

Submission on Queenstown Lakes Proposed District Plan 2023 – Proposed Urban Intensification Variation

Clause 6 of the First Schedule, Resource Management Act 1991

To: Queenstown Lakes District Council
By email: services@qldc.govt.nz

Name of Submitter: Carter Queenstown 2015 Limited (Carter Group)

c/o John Edmonds and Associates Limited
Mobile: 021-409-075
Email: john@jea.co.nz
Postal address: PO Box 95
Queenstown, 9300

1. This is a submission on the Proposed Urban Intensification Variation (the **Variation**) to the Queenstown Lakes Proposed District Plan (**PDP**).
2. Carter Group could not gain an advantage in trade competition through this submission.
3. Carter Group's submission relates to the whole Variation, including the following specific provisions of the PDP:
 - a. Definitions and Rules;
 - b. Chapter 12 (Queenstown Town Centre); and
 - c. District Plan Web Mapping Application.
4. The Carter Group submission:
 - a. Generally supports the Variation subject to the amendments identified in this submission.
 - b. Opposes the failure of the Variation to include land zoned Queenstown Town Centre Zone.

Carter Group have interests in the block of land bound by Man Street, Lake Street, Hay Street and Beach Street (**Carter Group Land**) which is currently zoned Queenstown Town Centre Zone in the Operative District Plan (**ODP**), as a result of decisions on Plan Change 50 (**PC50**), which became operative in July 2016. That PC50 land (including the Carter Group Land) is subject to the objectives, policies and rules of the ODP.

The PDP has been reviewed in Stages since 2015. To date the Council has notified three Stages. Stage 1 of the PDP was notified in August 2015, and included a Town Centre Zone.

The notified planning maps did not include the land rezoned Queenstown Town Centre Zone as part of PC50, because the PC50 ODP process was not complete by the time notification of that Stage of the PDP occurred.

The Council has indicated that the PC50 land may be incorporated into a future stage of the PDP, however no schedule or timeframe is publicly available.

This proposed Variation provides an opportune time to include the PC50 land within the Queenstown Town Centre Zone of the PDP.

Inclusion of the PC50 land through this Variation avoids the duplication of Resource Management Act (**RMA**) processes (ie. a subsequent Variation or later stage of the District Plan review), and the associated costs of re-litigating the Queenstown Town Centre Zone a second time.

The Variation proposes an important reconsideration of the land development rules, which might result in a substantial change to the form and character of the CBD. That needs to be assessed in a comprehensive and holistic manner, and all of the Queenstown Town Centre Zone land, whether under the ODP or the PDP, should be considered at the same time.

Exclusion of the PC50 land from this Variation will result in the continuation of one zone split across two District Plans; worsened by conflicting policy directions and rule outcomes, and would be contrary to the RMA, the National Policy Statement on Urban Development 2020 (**NPS-UD**), and the operative and proposed Otago Regional Policy Statements.

The NPS-UD and the requirements to be implemented within this document apply to the whole District irrespective of whether land is currently managed through the ODP or PDP. Section 5.1.6 of the s 32 report acknowledges that monitoring has identified a number of provisions within the ODP that also require review and consideration to implement Policy 5 of the NPS-UD, yet the Variation does not suggest any changes to these. Clause 4.1 of the NPS-UD requires Tier 2 local authorities to implement Policy 5 into their planning documents 'as soon as practicable' and no later than 2 years after the commencement date of the NPS-UD. The Council was therefore required to implement Policy 5 by 20 August 2022. That statutory deadline has well expired, and it would be contrary to the NPS-UD to further delay the implementation of Policy 5 over certain pieces of land (such as the PC50 land).

The submission to include the PC50 land (and in particular the Carter Group Land) is considered within scope of the Variation on the basis that it is an incidental or consequential change to the Variation:

- The purpose of the Variation is to meet the Council's obligations as a Tier 2 local authority to give effect to the NPS-UD, in particular to enable heights and densities in accordance with Policy 5 of the NPS-UD to recognise the benefits of intensification. This submission simply seeks that the PC50 land is considered in the implementation of Policy 5 for the District, the submission is therefore squarely 'on' the Variation. In order to achieve the purpose of the Variation, it is necessary to consider all land in the Queenstown Town Centre Zone (including the PC50 Land).

- The Variation also records as a purpose, the intent of the proposed provisions to align with the Queenstown Lakes Spatial Plan 2021 (**Spatial Plan**) which promotes a compact urban form and increased densities in appropriate locations. The Land is contemplated as being within the Town Centre Zone in the Spatial Plan. Again, the submission is therefore squarely 'on' the Variation. The inclusion of the PC50 land is necessary to align the Variation with the Spatial Plan.
 - The PC50 land is geographically connected to other land in the Queenstown Town Centre Zone subject to the Variation (and in particular the Carter Group Land immediately adjoins land subject to the Variation) and therefore the submission is a logical, incidental, and consequential extension of what is being proposed in the Variation and its wide purpose to give effect to higher order documents.
 - Carter Group intend on serving its submission on adjacent landowners and all other PC50 landowners such that those parties can reasonably anticipate that the Variation would involve consideration of the PC50 land and are afforded the opportunity to adequately respond to proposals raised in submissions, and to participate in subsequent decision-making processes.
- c. Supports the proposed Height Precinct 1 (which provides a maximum total height of 8m) in the proposed Queenstown Town Centre Height Precinct Map applying to the land along Steamer Wharf and the edge of the lake.
- d. Opposes the lack of a clearly defined height limit for the part of the land zoned Queenstown Town Centre Zone legally described as Section 2 Block XVII Town of Queenstown and comprised in record of title OTB1/226.

5. The relief sought by Carter Group:

- a. That the relevant Zoning map be updated to include the PC50 Land, or at the very least the Carter Group Land, as Queenstown Town Centre Zone in the Variation.

The zoning of the land needs to be reflected on the Council planning maps.

The Council relies upon electronic mapping software, and no longer uses hard copy maps. This submission point seeks that the web mapping application used by the Council to display the district plan zones be amended to include the PC50 land, or at the very least, the block of land bound by Man Street, Lake Street, Hay Street and Beach Street within the Queenstown Town Centre Zone.

The other overlays that currently apply to this land (including for example Wahi Tupuna 15 and Urban Growth Boundary) would remain unchanged.

- b. That the Carter Group Land be included within 'Figure 2: Queenstown Town Centre Height Precinct Map' of the Queenstown Town Centre Zone chapter of the Variation.

Page 12-29 of the PDP comprises Figure 2 – Queenstown Height Precinct Map. The Variation proposes to replace that map with a new map that includes 5 coloured precincts

that represent different height limits (refer to page 12-32 of Appendix 1AB of the section 32 report for the Variation).

This submission seeks that the Carter Group Land is included in this map (as shown in Figure 1 below), with the most appropriate height precinct applied.

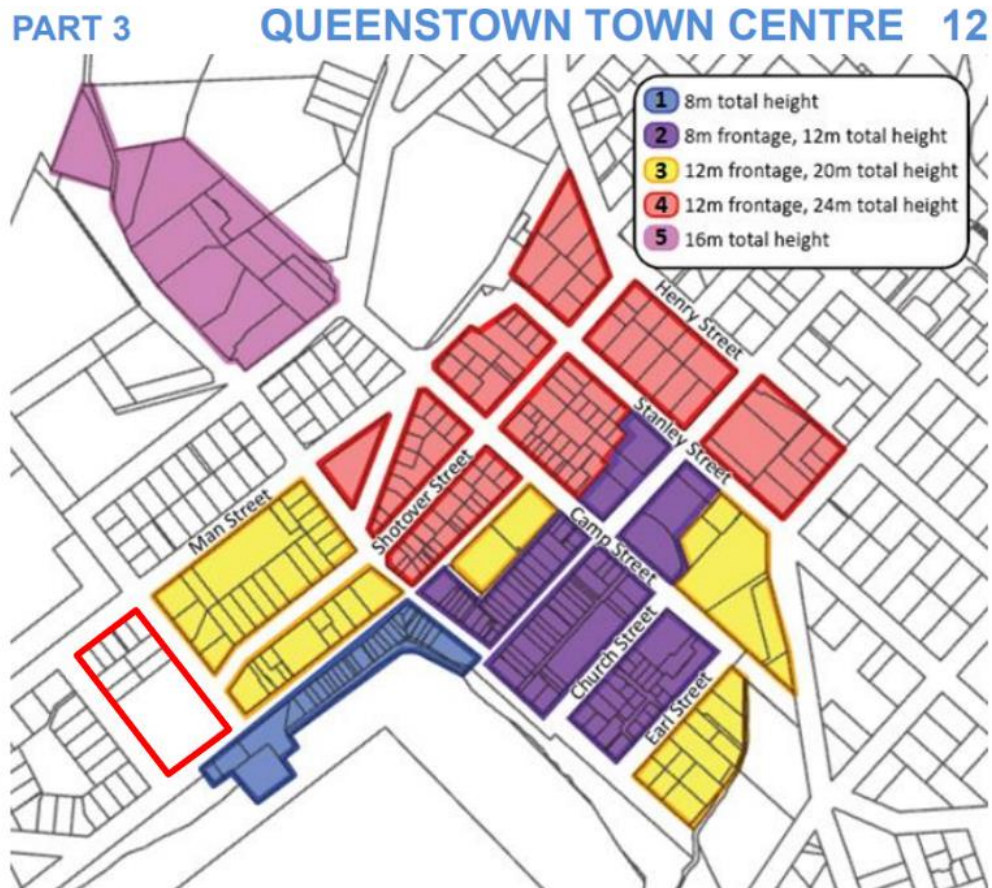


Figure 1: Queenstown Town Centre Height Precinct Map, with the Carter Group Land outlined in red.

Consideration has been given to the most appropriate height controls for this block of land, taking into account the proposed amended height precincts.

The Carter Group Land immediately adjoins two blocks of Town Centre Zone land that are included in proposed height precinct 3, and one block that is included in height precinct 1. The Land contains similar topography to the adjoining block to the east bound by Man Street, Hay Street, Shotover Street and Brecon Street.

Carter Group seek height precinct 4 apply to the Carter Group Land as the most appropriate height precinct.

- c. That the proposed height precinct 1 and a maximum total height of 8m along Steamer Wharf and the edge of the lake be retained in the proposed 'Figure 2: Queenstown Town Centre Height Precinct Map'.

- d. That the part of the land legally described as Section 2 Block XVII Town of Queenstown and comprised in record of title OTB1/226 and zoned Queenstown Town Centre Zone (generally shown in Figure 2 below) be subject to a height limit of 4 metres.

This land is not included in the proposed 'Figure 2: Queenstown Town Centre Height Precinct Map' and therefore it is not clear what height is proposed for this land in the Variation. Carter Group consider a height limit of 4 metres appropriate for this land to align with Rule 12.5.9.2 given the proximity of the land to the water's edge.

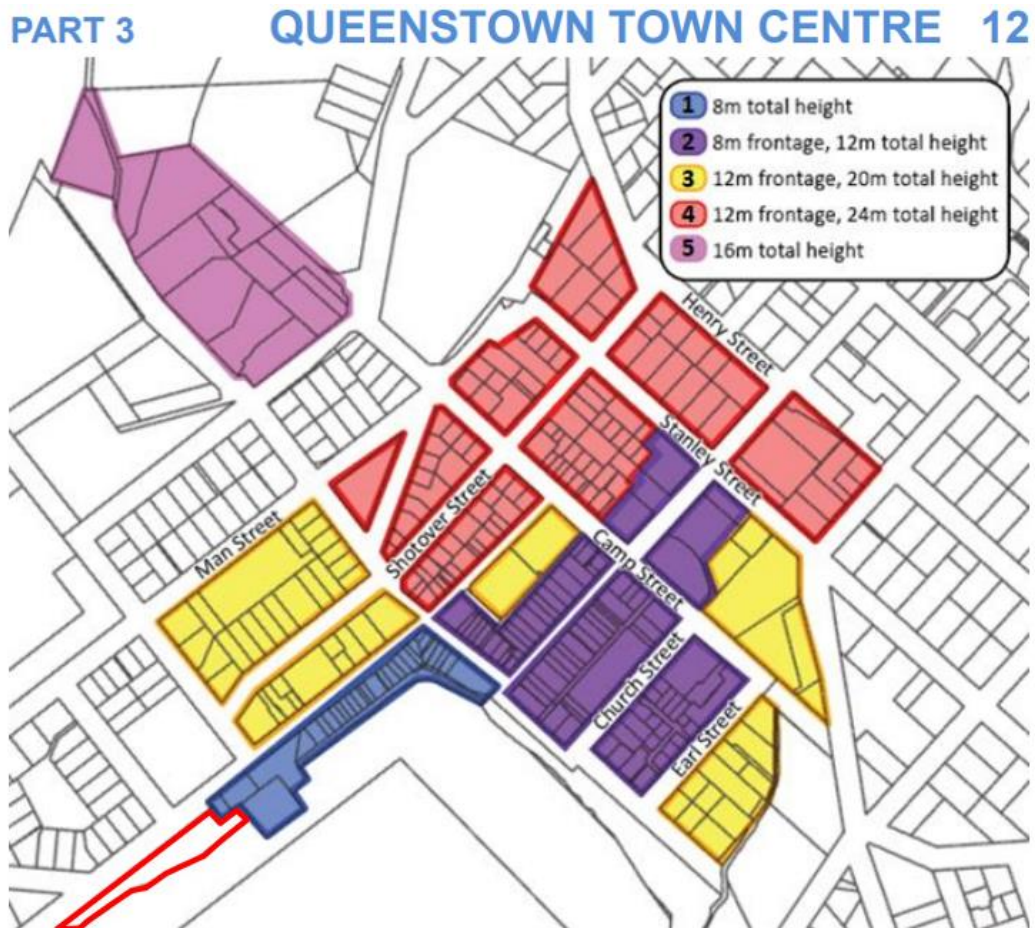


Figure 2: Queenstown Town Centre Height Precinct Map, with the part of the land legally described as Section 2 Block XVII Town of Queenstown and comprised in record of title OTB1/226 and zoned Queenstown Town Centre Zone outlined in red.

