of the historic stone wall;
 - (iii) consultation with local community groups and historical society has been undertaken.

- (b) With respect to landscaping within the building line restriction area adjoining State Highway 6, whether:
 - (i) the landscaping will enhance the entrance to Queenstown
 - (ii) the landscaping design will complement and harmonise with other landscaping adjacent to State Highway 6 on the Frankton Flats;
 - (iii) the landscaping will mitigate the visual effects of development;
 - (iv) the design incorporates alternatives such as mounding to compensate for reduction in tree planting;
 - (v) how the issue of ongoing maintenance has been addressed.

The site is located outside the air noise boundaries in the operative District Plan. However, the Commissioners' Decision on Plan Change 35, includes an updated planning map with the 55dbA Ldn Contour (Outer Control Boundary) running through the site containing most of the residential zoned land, as shown on Figure 3 below. This means that on the land within the Outer Control Boundary any buildings containing activities sensitive to aircraft noise (such as residential) will require sound insulation measures. Provision for acoustic insulation and mechanical ventilation requirements is included in the proposed zone rules.



Figure 3 - Proposed Outer Control Boundary

2.4 Existing Nature of Site and Receiving Environment

The site is currently covered in pasture and scrub with several rows of established poplar trees along the SH6 and cemetery boundaries. The site is largely vacant except for a dwelling located on the south eastern corner of the site next to the Hansen Road – SH6 intersection.

The consent history for the site is as follows:

- RM970074 29 May 2007 the Council granted subdivision consent to Jonty Limited to subdivide an area of land (the triangular piece of land on the eastern side of the paper road) from Section 120, Block I, Shotover Survey District and amalgamate it with Part Section 5, Block XXI, Shotover Survey District.
- RM980031 B W Walker was granted land use consent to erect a farm building on the site. The farm building was to be located off SH6 behind the existing dwelling.
- RM990539 25 November 1999 land use consent was granted to construct and operate an entertainment centre, for a Maori culture tourist experience.
- RM070519 20 November 2007 land use consent was granted to Wood Processing Limited to operate a transit yard on the site for the purpose of a transitional facility for firewood distribution throughout Queenstown and Arrowtown. The consent specified that it did not allow for processing or sale of wood on the site. The consent was for a specified time period of 2 years.

By letter dated 15 July 2008 consent RM070519 was surrendered.

2.5 The Surrounding Area

The site is flanked by the Frankton Cemetery (Designation 160 and Protected Feature 47 - Frankton Cemetery Walls and Gates) and the Terrace Junction shopping precinct to the west, City Impact Church and Hansen Road to the east, hilly rural land to the north and SH6 on the southern boundary. To the south across SH6 is the Queenstown Events Centre which contains a community aquatic centre, sports fields, gym, tennis and netball courts, and golf course.

In close proximity to the site opposite the Terrace Junction is a Corner Shopping Centre zone which contains the Frankton Corner development. This area contains offices, shops, restaurants, a bar and post office.

Land on the western side of the cemetery, including Terrace Junction, is zoned Low Density Residential, as is the land running along the north western side of Hansen Road containing the City Impact Church. Rural General zoning applies on the south eastern side of Hansen Road (the Grant property).

The site is surrounded by a number of designations. The Queenstown Event Centre is subject to three designations (Designation 152 – Golf course, Designation 153 – Events Centre playing fields, and Designation 29 – Events Centre buildings and playing fields) and the cemetery is designated number 160 under the District Plan as a cemetery reserve.

Frankton is a growth area for the Queenstown Lakes District. Due to its flat topography, transport linkages and proximity to other development, Frankton has greater potential to absorb development than many other parts of Queenstown.

There are a significant number of recently consented and proposed developments and plan changes in the Frankton area which demonstrate the level of growth occurring. These developments and plan

changes are shown on Figure 4 below (and attached as Appendix 4) and have been summarised below.

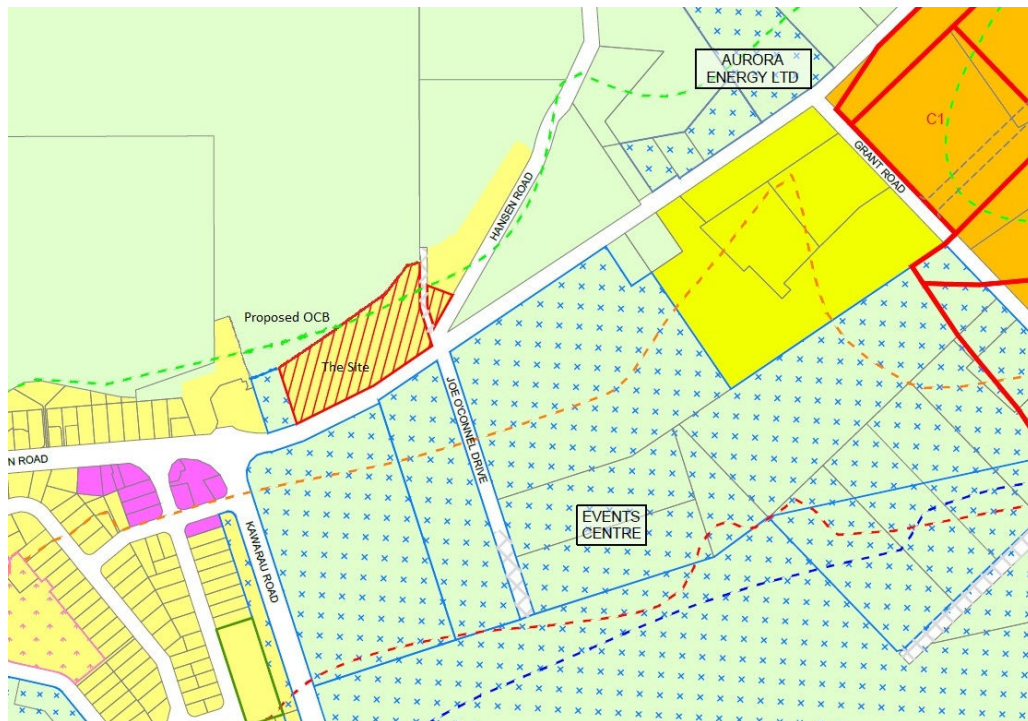


Figure 4 - Frankton Flats Proposed Plan Changes

2.5.1 Plan Changes

- Plan Change 19, Council Plan Change for Frankton Flats (B), decision issued October 2009, under appeal.

“To provide for the comprehensive re-zoning of the land known as the Frankton Flats to enable educational, residential, visitor accommodation, commercial, industrial, business and recreational activities.”

Although this plan change is currently under appeal it is noted that the Council and all of the appellants accept that the Frankton Flats will not remain rural and will become an urban environment; the layout and structure of the proposed urban environment is the aspect in dispute.

- Plan Change 34, Remarkables Park (Private), has been accepted for notification.

“To amend the structure plan and provisions of the Remarkables Park zone to enable the provision of significant additional Large Format Retail activities within an appropriate location, to facilitate increased flexibility in the rules to allow more mixed use live-work type activities, and to realign the Zone boundaries to reflect Remarkables Park Limited an Queenstown Airport Corporation land ownership.”

- Plan Change 35, Airport Noise Boundaries and Notice of Requirement to Alter Aerodrome Designation (D2), decision issued November 2010, currently under appeal.

“To amend the existing airport air noise boundaries and associated District Plan provisions to allow for projected airport growth through to 2037.”

- Plan Change 37, Quail Rise (Private), decision issued December 2010, currently under appeal.

“To rezone a land area of 11.8 hectares in order to provide for 51 additional residential units within and to the South of the existing Quail Rise Zone. The proposal would increase the maximum residential units provided for in this zone to 234.”

- Plan Change 41, Shotover Country (Private), submissions closed, hearing commenced 7 March 2011, awaiting decision.

“To re-zone approximately 120 hectares of land located within the Rural General zone to create a new Special Zone under Part 12 of the District Plan. The Shotover Country Special Zone will enable development of a range of residential living environments, education and community activities with the framework of a specifically formulated structure plan.”

2.5.2 Resource Consents

- The Frankton Flats Special Zone (A) (FFSZ) colloquially known as Five Mile is located on the opposite side of the Highway and to the east of the site. The purpose of the FFSZ is to *enable the development of a shopping centre complex incorporating opportunity for retailing, office, educational, visitor and residential accommodation and leisure activities.*

A resource consent application has been lodged with the Council for the FFSZ. The application seeks consent for approval to the overall pattern and layout of the zone in accordance with a master plan. The proposal includes a basement car park, buildings up to three levels high, a total floor area of approximately 40,000sq metres and 1,100 car parks. A mixture of activities is proposed including a supermarket, large format retail, specialty retail, cinema, offices, visitor accommodation and a number of cafes, restaurants and bars.

- A number of non-notified consents at Remarkables Park to expand the shopping centre complex.
- “Terrace Junction” retail, office and fast food precinct, adjacent to the BP station at the Frankton roundabout.
- Kawarau Falls development involving the construction of six hotels with associated conference and retail activities.
- Construction of a McDonald’s restaurant on Frankton Road and redevelopment of the adjacent Mobil station.
- Construction of a new sewerage treatment works to replace the current oxidation ponds.
- Flood management works and construction of a training line to alter the course of the Shotover River, to mitigate the flood risk in Queenstown.

2.5.3 Other developments and activities

- Remarkables Primary School, recently constructed within the Airport Outer Control Boundary, catering for up to 500 students.
- A Notice of Requirement creating a designation to form a section of the Eastern Access Road providing a link from SH6 (near the Glenda Drive intersection) through to Remarkables Park. The Notice has been appealed to the Environment Court by Shotover Park Limited.
- Provision of the runway extension safety area, which involves building up land from the Shotover River delta to the height of the existing runway to provide for a safety area for flights taking off and landing.

- Queenstown Airport has lodged with the Environmental Protection Authority a Notice of Requirement for alterations to a designation to provide for southern expansion of the aerodrome.
- The New Zealand Transport Agency has included within its National Statement Strategy provision for an alternative State Highway route that will cross the Kawarau River in the vicinity of Boyd Road, travel through the Shotover Delta and meet up with the existing State Highway at the vicinity of the Shotover Bridge.

2.6 Water Supply

There is an existing 200mm diameter watermain in SH6 adjacent to the site. The water supply to the Frankton area is currently provided from the Kelvin Heights intake. The site is part of the Kelvin Heights Water Supply Pressure Zone that is fed from the 1,000m³ Kelvin Heights Reservoir.

The Requester is aware that there are currently two main constraints on the Council water supply infrastructure:

- The existing reservoir is only just large enough to provide sufficient chlorine treatment contact time. Any increase in demand will result in insufficiently treated water entering the water reticulation network.
- The FW4 fire fighting classification at the Remarkables Park shopping centre is only marginally being provided for. Any increase in demand has the potential to result in loss of fire fighting availability to the shopping centre.

The existing infrastructure will need to be upgraded to meet the demands of future development of the Frankton Flats. Despite the constraints mentioned above, connecting to the existing reticulation is the preferred option as it will require the least amount of land, will provide guaranteed supply, and will have the lowest ongoing cost.

2.7 Wastewater System

The Council as-built records shown that 150mm diameter gravity pipework is present in SH6. This pipework extends down to the 600mm diameter Council trunk main on the banks of Lake Wakatipu. The infrastructure report concludes there is considerable capacity in this existing wastewater network and the preferred option is to connect to the existing network.

2.8 Stormwater

The infrastructure report has identified three possible options for stormwater management. The preferred option, an infiltration gallery, will require the least amount of land and have the lowest ongoing cost.

2.9 Roading

In the vicinity of subject site, SH6 – Ladies Mile is designated as a Limited Access Road. SH6 is the main route into Queenstown for locals and visitors arriving from Arrowtown/Wanaka/Cromwell. SH6 has a 50km/hr speed restriction in the area adjoining the site. The Requester understands that substantial roading network improvements are required to maintain satisfactory levels of service along SH6 to meet demand from growth within the Frankton Flats and wider district.

Hansen Road is classified as a local road under the District Plan roading hierarchy and is formed and partly unsealed. It provides access to the City Impact Church and several rural properties near Lake Johnson. It then becomes an unformed/paper road to Tuckers Beach (Rural Residential zone).

There is further and disconnected section of unformed paper road which bisects the site and runs north to south over a distance of approximately 100 metres. The paper road is 10.6 metres wide and terminates at the toe of the slope just underneath the Arrow Irrigation race. It is proposed to retain this road to provide access to the site.

2.10 Public Transport

Frankton is served by the *Connectabus* public transport service that runs to and from Queenstown; every hour from 7am – 11pm. Additional bus routes servicing the Wakatipu Basin run from the Frankton bus terminal past the site. The Frankton bus terminal is located approximately 500 metres away towards Kelvin Heights along State Highway 6. There are no bus stops on the northern side of State Highway 6 near the site.

2.11 Footpaths/Cyclists

There is an existing gravel walk/cycle path which runs along the edge of the State Highway between the Hansen Road intersection and the cemetery. The path does not continue beyond either end and does not extend to the BP service station or Terrace Junction.

During discussions with the Wakatipu Trails Trust the Requester was informed that the Trust intends to create a walk/cycle trail over the unformed section of Hansen Road to connect the Tucker Beach section of the track through to Frankton. However, as discussed further in Part 10 of this report, the Trust does not see any advantage to continuing this track through the site.

2.12 Geology

The regional basement rock comprises ice-scoured schist of the Haast Schist Group. Locally, sedimentary cover consists of Quaternary till, outwash sediments, and lake sediments. Post-glacial deposits comprise fluvial valley infill and localized colluvium.

The stratigraphy below the site comprises a surface layer of topsoil and roots underlain by lake sediments that include silt, and sand with minor silt. The site is typically covered by 300-400mm of topsoil that comprises slightly moist and rare moist to wet, loose, non-stratified, dark brown organic silt with rare sand and gravel, and minor roots.

In terms of groundwater the water table is expected to be deep in the high permeability sediments, grading gently towards the lake.

2.13 Heritage

The site adjoins the Frankton Cemetery, which is Protected Feature 47 (Frankton Cemetery Walls and Gates) in Appendix 3 of the District Plan. The cemetery was in use from 1863.

The larger parcel of the site (adjoining the cemetery) was surveyed for agricultural use as early as 1868. Records indicate that the smaller parcel (adjoining the City Impact Church) was part of a quarry reserve and was Government-owned until 1991. The unformed paper road dividing the parcels is likely to be a relic of the first surveys of the district (1860s), designed to bring a right of way directly to the 'face' of the quarry.

The site has been under agricultural use, with no building or mining occurring in the 19th century. With regard to Historic Places Act 1993 requirements, there is little or no archaeologically significant material present on the site.

3.0 Site Constraints and Opportunities

3.1 Site Analysis

In preparing this Plan Change, and in recognition of the preceding assessment of the site context, a site analysis was undertaken by R.A. Skidmore Urban Design Ltd. The full analysis is attached as Appendix 5.

The subject site forms part of an environment that is undergoing considerable urban transformation. Layers of natural and cultural influence contribute to the urban structure, function and character of the area.

The subject site sits within a wider setting of spectacular features. The site sits at the foot of a steep hill slope. The hill landform provides a distinctive north western backdrop to the Frankton Flats. The glacial landform has a gently rounded form. In contrast, the high jagged range of the Remarkables provides a more distant but stunning backdrop to the urban settlement to the southeast. Other mountain ranges, both immediate and more distant, contribute to the visual dominance of varied natural landforms.

The land-use patterns in the wider Frankton Flats area are evolving rapidly. Established and spreading commercial nodes are located at the intersection of the Frankton-Ladies Mile and Kawarau Road and at Remarkables Park to the south of the airport. While the Corner Shopping Centre zone is limited to the southern side of the State Highway corridor the establishment of the Terrace Junction commercial precinct on the northern side of the corridor, together with the adjoining BP petrol station, has extended the commercial node to straddle the State Highway corridor.

The land that is zoned Frankton Flats Special Zone (A) (Five Mile) has been excavated to accommodate a large basement car park, and is currently the subject of a resource consent to develop a large shopping centre complex. The zone provides for a wide range of residential, commercial, visitor accommodation, educational, business and recreational activities with the spatial configuration guided by a structure plan.

The Queenstown Airport is another important and dominant land-use in the Frankton Flats area and places limitations on the surrounding activities, particularly in relation to noise sensitivity and the ability to achieve connections through the area.

A Council plan change (Plan Change 19) also provides for comprehensive re-zoning of a large area of the Frankton Flats bounded by the Five Mile site to the west, Glenda Drive Industrial area to the east, the Queenstown Airport to the south and SH6 to the north. The plan change allows for a range of commercial, industrial, business, educational, visitor accommodation, residential and recreation activities.