- e. That the following amendments be made to definitions and rules proposed in the Variation:

Provision	Submission	Relief Sought
Definitions	<p>New definitions are proposed for the terms 'Habitable Room' and 'Outlook Space'.</p> <p>Proposed Rule 12.5.12 refers to the Outlook Space requirements for a 'principal living room/ space' and for 'all other habitable rooms'.</p>	<p>Amend the definition of 'Habitable Room' to:</p> <p><u>Any room in a residential unit or visitor accommodation unit that exceeds 8m², except for a garage, hallway, stairwell or laundry.</u></p>

	<p>The definition of 'habitable room' is uncertain, and there is no definition of 'principal living room/ space'.</p>	<p>Include new definition of 'Principal Habitable Room' :</p> <p><u>The Habitable Room within a residential unit or visitor accommodation unit with the largest floor area.</u></p>
<p>Rule 12.5.9 Maximum Building Height</p>	<p>The Maximum Building Height limits at Rule 12.5.9 is to be read in conjunction with proposed Rule 12.5.8 ('Building Height Setback at Upper Floors').</p> <p>Proposed Rule 12.5.8 manages the setback distance of buildings from road boundaries.</p> <p>Proposed Rule 12.5.8 refers to the Height Precinct Map – Figure 2.</p> <p>That map identifies two height limits for each precinct; the building 'frontage' and a 'total height'.</p> <p>With the exception of referring to proposed Figure 2, there is no rule that manages the façade height of buildings.</p>	<p>Re-name Rule 12.5.9:</p> <p>Building <u>façade height and setback</u> at <u>of</u> upper floors</p>
<p>Rule 12.5.10 Setback and Sunlight Access – site adjoining a Residential Zone</p>	<p>Two proposed rules require recession planes and physical separation where a site adjoins a Residential Zone.</p> <p>Rule 12.5.10.1 needs an exemption clause that ensures that a recession plane calculation is not required where there is a road located in between Town Centre and Residential zoned sites.</p>	<p>Amend proposed Rule 12.5.10.1:</p> <p>Buildings shall not project beyond a recession line constructed at an angle of 60° inclined towards the site from points 8m above any Residential Zone boundary. <u>This rule does not apply where a road is located between Residential and Town Centre zoned sites.</u></p>
<p>Rule 12.5.12 Outlook Space (per unit)</p>	<p>The rule refers to the minimum outlook space for a 'principal living room/ space' and for 'all other habitable rooms'.</p> <p>The submission point above relating to the proposed definitions seeks a new definition of 'Principal Habitable Room' and as a consequence Rule 12.5.12 needs to be amended.</p>	<p>Amend Rule 12.5.12.1:</p> <p><u>The Principal Habitable Room principal living room/ space must have an outlook space with a minimum dimension of 6m in depth and 4m in width; and</u></p>
<p>Rule 15.5.11 Minimum Ground Floor Height</p>	<p>The proposed rule requires that a minimum floor to ceiling height of</p>	<p>Amend proposed Rule 12.5.11:</p>

	<p>4m is achieved at the ground floor level of all buildings.</p> <p>The subject block extends from Beach Street up to Man Street.</p> <p>The primary street façade and entry is located at the Beach Street level.</p> <p>Hay and Lake Streets adjoin the eastern and western boundaries of the block, and any part of a building that adjoins these streets would trigger compliance with this proposed rule.</p> <p>It is in appropriate that the 4m floor to ceiling height apply to those parts of any building that have frontage to these streets.</p>	<p>A minimum floor to ceiling height of 4m shall apply at the ground floor level of all buildings, <u>except for buildings adjoining Hay Street and Lake Street.</u></p>
--	---	--

- f. As alternative relief should the PC50 land or the Carter Group Land not be included in the Variation, Carter Group seek that the whole Variation be rejected on the basis that such a Variation should include all relevant Land in the District (whether managed by the ODP or the PDP) in order to give effect to the purpose of the Variation and the NPS-UD.
 - g. Any alternative, additional, or consequential relief necessary or appropriate to give effect to the matters raised in this submission and/or the relief requested.
6. Carter Group wish to be heard in support of this submission.
7. If others make a similar submission, Carter Group will consider presenting a joint case with them at a hearing.



Signature of person authorised to sign on behalf of the submitter

5 October 2023

Address for Service of Submitter:

Carter Queenstown 2015 Limited
C/O :- John Edmonds and Associates Limited
PO Box 95
Queenstown 9348
Tel 03 450 009/ 021 409 075

**FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO,
SUBMISSION ON NOTIFIED PROPOSED POLICY STATEMENT OR PLAN,
CHANGE OR VARIATION**

Clause 8 of Schedule 1, Resource Management Act 1991

To Queenstown Lakes District Council (QLDC)

Name of person making further submission: **Carter Group Queenstown 2015 Limited**
(Carter Group)

- 1 This is a further submission on submissions on the Queenstown Lakes Proposed District Plan 2023 – Proposed Urban Intensification Variation.
- 2 Carter Group are persons who have an interest in the proposal that is greater than the interest of the public generally (in that their operations in the Queenstown Lakes district are directly affected by the proposed variation).
- 3 If others make a similar submission, the Carter Group will consider presenting a joint case with them at a hearing.
- 4 Carter Group wishes to be heard in support of their further submission.
- 5 Carter Group's further submissions are set out in **Annexure 1**.

Signed for and on behalf of **Carter Group Queenstown 2015 Limited** by John Edmonds and Associates Limited



John Edmonds
14 June 2024

Address for service of submitter:

Carter Group Queenstown 2015 Limited
c/- John Edmonds
John Edmonds and Associates Limited
Level, 36 Shotover Street
Queenstown 9300
PO 95, Queenstown 9348
Tel: 021 409 075
Email: john@jea.co.nz

ANNEXURE 1: FURTHER SUBMISSIONS

Submitter name	Submission number	Provision	Decision requested by Original Submitter	Position	Reason for Further Submitter's position	Relief
Kopuwai Investments Limited	OS995.9	Chapter 12 - Queenstown Town Centre > 12.5 Rules - Standards	A bespoke height limit be imposed for the site at 88 Beach Street, to include an overall height of 11m and 4m minimum building setback from site boundaries.	Oppose.	<p>Carter Group considers an increase in height and bulk is not appropriate for the properties along Steamer Wharf (including 88 Beach Street) and immediately adjacent to the lake, given the proximity of the land to the water's edge.</p> <p>The height precincts have been developed to stagger heights from the lake edge upwards. The requested 11m could create additional dominance of built form on the edge of the lake and negatively affect the buildings behind Beach Street.</p>	Reject.
Man Street Properties Limited	OS991.11 OS991.12	Chapter 12 - Queenstown Town Centre > 12.5 Rules - Standards > 12.5.9	<p>That the proposed 20m height limit be measured from the datum point of RL 327.1 masl (as opposed to the original ground level as determined by the PDP definitions of ground level and building height).</p> <p>That the required setback in Rule 12.5.8.2 be reduced from 6m to 2m.</p>	Oppose.	<p>Carter Group opposes the inclusion of a fixed datum point for the submitter's site.</p> <p>Carter Group considers the way height limits apply should be consistently applied for sites across the Town Centre (including PC50 land). This includes where development has already been constructed that has changed the underlying lay of the land over time.</p>	Reject.

Submitter name	Submission number	Provision	Decision requested by Original Submitter	Position	Reason for Further Submitter's position	Relief
					<p>The use of a fixed datum point of the top of the car park as the ground level to measure height from enables an additional 11.7m of height in the northern extent of Man Street Properties Limited's landholdings, shown as Profile C in the submission attachment.</p> <p>The south-western extent of Man Street Properties Limited's landholdings, closest to the Carter Group land, would gain an additional 5m permitted height if measured from the 327.1 RL requested rather than the interpolated ground level.</p> <p>Carter Group opposes the additional bulk and dominance that an additional 5-11m gain could create for the site. Carter Group also opposes the bulk and dominance that a reduced setback would result in. Carter Group considers this could result in an obvious step change in the heights of the town if utilized to its full development potential.</p>	

Submitter name	Submission number	Provision	Decision requested by Original Submitter	Position	Reason for Further Submitter's position	Relief
Macfarlane Investments and John Thompson	OS767	Chapter 12 Queenstown Town Centre	<p>That the relevant Zoning map be updated to include the PC50 land (Lakeview area), or at the very least the MacFarlane Investments and JL Thompson land at 5,7,11 and 15 Man Street, 2,4 and 8 Isle Street, and 19 Brecon Street, as Queenstown Town Centre Zone in the variation.</p> <p>That the MIL Land (5,7,11 and 15 Man Street, 2,4 and 8 Isle Street, and 19 Brecon Street) be included within 'Figure 2: Queenstown Town Centre Height Precinct Map' of the Queenstown Town Centre Zone chapter of the variation.</p>	Support to the extent that it is consistent with the relief sought by Carter Group.	<p>Carter Group supports the submitter's opposition to the failure to include PC50 land within the Queenstown Town Centre.</p> <p>Reasons for supporting the inclusion of PC50 land in the Urban Intensification Variation are as set out in Carter Group's original submission. In summary, the NPS-UD applies to the whole district irrespective of whether land is managed by the ODP or PDP. To avoid unnecessary procedural duplication, the PC50 land should be included in the variation as it is a logical and geographical extension of the town centre.</p>	Adopt to the extent that it is consistent with the relief sought by Carter Group.
Upper Village Holdings 3 Limited	OS1252	Urban Intensification Variation	<p>That the relevant Zoning map be updated to include the PC50 land (Lakeview), or at the very least the UVH Land (Section 3 Block XI Queenstown and Section 4 Block XI Queenstown), as Town Centre Zone.</p> <p>That the Upper Village Holding Land (Section 3 Block XI Queenstown and Section 4 Block XI Queenstown) be included as 'Height</p>	Support to the extent that it is consistent with the relief sought by Carter Group.	<p>Carter Group supports the submission point that the Central Business District should be assessed in a comprehensive and holistic manner and all of the Queenstown Town Centre Zoned land, whether under the ODP or PDP, should be considered at the same time.</p> <p>In summary, the NPS-UD applies to the whole district irrespective of whether land is managed by the ODP or PDP. To avoid unnecessary procedural</p>	Adopt to the extent that it is consistent with the relief sought by Carter Group.

Submitter name	Submission number	Provision	Decision requested by Original Submitter	Position	Reason for Further Submitter's position	Relief
			<p>Precinct 4' within the amended 'Figure 2 – Queenstown Town Centre Height Precinct Map'.</p> <p>That the Central Business District should be assessed in a comprehensive and holistic manner and all of the Queenstown Town Centre Zone land, whether under the Operative District Plan or the Proposed District Plan, should be considered at the same time.</p>		<p>duplication, the PC50 land should be included in the variation as it is a logical and geographical extension of the town centre.</p>	
Centuria Property Holdco Limited	OS743	Urban Intensification Variation	<p>That Queenstown Town Centre land within the Isle Street West and Isle Street East sub-zones under the Operative District Plan should be considered for intensification.</p> <p>That Council implement the NPS-UD within all areas of the Queenstown Town Centre through the current process.</p> <p>That in the alternative, if Council does not accept the relief sought in the submission, that the Variation be declined until Council has done the requisite work to implement the</p>	<p>Support to the extent that it is consistent with the relief sought by Carter Group.</p>	<p>Carter Group support that QLDC should implement the NPS-UD within all areas of the Queenstown Town Centre through the current process.</p> <p>As set out in the Carter Group original submission, the NPS-UD applies to the whole district irrespective of whether land is managed by the ODP or PDP. To avoid unnecessary procedural duplication, the PC50 land should be included in the variation as it is a logical and geographical extension of the town centre.</p>	<p>Adopt to the extent that it is consistent with the relief sought by Carter Group.</p>

Submitter name	Submission number	Provision	Decision requested by Original Submitter	Position	Reason for Further Submitter's position	Relief
			NPS-UD with the entire Queenstown Town Centre.			
Rick Pettit	OS298.3	Urban Intensification Variation	That in areas with significant natural height back drops such as the Mans Street/Holiday Park area, a 24m height limit would be appropriate.	Support.	Carter Group agrees that the wider Queenstown Town Centre, including the Carter Group land, can accommodate additional height given there is significant natural elevation of Ben Lomond in the background. Carter Group considers additional height can be absorbed in this landscape without obstructing the natural height back drop.	Adopt to the extent that it is consistent with the relief sought by Carter Group.
Cactus Kiwi NZ Limited	OS1004.11 OS1004.12	Chapter 12 - Queenstown Town Centre > 12.5 Rules - Standards > 12.5.9	A bespoke rule be created for 10 Man Street that measures building height from a fixed datum point of 326.5 masl as opposed to the 'original' ground level as determined by PDP definitions. That the required setback in Rule 12.5.8.2 be reduced from 6m to 2m.	Oppose to the extent that it is inconsistent with the relief sought by Carter Group.	Carter Group opposes the inclusion of a fixed datum point for the submitter's site. Carter Group considers the way height limits apply should be consistently applied for sites across the Town Centre (including PC50 land). This includes where development has already been constructed that has changed the underlying lay of the land over time. The use of a fixed datum point of the top of the retaining wall as the ground	Reject.

Submitter name	Submission number	Provision	Decision requested by Original Submitter	Position	Reason for Further Submitter's position	Relief
					<p>level to measure height from enables approximately 7m of additional height in the eastern extent of Cactus Kiwi NZ Limited's landholdings, shown in the longitudinal sections in the original submission attachment.</p> <p>Carter Group opposes the additional bulk and dominance that an additional 7m gain could create for the Site. Carter Group also opposes the bulk and dominance that a reduced setback would result in. Carter Group considers this could result in an obvious step change in the heights of the town if utilized to its full development potential.</p>	
Waka Kotahi (NZ Transport Agency)	OS200.14 OS200.16 OS200.19 OS200.20	Urban Intensification Variation Chapter 9 High Density Residential	<p>That more sites are identified in Queenstown and Frankton for intensification and for greater levels of intensification in the areas identified for upzoning than were notified in the proposed variation.</p> <p>That all areas within walking distance of the Queenstown Town Centre should be up-zoned to High Density Residential unless constrained by other factors.</p>	Support.	<p>Carter Group are located within the PC50 land specifically referenced by Waka Kotahi and therefore have an interest greater than the public.</p> <p>Carter Group agrees with Waka Kotahi that NPS-UD Policy 5 will be a matter for consideration in the review of these zones in future. As set out in the original submission, Carter Group considers the PC50 land should be considered in the Urban Intensification</p>	Adopt to the extent that it is consistent with the relief sought by Carter Group.

Submitter name	Submission number	Provision	Decision requested by Original Submitter	Position	Reason for Further Submitter's position	Relief
			<p>That there is greater scope for greater building heights in the Queenstown and Wānaka Town centres whilst recognising heritage and other constraints.</p> <p>That consideration of Lakeview and other smaller urban special zones for intensified development would be supported.</p>		Variation to avoid unnecessary duplication in future.	



Level 5, AON Building
 Customs Street West
 Private Bag 106602
 Auckland 1143
 New Zealand
 T 64 9 969 9800
 F 64 9 969 9813
www.nzta.govt.nz

Submission from Waka Kotahi on Urban Intensification Variation by Queenstown Lakes District Council in response to the National Policy Statement on Urban Development 2020

21 September 2023

Queenstown Lakes District Council
 Private Bag 50072
 Queenstown 9348
 Attn: Proposed District Plan Submission – Urban Intensification Variation

Email: pdpsubmission@qldc.govt.nz

Name of submitter: The New Zealand Transport Agency (Waka Kotahi)

This is a submission on Queenstown Lakes District Council's (**Council**) variation (**Variation**) which seeks to give effect to policy 5 of the National Policy Statement on Urban Development 2020 (**NPS-UD**).

Waka Kotahi wishes to be heard in support of this submission.

If others make a similar submission, Waka Kotahi may consider submitting a joint case.

Waka Kotahi could not gain a trade advantage through this submission.

Waka Kotahi role and responsibilities

Waka Kotahi is a Crown Entity established by Section 93 of the Land Transport Management Act 2003 (**LTMA**). The objective of Waka Kotahi is to undertake its functions in a way that contributes to an effective, efficient, and safe land transport system in the public interest. Waka Kotahi roles and responsibilities include:

- Managing the State Highway system, including planning, funding, designing, supervising, constructing, maintaining and operating the system.
- Managing funding of the land transport system, including auditing the performance of organisations receiving land transport funding.
- Managing regulatory requirements for transport on land and incidents involving transport on land.
- Issuing guidelines for and monitoring the development of regional land transport plans.

Waka Kotahi has a role in the delivery of the Emission Reduction Plan (Te hau mārohi ki anamata) and the National Adaptation Plan (Urutau, ka taurikura: Kia tū pakari a Aotearoa i ngā huringa āhuarangi). Within these plans are several key policies and targets for adapting to and mitigating the effects of Climate Change. The integration of land use and transport will be key in reducing emissions and ensuring the transport system is resilient.

Waka Kotahi interest in this proposal stems from its role as:

- A transport investor to maximise effective, efficient and strategic returns for New Zealand;
- A planner of the land transport network to integrate one effective and resilient network for customers;
- Provider of access to and use of the land transport system to shape smart efficient, safe and responsible transport choices; and
- The manager of the State Highway system and its responsibility to deliver efficient, safe and responsible highway solutions for customers.

Government Policy Statement on Land Transport

Waka Kotahi also has a role in giving effect to the Government Policy Statement on Land Transport (**GPS**). The GPS is required under the LTMA and outlines the Government's strategy to guide land transport investment over the next 10 years. The four strategic priorities of the GPS 2021 are safety, better travel options, climate change and improving freight connections. A key theme of the GPS is integrating land use, transport planning and delivery. Land use planning has a significant impact on transport policy, infrastructure and services provision, and vice versa. Once development has happened, it has a long-term impact on transport. Changes in land use can affect the demand for travel, creating both pressures and opportunities for investment in transport infrastructure and services, or for demand management. For these reasons, Waka Kotahi seeks full utilisation of the tools available to Council to enable development in the most accessible urban areas.

To deliver on Government Outcomes (including NPS-UD, GPS), Waka Kotahi has developed and is developing a number of strategies and plans relevant to achieving integrated planning outcomes, including Arataki-our 30 year Plan, Toitū Te Taiao – Our Sustainability Action Plan, and our Urban development Position Statement.

Waka Kotahi view on the Proposal

Waka Kotahi supports the intent and content of the National Policy Statement on Urban Development (NPS-UD). This Policy Statement recognises the national significance of having well-functioning urban environments that enable people and communities to provide for their social, economic and cultural well-being and for their health and safety. The NPS-UD has a strong focus on ensuring that increased densities are provided in the most accessible parts of urban areas, where communities are able to access 'opportunities' such as services, education, employment and recreation by active and public transport modes.

In respect of the Variation Waka Kotahi is **generally supportive** of the proposed changes. The Waka Kotahi view on specific topics is set out below.

Approach to planning for growth

The section 32 Evaluation Report correctly identifies the issues the NPS-UD aims to address which are:

- Low density development around commercial centres and along transport routes does not provide enough population density (critical mass) to provide economic support to the centres and reduces their vibrancy. It also does not promote investment in public and active transport improvements contributing to mode shift and reductions in greenhouse gas emissions associated with reduced private vehicle travel;
- The dispersed, low density settlement pattern across the District means people are reliant on private vehicles to access jobs, education and facilities. Intensification in appropriate locations means people can live close to where they work, shop or go to school. This can provide additional travel options and reduce private vehicle trips; and
- There are four bridges (including Shotover River Bridge and Kawarau Falls Bridge) identified as limiting growth across the urban area.

While Waka Kotahi considers that while issues have been correctly identified, we suggest the proposed Variation has not gone far enough to address them. This can be addressed by identifying more sites in and around Queenstown and Frankton for intensification and for greater levels of intensification in the areas identified for upzoning. Providing more intensification in these urban areas around the commercial nodes and transport corridors will support existing and future public transport services.

Specific areas for greater density of development include, but are not limited to:

- Fernhill / Sunshine Bay: although these areas have topographical constraints, they are very close to Queenstown Town Centre and are served by a frequent bus route;

- All areas within walking distance of Queenstown Town Centre should be up-zoned to High Density Residential Zone unless constrained by other factors;
- Some areas within walking distance of Wanaka Town Centre should be considered for High Density Residential zoning;
- Frankton: due to it being identified as the second most accessible area within the district as discussed further below; and
- Queenstown and Wanaka town centres: the heritage and other constraints of these areas are recognised but there is scope for greater height in these centres.

This Variation has not considered some smaller urban special zones such as Lakeview (PC50). Council notes that Policy 5 will be a matter of consideration for the review of these zones in the future. As Lakeview offers an accessible location for intensified development that would help address the identified issues, Waka Kotahi would support consideration of intensification of this area.

Consistency with the Queenstown Lakes Spatial Plan and the Airport Outer Control Boundary

Waka Kotahi was a partner to the Queenstown Lakes Spatial Plan (**Spatial Plan**) and supports its approach to focussing growth in locations with good access to facilities, jobs and public transport described as a 'consolidated approach to growth'. Part of this was the identification of Te Kirikiri / Frankton as a Metropolitan Centre and the location of future growth.

As detailed in the section 32 report, Council has opted not to provide any new development capacity in the Variation within the Air Noise Boundary (ANB) of the Queenstown Airport and make only provision changes to land within the Outer Control Boundary (OCB) despite identifying land in both areas as having high accessibility and high relative demand. Waka Kotahi recognises the need to protect infrastructure from reverse sensitivity effects and the need to protect people from adverse health and amenity effects from excessive noise exposure. However, it is not clear that the appropriate balance has been struck in the Frankton area and it appears that the benefits of development in this location have not been fully recognised. Waka Kotahi requests that Council reconsider this issue with the aim of providing increased development potential (i.e. option 3 in appendix 7 of the section 32 report), at least for the OCB.

Proposed Objectives, Policies, and rules

The following proposed changes are supported by Waka Kotahi:

- **Objectives 8.2.5 and 16.2.2:** Support the amendments to the objectives to minimise impacts on roading networks;
- **Policy 7.2.6.2:** support this policy as it ensures development is designed to be consistent with the capacity of infrastructure;
- **Policy 8.2.5.2¹:** Support the amendment to consider future upgrades;
- **Policy 16.2.2.1** Support this new policy to encourage mode shift through the provision of facilities and active travel connections to facilitate mode shift; and
- **Rules 7.4.9, 8.4.10 and 9.4.5:** support these rules as they ensure development is designed to be consistent with the capacity of infrastructure.

Further suggested changes by Waka Kotahi include:

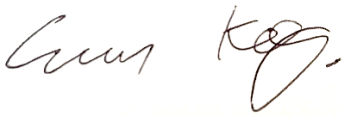
- **Policy 8.2.5.2:** Support this new policy to encourage a reduction in carparking to facilitate mode shift but consider that the word 'encourage' should be replaced with 'require' as follows (amendment is shown in **bold**): **Encourage Require a reduction in car parking provision where a site is located within 800m of a bus stop or the edge of the Town Centre Zone to help facilitate mode shift:**
- **Policy 9.2.6.3:** Support the amendment to encourage a reduction in carparking to facilitate mode shift but consider that the word 'encouraging' should be replaced with 'required' as follows (amendment is shown in **bold**): **"Ensure access and parking is located and designed to optimise the connectivity, efficiency and safety of the district's transport networks, including encouraging requiring the consideration of a reduction in required car parking provision to where it can help be facilitate modal shift. demonstrated that this is appropriate"**

¹ Note that the notified documents have two policies numbered as 8.2.5.2 (one new and one amended) and it is likely that it is intended for them to have different references. Waka Kotahi supports both policies.

- **Policy 9.2.6.5:** Support the amendment to encourage a reduction in carparking but suggest further amendment to clarify the intent is to encourage mode shift and provide consistency with Policy 8.2.5.2 in terms of replacing 'encouraged' with 'required'. Additional suggested amendment in **bold** – "~~A reduction in parking provision requirements may be is encouraged~~ **required** ~~considered in Queenstown and Wanaka~~ where a site is located within 800m of a bus stop or the edge of a Town Centre Zone **to help facilitate mode shift**"

Waka Kotahi thanks Queenstown Lakes District Council for the opportunity to make a submission on the Variation. To discuss this submission, please contact Evan Keating at evan.keating@nzta.govt.nz.

Signature of the person authorised to sign on behalf of the submitter



Evan Keating

Principal Planner – Poutiaki Taiao / Environmental Planning

Address for service:

Waka Kotahi, NZ Transport Agency

Contact Person: Evan Keating

Email: Evan.Keating@nzta.govt.nz

Urban Intensification

Submitter Details

First name: Rick **Last name:** Pettit

On behalf of:

Preferred method of contact

Postal address: 336 Morven Ferry Road

Suburb:

City: Arrow Junction

Country: New Zealand

Postcode: 9371

Email: rick.pettit@xtra.co.nz

Daytime Phone: * 0274362379

I could not
Gain an advantage in trade competition through this submission

I am not
directly affected by an effect of the subject matter of the submission that :

- adversely affects the environment, and
- does not relate to the trade competition or the effects of trade competitions.

Note to person making submission:

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991

Would you like to speak at the hearing? *

Yes

I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.

Attached Documents

File
Rick Pettit



FORM 5: SUBMISSION

ON NOTIFIED PROPOSED DISTRICT PLAN OR PLAN CHANGE OR VARIATION OR POLICY STATEMENT



Clause 6 of Schedule 1, Resource Management Act 1991



TO // Queenstown Lakes District Council

Name of submitter [full name] Centuria Property Holdco Limited

This is a submission on the following proposed policy statement (or on the following proposed plan or on a change proposed to the following policy statement or plan or on the following proposed variation to a proposed policy statement or on the following proposed variation to a proposed plan or on the following proposed variation to a change to an existing policy statement or plan) (the **proposal**):



NAME OF // Proposed or existing policy statement or plan and (where applicable) change or variation

Variation to Queenstown Lakes Proposed District Plan Urban Intensification

could / could not**

gain an advantage in trade competition through this submission.

*I am / am not**

directly affected by an effect of the subject matter of the submission:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

* Delete entire paragraph if you could not gain an advantage in trade competition through this submission.

** Select one.



SPECIFIC PROVISIONS // Of the proposal that my submission relates to are:

[give details] The whole variation as it relates to the Queenstown Town Centre.



MY SUBMISSION

[Include: whether you support or oppose the specific provisions or wish to have them amended; and reasons for your view]

Please see attached submission.

*If your submission relates to a proposed policy statement or plan prepared or changed using the collaborative planning process, you must indicate the following:

- > whether you consider that the proposed plan or policy statement or change fails to give effect to a consensus position and therefore how it should be modified; or
- > in the case that your submission addresses a point on which the collaborative group did not reach a consensus position, how that provision in the plan or policy statement should be modified.

* This paragraph may be deleted if the proposal is not subject to a collaborative planning process.

**I SEEK THE FOLLOWING DECISION // From the local authority**

[give precise details]

Please see attached submission.

* I wish / do not wish** to be heard in support of my submission. I will / will not** consider presenting a joint case with others presenting similar submissions.

* In the case of a submission made on a proposed planning instrument that is subject to a streamlined planning process, you need only indicate whether you wish to be heard if the direction specifies that a hearing will be held.

** Select one.

**SIGNATURE**

**Signature

[or person authorised to sign on behalf of submitter]

Date 5 October 2023

** A signature is not required if you make your submission by electronic means.

**YOUR DETAILS // Our preferred methods of corresponding with you are by email and phone.**

Electronic address for service of submitter [email] luke.hinchey@chapmantripp.com | georgia.moore@chapmantripp.com

Telephone [work] +64 9 357 2709

[home] +64 9 357 2709

[mobile] +64 27 599 5830

Postal Address Centuria Property Holdco Limited c/- Luke Hinchey
 [or alternative method of service Chapman Tripp
 under section 352 of the Act] Level 34, 15 Customs Street West, PO Box 2206, Auckland

Post code
1140

Contact person [name and designation, if applicable] Luke Hinchey (Partner)

**NOTE // To person making submission**

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- > it is frivolous or vexatious;
- > it discloses no reasonable or relevant case;
- > it would be an abuse of the hearing process to allow the submission (or the part) to be taken further;
- > it contains offensive language;
- > it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.



FORM 5**SUBMISSION ON NOTIFIED PROPOSAL FOR A POLICY STATEMENT OR PLAN,
CHANGE OR VARIATION***Clause 6 of Schedule 1, Resource Management Act 1991***To:** Queenstown Lakes District Council (*Council*)**Name of submitter:** Centuria Property Holdco Limited (*Centuria*)

- 1 This is a submission on Council's Proposed Urban Intensification Variation (*Variation*) to the Proposed Queenstown Lakes District Plan (*PDP*).
- 2 Centuria could not gain an advantage in trade competition though this submission.
- 3 The submission relates to the Variation as it relates to the Queenstown Town Centre (*QTC*).

SUMMARY OF SUBMISSION

- 4 Centuria supports the general purpose of the Variation. It supports enabling greater height and density within the QTC. It concurs that greater height and density are necessary to give effect to the National Policy Statement on Urban Development 2020 (*NPS-UD*) and achieve other statutory imperatives and Council strategies.
- 5 However, at present, the Variation does not achieve the statutory requirements or achieve the outcomes sought by relevant higher order documents. The Variation artificially compartmentalises parts of the QTC. It enables much greater heights for some areas of the QTC and not others creating an 'island' of QTC land disconnected from the remainder. It does not have a sound evidential basis for doing so and will result in poor outcomes. The relevant statutory and non-statutory documents in fact require a more comprehensive and holistic approach to intensification of the QTC through the Variation.
- 6 Centuria is particularly impacted by the Variation's compartmentalised approach. It owns a property at 17-19 Man Street, Queenstown¹ (*Site*). It is currently developing a new, high-quality hotel development generally around 12m in height on the Site in accordance with a resource consent relatively recently approved (RM170564). The proposed new heights enabled by the Variation on neighbouring land in the order of 20-24m will significantly impact on its current design.

¹ Contained in Records of Title: OT8D/335 (Lot 2 Deposited Plan 6458) and OT12A/318 (Lot 1 Deposited Plan 6458).

- 7 More generally, the Variation proposes an important reconsideration of the land development rules, which would result in a substantial change to the form and character of the QTC. Centuria submits that the change needs to be assessed in a comprehensive manner. The QTC land within the Isle Street West and Isle Street East Sub-Zones under the Operative District Plan (*ODP*) should be considered at the same time. This approach will ensure the statutory requirements are met. And, it will enable the QTC to be developed in a sustainable manner to meet the future needs of the fast growing Queenstown Lakes District (*District*).
- 8 Conversely, Centuria submits that the current compartmentalised approach undertaken in the Variation (in general and without limitation):
- (a) Does not achieve its stated purpose of meeting the Council's obligations as a Tier 2 local authority under Policy 5 of the NPS-UD;
 - (b) Does not give effect to the NPS-UD as a whole, including because it will not enable development that contributes to a 'well-functioning urban environment';
 - (c) Will increase non-compliance with the NPS-UD's required timeframes for implementation for an undefined period;
 - (d) Does not give effect to the operative Otago Regional Policy Statement (*ORPS*), including because it will not:
 - i. enable well designed urban growth and development to occur in a strategic and coordinated way;
 - ii. integrate effectively with existing urban environments;
 - iii. integrate effectively with current and planned infrastructure; and
 - iv. enable the efficient use of land;
 - (e) Has given insufficient regard to the proposed Regional Policy Statement (*pRPS*), which contains similar policy directives as the *ORPS*;
 - (f) Does not adequately respond to the section 32 assessment and supporting information undertaken for the Variation. The assessment and background documents (including the Queenstown Lakes Spatial Plan 2021 (*Spatial Plan*)) assess the role of the QTC as a whole in achieving the NPS-UD requirements. They support a more comprehensive planning response;
 - (g) Will result in inefficient and ineffective outcomes and in greater costs than benefits. Excluding the Site and the Isle Street Sub-Zone land from the Variation will create duplication of Resource Management Act 1991 (*RMA*) processes (ie. a subsequent plan change or later stage of the District Plan review), and the associated costs of re-litigating the QTC zone a second time.

And, exclusion of suitable land for QTC's intensification at this stage would lead to material risks of development occurring in an incohesive and ad hoc manner or being substantially delayed due to planning uncertainty. These issues have the potential to create perverse economic distortions, which would not support competitive land and development markets.