Two plans from the urban design report illustrating the context of the site are reproduced below (Figures 5 and 6).

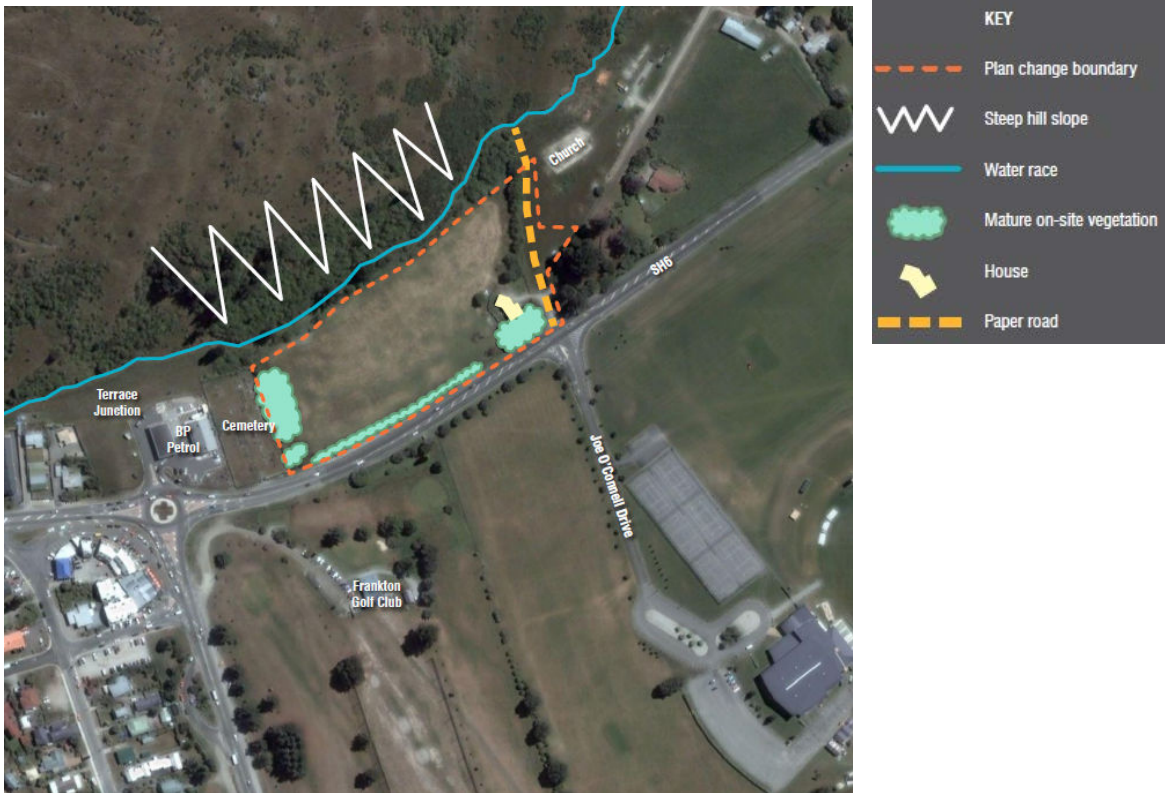


Figure 5 - Site and Immediate Context



Figure 6 - Broad Context Analysis

3.2 Site Constraints

3.2.1 Steep topography to the north

The current zone boundary between the Rural General zone and the Low Density Residential zone generally follows the toe of the slope. The slope which extends up in a northerly direction is steep and contains the Arrow Irrigation race. The slope has been identified in the Tonkin and Taylor geotechnical report as potentially susceptible to subsidence. The geotechnical report also states that any cuts into the slope and built development up to the base of the slope may jeopardise slope movements.

3.2.2 State Highway 6

SH6 creates a barrier to north-south pedestrian movements. Traffic movements to and from the site onto SH6 have to be carefully managed.

3.2.3 Size and shape of land

The site is relatively small (20,882m²) and is bisected by a paper road which segregates a small parcel of land to the east (456m²).

3.2.4 Potential for shading

As the site is located at the base of a north facing slope it is subject to shading particularly in the winter when it is also prone to frosts.

3.2.5 Cemetery

A Council owned cemetery (Frankton Cemetery) is located to the west of the site. The stone boundary wall and gate are listed in the District Plan as a Category 2 protected heritage feature.

3.2.6 Pedestrian movements

The pedestrian links surrounding the site are fragmented and do not provide for easy accessibility and use. The pathway which runs along the SH6 boundary of the site from east to west terminates at each end; SH6 presents a challenge to north-south movement.

3.2.7 Contamination

The site is noted on Queenstown Lakes District Council (QLDC) and Otago Regional Council (ORC) records as potentially contaminated but the reasons for this are unknown. Investigations by Tonkin & Taylor (refer Appendix 6) indicate that possible reasons are that the site was once owned by the Queenstown Airport and a decommissioned concrete sewage tank was temporarily stored on the site.

3.3 Site Opportunities

3.3.1 Proximity to other amenities and urban environments

The site is located in a growing hub of commercial, retail and recreational activities. Established commercial nodes are located at the Terrace Junction precinct, Frankton corner shopping centre zone and Remarkables Park shopping precinct. The Frankton Flats is an area of substantial future growth with other mixed use development planned for Five Mile and Plan Change 19. A significant recreation and open space area is provided opposite the site at the Events Centre. The site is a short distance from Lake Wakatipu and the recreational opportunities provided on the Lake and around its margins.

3.3.2 Proximity to transport

The Queenstown Connectabus service travels past the site on its routes to and from Arrowtown/Lake Hayes Estate and there are existing bus stops along the Kawarau Road and within the Events Centre. The Queenstown International Airport is also located approximately one kilometre from the site.

3.3.3 Topography of site

The site proposed to be re-zoned is generally flat in nature and covered in pasture grass making it appropriate for development purposes.

3.3.4 Visibility

The site is easily visible to a large volume of vehicle traffic. The site located in a prominent location and has a long frontage onto SH6, Queenstown's main road entrance, of approximately 208 metres.

3.4 Summary

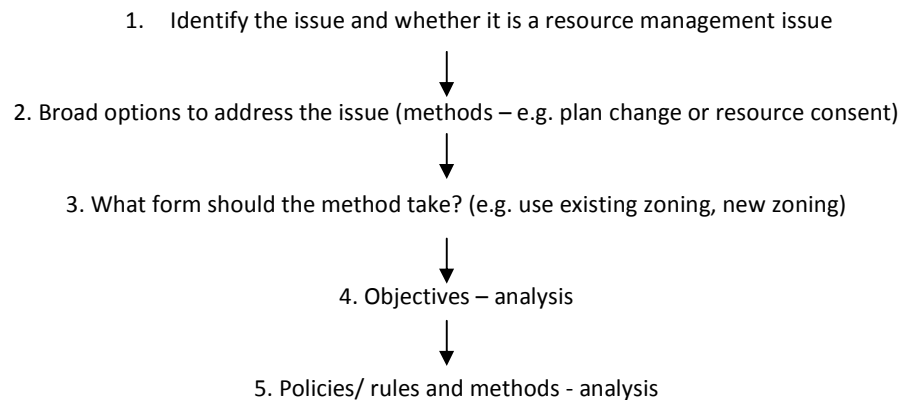
The site constraints reveal that developing the site as low density residential is likely to provide a low quality living environment. In addition, the environment surrounding the site is undergoing considerable change. Recent and planned development in the vicinity of the site means that the current zoning is no longer appropriate.

Turning the site constraints into opportunities can be achieved by enabling future development that better suits the specific character of the site and relates to the surrounding context. The site is considered to be well positioned to provide for a range of commercial, retail, and higher density residential and visitor accommodation activities.

4.0 The Issues that the Plan Change seeks to address

4.1 Introduction

In order to undertake the evaluation required by section 32 of the Resource Management Act 1991 (“the Act”) (in which the focus is on the objectives, policies, rules or other methods of the plan change) it is necessary first to understand the context of the plan change - the issues that it seeks to address. As an overview, this process involves six steps:



The last two steps of this process are those required by section 32 of the Act. Those steps are addressed in part 5 of this report. This part addresses the first four steps, and in so doing seeks to provide an appropriate understanding of the context of this proposed plan change.

4.2 Identification of Issues

The zone is currently zoned Low Density Residential. A concept plan has been prepared by Clark Fortune McDonald & Associates (Appendix 7) to illustrate what a maximized low density residential development on the site would be like if it complied with all other plan provisions. The result is a development with little relationship with its surroundings. Further, given the road corridor and proportions of the site, it is likely a poor development outcome known as “reverse lotting” would occur and there would be a degraded interface with the State Highway (such as high fences).The urban design assessment (Appendix 5) states:

“Overall, it is considered that in the context of the evolving character and mix of uses in the immediate and wider area, a Low Density Residential zone is not appropriate for the subject site. Development of the site for low density residential purposes would create a small and isolated enclave that would be dislocated from other low density living environments. The State Highway is a heavily trafficked environment that would encourage a poor interface with a low density residential activity.”

These issues, coupled with the fact that the site has remained largely vacant and undeveloped since the zoning was put in place 9 years ago, and that resource consents granted for the site have been for non-residential activities (cultural centre, firewood distribution), indicate that there is likely to be a more suitable and effective use for the site. The following analysis has been undertaken to determine a more appropriate use of the site.

4.3 Consideration of Options to Address the Issue

Three broad options have been considered as to how to address the issue of determining the most suitable use of the site. The following tables (1 to 3) assess the benefits, costs, efficiency and effectiveness of each broad option, and the risks of acting or not acting in each case. By employing the same assessment criteria to consider the broad options, it can be ensured that the context of the plan change, and the plan change itself, are assessed in a consistent, transparent and comprehensive fashion.

Option 1	Status Quo – Maintain current zoning for site and develop in accordance with existing zoning
Option 2	Maintain current zoning and rely on non-complying resource consent processes to determine the most efficient and effective use of the land
Option 3	Re-zone the site

Table 1 - Status Quo

Option 1 – Status Quo - Maintain current zoning for site and develop in accordance with existing zoning	
Benefits	<ul style="list-style-type: none"> • One step process in securing change of landuse. • Additional residential lots/units added to stock. • Enables appropriate response to environmental and market conditions.
Costs	<ul style="list-style-type: none"> • Site may remain unviable and unappealing to developers and remain vacant. • Under-utilisation of limited land resource. • Lost opportunity to provide a sustainable pattern of development, and in particular lost opportunities to: <ul style="list-style-type: none"> - provide integrated development - achieve integrated compact urban form - optimise use of resources and infrastructure - achieve cohesive urban area and efficiency through effective urban design • No flexibility for adaptation in the future. • Is likely to result in homogenous layout with little capacity to deliver diversity.
Efficiency	<ul style="list-style-type: none"> • Inefficient pattern of development. • Inefficient use of land resource.
Effectiveness	<ul style="list-style-type: none"> • Could result in up to 41 low amenity residential units developed on the site created through resource consent processes. This would not be effective in achieving the most sustainable outcome on the site.
Risk of acting (or not acting)	<ul style="list-style-type: none"> • Not acting: Land would remain as currently zoned and either be used for low productive purposes or would not be managed coherently.

Table 2 - Maintain current zoning

Option 2 – Maintain current zoning and rely on non-complying resource consent processes to determine the most efficient and effective use of the land	
Benefits	<ul style="list-style-type: none"> • Maintains opportunity to develop in stages with resource consents as market and environmental considerations change.
Costs	<ul style="list-style-type: none"> • Site may remain unviable and unappealing to developers and remain vacant. • Potential for ad hoc resource consent processes resulting in piecemeal growth and the lost opportunity to: <ul style="list-style-type: none"> - provide integrated development - achieve integrated compact urban form - optimise use of resources and infrastructure - achieve cohesive urban area and efficiency through effective urban design • Resource consent process is uncertain and time consuming.
Efficiency	<ul style="list-style-type: none"> • Inefficient pattern of development. • Inefficient use of land resource. • Inefficient process – likely appeals generated by trade competition.
Effectiveness	<ul style="list-style-type: none"> • As a process this option is unlikely to be effective as any resource consent application is considered against the existing objectives and policies which the proposal would not comply with. • This is a poor resource management approach. Would in effect be re-zoning through resource consent.
Risk of acting (or not acting)	<ul style="list-style-type: none"> • Acting: High risk of consent applications being refused given policy framework of the District Plan and current zoning requirements. • Not acting: Land would not be managed coherently.

Table 3 - Re-zone

Option 3 – Re-zone the site	
Benefits	<ul style="list-style-type: none"> • Plan provisions apply to the specific environment and characteristics of the site. • Secures long term certainty which survives through other changes to the District Plan and changes to the surrounding environment. • Provides flexibility to react to future development considerations.
Costs	<ul style="list-style-type: none"> • Will require subsequent resource consent processes for specific buildings and uses.
Efficiency	<ul style="list-style-type: none"> • High efficiency as infrastructure, built form, open space and the roading and parking network can be developed and managed in an integrated way.
Effectiveness	<ul style="list-style-type: none"> • Considered an effective option for the reasons outlined above.
Risk of acting (or not acting)	<ul style="list-style-type: none"> • Risk of not acting: Reliant on ad hoc incremental development occurring or land remains in current unused state. • Risk of acting: Potential for Plan Change to be refused.

4.4 Appropriateness of Options

Option 1 will result either in the site remaining undeveloped and underutilised or in a homogenous low density development with little opportunity to provide the best outcome for the site that relates to the landscape, infrastructure, surrounding existing and planned development. The current zoning is a product of a the District Plan development process nine years ago, and as such it reflects planning thought and market conditions at that time. Circumstances have now clearly changed, urban design principles are better understood, and a more appropriate planning response to the changes in social and market conditions is required. Option 1 is therefore considered inappropriate.

Option 2 involves a lack of certainty, a risk of amenity erosion, and a lack of planned approach to growth to enable consolidation and integration. It encourages an ad hoc pattern of land use on a prominent site, uses existing land resources inefficiently, and is unlikely to be effective at providing a sustainable pattern of development. Option 2 is therefore also considered inappropriate.

Option 3 is more likely to achieve a properly integrated and comprehensive development approach to managing the site in the long term, which will ultimately be more sustainable. Option 3 represents the most appropriate option to promote sustainable management of the site.

4.5 Assessment of Options for Re-Zoning

The above assessment concludes that the most appropriate option for the site is a re-zoning to establish a more efficient and effective use of the land. Re-zoning the site could take different forms. The two principal options for the form of re-zoning are:

Option 1	Take an existing zoning from the District Plan and apply it to the site
Option 2	Create a site-specific zone

The assessment of these options by benefits, costs, efficiency, effectiveness and the risks of acting (or not acting) is outlined in the tables below (4 and 5).

Table 4 - Existing zoning

Option 1 – Take an existing zoning from the Plan and apply it to the site	
Benefits	<ul style="list-style-type: none"> • Relatively straightforward process, with minimal costs of preparation. • Fewer changes required to District Plan. • Simplicity of administering already-familiar Plan provisions.
Costs	<ul style="list-style-type: none"> • Does not recognize the specific characteristics and requirements of the site. • Existing District Plan provisions are not faultless. • Too specific and does not leave room for changing community needs and market conditions to determine type of development.
Efficiency	<ul style="list-style-type: none"> • As there is no appropriate existing zone would result in: <ul style="list-style-type: none"> - Inefficient use of land resource - Inefficient pattern of development
Effectiveness	<ul style="list-style-type: none"> • Not considered an effective option for the reasons outlined above.
Risk of acting (or not acting)	<ul style="list-style-type: none"> • Risk of Acting: Plan Change may be refused. • Risk of Not Acting: Risk of unplanned/ ad hoc development occurring resulting in environmental and administrative costs or will result in inefficient low density development.

Table 5 - Specific zone

Option 2 – Create a site specific zone	
Benefits	<ul style="list-style-type: none"> • Allows specific objectives, polices and rules to be developed in response to the issues relating specifically to the land. • Can be effects-based, rather than specifying activities, to ensure long-term applicability. • More likely to create a development consistent with the surrounding environment. • Ability to call on concepts and rules within the District Plan to ensure easier understanding/ implementation. • Provides for increased certainty of desirable outcome as an Outline Development Plan can be used to define where, how and when the land will be developed. • Can ensure high quality outcomes and deliver community benefits. • Opportunity to create a zone which fits with character and amenity of the surrounding environment.
Costs	<ul style="list-style-type: none"> • Increased costs to landowners to create an Outline Development Plan. • Increased costs to Council to make changes to District Plan. • Need to develop familiarity with new provisions to administer.
Efficiency	<ul style="list-style-type: none"> • Efficient use of infrastructure and land resource.
Effectiveness	<ul style="list-style-type: none"> • A site specific zone can be a very effective tool to deliver community outcomes, as it allows for development to complement infrastructure and community needs.
Risk of acting (or not acting)	<ul style="list-style-type: none"> • Risk of Acting: Site specific zoning is turned down. • Risk of Not Acting: Risk of unplanned/ ad hoc development occurring, resulting in environmental and administrative costs.