- 9 Overall, Centuria submits that the Variation in its current form will not achieve the sustainable management purpose of the RMA.
- 10 Accordingly, Centuria requests that the Variation is extended to include its Site and other Isle Street Sub-Zone land, and that the Site be included in Height Precinct 4 and subject to the applicable rules for that precinct (see also paragraphs 73-78 below).
- 11 It submits that this approach is an incidental or consequential change to the Variation. The change meets the purpose of the Variation. It is supported by the section 32 assessment and related background assessments (as supplemented by this submission and the evidence to be produced at the hearing stage). The change is geographically connected to the Variation. It is a 'logical extension' given that proximity and the wide purpose of the Variation. Centuria's relief will also address the significant consequences of the compartmentalised approach currently adopted by the Variation.
- 12 No procedural unfairness arises in relation to its request for an extension, given the wide purpose of the Variation expressed in the various assessments and the geographic connection of the Site to the current Variation boundary. In any case, Centuria intends to serve copies of its submission directly on potentially affected persons (see paragraphs 70-72).
- 13 If the relief in paragraph 10 is not accepted, Centuria seeks that the Variation be rejected or withdrawn.

SUBMISSION STRUCTURE

- 14 This submission is set out as follows:
 - (a) Background – Centuria, its Site and development intentions and Plan Change 50 to the ODP (*PC50*);
 - (b) The purpose of the Variation;
 - (c) The requirement to give effect to the NPS-UD, including Policy 5;
 - (d) Timeframes for giving effect to the NPS-UD;
 - (e) The relevant ORPS and pRPS directives;
 - (f) The section 32 analysis and Centuria's supplementary assessment;

- (g) Persons potentially affected by this submission; and
- (h) Relief sought.

BACKGROUND

Centuria

- 15 Centuria is a wholly owned subsidiary of the ASX listed Centuria Capital Group. Centuria currently owns the site and has been progressing a hotel development at that site. The Centuria group in New Zealand currently manages a range of property funds which own 95 properties with a value of approximately \$2.6 billion. A subsidiary of the Centuria Capital Group (Centuria Lakeview Holdings Limited) is also a partner in the partnership that will develop the former Lakeview campground site.

The Site's current zoning

- 16 Centuria's Site is zoned "Queenstown Town Centre" (Isle Street West Sub-Zone) under the ODP. This block of land (bound by Man Street, Brecon Street, Isle Street and Hay Street) was zoned Queenstown Town Centre, as a result of decisions on PC50, which became operative in July 2016. PC50 rezoned approximately 14.5 hectares of land from High Density Residential Zone to Queenstown Town Centre Zone. The Isle Street West Sub-Zone sought to enable complementary activities to the QTC (including residential, visitor accommodation and commercial activities).
- 17 Currently, the ODP standards impose a maximum building height on the Site of 12m in the Isle Street West Sub-Zone (with an additional 2m roof bonus, subject to compliance with certain controls). Properties near the Site have similar restrictions with maximum height limits between 12–14m under the PDP.

Centuria's development

- 18 Centuria has a resource consent to build a three-storey hotel development on the Site. The Site is currently in the early stages of development, having completed site clearance and some basement works.
- 19 Centuria has designed and consented its hotel development to:
- (a) meet the expectations of both the ODP and PDP QTC provisions;
 - (b) integrate cohesively with existing and future planned character;
 - (c) maximise the amenity of the hotel and the related experience of Queenstown's future visitors; and
 - (d) make efficient use of a scarce brownfield site in the QTC.
- 20 The Variation would significantly impact on those outcomes. The Variation's proposed amendments to the QTC Height Precincts would enable much greater intensification than that enabled by the PDP. These amendments include substantial

increases to the maximum height standards for properties on Man Street across the road from Centuria's site (Figure 1 below - green dot on Centuria's site):



Figure 1: Proposed Queenstown Town Centre Height precinct map

- 21 Centuria would have a short window to redesign its proposal to fit into the planned urban character under the Variation. But, Centuria requires certainty as to the future height planned for its Site now. Otherwise, Centuria risks significant lost opportunities for intensification and compromising the Site's amenity if developed substantially lower than the surrounding properties. Similar risks apply for all properties in the Isle Street West Sub-Zone.

PC50 relationship to the Variation

- 22 The PDP has been reviewed in Stages since 2015. To date the Council has notified three Stages. Stage 1 of the PDP was notified in August 2015, and included the Queenstown Town Centre Zone. The Stage 1 notified planning maps did not include the land that was rezoned Queenstown Town Centre as part of PC50. This was because the PC50 ODP process was not complete by the time notification of that Stage 1 of the PDP occurred.
- 23 Subsequent stages have also not amalgamated the land rezoned Queenstown Town Centre into the PDP. However, Centuria considers this has been for administration convenience, rather than there being a good planning rationale. The Council's

section 32 assessment records that 98% of the District is now included in the PDP.² It is a significant anomaly that part of the small remaining 2% is in the middle of the largest and arguably most significant urban area for the District's prosperity – Queentown's Town Centre.

- 24 The anomaly becomes more stark when looked at in the context of the Council's wider review processes. PC50 areas are very much part of the expected future of the QTC. There are no material constraints such as special overlays or particular infrastructure and servicing issues in these areas, as was established through PC50. But, perversely the PC50 areas are not included in the Variation maps.
- 25 The section 32 assessment indicates that these areas will be reviewed, with Policy 5 of the NPS-UD a relevant matter for consideration in the future. However, no timing is provided. In particular the section 32 assessment states that PC50 and other special zone areas:³

...include numerous bespoke provisions which are intended to provide specific outcomes in terms of character or to manage effects upon surrounding or adjacent sensitive environments. Consequently, these zones need to be reviewed holistically and they have not been included within the review undertaken in response to the NPS-UD. However, Policy 5 will be a matter of consideration for the review of these ODP zones in the future, when they are brought into the PDP.

- 26 Centuria submits that this statement is incorrect as it relates to the Site and other Isle Street Sub-Zone land. There are a number of rules arising from PC50 that specifically apply to this block of land. However, Centuria considers that none of these rules prevent the inclusion of the Site and other Isle Street Sub-Zone land within the PDP. Nor is it necessary or appropriate to continue to apply those rules within the PDP given the significant change in character that the Variation will enable and view of the NPS-UD requirements.
- 27 In any case, it is submitted that the Variation's current compartmentalised approach is significantly flawed for the reasons outlined in this submission.
- 28 The proposed Variation thus provides an opportune, but also necessary time to include this block of land within the QTC zone of the PDP.

THE PURPOSE OF THE VARIATION

- 29 The purpose of the Variation is to meet the Council's obligations as a Tier 2 local authority to effect to the NPS-UD. The particular focus of the Variation is on giving

² *Queenstown Lakes District Proposed District Plan: Section 32 Evaluation Report*, dated 16 May 2023 (*Section 32 Assessment*), section 5.1.3 at page 14.

³ *Section 32 Assessment*, section 5.1.4 at page 18.

effect to Policy 5 by enabling intensification in suitable locations within the urban environment.⁴

- 30 The section 32 assessment, however, appropriately records that the Variation must also give effect to the other relevant objectives and policies of the NPS-UD and the ORPS.⁵
- 31 The Variation also seeks to align and implement parts of the Spatial Plan which promote compact urban form and increased densities in appropriate locations (Strategy 1).⁶
- 32 To achieve these broad purposes, Council has identified three sub-objectives of the Variation, to:⁷
- (a) enable heights and densities in accordance with Policy 5 and to recognise the benefits of intensification;
 - (b) ensure adequate amenity values within intensification areas; and
 - (c) ensure that development can be serviced and to mitigate any potential increase in stormwater runoff.
- 33 Centuria submits that the changes it seeks to the Variation are necessary to achieve the purpose of the Variation. The reasoning is developed in subsequent sections.

THE NPS-UD

- 34 Section 55 of the RMA requires local authorities to amend a proposed plan, plan or variation if a National Policy Statement directs so, to include or give effect to objectives and policies in that statement. Further, section 75(3)(a) of the RMA requires that district plans must 'give effect' to a National Policy Statement.
- 35 Case law has established that the words "give effect to" means to implement, which is a strong directive, creating a firm obligation on the part of those subject to it.⁸

Policy 5

- 36 Policy 5 is of particular relevance. It states:

⁴ *Section 32 Assessment*, section 2 at page 6.

⁵ *Section 32 Assessment*, pages 2, 6 and 26.

⁶ *Section 32 Assessment*, page 2.

⁷ *Section 32 Assessment*, section 2 at page 6.

⁸ *Environmental Defence Society Inc v New Zealand King Salmon Co Ltd* [2014] NZSC 38; [2014] 1 NZLR 593 at [77].

Regional policy statements and district plans applying to tier 2 and 3 urban environments enable heights and density of urban form commensurate with the greater of:

- (a) the level of accessibility by existing or planned active or public transport to a range of commercial activities and community services; or
- (b) relative demand for housing and business use in that location.

37 Centuria submits the Variation as notified fails to give effect to Policy 5. By applying a compartmentalised approach, it has not enabled heights and density of urban form commensurate with the level of accessibility and relative demand in the QTC.

38 In that regard, it is noted that the Council’s modelling and assessment work to support the Variation addresses the level of accessibility and the relative demand for housing and business use in the QTC. This modelling identifies that the QTC as a whole is appropriate for intensification in terms of the direction in Policy 5. It also confirms increased height and density is appropriate across that whole area.

39 For example, the Accessibility and Demand Analysis⁹ (ADA) commissioned for the Variation included a review of the accessibility of the land within the Urban Growth Boundaries. It recommended the option of commercial nodes being strengthened through the upzoning of the land surrounding the nodes. The QTC sits within the Urban Growth Boundaries, and was assessed as an urban environment area as part of the ADA (Figure 2 below):¹⁰

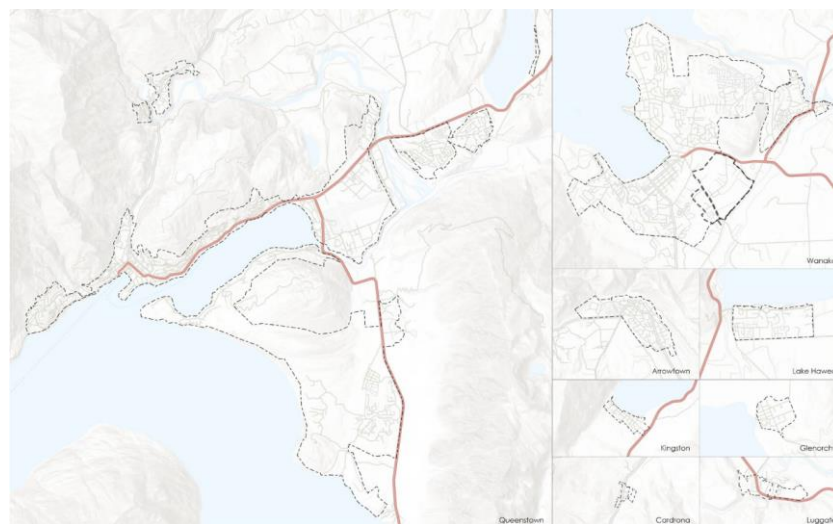


Figure 2: QLDC Urban Environment Area

⁹ *Method Statement – Accessibility & Demand Analysis – NPSUD Policy 5* (Barker and Associates Limited, 16 May 2023).

¹⁰ *Method Statement – Accessibility & Demand Analysis – NPSUD Policy 5* (Barker and Associates Limited, 16 May 2023), section 4 at page 3.

40 The QTC is also shown as an area with high levels of accessibility (Figure 3 below):¹¹

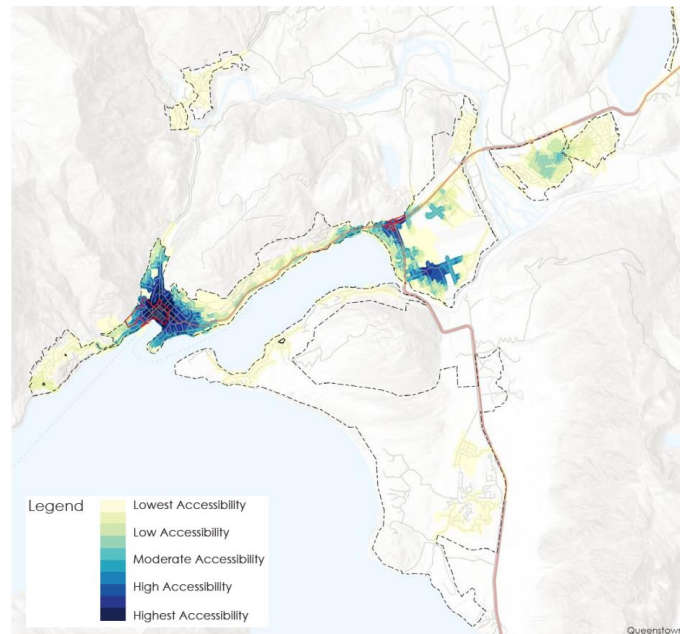


Figure 3: Results of the accessibility analysis for Queenstown

41 The ADA found the QTC performed as the highest level of accessibility across the District.¹² Similarly, the QTC is shown as having high levels of demand, identifying this area as one of the primary demand nodes within the district (Figures 4 and 5 below):¹³

¹¹ *Method Statement – Accessibility & Demand Analysis – NPSUD Policy 5* (Barker and Associates Limited, 16 May 2023), section 7.1 at page 26.

¹² *Method Statement – Accessibility & Demand Analysis – NPSUD Policy 5* (Barker and Associates Limited, 16 May 2023), sections 7.1 and 7.1.1 at pages 26-27.

¹³ *Method Statement – Accessibility & Demand Analysis – NPSUD Policy 5* (Barker and Associates Limited, 16 May 2023), section 7.2 at pages 28-29.

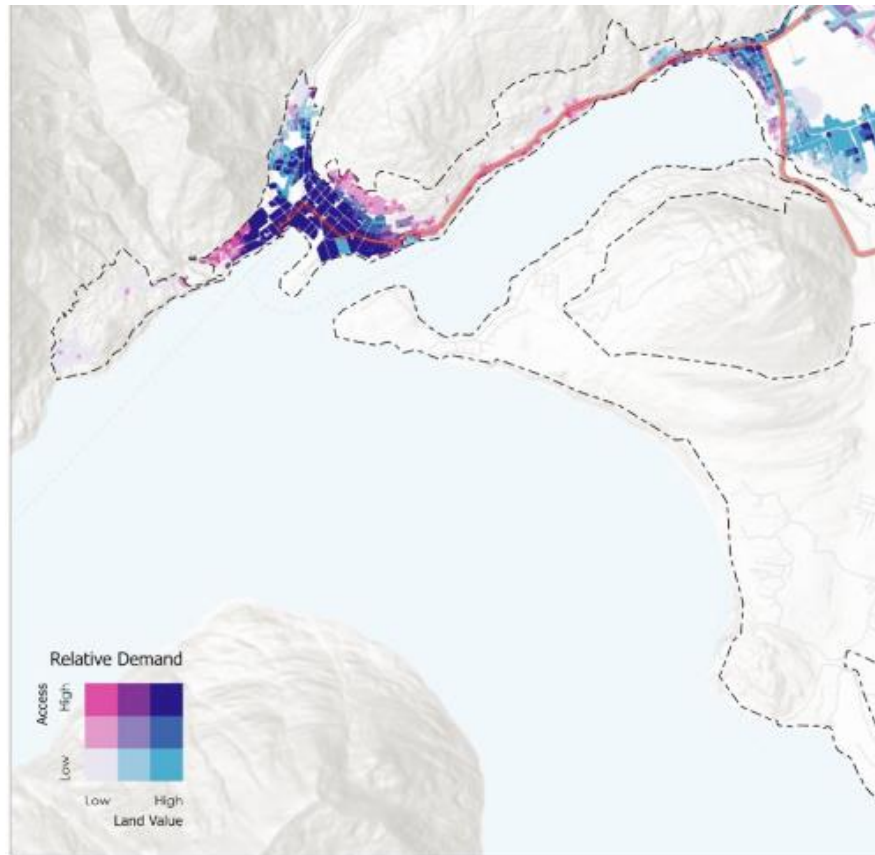


Figure 4: Relative demand bivariate analysis

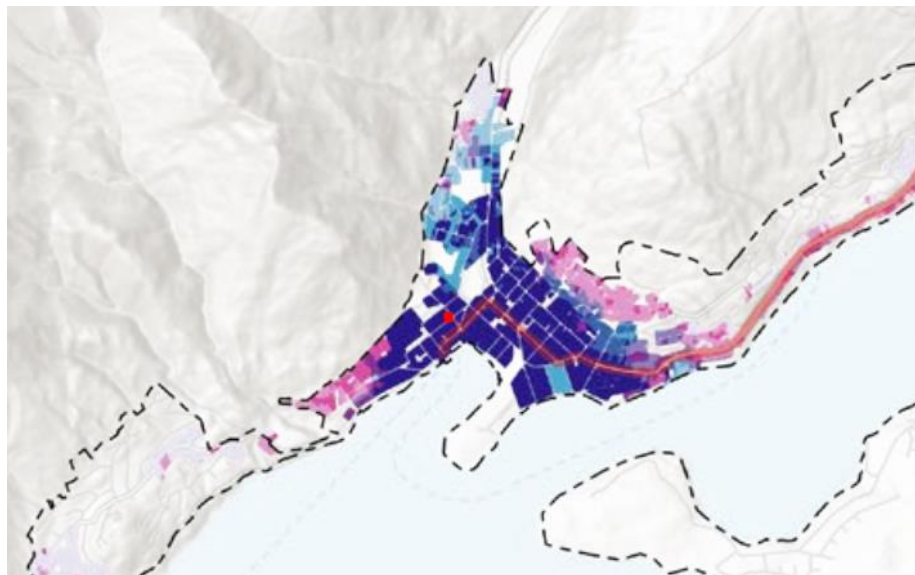


Figure 5: Centuria's Site identified in red

- 42 The 2021 Housing Development Capacity Assessment (*HDCA*), one of the documents required by the NPS-UD, also looks at the role of QTC in providing housing and

business land capacity in QTC as a whole.¹⁴ This document is discussed in more detail later.

NPS-UD generally

- 43 In terms of the wider objectives and policies of the NPS-UD, the section 32 assessment addresses the relevant provisions at section 3.¹⁵ The reasoning given can be applied equally to the Site and other Isle Street Sub-Zone land. Centuria also submits that planning for the QTC needs to be looked at holistically in order to give effect to these wider directives. For example, a compartmentalised approach will not enable development that contributes to a 'well-functioning urban environment'.¹⁶ Excluding areas within the QTC from the Variation also risks lost opportunities for intensification in an area with high levels of accessibility and demand. As such, the benefits of intensification in this urban environment will not be maximised.¹⁷ This approach is inconsistent with the enabling intensification approach of the NPS-UD.¹⁸
- 44 Overall, Centuria submits that the Council must implement the NPSUD within all areas of the QTC through the current process.

Timeframes for implementation

- 45 This submission is also supported by the NPS-UD's timeframe provisions. Clause 4.1 of the NPS-UD sets out the implementation timeframes for the NPS-UD. It requires the Council (as a Tier 2 local authority) to amend its district plan to give effect to the provisions of the NPS-UD "*as soon as practicable.*" Clause 4.1(2) has a more specific time frame that applies in addition to the general requirement in clause 4.1. Clause 4.1(2) requires Tier 2 local authorities to notify a plan change to implement Policy 5 no later than 2 years after its commencement date (which has now passed). Further, clause 1.3(1) states the NPS-UD "*applies to planning decisions by any local authority that affect an urban environment*".
- 46 The High Court recently clarified the strong nature of these obligations. In *Southern Cross Healthcare*,¹⁹ the High Court overturned an Environment Court decision to defer giving effect to the NPSUD in the context of a private plan change (PPC 21). The Court considered that as the Environment Court had to make a decision on the request for PPC 21, that meant in terms of cl 4.1(1) it was practicable for the Court to amend the district plan to give effect to the NPS-UD when making its decision.

¹⁴ *Housing Development Capacity Assessment 2021* (Market Economics, 15 September 2021).

¹⁵ *Section 32 Assessment*, 3 at pages 6-8.

¹⁶ National Policy Statement on Urban Development 2020 (NPS-UD), Objective 1, Policy 1.

¹⁷ NPS-UD, Objective 3, Policies 5 and 6.

¹⁸ NPS-UD, Objective 3, Policies 5 and 6.

¹⁹ *Southern Cross Healthcare Ltd v Eden Epsom Residential Protection Society Inc* [2023] NZHC 948, see discussion from paragraph [74].

Notably, the High Court dismissed reasoning of the Environment Court that the council was already in a process to give effect to the NPS-UD separately.

- 47 The directive obligations of these clauses are particularly apposite here. The relief sought by Centuria is necessary to give effect to the NPS-UD. And, it is practicable to achieve that through the current Variation. Doing so will ensure the Council meets its statutory obligations. In fact, it is highly important, given over a year has passed since the statutory deadline for giving effect to Policy 5 expired.

REGIONAL POLICY DIRECTIVES

Operative Otago Regional Policy Statement

- 48 Section 75(3)(c) of the RMA requires that district plans must “give effect” to any regional policy statement. As such, Council must also implement the provisions of the ORPS through the Variation.²⁰
- 49 As with the NPS-UD, the section 32 general reasoning in terms of the OPRS can be applied equally to the Site and other Isle Street Sub-Zone land. It is emphasised that Objective 4.5 of the ORPS requires that urban growth and development is well designed, occurs in a strategic and coordinated way, and integrates effectively with adjoining urban and rural environments.
- 50 This objective is implemented through Policy 4.5.1, which requires “strategic and coordinated” urban growth and development, including:
- (a) Coordinating the development and the extension of urban areas with infrastructure development programmes, to provide infrastructure in an efficient and effective way; and
 - (b) Ensuring efficient use of land.
- 51 Centuria submits that excluding areas within the QTC from the Variation fails to give effect to these directions. The current Variation is not a “strategic or coordinated approach” to urban development. Rather, it is an ad hoc approach that will not properly integrate the QTC urban area.
- 52 Similarly, restricting intensification to certain areas within the QTC will not promote the efficient use of land. Sites outside the Variation area may develop before greater heights and density are enabled, failing to maximise opportunities for QTC’s intensification. Or, development decisions may be unnecessarily and inappropriately delayed resulting in market distortions. Further, the current approach risks uncoordinated and inefficient infrastructure decisions.

²⁰ The relevant provisions are summarised at section 5.1.1 of the Section 32 Assessment. The fuller provisions are detailed in Appendix 2A-2B of the Section 32 assessment.

53 Policy 4.5.3 of the ORPS addresses urban development design expectations. It directs that new urban development should be designed with regard to, "*(b) A built form that relates well to its surrounding environment.*" It is submitted that the Variation will not be able to achieve that direction in enabling 20-24m buildings directly adjoining an 'island' of land with only 12m height expectations.

54 It is noted that the current planning regime seeks to achieve much better built form outcomes by directing that the height of buildings be controlled to "*provide a reasonable degree of certainty in terms of potential building height.*"²¹ Many landowners (including Centuria) have developed their own properties or obtained consents to do so, in reliance on that statement. They currently have a reasonable expectation of a future environment that generally accords with the height limits in the ODP and PDP. A significant departure from those height limits as proposed by the Variation could not have been anticipated. Therefore, built forms established under the Variation height limits are highly unlikely to relate well to their surrounding environment. That is, unless height across the QTC is looked at more comprehensively through the Variation as requested by Centuria.

Proposed Otago Regional Policy Statement 2019

55 Section 74(2)(a)(i) of the RMA requires a territorial authority to have regard to any proposed regional policy statement in preparing and changing its district plan. Therefore, the Council must have regard to the pRPS, giving genuine thought and attention to its objectives and policies.

56 As with other sections, the section 32 assessment is relied on and not repeated.²² It is noted in particular that Objective UFD-02 of the pRPS seeks that the development and change of Otago's urban areas:

Delivers good urban design outcomes, and improves liveability;

Results in sustainable and efficient use of water, energy, land, and infrastructure; and

Achieves consolidated, well designed and located, and sustainable development in and around existing urban areas as the primary focus for accommodating the region's urban growth and change.

57 Similar issues with the Variation as raised earlier apply. The Variation will compromise good urban design outcomes. It will potentially impact on the efficient provision of infrastructure. It will not enable consolidated, well designed and located, and sustainable development.

²¹ Queenstown Lakes District Proposed District Plan, Chapter 12 at 12.2.2.3.

²² *Section 32 Assessment*, 5.1.1 at pages 11-12.

- 58 The section 32 assessment also confirms the particular relevance of Policy UFD-P3.²³ Centuria submits that the Variation needs to be extended to the Site and other Isle Street Sub-Zone land to meet this policy for example, to contribute to “...establishing or maintaining the qualities of a well-functioning urban environment”.

SECTION 32 ANALYSIS

- 59 Council has undertaken an evaluation of the Variation against section 32 of the RMA. Given its limitations, the section 32 assessment document itself does not explicitly address inclusion of Centuria’s Site and other Isle Street Sub-Zone land excluded from the Variation in its analysis. However, as has been touched on, much of the assessment and associated modelling informing the section 32 analysis have considered these areas and the QTC as a whole. As such, Centuria considers including its Site and other Isle Street Sub-Zone land is fully supported by the wider section 32 evaluation.
- 60 By way of example, it is noted that the section 32 assessment was informed by the HDCA and the Spatial Plan.²⁴ In fact, as noted earlier, the Variation seeks to align and implement the Spatial Plan.
- 61 The HDCA was prepared to assess the demand for housing land in urban environments, and the development capacity that is sufficient to meet that demand in the District in the short, medium, and long term.²⁵ QTC as a whole was identified as an area with high long-term urban demand.²⁶ The Spatial Plan recommended a review of the district plan to accommodate these longer-term needs.²⁷ This recommendation is not limited to provisions of the PDP, and therefore should be considered together with those for the ODP.
- 62 In addition, the Spatial Plan provides a long-term vision for how and where communities within the District can grow and develop to ensure social, cultural, environmental and economic prosperity out to 2050. One of the key outcomes sought by the Spatial Plan is consolidated growth and more housing choice. This outcome is to be achieved through various strategies, including increasing density in appropriate locations. To achieve these strategies, the Spatial Plan identifies priority

²³ *Section 32 Assessment*, 5.1.1 at page 12.

²⁴ Along with district plan review processes and other relevant matters including resource consent and Ministry for the Environment monitoring, master plan and plan change processes, Council’s Long Term Plan and Infrastructure Strategy and Iwi Management Plans.

²⁵ *Housing Development Capacity Assessment Queenstown Lakes District* (Market Economics, 15 September 2021).

²⁶ *Housing Development Capacity Assessment Queenstown Lakes District* (Market Economics, 15 September 2021) page 2.

²⁷ *Queenstown Lakes Spatial Plan* (July 2021) at pages 78 and 115.

development areas. One priority development area is the “Queenstown Town Centre to Frankton Corridor”, which includes the Site and other Isle Street Sub-Zone land.²⁸

- 63 Overall, Centuria considers including its Site and the other Isle Street Sub-Zone land within the Variation will help to provide for greater height and density within the QTC to address the demand identified by the HDCA and to achieve the Spatial Plan outcomes.
- 64 Further, as noted earlier, the assessment work leading up to the Variation included a review of the district plan zoning extent and provisions to determine whether they could better achieve and implement Policy 5 of the NPS-UD. This work included the ADA, which was undertaken to identify areas with sufficient development capacity to meet demand for housing and business land over the short term, medium term and long term. The modelling found that the entirety of the QTC had high levels of accessibility²⁹ and demand.³⁰ It recommended increased heights and density of development should be enabled.³¹ The ADA also concluded that the extent of areas where more intensive residential activities could occur could be expanded, in particular in Queenstown around the edges of the town centre (including parts of the PC50 area).³²
- 65 In view of the above comments, Centuria submits that the section 32 assessment document itself should have gone further and assessed the remaining areas of the QTC in more detail. That said, much of the reasoning provided to support the Variation can be applied to Centuria’s proposed relief. In particular, the reasoning provided for selecting “Option 4” is directly applicable. Centuria’s proposed relief will:
- (a) provide for intensification in locations of high accessibility and relative demand to support a well-functioning urban environment, and will assist in removing the need for greenfield growth;
 - (b) provide for the development of a diverse range of housing typologies across the urban area including smaller housing forms, which will aid affordability;
 - (c) make efficient use of the existing land within the urban growth boundary and allow for assessment and prioritisation of infrastructure upgrades; and

²⁸ *Queenstown Lakes Spatial Plan* (July 2021), pages 65-66.

²⁹ *Method Statement – Accessibility & Demand Analysis – NPSUD Policy 5* (Barker and Associates, 16 May 2023), 7.1.1, page 27.

³⁰ At 7.2, pages 28-29.

³¹ At 7.3, page 29.

³² At 7.3, page 29.

- (d) provide intensification in urban areas around commercial nodes and transport corridors to support existing public transport services.
- 66 The other reasonably practicable alternative is to retain the status quo ODP provisions. The evaluation of Option 7 and the reasons for not preferring that option are submitted to be similarly applicable to the option of rejecting Centuria's relief, noting this approach will result in costs such as:
- (a) not addressing the long-term capacity shortfall in the QTC;
 - (b) contested resource consent applications if higher densities or building heights than those provided by the ODP provisions are sought; and
 - (c) inefficient use of land in that the current lower densities provided for in the ODP will be developed in a key area of the District that is accessible and is in relative high demand.
- 67 Conversely benefits will include:
- (a) no further plan variations and related costs to Council and third parties;
 - (b) ensuring cohesive strategies for future amenity, character and infrastructure to manage for higher intensity across the QTC; and
 - (c) contributing to the compact urban form the Variation enables within existing commercial areas with public transport accessibility, and a greater range of housing typology within the QTC.
- 68 In terms of efficiency and effectiveness and risks, retaining the status quo will not achieve the requirements of the NPS-UD, Policy 5 and will not enable a well-functioning urban environment in the long term. Importantly, the section 32 assessment records that the risk of keeping the status quo is considered to have a *"high risk of not achieving the requirements of the NPS-UD, policy 5 specifically"*.³³ This statement applies equally to the Site and the other Isle Street Sub-Zone areas.

PROXIMITY TO THE VARIATION BOUNDARY

- 69 Centuria's Site and the other Isle Street Sub-Zone land is immediately adjacent to the Variation boundary. Given this geographic proximity, including the Site and other Isle Street Sub-Zone land in the Variation is a logical, incidental and consequential extension of the Variation. It will enable cohesive development within the context of the QTC as a whole. The extension is also required to address the purpose of the Variation and statutory requirements as discussed and is therefore logical, incidental and consequential from that point of view.

³³ *Section 32 Assessment*, section 11.2 at page 85.

POTENTIALLY AFFECTED LANDOWNERS

- 70 The Site and other Isle Street Sub-Zone land is expressly identified as a priority development area in the Spatial Plan. It has been considered more broadly as part of the QTC within the section 32 assessment. Council has also expressly identified the PC50 areas to be considered for implementation of the NPS-UD in future. The purpose of the Variation is also widely framed. Therefore, seeking to include and intensify the Site and other Isle Street Sub-Zone land should be reasonably anticipated by neighbouring landowners and certainly does not come out of "left field".
- 71 That said, Centuria intends to serve its submission on potentially affected persons to ensure they are aware of its requested relief and can respond if desired.
- 72 Centuria also understands owners of other properties in proximity to the Variation boundary will submit on the Variation seeking that their land be included (including some within the same block, the Isle Street East Sub-Zone block across Brecon Street and the block between Hay Street and Lake Street).