4.6 Assessment of the Form of the Plan Change

Drawing on the above analysis, the most appropriate form for the plan change is to create a new zone, within the Special Zones section of the District Plan.

This Plan Change sets out a suite of issues, objectives, policies, methods of implementation, rules and assessment matters which are specific to the site. An Outline Development Plan will be required prior to any development taking place within the proposed zone to make sure development takes place in an integrated and cohesive manner. The proposed zone provisions, against which the Outline Development Plan and subsequent built environment will be assessed, will ensure the surrounding landscape and amenity values are maintained.

The only notable cost of creation of a new zone is the need to develop familiarity with the details of new provisions; however, this is a short term administrative issue only.

5.0 Section 32 Assessment

5.1 Introduction to Section 32

The format of this part of the report is guided by section 32 of the Resource Management Act 1991:

32 *Consideration of Alternatives, Benefits and Costs*

(1) *In achieving the purpose of this Act, before a proposed plan, proposed statement, change, or variation is publically notified.....an evaluation must be carried out by.....*

(d) *the person who made the request, for plan changes that have been requested and accepted under clause 25(2)(b) of Part 2 of Schedule 1.*

.....

(3) *An evaluation must examine –*

(a) *the extent to which each objective is the most appropriate way to achieve the purpose of the Act; and*

(b) *whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.*

.....

(4) *For the purpose of the examinations referred to in subsections (3) and (3A), an evaluation must take into account –*

(a) *the benefits and costs of policies, rules, or other methods; and*

(b) *the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.*

(5) *The person required to carry out an evaluation under subsection (1) must prepare a report summarising the evaluation and giving reasons for that evaluation.*

(6) *The report must be available for public inspection at the same time as the document to which the report relates is publically notified or the regulation is made.*

5.2 Examining the Appropriateness of Objectives

Section 32(3)(a) requires an evaluation of whether the objectives are the most appropriate means of achieving the purpose of the Act.

The site can be sustainably managed by implementing the provisions of a new zone. The provisions contained in the proposed zone have to be balanced, to ensure that the envisaged development can occur without adversely affecting the environment or values of the community. As the table below (Table 6) sets out, the proposed objectives are the most appropriate way to achieve the balance that Section 5 of the Act requires; enabling development to occur, but in a way that will avoid, remedy or mitigate adverse effects that could be associated with that development. The proposed provisions are included in part 6 of this report. Cross references to other parts of the District Plan are also included in part 6.

Table 6 - Objectives

Objective	In what way is the objective the most appropriate way to achieve the purpose of the Act?
<p>1) <i>Range of Activities</i></p> <p><i>A range of activities that achieves a comprehensive and sustainable pattern of development.</i></p>	<p>The first objective is an enabling objective which facilitates the creation of a mixed used development. A sustainable development can best occur if the proposed zone is planned or designed as a whole. The objective establishes those aspects as critical components in achieving a sustainable development, and is the most appropriate way to achieve the purpose of the Act.</p>
<p>2) <i>Amenity Values</i></p> <p><i>A high density mixed use zone which provides for and maintains the amenity values of residents and visitors.</i></p>	<p>A sustainable development is one in which people feel comfortable, enjoy and want to spend time in. To achieve this, provisions need to be put in place to create a high level of amenity in the proposed zone.</p>
<p>3) <i>Integration</i></p> <p><i>Integrated management of the effects of a mix of activities.</i></p>	<p>The proposed zone seeks to provide a range of compatible activities. The objective will enable the community to better provide for its social, economic and cultural wellbeing and will assist in creating a development of integrated and complementary activities.</p>
<p>4) <i>Infrastructure</i></p> <p><i>Infrastructure that is complementary to and connects to the existing networks.</i></p>	<p>The objective ensures infrastructure installed to service development within the zone connects to (where possible), and does not conflict with, the existing networks.</p>

5.3 Examining the Appropriateness of Policies

Section 32(3)(b) requires an evaluation of whether the policies and rules are the most appropriate means of achieving the objectives. The assessment is contained in the tables below (Tables 7 and 8).

Table 7 - Policies

Policies	Most appropriate for achieving objectives?
<p>1.1 <i>To provide for development that:</i></p> <ul style="list-style-type: none"> - <i>enables an appropriate mix of activities;</i> - <i>is easy and safe for pedestrians and vehicles to navigate;</i> - <i>creates a sense of arrival and place;</i> - <i>ensure activities are located and designed so that they can function without causing adverse reverse sensitivity issues;</i> - <i>enables a mix of predominantly showroom/retail/commercial</i> 	<p>This policy outlines the key elements required to achieve a comprehensive, sustainable mixed use development. The policy guides development that is appropriate within the specific constraints and opportunities of the proposed zone.</p>

<p><i>activities along the State Highway 6 boundary; and</i></p> <ul style="list-style-type: none"> - <i>considers underground parking as a possible efficient design solution.</i> 	
<p>2.1 <i>To ensure a high quality urban development in accordance with good urban design principles.</i></p>	<p>The policies expand on Objective 2 and describe the type of amenity that can be anticipated in the zone. They encourage built form to be designed to respond to the surrounding topography and environment in a site specific way rather than following generic blanket rules.</p>
<p>2.2 <i>To ensure landscaped and open space areas are provided in scale and proportion to the size of surrounding buildings, parking areas and circulation spaces.</i></p>	<p>The principal benefit of these policies is that they provide direction on the factors that are considered to be important to achieve a development which retains the amenity of visitors and residents to the proposed zone. It would not be efficient or effective to rely on the general goal expressed in Objective 2.</p>
<p>2.3 <i>To provide landscaping along the State Highway corridor which relates to the built form in terms of location and scale and is effective in maintaining an attractive streetscape.</i></p>	
<p>2.4 <i>To encourage development forms which provide for increased residential density in a manner which achieves good quality living environments.</i></p>	<p>The main cost of these policies is that they discourage development which is not in line with them. However, as these policies have been developed in response to the analysis undertaken in this report and aim to achieve a positive outcome on the site they are considered an appropriate way of achieving Objectives 1 and 2.</p>
<p>2.5 <i>To encourage development forms and design in accordance with topography and which recognises that increased height of buildings is appropriate back from the State Highway against the hill.</i></p>	
<p>2.6 <i>To encourage variations in building height, colours and materials in order to create interesting streetscapes and variety in form, scale and height of buildings.</i></p>	
<p>2.7 <i>To achieve generous floor to ceiling heights in order to create good quality internal spaces.</i></p>	
<p>2.8 <i>To require sound insulation and mechanical ventilation for critical listening environments within any buildings containing activity sensitive to aircraft noise within the Queenstown Airport Outer Control Boundary</i></p>	
<p>3.1 <i>To require development to be undertaken in a manner that manages potential reverse sensitivity and other adverse effects,</i></p>	<p>An integrated development in keeping with this policy will help ensure the long term success of the new zone. Requiring development to be designed and coordinated on a zone wide basis from the beginning through an Outline Development Plan is considered to be the most</p>

	effective and efficient way to meet Objective 3.
3.2 <i>To provide for a site layout and configuration of buildings and activities that is safe, legible and convenient for vehicle and pedestrian traffic.</i>	The subject site is located adjacent to an important road corridor into Queenstown. The workability of vehicle and pedestrian traffic to, from and within the site is an important element in creating a successful development. Policy 3.3 recognises this by further expanding on Objective 3 and establishing integration of vehicle and pedestrian activities as a key consideration against which to assess proposals.
3.3 <i>To enable high density residential development as an integral component of a mix of residential and commercial activities.</i>	A higher density level of development has been shown in previous parts of this report to be appropriate on this site and will achieve a more efficient use of limited resources, an important element of Objectives 1 and 3.
3.4 <i>To preclude large format retail activities and service stations..</i>	Policy 3.4 recognises that the analysis of site and surrounds has illustrated that large format retail activities and their subsequent effects are not appropriate within the zone. In order to achieve Objective 3 and effectively integrate the effects of the mix of activities it is considered necessary to preclude large format retail activities.
4.1 <i>To provide a safe and efficient connection to State Highway 6 from Hansen Road.</i>	Effective and efficient operation of the Queenstown Airport and the State Highway network is important to the community.
4.2 <i>To ensure that development does not result in reverse sensitivity noise effects that could adversely affect the operational capability of Queenstown Airport and adjoining State Highway network.</i>	Managing development in a way that addresses any noise effects of these activities and maintains the safety of the road network is in the interest of the community and any development which takes place within the proposed zone. This policy is considered to be the most appropriate way to achieve this and to meet Objective 4.
4.3 <i>To provide adequate sewage and stormwater disposal and water supply.</i>	This policy requires a necessary level of infrastructure to ensure proper standards of health, safety and amenity. This policy is considered to be the most appropriate way to achieve this and to meet Objective 4.

5.4 Examining the Appropriateness of Rules and Other Methods

Table 8 - Methods

Rules and Methods	Most appropriate for achieving objectives?
Use of Outline Development Plan	The use of an Outline Development Plan allows for a carefully planned layout to be adopted and

	<p>is considered to be the most effective method for achieving Objectives 1 and 2.</p> <p>An Outline Development Plan is a recognised and appropriate urban design technique to enable effective outcomes.</p> <p>The restricted discretionary activity status ensures that a level of certainty is maintained. The Council is able to retain and appropriate degree of control and input into a development proposal for the site.</p>
<p>Acoustic Insulation and Mechanical Ventilation</p>	<p>The proposed provisions have been taken from other zones in the plan and Table 2 has been taken from the more recent information from the Council Plan Change 35 decision. These provisions may need to be updated if Plan change 35 is finalised as this request is being processed. This ensures that the provisions are in line with the Plan as it currently stands and with how it is expected to develop, aiding in achieving Objectives 1 and 2.</p>
<p>Nature and Scale of Activities – retail footprint</p>	<p>Analysis of the site and surrounds has illustrated that large numbers of additional traffic will limit the efficiency of the State Highway network. A restriction on retail footprints to 750m² will assist in avoiding the development of large traffic volume generating activities.</p>
<p>Earthworks</p>	<p>Due to the flat nature of the site significant amounts of earthworks are only anticipated if any basement carpark is proposed as part of an Outline Development Plan. Any earthworks after this are likely to be minor. Therefore, it is considered appropriate to provide for earthworks as a controlled activity.</p>
<p>Adoption of provisions currently contained in District Plan regarding take-off and landing of aircraft, outdoor storage and assembly/repair of goods, exemption to setback standards for eaves, porches, balconies etc, and prohibition on planting of wilding species and heavy industrial activities.</p>	<p>This Plan Change adopts a number of standard rules that apply throughout other zones in the District Plan.</p> <p>These rules are already understood by the community, Council and persons involved in land development such as engineers and architects. The terms are defined in the District Plan and have been through a process of interpretation and in some cases have been the subject of legal opinions.</p> <p>These rules and methods are an efficient method of achieving Objective 3. The benefits of applying appropriate standard rules outweigh additional compliance costs that might result from site specific standards.</p>

<p>Design Controls</p>	<p>The proposed zone rules require that an Outline Development Plan is prepared prior to development taking place on site. This ensures that a plan is developed for the site as a whole rather than incrementally. Additional rules require that buildings within the Outline Development Plan also be assessed through the resource consent process to ensure each element is consistent and connected to the overall development and surrounding environment.</p> <p>The compliance costs of an additional level of consenting are outweighed by the benefits of certainty and consistent District Plan administration. The long term effectiveness of this rule will be realised through a high quality of design and building achieving the objectives of the plan change.</p>
<p>Retention of existing provisions in District Plan</p>	<p>The existing building setback and landscaping provisions for this particular site (in respect of the cemetery and State Highway) have been retained. These provisions are the result of a Consent Order made by the Environment Court following a lengthy process which ended in legal proceedings.</p> <p>These rules are an efficient way to achieve Objectives 1 and 2, maintaining an appropriate level of amenity for adjoining activities.</p>

6.0 Proposed Amendments to the District Plan

This part of the report includes the proposed plan provisions for the Frankton Mixed Use Zone, to be included in Part 12 of the District Plan, and associated changes requested to other parts of the District Plan (transport, subdivision, hazardous substances and signs).

6.1 Frankton Mixed Use Zone plan provisions

6.2 Changes to Other Parts of the District Plan

6.2.1 Transport Provisions – Part 14

Add the following to Site Standard 14.2.4.1 Table 1

Car Parking Requirements – Frankton Mixed Use Zone

Activity	Parking spaces required for: residents / visitors	Staff
Residential units: Frankton Mixed Use Zone	1.25 per unit	0.25 per unit
Visitor accommodation – unit type construction: Frankton Mixed Use Zone	1.25 per unit	0.25 per unit
All other activities: Frankton Mixed Use Zone	Refer table 1	

6.2.2 Subdivision Provisions – Part 15

Add a new policy under Objective 5 – Amenity Protection

Policies:

5.8 To ensure subdivision within the Frankton Mixed Use Zone implements the objectives and policies for the Frankton Mixed Use Zone in Part 12.X.

Add the following to Zone Standard 15.2.6.3(i)(a) Lot Sizes

Zone	Minimum Lot Area
Frankton Mixed Use Zone	No minimum – Controlled Activity

Add the following Site Standard:

15.2.7.2 Site Subdivision Standards – Subdivision Design

- (i) In the Frankton Mixed Use Zone, subdivision not in conformity with an approved Outline Development Plan in respect of the matters relevant to subdivision listed in Rule 12.X.3.3. and the related assessment matters in Rule 12.X.6.2 (v).

6.2.3 Hazardous Substances Provisions – Part 16

Add the following to TABLE 1: QUANTITY LIMITS FOR HAZARDOUS SUBSTANCES IDENTIFIED IN SCHEDULE 1

BUSINESS, TOWN CENTRE, CORNER SHOPPING CENTRE, AIRPORT MIXED USE AND INDUSTRIAL ZONES, ACTIVITY AREA 5 OF THE REMARKABLES PARK ZONE, **AND FRANKTON MIXED USE ZONE**

6.2.4 Signs Provisions – Part 18

Add the following to 18.2.2 Controlled Activities

(b) All signs within the Frankton Mixed Use Zone, with the exercise of Council’s control limited to:

- **Colour;**
- **Illumination, including brightness;**
- **Design; and**

- **Consistency with approved Outline Development Plan and any relevant Council approved Bylaws and design guidelines.**

Add the following to 18.3.2 Assessment Matters

ii Controlled Activity – Signs within the Frankton Mixed Use Zone

Conditions may be imposed to ensure

- (a) The colour of the sign is sympathetic to the surrounding built environment;**
- (b) The design of the sign, including lighting, is consistent with and sympathetic to the surrounding built environment and approved Outline Development Plan.**
- (c) The design of the sign is consistent with any relevant Council approved development.**
- (d) The design of the sign is consistent with public sign policy and controls throughout the District.**
- (e) The illumination (including brightness) is appropriate if visible from State Highway 6.**

7.0 Assessment of Effects on the Environment

7.1 Overview

This part of the report provides an assessment of effects on the environment in accordance with Clause 22 (2) of the First Schedule of the Resource Management Act 1991. This assessment relates to the effects anticipated from the implementation of the proposed Plan Change.

Clause 22(2) of Schedule 1 of the Resource Management Act states:

- (2) *Where environmental effects are anticipated, the request shall describe those effects, taking into account the provisions of Schedule 4, in such detail as corresponds with the scale and significance of the actual or potential environmental effects anticipated from the implementation of the change, policy statement, or plan.*

Clause 2 of Schedule 4 of the Act sets out the matters which should be considered when preparing an assessment of effects on the environment as follows:

2. *Matters that should be considered when preparing an assessment of effects on the environment*

Subject to the provisions of any policy statement or plan, any person preparing an assessment of the effects on the environment should consider the following matters:

- (a) *Any effect on those in the neighbourhood and, where relevant, the wider community including any socioeconomic and cultural effects:*
- (b) *Any physical effect on the locality, including any landscape and visual effects:*
- (c) *Any effect on ecosystems, including effects on plants or animals and any physical disturbance of habitats in the vicinity:*
- (d) *Any effect on natural and physical resources having aesthetic, recreational, scientific, historical, spiritual, or cultural, or other special value for present or future generations:*
- (e) *Any discharge of contaminants into the environment, including any unreasonable emission of noise and options for the treatment and disposal of contaminants:*
- (f) *Any risk to the neighbourhood, the wider community, or the environment through natural hazards or the use of hazardous substances or hazardous installations.*

7.2 Context

To avoid unnecessary repetition this part needs to be read in conjunction with the technical reports attached in the Appendices, and other parts of this assessment document.