RELIEF SOUGHT

- 73 Centuria seeks to ensure the maximum height standards for properties within the Variation and in the wider area align with those for its own Site. At present, the 12m maximum height limit applicable to its Site is significantly lower than those proposed for areas subject to the Variation (up to 24m in height). Properties within the Lakeview Sub-Zone to the north-west of the Site have heights enabled between 15-26m. Further, the property at 34 Brecon Street behind Centuria's Site has a resource consent to develop up to 23m.
- 74 In this context, Centuria requests that the Variation boundary be extended to include the Isle Street Sub-Zone blocks, including its Site (as shown in green, Centuria's Site identified in black in Figure 6 below), in Height Precinct 4 with the applicable PDP rules to apply:

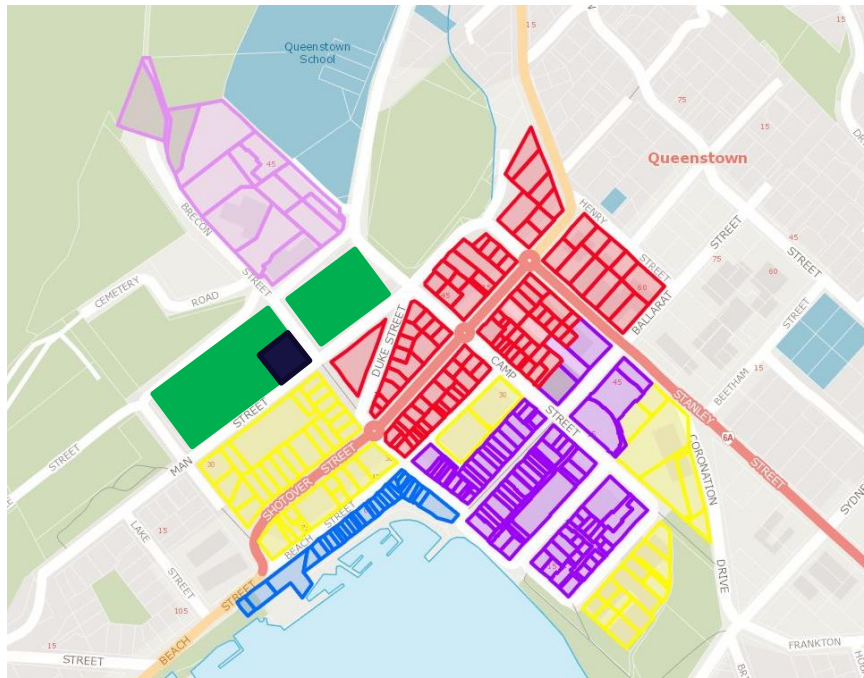


Figure 6: Centuria's proposed Queenstown Town Centre Height precinct map

- 75 It is noted that such a change would ensure cohesive development of the height environment within the QTC. This proposed height approach is also aligned with the Urban Design Review for the Variation, which states:³⁴

In determining what appropriate heights/ densities would be for the area we have reviewed recent consent decisions in the surrounding environment, the Spatial Plan as well as the suite of documents prepared as part of PC50. These generally seek to enable development over and above the maximum 14m generally signalled for much of the Town Centre with PC50 enabling heights of up to 24m. As such, this provides a reliable basis for what the development community could expect to deliver. Applied more broadly than PC50, a height limit of 24m would also clearly signal Queenstown Town Centre as the "highest order" centre across the District whilst remaining firmly in a "mid-rise" / human-scaled height range.

- 76 And, the approach aligns with that review's reference to the 'amphitheatre' style intensification seeking to be realised through the Variation (contributing to the scaled increase of height towards Ben Lamond and Queenstown Hill).³⁵
- 77 In the alternative, if Council does not accept this relief Centuria seeks that the Variation be declined until Council has done the requisite work to implement the NPS-UD within the entire QTC. At present, the Variation's compartmentalised

³⁴ *District Plan Urban Design Review – NPSUD Implementation* (Barker and Associates Limited, 15 May 2023), 6.2.4 at page 37.

³⁵ *District Plan Urban Design Review – NPSUD Implementation* (Barker and Associates Limited, 15 May 2023), 6.2.4, page 38.

approach is inefficient and will be ineffective in achieving the Variation's purpose and that of the RMA.

- 78 In addition to the specific relief above, Centuria seeks such other alternative or consequential relief to give effect to the matters raised in its submission.

CONCLUSION

- 79 Overall, Centuria considers including its Site and other Isle Street Sub-Zone land within the Variation aligns with the purpose and will help achieve the objectives of the Variation.
- 80 The relief is supported by the Council's section 32 assessment. This option is the most appropriate response to address the purpose and objectives of the Variation and the wider statutory context. The 'do nothing' option has significant failings as outlined.
- 81 Taking a more holistic approach to the Variation will enable an increase in the total plan enabled and commercially feasible capacity of residential units within the QTC, an area with high long term demand. It will also enable an area identified as having high levels of accessibility and demand to be intensified through greater height and density, aligning with the NPS-UD directions. It will better enable attached housing typologies, contributing to a greater diversity in housing typology within the QTC. Further, it will enable a more co-ordinated and integrated approach to managing the change that will occur from intensification in terms of amenity, character and the necessary services and infrastructure that support intensification.
- 82 The relief will also contribute to a compact urban form within the QTC. It will provide for greater intensification around an existing commercial area and with accessibility to public transport (including frequent bus services and planned works to improve journey times and reliability). This contribution will help avoid exacerbating existing transport issues, by increasing patronage on public transport routes and helping to reduce congestion and associated emissions.

HEARING

- 83 Centuria wishes to be heard in support of its submission. If others wish to make a similar submission, Centuria will consider presenting a joint case with them at the hearing.

Signed for and on behalf of Centuria Property Holdco Limited



Mark Francis, Director
5 October 2023

Address for service:

Centuria Property Holdco Limited

c/- Luke Hinchey

Chapman Tripp

Level 34

15 Customs Street West

PO Box 2206

Auckland 1140

Email address: Luke.Hinchey@chapmantripp.com | Georgia.Moore@chapmantripp.com

Submission on Queenstown Lakes Proposed District Plan 2023 – Urban Intensification Variation

Clause 6 of the First Schedule, Resource Management Act 1991

To: Queenstown Lakes District Council
By email: services@qldc.govt.nz

Name of Submitter: MacFarlane Investments Limited and JL Thompson (MIL)

c/o John Edmonds and Associates Limited
Mobile: 021-409-075
Email: john@jea.co.nz
Postal address: PO Box 95
Queenstown, 9300

1. This is a submission on the Proposed Urban Intensification Variation (the **Variation**) to the Queenstown Lakes Proposed District Plan (**PDP**).

This submission relates to the land described as:

Lot 2 DP 7137	OT359/132	5 Man Street *
Section 13, Block VII, Town of Queenstown	OT10D/ 1170	7 Man Street *
Section 12, Block VII, Town of Queenstown	OT244/ 126	11 Man Street *
Section 11, Block XII, Town of Queenstown	OT5C/ 237	15 Man Street *
Section 10, Block XII, Town of Queenstown	OT244/ 127	19 Brecon Street *
Section 9, Block XII, Town of Queenstown	OT19C/ 38	21 Brecon Street
Section 8, Block XII, Town of Queenstown	OT19C/ 38	10 Isle Street
Section 15, Block XII, Town of Queenstown	OT4B/ 503	
Section 7 and 16, Block XII, Town of Queenstown	353686	8 Isle Street *
Section 6, Block XII, Town of Queenstown	OT5A/ 1191	4 Isle Street *
Section 17 Block XII, Town of Queenstown	4B/ 505	
Lot 1 DP 7137 and Section 18 Block XII,, Town of Queenstown	OT4D/ 1085	2 Isle Street *
Section 19, Block XII, Town of Queenstown	OT4B/ 507	58 Camp Street
Lot 1 DP 9105	OT401. 51	
Lot 2 DP 9105	OT403/ 39	56 Camp Street
Section 3, Block XII, Town of Queenstown	OT4D/ 515	54 Camp Street
Section 2, Block XII, Town of Queenstown	OT212/ 70	52 Camp Street
Section 1, Block XII, Town of Queenstown	OT222/ 3	50 Camp Street

Table 1 – The land included in this Submission

MIL owns those properties identified by asterisk.

2. MIL cannot gain an advantage in trade competition through this submission.

3. MIL's submission relates to the whole Variation, including Chapter 12 (Queenstown Town Centre) and the District Web Mapping Application.
4. MIL submission is:
 - a. Generally supports the Variation subject to the amendments identified in this submission.
 - b. Opposes the failure to include land within the Queenstown Town Centre Zone of the PDP.

Reasons:

The block of land bound by Man Street, Brecon Street, Isle Street and Camp Street (Table 1) is currently zoned Town Centre in the Operative District Plan (**ODP**), as a result of decisions on Plan Change 50 (**PC50**), which became operative in July 2016. That land is subject to the objectives, policies and rules of the ODP.

The block is referred to as the 'Isle Street East' block, and there are a number of rules that specifically apply to this block of land¹. However none of these rules prevent the inclusion of this land within the PDP, nor is it necessary or appropriate to continue to apply those rules within the PDP.

MIL owns over 4,400m², and the PC50 rules in the ODP enable buildings up to 15.5m above original ground level, where a site exceeds 2,000m².

The PDP has been reviewed in Stages since 2015. To date the Council has notified three Stages. Stage 1 of the PDP was notified in August 2015, and included a Town Centre Zone. The notified planning maps did not include the land rezoned Town Centre as part of PC50, because the PC50 ODP process was not complete by the time notification of that Stage of the PDP occurred.

The Council has indicated that the PC50 land may be incorporated in to a future stage of the PDP, however no schedule or timeframe is publicly available.

This proposed Variation provides an opportune time to include the PC50 land within the Queenstown Town Centre Zone of the PDP.

Inclusion of the PC50 land through this Variation avoids the duplication of Resource Management Act (**RMA**) processes (ie. a subsequent Variation or later stage of the District Plan review), and the associated costs of re-litigating the Town Centre zone a second time.

The Variation proposes an important reconsideration of the land development rules, which might result in a substantial change to the form and character of the CBD. That needs to be assessed in a comprehensive and holistic manner, and all of the Queenstown Town Centre Zone land, whether under the ODP or the PDP, should be considered at the same time.

Exclusion of the PC50 land from this Variation will result in the continuation of one zone split across two District Plans; worsened by conflicting policy directions and rule outcomes, and would be contrary to the RMA, the National Policy Statement on Urban

¹ 10.6.3.2(i), 10.6.3.2 (iv), 10.6.3.2A (v), 10.6.3.4 (vi), 10.6.5.1 (i), (iv), (vii), (xi), (xv), and (xvi), 10.6.5.2 (i) and (ii)

Development 2020 (**NPS-UD**), and the operative and proposed Otago Regional Policy Statements.

The NPS-UD and the requirements to be implemented within this document apply to the whole District irrespective of whether land is currently managed through the ODP or PDP. Section 5.1.6 of the s 32 report acknowledges that monitoring has identified a number of provisions within the ODP that also require review and consideration to implement Policy 5 of the NPS-UD, yet the Variation does not suggest any changes to these.

Clause 4.1 of the NPS-UD requires Tier 2 local authorities to implement Policy 5 into their planning documents 'as soon as practicable' and no later than 2 years after the commencement date of the NPS-UD. The Council was therefore required to implement Policy 5 by 20 August 2022. That statutory deadline has well expired, and it would be contrary to the NPS-UD to further delay the implementation of Policy 5 over certain pieces of land (such as the PC50 land).

The submission to include the PC50 land (and in particular the MIL land) is considered within scope of the Variation on the basis that it is an incidental or consequential change to the Variation:

- i. The purpose of the Variation is to meet the Council's obligations as a Tier 2 local authority to give effect to the NPS-UD, in particular to enable heights and densities in accordance with Policy 5 of the NPS-UD to recognise the benefits of intensification. This submission simply seeks that the PC50 land is considered in the implementation of Policy 5 for the District, the submission is therefore squarely 'on' the Variation. In order to achieve the purpose of the Variation, it is necessary to consider all land in the Queenstown Town Centre Zone (including the PC50 Land).
 - ii. The Variation also records as a purpose, the intent of the proposed provisions to align with the Queenstown Lakes Spatial Plan 2021 (**Spatial Plan**) which promotes a compact urban form and increased densities in appropriate locations. The Land is contemplated as being within the Town Centre Zone in the Spatial Plan. Again, the submission is therefore squarely 'on' the Variation. The inclusion of the PC50 land is necessary to align the Variation with the Spatial Plan.
 - iii. The PC50 land is geographically connected to other land in the Queenstown Town Centre Zone subject to the Variation and therefore the submission is a logical, incidental, and consequential extension of what is being proposed in the Variation and its wide purpose to give effect to higher order documents.
5. The relief sought by MIL:
- a. That the relevant Zoning map be updated to include the PC50 land, or at the very least the MIL Land (described in Table 1 above), as Queenstown Town Centre Zone in the Variation.

The zoning of the land needs to be reflected on the Council planning maps.

The Council relies upon electronic mapping software, and no longer uses hard copy maps. This submission point seeks that the web mapping application used by the Council to display the district plan zones be amended to include the PC50 land, or at the very least

the block of land bound by Man Street, Brecon Street, Isle Street and Camp Street within the Queenstown Town Centre Zone.

The other overlays that currently apply to this block of land (including for example Wahi Tupuna 15 and Urban Growth Boundary) would remain unchanged.

- b. That the MIL Land (described in Table 1 above) be included within 'Figure 2: Queenstown Town Centre Height Precinct Map' of the Queenstown Town Centre Zone chapter of the Variation, and the addition of the following rule 12.5.9.2:

In the block of land bound by Isle, Camp, Man and Brecon Streets, the maximum building height shall not exceed 12m, except where:

- (i) a site is greater than 3,000m² in area; and
- (ii) the site has frontage to both Man Street and Isle Street, then the maximum building height shall be 24m above ground level and shall be limited to no more than seven storeys in height.

Reasons:

Page 12-29 of the PDP comprises Figure 2 – Queenstown Town Centre Height Precinct Map.

The Variation proposes to replace that map with a new (untitled) map. That replacement plan that divides the town centre into 5 coloured precincts that represent different height limits (refer to page 12-32 of Appendix 1AB of the section 32 report for the Variation).

This submission seeks that the block of land bound by Man Street, Brecon Street, Isle Street and Camp Street is included in this map (as shown in Figure 1 below), with the most appropriate height precinct applied.

Consideration has been given to the most appropriate height controls for this block of land, taking into account the proposed amended height precincts.

MIL seek that this block of land be included within height precinct 4, and that greater height is only enabled where significant land is accumulated. The purpose of the proposed accumulation rule is to ensure that land within this block is comprehensively developed, and that building scale reflects buildable area.



Figure 1 – Proposed Update to 'Queenstown Town Centre Height Precinct Map'

The block of land immediately adjoins two blocks of town centre zoned land that are included in proposed height precinct 4 (24m) to the east, while also diagonally opposite a town centre block included within Height Precinct 3. The block of land to the north-west side of Isle Street is also affected by the Variation, and proposed within Height Precinct 5.

The subject block is located on an elevated terrace above the town centre, separated by roads on all frontages. The Queenstown Recreation Ground (Open Space and Recreation Zone) is located to the north on the opposite side of Camp Street and creating additional open space whilst also providing visual relief.