The basis of the assessment includes:

- 20,882m² of land held in two parcels within one Certificate of Title.
- A range of potential building configurations and activities, including higher density residential visitor accommodation, commercial, commercial recreation, community, educational, health and day care facilities.
- Stepped building heights: two levels up to 9m fronting the State Highway and cemetery; 3 levels up to 14m closer to the hill.
- Provision for onsite car parks, viewshafts, building coverage and landscaping and setbacks from boundaries.
- Access to and from State Highway 6 via a currently unformed legal road and Hansen Road.

- Water supply by pipe connection to the existing main in SH6 and reinstatement, or development of a bore, pump and storage.
- Wastewater connected to existing pipework in State Highway 6 that extends to the Council trunk main on the bank of Lake Wakatipu.
- Stormwater disposed of by connecting to the Council’s stormwater network in McBride Street; or via new pipework to Lake Wakatipu; or by on-site sustainable urban development options such as disposal by infiltration.

Expert reports have been prepared as follows:

R. A. Skidmore Urban Design Ltd – Urban Design

Report Title: *Frankton Mixed Use Zone – Urban Design Assessment, 1028-08 21-02-11, February 2011*

Walker Retail Architects Ltd – Indicative Layout Plan

Plan Title: *Base Line Design – Commercial, Office & Visitor Accommodation Parking at Grade: SK102, SK103, SK104, 5117, December 2010*

Traffic Design Group Ltd – Traffic

Report Title: *Shotover Property Investments Ltd Proposed Private Plan Change Transportation Assessment Report, March 2011*

Clark Fortune McDonald & Associates Ltd – Infrastructure

Report Title: *Infrastructure Assessment Report for Shotover Property Investments Ltd, January 2011*

Tonkin & Taylor Ltd – Geotechnical Engineering

Report Title: *Frankton Flats Development – Geotechnical Investigations, 880229.00, December 2010*

Jackie Gillies + Associates Ltd – Heritage

Report Title: *Frankton Mixed Use Zone – Assessment of Archaeological Values for Plan Change, February 2011*

Extracts from these reports are referenced within this assessment.

7.3 Assessment of Effects

7.3.1 Baseline Comparison

A baseline comparison for this Plan Change includes the ‘existing environment’ and activities that would be permitted as of right by the District Plan. The existing environment for the site comprises:

- 20,882m² of generally flat, undeveloped land zoned Low Density Residential, with a hill immediately to the north rising steeply behind.
- A residential house with access via Hansen Road and associated landscaping, including mature trees.
- A row of mature poplar trees along the State Highway and western boundaries.

The baseline comparison for the Plan Change site includes the effects of the following activities, which are permitted under the District Plan provided that the relevant site and zone standards are complied with:

- Low Density Residential activities (up to 41 units with buildings up to 8m high).
- Landscaping, including trees.
- Minor earthworks.

The receiving environment surrounding the site includes:

- State Highway 6 and related road network.
- BP Service Station and Terrace Junction commercial precinct.
- City Impact Church.
- Queenstown Events Centre and recreation grounds.
- Frankton Flats Special Zone (A) (Five Mile).

The effects of the proposed Plan Change for a mixed use zone can be considered in light of the baseline comparison for the site and the surrounding, largely non-residential environment.

It is also useful to consider the future state of the environment upon which effects will occur, as part of a baseline comparison. This includes the future state of the environment as it might be modified by permitted activities and the environment as it might be modified by implementing resource consents that have already been granted.

Clark Fortune McDonald & Associates (CFMA) have prepared a concept plan for 20 duplex capable low density residential sites of 900m² each with one large lot of almost 1200m²(Appendix 7). Provided all the relevant standards are met, a subdivision providing 41 residential units would be a controlled activity on the site. 41 individual residential buildings up to 8m high are then permitted activities, provided the relevant standards are met. Consideration of the effects associated with this subdivision – including the external appearance of buildings, landscaping, traffic accessing the State Highway, additional connections to infrastructure – can assist in assessing the effects of the proposed Plan Change.

7.3.2 Positive Effects

This Plan Change will provide greater opportunities for people to meet their social and economic needs. A low density residential development on the site may result in poor quality living environments, due to the location and site constraints. The proposed zone will provide for a higher quality, medium density, built environment that better suits the site and fits in with the evolving character of the surrounding area.

7.3.3 Urban Design

The urban design assessment (Appendix 5) was prepared by R. A Skidmore Urban Design Ltd, a signatory to the New Zealand Urban Design Protocol. An indicative layout plan was produced by Walker Retail Architects to inform the urban design and traffic assessments (attached as Appendix 8).

The land-use patterns immediately surrounding the site and the wider Frankton Flats area are evolving rapidly. The report confirms that in the context of the evolving character and mix of uses in the immediate and wider area, the existing Low Density Residential zoning is not appropriate for the subject site. A more appropriate mix of activities can be provided by responding to the following urban design principles and considerations:

1. Enable establishment of a range of activities that are compatible with surrounding evolving environment
 - Enable the establishment of a mix of retail, commercial, visitor accommodation and residential activities.
 - Ensure reasonable residential amenity is achieved without diminishing the character and amenity of the public realm.
2. Recognise the State Highway as important axis through the area
 - Require a setback of buildings from the State Highway.
 - Require cohesive and comprehensive planting along the State Highway boundary.
 - Limit fencing along the State Highway boundary.
 - Encourage buildings to be configured to create a positive interface with the State Highway.
3. Respect topography
 - Step height up toward north of site against the hill backdrop.
4. Respect character and amenity of historic cemetery
 - Maintain building setback from cemetery boundary.
 - Maintain lower scale of buildings at interface with cemetery.
 - Ensure building design creates a quality built interface with cemetery.
5. Capitalise on views to surrounding landscape features
 - Enable additional height in the southern area of the site to obtain views across the site to the mountains in the wider context.
 - Require large areas of glazing for buildings along the State Highway frontage to maintain a visual connection to the wider landscape setting.
6. Ensure a cohesive and high amenity environment is created
 - Ensure accessways, parking areas, amenity open spaces and building blocks are configured in a manner that creates an efficient, easily navigated and pleasant environment with a high quality public realm.
 - Require comprehensive landscape treatment of the site to contribute to the amenity and character of the site and surrounding environment.
 - Require open space amenity areas within the site.
 - Ensure surface parking areas are visually broken with specimen tree planting, largely screened from view from the State Highway, and distributed in a manner that integrates well with adjoining buildings.
 - Ensure storage and loading areas are appropriately located to service anticipated activities and are screened from view from public streets.
 - Ensure good amenity for residential and visitor accommodation uses are maintained.
 - Reserve control over building design to ensure contribution to the character and amenity of the site and wider environment.

7. Provide good connectivity

- Ensure easily understood, direct and convenient movement of vehicles and pedestrians around the site is facilitated.
- Ensure pedestrian access is provided directly to all buildings.
- Ensure good pedestrian connections are provided to the surrounding street network and any established walking trails.

Each of these recommendations has been identified and included within the proposed objectives, policies and rules for the proposed zone.

The proposed zone will result in the loss of an existing area of Low Density Residential zoning. As the report notes, however, the existing zoning is not considered appropriate for the subject site. The close proximity of the State Highway, shadiness from the hills behind, and surrounding non-residential activities, all mean that the site provides a poor living environment for low density housing. Developing the site under the current zoning would create a small and isolated enclave that would be dislocated from other low density living environments. A number of adverse effects could arise from developing the site for low density housing, such as 'reverse lotting', where those lots with rear boundaries along the State Highway are likely to erect high fences along that boundary, resulting in poor amenity.

A more efficient and sustainable use of the land would be to enable higher density and a mix of potential activities that are more compatible with the surrounding evolving environment. Characteristics of the site that are not well suited to low density housing, such as the hilly backdrop, can be capitalized on to allow greater building height and activities that are less sensitive to shadiness. Instead of being a disadvantage for low density residential activities, the close proximity of the State Highway would be an opportunity for other uses to create a positive interface with the State Highway.

The proposed zone provides for a range of potential future activities and requirements to ensure that the effects of these activities are managed. It is considered that development under the proposed zone will result in less potential adverse effects than might occur under the existing zoning. Potential amenity and design effects can be managed through adopting the proposed set of objectives, policies and rules. These provisions require an Outline Development Plan to be approved by the Council to ensure that future development is undertaken in the most appropriate manner, and to provide certainty for the Council and community. Compared with the existing zoning, the proposed zone will provide for a higher quality built environment that better suits the site's constraints and opportunities and fits in with the character of the surrounding area.

7.3.4 Infrastructure

An infrastructure report has been prepared by CFMA and is attached as Appendix 9. The report considers infrastructure demands based on four possible development scenarios: permitted low density residential activities, commercial activities, high density residential activities, and combined commercial/business activities with high density and/or offices occurring above 50% of the study area.

Wastewater

The report considers the high density residential scenario as this has the greatest potential to generate wastewater flows. QLDC as-built records shown that 150mm diameter gravity pipework is present in SH6. This pipework extends down to the 600mm diameter Council trunk main on the banks of Lake Wakatipu. The most suitable connection for the proposed development will be at manhole SM12869, which is adjacent to the BP petrol station.

The existing wastewater network is laid at reasonably steep gradients. Accordingly the pipework has considerable capacity. The section of pipe with least capacity is between SM12869 and SM12867 which, even allowing for the proposed development, has spare capacity for 858 residential units. Any effects on the greater infrastructure including the 600mm main, pump stations and treatment will be mitigated by the imposition of headworks fees at the time of connection to Council's service. The proposed Plan Change will not result in any adverse effects on wastewater infrastructure.

Stormwater

The report notes that commercial development of the site area has the potential to increase stormwater runoff and introduce contaminants into the receiving aquatic environment. Peak runoff has been determined for low density residential and a mixed use scenario.

QLDC as-built records shown that 300mm diameter pipework is present in McBride Street. This pipework extends down through Birse Street to 375mm diameter pipework in Stewart Street, which has an outlet in Lake Wakatipu. The report considers three disposal options: connection to Council's stormwater network in McBride Street; new pipework to Lake Wakatipu; and on-site sustainable urban development (SUD) options such as disposal by infiltration. The report concludes that infiltration is the preferred option as it is likely to have the greatest flexibility; require the least amount of land; and have the lowest ongoing cost to the QLDC.

The report concludes that commercial/business / high density residential / combined stormwater peak runoff is 18% higher than low density residential. The stormwater disposal options provided with the proposed Plan Change will mitigate any effects on the environment and existing infrastructure.

Water reticulation

Water and fire fighting demand has been calculated for the development scenarios. There is an existing 200mm diameter watermain in State Highway 6 adjacent to the site.

The water supply to the Frankton Area is currently provided from the Kelvin Heights intake. The area is part of the Kelvin Heights Water Supply Pressure Zone that is fed from the 1,000m³ Kelvin Heights Reservoir.

The report considers that there are two main constraints on the Council Infrastructure:

- The existing reservoir is only marginally large enough to provide sufficient chlorine treatment contact time. Any increase in demand will result in insufficiently treated water entering the water reticulation network.
- The FW4 fire fighting classification at the Remarkables Park shopping centre is only marginally being provided for. Any increase in demand on the networks has the potential to result in loss of fire fighting availability to the shopping centre.

Given that there will be large increases in demand in the Frankton Flats area in the foreseeable future, it follows that either upgrades to Council's existing infrastructure or new infrastructure will be required or both. Logically, a holistic approach to planning for this infrastructure will be required by QLDC.

The report considers two options for meeting water demand: connect to existing reticulation; or bore and pump station. The report concludes that connection to the existing reticulation is preferred as it is likely to require the least amount of land; provide greatest guarantee of supply; and have the lowest ongoing cost. The report also notes that some alternative fire fighting water storage may be necessary, depending on development figures and configurations.

Any effects on the greater infrastructure generated by the proposed Plan Change, including the existing 200mm main, pump stations, storage reservoirs and treatment, will be mitigated by the imposition of headworks fees at the time of connection to Council's service.

Power, telecommunications and gas

The report notes that Trunk Power, Telecommunications and Gas mains run adjacent the site underground in Frankton-Ladies Mile Highway (SH6). The subject site is approx. 400m from the Aurora Frankton Substation site at the termination of the Transpower High Tension lines. It is not anticipated that there will be any supply or capacity issues for these services and connection will be made available from existing infrastructure at the time of development in accordance with the relevant service providers' specifications. The Plan Change site can be provided with power, telecommunications and gas without adverse effects on those networks.

7.3.5 Geotechnical

Tonkin & Taylor undertook geotechnical investigations on the site to assess ground conditions and flood risk to determine if the site is suitable for development (refer report attached as Appendix 6). An engineering geologist conducted a walkover inspection of the site on 22 November 2010 and twelve test pits have been excavated to a maximum depth of 3.8 m. Scala penetrometer tests were carried out adjacent to several test pits.

The report provides a number of recommendations for site preparation, excavations, settlement and foundations, to ensure that development can be undertaken safely. Tonkin & Taylor concludes that re-zoning of the site to mixed use is considered acceptable from a geotechnical perspective, provided the recommendations of the report are followed.

Slope stability

The slopes directly above the site show relatively surficial creep and rates of 5-20 mm/yr may be expected. More rapid surficial (<0.5 m thick) failures may occur, with minor blockage of the water race being the only likely hazard.

The report recommended that the building walls are not used to retain any cuts formed in the toe of the north-western slope, and that a 5.0m wide setback should be maintained between the rear of any building and the slope toe. The report also provides recommendations for any excavations in close proximity to the water race to ensure that the stability of the water race is not jeopardised. These recommendations have been included in the proposed provisions as an assessment matter for stability to be addressed prior to development if the setback distance is breached.

Liquefaction

The report does not include a detailed liquefaction assessment for the site. Based on a review of ground investigation data held on the Tonkin & Taylor database for the general site area the risk of liquefaction is expected to be low. To confirm the level of risk, however, the report recommends that specific assessment be completed as part of the detailed design phase of future development. The proposed provisions include an assessment matter for liquefaction testing to be completed prior to development.

Potentially Contaminated Site

The report notes that the site is thought to be previously owned or used by Queenstown Airport, and in recent years, an old decommissioned concrete sewage tank was temporarily stored at the site.

To manage any adverse effects on the environment or people that might arise from developing the site, the report recommends that an appropriately qualified and experienced Environmental Engineer should confirm the need, or otherwise, to undertake testing as part of the detailed design phase and prior to the commencement of future construction. The proposed provisions include an assessment matter for soil testing to be completed prior to development.

7.3.6 Traffic

The report prepared by Traffic Design Group Ltd (TDG) evaluates the potential transportation-related effects of the proposed Plan Change on existing and future transport networks. The report includes an assessment of site access, travel by private motor vehicle, public transport, walking and cycling (Appendix 10).

Access

In the vicinity of subject site, SH6 – Ladies Mile is designated as a Limited Access Road, meaning that the New Zealand Transport Agency (NZTA) can limit the number and location of access points onto the State Highway. The Requester proposes that all access to the Plan Change site will be via Hansen Road, with no additional direct access onto Ladies Mile. This is consistent with the existing site-specific rule in the District Plan (7.5.5.2 xv (b): *“All vehicle access shall be via Hansen Road to the State Highway. There shall be no vehicle access directly onto the State Highway.”*). A similar rule is included in the proposed zone provisions.

The Requester considered a vehicle connection to Terrace Junction (behind the cemetery). It was elected that as this would involve rezoning Rural General land; the Requester’s preferred approach is pedestrian or cycle access only to Terrace Junction. Further, any access other than pedestrian would likely result in complex legal issues as the land is in multiple ownership and within other zones.

Private motor vehicles

The report examined traffic data gathered in 2009 and additional surveys were undertaken at the State Highway 6/6A roundabout and the Ladies Mile / Hansen Road / Joe O’Connell Drive intersection. The report found that traffic flows in the immediate area are dominated by the State Highway, with the two district roads (Hansen Road and Joe O’Connell Drive) accounting for just 10% to 15% of all traffic movements. The morning peak hour was observed between 8am to 9am with around two thirds of all traffic travelling from east to west along Ladies Mile towards Queenstown. Relatively little traffic was noted on Hansen Road. The evening peak hour occurred between 5pm to 6pm, and traffic flows were 30% greater than in the morning peak hour. No strong tidal flows were observed on Ladies Mile in this period but of note is that 49 vehicles were observed entering Hansen Road from the highway. This may be traffic associated with the church or childcare centre.

The report discusses the 2007 Wakatipu Transportation Strategy (“WTS”), which contains a critical objective to reduce the predicted future traffic volumes on State Highway 6A Frankton Road to prevent *“bumper to bumper traffic travelling at an average speed of 20km/h by 2026”*.