The Council arterial links project identifies that Man Street will be upgraded and perform an important arterial function, allowing vehicles that currently travel through the downtown area to bypass Shotover Street. It is appropriate that town centre zoned land adjoining this arterial route is similarly and comprehensively zoned to ensure positive urban outcomes.

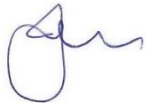
The land identified in this submission is a comparatively large area of land that is mostly flat and rectangular in shape which enables efficient use and development of the land, that benefits the form and function of the town centre zone.

The existing town centre is characterised by 2, 3 and occasional 4 level buildings. It is appropriate from an urban planning perspective to enable greater height on those blocks that surround and contain the town centre, reinforcing the amenity and character of the original town.

- c. MIL seeks the following decision from the local authority:

That the Variation be amended as requested in the submission, together with any alternative, additional, or consequential relief necessary or appropriate to give effect to the matters raised in this submission and/ or the relief requested.

- d. MIL wishes to be heard in support of the submission.
- e. If others make a similar submission, MIL will consider presenting a joint case with them at a hearing.



Signature of person authorised to sign on behalf of submitter

5 October 2023

Address for Service of Submitter:

Macfarlane Investments Limited and JL Thompson
C/-John Edmonds and Associates Limited
PO Box 95
Queenstown 9348
Tel 03 450 009/ 021 409 075

Urban Intensification

Submitter Details

Submission Date: 25/10/2023

First name: Scott **Last name:** Freeman

On behalf of: Man Street Properties Limited

Preferred method of contact

Postal address: C/- Southern Planning Group

Suburb:

City: Queenstown

Country: New Zealand

Postcode: 9348

Email: scott@southernplanning.co.nz

Daytime Phone: * 021 335 998

I could not
Gain an advantage in trade competition through this submission

I am not
directly affected by an effect of the subject matter of the submission that :
a. adversely affects the environment, and
b. does not relate to the trade competition or the effects of trade competitions.

Note to person making submission:

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991

Would you like to speak at the hearing? *

- Yes
- I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.

Additional requirements for hearing:

Attached Documents

File

Scott Freeman (Man Street Properties Limited)

FORM 5**SUBMISSION ON THE PROPOSED URBAN INTENSIFICATION
VARIATION TO THE QUEENSTOWN LAKES PROPOSED
DISTRICT PLAN****Clause 6 of Schedule 1, Resource Management Act 1991**

To: Queenstown Lakes District Council

Name of submitter: Kopuwai Investments Limited

Address for Service: Kopuwai Investments Limited
C/- Southern Planning Group
P O Box 1081
Queenstown 9300

Attention:
Scott Freeman
scott@southernplanning.co.nz
021 335 998



1. This is a submission on the Urban Intensification Variation (Proposed District Plan)

2. Trade Competition

The submitter could not gain an advantage in trade competition through this submission.

3. Omitted

4. Kopuwai Investments Limited's (The Submitter) submission is that:

Site Details

- 4.1 The Submitter owns the site that is located at 88 Beach Street, Queenstown. The site contains two level commercial building which is referred to as Steamer Wharf.

Proposed District Plan

- 4.2 In terms of the Proposed District Plan (PDP), the site is contained within the Queenstown Town Centre Zone (QTCZ). A portion of the site is contained within the Queenstown Bay Waterfront Sub-Zone.
- 4.3 In relation to the proposed Urban Intensification variation (Variation) to the PDP, the following existing standards are relevant to the site:

- a) The site is contained within Height Precinct 3.
- b) Rule 12.5.8.6 states that within Height Precinct 3, the maximum height shall be 8m and the street front parapet of buildings shall be between 7.5m and 8.5m.

Submission Points

- 4.4 The Submitter supports the following amendments within the QTCZ as proposed by the Variation (numbering based off the notified version of the Variation):
- a) The addition of 'from public places' in Policy 12.2.2.3(b).
 - b) The deletion of 'and to footpaths' from Policy 12.2.2.3(c).
 - c) The deletion of Policy 12.2.2.4.
 - d) The addition of 'from a public place' in the replaced Policy 12.2.2.4(h).
 - e) The addition of the new Policy 12.2.3.3(b).
 - f) The addition of the new Policy 12.2.3.7.
 - g) The addition of the new Policy 12.2.4.2(h).
 - h) The new matter of discretion within Rule 12.4.7(i).

- 4.5 The submitter considers that the proposed changes will assist in meeting the obligations under the National Policy Statement on Urban Development (NPS-UD), in particular Policy 5 that seeks to enable building height and density of urban form that is commensurate with the level of accessibility and demand for business (primarily in the QTCZ).
- 4.6 The submitter opposes the following amendments within the QTCZ as proposed by the Variation
- a) Rule 12.5.9.1 that imposes an 8m height limit for the site.
 - b) Rule 12.5.11 which requires a minimum floor to ceiling height of 4m for the ground floor level of all buildings.

4.7 Commentary on the opposing submission points is detailed below.

Rule 12.5.8.2 – Building Setback

- 4.8 The Submitter (in part) supports the proposed 8m height limit within Height Precinct 1. However, due to the size of the site (and Steamer Wharf as a whole), the submitter requests a bespoke height limit for the site, as follows:
- a) An overall height limit of 11m.
 - b) A 4m minimum building setback from all site boundaries shall apply to any building that exceeds a height of 8m from the ground level.
- 4.9 In relation to the overall approach of increasing building height for large areas within the QTCZ, the Submitter agrees with the following statements as contained within the Barker and Associates Urban Design Review Report (UDRP):
- a. The existing PDP height provisions are comprehensive but require amendment to reflect the policy focus of the NPS-UD (as it relates to design and built-form) on the quality and functionality of the future built environment, combined with the amenity benefits of enabling people to live in areas of high accessibility, rather simply maintaining the existing lower scale character of the QTCZ.
 - b. The approach to the new height regime would help maintain an “amphitheatre” type configuration of development in and around the QTCZ with height increases as one moves away from Marine Parade, in turn working with the topography as it rises towards Queenstown Hill and Ben Lomond helping to reflect, in principle, existing patterns of development.
 - c. Whilst sunlight (and the amenity that can be derived from it) remains relevant, the existing approach is considered very restrictive and sets the maximum level of development based on periods with the minimum amount of potential sunlight across all areas of public open space and streets. In addition, high-level shading analysis indicates that existing topographical features around the town centre already cast extensive

shadows across the town centre throughout various periods of the day (especially during winter).

- d. The 3d modelling (by Barker and Associates) demonstrated that direct sunlight is still obtainable over parts of key public open spaces during winter months. However, shading from existing buildings as well as Queenstown Hill and Ben Lomond already has a significant impact throughout the day

Rule 12.5.11 – Minimum Floor Ceiling Height

- 4.10 Rule 12.5.11 specifies that a minimum floor to ceiling height of 4m applies at the ground floor level of all buildings.
- 4.11 The issue with Rule 12.5.11 is that it is poorly drafted, in the sense it does not specify whether it applies to a completely new building or to alterations and/or renovations to an existing building. This issue should be clarified. If Rule 12.5.11 applies to alterations and/or renovations, then the Submitter opposes this rule.

5 The submitters seek the following decision from the Queenstown Lakes District Council:

- 5.1 The submitter supports and seeks the following decision from the Council:
 - a. The addition of 'from public places' in Policy 12.2.2.3(b).
 - b. The deletion of 'and to footpaths' from Policy 12.2.2.3(c).
 - c. The deletion of Policy 12.2.2.4.
 - d. The addition of 'from a public place' in the replaced Policy 12.2.2.4(h).
 - e. The addition of the new Policy 12.2.3.3(b).
 - f. The addition of the new Policy 12.2.3.7.
 - g. The addition of the new Policy 12.2.4.2(h).
 - h. The new matter of discretion within Rule 12.4.7(i).
- 5.2 The submitter opposes and seeks the following decision from the Council:
 - a. Rule 12.5.9.1(i) that specifies an 8m height limit for the site. The submitter requests a bespoke height limit for the site as outlined above.
 - b. The deletion of Rule 12.5.11 or the clarification as to how this rule will be applied in a practical sense.
- 5.3 The proposed changes to the QTCZ contained in this submission will give better effect to the outcomes proposed in the Variation in terms of the appropriate intensification of the QTCZ, and further, the proposed changes are necessary to most appropriately

give effect to the higher order provisions in the PDP, the relevant objectives and policies within the QTCZ, and ultimately Part 2 of the Act.

5.4 The submitter also seeks such further or consequential or alternative amendments necessary to give effect to this submission, and to:

- (a) promote the sustainable management of resources and achieve the purpose of the Resource Management Act 1991.
- (b) meet the reasonably foreseeable needs of future generations;
- (c) ensure the methods proposed are the most appropriate way to achieve the objectives of the Variation.
- (d) enable social, economic and cultural well being;
- (d) represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of other means available in terms of section 32 and other provisions of the Act.

6 The submitter wishes to be heard in support of their submission.

7 If others make a similar submission the submitter will consider presenting a joint case with them at a hearing.

Signature



Scott Freeman (on behalf of the Submitter)
16 September 2023

FORM 5

**SUBMISSION ON THE PROPOSED URBAN INTENSIFICATION
VARIATION TO THE QUEENSTOWN LAKES PROPOSED
DISTRICT PLAN****Clause 6 of Schedule 1, Resource Management Act 1991**

To: Queenstown Lakes District Council

Name of submitter: Cactus Kiwi NZ Limited Partnership

Address for Service: Cactus Kiwi NZ Limited Partnership
C/- Southern Planning Group
P O Box 1081
Queenstown 9300

Attention:
Scott Freeman
scott@southernplanning.co.nz
021 335 998



1. This is a submission on the Urban Intensification Variation (Proposed District Plan)

2. Trade Competition

The submitter could not gain an advantage in trade competition through this submission.

3. Omitted

4. Cactus Kiwi NZ Limited Partnership's (The Submitter) submission is that:

Site Details

- 4.1 The Submitter owns the site that is located at 10 Man Street. The site has an area of 339m². The site contains a single level building that is used commercially.

Proposed District Plan

- 4.2 In terms of the Proposed District Plan (PDP), the site is contained within the Queenstown Town Centre Zone (QTCZ).

- 4.3 In relation to the proposed Urban Intensification variation (Variation) to the PDP, the following existing standards are relevant to the site:

- a) The site is contained within Height Precinct P1 (iii).
- b) The maximum height for the site is a horizontal plan drawn at 335.1 masl.

Submission Points

- 4.4 The Submitter supports the following amendments within the QTCZ as proposed by the Variation:

- a) The addition of 'from public places' in Policy 12.2.2.3(b).
- b) The deletion of Policy 12.2.2.4.
- c) The addition of 'from a public place' in replaced Policy 12.2.2.4(h).
- d) The addition of the new Policy 12.2.3.3(b).
- e) The addition of the new Policy 12.2.3.7.
- f) The addition of the new Policy 12.2.4.2(h).
- g) The new matter of discretion within Rule 12.4.7(i).
- h) The deletion of Rule 12.5.8 (and in particular Rule 12.5.8.6).

- i) The replaced Rule 12.5.9 and in part the inclusion of the site within Height Precinct 3 and the applicable 20m height limit as expressed by Rule 12.5.9.1(iii).
- 4.5 The submitter considers that the proposed changes will assist in meeting the obligations under the National Policy Statement on Urban Development (NPS-UD), in particular Policy 5 that seeks to enable building height and density of urban form that is commensurate with the level of accessibility and demand for business (primarily in the QTCZ).
- 4.6 The submitter opposes the following amendments within the QTCZ as proposed by the Variation
 - a) For the site, the application of the 20m height limit within Height Precinct 3 when measured from the original ground level.
 - b) Rule 12.5.8.2 that requires the imposition of a 6m minimum setback from all road boundaries where the height of a building exceeds 12m from the ground level.
 - c) Rule 12.5.11 which requires a minimum floor to ceiling height of 4m for the ground floor level of all buildings.
- 4.7 Commentary on the opposing submission points is detailed below.

Rule 12.5.9.1 – Maximum Building Height

- 4.8 The submitter supports the proposed 20m height limit that applies to the site via the Variation, however, opposes where the height limit will be measured from.
- 4.9 With some exceptions, under the PDP building height is derived from the 'ground level', which is defined as per below:

Means:

The surface of the ground prior to any earthworks on the site, except that where the surface of the ground has been altered through earthworks carried out as part of a subdivision under the Resource Management Act 1991 or Local Government Act 1974 "ground level" means the finished surface of the ground following completion of works associated with the most recently completed subdivision.

- a. *"earthworks" has the meaning given in the definition of that term in this Plan and includes earthworks carried out at any time in the past;*
- b. *"completed subdivision" means a subdivision in respect of which a certificate pursuant to section 224(c) of the Resource Management Act 1991 or a completion certificate under the Local Government Act 1974 has been issued;*

- c. "earthworks carried out as part of a subdivision" does not include earthworks that are authorized under any land use consent for earthworks, separate from earthworks approved as part of a subdivision consent after 29 April 2016;
- d. ground level interpretations are to be based on credible evidence including existing topographical information, site specific topography, adjoining topography and known site history;
- e. changes to the surface of the ground as a result of earthworks associated with building activity do not affect the "ground level" of a site;
- f. subdivision that does not involve earthworks has no effect on "ground level";

Notes:

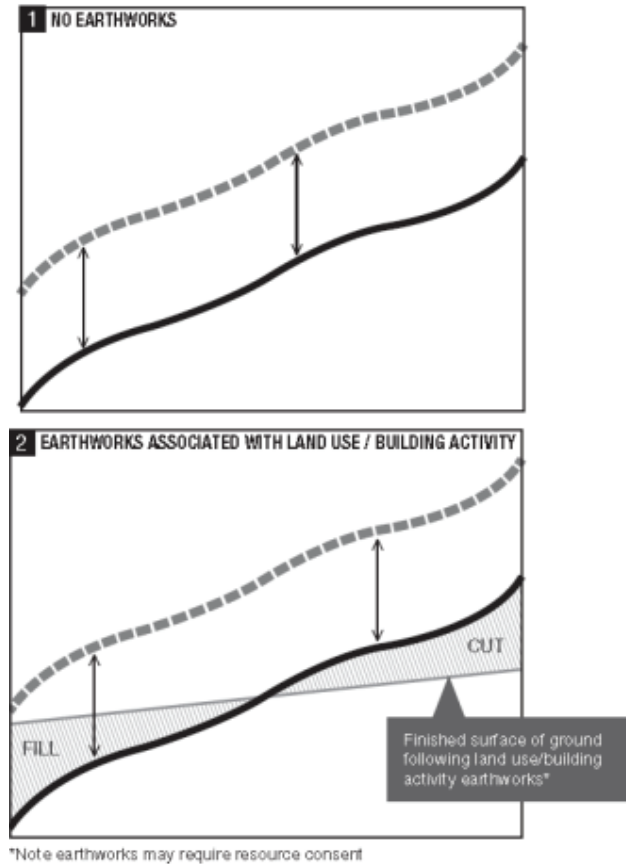
- a. See interpretive diagrams in the definition of Height;
- b. Special height rules apply in the Queenstown town centre, where "metres above sea level" is used. This is not affected by the definition of "ground level" above, which applies elsewhere

4.10 The PDP definition of 'Height (Building)' is defined below:

Means the vertical distance between ground level (as defined), unless otherwise specified in a District Plan rule, at any point and the highest part of the building immediately above that point. For the purpose of calculating height in all zones, account shall be taken of parapets, but not of:

- a. *aerials and/or antennas, mounting fixtures, mast caps, lightning rods or similar appendages for the purpose of telecommunications but not including dish antennae which are attached to a mast or building, provided that the maximum height normally permitted by the rules is not exceeded by more than 2.5m; and*
- b. *chimneys or finials (not exceeding 1.1m in any direction); provided that the maximum height normally permitted by the rules is not exceeded by more than 1.5m.*

See interpretive diagrams below and definition of GROUND LEVEL.