The TDG report notes that, based upon the observed growth in traffic volumes on State Highway 6 and the additional traffic anticipated from proposed developments both east and south of Frankton, the State Highway 6/6A roundabout is envisaged by the WTS to become a point of significant congestion in the near future. The WTS indicates that an intersection upgrade will be required in the medium term – which is now – 2011-2016. This is likely to be implemented in conjunction with a public transport priority project for Frankton Road that aims to reduce traffic volumes through the introduction of park and ride schemes, as well as road infrastructure improvements for the Frankton Flats, such as the construction of the Eastern Access Road.

The TDG microsimulation transport model found the following levels of service offered by the road network:

- Peak Hour Network Performance in 2010: good levels of service at the roundabout and poorer levels of service at the Hansen Road / Joe O’Connell Drive intersection.
- Peak Hour Network Performance in 2021 (based on 2% annual growth): extensive queues and delays, particularly at Joe O’Connell Drive and the roundabout under pressure in the evening.

The WTS concluded that the roundabout would be under pressure shortly and therefore contemplated an improvement scheme, and the TDG analysis confirms this conclusion. However, the WTS does not mention the performance of the Ladies Mile / Hansen Road / Joe O’Connell Drive intersection where emerging vehicles have no alternative route choice. TDG investigated measures could be implemented in order to reduce queues and delays:

1. Raised median on Ladies Mile – increases westbound traffic approaching roundabout.
2. Traffic signals instead of roundabout – less cost and land than enlarged roundabout, but queues into Joe O’Connell Drive may block the signalised intersection.
3. Traffic signals and raised median – better level of service at SH6/6A intersection, but vehicles still unable to emerge from Joe O’Connell Drive due to the very low frequency of suitable gaps in the traffic stream.
4. “Do Minimum” Grant Road roundabout, traffic signals, closure of Joe O’Connell Drive, right-turns prohibited out of Hansen Road (but right-turns in permitted) - queues and delays significantly improved, although some evening levels of service are poor.

The report examined the baseline 41 low density residential units, which would result in 41 trips in both the morning and evening peak hours. The report found that adding in this baseline would contribute to slightly poorer levels of service (increased delays) with the “Do Minimum” option.

This Plan Change would result in higher levels of traffic generation compared with the baseline as a result of higher density and non-residential activities. The Walker Retail Architects indicative layout plan (Appendix 8) was used to develop potential traffic generation for the Plan Change site. The report found that a development scenario of primarily retail (general or specialist) with some residential or office use would result in 137 – 369 trips in the morning peak hour and 405 – 855 evening peak hour trips. Most traffic would be associated with the retail activities, with general retail generating more traffic than specialist retail. These additional trips predictably contribute to poorer levels of service with the “Do Minimum” option, particularly in the evening peak hour, and particularly if the maximum trip numbers (for general retail) are applied.

It is clear that substantial roading network improvements are required to maintain satisfactory levels of service, regardless of whether or not the plan change site is developed. The traffic effects that would be directly attributable to this Plan Change site are small in comparison to the overall effects that will result from growth generally within the Frankton Flats and wider district.

The “Do Minimum” option relies on improvements being undertaken by the relevant authorities, being the QLDC, ORC and NZTA. Those authorities may also implement additional measures, such as 4-laning Ladies Mile. These decisions and associated timeframes are outside the influence and control of the Requester for this Plan Change. The Requester expects that appropriate upgrades and other measures will be undertaken in due course.

The report concludes that traffic associated with the Plan Change could be accommodated on the roading network provided the “Do Minimum improvements are implemented and provided that development is restricted to specialist retail and other lower trip generating activities.

Road safety

The accident records do not indicate any existing road safety issues on the roading network. However, it is considered that improvements by 2021 will be required to avoid safety concerns such as drivers reacting to longer delays by moving into inappropriate gaps. As noted above, these improvements are the responsibility of external authorities. This Plan Change will not contribute significantly towards road safety concerns.

Public transport

The report notes the public transport connections nearby and considers that the existing public transport system provides a high level of service. No upgrades are required for this Plan Change and the proposal will not result in adverse effects on the public transport system.

Walking and cycling

The TDG report found that informal observations of pedestrians and cyclists near the Plan Change site indicate low levels of activity. The existing infrastructure is considered to provide a high level of service for those walking and cycling and can accommodate increased movements associated with the Plan Change. While there is no crossing facility on Ladies Mile, this is considered to be a function of the present low volumes wishing to cross the road. An increase in people wishing to cross the road as a result of development at the proposed mixed use zone may warrant consideration of a pedestrian refuge.

7.4.7 Heritage

Jackie Gillies + Associates undertook an assessment of archaeological values for the site (Appendix 11). The assessment found that from the earliest times of European settlement in the Frankton Flats area, the subject site has been under agricultural use, with no building or mining occurring in the 19th century. With regard to Historic Places Act 1993 requirements, the assessment concludes that little or no archaeologically significant material is present on the subject site.

The proposed zone provides for a building and height setback from the boundary with the historic Frankton Cemetery, which is Protected Feature 47 (Frankton Cemetery Walls and Gates) in Appendix 3 of the District Plan. The assessment matters for buildings also require consideration of whether building forms create a sensitive interface with the cemetery. Rules are also included to protect any cultural or archaeological sites that might be discovered during earthworks. The proposal acknowledges and respects the adjoining historic site and will result in positive effects on heritage values.

7.3.8 Ecological

The proposed zone does not contain any known significant ecological values. The proposed provisions ensure that infrastructure, earthworks or other activities do not result in any adverse effects on ecological values by including assessment matters for sediment, erosion and dust control, consideration of groundwater and site rehabilitation.

This Plan Change applies to an existing urban site. The proposed zone provisions ensure that the built environment will be of a high visual quality. The hilly rural landscape behind the site is excluded from proposed development and will not be adversely affected. The scale of proposed development will not result in any adverse effects on the much larger scale of the adjoining hilly rural landscape and surrounding mountainous landscape.

7.4 Summary

This assessment of effects on the environment that may result from implementation of the proposed Frankton Mixed Use Zone assists in identifying those matters that need to be addressed either by way of objective, policy or rule. Incorporating those matters into the proposed provisions will ensure that any potential adverse effects on the environment will be no more than minor. The proposed zone will not result in significant adverse effects on the roading network provided that expected upgrades are carried out by the relevant authorities. This Plan Change provides greater opportunities for people to provide for their economic, social and cultural wellbeing through providing for commercial activities and higher density residential and visitor accommodation.

8.0 Consultation

8.1 Meetings

A number of meetings have been held with surrounding landowners and interested groups to explain the proposal and to gain feedback and comments. The meetings held were:

8.1.1 Wakatipu Trails Trust

Meeting 1 November 2010 – Kaye Parker
Meeting 8 November 2010 - Geoff Hunt

The Trust is planning to link the Tuckers Beach section of track with Hansen Road to connect through to Frankton. This proposed trail will end near the Requester's land.

It is the Trusts priority to develop the Queenstown – Arrowtown arterial link, which involves routes across the Frankton Flats; on the southern side of the State Highway.

8.1.2 Lakes Leisure/Queenstown Events Centre

Meeting 17 November 2010 – Fiona McKissock.

Lakes Leisure indicated that it has traffic related concerns (letter attached as Appendix 12) and expressed interest in being kept updated. The traffic report was forwarded to Lakes Leisure prior to this application being lodged.

8.1.3 Terrace Junction

Meeting November 2010 – Lindsay Williams and Ron Mackersy

The Requester held several subsequent discussions with Terrace Junction and no concerns or issues were raised.

8.1.4 Remarkables Park Limited (RPL)

Meeting November 2010 – Deb Taylor

The Requester met with RPL on site to discuss the proposal.

8.1.5 City Impact Church

The Requester's consultants have had several meetings, email correspondence and phone conversations with Pastor Peter Mortlock, Senior Pastor for City Impact Church, and Melissa Vining (consultant to the City Impact Church) since August 2010.

8.1.6 New Zealand Transport Agency

The Requester's consultants have had several meetings and conversations with various representatives from NZTA.

8.2 Letters and Mail Drop

On 24 November 2010 a letter explaining the proposal was posted to the following:

- Surrounding landowners
- Mayor, Chief Executive Officer and Councillors of QLDC
- Frankton Community Association
- Wakatipu Trails Trust
- New Zealand Transport Agency
- Queenstown Lakes Community Housing Trust
- Queenstown Chamber of Commerce
- Arrow Irrigation Limited
- Kai Tahu ki Otago
- Ngai Tahu

On 25 November 2010 the same letter was delivered by hand to each tenant of the Frankton Corner and Terrace Junction shopping complexes.

A copy of this letter is attached as Appendix 12 to this report. The letter identified the land, and described the proposal. The letter also included contact details and encouraged feedback to be provided. An email from a Councillor and a letter of acknowledgement from the Queenstown Lakes Community Housing Trust were received.

8.2.1 Kai Tahu ki Otago and NgaiTahu

On 24 November 2010 a letter explaining the proposal was posted to Kai Tahu ki Otago Ltd and Ngai Tahu. The letter identified the land, described the proposal and included contact to provide any feedback. A copy of this letter is attached as Appendix 12 to this report.

Kai Tahu ki Otago responded with the request to add a rule to any plan provisions requiring site inspections if any koiwi (human skeletal remains), waahi taoka (resource of object of importance), waahi tapu (place or feature of special significance) are discovered. The proposed zone includes an earthworks rule for protection of cultural or archaeological sites.

A copy of the letter from Kai Tahuki Otago is attached as Appendix 12 to this report.

8.2.2 Otago Regional Council

On 8 December 2010 a letter explaining the proposal was posted to ORC, following a phone conversation with Sarah Valk. The letter identified the land, described the proposal and included contact details for further discussion. The Tonkin & Taylor geotechnical report was also attached. A copy of this letter is attached as Appendix 12 to this report.

ORC responded with comments regarding land instability, the water race, potentially contaminated status of the land, and stormwater. The letter (dated 22 December 2010) is attached as Appendix 12. The comments have been addressed by the Tonkin & Taylor and CFMA reports and in the proposed zone provisions.

9.0 Statutory Framework

This part of the report assesses the proposal against the following sections of the Act and statutory documents:

Part 2 of the Act (sections 5, 6, 7 and 8)
Otago Regional Policy Statement 1998
Regional Plan: Air 2009
Regional Plan: Waste 2007
Regional Plan: Water 2004
Kai Tahu ki Otago Natural Resource Management Plan 2005
Queenstown Lakes District Plan 2009

The following analysis finds the proposed zone to be consistent with the relevant objectives and policies.

9.1 Resource Management Act 1991

This Plan Change has been prepared under and in accordance with the Act. The following sections of the Act are relevant to the preparation of a privately requested Plan Change:

Part 2 of the Act:
Section 5 – The Purpose of the Act
Section 6 – Matters of National Importance
Section 7 – Other Matters
Section 8 – Treaty of Waitangi

Part 5 of the Act:
Section 74 – Matters to be included in a District Plan
Section 75 – Contents of District Plans

All matters identified in Part 2 of the Act need to be recognised and provided for in a District Plan. In preparing a change to a District Plan the Council is required to have regard to (and take into account) other matters such as Regional Plans, iwi management plans, heritage items, management plans, and plans of other territorial authorities. These matters are addressed in the sections below.

The District Plan must also give effect to any National Policy Statement and Regional Policy Statement, and cannot be inconsistent with any Regional Plan. These matters are also addressed below.

Assessment

The Act enables requests for a private Plan Change under section 73(2) and Schedule 1 (preparation, change, and review of policy statements and plans). Part II of the First Schedule to the Act sets out the process for private Plan Change requests (clauses 21 – 29). Section 32 requires a consideration of alternatives, benefits, and costs. Other relevant sections of the Act include section 31 (Functions of territorial authorities under this Act), section 72 (Purpose of District Plans), section 74 (Matters to be included in a District Plan), section 75 (Contents of District Plans) and section 76 (District Rules). These sections are relevant to this Plan Change as they relate to the functions of the Local Authority and provide the requirements for the District Plan in order to meet the purpose and principles of the Act.

9.2 Regional Policy Statement and Plans

The following regional documents are relevant to this Plan Change request:

Otago Regional Policy Statement 1998
Regional Plan: Air 2009
Regional Plan: Waste 2007
Regional Plan: Water 2004

9.2.1 Otago Regional Policy Statement (1998)

The purpose of a Regional Policy Statement is to promote the sustainable management of natural and physical resources. The Otago Regional Policy Statement (“RPS”) became operative on 1 October 1998, and establishes the framework for planning documents and plans such as Air, Waste, Water and Coast.

Sections of particular relevance to the proposed Frankton Mixed Use Zone include sections 1, 2, 3, 4, 5, 6, 7, 9, 11, 12, 13 and 14.

Section 9 (Built Environment) seeks to enable development in a sustainable manner to meet the needs of future generations. The objectives and policies of particular relevance to the Plan Change are detailed below:

Objective 9.4.1

To promote the sustainable management of Otago’s built environment in order to:

- (a) Meet the present and reasonably foreseeable needs of Otago’s people and communities; and*
- (b) Provide for amenity values; and*
- (c) Conserve and enhance environmental and landscape quality; and*
- (d) Recognise and protect heritage values.*

Objective 9.4.2

To promote the sustainable management of Otago’s infrastructure to meet the present and reasonably foreseeable needs of Otago’s communities.

Objective 9.4.3

To avoid, remedy or mitigate the adverse effects of Otago’s built environment on Otago’s natural and physical resources.

Policy 9.5.3

To promote and encourage the sustainable management of Otago’s transport network through:

- (a) Promoting the use of fuel efficient modes of transport; and*
- (b) Encouraging a reduction in the use of fuels which produce emissions harmful to the environment; and*
- (c) Promoting a safer transport system; and*
- (d) Promoting the protection of transport infrastructure from the adverse effects of landuse activities and natural hazards.*

Policy 9.5.5

To maintain and, where practicable, enhance the quality of life for people and communities within Otago’s built environment through:

- (a) Promoting the identification and provision of a level of amenity which is acceptable to the community; and*

- (b) *Avoiding, remedying or mitigating the adverse effects on community health and safety resulting from the use, development and protection of Otago’s natural and physical resources; and*
- (c) *Avoiding, remedying or mitigating the adverse effects of subdivision, landuse and development on landscape values.*

Policy 9.5.6

To recognise and protect Otago’s regionally significant heritage sites through:

- (a) *Identifying Otago’s regionally significant heritage sites in consultation with Otago’s communities; and*
- (b) *Developing means to ensure those sites are protected from inappropriate subdivision, use and development.*

Policy 12.5.3

To promote improved energy efficiency within Otago through:

- (a) *Encouraging the use of energy efficient technology and architecture; and*
- (b) *Educating the public about energy efficiency; and*
- (d) *Encouraging energy efficient transport modes in Otago.*

The Act states that District Plans created by Territorial Authorities must give effect to Regional Policy Statements and must not be inconsistent with Regional Plans. The RPS provides objectives and policies to address the use and management of Otago’s resources.

This Plan Change provides an opportunity for a greater variety of activities within the Queenstown urban boundary in a manner that is consistent with the objectives and policies of the RPS.

9.2.2 Regional Plan: Air for Otago (2009)

The Regional Plan: Air for Otago (the Air Plan) assists in managing Otago's air resource. The Air Plan will apply to discharges to air from the proposed mixed uses within the proposed zone. The urban area of Frankton is within Air Zone 2 (Queenstown), which includes the subject land (refer Figure 7 below).

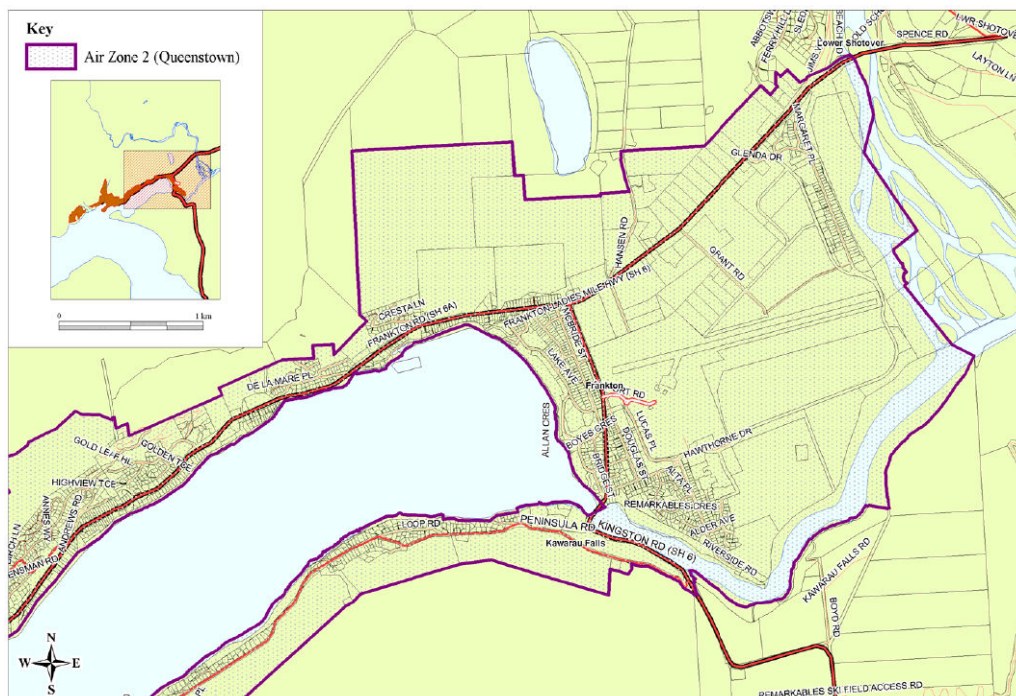


Figure 7 - Air Zone 2 (Queenstown)

Relevant Objectives and Policies contained in the Air Plan include:

Objective 6.1.1

To maintain ambient air quality in parts of Otago that have high air quality and enhance ambient air quality in places where it has been degraded.

Objective 6.1.2

To avoid adverse localised effects of contaminant discharges into air on:

- (a) Human health;*
- (b) Cultural, heritage and amenity values;*
- (c) Ecosystems and the plants and animals within them; and*
- (d) The life-supporting capacity of air.*

Policy 8.2.3

In the consideration of any application to discharge contaminants into air, Council will have:

- (a) Particular regard to avoiding adverse effects including cumulative effects on:*
 - (i) Values of significance to Kai Tahu;*
 - (ii) The health and functioning of ecosystems, plants and animals;*
 - (iii) Cultural, heritage and amenity values;*
 - (iv) Human health;*
 - (v) Ambient air quality of any airshed; and*
- (b) Regard to any existing discharge from the site, into air, and its effects.*

The Air Plan contains objectives, policies and rules that allow the Regional Council to independently manage the air quality of settlements throughout the region. No additional matters relating to air quality need to be included within this Plan Change.

9.2.3 Regional Plan: Waste (1997)

The purpose of the Waste Plan is to provide an integrated approach to waste issues.

In respect of this Plan Change the site is noted in Council records as potentially contaminated as it was historically used by the Queenstown Airport and had a decommissioned concrete sewage tank temporarily stored at the site. Testing may be required prior to development to ensure that the site is safely developed. Tonkin & Taylor advises that testing is not necessary at this zoning stage. The proposed zone provides for testing to be undertaken at the resource consent stage.

The Waste Plan is also relevant in respect of the disposal of commercial and domestic waste. Waste in Frankton is collected by Queenstown Lakes District Council on a user pays system. The proposed zone will be covered by this managed waste collection.

9.2.4 Regional Plan: Water (2004, and updated 2006)

The purpose of the Water Plan is to promote the sustainable management of Otago's water resources. The Requester's land includes a water race, although this is just outside the Plan Change site. The water table is expected to be well below ground level and will not be affected by development. There are no overland flow paths or natural watercourses.

The proposed zone can be connected to existing wastewater pipework in SH6 that extends down to the Council trunk main on the shore of Lake Wakatipu.

Stormwater disposal may be disposed of by connecting to the Council's stormwater network in McBride Street; or via new pipework to Lake Wakatipu; or by on-site sustainable urban development options such as disposal by infiltration.

CFMA identified two options for water supply: pipe connection to the existing main in State Highway 6 and reinstatement; or development of a bore, pump and storage. Connection to the existing reticulation is preferred. Some alternative fire fighting water storage may be necessary.

Sections 11 to 14 of the Water Plan contain the rules applying to the use of water and water bodies. Section 12 is the rules section for Water Use and Management. Of particular relevance to the proposed zone are rules 12.4 (Discharge to Stormwater) and 12.5 (Discharge of Drainage Water). Future development on the site may require resource consents under those rules.

9.3 Kai Tahu ki Otago Natural Resource Management Plan 2005

The Act requires that when preparing a change to a District Plan a local authority must take into account any relevant planning document recognised by an iwi authority, to the extent that its content has a bearing on resource management issues of the district.

The Kai Tahu ki Otago Natural Resource Management Plan (“NRMP”) was adopted in 2005 and contains a series of objectives and policies which are relevant to this Plan Change. The Clutha/ Mata-au catchments include the territorial boundaries of the Queenstown-Lakes District. The particular objectives and policies of the NRMP that are relevant to this Plan Change are detailed below:

5.6.4 Cultural Landscapes General Policies- Subdivisions

25. *To discourage subdivisions and buildings in culturally significant and highly visible landscapes.*

26. *To encourage a holistic planning approach to subdivisions between the Local Government Agencies that takes into account the following:*
 - i. *All consents related to the subdivision to be sought at the same time.*
 - ii. *Protection of Kāi Tahu ki Otago cultural values.*
 - iii. *Visual amenity.*
 - iv. *Water requirements.*
 - v. *Wastewater and storm water treatment and disposal.*
 - vi. *Landscaping.*
 - vii. *Location of building platforms.*

27. *To require that where any earthworks are proposed as part of a subdivision activity, an accidental discovery protocol is to be signed between the affected papatipu Rūnaka and the Company.*

28. *To require applicants, prior to applying for subdivision consents, to contact Kāi Tahu ki Otago to determine the proximity of the proposed subdivision to sites of significance identified in the resource inventory.*

29. *To require public foot access along lakeshores and riverbanks within subdivisions.*

5.7.3 Air and Atmosphere - Policies

1. *To require earthworks and discharges to air consider the impact of dust and other air-borne contaminants on health, mahika kai, cultural landscapes, indigenous flora and fauna, wāhi tapu and taoka.*

4. *To encourage reduced vehicle emissions.*

5. *To promote the planting of indigenous of plants to offset carbon emissions.*

7. *To promote clean forms of domestic heating.*

Consultation has occurred with Kai Tahu ki Otago Ltd to identify the issues raised by this Plan Change. Kai Tahu ki Otago Ltd did not identify the site as being culturally significant and requested provision be made for accidental discovery through earthworks. It is considered that this Plan Change will not be contrary to either the Natural Resource Management Plan or section 8 of the Act.

9.4 Queenstown Lakes District Plan (2009)

The land subject to this Plan Change is currently zoned Low Density Residential in the Queenstown Lakes District Council District Plan (the District Plan), as indicated on the District Planning Map 33 extract (Figure 2 of part 2 of this report). The remainder of the Requester's land is zoned Rural General.

The District Plan contains a number of relevant sections that need to be considered as part of the Plan Change process. These objectives and policies need to be considered in a holistic way, as no single objective or policy predominates over another. The following part of this report makes an assessment of this Plan Change against the current District Plan provisions. First there is an assessment against the District Wide objectives and policies that are considered relevant:

- 4.1 Natural Environment
- 4.2 Landscape and Visual Amenity
- 4.4 Open Space and Recreation
- 4.5 Energy
- 4.8 Natural Hazards
- 4.9 Urban Growth
- 4.10 Earthworks

Following that is an assessment against the Residential, Heritage and Transport objectives and policies. Consideration is also given to two relevant Plan Changes that are not yet operative: Affordable Housing (Plan Change 24) and Queenstown Airport (Plan Change 35).

Relevant provisions are included in this report that cross reference the proposed new zoning with these sections of the District Plan.

The relevant objectives and policies have been reproduced and considered below:

9.4.1 Part 4.1 of the District Plan – Natural Environment

Objective 1 - Nature Conservation Values

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

Improved opportunity for linkages between the habitat communities.

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

The protection of outstanding natural features and natural landscapes.

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

Policies:

1.1 To encourage the long-term protection of indigenous ecosystems and geological features.

1.2 To promote the long term protection of sites and areas with significant nature conservation values.

- 1.4 *To encourage the protection of sites having indigenous plants or animals or geological or geomorphological features of significant value.*
- 1.5 *To avoid the establishment of, or ensure the appropriate location, design and management of, introduced vegetation with the potential to spread and naturalise; and to encourage the removal or management of existing vegetation with this potential and prevent its further spread.*
- 1.12 *To maintain the site-specific, geological and geomorphological features that are of scientific importance.*

Assessment

The site is not known to contain any significant nature conservation values, nor any geologic features of district wide significance. The proposed landscaping rules encourage the appropriate use of vegetation. The proposal accords with the objective and associated policies for nature conservation values.

Objective 2: Air Quality

Maintenance and improvement of air quality.

Policies:

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

Assessment

The mixed use zone does not provide for activities usually associated with noxious, dangerous, offensive or objectionable emissions to air. Air quality issues and effects are adequately managed by the Otago Regional Council Regional Plan: Air. The proposal is consistent with the objective and policy for air quality.

9.4.2 Part 4.2 of the District Plan – Landscape and Visual Amenity

Objective:

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

Policies:

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

Assessment

The proposed zone is within the existing urban area of Frankton and avoids sprawl or other unwanted effects on the District's natural landscapes. This Plan Change encourages development to occur in a location with the potential to absorb change. Specifically, the hill behind the site makes greater building height possible and the site location within a developing mixed use neighbourhood can absorb greater density. This Plan Change is consistent with and fulfils the objectives and policies listed above.

9.4.3 Part 4.4 of the District Plan - Open Space and Recreation

Objective 1 – Provision of Reserves

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

Policies:

- 1.1 *To require provision of public open space and recreation reserves through subdivision and development by the imposition of development contributions via the Council's Long Term Community Plan Development Contributions Policy.*
 - (i) *additional neighbourhood parks, District sportsfields and active recreation areas (including waterfront areas, walkways and cycle ways) needed as a result of additional household, visitor accommodation and business growth across the District,*
 - (ii) *additional open space needed for visual relief and plantings among the built environment and for the leisure requirements of people to the District's town centres and business areas.*

Assessment

Frankton has numerous areas of open space, including the Queenstown Events Centre sportsfields and Frankton Golf Course immediately opposite the site, Frankton Marina, Frankton Domain, and other parks and playgrounds and the Frankton Cemetery public heritage site. The Parks Strategy (2002) states that the Queenstown area is well provided with open space and reserve land, although it is recognised that the centre of population is shifting towards Frankton. The size of the proposed zone does not allow for sufficient land to be set aside for open space. However, landscape and outdoor living space provisions have been proposed. There is to be a 5 metre building setback from the State Highway which will enable visual relief and plantings to be provided between the Highway and the built environment. The proposed zone provisions recognise and respect the heritage values of the adjoining Frankton Cemetery. Reserves contributions as part of future development will be appropriate. The proposal is consistent with the objective and policies for open space and recreation.

9.4.4 Part 4.5 of the District Plan - Energy

Objective 1 - Efficiency

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

Policies:

- 1.1 *To promote compact urban forms, which reduce the length of and need for vehicle trips and increase the use of public or shared transport.*
- 1.2 *To promote the compact location of community, commercial, service and industrial activities within urban areas, which reduce the length of and need for vehicle trips.*

Assessment

Energy efficiency can be promoted by maximising density, where possible. This Plan Change proposes to rezone the existing low density residential, which is generally low in efficiency and promotes vehicle use, to a more concentrated and efficient mixed use development area. With regard to energy efficiency, Ministry for the Environment research for *The Value of Urban Design* (2005) found that increased density can (among other things):

- deliver savings on land, infrastructure and energy
- reduce the economic costs associated with time spent travelling
- reduce run-off from vehicles to water, and overall emissions to air/atmosphere (although air emissions may be more locally concentrated)

In addition, mixed use neighbourhoods can:

- offer people convenience, choices and opportunities, which lead to a sense of personal wellbeing
- allow parking and transport infrastructure to be used more efficiently
- lower household spending on transport
- increase the viability of local shops and facilities
- encourage walking and cycling – bringing health benefits, reducing the need to own a car and thus reducing emissions

The proposed zone is close to other urban amenities in Frankton and on one of the main routes into and out of Queenstown, which will promote trip combining for visitors to the site. Any future residents of the site will be able to make use of pedestrian connections for access to other Frankton facilities via a pedestrian connection to the Terrace Junction development. The mixed use area will provide for live-work opportunities, which (if adopted) reduce commuting costs and energy use. Residents and visitors to the site can also make use of public transport links at the nearby Frankton bus stop, which is a short walk from the site.

9.4.5 Part 4.8 of the District Plan - Natural Hazards

Objective 1

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

Policies:

- 1.4 *To ensure buildings and developments are constructed and located so as to avoid or mitigate the potential risk of damage to human life, property or other aspects of the environment.*
- 1.6 *To discourage subdivision in areas where there is a high probability that natural hazard may destroy or damage human life, property or other aspects of the environment.*
- 1.7 *To avoid or mitigate the likelihood of destruction or damage to residential units and other buildings constructed or relocated into flood risk areas*

Assessment

The site is identified on the QLCD hazard register as being possibly susceptible to liquefaction. A detailed liquefaction assessment has not been completed for the site. The risk is expected to be low; however, Tonkin & Taylor recommends that a specific assessment should be completed as part of the detailed design phase of future development.

Part of the Requester's land – but not the site that is subject to this Plan Change – is also identified on the QLDC Hazard Register as being part of an active pre-existing slide (usage Category 1 – high level of confidence). Tonkin & Taylor's investigations show that the slopes directly above the site show relatively surficial creep. More rapid failures may occur, with minor blockage of the water race being the only likely hazard.

The Otago Regional Council notes that during the November 1999 flood event there were several surficial landslides on the hill to the north of the site, which blocked the water race in two locations and resulted in surface flooding on the subject site. Tonkin & Taylor considers that backup drainage paths and ongoing maintenance of the water race will be required to mitigate the risk of flooding. Maintenance is the responsibility of the water race owner, Arrow Irrigation Company Ltd.

The proposed zone provisions include assessment matters for liquefaction and contamination. Provided the recommendations of the Tonkin & Taylor report (Appendix 6) are implemented during future development, this Plan Change is consistent with the objectives and policies for natural hazards.

9.4.6 Part 4.9 of the District Plan – Urban Growth

Objective 2 - Existing Urban Areas and Communities

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

Policies:

- 2.1 To ensure new growth and development in existing urban areas takes place in a manner, form and location which protects or enhances the built character and amenity of the existing residential areas and small townships.*
- 2.3 To protect the living environments of existing low-density residential areas by limiting higher density development opportunities within these areas.*

Objective 3 - Residential Growth

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

Policies:

- 3.1 To enable urban consolidation to occur where appropriate.*
- 3.2 To encourage new urban development, particularly residential and commercial development, in a form, character and scale which provides for higher density living environments and is imaginative in terms of urban design and provides for an integration of different activities, e.g. residential, schools, shopping.*
- 3.3 To provide for high density residential development in appropriate areas.*
- 3.4 To provide for lower density residential development in appropriate areas and to ensure that controls generally maintain and enhance existing residential character in those areas.*

Assessment

This Plan Change provides for new development within an existing urban area. The proposed compact, mixed use zone is appropriate for the developing character of the Frankton Flats and will not adversely affect nearby residential areas, in accordance with Policy 2.1.

It is considered that this Plan Change does not conflict with Policies 2.3 and 3.4 as there is no existing low-density residential living environment in the immediate area that requires protection. Although also zoned low density residential, land on either side of the site has been developed for commercial purposes (Terrace Junction) or community activities (City Impact Church). The emerging character of this part of Frankton is not low density residential. If the site were to be developed as low density residential, it would be the exception, rather than the norm, and is likely to provide a poor living environment. It is apparent that the underlying zoning for the land surrounding and including the proposed zone is not the best fit, for reasons such as isolation from other low density neighbourhoods, site constraints (such as shadiness) and the close proximity to the State Highway.

This Plan Change proposes a consolidated urban form with opportunities for a variety of higher density living environments more appropriate for the site and wider Frankton context, consistent with Policies 3.1 and 3.3. The proposed zone provides for urban development of a form, character and scale that provides for higher density housing and compatible non-residential activities, in accordance with Policy 3.2.

Overall it is considered that this Plan Change meets the objectives and policies for urban growth and residential growth.

Objective 4 – Business Activity and Growth

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

Policies:

- 4.1 To promote town centres, existing and proposed, as the principal foci for commercial, visitor and cultural activities.*
- 4.2 To promote and enhance a network of compact commercial centres which are easily accessible to, and meet the regular needs of, the surrounding residential environments.*

Assessment

The proposed zone provides for a mixed use development area that will include opportunities for commercial activities, as well as potential live-work arrangements. The Frankton Flats currently contains Frankton Village, Remarkables Park and Glenda Drive as an established network of commercial centres. The network is expected to expand in time as other planned developments progress (such as Five Mile). The proposed zone links with and enhances the existing Frankton Village commercial centre. This Plan Change accords with Policy 4.2.