- 4.11 As noted above, the maximum height for the site is a horizontal plane drawn at 335.1 masl. From the existing ground level, this equates to an approximate height limit of 8.6m.
- 4.12 While the Submitter supports the concept of a 20m height limit for the site, the Submitter considers that the height limit should be measured from a fixed datum point as opposed to the 'original' ground level as determined by the PDP definitions of ground level and height (building). This approach is promoted on the basis that when the site was originally developed, the bulk of the site was increased in height (and supported by a large retaining wall). Using a fixed datum point is recognised in the PDP definition for ground level and is best represented by how height is measured in the existing PDP for Height Precinct 7 in the QTCZ.
- 4.13 Aurum Survey Consultants Limited (Aurum) have compiled a series of plans that indicate the original ground level for the site and the application of various height scenarios. These plans are attached to this submission.
- 4.14 The Aurum plans clearly indicate that the original ground level is well below the existing ground level on the site, and further, the original ground level falls away steeply in a south-easterly direction. The implication of the original ground level is that the application of the 20m building height limit (and the 6m metre setback at 12m in height) means that there are practical difficulties in redeveloping the site to a higher building height.

4.15 Based on the above issues, via a bespoke rule, the Submitter requests that building height is measured from a fixed datum point on the site, being 326.5 masl. In this regard, the Aurum plans indicate the 20m height limit together with the 6m setback measured at 12m in height when measured from this fixed datum. This height approach will enable a consistent approach to building height on the site.

Rule 12.5.8.2 – Building Setback

4.16 As outlined above, the Submitter supports the increased overall building height within Height Precinct 3, being 20m (when measured from a fixed datum as outlined above). However, the Submitter opposes Rule 12.5.8.2 which imposes a 6m minimum setback from all road boundaries where the height of a building exceeds 12m from the ground level.

4.17 In relation to the overall approach of increasing building height for large areas within the QTCZ, the Submitter agrees with the following statements as contained within the Barker and Associates Urban Design Review Report (UDRP):

- a. The existing PDP height provisions are comprehensive but require amendment to reflect the policy focus of the NPS-UD (as it relates to design and built-form) on the quality and functionality of the future built environment, combined with the amenity benefits of enabling people to live in areas of high accessibility, rather simply maintaining the existing lower scale character of the QTCZ.
- b. A height limit of 20m would clearly signal the QTCZ as the “highest order” centre across the District, whilst remaining firmly in a “mid-rise”/human-scaled height range.
- c. The approach to the new height regime would help maintain an “amphitheatre” type configuration of development in and around the QTCZ with height increases as one moves away from Marine Parade, in turn working with the topography as it rises towards Queenstown Hill and Ben Lomond helping to reflect, in principle, existing patterns of development.
- d. Whilst sunlight (and the amenity that can be derived from it) remains relevant, the existing approach is considered very restrictive and sets the maximum level of development based on periods with the minimum amount of potential sunlight across all areas of public open space and streets. In addition, high-level shading analysis indicates that existing topographical features around the town centre already cast extensive shadows across the town centre throughout various periods of the day (especially during winter).
- e. The 3d modelling (by Barker and Associates) demonstrated that direct sunlight is still obtainable over parts of key public open spaces during winter months. However, shading from existing buildings as well as Queenstown Hill and Ben Lomond already has a significant impact throughout the day

- 4.18 The addition of the new 6m setback requirement (at 12m up from all road boundaries) has a number of negative effects and also negates the proper implementation of NPS-UD for the following reasons:
- a. The bulk of the sites located within Height Precinct 3 are small parcels of land with direct frontage to a road (or in some cases, three road frontages). Once the 6m setback is applied, the remainder of the site that can achieve 20m is limited in area. In this regard, the site has two road frontages, which means that majority of the site is affected by the 6m setback.
 - b. With potentially limited areas of a site that can achieve 20m in height, there will be practical and commercial reasons as to why a developer will not increase the building height to 20m (especially for small sites).
 - c. A setback of 6m is an inefficient use of a resource, especially when the Variation is seeking to intensify the QTCZ.
 - d. Existing upper level balconies are often under-utilized due to weather conditions in the QTCZ.
 - e. A reduced setback when compared to 6m (above 12m) will likely still enable a predominantly low scale character when viewed from the immediately surrounding public environment.
 - f. Bearing in mind existing built form and the large surrounding topography and that the key public open spaces will still obtain access to sunlight (when available), a reduced setback will still maintain a degree of sunlight access to key open spaces.

4.19 Based on the above, the Submitter considers that the 6m setback as proposed in Rule 12.5.8.2 should be reduced to 2m within Height Precinct 3.

4.20 If Rule 12.5.8.2 (and by virtue Rule 12.5.8.1 as well) is to remain as presently proposed, then the Submitter requests that this rule is added to Rule 12.6.2 which deals with non-notification of applications for Restricted Discretionary activities. This outcome would allow the Council to assess a breach of Rule 12.5.8.2, on the basis that no written approvals of other persons are required, and that such a proposal shall not be notified or limited notified.

Rule 12.5.11 – Minimum Floor Ceiling Height

4.21 Rule 12.5.11 specifies that a minimum floor to ceiling height of 4m applies at the ground floor level of all buildings.

4.22 The issue with Rule 12.5.11 is that it is poorly drafted, in the sense it does not specify whether it applies to a completely new building or to alterations and/or renovations to an existing building. This issue should be clarified. If Rule 12.5.11 applies to alterations and/or renovations, then the Submitter opposes this rule.

5 The submitters seek the following decision from the Queenstown Lakes District Council:

- 5.1 The submitter supports and seeks the following decision from the Council:
- a. The addition of 'from public places' in Policy 12.2.2.3(b).
 - b. The deletion of 'and to footpaths' from Policy 12.2.2.3(c).
 - c. The deletion of Policy 12.2.2.4.
 - d. The addition of 'from a public place' in the replaced Policy 12.2.2.4(h).
 - e. The addition of the new Policy 12.2.3.3(b).
 - f. The addition of the new Policy 12.2.3.7.
 - g. The addition of the new Policy 12.2.4.2(h).
 - h. The new matter of discretion within Rule 12.4.7(i).
 - i. The replaced Rule 12.5.9 and in particular the inclusion of the site within Height Precinct 3 and the applicable 20m height limit as expressed by Rule 12.5.9.1(iv).
- 5.2 The submitter opposes and seeks the following decision from the Council:
- a. That building height is measured from the original ground level (a bespoke height limit control is proposed for the site, as outlined above).
 - b. In terms of Rule 12.5.8.2, reducing the required setback from 6m to 2m, or alternatively, adding this rule to the non-notification provisions.
 - c. The deletion of Rule 12.5.11 or the clarification as to how this rule will be applied in a practical sense.
- 5.3 The proposed changes to the QTCZ contained in this submission will give better effect to the outcomes proposed in the Variation in terms of the appropriate intensification of the QTCZ, and further, the proposed changes are necessary to most appropriately give effect to the higher order provisions in the PDP, the relevant objectives and policies within the QTCZ, and ultimately Part 2 of the Act.
- 5.4 The submitter also seeks such further or consequential or alternative amendments necessary to give effect to this submission, and to:
- (a) promote the sustainable management of resources and achieve the purpose of the Resource Management Act 1991.
 - (b) meet the reasonably foreseeable needs of future generations;

- (c) ensure the methods proposed are the most appropriate way to achieve the objectives of the Variation.
- (d) enable social, economic and cultural well being;
- (d) represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of other means available in terms of section 32 and other provisions of the Act.

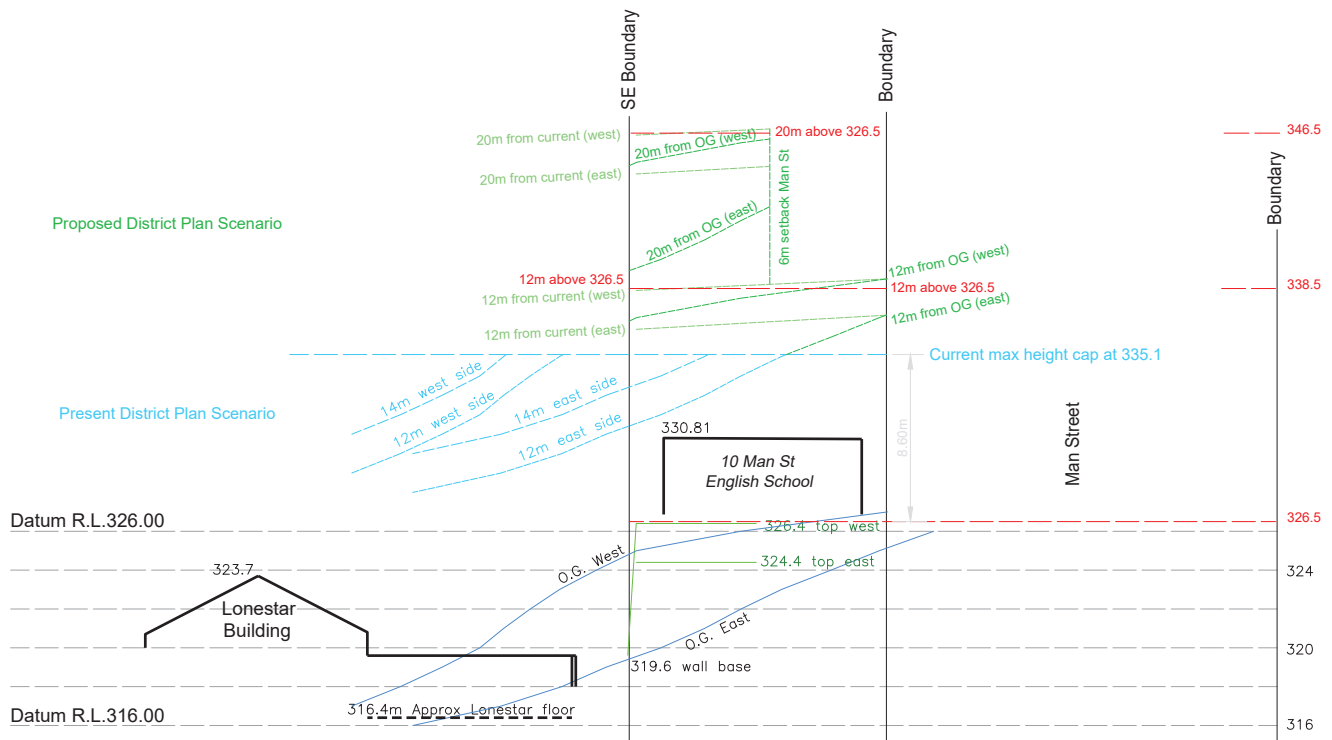
6. The submitter wishes to be heard in support of their submission.

7. If others make a similar submission the submitter will consider presenting a joint case with them at a hearing.

Signature



Scott Freeman (on behalf of the Submitter)
16 September 2023



PROFILE FROM BRECON STREET

REV.	DATE	REVISION DETAILS	BY:
B	18/02	326.5	BM
A	17/02	Initial release	BM

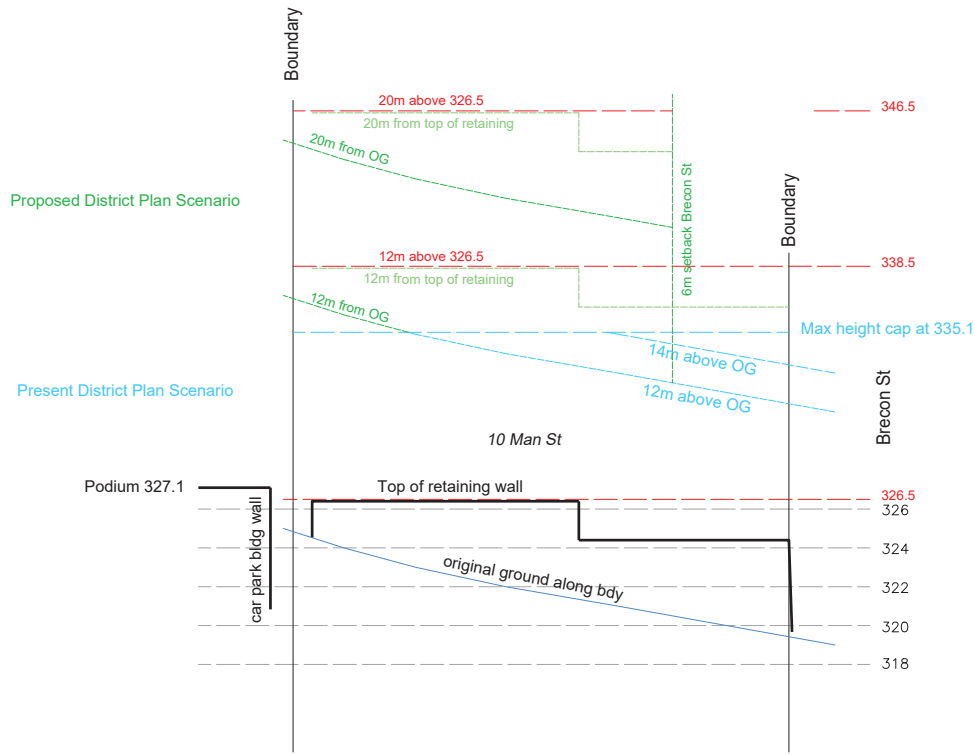
LONITUDINAL SECTION
10 MAN STREET

DATE: 18 Aug 2023	Scale: 1:200	DRAWING & ISSUE No: 5636.1R.1B
BY: B McLeod	Original Plan A3	

AURUM SURVEY

PO Box 2493
Wakapu 9349
Ph 03 442 3466
Fax 03 442 3469
Email admin@ascl.co.nz

A person/company using Aurum Survey Consultants drawings and other data accepts the risk of:
 1. using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy version;
 2. using the drawings or other data for any purpose not agreed to in writing by Aurum Survey Consultants.



PROFILE ALONG SE BOUNDARY

REV.	DATE	REVISION DETAILS	BY:
B	18/02	326.5	BM
A	17/02	Initial release	BM
REV.	DATE	REVISION DETAILS	BY:

LONITUDINAL SECTION
10 MAN STREET

DATE: 18 Aug 2023	Scale: 1:200	DRAWING & ISSUE No:
BY: B McLeod	Original Plan A3	5636.1R.2B

AURUM SURVEY

PO Box 2493
Wakapu 9349
Ph 03 442 3466
Fax 03 442 3469
Email admin@ascl.co.nz

A person/company using Aurum Survey Consultants drawings and other data accepts the risk of:
 1. using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy version;
 2. using the drawings or other data for any purpose not agreed to in writing by Aurum Survey Consultants.

Urban Intensification

Submitter Details

Submission Date: 18/01/2024

First name: John **Last name:** Edmonds

On behalf of: Upper Village Holdings 3 Limited

Preferred method of contact

Postal address: PO Box 95

Suburb:

City: Queenstown

Country: New Zealand

Postcode: 9348

Email: john@jea.co.nz

Daytime Phone: * 021409075

Which Area is your property in?

I could not
Gain an advantage in trade competition through this submission

I am not
directly affected by an effect of the subject matter of the submission that :

- adversely affects the environment, and
- does not relate to the trade competition or the effects of trade competitions.

Note to person making submission:

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991

Would you like to speak at the hearing? *

Yes

I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.

Additional requirements for hearing:

Attached Documents

File
LATE John Edmonds (Upper Village Holdings 3 Limited)