The Frankton commercial centres generally provide different services than those provided in the Queenstown town centre; for example, meeting the needs of local residents rather than visitors. The location and size of the proposed zone means that it is unlikely to result in commercial, visitor or cultural activities that duplicate those provided in the town centre. It is considered that the proposed mixed use zone meets the objective and policies for business activity and growth.

Objective 6 – Frankton

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

Assessment

The District Plan recognises that Frankton is located at a central point in terms of the arterial road network. The proposed zone is readily and efficiently accessed from State Highway 6. The proposal provides for a range of residential and non-residential activities that will not affect airport operations. The site is located close to the existing urban centre of Frankton, rather than along the natural landscape approach further east along the State Highway. The proposal is consistent with Objective 6 for Frankton.

9.4.7 Part 4.10 of the District Plan - Earthworks

Objectives

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

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

Assessment

There are no site-specific circumstances that warrant a divergence from the District Plan's approach to earthworks. The proposed zone, therefore, adopts the standard District Wide rules for earthworks for ease of administration.

9.4.8 Part 7 of the District Plan – Residential - General (Objectives and Policies)

Objective 1 – Availability of Land

Sufficient land to provide for a diverse range of residential opportunities for the District's present and future urban populations, subject to the constraints imposed by the natural and physical environment.

Policies:

- 1.1 To zone sufficient land to satisfy anticipated residential demand.*
- 1.2 To enable new residential areas in the District.*
- 1.3 To promote compact residential development.*
- 1.4 To enable residential growth in areas which have primary regard to the protection and enhancement of the landscape amenity.*
- 1.5 To maintain a distinction between the urban and rural areas in order to assist in protecting the quality and character of the surrounding environment and visual amenity.*

Assessment

Objective 1 and its supporting policies recognise that the District is growing and the Council recognises and accepts the need to provide for growth. Additionally, the Council seeks to promote compact residential development, which is provided for by this Plan Change, consistent with policy 1.3 above. The location of the proposed zone within the existing urban area ensures that the distinction between urban and rural areas is maintained, in accordance with policy 1.5 above. Overall the proposal is consistent with the objective and policies for availability of land.

Objective 2 - Residential Form

A compact residential form readily distinguished from the rural environment which promotes the efficient use of existing services and infrastructure.

Policies:

- 2.1 To contain the outward spread of residential areas and to limit peripheral residential or urban expansion.*
- 2.4 In new residential areas encourage and provide for development forms which provide for increased residential density and careful use of the topography.*
- 2.5 To encourage and provide for high density development in appropriately located areas close to the urban centres and adjacent to transport routes.*

Assessment

The proposal seeks to rezone existing urban land and meets policies 2.1 and 2.2, which seek to avoid sprawl. Although not a new residential area, increased residential density is considered appropriate for the site as it is adjacent to a main transport route and close to the urban centre of Frankton, consistent with policies 2.4 and 2.5. It is considered that the proposal meets the objective and policies for residential form.

Objective 3 - Residential Amenity

Pleasant living environments within which adverse effects are minimised while still providing the opportunity for community needs.

Policies:

- 3.1 To protect and enhance the cohesion of residential activity and the sense of community and well being obtained from residential neighbours.*
- 3.2 To provide for and generally maintain the dominant low density development within the existing Queenstown, Wanaka and Arrowtown residential zones, small townships and Rural Living areas.*
- 3.3 To provide for and encourage high density residential development within the high density residential zones.*
- 3.4 To ensure the external appearance of buildings reflects the significant landscape values and enhance a coherent urban character and form as it relates to the landscape.*
- 3.5 To ensure hours of operation of non-residential activity do not compromise residential amenity values, social well being, residential cohesion and privacy.*
- 3.6 To ensure a balance between building activity and open space on sites to provide for outdoor living and planting.*
- 3.7 To ensure residential developments are not unduly shaded by structures on surrounding properties.*

- 3.8 *To ensure noise emissions associated with non-residential activities are within limits adequate to maintain amenity values.*
- 3.9 *To encourage on-site parking in association with development and to allow shared off-site parking in close proximity to development in residential areas to ensure the amenity of neighbours and the functioning of streets is maintained.*
- 3.10 *To provide for and encourage new and imaginative residential development forms within the major new residential areas.*
- 3.11 *To require acoustic insulation of buildings located within the airport Outer Control Boundary, that contain critical listening environments.*
- 3.12 *To ensure the single dwelling character and accompanying amenity values of the Low Density Residential Zone are not compromised through subdivision that results in an increase in the density of the zone that is not anticipated.*
- 3.13 *To require an urban design review to ensure that new developments satisfy the principles of good design.*
- 3.14 *To distinguish areas with low density character where that character should be retained from areas of change located close to urban centres or adjacent to transport routes where higher density development should be encouraged.*

Assessment

The existing low density residential zoning is not considered appropriate for this site, for reasons discussed earlier. It is likely that developing the site for low density housing will result in poor quality living environments.

This Plan Change seeks to rezone the site to a more efficient, compact form of development, which includes provision for higher density residential activities, as well as compatible non-residential activities that meet community needs. The rezoning turns the limitations of the site for low density housing into opportunities for more suitable land uses. Any potential adverse effects will be minimised through the proposed zone provisions, which incorporate sound urban design principles and considerations.

The Requester's land is located outside the air noise boundaries in the operative District Plan. However, the Commissioners' Decision on Plan Change 35 includes an updated planning map with the 55dbA L dn Contour (Outer Control Boundary) running through the site. This means that on the land within the Outer Control Boundary any buildings containing activities sensitive to aircraft noise (such as residential) will require sound insulation measures. Acoustic insulation mechanical ventilation requirements are included in the proposed zone rules.

Overall the rezoning proposal is considered to be consistent with the objective and policies for residential amenity.

Objective 4 - Non-Residential Activities

Non-Residential Activities which meet community needs and do not undermine residential amenity located within residential areas.

Policies:

- 4.1 *To enable non-residential activities in residential areas, subject to compatibility with residential amenity.*
- 4.2 *To enable specific activities to be acknowledged in the rules so as to allow their continued operation and economic well being while protecting the surrounding residential environment.*

Assessment

The area surrounding the Requester's land is substantially non-residential in nature. There are no nearby residential neighbourhoods whose amenity might be affected by non-residential activities on the site. The proposed zone provides for additional non-residential activities that meet community needs, while not undermining the amenity of any residential activity that might also occur on the site. The proposed objectives, policies and rules, including the requirement for Outline Development Plan approval, will ensure that future non-residential activities on the site will be compatible with any residential activities and avoid adverse outcomes such as reverse sensitivity or loss of residential amenity. This Plan Change meets the objective and policies above.

9.4.9 Part 7 of the District Plan – Residential – Queenstown Residential and Visitor Accommodation Areas (Objectives and Policies)

Objectives –

1. *Residential and visitor accommodation development of a scale, density and character, within sub zones which are separately identifiable by such characteristics such as location, topography, geology, access, sunlight or views.*
2. *Residential development organised around neighbourhoods separate from areas of predominately visitor accommodation development. Provision for new consolidated residential areas at identified locations.*
3. *Consolidation of high density accommodation development in appropriate areas.*

Policies:

- 1 *To protect the character and amenity of the residential environments by limiting the peripheral expansion of the residential areas and promoting consolidation of the residential community with the retention of easy access to the rural area and lakeshore.*
- 2 *To resist any peripheral extension of zoned residential areas which would undermine clear distinctions between the residential and rural areas and result in dispersed and uncoordinated residential growth patterns.*
- 3 *To enhance the general character of established residential environments in terms of density, height, access to sunlight, privacy and views.*
- 4 *To provide for higher density residential activity around the town centres and in new areas of residential development.*
- 5 *To encourage additional consolidated residential activity in the District.*
- 6 *To provide for a residential environment which allows a range of housing types, including care for the elderly and dependent relatives.*
- 7 *To provide for non-residential activities in residential areas providing they meet residential amenity standards and do not disrupt residential cohesion.*

Assessment

The proposed zone provides opportunities for consolidated residential activities as well as visitor accommodation and other non-residential activities. The requirement for an Outline Development Plan will ensure that activities are designed to be compatible and provide for a level of residential amenity. As discussed earlier, the location of the mixed use zone within the evolving Frankton Fats area is better suited to higher density living or other uses, rather than low density housing. The proposal will not adversely affect the nearby established residential areas. This Plan Change meets the objectives and policies above.

9.4.10 Part 13 of the District Plan – Heritage (Objectives and Policies)

Objective 1 - Heritage Values

The conservation and enhancement of the District’s natural, physical and cultural heritage values, in order that the character and history of the District can be preserved.

Policies:

- 1.1 To protect and enhance the heritage values of urban and rural areas and the built environment including the cumulative value of retaining groups of buildings.*
- 1.3 To identify waahi tapu sites and areas and recorded archaeological sites that are known to exist.*

Assessment

The proposed zone adjoins the Frankton Cemetery, which is Protected Feature 47 (Frankton Cemetery Walls and Gates) in Appendix 3 of the District Plan. The proposed zone provisions include a building and height setback from the boundary with the cemetery; an assessment matter that requires consideration of whether building forms create a sensitive interface with the cemetery; and a rule to protect cultural or archaeological sites that may be accidentally discovered during earthworks. This Plan Change is consistent with the objectives and policies for heritage.

9.4.11 Part 14 of the District Plan – Transport (Objectives and Policies)

Objective 1 – Efficiency

Efficient use of the District’s existing and future transportation resource and of fossil fuel usage associated with transportation.

Policies:

- 1.1 To encourage efficiency in the use of motor vehicles.*
- 1.2 To promote the efficient use of all roads by adopting and applying a road hierarchy with associated access standards based on intended function.*
- 1.3 To promote the efficient use of roads by ensuring that the nature of activities alongside roads are compatible with road capacity and function.*
- 1.4 To protect the safety and efficiency of traffic on State Highways and arterial roads, particularly State Highway 6A, by restricting opportunities for additional access points off these roads and by ensuring access to high traffic generating activities is adequately designed and located.*
- 1.5 To promote the efficient use of fuel for transport purposes, by providing for a District wide policy of consolidated urban areas, townships, retail centres and residential environments.*
- 1.6 To promote and provide for the consolidation of new areas of residential development and for higher density development within identified areas.*
- 1.7 Enabling for home occupations within residential areas to reduce travel time and costs between home and work.*
- 1.8 To consider options for encouraging and developing greater use of public transportation facilities and in particular to continue to investigate the options for alternative transport means.*

- 1.9 *To require off-road parking and loading for most activities to limit congestion and loss of safety and efficiency of adjacent roads and to promote the maintenance and efficiency of those roads.*
- 1.10 *To require access to property to be of a size, location and type to ensure safety and efficiency of road functioning.*

Assessment

As discussed earlier in this section, efficiency can be promoted by maximising density, where possible and appropriate. This Plan change proposes to rezone an area of low density residential land, which is generally low in efficiency, to a more consolidated and efficient mixed use development area. The location near the State Highway, public transport networks and other urban facilities provides an ideal site for higher density development. The mixed use zone includes provision for safe and efficient access off Hansen Road, on-site car parking, no additional access from the State Highway, and opportunities for home/work occupations. High traffic generating activities are excluded in order to protect the safety and efficiency of the State Highway. The mixed zone adopts standard District Plan provisions for parking, loading and other transport matters. Recommended car parking requirements for higher density residential and visitor accommodation activities are included as a cross reference to Part 14 (Rules). This Plan Change meets the objectives and policies for transport efficiency.

Objective 2 - Safety and Accessibility

Maintenance and improvement of access, ease and safety of pedestrian and vehicle movement throughout the District.

Policies:

- 2.1 *To maintain and improve safety and accessibility by adopting and applying a road hierarchy with associated design, parking and access standards based on the intended function.*
- 2.2 *To ensure the intensity and nature of activities along particular roads is compatible with road capacity and function, to ensure both vehicle and pedestrian safety.*
- 2.3 *To ensure access and movement throughout the District, and more particularly the urban areas, for people with disabilities is not unreasonably restricted.*
- 2.4 *To encourage the development of pedestrian and cycle accessways, within the main townships.*
- 2.5 *To maintain and upgrade, where appropriate, the existing roads and provide for new roads and related facilities where these are important for providing access.*
- 2.6 *To ensure intersections and accessways are designed and located so:*
 - *good visibility is provided.*
 - *they can accommodate vehicle manoeuvres.*
 - *they prevent reverse manoeuvring onto arterial roads; and*
 - *are separated so as not to adversely affect the free flow of traffic on arterial roads.*
 -
- 2.7 *To ensure vegetation plantings are sited and/or controlled so as to maintain adequate visibility and clearance at road intersections and property access and to prevent the icing of roads during winter months, except and unless that vegetation is important to the visual amenity of the District or is protected as part of the Heritage Provisions.*

Assessment

The proposal provides access from Hansen Road, rather than directly onto the State Highway. This fits with the State Highway being designated a Limited Access Road and with the existing District Plan rule for the site (7.5.5.2 xv (b): “All vehicle access shall be via Hansen Road to the State Highway. There shall be no vehicle access directly onto the State Highway.”). A similar rule is included in the proposed plan provisions for the mixed use zone and high traffic generating activities are excluded. The mixed use zone defers to existing District Plan requirements for access design, parking, manoeuvring, and provision for disability access. The proposal meets the objective and policies for safety and accessibility.

Objective 3 - Environmental Effects of Transportation

Minimal adverse effects on the surrounding environment as a result of road construction and road traffic.

Policies:

- 3.1 To protect the amenities of specified areas, particularly residential and pedestrian orientated town centres from the adverse effects of transportation activities.*
- 3.2 To discourage traffic in areas where it would have adverse environmental effects.*
- 3.3 To support the development of pedestrian and similar links within and between settlements and the surrounding rural areas, in order to improve the amenity of the settlements and their rural environs.*
- 3.4 To ensure new roads and vehicle accessways are designed to visually complement the surrounding area and to mitigate visual impact on the landscape.*
- 3.5 To maintain and enhance the visual appearance and safety of arterial roads which are gateways to the main urban centres.*
- 3.6 To incorporate vegetation within roading improvements, subject to the constraints of road safety and operational requirements, and the maintenance of views from the roads.*
- 3.7 To implement appropriate procedures, in conjunction with the takata whenua and Historic Places Trust, should any waahi tapu or waahi taonga be unearthed during roading construction.*
- 3.8 To set areas aside for staff car parking in Business and Industrial Zones.*

Assessment:

The mixed use zone defers to existing District Plan requirements for access design and includes provisions for landscaping. Earthworks provisions are included for protection of heritage and discovery of archaeological items.

The plan provisions encourage lower traffic generators, deterring large format retail activities which generate high trip rates.

The report by Traffic Design Group sets out the effects of traffic that is expected to occur on the surrounding road network in the future and the traffic generated specifically as a consequence of the plan change. As outlined in the Report adverse effects are anticipated on the road network in this area, however there are mitigation measures available to address these effects, some of which will have to be implemented by NZTA and QLDC in due course.

Objective 5 - Parking and Loading - General

Sufficient accessible parking and loading facilities to cater for the anticipated demands of activities while controlling adverse effects.

Policies:

- 5.1 To set minimum parking requirements for each activity based on parking demand for each land use while not necessarily accommodating peak parking requirements.*
- 5.2 To ensure business uses have provision for suitable areas for loading vehicles on-site.*
- 5.3 To ensure car parking is available, convenient and accessible to users including people with disabilities.*
- 5.4 To require all off-street parking areas to be designed and landscaped in a manner which will mitigate any adverse visual effect on neighbours, including outlook and privacy.*
- 5.5 To require the design of parking areas to ensure the safety of pedestrians as well as vehicles.*
- 5.6 To set areas aside for staff car parking in business and industrial zones.*

Assessment

The proposed mixed use zone adds a specific minimum parking requirement for high density residential and visitor accommodation. No other changes are proposed to the parking requirements set out in the District Plan. The proposed mixed use zone defers to existing District Plan provisions for staff parking, loading, accessibility, design and landscaping, and safety. It is expected that these requirements can be achieved without difficulty within the proposed zone, consistent with Objective 5 and related policies.

Objective 6 - Pedestrian and Cycle Transport

Recognise, encourage and provide for the safe movement of cyclists and pedestrians in a pleasant environment within the District.

Policies:

- 6.1 To develop and support the development of pedestrian and cycling links in both urban and rural areas.*
- 6.2 To require the inclusion of safe pedestrian and cycle links where appropriate in new subdivisions and developments.*
- 6.3 To provide convenient and safe cycle parking in public areas.*

Assessment

There is no specific on-road provision for cyclists in the immediate area. There is a formed footpath in front of the site between the cemetery and Hansen Road. This footpath provides an opportunity to connect to nearby existing and proposed pedestrian and cycleways, including the footpath on Kawarau Road (opposite the Frankton Bus Exchange), signalised pedestrian crossing further south on Kawarau Road, and proposed links through the Queenstown Events Centre to the Five Mile development site and beyond.

In the medium to long term the Wakatipu Trails Trust proposes to provide a trail from Hansen Road to Tuckers Beach and Quail Rise. The Requester understands that additional off-road trails on the northern side of the State Highway are not an immediate priority for the Wakatipu Trails Trust.

Objective 7 - Public and Visitor Transport

Recognition of public transport needs of people and provision for meeting those needs.

Policies:

- 7.1 To plan and encourage an efficient pattern of public transport.*
- 7.2 To investigate opportunities for public transport as an alternative to, or in association with, changes or extensions to the major road network.*
- 7.3 To promote and investigate opportunities for a public transport link between Queenstown and Frankton.*
- 7.4 To support the development and operation of various types of tourist transport.*
- 7.5 To liaise with the Otago Regional Council and public transport operators to ensure the public transport needs of the District are met.*

Assessment

The proposed mixed use zone is located within a short walking distance to existing public transport services. No changes are required to service routes.

9.4.12 Part 16 of the District Plan – Hazardous Substances (Objectives and Policies)

Objective

To avoid, remedy or mitigate the adverse environmental effects arising from the use of land for the use, storage, transportation, manufacture, and disposal of hazardous substances.

Policies:

- 3 To avoid, remedy or mitigate the potential for adverse effects to the environment from the use of land for the manufacture, storage and use of hazardous substances, recognising that the quantities of hazardous substances, which are acceptable in different areas of the District, will vary depending on the proximity of residential use, on community expectation, and the sensitivity of the surrounding environment.*
- 8 To encourage a co-ordinated approach with other agencies in the District to locate and investigate contaminated sites and rehabilitate them to a standard suitable for their intended use.*

Assessment

As discussed earlier, the proposed zone site is listed as a potentially contaminated site. Testing may be required prior to development to ensure that the site is safely developed. Tonkin & Taylor advises that testing is not necessary at this zoning stage. Provision is made for testing at the resource consent stage. This Plan Change adopts standard District Plan provisions for hazardous substances and is consistent with the objective and policies above.

9.4.13 Plan Change 24

Proposed Plan Change 24 (Community and Affordable Housing) introduces new policies to the District Plan to introduce the provision of affordable housing into the District Plan policies. These policies would be relevant when plan change requests (such as this request) are made, and when resource consent applications are considered, and would require the provision of affordable housing in proposed developments. The decision on Plan Change 24 was released on 14 January 2009 and is currently under appeal.

This plan change will encourage the provision of affordable housing because medium- high density residential as proposed is likely to be more cost effective and therefore cheaper than the existing zoned low density residential housing options.

9.4.14 Plan Change 35

Proposed Plan Change 35 (Queenstown Airport Aircraft Noise Boundaries) amends the air noise boundaries in the District Plan. The mixed use zone was previously outside the air noise boundaries; under Plan Change 35 it is partly within the amended Outer Control Boundary. This means that any buildings on the land within the Outer Control Boundary containing activities sensitive to aircraft noise (such as residential) will require sound insulation and mechanical ventilation. The decision on Plan Change 35 was released on 1 November 2010 and is under appeal. Notwithstanding that Plan Change 35 is not operative and development is not required to comply with the proposed rules, as noted above, provision for acoustic insulation and mechanical ventilation requirements is included in the mixed use zone rules.

9.5 Summary

The rezoning proposal transforms the limitations of the site for low density housing into opportunities for more suitable and sustainable land uses. This Plan Change provides an efficient, compact form of development that enables higher density residential activities and compatible non-residential activities. This part of the report has assessed the proposal against relevant regional and district statutory plans and found the mixed use zone to be consistent with the relevant objectives and policies.

10.0 Council Strategies and Reports

This part of the report identifies the relevant Council and community strategies and plans to be considered as part of the assessment of this Plan Change. The following analysis will show that this Plan Change is considered to be consistent with each of the following documents:

Frankton Development Strategy 1995
Tomorrow's Queenstown 2002
Asset Management Plans 2003 – 2006
Wakatipu Trails Strategy 2004
Housing Our People in Our Environment Strategy 2005
Social Wellbeing Strategy 2006
Growth Management Strategy 2007
Wakatipu Transportation Strategy 2007
Long Term Council Community Plan 2009
Queenstown Lakes District Urban Design Strategy 2009

10.1 Frankton Development Strategy (1995)

The Frankton Development Strategy ("FDS") was prepared by the Council as an outline development strategy for the Frankton area, which was to provide the basis for consultation on a range of issues to be addressed in the new District Plan. The FDS identifies 7 issues facing Frankton as:

1. Ensuring efficient operation of the airport.
2. The need for more retail space. This in turn would supply the area with more reasonably priced goods and reduce spending outside of the District.
3. Projected population growth.
4. The need for additional residential land.
5. The need for further zoned land for industrial and service activities.
6. The location of State Highway 6 and its function as a critical link in and out of Frankton.
7. The surrounding outstanding natural amenity.

As the FDS was prepared in 1995, the specifics of the document are now considered to be of limited relevance to this proposal. Nonetheless, the proposal is generally in line with these 7 key issues as the Plan Change will provide for the needs of the community without compromising the operation of the airport, the State Highway or the surrounding outstanding natural amenity.

10.2 Tomorrow's Queenstown (2002)

The 'Tomorrow's Queenstown' document resulted from a series of community workshops in 2002. The purpose of this non-statutory plan is to provide a community vision, strategic goals and priorities for the next ten to twenty years.

The key strategic goals developed to achieve the vision of Tomorrow's Queenstown are:

- *Managing growth in a way which is sustainable*
- *Respecting our landscape and natural environments*
- *Building our community*
- *Improving access and transport networks*
- *Creating quality urban environments*
- *Providing infrastructure for a growing population*
- *Growing the strength of our economy*

Tomorrow's Queenstown directed the Council to produce further policy and reports such as the Growth Management Strategy, Dwelling Capacity Model and Urban Growth Boundaries Plan Change.

This Plan Change achieves the key strategic goals of Tomorrow's Queenstown through the following:

- Growth is proposed in an area that can absorb change.
- Development will infill an area which is currently surrounded by non-residential activities and will not result in spread of the urban boundary.
- Providing for limited growth to build a diverse community.
- Design controls to ensure a quality urban environment.
- Infrastructure to meet the growth.

The site is located within the future urban growth boundary as identified within Tomorrow's Queenstown and overall this Plan Change is consistent with the goals of the Tomorrow's Queenstown Strategy.

10.3 Asset Management Plans (2003 – 2006)

Asset Management Plans exist for the long term management of the assets owned and operated by the Council.

The Council has Asset Management Plans for:

- Rooding (2006)
- Wastewater (2006)
- Water supply (2006)
- Stormwater (2006)
- Parks and Reserves (2003)

Overall this Plan Change is consistent with the Asset Management Plans for the District. Modelling of the Council's infrastructure systems has been undertaken and it has been concluded that existing systems have the capacity to meet the additional demand, subject to some upgrade works and improvements to the roading network.

10.4 Wakatipu Trails Strategy (2004)

The purpose of the Wakatipu Trails Strategy ("Trails Strategy") is to guide development of an integrated network of walking and cycle tracks within the Wakatipu Basin.

During consultation discussions with the Wakatipu Trails Trust it was established that development of tracks along the northern side of the State Highway was not a priority for the Trust. Any trail network within the centre of Frankton will be very difficult to connect together and walkers and cyclists are likely to get lost and come into conflict with traffic. Therefore, the Trust aims to instead encourage the development of trails and movement over the southern side of the State Highway. Accordingly, provision for a walk/cycle track through the site has not been proposed. Any walk/cycle traffic travelling over Morven Ferry Hill past Lake Johnston will be directed to travel down Hansen Road and cross over at the Hansen Road – State Highway intersection.

10.5 Housing Our People in Our Environment Strategy (2005)

Adopted by Council in June 2005, the Housing Our People in Our Environment Strategy (“HOPE Strategy”) relates to increasing the supply of affordable and community housing. The HOPE Strategy was revised in 2007 as a result of Plan Change 24: Affordable and Community Housing to incorporate a set of Guidelines. With these additions, the HOPE Strategy continues to function as the primary guidance with regard to Affordable and Community Housing.

The overall goal of this strategy is *‘to increase access to quality, affordable housing that is integrated into the community so as to support the community’s outcomes related to the sustainable economic, social and environmental development of the QLDC area’*.

The proposed zone is consistent with the HOPE strategy as it contains provision for high density type residential units, adding to the mix of housing stock in the district, and providing for residential units likely to be more affordable than the existing zoning would provide.

10.6 Social Wellbeing Strategy (2006)

The Social Wellbeing Strategy 2006 (“SWS”) is relevant to the Queenstown Lakes District Council’s Council Community Plan (CCP). The report states *‘Social Wellbeing refers to those aspects of life that we care about as a society and which contribute to our individual happiness, quality of life, and welfare; and goes on to say it is ‘applicable to the outcome of achieving a safe and healthy community that is strong, diverse and inclusive for people of all age groups and incomes’*.

The SWS provides an action plan to guide the district towards improving the social wellbeing of the community. The strategy identifies five key social welfare issues.

This Plan Change is consistent with the principles and strategies of the Social Wellbeing Strategy. The potential range of activities within the proposed zone will promote diversity and be inclusive of people of all age groups and incomes. Well planned mixed use environments can (among other benefits) increase personal safety and enhance social equity.

10.7 Growth Management Strategy (2007)

The Growth Management Strategy 2007 (“GMS”) draws together a number of the findings in the earlier Council reports, and sets out how Council intends to manage growth. The key principles of the GMS are derived from the Community Outcomes identified in the Long Term Council Community Plan and reaffirms that growth should be located in appropriate places and that it should provide a range of opportunities to meet current and future needs.

The GMS considers that limited or managed growth is what is intended for the district (rather than no growth or unlimited growth). Principle 1 of the GMS is:

“Growth is located in the right places”

Specifically with regard to the Frankton area the proposed zone meets the following strategies to implement Principle 1:

“1b Growth is to be accommodated mainly in the two urban centres (Queenstown/ Frankton and Wanaka), and existing special zones outside of these centres.”

The proposal provides for managed growth within the existing urban area of the Frankton Flats.

“1f Greenfields development within the defined growth boundaries of the two main urban settlements (Queenstown and Wanaka), such as the Frankton Flats, is to be carefully managed to ensure that land is to effectively balance the full range of desired community outcomes, and that a mix of activities can be accommodated. This includes encouraging a higher density form of development.”

This Plan Change provides for a mix of activities in a higher density form of development, which is considered appropriate for the site.

Principle 2 of the GMS is:

“The type and mix of growth meets current and future needs”

“2h Developments in the Frankton Area are to be carefully managed to ensure a balanced mix of residential, retail, commercial, industrial and visitor accommodation developments in each of the main growth areas north and south of the airport.”

This Plan Change provides for a mix of activities that will be managed according to their effects in order to achieve the best outcome for the site that meets community needs.

Principle 3 of the GMS relates to infrastructure. The following strategy is of particular relevance to the Plan change site:

“3c In the Queenstown area, the State Highway network should be managed in a way that supports and facilitates the development of new activity centres in the Frankton area (providing access and movement to and between these centres), while encouraging alternatives to private motor vehicles (such as public transport, walking and cycling) for travel between Frankton and Queenstown CBD.”

The site is located immediately adjacent to State Highway 6; close to the existing urban centre of Frankton, meaning that it is appropriate for more intense development. This site is located close to public transport links and within walkable distance to other nearby facilities.

10.8 Wakatipu Transportation Strategy (2007)

The Wakatipu Transportation Strategy (“WTS”) was established to respond to the sustained growth in land-use development and in the number of domestic and international tourists visiting the area. The WTS seeks to deliver a fully integrated transport system that meets the growth in travel demand.

Seven upgrade projects are identified for Frankton including an upgrade to the State Highway 6/State Highway 6A intersection, which is a few hundred metres to the west of the site. The WTS states:

“The intersection of Frankton Road and SH6 is an important location in the road network. As well as continuing to provide for high general traffic demands, it will be upgraded to provide buses with a fast route through the intersection. The needs of pedestrians and cyclists at the intersection will also be investigated.”

Substantial roading network improvements are required to deliver an integrated transport system. Improvements associated with the WTS will be led by the QLDC, ORC and NZTA. The Requester expects that appropriate upgrades will be undertaken in due course.

Traffic associated with this Plan Change can be accommodated on the roading network in keeping with the aims of the WTS – provided the WTS measures are implemented and provided that development of the Plan Change site is restricted to lower trip generating activities. This development restriction is included in the proposed zone provisions.

As noted in Part 9 of this report, there are existing pedestrian and cycleway connections in the vicinity of the site, as well as public transport links at the nearby Frankton bus station.

10.9 Long Term Council Community Plan (2006 - 2016)

The Council's Long Term Community Plan is prepared under the Local Government Act 2002 for the period 2009 to 2019. This provides the community with a 10 year plan that allows a coordinated response to growth issues, including articulation of the goals for community, social, infrastructure, traffic and asset management.

The Key community outcomes and the way in which the proposed zone will achieve these are:

- *A safe and healthy community that is strong, diverse and inclusive for people of all age groups and incomes.*

The proposed zone has been drafted to be flexible in regard to activities while set around a number of parameters that manage the effects of those activities. This enables a development to be created which meets the needs of the community with a range of activities and building styles from residential to commercial.

- *Effective and efficient infrastructure that meets the needs of growth.*

This proposed zone will connect to the existing reticulated infrastructure of Frankton, with upgrades where required.

- *High quality urban environments respectful of the character of individual communities.*

The proposed objectives, policies and methods reflect the importance of creating a high quality environment. The provision of an Outline Development Plan prior to any development taking place will ensure that the development proceeds in a holistic and integrated manner.

- *Sustainable growth management.*
- *A strong and diverse economy.*

This Plan Change provides for managed growth at Frankton. The proposed zone provides for a limited amount of development within a relatively small area with activities to suit the varying needs of the community.

10.10 Queenstown Lakes District Urban Design Strategy (2009)

The Queenstown Lakes Urban Design Strategy (2009) ("UDS") is intended to provide guidance for the future of Council's urban design practice and 'will contribute towards achieving urban environments that complement our superb natural setting in acting as an enticement for people to want to live here, work here and come and visit.' The UDS has been developed as a result of Council becoming a signatory to The New Zealand Urban Design Protocol (2005). The UDS identifies 6 key urban design goals that represent the community's aspirations for its urban environments:

- 1 *Distinctive built form – creating neighbourhoods that reflect their people, culture and history;*
- 2 *High quality public places – that complement the appeal of the natural setting and foster economic vitality and community well-being;*
- 3 *Consolidated growth – within urban boundaries with walkable, mixed use neighbourhoods that help reduce travel time and urban sprawl;*
- 4 *Connected urban form – ensuring people have clear options of transport mode that are convenient, efficient and affordable;*

-
- 5 *Sustainable urban environments – where the natural environment, land uses and transport network combine towards a healthier environment for everyone;*
- 6 *Cohesive communities – where the urban environment promotes a stronger sense of local community by encouraging participation in public life.*

The proposed mixed zone plan provisions will create an environment that will complement the Frankton area, while meeting the goals and objectives for Urban Design in the District. This is further illustrated in section 5 of the Urban Design Assessment attached as Appendix 5. The location of the site provides an opportunity to realise the benefits of higher density and mixed use, which are documented in the Ministry for Environment document, *The Value of Urban Design* (2005). As well as the energy efficiency benefits noted in Part 9 of this report, higher density, in conjunction with other conditions, such as mixed use, good building design and adequate open space, can also:

- Help concentrate knowledge and innovative activity.
- Promote social connectedness and vitality.
- Help encourage greater physical activity, with consequent health benefits.
- Help conserve green spaces, in conjunction with certain kinds of urban development.

Overall this Plan Change is consistent with the principles and strategies of the UDS.

10.11 Summary

This part of the report has identified relevant Council and community strategies and plans. Analysis of each of these documents shows that positive environmental outcomes can be achieved through adoption of the proposed Frankton Mixed Use Zone. The proposed zone addresses all of the relevant Council and community pressures, whilst meeting identified demands for commercial and residential space. The proposed zone will achieve desired outcomes through appropriate rules, objectives and policies inserted into the existing District Plan.